Community Law & Mediation

RTÉ TOY SHOW APPEAL

Community Foundation Ireland

WORKING WITH CHILDREN AND YOUNG PEOPLE

A SNAPSHOT

CLM'S WORK WITH CHILDREN AND YOUNG PEOPLE – A SNAPSHOT

Community Law & Mediation (CLM) is an independent community law centre and charity working since 1975 with communities impacted by disadvantage and inequality.

We provide free legal, mediation and education services and work in partnership with a number of organisations to provide targeted outreach legal advice clinics. We operate out of two locations, Dublin and Limerick, but our services are available nationwide.

LEGAL ADVICE AND SUPPORT

CLM provides free, confidential legal advice for children, young people, and the adults who support them on:

- Disability rights
- Problems at school like bullying, racist treatment, reduced hours, suspension or expulsion
- Discrimination
- Housing issues
- LGBTI+ rights
- Environmental rights

… and much more.

RTÉ Toy Show Appeal's grants to help transform young lives all across the island of Ireland

Thursday, 27 Jun 2024 **13:49**

REACHING THE RIGHT PEOPLE

We work closely with youth organisations to make sure our service is accessible to those who need it most. For example, we work with EPIC (Empowering People in Care) to provide a monthly clinic for children and young people in care and care leavers.

We are also piloting legal advice clinics specifically for children and young people in partnership with Crosscare, to complement the support it provides to children, young people and families who are most in need.

KNOW YOUR RIGHTS

We provide legal education and training for children and young people, families, advocates and support workers to help them understand their rights and how to use them.

Children and young people have a distinct set of rights, outlined in the United Nations Convention on the Rights of the Child (UNCRC). When Ireland ratified the UNCRC in 1992, it made a formal commitment to uphold and protect these rights for everyone under the age of 18.

Since then, important progress has been made with key changes to both the Irish Constitution and national legislation. However, CLM's experience shows that for many marginalised children and young people, these rights are not fully realised in practice.

There remains a significant gap between legal protections and lived experience, driven by a lack of awareness and limited access to legal supports.

Aoife Kelly-Desmond, CEO

Ruth Barry, solicitor specialising in legal services for children & young people

A huge thank you to the RTÉ Toy Show Appeal in partnership with Community Foundation Ireland for awarding CLM a transformative grant to offer legal advice clinics and training for children and young people and their families, enabling us to start meeting that gap between legal protections and lived experience; and for supporting CLM to commission crucial research on how best to meet the legal needs of children and young people into the future.

Thanks also to TUSLA for funding our collaborative work with EPIC (Empowering People in Care).

RTÉ TOY SHOW APPEAL

Community Foundation Ireland

Celebrating 50 YEARS

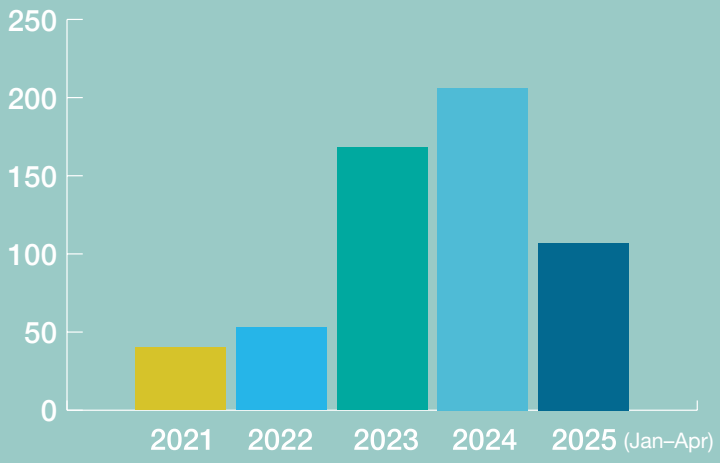
Challenging Injustice. Empowering Communities.

A growing service

Our children's law service is still developing, but demand is growing every year..

Free Clinics

83 specialist child friendly legal advice clinics [2021 – present]



Total number of legal matters our children's law service has assisted with:

2025 is on track to exceed previous years if current trends continue.

