



The Ombudsman for Children in Iceland
Ms Margrét María Sigurðardóttir

ENOC ANNUAL MEETING
Barcelona, 19 - 21 September 2007

Enoc Annual Meeting
Barcelona
19 – 21 September 2007
Annual Report

Contact information

Name of office (in National Language): Umboðsmaður barna

Name of office (in English): The Ombudsman for Children

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Title of Ombudsman (or director of office): Ombudsman for Children

Name of Ombudsman (or director of office): Ms. Margrét María Sigurdardóttir

Name of contact person for ENOC: Ms. [Sigríður Anna Ellerup](#), attorney at law

Office size and structure

Number of staff members: 4, including the Ombudsman

List of staff members and functions: Permanent staff: the Ombudsman, a lawyer, an advisor, and an office manager.

When working on cases, the Ombudsman also seeks the advice of specialists in various fields, including lawyers, teachers, health care professionals, and social workers.

Summary of annual budget: The budget for 2006 is ISK 27.3 million Icelandic (ca. EUR 310,000), 70% of which is used to pay salaries.

Principal sources of funding: 100% by government grant.

Legal framework

The office of the Ombudsman for Children was established by Act no. 83/1994, the purpose which was to improve the standing of children and to establish a particular office to safeguard their interests and rights. The office's role is, in particular, to formulate policy; generate discussion in society concerning the affairs of children; make proposals for amendments to legislation; promote ratification and adherence to international instruments relating to the rights and welfare of children; react by appropriate means if administrative authorities, individuals, societies or associations are deemed to have infringed upon the rights, needs, or interests of children; promote public awareness of laws and rules relating to children; and promote research in fields related to children and youth.

General work

On 1 July 2007, attorney Margrét María Sigurdardóttir was appointed Ombudsman for Children in Iceland, replacing Ingibjörg Rafnar, who resigned after two-and-a-half years' tenure. From 2003 until 2007, Ms. Sigurdardóttir was Director of the Centre for Gender Equality, having acted as the Centre's legal advisor for the Centre prior to 2003. She ran a private law firm for many years and was a District Commissioner's

representative in rural Iceland as well. In addition, she has held a wide variety of responsible positions centring on equality and family issues, both in Iceland and abroad.

The new Ombudsman's first months have been busy. Among other things, she has studied cases that the office has worked on recently, visited various associations and institutions working for the interest and rights of children and young people, and has attended numerous conferences and meetings focusing on children's issues. Furthermore, the Ombudsman is planning to give a number of presentations and to appear in the media within the next few months. This will serve the purpose of introducing her and allowing her to become acquainted with others in the field.

As of 1 January 2007, the number of full-time position equivalents at the office of the Ombudsman for Children increased from three to four, and the Ombudsman welcomes this expansion wholeheartedly. The Ombudsman's job consists largely of responding to daily queries; i.e., providing information and consultation by phone and e-mail. The number of written letters from children and young people has quadrupled during the past year. Visits to the office website have increased steadily, with monthly visits now exceeding 10,000. This must be considered in relation to Iceland's population of 307,672, with 79,000 children under age 18. Comments received by the Ombudsman through these channels have often lead to further research and measures by the Ombudsman.

Specific projects

Sexual violence against children

In March 2007, Althingi, the Parliament of Iceland, approved amendments to the section of the General Penal Code pertaining to sexual offences. The amendments, which incorporate a number of the Ombudsman's previous suggestions, include substantially increased legal protection for children; furthermore, they communicate clearly that sexual offences against children are an extremely serious crime, as studies have shown that sexual crimes make a profound impact on victims' psyche and well-being. The chief changes enshrined in the new amendments are these: the statute of limitations for the most serious sexual offences against children has been eliminated; the minimum sexual age has been raised from 14 to 15 — that is, it is unequivocally prohibited to have sexual intercourse with children under age 15; the definition of the term "rape" has been expanded; and a new provision lists factors that should be considered in the possible lengthening of a prison sentence for rape. One such factor is the age of the victim; that is, if the victim is under age 18, this should be considered as a possible justification for a heavier sentence.

The Compulsory School Act

A new act of law amending the Compulsory School Act entered into force in January 2007. The Ombudsman for Children welcomes the amendments, as they incorporate comments from the current Ombudsman and her predecessor. The new legislation places particular emphasis on increased student participation in school operations through a provision requiring each primary school to operate a student council with an expanded role. Furthermore, it has been recommended that provisions be passed concerning students' study environment and well-being in school.

