

CHILDREN'S LAW CENTRE (NORTHERN IRELAND)

TRUSTEES' REPORT (INCLUDING DIRECTORS' REPORT)

FOR THE YEAR ENDED 31 MARCH 2024

The trustees present their annual report and financial statements for the year ended 31 March 2024.

The financial statements have been prepared in accordance with the accounting policies set out in note 1 to the financial statements and comply with the Companies Act 2006 and "Accounting and Reporting by Charities: Statement of Recommended Practice applicable to charities preparing their accounts in accordance with the Financial Reporting Standard applicable in the UK and Republic of Ireland (FRS 102) (effective 1 January 2019)".

Objectives and activities

The Children's Law Centre (CLC) was established to help children and young people in need and to promote their human rights in Northern Ireland. CLC provides legal information, advice, advocacy, assistance and representation for children and young people, their parents and carers and others working with and on behalf of children and young people. We raise public awareness of children and young people's rights and provide training to children, parents and carers and others working with and on behalf of children and young people. CLC gives a voice to children by facilitating and supporting a children and young person's advisory and peer advocacy group, Youth@CLC. In partnership with Youth@CLC we raise children and young people's rights with duty bearers.

The trustees have paid due regard to guidance issued by the Charity Commission in deciding what activities the charity should undertake.

Achievements and performance

The environment in which Children's Law Centre operated in 2023-24 has continued to be challenging. CLC continued to deal with multiple issues of denial of children's rights as a result of actions taken by duty holders including in response to the Covid pandemic. The situation was further aggravated by the ongoing impact of Brexit, the absence of the devolved administration in this jurisdiction and the continuing socio-economic crisis resulting in cuts to children's services. This convergence also impacted on availability of funding to the voluntary and community sector from statutory sources with the knock-on effect increasing competition for funding from Trusts and Foundations.

The impact on need was reflected in the number of issues we dealt with through our CHALKY freephone legal advice line hitting 2,980 which was an increase of 9% on the previous year. 90% of issues were assessed as 'Tier 1' and focused on disability in education, access to health and social care, family law, human rights and justice issues. The continuing denials of service for children with special education needs and disability continued to be a focus of our 'Tier 2' interventions, along with access to health and social care with particular emphasis on respite and community care support. We found particularly over the year that the increasing complexity of issues has required much more input from our legal and advice staff in order to achieve solutions for children.

There were 29,612 messages received on CLC's REE Rights Responder chatbot with 11,265 users engaging in 11,714 sessions. 81 people requested a REE Live Chat. The chatbot, which was co-designed with our Youth@CLC panel of young people continues to provide anonymised access to free legal information. This year we have been working with young people and with volunteer support from PricewaterhouseCoopers Belfast supported by a grant from Allen and Overy Belfast, to develop an 'Education and Disability' information strand for REE. The work on the new REE strand will be completed in the remainder of 2024 and will launch in January 2025.

During the year we have been working with Amnesty International, Committee on the Administration of Justice and Include Youth to challenge the use of spit and bite hoods and the use of strip searching of children by the Police Service NI. This work resulted in the Northern Ireland Policing Board (NIPB) instructing its Human Rights Advisor to conduct a review of strip searching of children benchmarked against human rights legislation. CLC was specifically recognised in the report published in June 2023. The NIPB Report made 10 recommendations including two to update guidance on PACE legislation.

Following publication of the NI Budget 2023-24 in April, CLC issued correspondence to the Secretary of State (SoS) for NI outlining equality and human rights concerns. The letter was endorsed by over 200 organisations and academics. The SoS's response to the letter raised further concerns and led CLC to apply for judicial review of the process undertaken by the SoS, the Northern Ireland Office (NIO) and Department of Finance (DoF) when setting the budget. The Equality Commission NI (ECNI) were later joined to the proceedings. In January 2024 CLC was granted leave to proceed to a full hearing against the NIO, DoF and ECNI which was scheduled for May 2024. The case has not yet concluded although it has progressed.

CHILDREN'S LAW CENTRE (NORTHERN IRELAND)

TRUSTEES' REPORT (INCLUDING DIRECTORS' REPORT) (CONTINUED)

FOR THE YEAR ENDED 31 MARCH 2024

In May 2023 we supported a group of young people to travel to Geneva for the UN Committee on the Rights of the Child examination of the UK and devolved government's implementation of the UN Convention on the Rights of the Child. This followed the submission of CLC's NI NGO Stakeholder Report and Young Person's Reports to the UN Committee in December 2022. The UNCRC Committee's Concluding Observations and Recommendations, which were published in June 2023, reflected many of the issues identified in our reports. This included a recommendation that "the Secretary of State for Northern Ireland withdraw the budget for NI for the period 2023-24 and fully consider the equality and human rights implications for a new budget, taking all possible steps to mitigate any adverse impact on children's rights before issuing a revised budget."

