



# **Consultation with Children and Young People on Brexit**

**Children's Law Centre**

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## **CHILDREN'S LAW CENTRE**

The Children's Law Centre (CLC) is an independent charitable organisation which works towards a society where all children can participate, are valued, have their rights respected and guaranteed without discrimination and where every child can achieve their full potential.

We offer training and research on children's rights, we make submissions on law, policy and practice affecting children and young people and we run a child accessible legal advice, information and representation service. We have a dedicated free phone legal advice line for children and young people and their parents and carers called CHALKY and a youth advisory group called Youth@CLC. Within our policy, legal, advice and representation services we deal with a range of issues in relation to children and the law, including the law with regard to some of our most vulnerable children and young people, such as looked after children, children who come into conflict with the law, children with special educational needs, children living in poverty, children with disabilities, children with mental health problems and children and young people from ethnic minority backgrounds.

Our organisation is founded on the principles enshrined in the United Nations Convention on the Rights of the Child (UNCRC), in particular:

- Children shall not be discriminated against and shall have equal access to protection.
- All decisions taken which affect children's lives should be taken in the child's best interests.
- Children have the right to have their voices heard in all matters concerning them.

## **ACKNOWLEDGEMENTS**

The Children's Law Centre is extremely grateful to all the children and young people who participated in the consultations which informed this report.

CLC would like to thank the following youth organisations who helped facilitate consultation sessions:

### **Youth@CLC**

Youth@CLC is the youth advisory panel for the Children's Law Centre. They are aged 14 – 18 years old, come from various walks of life. They are peer advocates who also work to ensure young people's voices are listened to and are taken seriously by the people who make decisions about their lives. Youth@CLC's ultimate aim is to make children's rights a reality for all children and young people.

### **Cheers Youth Centre, Ballymoney**

Cheers Youth Centre provides a free to use, safe place for young people from all backgrounds to socialise and make friends. They provide programmes to help meet the personal, social, physical and spiritual needs of young people in the local area. This includes assisting young people in educational development in an informal way. They are a recognised Open College Network NI Centre. To achieve this they work in partnership with many other statutory and non-statutory organisations. Established in 1991, Cheers has been providing a service to young people in Ballymoney and the wider area for 25 years by providing drop-in facilities five times per week with additional educational projects and programmes.

### **Gender Jam**

Gender Jam are a charity for the young transgender community in Northern Ireland, based in Belfast and Newry (CLC visited the Belfast office). They bring young trans, non-binary, questioning and intersex people together and create resources to help the community in Northern Ireland. They also provide individual support for young people experiencing difficulty with housing, education, healthcare and other issues that affect the trans community in the region.

### **Include Youth (Give and Take Scheme participants)**

Include Youth's Give and Take Scheme improves the employability and increases the self-esteem and confidence of young people aged 16+, who are not ready to take part in a training course, attend college or move into work.

Many of these young people have experienced social exclusion, poverty or have other complex challenges in their lives and therefore need additional support to overcome their barriers and positively progress into education, training or work.

## **My Life, My Say Brexit Café**

My Life My Say (MLMS) is a UK organisation based in London. It is a non-partisan, youth led charitable organisation that stimulates young people's engagement in politics by facilitating their involvement in decision making processes and by developing relationships between young people, politicians and decision makers.

The Children's Law Centre assisted MLMS in holding a 'Brexit café' in Belfast in May 2017.

The MLMS Cafés endeavour to engage young people in local and national decision making processes and to empower them to continue this within their local communities. They aimed to reignite the traditional 1930s 'talking shop', which was often in the local café, where local people would meet to discuss current affairs.

Young people from Youth@CLC, Belfast City Council Youth Forum and Youth Initiatives were in attendance at the 'Brexit Café'.

## **Rainbow Project**

The Rainbow Project is a health organisation that works to improve the physical, mental and emotional health and well-being of lesbian, gay, bisexual and/or transgender people in Northern Ireland.

The Rainbow Project is the largest LGB and T organisation in Northern Ireland. They have two centres, one in Belfast city centre and the other in Derry. CLC visited the Derry office.

