



# Convention on the Rights of the Child

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## Committee on the Rights of the Child

Seventy-first session

11–29 January 2016

Item 4 of the provisional agenda

Consideration of reports of States parties

### List of issues in relation to the combined third and fourth periodic reports of Ireland

**The State party is requested to submit in writing additional, updated information (10,700 words maximum), if possible before 15 October 2015.**

*The Committee may take up any aspect of children's rights set out in the Convention during the dialogue with the State party.*

#### Part I

**In this section, the State party is requested to submit its responses to the following questions.**

1. Please provide details on independent mechanisms for receiving complaints and conducting investigations in cases involving public bodies, including on issues relating to asylum, immigration, naturalization and citizenship.
2. Please provide information on measures taken by the State party to mitigate the negative impact of austerity measures on the implementation of the Convention, including for children of migrant and ethnic minority backgrounds.
3. Please provide information on mechanisms and procedures for addressing discrimination against ethnic minority children, particularly children of the Traveller and Roma ethnic minorities. In doing so, please include details on measures taken to ensure the accessibility and child-friendliness of channels for complaints. Please also provide information on measures taken to ensure accountability and commensurate sanctions for public officials, including at the local and county levels, for making discriminatory and/or racist remarks in public.
4. Please provide clarification on allegations of the Garda PULSE system for law enforcement being misused to categorize and record “children of Travellers” as criminals solely on the basis of their ethnicity.
5. Please provide information on measures taken to ensure freedom of conscience, religion and belief for children. In doing so, please include information on measures to



ensure that children are not denied placement in schools on the grounds of religion. Please also provide information on measures taken to ensure that children have the right to opt out of religious classes and/or attend alternatives to such classes in accordance with their beliefs.

6. Please provide detailed information on measures taken to combat the sexual exploitation of and violence and abuse against children, including:

(a) Measures taken to amend legislation to comply with the Convention as well as with the European Union Directive on combating the sexual abuse and sexual exploitation of children and child pornography, particularly with regard to criminalizing the solicitation of children for sexual purposes;

(b) Establishing a comprehensive national strategy or a coordinating framework to eliminate violence against children;

(c) Measures for addressing child protection cases, including with regard to increasing the number of trained social workers and strengthening the human, technical and financial capacity of social work teams in order to address the significant backlog of such cases;

(d) The provision of interim protection orders and the availability of sufficient numbers of refuges for children and their parents who are victims of domestic violence;

(e) Measures taken to ensure accountability for sexual abuse committed by religious leaders and/or in religious organizations and their associated institutions, including with regard to the provision of compensation in such cases.

7. Please provide clarification on the reasons for the continued non-ratification of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, despite the State party having signed it on 7 September 2000.

8. Please provide detailed information on measures taken to ensure timely access to mental health services. In doing so, please include information on preventive and early detection measures.

9. Please provide clarification on the legal definition of “real and substantial risk” under the Protection of Life During Pregnancy Act 2013. Please also provide clarification on the applicability of this Act to pregnant girls.

10. Please provide additional information on the criteria for fulfilment of the so-called habitual residence condition in order to access social services. In doing so, please provide information on measures taken, if any, to ensure that this condition does not result in children from asylum-seeking, refugee, migrant, or Traveller or Roma ethnic minority backgrounds being excluded from primary care, child benefits and social protection.

11. Please provide information on measures for ensuring access to water and sanitation for children living in a nomadic context in the State party. In doing so, please give details on measures taken to provide accommodation facilities and infrastructure that is accessible for members of the Traveller and Roma ethnic minorities.

12. Please provide updated information on measures taken to provide early childhood education, particularly for children with disabilities. Please also provide information on measures to ensure that teachers and schools are provided with the necessary training and resources to address the needs of children from ethnic, religious and linguistic minorities.

13. Please provide information on measures taken, including independent inspections, to ensure that the Direct Provision system for accommodating children and families in

asylum-seeking or refugee situations in private centres complies with the Convention and is child-friendly.