In support of the publication of the Concluding Observations report CLC embarked on a series of significant engagements throughout the autumn to raise awareness of the UNCRC Concluding Observations and Recommendations. This included a conference for children and young people – 'Rights Here, Right Now' – at Ulster University in September, a seminar directed at duty holders and politicians at the Long Gallery, Parliament Buildings in October and culminated in our Annual Lecture in November at the Bar Library which was provided by Bragi Guðbrandsson, Vice Chair of the UN Committee on the Rights of the Child. Mr Guðbrandsson also engaged in a series of meetings with duty holders, the judiciary and young people in the two days prior to the lecture. With the provision of live streaming this was CLC's highest attended Annual Lecture.

With South Tyrone Empowerment Project (STEP) we continued to research issues impacting refugee and asylum-seeking children in contingency and dispersal accommodation. This has led to direct engagement with families through our legal advice and advocacy services including one judicial review undertaken on behalf of a disabled child. We succeeded in securing an investigation into the condition's children are living in and safeguarding concerns. The work has also involved engaging at Ministerial, Permanent Secretary and Non-Departmental Public Body CEO level. We continue to engage with colleagues through the Child Law Network to ensure complementarity on this work across the UK.

We completed our joint research with the Dublin based Children's Rights Alliance. The report – "Listen Up! Children's Voices on the Future – Consultation with Children and Young People on Children's Rights on the Island of Ireland: Responding to the Uncertainty of Brexit and Beyond", was published in April 2024.

A number of cases were successfully completed including:

- Securing a resolution with the Education Authority (EA) for its failure to provide school transport to a statemented child with special educational needs with transport being provided.
- A successful outcome in a Judicial Review (JR) against the Home Office and Mears Housing for their failure to provide disability accessible accommodation to a severely disabled child. Resolution was reached when the Home Office granted the family indefinite leave to remain and they moved to suitable accommodation.
- A successful resolution to litigation in relation to two minor applicants' claims for damages against a health trust for its failure to provide them with respite care.
- CLC submitted a third-party intervention in a JR of the Department of Health relating to the issue of parental consent for Covid vaccination for children. CLC's intervention assisted the Court in reaching a favourable outcome from a children's rights perspective.

With the return of the NI Assembly in February 2024 CLC's expertise in children's rights to education, special education needs, health and social care, mental health and housing were in much demand. Following an invitation to provide evidence to the Education Committee on special educational needs and disability (SEND) in March we produced two substantive briefings on SEND and another on the Children's Services Co-operation Act 2015 prior to attendance and evidence giving. The Committee expressed their thanks for the briefings and were highly receptive to the evidence session which included, with their consent, an overview of one young client's lived experience in trying to access education support when transferring to post-primary school. This resulted in a request from the Committee to meet the young client and hear their story first-hand. This subsequently took place in May 2024.

CHILDREN'S LAW CENTRE (NORTHERN IRELAND)

TRUSTEES' REPORT (INCLUDING DIRECTORS' REPORT) (CONTINUED)

FOR THE YEAR ENDED 31 MARCH 2024

Other Assembly engagements have included meetings with the Chair of the Health Committee and we were invited to give evidence to the Executive Committee alongside the Human Rights Consortium on the need for additional rights protections in Northern Ireland.

Throughout the suspension of the Assembly CLC continued to engage with political parties and individual representatives including MLAs and MPs. Policy consultation responses have included:

- Department of Education's Consultation on Draft Statutory Guidance on the Reduction and Management of Restrictive Practices in Educational Settings;
- Department of Education's Consultation on Relationship and Sexuality Education;
- Department of Health's Consultation on the recommendations of the Independent Review of Children's Social Care Services;
- Equality Impact Assessments of the 2023-24 budgets for Department of Health, Department of Education and The Executive Office; and
- NI Policing Board's Engagement Strategy.

All of our consultation responses, briefing and position papers can be found at <https://childrenslawcentre.org.uk/consultation-responses/>. In addition to the above we prepared and circulated a briefing note outlining our concerns related to the equality and human rights implications for children and young people of the NI Budget 2023-24 and the process by which it was arrived at, for the Second Reading of the NI Budget (No2) Bill in the House of Commons.

CLC continues to work at a local, UK, all-Ireland and EU level including with the Child Law Network and Civil Society Alliance on the threat to the Human Rights Act, with the Child Rights Alliance in Dublin on the impact of Brexit on the rights of children across Ireland and human rights protections in the Good Friday Agreement, and with Rights of the Child Alliance UK on implementation of the UNCRC. We are also working in partnership with STEP on breaches of the rights of refugee and asylum-seeking children as they relate to education, health and housing in particular. There is a particular focus in this work on asylum-seeking children in contingency and dispersal accommodation.