## **Reach Me Fermanagh**

Reach Me Fermanagh is a Mencap project for young people with a learning disability in Fermanagh. They work to help increase independence, confidence, life skills, self-esteem and relationship skills.

## **Youth Action**

Youth Action NI is a regional voluntary youth organisation with offices in Belfast, Armagh, Ballygawley, Enniskillen, Newry and Derry. CLC visited the Enniskillen office.

Youth Action recruit and involve young people in non-formal educational programmes to maximise skills, qualifications and help them realise their potential. They particularly target those from disadvantaged communities, vulnerable young people and the older range of 14 – 25 year olds, not engaged in mainstream youth provision.

The Children's Law Centre would also like to thank volunteers Enya Boyce, Amy Brown and Sophia Malatesta who assisted in developing the child friendly documentation and co-facilitating the consultation sessions.

## BACKGROUND

The Children's Law Centre is extremely concerned about the nature and extent of the potential impact Brexit will have on children and young people and their rights in Northern Ireland. Despite the potentially far reaching implications discussion on the impact on children and young people generally has been largely absent in any discourse about Brexit locally, in the UK or at a European level.

CLC provided the PSNI with an interim report in March 2017 outlining some of the potential legal and policy impacts relating to policing and criminal justice that the UK's withdrawal from the European Union may have on children and young people in this jurisdiction.

Issues identified by CLC in our interim report included:

- *Legal entitlement:* The EU has enacted over 80 binding instruments which are of direct relevance to children, including in relation to issues with a cross-border dimension. EU law and policy provides a range of protection provisions in the form of free movement laws, EU anti-trafficking laws, EU asylum and immigration provision for displaced children, rules to expedite the speedy return of a child who has been abducted, and laws that prevent parents from evading their parental responsibility obligations including support maintenance following a move to another Member state.
- *Financial costs:* The UK's withdrawal from the EU will affect financial support for research and development in the UK including research and development relating to policing and justice. There is a budget of €378 million provided by the EU to support research and capacity building in the field of justice and citizenship for the period 2014 – 2020.
- *Social and cultural costs:* Limits on free movement, increasingly hostile immigration rules and fewer opportunities for cross cultural exchange in the post Brexit climate do not bode well from promoting cultural diversity and integration in NI. There is also growing concern regarding the rise of racism, racist views and racist attacks fuelled at least to some extent by the discourse around Brexit.

Furthermore, as the only jurisdiction within the UK to have a land border with another EU member state, there will be a significant impact on children and young people that live on one side of the border, but work, socialise, play sports, access health services, attend school or attend university on the other side of the border, all of which has been made possible and easy by virtue of shared EU membership and shared legislative frameworks. Policing such activities

across any border but especially a hard border will present significant challenges.

- *Opportunity costs:* A potential really significant casualty of Brexit are the benefits we gain from security, judicial and intelligence exchange and gathering that have been developed by the EU over many decades. We will potentially lose access to ECRIS, the centralised record of criminal offenders, including child sex offenders who seek to travel between Member States to perpetrate crime and/or avoid detention; we will potentially lose access to the European Judicial network which provides a vital channel of communication between the judiciary working on cross border abduction and child protection cases; we will potentially lose access to Europol and Frontex which co-ordinate policing and data collection across borders. Other relevant security mechanisms and agencies that are currently in place include Eurojust, European Arrest Warrants, Second Generation Schengen Information System (SIS II), Passenger Name Records, Prüm, the European Counter Terrorism Centre, the European Cybercrime Centre, the EU Internet Referral Unit and Eu-LISA. Also of concern is the fact that the UK Government has indicated that it does not intend to continue to accept the jurisdiction of the Court of Justice of the EU (CJEU).
- *Specific circumstances of NI:* The possible introduction of a 'hard' border between NI and Ireland will have significant implications for policing. Other issues identified within the interim report included cross border co-operation, and the cross border policing strategy. Further Brexit has been analysed as undermining or hollowing out one of the premises on which the Good Friday Agreement is based i.e. EU membership. This presents a real risk to the NI peace settlement and there is a real threat of it being exploited by non-state forces to instigate and justify violence. This is particularly relevant given ongoing paramilitary threats and attacks on young people.
- *Voice of children and young people:* The decision by the UK to leave the EU may be the biggest constitutional change of our lifetimes. Children and young people under the age of 18 did not have the opportunity to vote in the EU referendum, yet they are the group likely to be impacted upon the most by the UK withdrawing from the European Union. The fact that they did not have a franchise in relation to the vote but are as some would see it, the victims of the referendum, has given rise to anger in some young people. Some have responded by becoming more politically active.

