

Committee for Justice
The Committee Clerk
Room 242 Parliament Buildings
Ballymiscaw
Stormont
Belfast
BT4 3XX

By email only to: justice.bill@niassembly.gov.uk

12 September 2014

Dear Madam

Justice Bill

Thank you for the invitation to provide evidence to the Committee for Justice in respect of the above Bill.

On this occasion, the Northern Ireland Commissioner for Children and Young People (NICCY) will not be providing detailed advice. However, in addressing the issues in the consultation, NICCY would urge the Committee to take account of the four guiding principles of the United Nations Convention on the Rights of the Child (UNCRC). The UNCRC provides the overarching framework which guides NICCY's work. The UK Government, including Northern Ireland, is a signatory to the Convention and it has agreed to uphold the rights of children and young people based on the Convention. The principles are:

- **Article 2:** '*Children shall not be discriminated against and shall have equal access to all articles in the UNCRC*'. This means every child within a jurisdiction should be able to enjoy the provisions and protections enshrined in law, policy and practice, without discrimination of any kind and irrespective of their or their parent's or legal guardian's race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.
- **Article 3:** '*All decisions taken which affect children's lives should be taken in the child's best interests*'. Essentially, in all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child should be a primary consideration.'
- **Article 6:** '*All children have the right to life and to the fullest level of development*'. The rights contained in this article are linked to an enjoyment of the 'highest attainable

standard' of health and living and to specific issues including child protection, poverty and care.

- **Article 12:** *'Children have the right to have their voices heard in all matters concerning them'*. This article asserts that 'States shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting them, the views of the child being given due weight in accordance with their age and maturity'. Children and young people should therefore be afforded genuine opportunities to participate in decision making in relation to matters affecting their lives.

NICCY would strongly advise that these key articles from the UNCRC inform the Committee's decision-making in respect of all matters arising in the Justice Bill which may impact directly or indirectly on children and young people.

Yours sincerely

A handwritten signature in cursive script that reads "Patricia Lewsley-Mooney".

Patricia Lewsley-Mooney
Commissioner