



Northern Ireland
Assembly

COMMITTEE
FOR EDUCATION

OFFICIAL REPORT
(Hansard)

**Future of the Northern Ireland
Youth Forum**

5 October 2011

NORTHERN IRELAND ASSEMBLY

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Members present for all or part of the proceedings:

Mr Mervyn Storey (Chairperson)
Mr David McNarry (Deputy Chairperson)
Ms Michaela Boyle
Mr Jonathan Craig
Mrs Jo-Anne Dobson
Mr Phil Flanagan
Mr Trevor Lunn
Mr Conall McDevitt
Miss Michelle McIlveen
Mr Daithí McKay

Witnesses:

Mr John Cameron)	Carrickfergus Youth Forum
Mr Martin McAuley)	
Mr Ben Mallon)	Northern Ireland Youth Forum
Mr Chris Quinn)	
Mrs Cathy Galway)	Department of Education
Ms Linda Wilson)	

The Chairperson:

I welcome Chris, Ben, Martin and John to the Committee. We are glad that you have taken the time to come. I also welcome those in the Public Gallery. It is always good to have cheerleaders. They are very welcome, and I trust that they will enjoy their time at the Assembly today and that

it does not put them off politics completely. I hope it gives them some insight into how the Assembly operates. Chris, are you going to make the presentation?

Mr Chris Quinn (Northern Ireland Youth Forum):

Ben, our chairperson, is going to make the presentation.

The Chairperson:

OK. Members will then ask questions. Go ahead, Ben.

Mr Ben Mallon (Northern Ireland Youth Forum):

Thank you, Mr Chairman, for the opportunity to speak with you today, and I thank the members for their time. We value the opportunity to have meaningful dialogue and consultation with decision-makers. By way of introduction, I am chairperson of the Youth Forum.

Mr Martin McAuley (Northern Ireland Youth Forum):

I am the honorary secretary of the Youth Forum.

Mr Quinn:

I am the transitional director of the Northern Ireland Youth Forum.

Mr John Cameron (Carrickfergus Youth Forum):

I am the chairman of Carrickfergus Youth Forum.

Mr Mallon:

I will start with some background. The Youth Forum was set up 32 years ago as a direct link between the Department of Education and the Minister of Education with young people in Northern Ireland. Our role is to empower young people and give them access to decision-makers such as yourselves. That can be through consultation, cross-community work or personal development and leadership programmes. We promote the voice of young people in Northern Ireland and make their views heard at the heart of government.

The Northern Ireland Youth Forum is unique. We are the only youth-led regional body in Northern Ireland. We have an executive made up of young people aged from 14 to 22 and we have sole responsibility for recruiting staff, setting the budget and setting the strategic direction of

the organisation, as well as a host of different legal responsibilities. In addition, last week the Education Minister talked about putting young people first in shaping our future. For me, and for the organisation, that seems to create mixed messages. The 1979/10 circular and the statement are contradictory.

I will make it clear from the outset that this meeting is not about maintaining the institution of the Northern Ireland Youth Forum but about the fundamental right of young people to have direct contact with decision-makers when the decisions affect their lives.

Mr McAuley:

The main reason we are here today is to convey our disappointment and point out some of the potential problems associated with the withdrawal of the 1979/10 circular. Yes, it is our founding document, but we firmly believe that this issue is bigger than any one organisation. It is about basic ignorance of young people's rights and a misunderstanding of what it means for young people to have their voices heard.

Without the circular, there simply is no policy in place that enshrines young people's rights to direct participation with the Minister and the Department of Education. For two reasons, we think that direct link is absolutely crucial in ensuring that there is effective participation with children and young people. First, it instils a sense of confidence in young people that their voices are being listened to by someone "important" — someone who can effect change directly — at the end of a consultation or piece of work. That feeling of connectedness is why a lot of young people come to the Northern Ireland Youth Forum: they know that someone is listening to them. On the flip side, the Minister has a responsibility to be seen to be actively gathering the views of young people, and the best way to do that is with a dedicated Youth Forum that has been working for 32 years to deliver that voice. The alternative is to go to private consultancy firms or fund other bodies to gather those views.

We have been told throughout the process that the circular is being withdrawn because it is old and out of date. Frankly, we think that is a very poor excuse for what is a nonsensical withdrawal of a policy document. Aristotle once said that human association is natural, and citizens should participate in public life. That sentiment is over 2,400 years old, but it does not make it any less relevant today. We think the argument that something should be withdrawn as a matter of administrative procedure just because it is old is frankly spurious.

However, we are keen to point out that we have had a very positive relationship with the Department over the past 32 years. We have worked with it to ensure that young people's rights are championed, and we are keen to maintain that relationship and work hand in hand with the Department to ensure sure that young people's rights are protected in the future.

Mr Mallon:

We have significant concerns about the decision-making process. As far as we are concerned, there has been absolutely no consultation on this decision. A written answer to a question submitted by Conall suggested that the Minister was consulted on the decision to rescind the circular, although you will notice that the Minister did not sign the papers included in your briefing packs; it was done by departmental officials. The involvement of the Minister in the process is not mentioned once in any of the letters. We are keen to find out what sort of consultation took place with the Minister about the withdrawal of the circular.

On 14 September 2011, we met the chief executive of the Youth Council for Northern Ireland. It was made clear from the outset of that meeting that the council received notification about the withdrawal of the circular on the day that we did, 1 September, which was one month before the decision took effect. Furthermore, it was not consulted on the decision whatsoever. That is a fairly damning indictment of any decision-making process: having a body that you provide funding of millions of pounds a year to in order to advise you on certain areas and then making policy decisions without any form of consultation with that body.

We have also seen a letter from the Minister to Chris Lyttle MLA saying that the Department did not need to consult to remove the policy, but that it had consulted us and the Youth Council. Our solicitor has rejected this assertion, and, quite frankly, we reject the notion that we were consulted. However, he may have been referring to a meeting held in Rathgael House with departmental officials on 20 April 2011. You will notice how close that meeting was to the Assembly elections, and the Executive were acting in a diminished capacity on that date. At no point prior to, or in any way during that meeting, was the circular mentioned. The only real mention was at the end when Linda Wilson, who chaired the meeting, informed us that she was minded to withdraw the circular, and she said that they would meet the Youth Council to discuss transitional arrangements before anything else took place. We had no meetings with the Department or the Youth Council over the summer. You can, therefore, imagine my shock when

I received a letter on 1 September telling us that the circular was going to be rescinded after we had been told that a consultation would take place.

Over the past few years, since I have been chair and before, we instructed our director to ask for meetings with the Department to discuss the implementation of the circular and to try to bring it more up to date and make it more worthwhile for young people. In 2008, 2009, 2010 and 2011, we made phone calls and sent e-mails and letters to the Department but got no response. As I said, that raises questions that the Department needs to answer. We have asked for meetings to implement and make the circular better for young people, but none of our requests have resulted in a meeting.

Mr McAuley:

As Ben said, we have been requesting meetings for years and years — there is a huge list of meetings that we requested — and there has been no response from the Department, until, of course, we were requested to attend the meeting on 20 April on the greater involvement of young people in the Youth Service. As Ben said, we received no notification from the Department and had no discussion with the Youth Council after that, until we received the letter dated 1 September stating that the circular was being withdrawn as of 1 October. That gave us one month's notice.

We have worked hard for 32 years to champion the rights of young people, and we have been given one month's notice that our relationship with the Department is effectively coming to an end. That is in contradiction of all best practice guidelines. You do not work for 32 years to be told with one month's notice that it is over.

We firmly believe that there are other considerations that need to be taken into account. The political logjam surrounding the Education and Skills Authority (ESA) and the consultation on the Priorities for Youth policy should be resolved before the circular is withdrawn. Otherwise, you will leave a vacuum with no policy that dictates how young people can directly engage with the Minister. The only people who lose out in that instance are young people because their voices will not be heard. In my mind, the situation is akin to removing the keystone of a bridge before you have anything in place to stabilise the rest of the structure. Inevitably, the whole thing is going to come tumbling down, and that is what we fear. We fear that the structure is going to tumble and young people are going to be left out of the process.

What typifies the whole thing is the complete lack of consultation on the withdrawal of the circular. In response to questions for written answer from MLAs, the Minister said that he does not feel that he needs to consult. However, we received advice from our solicitor stating that, if a Minister acts unreasonably, without properly considering the relevant factors and without consulting all relevant parties, an application to the High Court to quash the Minister's decision would be granted.

We want to point out that taking legal action is the last thing that we want to do. We are a group of young people. The last thing we want to do is take the Minister of Education to court over this. We want to resolve it amicably with the Department, because we have had a good relationship with it for 32 years, and we see no reason why we cannot resolve it amicably.

Further to that, Phil Scraton, a professor of criminology in the Institute of Criminology and Criminal Justice at Queen's, stated in a very well-publicised book:

"Lack of consultation dominates the private and public domains that contextualise children's lives, reminding them that active participation in the decisions that define their destiny ... is for adults only."

We have been working for 32 years to break down that boundary and make sure that young people are involved in the decision-making process, yet in the Department's own decision-making process, it is not consulting with young people. It is saying that it is happy for us to work with young people for 32 years, but this stuff is for grown-ups. It is saying that we do not have the right skills and it is too strategic for us, so it is going to make the decision because it knows what is best for us. We are saying that that is no way to do business.

On a number of occasions since our meeting on 20 April, we asked the Department what policy supersedes the circular, what is in place and why it is defunct. If there is a policy in place that works, we are happy to take a step back and work within those parameters. The answer that we got from the Department was that 'Youth Work: A Model for Effective Practice' and 'Three Core Principles' are documents that overtake the circular. Frankly, we reject that notion, because they are not Youth Service policy documents but guidelines on how youth workers should best do their jobs. That is not a policy framework through which young people can engage with the Minister.

What the officials have failed to realise until this point, however, is that the circular is part of

an interconnected series of documents that enshrines the direct link between the Minister, the Youth Forum, the Department and young people. One of those documents is the 1987 'Policy for the Youth Service in Northern Ireland'. I think you have a copy in your packs. In paragraphs 23 to 25, it sets out what the top tier of the Youth Service looks like. It states:

"the Northern Ireland Youth Forum is the pinnacle of the Department's Greater Involvement of Young Persons Policy."

It also outlines in paragraph 30 that the Northern Ireland Youth Forum:

"must continue to have an independent voice."

I do not understand how that can be made any clearer. The Youth Forum is:

"the pinnacle of the Department's Greater Involvement of Young Persons Policy."

Yet, the Department is saying that it is going to get rid of that document. It is not just a case of withdrawing the circular; there are other documents in place that enshrine the Youth Forum's link to the Minister and young people, which have to be taken into consideration. All those documents are cross-referenced by the Youth Service (Northern Ireland) Order 1989. So, there is a piece of legislation in place that also mentions those documents. It is not just a case of withdrawing one document and saying, "let's be done with it." We are saying that the Minister and his officials have failed to take all those factors into consideration. We would like the Department to slow down, consult with us on this decision and let us get the voice of young people, which is what it has employed us to do for the past 32 years. Let us do our job on this issue, and then we can move forward together.

We want to maintain the direct link and the relationship with the Department. Until now, the Department has been very much of the mind that this is a funding issue, and although funding is nice, and we like getting our £103,000 grant from the Department, that is not what we see as important. We are happy to move to a new funding stream and compete for that money, but do not get rid of the direct link between us, young people and the Minister just because you want to change a funding stream. Keep the things that are good about the circular while updating those things that you believe need to be updated.

Our director wants to give a quick summary of everything we have said.

Mr Quinn:

Martin and Ben did so well there, I am not sure that there is a need to summarise. *[Laughter.]* Policy and process were the main concerns. This is not about funding; it is about young people's rights. I am aware that time is ticking on.