The interim report also pointed to the fact that according to polling data from YouGov, 75% of 18 – 24 year olds voted to remain in the EU. There is a risk that these young people will be alienated by the result along with those under

18 who were unable vote. Little work has been done by the NI or UK governments to engage with young people about what a future outside of the EU may be like. CLC advised in the interim report that it is crucial that efforts are made to provide ways in which young people can contribute positively to the negotiations and that their opinions are listed to, as per Article 12 of the UN Convention on the Rights of Child and Section 75 Northern Ireland Act 1998.

## **CHILDREN'S LAW CENTRE CONSULTATION WITH CHILDREN AND YOUNG PEOPLE ON BREXIT**

The Children's Law Centre undertook to engage and consult directly with children and young people to ascertain their views in relation to Brexit. It was agreed that a report outlining the views of children and young people would be submitted to the PSNI by early summer 2017.

### **Process**

In developing this report, CLC wished to ensure that as wide a range of groups of children and young people in Northern Ireland were consulted as was possible in the time frame and within budget. We were pleased to get a good representative sample of young people in NI, including young people from a rural border community, young people from an urban border community, young people from urban 'non border' communities, marginalised young people participating in Include Youth's Give and Take Scheme, young people from the LGBT community and disabled young people. A number of young people participating in the consultation sessions were from another EU Member State or had family members (parents/ grandparents) who were living in other EU countries.

We opened up each session asking young people what their initial thoughts, reactions and feelings in relation to Brexit were.

We were mindful that some of the young people may not have a full understanding of what the European Union is or what Brexit means, we therefore provided young people with easy to understand documentation that outlined some of the influences the European Union has had on daily life in Northern Ireland and some of the potential impacts Brexit may have.

These potential impacts were divided into four broad themes:

- (i) Cultural impacts of Brexit
- (ii) Policing, security and criminal justice
- (iii) Travel and free movement
- (iv) The border

The participants were asked to divide themselves into 4 groups, spend some time considering the documentation provided and then write down their views relating to each theme. 10 – 15 minutes was spent on each theme, before the groups moved on to the next theme. Some of the consultation sessions had smaller numbers of young people in attendance. In these cases, the 4 themes were discussed by the whole group. The sessions were concluded by asking participants what their key message to government would be in relation to Brexit.

## **ENGAGEMENT WITH YOUNG PEOPLE**

Seven consultation sessions were held on the following dates:

20<sup>th</sup> April 2017 (Youth@CLC)

17<sup>th</sup> May 2017 (My Life My Say Brexit Café)

1<sup>st</sup> June 2017 (Cheers Youth Centre, Ballymoney)

6<sup>th</sup> June 2017 (Include Youth)

9<sup>th</sup> June 2017 (Gender Jam)

26<sup>th</sup> June 2017 (Youth Action, Fermanagh and Reach Me Fermanagh)

4<sup>th</sup> July 2017 (Rainbow Project, Derry)

A total of 54 young people attended the 7 consultation sessions. All the participants were older teens i.e. 15 – 18 years old. Direct quotes have been represented in italics. To ensure the confidentiality of those involved, no data was gathered in relation to the participant's names. The quotes are not attributed.

For each session, written notes of comments made by young people were recorded. Immediately after each session, the written notes were word processed.

This 'snapshot' consultation reflects the range of issues raised during interactions, offering valuable insights into what young people in NI feel about Brexit.

While the primary aim of this paper is to reflect the views of young people and CLC respect the right of young people to be heard directly, we have attempted to draw out some key themes coming through in each of the consultation sessions.

Combined with the previous desktop research provided in the interim report in the PSNI, this report provide a basis for discussion and consideration in relation to how Brexit may impact on children and young people in Northern Ireland and raises issues which the PSNI should take cognisance of in relation to preparing for Brexit legislatively and policy wise, and also in relation to day to day policing.