Dyslexia and other reading disorders

Because of the Ombudsman for Children's activities, a committee was appointed to make recommendations concerning solutions for primary and upper secondary school students with dyslexia and other reading disorders. The Ombudsman for Children was a member of the committee, which submitted a detailed report on 15 May 2007. The Ministry of Education, Science and Culture has prepared an action plan in order to implement the committee's recommendations.

European Week of Safety and Health at Work

In 2006 the Ombudsman for Children collaborated with the Administration of Occupational Safety and Health, as well as other parties involved in protecting the interests of children in the workplace, on a special occupational safety campaign inspired by the annual European Week of Safety and Health at Work. The campaign, entitled "Safe Start!", was dedicated to young people and occupational safety. The Ombudsman for Children, the Administration of Occupational Safety and Health, and the Directorate of Labour sent letters and posters to managers of grocery stores, fast food restaurants, and parties involved in newspaper and mail delivery, in order to draw their attention to their legal responsibilities and obligations towards children and youth in their employ.

Center for Children and Family Research

The Ombudsman for Children and the University of Iceland Faculty of Social Sciences have signed an agreement concerning membership and support for the Center for Children and Family Research (ICE-CCFR), which is operated as part of the Department of Social Work at the University of Iceland. The role of the Center is to increase and promote research in social work centring on children and the family.

Center for Early Childhood Educational Research established

The Iceland University of Education has established a Center for Early Childhood Educational Research, and the Ombudsman for Children is one of the collaborators and sponsors of the Center's activities. Early childhood educational research is the scholarly research field dedicated to children, from birth to age 8, and their circumstances and education.

Works of art by children

In recent years, works of art by children who have participated in the art workshops called "Gagn og gaman", held at the Gerduberg Culture Center, have decorated the walls of the Ombudsman for Children's office. The office of the Ombudsman has concluded a contractual agreement concerning the leasing of artwork by children.

When may I do what?

The Ombudsman for Children has issued a poster entitled "*When may I do what?*". The poster illustrates several examples of the provisions of Icelandic law concerning the rights and responsibilities of children and youth. It was distributed to schools, community centres, and various agencies and non-governmental organisations.

Website

The Ombudsman has made improvements to the office website. Experience has shown that there is a great need for reliable and accessible information on legislation

and rights regarding children's issues. The site is divided into three categories — a children's page, a teenagers' page, and a general information page for adults — and will include information on a wide range of issues relating to children, with primary emphasis on children's rights.

Current and upcoming projects

Comprehensive review of legislation on pre-schools and compulsory schools

Over the past several months, the Icelandic Ministry of Education, Science and Culture has been engaged in a comprehensive review of the legislation pertaining to pre-school and primary school affairs. The Ombudsman for Children had the opportunity to meet with the committees that have been carrying out the review and has submitted written comments and suggestions. The Ombudsman is of the opinion that the principal theme in both sets of legislation should be the best interests of children, cf. Article 3 of the UN Convention on the Rights of the Child, and she believes that this fundamental principle should emerge in all legislation pertaining to children. The Ombudsman for Children also emphasises strongly that the Compulsory School Act should safeguard the quality of education, the equality of students, and students' well-being and legal security. The Compulsory School Act provides a framework for school activities and should be an effective tool in daily school operations. Furthermore, the Ombudsman for Children considers it necessary that the affairs of school children with special needs be examined closely.

The Ombudsman for Children was assigned the task of recruiting several students to meet with the legislative committee, as it was deemed important to hear the viewpoints of the children themselves. Seven students aged 13 – 16 attended a meeting of the committee, together with the Ombudsman, and made a number of worthwhile comments and suggestions. When they were asked about student participation in the democratic process, they said this matter should be addressed, as they were never asked their opinion about anything.

Marketing campaigns targeting children

In March 2006, the Ombudsman for Children, a consumer affairs spokesman, and the national parents' organisation Home and School held a symposium on children and advertising in order to draw attention to current legislation and to encourage public discourse on whether there is the need — and the will — to set further limits on marketing campaigns that target children. Icelandic law provides children with special protection against advertising and marketing directed at them. Nonetheless, it is a fact that the advertisement and marketing of all sorts of products and services is directed in ever greater measure at children and teenagers, and in an increasingly aggressive and effective way.

The collaboration between the Ombudsman for Children and the consumer affairs representative has continued, and in June 2007 further meetings were held with various parties in the business sector, with the aim of achieving the broadest possible consensus concerning limitations on marketing that targets children. In this context, it is important to remember that children are not independent consumers, and they generally do not have the maturity necessary to assess what they need and what is

good for them. Furthermore, they do not have the financial strength to respond to advertisements and other marketing campaigns directed at them.