Mr Cameron:

My main concern about the withdrawal of the 1979/10 circular is to do with the direct link that young people have with decision-makers. The circular put in place a three-tier approach to young people's participation in decision-making. First, there are local youth clubs; secondly, youth forums; and thirdly, the regional level. As the chairman of the local youth forum, I go to the Northern Ireland Youth Forum as the regional body for advice, guidance and support. If that three-tier approach is taken away, I do not see any hope for local youth forums. The decision will affect all young people throughout Northern Ireland.

The Chairperson:

Thank you. That was very useful. I have to say that I do not know how we got here. The Department of Education consults on everything. A practice was introduced in 1997. However, if it thought that there was an issue with the 1979 circular, why was it not raised in 1997? We went from 1997 to the 2003 relaunch. The circular was not raised as an issue then. Then I found the following quote in a letter dated 31 August from Linda Wilson, who will be speaking to the Committee shortly. I find it amazing that this is in a document from the Department:

“The provisions and roles in the circular are no longer undertaken in accordance with the circular.”

The Department of Education puts out circulars. This Committee knows my views about circulars: they are sent out from the Department, and it does not matter whether they are 74 pages or 174 pages long, they are just dispensed. Schools and organisations are told that circulars are very important and that they convey information about practice and the things on which people need to be brought up to speed. The Department clearly had a circular in place, but then said that the provisions and roles in that circular are no longer undertaken in accordance with the circular. It never saw fit, at any stage, to do anything until a meeting took place on 20 April 2011. You can correct me if I am wrong, Chris. We had a process in which all that was going on, but the first time that the issue was ever brought to your attention was on 20 April 2011. Is that correct?

Mr Quinn:

That was the first time that there was any suggestion that the Department was thinking about the issue. In one of his responses, the Minister said that the circular is neither adhered to nor enforced. We put the view to the Department that, in fact, the circular should be adhered to and enforced and that is the Department's role. We fulfil our duty according to the circular, but we cannot make boards set up youth councils. We cannot make youth clubs set up youth councils.

We advocate that the board makes sure that that is adhered to.

The Chairperson:

That was the next thing that I wanted to tease out. According to the correspondence of 31 August, it would seem that provisions and work will be carried out in conjunction with education and library boards. However, in the letter that the Minister sent to Chris Lyttle, a Member of the Assembly, he said:

“The withdrawal of the circular will not affect the continued operation of the Forum as a voluntary youth organisation operating within the Youth Service, or its ability to contribute to informing DE and the wider government about issues that impact on young people.”

That is not the case; it has an impact. The practice to date was working, and you were content with that process and protocol. However, what has now been put in place is inhibiting. Set aside the issue of money, and I appreciate the point that Martin made about money. You are making the point that it creates a situation where you are not able to do what you had done previously.

Mr Quinn:

Yes. We see that connectedness that Martin referred to as crucial. For someone to come up with the idea in 1979 that young people should directly engage with decision-makers was decades ahead of its time. We see that link as crucial. The Department has stated that it is developing a new policy — Priorities for Youth. Therefore, let us work together to establish that policy and make it better than the circular, and let us ensure that young people’s basic rights to participate in the decision-making process is enshrined in legislation and have it there in black and white. As of Saturday 1 October, there is nothing in writing — no policy — that enshrines that right.

Mr McDevitt:

Welcome, gentlemen. I am curious about the remark that Chris made about the fact that the 1979 circular is not being implemented. A couple of the specific duties set out in the circular against yourselves include effectively supplying potential nominees to bodies such as the National Youth Council of Ireland, the British Youth Council, and the European Youth Forum. I declare an interest as a former member of the National Youth Council of Ireland and the European Youth Forum. When was the last time you were asked to submit names to any of those bodies?

Mr Quinn:

Young people sit on various panels. We sit on bodies chaired by the Department of Education such as the Youth Service Liaison Forum (YSLF). Ben is a member of the British Youth Council

through his involvement in the Northern Ireland Youth Forum. Some of those things are still alive and some are not. However, we see that link as very important. It is another way that young people can represent their views quickly to the decision-maker.

Mr McDevitt:

Has the Department ever raised with you any concerns about the quality of representation, the standard of your representation or your attendance or lack of attendance at meetings on behalf of the Northern Ireland Youth Forum, the British Youth Council or any other body?

Mr McAuley:

The Department takes a hands-off view on that. As far as I am aware, operationally, our work with the European Youth Forum, the British Youth Council and the UK Youth Parliament has all been off our own bat. It is something that we actively pursue. As far as I am aware, the Department has never asked who sits on the British Youth Council or who is appointed to the UK Youth Parliament. There has never been one letter from the Department asking how those projects are going or whether they are still going. It is something that we do because we think that it promotes participation. However, it is not something that the Department has ever asked about.

Mr McDevitt:

I remember one of you telling me privately that it would have been normal for the Northern Ireland Youth Forum to meet the Minister of Education. When was the last time you had a meeting with the Minister of Education for Northern Ireland?

Mr Mallon:

Not during my time as chair.

Mr McDevitt:

How long have you been chair?

Mr Mallon:

This is my second year.

Mr McDevitt:

Therefore, definitely not for the past two years. Chris, could you —

Mr Quinn:

We had a meeting scheduled for yesterday with the Minister. Unfortunately, he could not be there, and we met his special adviser. Previously, we met the then Minister Caitríona Ruane twice when the transfer 2010 debate was taking place. That was very much a voluntary thing. Young people told us that they wanted to engage with decision-makers on that issue. We were grateful to have the two meetings with Caitríona. Even before that, I think that we met her once. I have been in post for three years now, so there were three meetings with the previous Minister and the one meeting that was scheduled for yesterday.

Mr McDevitt:

I find it strange that a special adviser would seek to represent the Minister at a meeting. I declare an interest as a former special adviser. It is clear that, as a special adviser, you have no representative role. In fact, you are not allowed to represent formally the Minister or the Department, except in a political sense. It reduces the meeting to a non-meeting from the point of view of the ministerial code, Chairman.

Apart from the meeting in April at which you were informed at the end of a senior official's decision to withdraw the circular, how does the Department structure its relationship with you? How are you brought into discussions or consulted? Is it in writing? If it is, is it as part of a general circular or are you specifically written to? Can you tell me a bit about that?

Mr Quinn:

Sure. I very much see it as one of the factors in circular 1979/10. The circular tells us that young people will be represented on various boards. We sit on the Priorities for Youth stakeholder group, and I mentioned the Youth Service Liaison Forum. There are various Department of Education committees on which we have representation. Ordinarily, Ben, our treasurer and I go to those meetings. Outside of that, we have approached the Department a number of times and invited it to come to the forum to engage directly with young people and with our members. That has not been easy to accomplish.

A point that Marty raised previously was that we realise how difficult it is to get access to

decision-makers with the circular in place. Without the circular in place, we envisage that it would be almost impossible at times to get the access that young people require.

Mr McDevitt:

Finally, how would your delegation describe the Department's commitment to youth participation as understood in a best-practice, international sense?

Mr Quinn:

For me, it is slightly contradictory. One example of a project that we delivered in partnership with the Department and other Youth Service partners was the Big Deal programme. The Big Deal report is the blue-covered document that came with the Committee's briefing papers. That document sets out everything that we are arguing for: it states that participation is a right; it talks about best practice and about young people needing support, space and advice to engage; and it deals with the whole concept of connectedness.

On paper, the Department is wholeheartedly behind the concept of participation, but I am worried that perhaps it does not understand the depth and breadth of that and how it should happen. I suppose that that is where we come in, as that is what we have done for 32 years. We have been the "how", providing the space and support and enabling young people and policymakers to engage directly.

Mrs Dobson:

Thank you for your detailed and passionate presentation. The rescinding of the circular surely leaves a gaping hole in our support for young people across Northern Ireland. I understand that your organisation has conducted roughly 30,000 engagements a year. You seem to offer a considerable service.

In response to a written question from my colleagues Basil McCrea two weeks ago, the Minister said that the circular was

"considered necessary 32 years ago when the participation of young people was a relatively new concept."

If the Minister is sincere in his commitment to enabling young people to play a full role in society, he must surely see the negative impact that the withdrawal of this funding from this organisation will have. What do you feel he should do now?

Mr Quinn:

We have put together four clear proposals for the Minister. First, he could consider postponing rescinding the circular until a policy is in place that is better and that further enshrines that right for young people to participate, as per various local and European legislation. Secondly, we request that the Minister review the process by which the decision was reached and that he allow stakeholders to be consulted.

You correctly pointed out that we achieve 30,000 contacts with young people every year. That costs the Department £6 every time that we engage with young people. That is the price of a cinema ticket. The Youth Forum has approximately 3,000 members, and not one of those people has been asked about the decision. Therefore, our third request was around consultation.

Fourthly, we request consideration on an extended transitional period so that we can work with the Department to put in place a new policy and look at the ongoing ESA debate. We are aware that there was a participative element in the first ESA Bill. Therefore, we feel that the decision on the circular is premature, and we are keen to work with the Department to make something better within existing parameters and within all the other existing and emerging policies.

Mrs Dobson:

Following on from that, you mentioned that the Minister said that he has consulted the Youth Forum, but you said that you have not been consulted. Martin referred to a complete lack of consultation. Can we ask the Minister to detail the consultation that he has had on the issue? That would be useful. Furthermore, what could be the consequences for young people if the Youth Forum did not exist?

Mr Cameron:

If young people see that they are actively getting somewhere and that people are listening to them, they will continue to do what they are doing and will make sure that their voices are heard. However, if they feel that decision-makers are not listening to them, they will not show up to meetings or try to make their voices heard. Local youth clubs, councils and forums will just dwindle, because young people will not believe that their voices are being heard, and, therefore, they will lose their passion for participation. While the Youth Forum is there, young people have a direct link with decision-makers. As a result, they will keep participating.

Mr Quinn:

We all know that stakeholder involvement in policymaking results in a more effective policy, and one that will meet people's needs. Therefore, engaging with young people and making policies about young people makes perfect sense, but, without the circular, that mechanism is not in place.

Mr Mallon:

As John said, we are working with marginalised young people who do not have any other place to go. We work in places such as Ballybeen and Old Warren, and if we were to disappear from those communities, the result would be an increase in antisocial behaviour.

Mrs Dobson:

Finally, the Department told us, and Chris touched on this earlier, that it has asked the Youth Council to put in place transitional arrangements for 12 to 18 months. That would allow the forum time to adapt to the new arrangements. Is that correct, and, in your view, what form should the transitional period take?

Mr Quinn:

The transitional period that the Department refers to relates to funding, so, of course, we are very grateful for that. We will lobby to have a transitional period of two years from this April, but we do not know what will come of that. A two-year transitional period would allow us to ready ourselves to be less reliant on the public purse and to look at social enterprise and other means of bringing in money to sustain the organisation.

We have a very professional outlook to our fundraising capabilities, and we can prepare for that. Therefore, the money is not a great worry for us. However, I will not lie. Obviously, we would love the money to be there, as it has been for the past 30 years, but, unfortunately, that might not be the reality of the situation.

Miss M McIlveen:

Most of the questions have been covered by this stage, but I want to ask what sets the Northern Ireland Youth Forum apart from other organisations. What makes you special?

Mr Mallon:

As I said, we are the only youth-led regional body in Northern Ireland. Our executive is made up of young people aged from 14 to 22. We have a varied skills mix. I am a teacher, while Martin is a law student. We are from all walks of society. Our membership is lower class, working class — it goes right across the social spectrum. We have a desire to put young people’s needs first, and I think that that is key. Other organisations in Northern Ireland, such as Youthnet and the Northern Ireland Commissioner for Children and Young People (NICCY), are doing a fantastic job, and we work alongside them. Therefore, we are working in tandem with other youth bodies to make a difference for young people in Northern Ireland.