Following a successful application to the Dormant Accounts Fund we recruited a Training and Engagement Co-ordinator to deliver regular programmes of training with input from our Legal and Policy and Public Affairs Teams. We have also engaged in the development of training programmes delivered in partnership with allied organisations. We continue to investigate new ways to maintain engagement post-training. We are working to extend the organisation's reach including with parents and community groups. Response to initial training programmes in the third and final quarters of the year have been extremely positive and we look forward to further development of the offers in the coming year.

Our digital communications reach has continued to grow with over 75,000 visits to our website, almost 700 new followers on X and 350 new followers on Facebook. The additional numbers accessing and linking into our social media also act as a conduit for our policy and public affairs work enabling the sharing of consultation responses, reports, training and events, and generally keeping our supporters up to date with the issues we are working on to improve the lives of children.

We are grateful to our Youth@CLC members who have worked closely with us on securing and raising awareness of the UNCRC Concluding Observations, the young people's conference in September and the seminar at the Long Gallery in October. They have also assisted in the recruitments for our Training and Engagement Co-ordinator, and most recently a new Trainee Solicitor who is funded through the Legal Education Foundation Justice First Fellowship. Without an active Youth Participation and Advocacy Worker (YPAW) this has been a challenging time but our Communications and Marketing Manager, Training and Engagement Co-ordinator and Policy and Public Affairs team have all given their time to continue to support Youth@CLC. At the time of writing we are recruiting a new YPAW following a successful application to the National Lottery Community Fund.

CHILDREN'S LAW CENTRE (NORTHERN IRELAND)

TRUSTEES' REPORT (INCLUDING DIRECTORS' REPORT) (CONTINUED)

FOR THE YEAR ENDED 31 MARCH 2024

Following our organisational review in 2021-22 we have continued to develop our work on implementing the strategic plan 2022-25 with the development of operational and team plans, complemented by updating our approach to one-to-ones. We will continue to review implementation with a particular focus on how approaches may be improved as we work toward our next strategic planning cycle at the end of 2024. We undertook and completed a salary and benchmarking exercise which demonstrated with the exception of some role anomalies that CLC, when compared with other similar organisations in the voluntary and community sector recognises its staff with higher than average salaries and benefits. The posts that were identified as anomalies were also brought into line and we continue to monitor this to ensure we remain competitive and an employer of choice.

With two Board members standing down at our AGM in December 2023, we recruited and appointed two new Board members from the public and private sectors who bring additional skills and experience to the organisation. In January 2024 the Board commenced a mid-point review of our progress in our organisational development journey. We were delighted to have made considerable progress against the organisational development plan. We will now be prioritising remaining identified areas including extending our reach and increasing our influence over the next two years.

In a particularly volatile funding environment and with considerable work undertaken in identifying and submitting funding applications, we have been fortunate to end the year showing a small unrestricted financial surplus. As we move into the next financial year the funding environment is even more volatile as the economic crisis impacts on availability of statutory funding and increases competition with trusts and foundations whose own resources are now being stretched. It is against this background that the rights of children to access the services they need to grow and live are at their greatest risk since CLC commenced its work in 1997.

CLC will continue to work in the best interests of all children living in Northern Ireland to ensure their access to services to which they are entitled and more broadly to ensure their rights under equality and human rights legislation are vindicated. In continuing this work we would like to thank our small dedicated staff team for another year of trojan work; to our Trustees who continue to support and guide our work; to our Youth@CLC volunteers and all young people we have engaged with this year, for their commitment to a better future for children and young people; and last but by no means least to the Trusts and Foundations who have shown such faith in our work and our statutory funders for their continuing support in the most challenging of times.

Financial review

The results for the year are set out in detail on pages 13 to 34. The Centre returned net deficit of £142,940 (2023 – £100,439) of which £151,372 related to a net deficit in restricted funds and £8,432 related to a net increase in unrestricted funds.

The increase in unrestricted funds includes exceptional movement in pension provision expenditure of £45,060 (2023 - income of £613).

At 31 March 2024, the total funds of the charity amounted to £706,571, comprising restricted funds of £321,067 and unrestricted funds of £385,504. The unrestricted fund balance includes unrestricted general funds of £390,793, designated funds of £55,000 and a deficit on the pension reserve of £60,289. The vast majority of income received by the Centre is earmarked by the donor for specific purposes (restricted income). Only small amounts are received as free monies (unrestricted income) which can be allocated according to organisational needs, including core running costs.