## MAIN FINDINGS

### Initial reactions of young people

In each of the groups, young people were first asked what their initial thoughts and feelings about Brexit were. This question was asked before CLC provided the participants with any documentation in respect of the four themes in order to allow for an open discussion that wasn't restricted to the four themes identified by CLC and to ensure that the discussion was a true reflection of their initial thoughts and feelings on Brexit.

When asked what their initial reaction was whenever the referendum result in June 2016 was announced, participants said that they felt scared about how uncertain their future is and they felt angry and frustrated that a decision that will impact on their lives was taken without them. One young person commented that *"the Brexit vote was a decision made by an older generation that will impact the younger generation"*. Another young person commented that the *"impact [of Brexit] will not be on young people now, but the next generation. We are taking away opportunities for young people of the future"*. Another contributed by commenting that *"politics is just about tricking people, it's just a game and the older generation won this time."*

Some young people said that they were very surprised by the referendum result as they were sure that the UK would vote to remain. Others however said they were not surprised by the result, and in fact had predicted that that is how the UK would vote overall. One young person commented that the *"leave vote was more about British patriotism than a weighing out of all the options in a logical and rational way"*. He felt that the leave vote was a vote solely for British sovereignty without considering any other implications of the UK withdrawing from the European Union. Another young person, recognising the need for reform within the EU, described Brexit *"is like when your house is on fire and you try to put it out with petrol."*

Another young person in different group commented that the *"Brexit vote was against the odds, it just goes to show what can happen when people go out to vote"*. When asked as a group, young people agreed that they definitely should have been afforded the opportunity to vote in the referendum, with the exception of a couple of young people who felt that the current voting age was right.

Interestingly, three young people in three different groups used the expression 'going backwards' to describe their initial reaction to Brexit, one saying that *"it feels like we are taking 100 steps back"*, another saying *"we are going backwards, we should be moving forwards"*, and another commenting that we are moving back in time, not forward in time and there is a fear that we will go back even further without the threat of sanctions from the European Court of Justice.

Other participants took a different view:

*"I am for it [leaving the EU] – Spain, Portugal, Greece, France, Italy are all going down the pan financially. I didn't want the UK to go down with them. The UK were dishing*

*out money for other economically deprived countries and I couldn't see how the UK could get out any other way".*

*"I wasn't old enough to vote, but if I was, I would have voted to leave. I don't know why [I would have voted this way] but would have liked the opportunity to vote".*

*"I would have voted to leave because of the bureaucracy and red tape within the EU, especially on the agricultural side with slurry bans and stuff."*

*"The EU costs too much money".*

A number of participants across all 7 groups outlined that the leave/remain campaigns prior to the referendum was *"full of lies"* and that *"no one has been told the truth about Brexit"*. The bus with the slogan 'We send £350 million to the EU a week. Let's fund the NHS instead' was cited throughout the discussions. One young person commented that: *"I feel that the campaign for stay and leave was not helpful for the general public in making a suitable informed decision, and that it consisted mainly of scaremongering rather than actual 'hard facts'. This is evidently seen in the lack of planning and organisation after the outcome of the vote"*. Another young person commented that there may be a different outcome if people had to vote again.

Another young person, also referring to the bus with the slogan 'We send £350 million to the EU a week. Let's fund the NHS instead', pointed out that *"even after we leave the EU, there is still going to be a crisis within the NHS"*.

During the discussions, a number of young people indicated that they didn't know enough about Brexit, or indeed what the European Union does, in order to have an informed opinion on it. One participant commented that *"adults have been talking about Brexit and how Brexit will impact them. I don't know if it is a good thing or a bad thing that we are leaving the European Union"*, another three young people simply said that they did not know enough to have initial thoughts on Brexit.

CLC would therefore suggest that there has been a gap in terms of child accessible, balanced documentation to explain what the European Union is and does and what the implications of Brexit may be for young people.