You asked what sets us apart. We are youth-led, which is a key factor, and the only youth body in Northern Ireland that is run by young people for young people.

Mr Quinn:

I am employed by these guys to push forward a strategy, as they see fit, to best meet the needs of young people. We are the only youth-led regional body in Northern Ireland tasked with participating with young people. Until 1 October, we were the only body in Northern Ireland that had a direct link with the Minister, and that allowed young people to engage directly in the policymaking process. That sets us apart from any other organisation here.

Miss M McIlveen:

Chris, you have a very odd title. You are called the transitional director.

Mr Quinn:

Yes. My employment started on 1 September 2008, and my title has been “transitional director” since. We sought clarity for a while on what that that transition would entail, and, at our meeting on 20 April, the Department suggested for the first time what it might be. I can only surmise from that meeting that the transition referred to the change from our being a funded body through the circular to a voluntary body. Perhaps our departmental officials can clarify that. That is something on which I have sought clarity on a number of occasions from both the Department and the Youth Council.

Miss M McIlveen:

Therefore, you have been the transitional director since 2008.

Mr Quinn:

Yes, since 1 September 2008.

The Chairperson:

You need to be careful, or you will end up with as many titles as Gavin Boyd. He has gone through a considerable number of transitions.

Miss M McIlveen:

That gives the impression that the decision had been pre-empted for a considerable time.

Mr Quinn:

We had been concerned for a while that the Department might have been thinking about changing the landscape. As Marty rightly pointed out, in preparing for this meeting, we went through letters and e-mails that we sent to the Department, dating back to 2008. There was a whole list of them. We wanted a meeting to discuss the 1979/10 circular. We have met with the Department since, but we have never got the meeting that we needed to discuss the circular. Therefore, it came as a bit of a shock, because for so long we had requested a meeting specifically to talk about the circular. At our meeting on 20 April 2011, as part of an any-other-business approach, the Department said that it was “minded” to rescind the circular. Therefore, we were of the view that if the Department was minded to rescind a circular, that was the start of the process. We got a letter on 31 August 2011 to say that that would be happening.

Miss M McIlveen:

We will probably come to this when Linda comes before the Committee, but I find it quite strange that the correspondence that we received as part of our preparation for today’s meeting states that there is no requirement for the education and library boards to adhere to the provisions of the circular and that the Department of Education does not enforce it. Were you aware of that?

Mr Quinn:

We have made our views clear to the Department and the Youth Council, both verbally and in writing, that the circular should be adhered to and should be enforced. A Network for Youth was a concept under ESA to promote further the participation of young people. As part of those discussions, we asked on numerous occasions why the wheel should be reinvented. We have a

policy that is perfectly good and sets out in black and white the relationship between young people at a local level, at a local authority level and at a regional level. There are more things in the circular that are still alive today than those that are not. Granted, some things have changed, but our view is that the policy should be enforced.

Miss M McIlveen:

You have made it quite clear that funding is not the be-all and end-all in this debate. Instead, your issue is with policy. Given the current size of your organisation, you could not survive anyway solely on the money that the Department gives you. What other funding streams do you have?

Mr Quinn:

There is a cocktail of funding. Recently, we have been successful in securing work through tenders from local authorities, and that funding comes from the Special EU Programmes Body (SEUPB). Therefore, it is essentially European money. We have had a lot of success there. In the past, we have had funding from the Big Lottery Fund and others. I suppose that we are like other voluntary organisations, in that a lot of my time, and that of the rest of the team, is spent applying for funding to ensure that we are sustainable.

Mr Flanagan:

You are all very welcome, and thanks for giving such a detailed presentation. What have you done since Linda Wilson informed you on 20 April that she was minded to rescind the policy?

Mr Quinn:

The first thing that we did was talk to Patricia Lewsley, the Children's Commissioner. We talked to several MLAs, many of whom are present today, to seek advice and to put our points across. We also talked to our solicitor to seek his advice from a legal perspective, and we talked to young people. As recently as Saturday, we had a meeting with young people from various youth councils and areas across the North to discuss the circular, among other things. In answer to your question, we did our own internal consultation, because, as we saw it, 20 April marked the start of a process, and we anticipated that we could go back to the Department with our views and information on which others had advised us.

Mr McAuley:

It is probably important to point out that we have also been talking to the Department. We sent it letters and asked what policy supersedes the circular and why the circular was being withdrawn. We got back lists of policy that we do not believe to be policy or have in any way replaced the circular or fulfilled its role.

We have been trying to exhaust all avenues. We worked with the Department and all the other bodies that Chris mentioned. It is not a case of our resting on our laurels and coming to the Committee to try to receive some sort of justification. We have been trying to exhaust every possible option.

Mr Flanagan:

I will read some of the statements from the Minister and Linda Wilson. The Minister stated in a letter of 4 September 2011 that youth participation was a relatively new concept 32 years ago and that the structural and funding arrangements are long overdue for renewal. It also stated that it is necessary that the dated provisions be reviewed; that the relationship with the Department of Education as envisaged by the circular no longer exists; that the forum has evolved in that time beyond the scope of the circular; and that the circular is outdated. Do you have any argument with the principle that the Minister and his officials are putting forward at this stage?

Mr Quinn:

Is your question about the age of the circular and the argument that it is no longer adhered to?

Mr Flanagan:

Plus the fact that one of the main arguments that the Minister and the Department are putting forward is that youth participation was a relatively new concept 32 years ago and that the whole thing has completely evolved since then.

Mr Quinn:

We agree that participation has changed rapidly. We have seen major developments in the past five to six years. We now have a Commissioner for Children and Young People and the United Nations Convention on the Rights of the Child (UNCRC), article 12 of which tells us that young people must be consulted on views and issues that affect their lives. We have Office of the First Minister and deputy First Minister (OFMDFM) policy and section 75. I could go on and on, so

there is no doubt that the participative landscape has changed. We would argue, however, that rescinding circular 1979/10 is a step back. The new policy and practice strengthens the circular and the work that young people can do on the ground to represent their views to decision-makers.

It is almost like taking one step forward and two steps back. We were very disappointed that the Department of Education, which has statutory responsibility for young people, is the Department that seems to be moving backwards in its policy. As recently as last week, we had engagement with the Minister of Agriculture and Rural Development's officials, and the Minister wanted to meet us. Lots of other Ministers, MLAs and public bodies are coming to us because of the changes in the landscape and the new policy. Ultimately, we often find it a little bit more difficult to access decision-makers in our own Department in that way.

Mr McAuley:

The metaphor that Chris used with us is that sending him the circular before something else is in place is like moving house, in that you make sure that you have another house lined up before you sell your own so that you do not have to move out on to the street. In the same way, another policy should be ripe and ready to go before one is withdrawn; otherwise, there will be a vacuum for however long it takes to implement the new policy. If ESA remains logjammed, there is no telling what will happen with Priorities for Youth, because the document is not finished yet and still has to be consulted on. We are saying that this whole process is very premature.

Mr Quinn:

We have legislation on equality impact assessments, a concordat between the Executive and the voluntary sector, and best-value legislation, all of which tells us that government must consult before removing or changing policy. The decision, therefore, runs contradictory to all those policies and to all the policies that were mentioned previously and that promote the right to participate.

Mr Flanagan:

Thank you for that answer. I pay tribute to the members of the Youth Forum and the good work that they do in enabling public bodies and MLAs to engage with young people, who are a notoriously difficult section of our community to engage with. I congratulate them and thank them for their work.

Given that the circular was neither adhered to nor enforced, how will its withdrawal affect the ongoing operation of the forum as a voluntary youth service, as well as the service that it provides?

Mr Quinn:

The main effect will be on the funding stream, but that is not our main concern. We can work to raise funds by other means, although that will be a change for us and how we operate. The key issue is one of policy and rights. This is not about the Youth Forum but about the population of young people who live in the North of Ireland who will no longer have the right to a direct link with the Minister of Education and his officials. That is a major step backwards, and it is the main change that will occur as a result of the circular being removed.

Mr McAuley:

Phil, you said it yourself. Young people are a notorious difficult group to engage with, and that is why we feel that they must be treated in a different way from others. It is not a case of saying that young people can go to their local MLA, because, to young people, their local MLA is a very scary man or woman who lives at Stormont. *[Laughter.]*

The Chairperson:

Present company excluded.

Mr McAuley:

Obviously. All the faces around this table are very friendly.

Mr McDevitt:

That is those North Belfast MLAs for you.

Mr McAuley:

I will say nothing about North Belfast MLAs. *[Laughter.]* Young people have to be treated differently. That direct link is about giving young people a place to go, through the Youth Forum, where they can come together and put their views as one large group, rather than being told that they are big kids now and that they should do things as adults do.

Mr Flanagan:

Chris touched on the funding stream. Is there any update on sourcing of funding from the Youth Council? Secondly, one of your four proposals was to extend the transitional period, and in the letter of 31 August 2011 that Linda Wilson sent to you, she proposed that the transitional period be 12 to 18 months and up to a maximum of two years. What length of a transitional period do you envisage?

Mr Quinn:

We would like the transitional funding arrangements to be in place for the next two financial years, from April 2012 to April 2014. We are fully aware that the Youth Council has outlined a change in its policy, and we hope that, in the future, a funding stream will be available to fund a body or a mechanism through which young people can participate in decision-making. However, the fact of the matter is that we do not know what that body or mechanism will look like, whether there will be a funding stream or how much might be available. Those are the issues that need to be worked out before the circular is rescinded. We are not afraid, and we are prepared to bid for funding through the Youth Council like everyone else.

The Chairperson:

I do not want to mention the fact that Daithí used to be the youngest Member of the Assembly. He is eligible to be a member of the Youth Council.

Mr Flanagan:

I have now stolen that honour from him.

The Chairperson:

Have you? OK.

Mr McKay:

Are you thinking of offloading me? Do not even think about it, Chairperson. *[Laughter.]*

I thank the witnesses for their presentation. I have worked with the Youth Council on a number of events in the Assembly, as we all have, and I know that it provides a very useful role for young people. Chris, you outlined that the changes took effect on 1 October. As to the real-term effect of the changes, you said that the views of young people are represented through the

forum and that that role is outlined and enshrined in the circular. Will you continue to be represented on the Youth Service Liaison Forum and the other fora?

Mr Quinn:

The Department informed us yesterday that we would not be asked to leave those forums. However, our view is that words are not good enough, and we would argue that that sentiment needs to be enshrined in policy in black and white.

Mr McKay:

Did the officials give you any indication that they would do that?

Mr Quinn:

They simply said that we could continue to sit on the panels on which we currently sit.

Mr McAuley:

At one point during yesterday's meeting, Cathy Galway and Linda Wilson asked why we needed it written down in black and white and whether we thought that they were going to take our representation away, as if there were some sort of mistrust between us. We trust the Department, but words are not enough all the time. How many students took Nick Clegg's word at face value? That pledge was turned around. Things change monthly up here, so we would like to ensure that young people continue to sit on those boards. It seems practical for us to write that down rather than have it changed now and again or every other week. Our management committee deals with those matters, but we are looking to bring young people on to those boards to have a real effect on policy.

When a young person wearing a hoodie sits on one of those boards and tells some of the people from our youth sector partners and the Department exactly how it is, it sometimes scares them. We are scared that the Department and other youth sector bodies will say that that is not what they want. We are saying that that is real engagement; that is real young people telling them how they need to sort things out. We want to make sure that, a few weeks down the line, we are not told that those young people are not wanted on the boards any more.