Top presenting issues over this period :

- Aftercare
- Education
- Disability
- Housing and homelessness
- Voice of the child
- Guardianship/custody
- Child protection

Referred by partner organisations such as :

- EPIC
- Crosscare
- Threshold
- Ballyhoura CLG
- Novas
- Family Carers Ireland
- Citizens Information
- Children's Rights Alliance
- Disability Federation of Ireland
- Robert Emmet CDP
- Limerick Regeneration Communities
- Public representatives

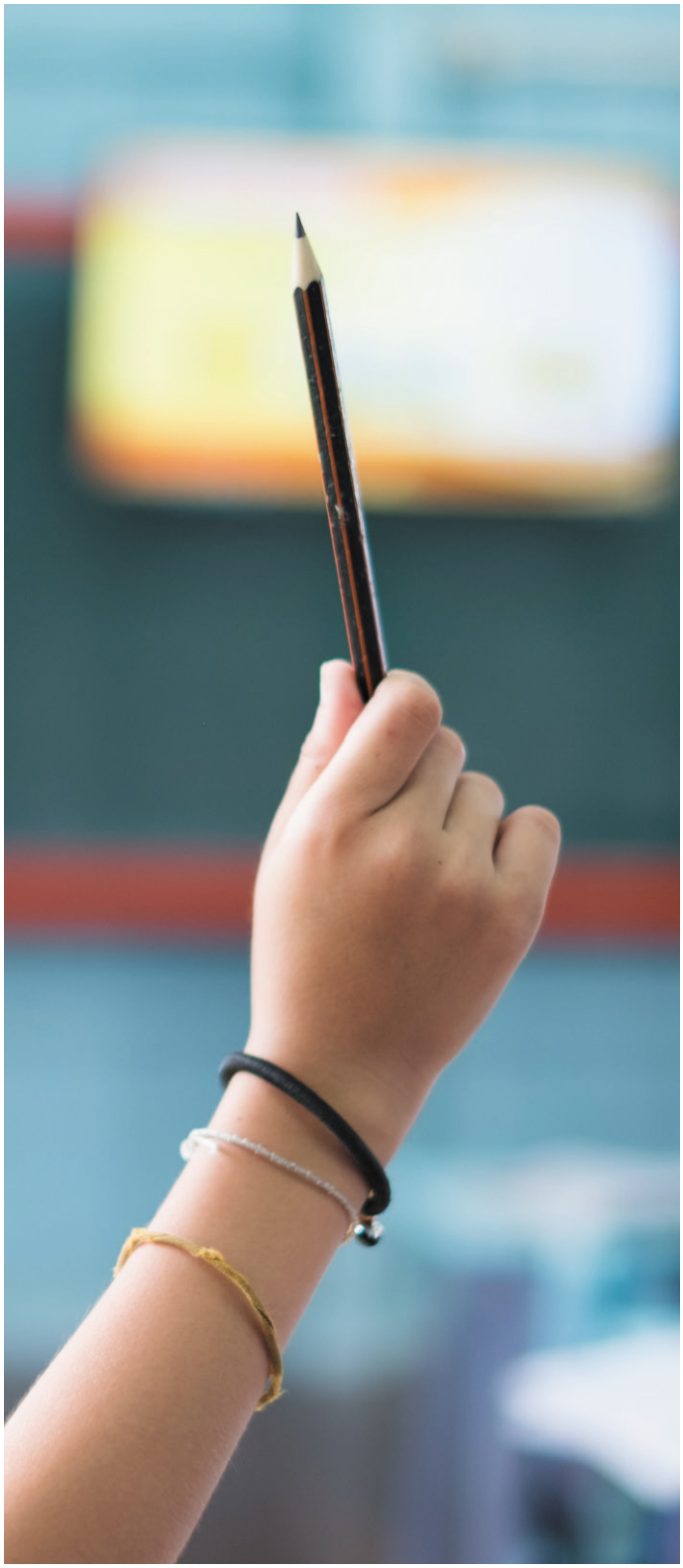
YOUTH ADVISORY GROUP

CLM's Youth Advisory Group is instrumental in ensuring that children's voices shape the design and delivery of our services. This group of young people informed the report Meeting the Legal Needs of Children and Young People in Ireland – A Child Rights Analysis, and their insights will continue to shape CLM's work in advancing equitable access to justice for children and young people, particularly those facing social marginalisation.

The group, supported by an experienced child participation consultant, is made up of 13- to 19-year-olds. The group has faced diverse challenges such as homelessness; discrimination; family crisis; physical or mental health problems; and exposure to the criminal justice system.

> These meetings have been a great opportunity to voice our opinions, to show that society cares about the problems with young people today.

