

Renate Winter, Chairperson
Committee on the Rights of the Child
Human Rights Treaties Division
Office of the United Nations High Commissioner for Human Rights
Palais Wilson - 52, rue des Pâquis
CH-1201 Geneva
Switzerland

29 June 2018

Re: 2018 Day of General Discussion

Dear Ms. Winter,

I write in relation to the 2018 Day of General Discussion on “*Protecting and Empowering Children as Human Rights Defenders*”, which is taking place on Friday, 28 September during the 79th session of the Committee.

The Ombudsman for Children’s Office (OCO) in Ireland is an independent statutory body, which was established in 2004 under the Ombudsman for Children Act 2002 (2002 Act). One of the OCO’s core statutory functions under the 2002 Act is to promote the rights and welfare of children up to the age of 18. Our corresponding duties in this regard include:

- encouraging public bodies to develop policies, practices and procedures that are designed to promote children’s rights and welfare
- collecting and disseminating information on matters relating to children’s rights and welfare
- promoting awareness among members of the public (including children) of matters relating to children’s rights and welfare (including the UN Convention on the Rights of the Child) and how those rights can be enforced.

The OCO also has a statutory function to examine and investigate complaints made by or on behalf of children about the administrative actions of public bodies, schools and voluntary hospitals. Since the OCO was established in 2004, we have dealt with over 16,000 complaints, including in the areas of education, health, disability, care, family support, child protection, housing and justice.

In line with our statutory functions, and informed both by our extensive experience of dealing with complaints and by a literature review, we published a *Guide to Child-Centred Complaints Handling* (the Guide) in February 2018. The purpose of the Guide is to encourage and support organisations that provide services to children, and make decisions that impact on children, to deal with complaints in accordance with good practice and in a child-centred manner.



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In this regard, the Guide sets out the following core principles of good practice for dealing with complaints made by or on behalf of children, as well as measures that can be taken to translate these principles into practice:

- openness and accessibility
- best interests of the child
- participation of children
- transparency and communications
- timeliness
- fairness
- monitoring and review.

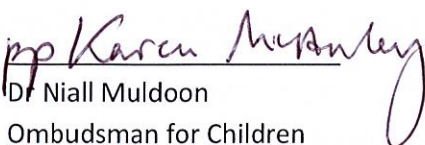
The Guide recognises that children can face particular barriers to accessing and participating in complaints processes affecting them and therefore that procedures and practices need to be adapted to meet their specific needs. In particular, the Guide encourages organisations to provide any particular supports that children or their representatives may need during the complaints process; to involve children in the development of information materials about the complaints process; to seek the views of the child affected by the complaint and address any barriers that may exist for children in expressing their views freely; and to seek feedback from children as part of a regular review of the complaints policy and procedures in place.

I am sending you a copy of the Guide for your attention. I am doing so in light of the Committee's concept note on the 2018 Day of General Discussion, which highlights that children should be recognised as subjects of their own rights, should be empowered to act as human rights defenders, and should be able to access effective remedies for violations of their rights. I also note that the Committee will also be examining how children's ombudspersons can help children human rights defenders to claim their rights and access remedies.

I hope that the Guide might usefully inform these discussions. Additional information about our other recent work can be found in our Annual Report 2017, which is available on our website at www.oco.ie/library/annual-report-2017/.

If we can provide you with any additional information about our work that may be of assistance to your discussions on children as human rights defenders, please do not hesitate to contact me.

Yours sincerely,


Dr Niall Muldoon
Ombudsman for Children

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