Mr McKay:

We have discussed circular 1979/10, and there are past issues with the status of circulars. The

contents of circular 1979/10 would be better enshrined in a policy as opposed to a circular, because the circular itself is not being implemented. Perhaps that fact outlines the effectiveness of the circular or how important it is. If the circular were being implemented in full, the Department rather than the Youth Council would be funding the Youth Forum directly. If the forum came directly under the Department, the policy would mean that there would have to be competitive tendering for procurement; so you would not actually have direct funding. Would you be happy with that situation?

Mr Quinn:

Absolutely. First, I presume that my executive would agree with the sentiment that the good parts of the circular should be enshrined in the new Youth Service policy. That has been our argument all along, but we need that policy in place before the existing arrangements be taken away.

On direct funding, it is interested to note the 1987 Youth Service policy to which we referred. That policy stated that the Youth Forum would get direct funding from the Department. Yesterday, I asked the ministerial officials whether, given that the 1979 circular was rescinded last Saturday, I could approach them, with the 1987 document in hand, to ask for funding, because all the other policies and pieces of legislation that are interconnected through the circular had not been considered fully before it was rescinded. To go back to the initial point, we agree that, in any new policy, the core principles in the circular should be enshrined in legislation. We are willing to work, and hope that we can work, with the Department to ensure that that happens.

Mr McKay:

Is it not the case that, because the circular has been withdrawn, the Priorities for Youth policy is being put together, and, in the interim period, what went before is going to continue? Is your concern over the fact that nothing is in writing because the circular is no longer in operation? Have the departmental officials said anything of major concern to you that there is an agenda to undermine the work of the Youth Forum as an organisation?

Mr Quinn:

No. We have had no direct contact from the Department to suggest that. Our argument is based on rights. We think that there will be a vacuum. The fact of the matter is that the circular is no longer effective, as of Saturday 1 October. Priorities for Youth, which will be the new Youth Service policy, is being consulted on later in the year. From what I have seen of Priorities for

Youth, participation is an afterthought. I hope to work with the Department to ensure that participation is at the core of the policy. We are firmly of the view that the circular should not be rescinded until the new policy is in place. If that does not happen, and people do not have the right, as is spelled out here, to that direct contact with the Minister, as per the UN Convention —

Mr McKay:

Is there something in the circular about participation that you would like to see included in the new policy?

Mr Quinn:

Absolutely. As John mentioned earlier, it sets out clearly in black and white what should happen at youth club or unit level. Local youth clubs should have a structure through which young people can participate in the decision-making process. The next tier is at local youth council level, and the relationship between the club and the local youth council is outlined. The third tier is where we come in, at the regional level. It sets out how local youth councils can connect to a regional body which, in turn, connects with the decision-maker. To me, it seems to be a perfectly logical framework in which to work. I hope that the new Priorities for Youth policy involves legislation. At the moment, it does not, and that concerns us.

Mr McKay:

My final point is about funding, and perhaps that is where the Department is coming from as well. The Youth Forum is directly funded by the Youth Council but other youth organisations have to go through a competitive funding process and outline work that they are going to do and have particular aims. We have to have a level playing field.

Mr Quinn:

Absolutely. We wholeheartedly agree with that as the new funding policy. As I said, we are in a competitive market. If there were a funding stream for a regional youth-led body that promotes participation, and we bid for it but were not successful, we would have to question ourselves. We would have to ask why we have been doing this for 32 years and how come now things had changed so much. Again, there is no funding policy in place that suggests that there will be funding for that element of participation.

The Chairperson:

Can I clarify a procedural point, Chris? You probably cannot answer this, but I want to check. We received a document from the Department. Have you seen this?

Mr Quinn:

I do not think so.

The Chairperson:

It is from David Savage. We will make sure that he is happy that the Youth Forum sees the document. It makes interesting reading. I do not want to cut across other members, but I will quote one thing that it states. It refers to paragraph 12 of the circular, which sets out the function of the forum. The Department states:

“Paragraph 12 sets out the functions considered appropriate 32 years ago for the Forum. Today, the Forum’s functions are primarily determined by its membership and Executive Committee.”

Are the functions of paragraph 12 not still relevant to the work of the forum today?

Mr Quinn:

They are very much so. Phil asked us what we had done since the meeting of 20 April. We scrutinised the policy and considered it, as we had done previously. However, we would say that paragraph 12 is still very relevant and alive, and that it is still very much what the Youth Forum does on a day-to-day basis.

The Chairperson:

The Department’s answer to that is that the forum’s functions are primarily determined by its membership and executive committee.

Mr McAuley:

Let me add to what Chris said. That sounds to me like it has come from someone who has looked at a very superficial level at what the Youth Forum does. The management committee and the members set the strategic direction of the organisation, but that is around emerging policy and what is happening.

The Chairperson:

We will make sure that you get a copy of this document as soon as possible.

Mr Craig:

I listened with interest to what was said about this wonderful circular. The circular outlines the forum's organisation, what you are there for, your role and remit. In many respects, it tells government why you should receive funding. There has been a funding requirement throughout the years when the circular has been in place. Note with suspicion here that, with the removal of the policy, all your roles and your remit will continue. In fact, in reading the Minister's reply, I see that is exactly what he said: you just continue on. However, with the policy being taken off the table, do you feel that there is a legal requirement to continue funding the Youth Forum?

Mr Quinn:

It states clearly in the 1987 document that there is a legal requirement on the Department to fund the Youth Forum to do what it does. However, not all the other factors have been considered properly in making the decision. We have shown how we can raise funds from alternative sources. Perhaps it would be worth asking whether the circular would be rescinded if we did not have that capability. Are they using our fundraising capability as an excuse to take away the most basic of rights for young people to connect directly with the decision-maker?

Mr Craig:

That is part of the problem. The policy is being taken away but it is not being replaced with another policy. It is being replaced it with a vacuum. From the Government's point of view, the legal requirement to carry that out has been removed. I found that interesting because I have seen it done a number of times in other Departments. Ultimately, it leads to a withdrawal of the funding. Do you share that fear?

Mr Quinn:

The reality is that the Department can no longer fund us by the means that it used to. However, we are not afraid of that scenario. We have been successful in bidding for other work through tenders, trusts, lottery funding, and so on. We will still survive financially into the future. Yes, we would like the funding stream to continue, but we realise that things are changing and we have to accept that.

Mr Craig:

Your role and remit is to set up a structure for youth to engage with government, particularly with the Department of Education.

Mr Quinn:

Absolutely.

Mr Craig:

Will you be able to continue to operate at your current level if you are going to spend a greater amount of your time fundraising to keep the organisation in place?

Mr Quinn:

That is a very good point. I guess the key thing is that, if we are seeking funding from other sources, the funders will have other requirements. Therefore, we could not spend another funder's money on engaging people directly with decision-makers. I feel that the Youth Council and the Department need to work out their funding policy for that element of the Youth Service.

Mr Craig:

We should not be worrying about the withdrawal of an outdated policy. We should be worried about the lack of a policy on how we engage with youth. I am not here to lecture you, but I can see an issue that needs to be taken up.

Mr Lunn:

I want to make it clear that, like others, I entirely support what you do. You and your predecessors have done great work over the past 32 years, and I hope that an environment will be created that will allow you to continue to do that. I say that because I do not want to sound hostile when I ask you a question. There seems to be complete divergence of view between you, the Department and the Minister. I want to get the circular out of the way first of all. The circular is gone, and I do not think that it will come back. We are in a new situation. If the Minister of Education changes his mind, that will be a first. It is not likely to happen. You are partly miffed at the lack of consultation around that decision. However, it means that you can concentrate more on the effect it will have. Others asked the same question in a different way, but I have not really heard the answer yet. You carry out activities, which are excellent, on behalf of young people. What is the difference between what you can do now and what you could do last week? I will come on to funding in a moment, but I presume you are still funded from now until April of next year. What difference will it make to your activities?

Mr Quinn:

We no longer have that direct link to the Minister and his officials.

Mr Lunn:

You were complaining a while ago that it does not seem to work very well anyway.

Mr Quinn:

We do sit on various panels, as I referred to, but I would imagine that, without the circular, we would no longer have that right. Although at times it has been difficult to get access to the Minister of Education with the circular in place, we anticipate that, without a circular in place spelling out that right, it would be almost impossible for young people to engage directly with the Minister.

Mr Lunn:

Is that the only difference? So it does not make any difference to your day-to-day activities?

Mr Quinn:

It is going to mean that I will have to seek funding from other sources and by other means. It will mean that we will no longer have as many resources to support the Department of Education in the policymaking process.

Mr Lunn:

You have still got funding until next April. I am reading the reply to Chris Lyttle's letter, which states:

"Transitional funding and support arrangements are being considered for the Youth Forum, after which the Forum will be able to apply to the Youth Council for youth service funding in the same way as other regional Voluntary Youth Organisations".

That does not say to me that your funding is going to be cut off. If I was where you are sitting, I would have some concern, but my reading of that is that funding will continue.

Mr Quinn:

That is why I reiterate that funding is not our main concern here. Our main concern is our end policy and process. The fact of the matter is that, for young people, there is no Department of Education policy in place that is reflective of or better than the circular. The process has allowed no space to have discussions with the Department like we have had today with the Committee on

thrashing out the policy issues.

Mr McAuley:

To add to what Chris has said: I think that there are two other issues. The first is the qualitative effect that it is going to have on young people. As we said in the presentation, young people feel that they can come to the Youth Forum because there is a direct link there. Throughout the 32 years, we have had a history of being able to link directly to departmental officials, to bring young people before them and before the Minister. They feel that that is a very worthwhile mechanism. If we do not have that mechanism, we can no longer say that we feed directly in to the Department.

Mr Lunn:

Let me slow you down there. In the Minister's answer to Conall's question on 19 September, he stated:

“the removal of the circular does not diminish in any way the ability of the Forum ... to have their views heard and considered by officials and Ministers”.

He said the same thing in the reply to Chris Lyttle, when he stated:

“The withdrawal of the circular will not affect the continued operation of the Forum ... or its ability to contribute to informing DE and wider government about issues that impact on young people.”

That is what you do.

Mr McAuley:

Yes, but I question how you can get such a firm answer from a ministerial standpoint when you have not spoken to us about it. He has not asked us how it will affect us. How can he say that it is going to have no effect on an organisation when he has not asked that organisation what effect it is going to have? In our view, it is an opinion that comes from the Department, and one that is uninformed.

Mr Lunn:

We are giving you the opportunity today. I am asking you these questions so that you can put your concerns on record.

Mr McAuley:

We are saying that it will have a qualitative effect on young people as they are not going to feel

that they are directly connected. That is a big issue for them. Youth councils in the past have died because the young people cannot motivate change as they were not directly linked to any other body. Shadow youth councils tend to do well because the council invests in them and they are directly linked with the council. Youth forums can tend to die because they are not directly linked to anything, and young people do not have that mechanism through which they can make change.

Mr Cameron:

I will give a local perspective. I have had five members come to me to ask whether there is any point in them attending their local council meetings, because there is no way of following up any issues that they have. They are not worried about what e-mails are being sent between the Department and the Northern Ireland Youth Forum; they are worried about the circular not being in place. They are seeing that they now do not have a direct link with the Department of Education. Those five members came to me within one week. Indeed, there are members in the Public Gallery today who came to see how things lie and whether there is any point in us fighting at local level for policies to be changed if there will be no support at regional level and no circular in place.

Mr Lunn:

I am wondering what you said to them to convince them to remain on board.

Mr Quinn:

Can I address the issue of funding, Trevor? As I said, that is not our main argument but it is important to point out that no funding strategy is in place. The funding referred to could be £1, £1,000 or £1 million. We do not know. There are lots of bits and pieces to work through before we can agree transitional arrangements. There needs to be something better in its place to replace what is being withdrawn.

Mr Lunn:

I will not labour the point, and I hope it works out. I hope you can stay in place and continue to do your good work because I do admire your enthusiasm.