> I really enjoy this opportunity to spend time talking about young people's issues and the problems that come up…I'd like to thank the people for inviting us.



The difficulties and problems young people have

School problems
Pressure, learning difficulties, being suspended or kicked out of school

Bullying
Online, physical, verbal

Friend group problems

Family Problems

Supports cut off after age 18

Place-based Stigma
Being from a place that everyone thinks the worst of

Discrimination

Mental Health

Addiction
Drugs, vaping, alcohol. Using drugs to deal with mental health problems

Peer Pressure
Drugs, illegal activity

Anti-social Behaviour
And lack of trust in Gardaí

What stops us getting help?

Self Doubt
Downplaying your problems or doubting yourself

Peer Pressure
Being judged or embarrassed. Bullied into not getting help

Wary of Gardaí
Trust issues because of bad experiences at school or with the Gardaí

Communication Trouble
Scared, uncomfortable and not knowing how to communicate problems

Too Stubbon
Might want to help yourself, think you're wasting your time)

Parent Issues
Including needing parental consent for things you don't want them to know, or parents being scared young people will say something about problems at home

Motivation
Lack of motivation or thinking you can help yourself

Lack of Knowledge
Or education about how or where to get help

Bad Teachers
Teachers not wanting to talk about it

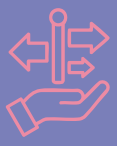
Waiting & Costs
Waiting lists and cost of getting help

What kind of help works or would work?

Counselling
Free teen counselling that meets young people's needs

Getting The Right Help
Students getting help and proper accommodations with learning disabilities and difficulties

No To Bullying
Principals and teachers who take bullying seriously and act immediately



Youth Workers
Being able to talk to youth workers

Attentive Family
Parents and other family members who listen to and help young people

Mental Health Training
Teachers who are trained to deal with mental health issues and how to listen to and understand young people

Guidance Counsellors
Guidance counsellors helping students

SNA Help
Help from SNAs – such as time out from classes

Nice teachers
Who listens as a friend, take their time, are non-judgemental and help students with learning

Youth Advice Centre
A youth advice centre (e.g. a child version of Citizens Information)

How we want people to help us

Depending on the problem and situation, we want to be able to choose from the following options:

1

For an adult helper to take responsibility to act on behalf of a young person

2

For the young person and an adult helper to act together

3

For the young person to act on their own behalf with the support of an adult helper

STORIES FROM OUR ADVOCACY AND CASEWORK

(Note, in some cases names have been changed to protect confidentiality)

ACCESS TO EDUCATION

CORMAC'S STORY

CLM provided legal advocacy to the family of Cormac, a student with a visual impairment which, alongside an ongoing campaign by the family, resulted in the launch by the State Examinations Commission of a pilot scheme providing examination papers in PDF format to Leaving Certificate candidates who require it on the grounds of visual impairment.

Cormac had used assistive technology throughout his education, but the State Examinations Commission (SEC) initially refused to provide Leaving Certificate exam papers in digital format. That meant that the traditional hardcopy exam papers, his maths paper, for example, would have to be enlarged on the day of the exam to such an extent that it would run to approximately 52 A3 pages.

We advised the family on Cormac's constitutional and equality rights, engaged with the SEC and Department of Education, and instructed Counsel to issue a formal letter requesting accessible exam formats, warning that proceedings would be issued if they failed to do so.

> I ticked every single box it came to around trying to solve this in the way you're supposed to and then trying to get extra help from the public and it did not work. At the end of the day what did work was Community Law & Mediation's support…I think Cormac understood he has rights now and it was a pivotal moment in his life when he saw something being fought and won and it made a huge difference for him and for those coming behind him.

As a result, the SEC launched a pilot scheme offering read-only PDF exam papers to visually impaired Leaving Certificate candidates. Cormac was able to sit his exams using the technology he had relied on throughout school.

This case highlights how legal advocacy can secure systemic change, benefiting not only one student but all who need reasonable accommodations.

22 Dec 2022 EDUCATION

PRINT

Mother's tribute to solicitor who took on son's case

The visually impaired Leaving Cert student who has benefited from a legal challenge to the State Examinations Commission (SEC) now wants to be a lawyer.

Cormac Flynn, who attends Coláiste na Mara in Arklow, Co Wicklow, has won the right to have digital Leaving Cert papers for his exam next June.