With the exception of one group, the majority of young people in all the groups indicated that if they had had the chance to vote, they would have voted remain. There is frustration and fear amongst most of the young people consulted, with one asking in exasperation, *"Is there anything actually good about Brexit? Why would people vote to leave?"*

The majority of young people consulted voiced their disillusionment with politics in general, that the Brexit vote (amongst other things) is another decision that adults made without considering or consulting with young people. There was a strong call across the groups to lower the voting age. One young person commented that *"16 year olds have very solid thoughts about their world and what should be in their future"*.

There is also a lot of resentment in relation to the lies that have been told during the Brexit campaign.

## Cultural Impacts

The documentation provided to participants to help stimulate discussion in relation to potential cultural impacts that Brexit may have was as follows:

**Brexit – Potential Impact on Cultural Life**

**Scenario:**

**Treatment of Immigrants/migrants in NI post Brexit**

Recently three male Queen’s international students, were in a café in Belfast for lunch. They witnessed some young women verbally abusing one of the waitresses who was quite distressed. One of the male students approached the women and politely told them to relax, as their food will be served to their table in a short while.

The women reacted very aggressively saying things like, “Go back to your own countries...don’t come to our country and tell us what to do.” They then pushed one of the students and threatened physical violence. One of them said,

“One day soon we’ll get all of you immigrants out of our country because we got Brexit on our side”.

**Points for discussion**

- What do you think?
- Do you think this could happen/has happened in your area post Brexit?
- Implications for policing?

**EU funding**

Current EU funding known as “peace money” for cross-community projects was £2.5bn in the last funding round. UK says that peace money is guaranteed until 2020.

**Points for discussion**

- Do you think “peace money” will still be important/needed after 2020?
- Concerns if that money stops coming in to NI – impact on young people’s lives?

Young people are worried that Brexit is having a negative impact on relationships within the UK and within NI.

Some participants felt that the ‘leave’ vote was a vote *“to get the migrants out [and as a result] gives people the excuse to be racist now”* and that *“the racist mind set has been validated”*.

Young people expressed concern in relation to divisions between UK citizens and EU nationals. One young person pointed to the role of the media in portraying migrants

within the UK, commenting that the negative messages about migrants 'stealing our jobs' is providing an excuse for racist behaviours and attitudes.

Participants expressed concern in relation to what will happen young migrants and asylum seekers and their families once the UK has withdrawn fully from the European Union, asking, *"Will they have to leave? What will happen to them?"*

One young person explained that a number of Syrian families arrived in Derry 3 weeks before the Brexit vote: *"To mark their arrival, 'Welcome' signs had been translated into their language to help the Syrian families feel welcome here. Once the Brexit vote happened, the same Syrian families were told to go back to their own countries. The atmosphere changed so quickly."*

One young woman commented that *"remain and leave has been divided by politicians down orange and green lines and young people will do the same"*. Another commented that the *"leave/ remain debate has brought tensions up among friendships"* and that *"people are becoming polarised; it's becoming personal and young people are afraid to speak their views [on Brexit]"*.

Another participant commented that because views in relation to Brexit have become so polarised, that it will be difficult to find a middle ground.

One young woman in acknowledging the rise in hate crime since the Brexit referendum expressed the fear that the atmosphere of intolerance will breed more intolerance and this will spill over into other marginalised groups of young people, including those who are LGBT.

Furthermore, young people from Gender Jam also felt that there is an atmosphere of suspicion as a result of the anti-migrant sentiment, which they saw as evidenced by a requirement to prove residency in the UK before accessing health services. Some Trans young people told us proving residency can prove difficult as they pay bills online and access services through pay-as-you-go and therefore struggle to produce official documentation with their address. Proving identity can also prove challenging for Trans young people as their official identification may not reflect their new name, gender or appearance. This issue could also be of significance for the PSNI when asking people for identification.

Some young people also highlighted that the opportunities to meet other young people may become less as a result of Brexit, that there will be less diversity in communities and that the UK would be separated and segregated from the rest of the world.