Mr McNarry:

It is very refreshing to hear your interaction with us. You are a credit to our youth. Much better

news is being made in Stormont today than I have seen at interfaces on our streets recently. I congratulate you. You come across as articulate, well-mannered and well-briefed. In fact, you remind me of you when I was your age. *[Laughter.]*

The Chairperson:

That just shows how the ageing process can affect somebody. *[Laughter.]*

Mr McNarry:

The Department really does not always make errors and it certainly will not admit to any errors that it would make. I am not sure about this, Chairman. I will not be able to hear the next set of witnesses because I have to go. However, I will read what they have to say. You receive £103,000 funding plus the cocktail that you talked about. How much does that add up to?

Mr Quinn:

Our annual turnover is around £350,000 at the moment.

Mr McNarry:

Are you operating with a surplus or a deficit?

Mr Quinn:

We are just making ends meet. There would be a deficit if we did not raise funds, which is the main reason why we do.

Mr McNarry:

The link of influence can make quite an impact and I can identify with that. The funding will be a problem and I think that you will have to look at other means. However, if the link can be structured in a way that would satisfy you and allow continued engagement — I appreciate how important that is to you — should it continue as it is or can it be improved? In addition, what value do you see in that link being retained, if it could be?

I know how those bozos work. We all know how they work and we can all read between the lines as to what is going on here. In other words, goodnight is what they are saying to you. However, that is not good enough for me or any of my colleagues as elected representatives. Certainly, we will back you, and I will back you, but we need to delve into the matter a bit more

because we are hearing only your story. The link does seem important, so how can we continue that and can it be improved?

Mr Quinn:

In my view, David, it needs to be in the Priorities for Youth policy document that the Department says it is working on. You talk about improving the link, and that is a key point. At the very least, the link must be there at the same level. We would argue, however, that any new policy should be better. It should state that the Minister must meet with young people twice a year or however often. My previous job was in Belfast City Council where I worked on its youth forum with some of the people who are here today. Bob Stoker once said to us that he often stole our ideas in the policymaking process, which made me feel that our job was done.

Mr McNarry:

That is a compliment.

Mr Quinn:

He was listening, and, through listening, he effected change. That is what we are all about.

Mr McNarry:

As regards new policies, all I can do is to plant the idea in your head in that you have the ear of this Committee. That is what we are here for. I am disappointed that this Minister is not listening, although I am not sure that it is the case. Until now, that has not been his form. He seems willing to listen. The jury is out on whether he does anything after listening, but that is how things go.

If you have any thoughts on new policies, I wonder whether you would let the Committee know about them so that we can try to progress those in our way, along with you, and go directly to the Minister to find out what we are looking at here and to find out whether this can be untangled and improved. No one wants you to go out of business, certainly not me. I am damned sure that we are not going to stand back and see you put out of business, which is equally important. I wish you well. Good luck and keep in touch with us.

I apologise; I have to go to do something else now.

Mr Quinn:

Thank you.

Ms Boyle:

I, too, welcome the panel and thank them for giving us their very detailed presentation. There is no doubt that these are some aspiring politicians. Maybe one day you will be sitting here. Well done.

A lot has been said about the circular, and I do not want to dwell on it. Your responses to Trevor's comments answered some of my questions. Ben alluded earlier to areas of lower class — I would say social disadvantage or maybe neighbourhood renewal areas — and the work that you do with young people in those areas. We all know the high rate of antisocial behaviour in those and other areas. What work do you do with young people and what support do you give to your members in those areas? The fact that you have survived for 32 years speaks volumes about the work that you do. You must be commended for that.

Mr Mallon:

As you said, we work on the ground with young people in various different communities. For example, we are working in the borough council areas of Antrim, Carrickfergus and Newtownabbey and dealing with attitudes towards racism. That is funded by Peace III. John is a young person local to Carrickfergus; I am sure he can give you plenty of examples of what we are doing on the ground for those young people, as can Chris and Marty.

Mr Cameron:

We have a large amount of paramilitary activity in our estates in Carrickfergus. We have established a cross-border link with County Leitrim, and we now have a sister-city thing going on. We have organised for them to come up and spend weekends in the estates meeting people. We have also done a lot of work on sexual health, drug and alcohol abuse and suicide awareness in our local town. We have no youth workers in Carrickfergus; it is all done by young people.

The thing about young people and participation is that, if they see that what they are doing is making a difference, they want to do more. It gives them responsibility. The circular being taken away, or the funding, does not matter to me at all down in Carrickfergus; what matters to me is the young people. I could have lost five members this week, and that would make a big

difference. We are holding discos for the under-18s. The district policing partnership (DPP) came back to us and showed that the antisocial behaviour level had dropped because of the discos and events that we are running in the town. Five members make a big difference to a small local youth council. Trying to find young people who are interested in making a difference in their community is hard, and without the circular in place, they will not see that anything is being done or any benefits that are coming to their community.

Mr Quinn:

In the past year, we worked in 23 of the 26 existing local authority areas. The vast majority of that work has been at neighbourhood level and with young people who are often disenfranchised and excluded and are sometimes not even allowed into their youth club or community centre. We are working with young people who are on the extreme margins. Our work is wide-ranging and diverse. It involves capacity building; training; empowerment; cross-border work; cross-channel work; peace-building work; community relations; and a lot of issue-based work. In the past couple of months, for example, we have worked with the Northern Trust on the issue of young people and mental health. We work with different Departments and public bodies to help them to engage young people in shaping the policies that affect them.

Ms Boyle:

I commend your work. I know that you do work in my area of Strabane. There is a very good youth council there. You look fantastic, guys, and are well turned out in your suits. I also commend you for the gender balance. Well done, ladies. I can see quite a number of you in the background. You are all very welcome.

The Chairperson:

I thank Chris, Ben, Martin — although I think that you are more often referred to as Marty — and John. I concur with the Deputy Chair. Young people are sometimes stereotyped and get a bad press. However, the young people that we have seen today are a credit to all young people. We wish you well in your current careers and your plans for the future. We will certainly endeavour to do what we can.

Some political negotiations have been going on since you have been in this room, and we will tell you what that has led to. Conall McDevitt, as a party representative, tabled a motion on the issue. However, he has said that he is happy to withdraw that motion so that we, as a Committee,

can put forward a proposal. There was a bit of toing and froing and diplomacy going on, which was good. Before we conclude this meeting, we will agree a Committee motion on the issue that we will then table, so that you will have cross-party support in the Assembly. If nothing else, we have achieved agreement on that this morning, subject to the approval of the Committee. I obviously think that it is worthwhile. We will supply you with the information that we have from the Department. Thank you very much for coming. You are welcome to stay to hear the officials.

I am going to ask everybody to take their ease for a few moments while we address a slight issue. We were to have a presentation from the Department, but the director of the service, Linda Wilson, has to be away by 12.30 pm. I do not want to inhibit that in any way, so we need to check what the situation is with the presentation. I, therefore, ask everyone, including those in the Public Gallery, to take their ease for a few minutes, and then we will resume.

I welcome Linda Wilson and Cathy Galway from the Department of Education. Linda, I offer our apologies for the disruption that we have caused to your schedule. The previous evidence session ran on longer than we had anticipated, which, unfortunately, is always the case when witnesses make presentations to the Committee. You and Cathy are both very welcome. Thank you for coming.

We have gone over the issue reasonably well with the Youth Forum. Linda, do you wish to make a few opening comments? We will then take questions from Committee members.

Ms Linda Wilson (Department of Education):

Thank you. You already have our detailed notes, and the paper that we have circulated provides a detailed assessment of the contents of circular 1979/10. I will not go through those in detail, but it might be helpful were I to address a couple of the key themes that the circular covers.

First, I will clarify that the 1979 circular is not statutory guidance. Departments use circulars in different ways, but they are generally used to provide additional information that will be useful to stakeholders or to reinforce departmental expectations at a given point in time.

As to the themes that have attracted attention concerning the circular, there has been considerable debate on participation. Since the issue of the circular, which set out good

principles at that time for the participation of young people, the principle of participation has been placed at the centre of youth work and, indeed, of the approach to education generally. The Department's strategy for the delivery of youth work has a key priority of encouraging and facilitating the participation of young people in today's society. The principle of participation is the cornerstone of the Youth Service curriculum, which is delivered by youth workers in youth clubs, units and projects throughout the North. Its importance has been stressed in the model for effective youth work practice, which is endorsed by the Department of Education. The Department recognises the importance of participation and actively seeks to encourage it.

The Youth Forum has a membership of around 3,000, which is approximately 1% of young people here. By comparison, it is estimated that approximately 30% of young people take part in the variety of youth work that is offered across the controlled, voluntary, Church-based, community-based and uniformed sectors. It is estimated that more than 150,000 young people out of the 377,000 young people grouping here take part in or are members of youth organisations, with participation in youth activities likely to be considerably higher.

The Participation Network was established in 2007 by OFMDFM as part of government's commitment to implementing the requirements in article 12 of the United Nations Convention on the Rights of the Child and section 75 of the Northern Ireland Act 1998. To date, the network has granted membership to 107 organisations that have expertise in children and young people's participation. The Northern Ireland Youth Forum is one of those organisations. The establishment of NICCY and developments around the Northern Ireland Youth Assembly are also significant. Those examples all highlight the very active participation framework that now exists, and the Department wishes to acknowledge all those involved in promoting that important work.

The second theme relates to the suggestion that the circular enshrines certain rights. Legislation around young people's rights — for example, section 75 or the UNCRC — came after the circular had been established, so there should be no concerns that rights enshrined in legislation are affected by the removal of a circular that predated them. The key issue is how those rights function in our current context and how they are embedded in our processes and practices. Concern has also been expressed about the function that facilitated the forum's submitting views to the Department and the Minister. The Minister and the Department are always keen to receive views from organisations that are working as their partners in the field.

Again, it is difficult to see how the removal of the circular will impact on the openness of the Department and the Minister. There is also a memorandum of understanding between sectoral partners and the Youth Service Liaison Forum, and that is a vehicle through which the forum can relay the views of its young people to departmental officials and other key stakeholders.

Finally, concerns have been expressed about the future of funding for the forum. The circular put in place an arrangement whereby funding was guaranteed for the forum. Although that might have been an appropriate arrangement in 1979, corporate governance and accountability have progressed, and all financial relationships are now subject to scrutiny. The loose arrangements for funding the forum envisaged in the original circular would not be repeated today. Ultimately, we are seeking to secure and demonstrate good value for money for taxpayers. Whether through procurement or commissioning of services, funding should not involve preferential treatment for one organisation.

I should add that the Department very much values the work of the Northern Ireland Youth Forum and has met it and the Youth Council, which currently handles the funding arrangements in order to assess the implications of removing the circular. The Department can confirm that the removal of the circular should not affect the continued operation of the forum. The Department has also asked the Youth Council to put in place transitional arrangements for up to two years to allow the forum time to prepare for new arrangements. The forum will also continue to represent the views of young people at various fora, such as the Youth Service Liaison Forum, the Priorities for Youth stakeholder group, and the participation working group chaired by the Youth Council. The forum will continue to be a member of the inter-board curriculum development unit.

I will stop there and hand over to you. Thank you very much.

The Chairperson:

Linda, can you confirm two things about the decision? Was it made during purdah?

Ms L Wilson:

No.

The Chairperson:

OK. Did the previous Minister of Education sign anything to say that it was happening? My

concern is that, in some of the correspondence that we have seen, it was you, as director, who conveyed the information, but on the basis of ministerial approval. I understand that some of this was not signed off until the new Minister of Education took up his post. Was it the previous Minister, the existing Minister or a combination of both?

Ms L Wilson:

It was both, effectively. We consulted the previous Minister, who indicated that we should proceed to remove the circular, subject to taking further advice, consulting and further investigation. That work continued, and the decision was brought back to the new Minister in order to confirm that he was still content to proceed.