His mother Eithne Walsh paid wholehearted tribute to children's rights solicitor Ruth Barry from Community Law and Mediation (CLM), who took on the case.

The SEC has now agreed to make accommodation for Leaving Cert exam students who have a visual impairment, allowing them to have digital versions of their exam papers.

Eithne explained that Cormac, who has approximately 10% of his sight, has completed all of his studies digitally.

MAGDA'S STORY

Magda contacted our legal advice clinic about her son, who is non-verbal and has autism and obsessive-compulsive disorder. After entering voluntary care and moving to a residential home, he was placed in a new school. While he had previously attended full days, the new school limited him to just two hours per day, despite Magda withdrawing her consent.

She was concerned that her son couldn't advocate for himself, and that decisions were being made without input from his specialists, including CAMHS and a disability service provider.

We advised Magda on the Guidelines on Reduced School Days, explaining that without her consent and where the guidelines were not followed, the reduced hours could be considered an unauthorised suspension. We advised her that she could make a complaint to the Board of Management; and she could then appeal the Board's decision, within the 20-day limit, to the Department of Education, pursuant to Section 29 of the Education Act.

Her appeal was successful, affirming her son's right to a fair and inclusive education.

> We knew it was wrong, and you were the only one to agree and listen enough to help us go forward. I never want another family to face that challenge(…)

ACCESS TO SUPPORTS ON TURNING 18 YEARS OLD

Jenny aged 18, came to CLM for advice after her stepfather asked her to leave the family home following her mother's departure. Facing homelessness and unsure of her entitlements, she needed urgent legal guidance.

We advised Jenny that parents are legally obliged to support children in full-time education until age 23. She was also informed of her right to apply for child maintenance, social welfare, and housing supports, including HAP and emergency accommodation.

We supported her in navigating applications to the District Court, Legal Aid Board, and local authority, and connected her with a local organisation for further housing assistance. She also received advice on applying for SUSI to support her education.

Jenny's case highlights the legal and practical challenges faced by young adults without family support.

IMPACT OF HOMELESSNESS ON CHILDREN

CIARA'S STORY

Ciara, a single parent, was referred to CLM by a local Traveller advocacy group for legal assistance in relation to her housing. She, along with her children (ranging from 15 years old to 6 years old) had been living in emergency accommodation, in a single hotel room, for over five years. There were no adequate study facilities, play areas, eating facilities, toilet facilities or privacy for the older children. The grossly overcrowded and inappropriate living conditions were having a profoundly negative impact on the health, development and wellbeing of the children, including a marked deterioration in their mental health. Following our intervention, the family finally received an offer of a local authority house which was, happily, near their school.

ACCESS TO AFTERCARE

ANDREJ'S STORY

Andrej, an unaccompanied minor from Ukraine, was supported by EPIC and attended CLM's legal advice clinic for children in care and care leavers. On arrival in Ireland at age 16, he believed he had been taken into care as he went to live with a foster carer. As he approached 18 however, he was informed by Tusla that he was not legally in their care, and he would need to move to adult hostel accommodation. He was refused aftercare supports that help young people transition from care to adulthood. He was still only 17 and studying fulltime and this came as a big shock to him. Andrej continued to receive advocacy support from EPIC and CLM provided him with legal representation to take judicial review proceedings to challenge Tusla's decision. A settlement was reached with Tusla before a full hearing at court and Andrej was granted aftercare and remained living in the same home to continue his studies.

