

society, is the equality provisions, which entail that every public authority in Northern Ireland must consider the impact of new policy on a range of constituencies, including children.

As part of the Belfast Agreement, a Commission (known as the Patten Commission) was established to examine policing and make recommendations as to what a new police service would look like. This reflected the role played by the police both before and during the conflict and the fact that it was widely recognised that the current police service did not comply with internationally recognised standards including being representative of the community it served.

It is regrettable that despite the extensive consultative process in which the Commission was engaged, input from young people was not sought. The recommendations included only a couple which were child specific. These recommendations have yet to be implemented and consequently it remains to be seen how far they will go towards addressing this element of the conflict. However, Ms. Kelly told the Tribunal that children's rights organisations regret that the Patten Commission did not recommend either an end to the use of plastic bullets or the suspension of emergency legislation being applied to children.

Ms. Kelly reported that it is the belief of children's rights organisations in Northern Ireland that to secure full protection for children in a post-conflict situation, as well as to ensure that the importance of children and their special needs are recognised, a Ministry for Children should be established at the heart of government. This would guarantee that the unique implications for children would be taken into account in the development of all policies and strategies.

Finally, Ms. Kelly stated that, on a very pragmatic level one of the most obvious ways to guarantee children's rights in any society, and especially in a divided society, is adequate, non-discriminatory funding of services for children.

Evidence in response and elaboration from youth representatives: *Peter Bryson, Linda O'Neill, Colin Brown and James Dunbar*

Youth representatives emphasised several points in Paddy Kelly's testimony. James Dunbar underlined the effects of the threat of constant violence on children and young people, leading sometimes to suicide and suicide attempts. At the other extreme, Linda O'Neill drew attention to the fact that street violence reduces children's right to play and recreation in the areas around their homes. Colin Brown affirmed the lack of faith in policing from both sides of the community. Peter Bryson highlighted the need for attention within government structures to the particular needs of children, such as a Minister, Commissioner or Ombud for children, so that it is clear 'where children stand in the polity.'

? *Further questions to the Northern Ireland witnesses*

The Tribunal further received information from Ms. Kelly about the inadequacy of the juvenile justice system in Northern Ireland, such as the low age of criminal responsibility and the lack of appropriate secure accommodation for child offenders. But Ms. Kelly informed them that detailed information about the possible over-representation of Catholic children in the juvenile justice system is not available.

Interventions from other witnesses and observers included comments that considerable pro-active work is necessary to mitigate the long-term effects of protracted, low intensity conflict. The youth witnesses also provided information about their experiences of good practice in rehabilitation programmes. They highlighted in particular the positive effects of international youth exchanges and visits, which led to considerable discussion. Linda O'Neill described her own experience of improved self-esteem, as the sense of helplessness and apathy was challenged by one such visit. Moreover, she drew the Tribunal's attention to the fact that positive outcomes are more likely from exchanges and other activities that are not specifically related to The Troubles, and do not include overt counselling.

We have come a long way since the first child to die in the conflict, nine year old Patrick Rooney was killed on 14 August 1969 by the police. We have come a long way but we cannot become complacent. We still have a long way to go to address the human rights legacy of the conflict, to ensure the rights of all children during the peace process and enshrine mechanisms, which will protect them in a post conflict society.

Paddy Kelly: Testimony to the Tribunal