The Chairperson:

In the paper that you provided, I was concerned about the interchange of terminology between “circular” to “policy”. We are talking about a circular that was issued in 1979. When we come to your assessment of the content of the circular, paragraph 5 in annex A contains the policy statement from the first paragraph of the circular, which states:

“It is also the Government’s view that society will benefit from giving the young people of Northern Ireland greater responsibility, and encouraging greater contact between young people of all classes and creeds.”

Where is that in a policy? What is the primary legislation or policy that underpins the circular? My understanding is that it is statutory guidance but has no legal standing. Based on previous circulars that we have queried, I understand a circular to be only guidance. What is the Department’s underlying policy for which the guidance was issued?

Ms L Wilson:

In 1972, the statement would have been quite novel. The context in which we are now working is that there is a philosophy and practice underpinning all policy development, which is that there should be consultation with those affected. In our case, that applies to young people. Therefore, in developing any policy, good practice is to consult with young people and those affected.

I indicated other developments with the Participation Network, and so on. Therefore, I think that the principle of consultation involvement with young people is at the heart of the way in which the Department seeks to do business. I would have to do extensive research to find the document that repeated that precise policy statement today, because the context is different.

The Chairperson:

I ask what policy underpins the guidance that was issued in the circular because I hope that the Department does not issue circulars solely on the basis of philosophy. If that were the case, we would be in an even bigger mess than that which we are currently in.

When we went through the whole process on the vexed question of the two ESA Bills, we were told that 11 pieces of subordinate legislation underpinned those two Bills. With the 1986 Order and the 1989 Order removed, there were 11 pieces of subordinate legislation. All that I want to know is what legislation underpins the Department of Education's current work with youth, and how does it relate to the circular?

The reason that I ask that is because the circular issued in 1979 went on to state:

“The Department is anxious therefore to see new policy measures implemented as soon as possible.”

That was in 1979; we are now in 2011.

Mrs Cathy Galway (Department of Education):

I think that a consultation document was issued in 1978, which preceded the circular. However, we have not been able to track it down, because it is so old.

The Chairperson:

That is right. The circular states:

“the Department of Education published a Consultative Document in June 1978 on the greater involvement of young people in the Youth Service.”

I assume that, as a result of that, a policy document was approved and then the circular was issued.

Mrs Galway:

I am not sure that that did happen. I will need to go back and look through the files, but I was not able to find anything previously. What seems to have happened is that that was the policy statement — that there should be greater involvement of young people in the Youth Service — and the circular that was issued then became the guidance and mechanism by which that policy was realised. Therefore, the circular repeats the policy line, which is that there should be greater involvement of young people in the Youth Service. The circular then goes on to state the mechanisms through which that will happen. However, since 1979, the 1987 policy document, which the Youth Forum referred to earlier, the 1999 document and the 2005-08 youth work

strategy all have had participation embedded in them.

In fact, the 1987 document introduced a curriculum for youth work and made it a requirement for youth clubs to have the participative structure that had previously been outlined in the 1979 circular. Therefore, rather than the 1987 policy document stating that the Youth Forum would become part of the Department — it did not — it suggested that workers in the Youth Forum would become part of the new Youth Council. Therefore, the 1987 policy document proposed the Youth Council, which was established by the 1989 Order.

The Chairperson:

That clarifies the issue, but only about the Youth Council, because it is in statute under the 1989 Order.

Mr McDevitt:

The way in which you are describing things, the only piece of documentation that you can lay your hand on as evidence of a participation policy is the 1979 circular.

Mrs Galway:

Going back?

Mr McDevitt:

Yes.

Mrs Galway:

It is for the Department of Education, but that is all that I have looked for. I have not looked for anything else.

Mr McDevitt:

Therefore, the 1979 circular is a statement of policy.

Mrs Galway:

The 1979 circular repeats a statement of policy and goes on to detail the mechanisms through which that policy will be achieved.

Mr McDevitt:

Therefore, it is a statement of policy: it tells us what the Department's policy is.

Mrs Galway:

It repeats the statement of policy in its very first line — it absolutely does — but the rest of the circular is about the mechanisms through which that policy will be achieved.

Mr McDevitt:

That is a useful clarification.

I have a question about the process. Linda, you were answering questions about the withdrawal of the 1979 circular, the involvement of two Ministers and the period of purdah. I am curious about how a decision passes from one Minister to the other, because I thought that there was a convention whereby that did not happen. Anyway, we will set that aside. In your answer, you said that you received approval from the previous Minister to remove the circular subject to further advice and investigation. You did not say "consultation".

That is a question.

Ms L Wilson:

I would need to check the paperwork. We took further advice on whether we needed to consult and on what the appropriate level of consultation would be. We concluded that it was not a policy but a circular. Traditionally, the Department does not consult on circulars. We then met with the Youth Forum to consult with it, hear its views and talk to it about the potential removal of the circular.

Mr McDevitt:

That meeting has been the subject of a lot of discussion. Did you give the Youth Forum advance notice that the meeting was a consultative meeting about your proposal to withdraw the 1979 circular?

Ms L Wilson:

I do not think that the letter explicitly referred to the circular. It referred to future provision —

Mrs Galway:

The review of arrangements.

Ms L Wilson:

The minutes of the meeting show that the circular was referenced in the opening statement.

Mr McDevitt:

From your recollection of the meeting, at what point did you bring up the circular and say that the real reason for bringing everyone there was to tell them that you were minded to rescind the circular? Did that happen at the beginning, middle or end of the meeting?

Ms L Wilson:

The circular was referred to at the beginning of the meeting.

Mr McDevitt:

At what point did you tell the Youth Forum representatives that you were minded to rescind the circular?

Ms L Wilson:

At the end of the meeting, after we had had a series of discussions on various aspects.

Mr McDevitt:

Do you not think that, in the light of the 1998 Act and our section 75 obligations therein, never mind our obligations under article 12 of the UN Convention on the Rights of the Child, it is a bit strange to call a bunch of people in for a meeting and, at the end of it, tell them that you were in fact consulting them on something on which you had already made a decision?

Ms L Wilson:

We had not already made a decision. We were investigating at that stage.

Mr McDevitt:

You did tell them at the end of the meeting, did you not, that you were minded to withdraw the circular?

Ms L Wilson:

Yes. That would obviously be subject to the views of Ministers and further engagement or comment from them.

Mr McDevitt:

This is quite an important point. A Minister is not a consultee. You are saying that you “consulted” the Youth Forum. I am trying to figure out how you can bring people in to consult with them when the process that you appear to have used is entirely at odds with the process that is standard in the public service in Northern Ireland and is consistent with the provisions in the 1998 Act that deal with consultation on changes that have an impact on policy. Even though the circular may not be a policy document, you must accept that it has an impact on policy.

Ms L Wilson:

It is the normal practice for the withdrawal and issuing of circulars. The Department does not consult on them.

Mr McDevitt:

Does the Department accept the Advisory Group on Citizenship’s UK-wide 1998 report, ‘Education for citizenship and the teaching of democracy in schools’?

Ms L Wilson:

I am not familiar with it.

Mr McDevitt:

I will help you. According to this report, ‘Participation and the Big Deal’, you do accept it. Let us take it that the people who wrote that report did their research properly when they say that you do accept it and that you do, therefore, accept the concept of informed participation. If the concept of informed participation is one whereby you have a youth-led model — not a grown-up-led model that collects the opinions of young people — with the capacity to take an informed position on points of public policy, what specific mechanism can you point to in the Department of Education that means you have an informed participation model for consulting the views of young people?

Ms L Wilson:

I would have to say that there is not a structure in place like the one that I think you are suggesting. We do not have a structured framework for that type of engagement.

Mr McDevitt:

Which brings us to the basic issue; namely, that this is a premature decision. You have removed a framework that did give you a framework for informed participation, consistent with the Advisory Group on Citizenship's 1998 report and arguably consistent with your duties under article 12 of the UN Convention on the Rights of the Child, and failed to put anything in its place.

Mrs Galway:

The Youth Service Liaison Forum, which is the means through which a cross-section of stakeholders in the Youth Service advises the Department, has a memorandum of understanding. That memorandum of understanding is signed by all the partners, including the Northern Ireland Youth Forum, and the Department chairs meetings of the YSLF. In the memorandum of understanding is a clear commitment for all partner agencies to assist the Department of Education in formulating and implementing Youth Service policy proposals.

There is also a clear commitment in the memorandum of understanding to the UN Convention on the Rights of the Child, in that we believe in the participation of children and young people. All those partner agencies signed up to that. That is a written statement that the Department of Education has. It has a set of key principles that underpins all the work that we do with the forum and other agencies in the youth sector. We would not get our views on young people from just the Youth Forum. The forum has an important representative role, but there are 2,000 youth groups out there. We have five education and library boards. The Youth Council funds myriad organisations.

Mr McDevitt:

Just so as I am clear, Mrs Galway, you are saying the opposite to Ms Wilson. You are saying that there is a structure.

Mrs Galway:

For the Department of Education within the Youth Service. Perhaps not for the whole Department.

Mr McDevitt:

Informed participation requires it to be youth-led.

Mrs Galway:

Which is why the Youth Forum is at this table.

Mr McDevitt:

The Youth Service, with the greatest respect, does fantastic work, but it is not youth-led. The Youth Service is grown-up-led.

Mrs Galway:

Well, that is an issue that certainly —

Mr McDevitt:

And you referred to the agencies that would be at the table in that regard. They are the grown-ups, not the young people. They may be experts in young people, know a lot about young people and work day in and day out with young people, but that is not what your duties are under article 12.

Mrs Galway:

But the agencies that you refer to are our delivery mechanisms. They are the five education and library boards, the Youth Service and the Youth Council.

Mr McDevitt:

Absolutely.

Mrs Galway:

They are staffed by adults. That is —

Mr McDevitt:

Let me draw you an analogy. When you are consulting on changes to education, not just the people who deliver education are consulted. We do not talk to just the boards, the teachers and the Council for Catholic Maintained Schools (CCMS). We talk to parents, and we try to talk to

children. The issue hangs on whether you have a mechanism that is youth-led and ensures that the voice of young people is heard in decision-making. Ms Wilson tells me that you do not, and I accept her answer, but you say that you do. That is the issue.

Ms L Wilson:

We do not have a structured, formal mechanism when we come to consult on a policy. On the recent Priorities for Youth policy, for example, we carried out extensive pre-consultation, and some of that was directly with young people. We do seek actively to engage young people in the development of our policies. That comes through the policy development process rather than through the more formal mechanism to which you referred.

Mr Lunn:

I want to follow up on the meeting that took place on 20 April 2011. We had the benefit of listening to the young people before you came in, and I have the benefit of looking straight at them as they sit behind you, and I can see the look on their faces. Did they know prior to that meeting that you were going to discuss the potential removal of the circular?

Ms L Wilson:

As I said, the letter that went out referred to revised arrangements.

Mrs Galway:

A review of the current arrangements.

Mr Lunn:

Was there an agenda for the meeting? Is it still on record?

Ms L Wilson:

Yes.

Mr Lunn:

Does it refer to the potential removal of the circular?

Ms L Wilson:

No. It refers to the specific issues that would be pertinent to the removal of the circular, such as

how the Youth Forum is structured and issues around finance. One of our concerns was that, in removing the circular, those issues would arise. We wanted to be clear about the impact on the forum as an organisation, because it is an important organisation, and we want it to work and to be able to continue.

Mr Lunn:

I accept, perhaps, that you do not need to consult fully on a matter such as this, but do you consider that what happened between you and the Youth Forum constituted a consultation? Its representatives do not appear to have had any advance notice of the fact that the basis on which their organisation was formed was about to be removed.