YOUTH CLIMATE JUSTICE

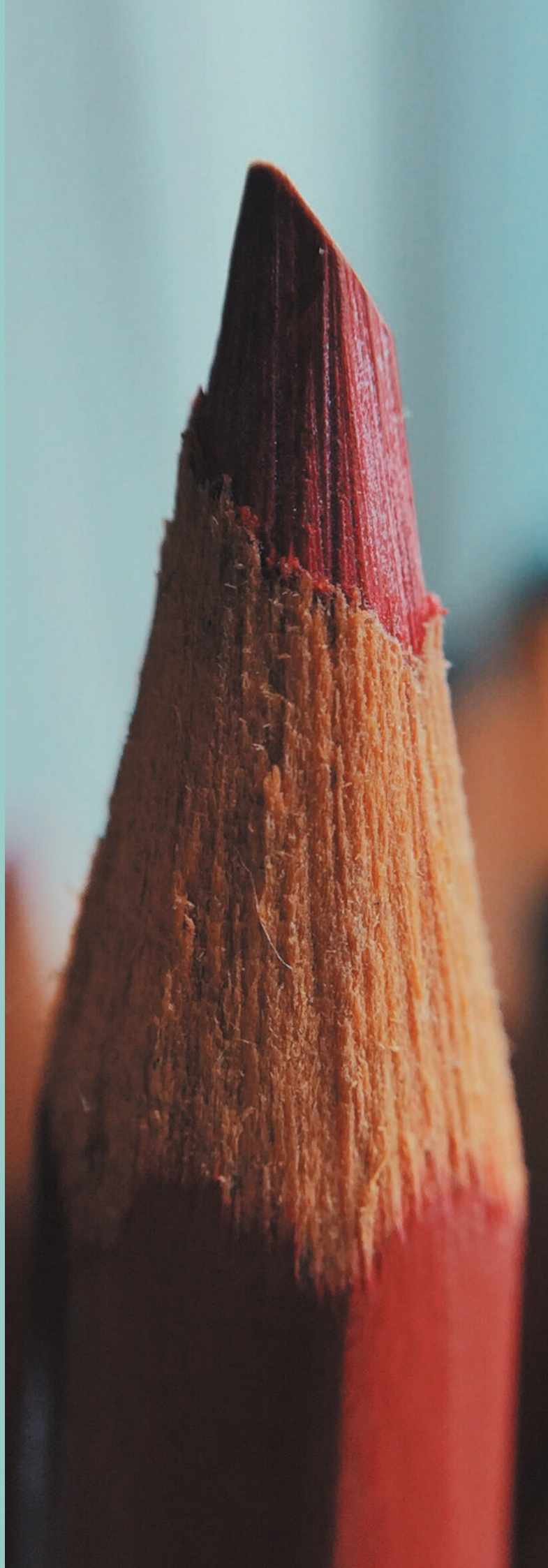
CLM has joined a child, a youth climate activist, and a grandfather in a landmark legal challenge, the first of its kind in Ireland, against inadequate government action on climate change.

In taking this case, CLM and the other applicants are seeking a declaration from the Court that the Government is not complying with what it has set out in the Climate and Low Carbon Development Act 2015 (as amended).

We argue that the Climate Action Plan 2024 (CAP24), the instrument by which the Government sets out the roadmap for meeting Ireland's legally binding carbon budget, fails to meet legal standards under the Climate and Low Carbon Development Act 2015, breaching Ireland's binding carbon budgets for 2025 and 2030.

We also argue that the plan violates fundamental rights under the Irish Constitution, the European Convention on Human Rights, and the EU Charter of Fundamental Rights, affecting both current and future generations, especially low-income and marginalised groups.

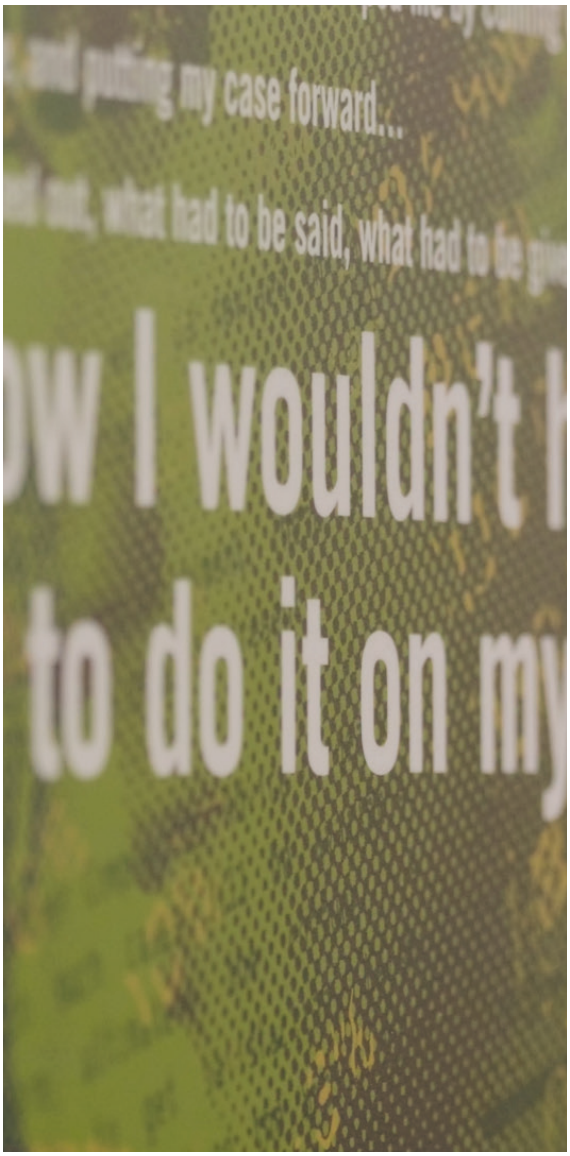
CLM is taking this case to ensure those most affected by climate change, but least able to defend their rights, have a voice and access to justice.