The unrestricted fund is considered to be essential to the Centre as restricted funds are not always sufficient to meet all costs. Furthermore, in the current economic environment, the level of funding may fluctuate from one year to the next. The unrestricted fund will therefore be essential to finance working capital, continue the charity's activities in the short term and fulfil its legal responsibilities to employees and creditors for a three month period. Current running costs for the charity are £75,000 per month and the level of free reserves at the year end, excluding fixed assets and designated funds, was £284,296. The charity has significant funds secured for the forthcoming year and budgets have been prepared that show that the charity has sufficient resources to continue in operational existence for the foreseeable future.

Restricted funds represent funds which are to be used in accordance with specific restrictions imposed by donors. The balance of restricted funds at 31 March 2024 was £321,067.

The trustees have assessed the major risks to which the charity is exposed, and are satisfied that systems are in place to mitigate exposure to the major risks.

CHILDREN'S LAW CENTRE (NORTHERN IRELAND)

TRUSTEES' REPORT (INCLUDING DIRECTORS' REPORT) (CONTINUED)

FOR THE YEAR ENDED 31 MARCH 2024

Plans for future periods

One of the long-term objectives for the organisation remains the securing of mainstream funding for the Centre alongside diversifying and growing funding streams. Acting on financial and legal advice, the Centre is also committed to working to build unrestricted financial reserves equivalent to six months with a minimum of at least three months' running costs to ensure a financial cushion in the event of future funding difficulties. The building of such reserves is viewed by the charity as prudent financial management, in the best interest of the Centre and necessary to honour the Centre's legal and financial commitments.

Structure, governance and management

The Centre is a charitable organisation and a company limited by guarantee governed by its Articles of Association.

The Centre is a membership organisation which is governed by a Board of Trustees (which is also the Board of Directors) elected for one year at the organisation's AGM. According to the Centre's constitution, additional Board members can be co-opted. The Board elect a Chair, Vice Chair, Treasurer and Secretary. Training is provided as required. All Centre staff are answerable to the Board through the Centre Director, Ms Patricia Kelly, who is responsible for the day to day management of the Centre. The Board of Trustees ensures the good governance of the organisation by setting its strategic objectives and policy direction through the Centre's three year strategic plan and monitoring progress on this through the annual operational planning process.

The trustees, who are also the directors for the purpose of company law, and who served during the year and up to the date of signature of the financial statements were:

Ms A Toal

Ms A Stewart

Mr D Farrell

Mr J Finnegan

Ms S Stewart

Ms T Canavan

Mr B D Moss

Dr D J Drury

Mr C Haugh

(Appointed 22 February 2024)

(Appointed 22 February 2024)

CHILDREN'S LAW CENTRE (NORTHERN IRELAND)

TRUSTEES' REPORT (INCLUDING DIRECTORS' REPORT) (CONTINUED)

FOR THE YEAR ENDED 31 MARCH 2024

Statement of trustees' responsibilities

The trustees, who are also the directors of Children's Law Centre (Northern Ireland) for the purpose of company law, are responsible for preparing the Trustees' Report and the financial statements in accordance with applicable law and United Kingdom Accounting Standards (United Kingdom Generally Accepted Accounting Practice).

Company Law requires the trustees to prepare financial statements for each financial year which give a true and fair view of the state of affairs of the charity and of the incoming resources and application of resources, including the income and expenditure, of the charitable company for that year.

In preparing these financial statements, the trustees are required to:

- select suitable accounting policies and then apply them consistently;
- observe the methods and principles in the Charities SORP;
- make judgements and estimates that are reasonable and prudent;
- state whether applicable UK Accounting Standards have been followed, subject to any material departures disclosed and explained in the financial statements; and
- prepare the financial statements on the going concern basis unless it is inappropriate to presume that the charity will continue in operation.

The trustees are responsible for keeping adequate accounting records that disclose with reasonable accuracy at any time the financial position of the charity and enable them to ensure that the financial statements comply with the Companies Act 2006. They are also responsible for safeguarding the assets of the charity and hence for taking reasonable steps for the prevention and detection of fraud and other irregularities.

Auditor

In accordance with the company's articles, a resolution proposing that GMcG BELFAST be reappointed as auditor of the company will be put at a General Meeting.

Small Companies Exemption

In preparing this report, the directors have taken advantage of the small companies exemptions provided by section 415A of the Companies Act 2006.

Disclosure of information to auditor

Each of the trustees has confirmed that there is no information of which they are aware which is relevant to the audit, but of which the auditor is unaware. They have further confirmed that they have taken appropriate steps to identify such relevant information and to establish that the auditor is aware of such information.

The trustees' report was approved by the Board of Trustees.



Ms P Kelly
Company Secretary

Date: 27/11/24