Ms L Wilson:

It was not the basis on which the organisation was formed. The circular was about the relationship between the Department and the forum.

Mr Lunn:

Surely the circular was the original document that led to the constitution of those bodies.

Ms L Wilson:

Yes. The circular led to their constitution, but it did not give the Youth Forum a legal status. Our concern was to try to understand what the legal status was, what the funding streams were and how it was operating.

The circular contains a number of quite prescriptive elements about how the forum should operate. It is not operating in that way, for the very best of reasons. The kind of structured, formal participative mechanism that is envisaged in circular 1979/10 is not necessarily the best way in which to bring together young people to seek their views. We are keen to have much more flexibility, in order to reflect modern thinking. It is quite difficult for the Department to have a circular on its books that is not being adhered to. The structures are not being adhered to, and the way in which the forum gets its membership is not being adhered to. Moreover, the way in which we fund the organisations is not being adhered to, because that is being done through the Youth Council, yet we are still doing things such as approving the transitional director's terms.

Mr Lunn:

I am sorry to interrupt you. I accept and follow what you were saying, but it is the actual process of what happened at the meeting that concerns me. It sounds as if, perhaps not intentionally, the matter was sprung on the Youth Forum, and, as such, it did not have much opportunity to prepare for that particular discussion.

Ms L Wilson:

I very much regret that, if that was the case. Subsequent to my letter indicating that the circular was to be withdrawn, we did not receive any approach from the Youth Forum asking for any further engagement. We would certainly have reacted to such an approach. The transitional arrangements that we are putting in place are very important. We do want the Youth Forum to work with the Youth Council to come up with proposals for the way forward. As I said, there is a window of opportunity to do that.

The Chairperson:

But, Linda, some of this does not add up. First, you said earlier that the purpose of the meeting on 20 April was to review current arrangements. When I look at the agenda for the meeting, it mentions introductions, Northern Ireland Youth Forum terms of reference, governance, accountability and Priorities for Youth. There is nothing that referred to a review of current arrangements. If the transitional director has been in place since 2008, what is the nature of the transition? A transition is being made from what to what?

What was the Department's thinking?

Your paper states:

“Paragraph 12 sets out the functions considered appropriate 32 years ago for the Forum. Today, the Forum's functions are primarily determined by its membership and Executive Committee.”

I asked the members of the forum what its functions were and listed them as in the circular. The forum still does those things. I am at a loss to find out why the Department now says that this is not appropriate because it was agreed 32 years ago. That is one of a number of anomalies in this paper.

Mrs Galway:

Can I pick up on your point about the transitional director? The reason why the post was advertised as such at that time was because ESA was to be established, and, as part of it, there was to be the Network for Youth. The post was advertised as transitional director so that the

director of the forum could help the forum's transition into new, emerging participative structures. That was outlined in the job description and the person specification.

At that time, we had the Participation Network and there was talk of a Northern Ireland Youth Assembly. The whole point of appointing a transitional director was so that the forum could start to adjust to the participative environment that was coming and any impact that that might potentially have on it. That was the reason why the post was called transitional director. The Network for Youth was linked to the ESA, so that has not taken off. However, in the meantime, we have had proposals on the Northern Ireland Youth Assembly.

The meeting was about establishing the robustness of the organisation and whether the Department still needed to have very prescriptive provisions that said what the functions "shall be". It is not appropriate for the Department of Education to say what the functions "shall be". The forum takes its lead from young people and we, as a Department, no longer want to dictate to the forum what its functions should be. We might have wanted to do that 32 years ago when the forum was established; however, that is not now a role that we see ourselves as having now. The forum should rightly take its lead from young people.

This is not a service for the Department of Education as such; it is a service for young people. The Department of Education uses it to influence and inform, and it is now structured through the Youth Service Liaison Forum. All those things have come about post-date that circular. The policy on participation is clear. The remit of the forum through the Youth Service Liaison Forum and how it influences youth policy is clear, written down and signed up to, but the Department does not wish to be as prescriptive about the functions as is outlined in the circular with an organisation.

The Chairperson:

How long did the meeting last? Was it an hour?

Mrs Galway:

It was more than an hour. I do not know —

The Chairperson:

Did you think that, in that period of time, you were going to be able to establish the robustness of

an organisation as you described?

Mrs Galway:

We did.

Ms L Wilson:

We asked for paperwork and they brought it. We asked for further paperwork on financial reports, the constitution, and so on.

The Chairperson:

Are you aware of any other requests that were made by the forum at any other stage to discuss the circular?

Ms L Wilson:

No, absolutely not.

Mrs Galway:

The forum wrote to us for clarification in June about some issues before the minutes of the meeting were finalised. Those issues were clarified and the minutes then finalised.

The Chairperson:

We clearly have a conflict of interpretation as to what happened. The forum has a different view, going back over a period of time, as to requests made but the Department says that there has only been one occasion.

Mrs Galway:

Sorry, I thought that you meant —

The Chairperson:

What about prior to the meeting in April?

Mrs Galway:

Prior to that meeting, there were a number of meetings. There have been six stakeholder reference group meetings around Priorities for Youth and 11 meetings of the Youth Service

Liaison Forum, which members of the Youth Forum attended. I also met the Youth Forum in my office in Rathgael House. I met Chris Quinn, the transitional director. I then met the Youth Forum last year in Forestview. We do meet the Youth Forum, but we are not always able to respond to every request for a meeting.

The Chairperson:

I am not asking about what meetings were held. Prior to the meeting of 20 April, was there an issue raised by the forum about the circular?

Mrs Galway:

Going back years, there have been numerous requests by the forum to update and revise the circular. I could go right back into files from for requests from previous directors.

The Chairperson:

OK. What response was there to those requests in light of what the forum was saying?

Mrs Galway:

Going back, I cannot see where the Department has agreed to revise the circular. I think that the only reason that did not happen after the 2005 letter was because of the Network for Youth proposals and what was happening with ESA. Linda's letter to the forum was a result of it asking to come in and speak to us.

The Chairperson:

I do not find the Department's fixation with ESA strange, because it is in everything. The Department writes it in to every document, and the organisation does not exist. That is another debate. I do find it strange that, if the forum had previously made requests and raised issues about the circular, and the Department was in a process of making changes, all of a sudden it seems that what the Department was doing was bounced on the Youth Forum.

Issues were raised by the Youth Forum about the circular, and specifically about how it would be affected. It would have been at least courteous for Department to have had a discussion with the Youth Forum about the issues it had raised and the issues that the Department had. For example, the submission states that the Department does not believe that the functions of the forum today should be reflective of what was agreed 32 years ago. However, that did not take

place. A meeting was held on 20 April, and the representatives were informed at the end of the meeting about what was happening.

Mrs Galway:

There have been numerous meetings with the forum about different issues, including issues around the circular, but we are in the process of developing a new policy on youth, and the forum is in that process. I understand what you are saying, and we acknowledge that the Department has missed opportunities to address the circular through its previous policies. There is no doubt about that. The circular should have been addressed in the 1987 policy document, the 1999 document and the 2005-08 strategy. In fact, it should have been addressed when the post of transitional director was advertised. I absolutely accept that.

The Chairperson:

I will leave it, because we could get further and further into it, but it seems as though the Department has taken the view that it will not address it and will let ESA sort it, because it was transitional on the basis of what was going to happen coming out of ESA. Therefore, it was being passed over to some other organisation. The Department was not going to actually address the issue.

Mrs Galway:

Actually, the Department did establish a group, the terms of reference of which were to review participation arrangements and structures, and the Youth Forum is on that group. That group then wrote to the Department and said that it had reached an impasse because it was not clear what the Department's policy was, and, in fact, that part of the complication around the policy was the existence of the 1979 circular. The group that we set up to bring us proposals on participation actually wrote to us and said that it had reached an impasse and was not clear on what the Department's policy on participation is, yet the Department has had three successive documents out that have reinforced participation.

Mr McKay:

One of the issues raised by the Youth Forum in its briefing was about participation. There are concerns that participation is an afterthought around Priorities for Youth. Will the ministerial link still be there? How will the participation aspects of the circular be included in the new policy, or will those be included at all?

Ms L Wilson:

We are still in the process of bringing together ideas, which we will then obviously have to bring to the Minister. We certainly expect to have a specific section in Priorities for Youth that not only emphasises the importance of participation but looks at how that might best be achieved in the modern context. We are particularly concerned about the need to reach out and involve the most disadvantaged and those who are not already engaged in any of our structures. We want participation to be wider than that of just those who are currently part of the Youth Service provision by reaching out to the disengaged. We will certainly have to look at the options that modern technology gives us. There were specific agenda items on participation in the Priorities for Youth stakeholder group, and we will bring those forward as part of the policy.

Mr McKay:

When will Priorities for Youth be ready?

Ms L Wilson:

That is up to the Minister. We have been talking to him about proposals and ideas. However, I could not give a time frame for that just at the moment.

Mr McKay:

What stage is it at?

Ms L Wilson:

We have had some engagements, and the Minister has given us some steers on what he would like. We have been working with stakeholders to write up and bring forward the policy in the way that the Minister would like. So, we are in the process of putting together a draft policy to bring to him.

Mrs Galway:

Participation is going to be a very specific element of Priorities for Youth, because that is the one issue that young people raised with us during pre-consultation. Also, we are keen to take on the legacy from the Big Deal, because the Department had observer status on the Big Deal steering group. There are a number of legacy documents, ideas and structures for participation that we are keen to look at and consider for Priorities for Youth. In particular, we are looking at the small-

grants programme for young people.

Our commitment to participation is very clear. There is no doubt that participation has been and will continue to be an important element in Youth Service and wider education policy. The withdrawal of the circular will not impact on the policy. The policy is clear, as is the intention. The circular does not confer any rights that have not been strengthened or improved since it was written. We cannot withdraw the rights of young people to have their voices heard or to influence decision-making. The Department has signed up to the Ask First standards and the NICCY statement of intent on participation. So, there really should not be any question about our commitment to participation.

The Youth Forum has been told that it should not affect its continued operation. Transitional arrangements are in place to ensure that there is no stop-start in applying. The Youth Council has a published funding scheme, which is for a representative voice for young people, but it has not been able to advertise. There are several ways in which we can work with the forum. It was agreed last night that it would present views on what those transitional arrangements should be, and we are happy to hear about them. We said that, as well as funding, we will take into consideration whichever support arrangements it needs for the period.

Mr McKay:

There has been some discussion about reintroducing the circular. If that happened, what would the legal ramifications be? Would it clash with the Department's present legal duties on procurement etc? Could you legally enforce it?

Ms L Wilson:

It is not a legal matter. There is vulnerability for the Department around the fact that funding is guaranteed to one organisation, and that, as you all know, is not normal practice. Indeed, if we were challenged on that, we would say that we are relying on custom and practice to make that funding available. So, we certainly are vulnerable there. Transitional arrangements will hopefully take us to a place where the options are clearer.

I should say that we are looking to the Youth Council and the Youth Forum to come up with ideas for transitional arrangements as well. We are not putting any parameters around what those transitional arrangements have to look like; we are open-minded. Certainly, the Department is

concerned about indefinitely continuing to fund one organisation without there being some sort of commissioning of those services.

Mrs Galway:

The circular is very top-down in its approach: here is a direction from the Department for how participation will look and feel. That is not really where we are now. Where we are now is that young people are telling us how they want to participate, and we are giving the structures, support mechanisms, access and opportunities to participate. Imposing a hierarchical, top-down structure is not a position that the Department would want or seek to adopt in 2011.

Mr McKay:

Presumably, when the new Priorities for Youth policy comes out, it will be rights-based and equality-proofed, whereas the circular was not.