14. Please provide information on measures taken to ensure that asylum-seeking children and their families, as well as children and their families in irregular migration situations, have access to independent legal advice. Please also provide information on measures taken to ensure that unaccompanied minors in an irregular migration situation are not left stateless or in a situation of legal ambiguity as regards their migration status upon attaining the age of majority.

15. Please provide updated information on the minimum age of criminal responsibility. Please also provide information on measures to ensure that deprivation of liberty is a measure of last resort for children in conflict with the law, and that if deprivation of liberty is applied, it takes place in conditions that are compliant with the Convention.

16. Please provide information on measures taken to disseminate the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, and to conduct training thereon, for the general public, including for children.

17. Please provide information on measures taken, if any, to explicitly criminalize the involvement of persons under the age of 18 years in hostilities, including with non-State armed groups and/or the military.

18. Please provide information on measures for ensuring that unaccompanied asylum-seeking and/or refugee minors who may have been exposed to armed conflict are provided with support, psychosocial assistance, rehabilitation and social reintegration. In doing so, please provide specific information on training, if any, for relevant professionals to identify children in such situations.

## Part II

**In this section, the Committee invites the State party to briefly (three pages maximum) update the information presented in its report with regard to:**

- (a) New bills and laws, and their respective regulations;
- (b) New institutions and their mandates, and institutional reforms;
- (c) Recently introduced policies, programmes and action plans and their scope and financing;
- (d) Recent ratifications of human rights instruments.

## Part III

**Data, statistics and other information, if available**

1. Please provide updated comparative information, in percentage terms, on the increase or decrease in budget allocations for programmes, activities and services relevant to the implementation of the Convention over the past three years. In doing so, please include information regarding:

- (a) The Ombudsman for Children's Office;
- (b) The Department of Health;
- (c) The Office of the Minister for Children and Youth Affairs;
- (d) Social welfare payments;

(e) Any activities, programmes or support allocated for children of Roma or Traveller ethnicity.

2. Please provide data, disaggregated by age, sex, socioeconomic background, ethnic origin and geographical location, covering the past three years, on:

(a) The number of cases of abuse or violence against children, including all forms of corporal punishment, especially in care institutions and foster families, as well as the number of prosecutions of the perpetrators, and the sentences handed down, in the State party;

(b) The number of cases of bullying in schools, and the percentage of schools that have implemented a system for recording and documenting cases of bullying;

(c) The number of investigations into cases of sexual abuse and/or violence against children, the number of prosecutions of perpetrators and the penalties imposed on them, and the redress and compensation offered to the victims;

(d) The number of children working in the informal sector and the number of children in street situations;

(e) The number of HIV/AIDS cases among children;

(f) The number of cases of investigation, prosecution and punishment of law enforcement officials involved in illegal detention, abuse and maltreatment of children which occurred during the children's arrest and detention;

(g) The number of children in detention facilities and penitentiary institutions, including those in pretrial detention.

3. Please provide data, disaggregated by age, sex, socioeconomic background, ethnic origin and geographical location, covering the past three years, relating to the situation of children deprived of a family environment or separated from their parents, on:

(a) The number of children separated from their parents;

(b) The number of children placed in institutions;

(c) The number of children placed with foster families;

(d) The number of children adopted domestically or through inter-country adoptions, including information on the countries of origin.

4. Please provide data, disaggregated by age, sex, type of disability, ethnic origin and geographical location, covering the past three years, that specifies the number of children with disabilities and children with limited capabilities:

(a) Living with their families;

(b) In institutions;

(c) Attending regular primary schools;

(d) Attending regular secondary schools;

(e) Attending special schools;

(f) Out of school;

(g) Abandoned by their families.

5. Please provide updated information on the percentage of schools that are independent of any religious affiliation.

6. Please provide information about the number of children, broken down by country of origin, who have been granted asylum or humanitarian protection and the number of children who have been returned, extradited or expelled. Please provide details of the grounds on which they were sent back, including a list of countries to which the individuals were returned.
  7. Please provide the Committee with an update of any data in the report which may have been superseded by more recent data collected or have been affected by new developments.
  8. In addition, the State party may list areas affecting children that it considers to be of priority with regard to the implementation of the Convention.
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