Ms Emily Logan the Ombudsman for children was this year's IMO Doolin lecturer. She is the first holder of the post and has been in position for 5 years. The appointment is based on the Ombudsman Act 2002 and the Office is accountable to the Oireachtas. The interview panel for the post had a large representation of young people. Ms Logan is a beacon of hope and inspiration at a time when many in authority have been found wanting in the care of children. The Office has attracted great interest among children as well as adults. Logan recalls addressing a group of 6th year students. At the end of her talk one highly impressed schoolgirl asked her Ms Logan how many points do you need in the Leaving Certificate to become an Ombudsman? The philosophy that children should be centrally involved in the function of the Office has continued. There is a youth advisory panel consisting of 25 children. There is human rights education. There was the Big Ballot in which 75,000 children voted on issues important to them. Separated children living in this country on their own are represented. When children visit the Office on business, pizzas are on the menu.

Ms Logan began by pointing out the many instances in which the State and other bodies neglected their responsibilities and misused their authority towards children. So little care was taken of such small children. When referring to the Ryan and the Murphy Reports she used the term collective horror and collective shame. The list of abuses inflicted on vulnerable children makes depressing reading. It includes institutional maltreatment, the failures of the State, clerical abuse, the failure of authorities to follow up on child welfare concerns and vaccine trials without consent. The cost has been immense and many of the victims of child maltreatment and abuse have carried the emotional and psychological pain with them into adulthood. All too well known manifestations are chronic depression, drug dependence and broken relationships. As the facts emerged the authorities hid behind the excuse of lack of financial resources. The moneys to protect children in our society should be ring-fenced. It is worrying that Ms Logan during her lecture referred to the recent report of a Government advisory group which recommended the merging and watering down the Office of Ombudsman for Children. The laissez-faire mindset towards the welfare of vulnerable children still exists. We must become more enlightened. Sweden has had an Ombudsman since 1809. It is palpably clear that children cannot be left at the mercy of the goodwill of adults. Institutional loyalties are frequently placed above the needs of children and those who maltreated them were shielded from scrutiny, investigation and prosecution. Children require and need comprehensive legislative and constitutional protection. There needs to be a paradigm shift. Children are not property subject to ownership. They are separate individuals whose parents or appointed guardians have the duty and responsibility to raise, protect, educate and protect them. At all times, however, their rights as unique individuals must be respected. All new legislation should be test driven to ensure that childrens needs are protected in our society.
The office of the Ombudsman promotes the rights and welfare of children. It is a mechanism for protecting vulnerable children. It is speedier than the courts. It is capable of bringing about systematic change. In a strong sentence Logan states that one of the core characteristics of human rights is that they act as a defensive wall against the arbitrary exercise of power by those who have it over those who don’t. The number of complaints being processed by the Office has risen exponentially. In the first year 2004 there were 94 complaints while in 2008 there were 910. The three main complaint categories are Education 41%, Health 34% and Justice 10%. The complainants are Parents 69%, Professionals 15%, Concerned Adults 7% and Children 4%.
Ms Emily Logan, Ombudsman for Children

There is a pattern to the complaints received. Common factors are a social worker not being allocated to cases, lack of support for therapies, lack of aftercare plan, lack of involvement in decisions about placement. Over time there has been an increase in the complexity of the problems being brought to the Ombudsman. There is the difficulty in implementing the Children First in relation to child protection. Ms. Logan spoke frequently about the rigidity and the lack of humanity in administrative systems. The wishes and welfare of children are frequently not considered even in matters that crucially affect their lives. She illustrated this point by describing a young 14 year old refugee who is in Dublin on her own. Her only relative is her 18 year old brother who has been dispersed to Sligo. Children without parental care are a major concern to the Office. There have been 20 deaths among young people in care. Ms Logan described 174 children in 9 hostels with inadequate out-of-hours supervision. This has now been improved by reducing the numbers to 85 children spread over 3 hostels. The Office is involved in many legal issues in relation to children. There is the issue of the age of criminal responsibility. Previously set at 10 years, it is now being increased to 12 years. There remain extreme difficulties about how to best manage the young adolescent involved in crime. Other matters include setting the age for medical consent at 16 years and mental health consent at 18 years.

Emily Logan is an inspiration to everybody involved the welfare and protection of children. She has shown commitment and leadership. She has taken on and overcome vested interest groups when necessary. As one sat listening to her one couldn't help thinking that if she and her Office had been in place in the 1950s, 60s and 70s the pain and suffering of many vulnerable children would have been prevented. The conclusion of her talk was followed by a standing ovation, something not previously witnessed after a Doolin lecture.

JFA Murphy
Editor