Mrs Galway:

Absolutely; the circular was not equality-proofed. It is also not rights-based, because all the rights under the UNCRC post-date the circular. Priorities for Youth is based on extensive pre-consultation, and we are very grateful to the forum for helping us to conduct the pre-consultation. Some of our staff attended some of the events, which were conducted through the Big Deal programme. That was an excellent way of demonstrating that participation works best at local, subregional and regional levels.

The Chairperson:

Conall, do you want to make one comment? Be brief please.

Mr McDevitt:

It is on that very specific point. Mrs Galway told us that, when the Department starts over, as it will do, it will arrive at a different place. However, that does not answer the question. You have removed the one structure that kept you right before you know what you will replace it with. That is the issue. You have done away with an existing structure that kept you right in your obligations, yet you have not yet told us what the new structure will look like. You have made them homeless.

Mrs Galway:

We have not, actually. The 1987 policy document enshrined the participative structure that registered units should have. We have not made anyone homeless. The forum still exists today and it is doing whatever it was doing last week. Through the Ask First standards, young people have access to senior officials who have signed up to those standards. We have not made anyone homeless.

Mr Craig:

Linda, I am fascinated with this process. Maybe you can give me some clarification. What was the date on which you spoke to the previous Education Minister and agreed with her that the circular would be withdrawn?

Ms L Wilson:

I did not speak to the previous Minister about that; it was done on paper, and I would need to check the date.

Mr Craig:

Do you know the month?

Ms L Wilson:

February, I think.

Mrs Galway:

It was 2 March.

Mr Craig:

So, somewhere between February and March, a paper went to the previous Minister and she agreed to the paper. I assume that, in that paper, you told her that the circular should be withdrawn, because you felt that it was no longer relevant.

Ms L Wilson:

That captures the essence of it.

Mr Craig:

Right, I think that it also captures the reality of it. What efforts did you make from that point to communicate to the Youth Forum what you were doing or intended to do?

Ms L Wilson:

I wrote to it on 25 March and we subsequently had a meeting.

Mr Craig:

Did you make it clear in your communication in March that you intended to withdraw the circular?

Ms L Wilson:

No, I would not have made —

Mrs Galway:

The Youth Forum was made aware that the Department was reviewing current arrangements.

Mr Craig:

When you asked for the meeting on 20 April, did you make it clear to the Youth Forum that your intention was to consult it on the removal of the circular? That was not on the agenda for that meeting.

Ms L Wilson:

I did not formally say that I was going to consult on the removal of the circular. The meeting started with a reference to the circular and we then went through various issues. At the end of the meeting, I indicated that that is what we were minded to do. I had hoped that the meeting would open dialogue.

Mr Craig:

This is where it all goes pear-shaped. The decision had been taken to remove the circular, the Minister had agreed to that and yet the Department had not bothered nor had the courtesy to speak to the Youth Forum about the issue. Indeed, there was no clear indication at that meeting of 20 April that you were going to bring the issue up. Was that issue clearly brought up at the meeting of 20 April?

Ms L Wilson:

Sorry, what issue?

Mr Craig:

The removal of the circular.

Ms L Wilson:

I thought that it was.

Mrs Galway:

It was.

Ms L Wilson:

I will refer to what you said earlier in order to be clear: the Minister agreed for us to carry out investigations into the removal of the circular and to explore what that would mean. It was not an absolute decision; it was subject to further exploration.

Mr Craig:

Even more clarification. So, all you were given was the right to investigate the outcome of removing the circular. So, really the Minister was asking for was some form of consultation on the process.

Mrs Galway:

It was outlined with the forum and the Youth Council.

Ms L Wilson:

I would need to check the exact paperwork, as I am very respectful of my position with my current and previous Minister. I need to check exactly what the paperwork says.

Mr Craig:

I find this interesting given the nature of the previous Minister. She liked consultation. She was not terribly good at making decisions without it. Did she or did she not give you instructions to go and consult on the issue?

Ms L Wilson:

There was no instruction as such. I think the wording was subject to further —

Mrs Galway:

A meeting with the forum and the Youth Council as their funder.

Mr Craig:

Was the purpose of that meeting to discuss the removal of the circular? Why else would you have had that meeting?

Ms L Wilson:

To discuss the implications of the removal of the circular.

Mr Craig:

Why was it not made clear to the Youth Forum when that meeting was coming up? The agenda does not make that clear.

Ms L Wilson:

It was not made clear explicitly because the Department and the Minister had not reached a decision. To write out and say that we are considering doing this or that could be regarded as being pre-emptive.

Mr Craig:

Pre-emptive? This is something that I find interesting because the Department is pre-emptive with regard to absolutely everything else. I have seen a fine example of the Department being very pre-emptive with regard to consultation in my constituency. How come you were not pre-emptive with regard to consultation on this issue? I find the difference in your attitude and the rest of the Department's interesting.

There is another issue, which I think goes to the root of this, Linda. I do not mind you being pre-emptive, and I do not mind you discussing the removal of the circular, but what I find quite alarming is the time it took. The circular has been here for 32 years. The Department has had 32 years to have a look, consult with young people and come up with an alternative. Do you not

think it was reasonable, and I am talking about reasonable in the widest sense, to have an alternative put in place before you removed the circular?

Mrs Galway:

That is if you consider that the circular is the only basis for the forum's existence, which it is not. The forum is referred to in subsequent policy documents and is listed in the back of the 2005-08 strategy as part of the Youth Service Liaison Forum. If you consider that the circular is the only basis through which the forum can exist, then yes, that would be the case, but we do not consider that. It is a robust organisation with its own constitution. The Department relies on the forum's executive committee and director to determine the forum's functions and what it does. We do not determine any of that. The only role we have is the approval of the terms and conditions of the transitional director. The forum can continue to exist without the circular.

Mr Craig:

I see the forum and the circular as being almost unique within government. The Department not only set out a policy back in 1979 but an actual mechanism through which it could engage with young people. I do not believe that civil servants dreamed this whole thing up; they clearly had been in talks with someone. The rights and wrongs of that mechanism and how it has changed over the past 32 years are not the issues under debate. What actually happened in 1979 was something that does not happen enough in government circles. The Department set a policy and a mechanism for delivery of that policy. You have now removed an exact definition of the mechanism of delivery. Yet, with all the consultations that have been going on with young people, I do not see any clear direction as to the alternative mechanism of delivery.

Mrs Galway:

That would presume that there is an alternative mechanism of delivery, and we have not said that we think there is. The Youth Forum continues to be the representative voice of young people at the Youth Service Liaison Forum, and the Youth Forum continues to do what its members decide. The Youth Forum has its own strategic plan, constitution and set of accounts. It is an organisation in its own right.

Mr Craig:

But it continues without any clear government direction as to why it is now there.

Mrs Galway:

That is not necessarily the case, because three subsequent policies have said that participation is embedded and the Youth Forum has a role. The 1987, 1999 and 2005-08 documents refer to the Youth Forum.

Mr Craig:

All right, let me put this to you another way. Now that you have removed the circular, which was almost unique in that it clearly outlined how the Youth Forum should be set up, organised and arranged within Northern Ireland, the Youth Forum can now go and rearrange itself in whatever way it so desires because you have removed the legal standing of how it should be done. If it does all that and becomes unrepresentative of young people in Northern Ireland, and all your policies are still based on consultation with that forum, is that an acceptable way forward?

Ms L Wilson:

First of all, we have not removed anything legal. The forum is a separate legal entity and will continue to operate. If it changed its representative nature, that would be an issue for the forum. I am sure that it will not.

Mr Craig:

With respect, that is what I am saying to you. It is now an issue for the forum and the forum alone. You have removed the circular.

Mrs Galway:

No, the forum's current funding is approved through a service level agreement with the Youth Council. That service level agreement would stipulate the services that the forum offers to the Youth Service, and it would continue with that service level agreement or some form of it because that is how there is governance and accountability with regard to the Youth Council funding for that organisation. If the Youth Forum was to present something that was totally out of line with the service level agreement, as agreed the Youth Council, it would be an issue for the Youth Council to take up with the Youth Forum.

Mr Craig:

I can only assume your service level agreement does not outline the form and mechanism of delivery in the same way as the circular does.

Mrs Galway:

No, but the service level agreements are set out in line with the Youth Council's published funding policy, which is inextricably linked to current youth work policy. Anyone can point to the 2005-08 strategy document and say that that is what current youth work policy looks like.

Mr Craig:

Interesting.

The Chairperson:

I am not trying to curtail the discussion, but another Committee has the Senate booked for 2.00 pm. Therefore, we need to try to wrap this up shortly.

Mrs Dobson:

I will follow on from a point that Daithí made. You state that you did not consider the withdrawal of the circular to constitute a change to the policy of participation of young people in the Youth Service. Did you at any point consider the impact that decision would have on the Youth Forum?

Ms L Wilson:

Yes, we did. Part of the reason for the meeting was that we wanted to understand what the impact of changing or withdrawing the circular would be. We were anxious to ensure that we understood the legal status and had an appreciation of the funding position because it certainly was not our intention to close them down or whatever.

Mrs Dobson:

Linda, you mentioned requests for transitional arrangements several times. What are the interim arrangements to ensure that services to young people are unaffected?

Ms L Wilson:

First of all, the transitional arrangements will be developed. Services to young people will continue as the Youth Forum does not deliver services directly for us.

As to representation and the representative voice of young people, which is very important,

the forum will continue to be at the table. We have outlined a number of committees or organisations on which they sit. We have a memorandum of understanding that formalises that relationship. We envisage continuing to work with it actively in the development of Priorities for Youth and whatever else comes along. We will see no difference in our day-to-day or month-to-month engagement as to how it has been over the past number of years.

Mrs Dobson:

It is obvious that the Committee supports the Youth Forum and the work it has done. If the Youth Forum was not there, who would pick up the slack and fulfil the 30,000 engagements that the forum undertakes each year?

Ms L Wilson:

Those would be all sorts of engagements, and it is not for me to comment on them. We are looking at bringing forward a new Priorities for Youth policy that will adopt a slightly different approach to securing services. We also hope that it will provide a better and more integrated framework for all those who are providing those services in education to work together. So it is reasonable to assume that a number of other funding organisations will make use of those. However, the Youth Forum has its own added value through the involvement of young people, and we certainly would not want to lose that.

Mrs Dobson:

It appears that you are trying to supersede the work of the Youth Forum.

Ms L Wilson:

Pardon?

Mrs Dobson:

Just from your answers, it appears that you are trying to supersede the work of the Youth Forum.

Ms L Wilson:

Absolutely not. We regard the participation of young people as hugely important and consulting with them as extremely so. We are anxious to hear the voices of young people. The Youth Forum is one mechanism by which we can do that. It is very important and will remain so.

The Chairperson:

At the meeting on 20 April, did you ask the representatives of the Youth Forum for their views about the removal of the circular and the impact that that would have on participation? Cathy referred to the fact that the importance of participation is reflected in the various policies and it had been reflected in the circular. However, that is being removed. What were the views of the young people on how it would impact on participation?

Mrs Galway:

At the end of the meeting, the forum asked specifically where it was left with respect to the groups on which it sits and its representative role. We said that nothing changes.

The Chairperson:

So there was nothing specific as to their views on how this impacted on participation?

Ms L Wilson:

Not that I can recall.

Mrs Galway:

As we sit here, the forum has its funding and a service level agreement for this year.

The Chairperson:

Is it possible, Linda, to get a copy of the correspondence containing your advice to the Minister on this issue before the decision on the circular was signed off?

Ms L Wilson:

I do not know the protocol around that.

The Chairperson:

We will write to ask for it.

Ms L Wilson:

I am sure it is possible, subject to whatever protocol exists.

The Chairperson:

We are also interested in the correspondence between you and the Youth Forum on the issue.

Ms L Wilson:

Yes.

The Chairperson:

Linda and Cathy, thank you very much for your time, and I again apologise for the delay.