Projects involving primary schools

This fall, the Ombudsman will visit primary schools and pre-schools all over Iceland and will work on various projects together with students. This work is to begin on 1 October 2007.

Action plan to benefit children and youth

The Icelandic Government has approved a proposal for a parliamentary resolution concerning a four-year action plan for the years 2007-2011, for the purpose of bolstering the position of children and youth. During the current term, the Government will promote various systematic measures for the benefit of children and of families with children.

Action plan concerning domestic and sexual violence

The Government has approved an action plan pertaining to domestic and sexual violence. The primary aims of the action plan, which is to be implemented in 2006-2011, are to combat domestic and sexual violence directed at women and children and to improve the circumstances of victims and persons at risk of such violence. The intent is to fortify and support child protection authorities, social affairs authorities, schools, health care professionals, and the police so that they can address matters that arise, co-ordinate work habits, procedures, and strategies, and improve education and training. The Ombudsman for Children met with the committee that prepared the action plan and presented her comments and viewpoints.

The main theme of ENOC 2007 - Supporting Children with Special Needs.

In recent years, the affairs of children with disabilities and chronic illnesses have been discussed extensively. Furthermore, behavioural and mental disorders among children have been a matter of growing concern in Iceland. The Ombudsman for Children has made repeated mention of the affairs of children with mental disorders and has encouraged the authorities to guarantee these children the health care services they need. Last year the Government drafted legislative amendments and adopted other measures of substantial benefit to this group of children. These actions are most welcome.

Minister of Health and Social Security action plan

In September 2006, the Icelandic Minister of Health and Social Security announced an action plan aimed at bolstering health care services in response to the problems surrounding mental and behavioural disorders among children. The action plan is partially based on reports by Icelandic experts and an appraisal of mental health services for children and youth, which was prepared by two Swedish experts for the Ministry of Health and Social Security.

The Ombudsman for Children met with the two Swedish experts in May 2006 and had the opportunity to make various comments on these matters. Because Iceland is a small country with a very good national health care system, and an especially good

infant care system, it should be possible to address these matters quite effectively. It is important to diagnose problems as soon as possible and to begin treatment promptly. There is a need to increase collaboration among those involved in children's affairs and to integrate their activities more effectively, especially as regards the participation of national vs. municipal governmental bodies and the participation of the health care, social affairs, and educational systems. There is also a need to guarantee equal status among children in all areas of the country.

Subsidies for parents of chronically ill or seriously disabled children

New legislation on subsidy payments to parents of chronically ill or seriously disabled children entered into force in July 2006. The Ombudsman for Children had submitted comments on the legislative bill at the beginning of the year. The new law provides for payments to parents who are salaried employees or independent contractors in the domestic market if their children are diagnosed with serious, chronic illnesses or serious disabilities. It is assumed that the parents can have the joint right to payments for up to three months if certain statutory requirements are met, and under certain circumstances, these payments can be continued for up to nine months, beginning on 1 January 2008. At a meeting with the Minister of Social Affairs on 21 June 2007, the Ombudsman for Children encouraged the Minister to prepare an appraisal of the implementation of this law during its first year, so as to determine whether it is necessary to draft amendments to it.

Schools without separation

Children's behavioural and mental disorders are not only a great burden for the children affected and their families; they also place strain on the schools and all of their activities. The reigning school policy in Iceland — schools without separation — guarantees all children the right to attend school in their residential district without consideration of their mental and physical condition. According to a report by the Centre for Children's Health Care, nearly one-fifth of all children have a long-term health problem of some sort. Mental difficulties (attention deficit/hyperactivity disorders, anxiety disorders, and depression) are believed to affect 7.4% of primary school children. The school system must be equipped to meet the needs of this group, and it is clear that school health care services must be expanded considerably in order to lend proper support to Iceland's educational policy.

Knowledge centre to combat sexual offences against the developmentally disabled

People with developmental disabilities are at much greater risk of sexual abuse than are healthy individuals. Furthermore, it is often the case that they have not received the training or education that will help them to learn when sexual abuse is occurring or how to avoid it. In order to further the knowledge and education of people with developmental disabilities, a knowledge centre dedicated to sex education and related matters will be opened this fall at the Association for the Aid of the Mentally Retarded. Disabled individuals, their families and friends, and personnel working with them can contact the knowledge centre for advice and sex education, including strategies for responding to sexual offences.