> I found the service very helpful to be aware of my rights. My case is complex in regards to my tenancy so it was great to be made aware of my legal rights as a tenant. I felt Ruth was easy to understand and when I asked questions they were answered to the depth and details that I required, and I got the answers. If you are worried about something I would definitely recommend giving it a shot to speak to Ruth.

> It was a great to be given the opportunity to speak to Ruth with my clients around their legal issues. The law can be difficult to navigate and creates unease for those who have no background in it. Ruth's expertise helped to assuage their fears and give them the knowledge required to help them become aware of their rights and options. Ruth explained everything in a clear and concise manner which was easy to understand for my clients. We look forward to working with Ruth in the future'

> The service Ruth offered was excellent, her knowledge and experience was very helpful for both us and the family. Ruth's expertise provided us with the tools to advocate for a successful outcome and decision regarding a welfare entitlement for this family and clarified the direction regarding an assessment of need. Ruth was very clear and concise with her language and explanations. The meeting was collaborative in nature and allowed the family's needs to be understood and addressed in a respectful manner



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'I can't do it any more': Parents take primary school to WRC as gay son tormented by abuse and bullying

Mother and father feel their complaint was not considered properly and said they felt intimidated by the process

INFLUENCING POLICY

CLM seeks to inform the legislative and policy landscape in relation to children and young people, making submissions and engaging with other organisations, local authorities and public bodies.

ACCESS TO JUSTICE

REVIEW OF THE CIVIL LEGAL AID SCHEME

Following the announcement by the Department of Justice of a review of the Civil Legal Aid Scheme in 2022, our submission called for expansion and resourcing of the scheme to areas of law that are currently excluded or not adequately catered for; including access to legal supports for children and young people.

UN GENERAL COMMENT NO. 27 – CHILDREN'S RIGHTS TO ACCESS TO JUSTICE AND EFFECTIVE REMEDIES

Our submission to the General Comment No. 27 on Children's Rights to Access to Justice and Effective Remedies highlights challenges in Ireland and amongst other things calls for calls for the introduction of a class action system, or a scheme for group litigation and NGO standing to vindicate children's rights; a child-friendly justice system; and interdepartmental collaboration in matters relating to children's rights. resourcing of the scheme to areas of law that are currently excluded or not adequately catered for; including access to legal supports for children and young people.

FAMILY JUSTICE

CLM is an ongoing participant in the Department of Justice's Family Justice Development Forum, working with partner organisations to inform the development of child-friendly family justice system. We welcome plans by the Department of Justice to reform the 'in-camera' rule in family law proceedings and look forward to further progress, including the introduction child court liaison officers.

EQUALITY

EQUALITY AND FAMILY LEAVES (MISCELLANEOUS PROVISIONS) BILL

Equality and Family Leaves (Miscellaneous Provisions) Bill, but believe further action is needed to address barriers to children's right to equality. In a March 2025 Sunday Independent article, our children's law solicitor, Ruth Barry, and a client whose son faced severe homophobic bullying, highlighted key challenges with the current system. These include:

- Inappropriate statutory time limits for reporting discrimination to the WRC, which pressure parents to bypass school procedures
- High costs of appealing equality cases to the Circuit Court, unlike employment cases which go to the Labour Court
- Lack of Civil Legal Aid for WRC discrimination cases, limiting access to justice.

LEGAL EAGLES: INSPIRING FUTURE LEGAL MINDS

Our Legal Eagles project brings the world of law to life for Transition Year students in Coolock. Supported by Dublin City Council and the UCD Sutherland School of Law, the programme introduces students to the Irish legal system and shows them how the law applies to real-world situations.

Through a series of interactive talks and workshops, students explore key legal topics and sharpen their critical thinking skills. This year, lessons include:

- Consent and the Law
- Criminal Law
- Environmental Justice
- Garda Powers

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