Other participants took a different view, commenting that:

*"Racism will happen regardless of whether we leave the EU or not."*

*"It depends on how you've been brought up."*

*"Racism won't just start in Ballymoney because of Brexit."*

Young people also expressed concern in relation to how losing European funding, such as PEACE funding would impact on Northern Ireland. A number of participants recognised the benefit of EU funding, particularly in relation to programmes that they have directly participated in. This was true across the 7 groups consulted. One young person advised that she participated in a programme (funded through PEACE IV) that had an explicit requirement that there should be links made with similar organisations in the Republic of Ireland. She was worried that if they were unable to deliver the cross-border element of the programme as a result of a hard border that they would have to give the money back.

Some of the participants were not as concerned in relation to losing European funding, commenting that whilst funding for peace building would good, it is not essential and queried how £2.5 billion could be spent on cross community projects, as they could not see any evidence of cross community projects. Another young person suggested that *"people might fight for a while; they will soon get bored and go back to their own lives."*

On the whole, young people identified a very quick change in attitude and atmosphere. Young people felt that they could feel tensions growing within friendships in relation to those that voted to leave and those that voted to remain. There was also tensions identified in respect of religious background and a growing intolerance towards anyone perceived to be different, such as foreign nationals, newcomers and members of the LGBT community.

CLC are extremely concerned about this atmosphere of intolerance and suspicion growing with NI as reported by the young people participating in the consultation sessions. There is a risk that efforts undertaken to date to build a shared society and a shared future will be undermined, and that the Peace Process be put under threat as a result of Brexit.

The polarisation of communities within Northern Ireland, coupled with an accepted culture of intolerance and the loss of funding for peace building and cross community working all as a result of Brexit are issues that the PSNI and others will need to give careful thought and consideration to, in order to ensure that peace and stability is maintained.

## Policing and security

The documentation provided to participants to help stimulate discussion in relation to potential impacts on policing and justice that Brexit may have is as follows:

# Policing, Security and Criminal Justice

## How might this affect you?

You might think about:

- A possible border for NI – and the policing of a border
- The impact on any travel you do to EU countries
- Your future travel plans
- Your identity as a young person from an EU member state
- The impact on how we see people from other countries
- Your opportunities to get to know young people from other countries
- The short term and long term effects of Brexit and free movement/travel



With free movement of people around EU member states comes free movement of criminals.

The EU created agencies that share information about criminals across the whole of Europe – this helps protect children against child sex offenders and child trafficking

When we leave...

- What are the possible concerns (or benefits!) you think of?
- Your views – good or bad for young people?

# Policing and security



A lot of young people felt that a hard border would mean increased security, increased policing and that could result in conflict with the police and potentially a return to the Troubles in Northern Ireland:

*"This is a border area, renowned for policing and checkpoints. In the past there was conflict with the police. Could Brexit bring us back to a place we don't want to be in again?"*

*"A hard border is likely to spark the Troubles again."*

*"A hard border will mean a return to violence in Northern Ireland."*

One young person commented that if there was a hard border, that there will be a "rally up" to start fighting the police.

In relation to checkpoints in border areas, young people spoke about being on buses to Dublin and having the bus searched. They expected this to increase post-Brexit. One young person commented that it is: *"Just a hassle being searched when no [one] has for years. [This will] scare young people."*

Young people were also worried that only certain types of people would be stopped at a border checkpoint, describing this as *"a potential for cultural profiling"*. Young people were firm that an "ethical code" would need to be put in place in order to manage policing a border.

A number of young people raised the issue of having to show ID on the border. Some saying they didn't have ID and couldn't afford to apply for a passport. Others expressed concern about difficulty in obtaining a passport as they were not able to provide official documentation to prove who they were. Young people identifying as Trans also raised

the issue of official documentation not reflecting their new name, gender or appearance. A further issue raised by Trans young people was the traumatic impact of being body searched should there be a border checkpoint.

One young person thought that a hard border would be a good thing and was happy enough to show his passport at the border and that restriction in movement is the price to pay in order to secure borders.

Another asked how the PSNI was expected to pay for the additional security and policing that would be required in the event of a hard border, given the cuts to public services, including policing.

There were frustrations expressed in relation to the lack of clarity there is in relation to what kind of border we will have.

A lot of the participants also commented that it would be an inconvenience to have to go through a border checkpoint. Others felt that they shouldn't need to show a passport to travel across the NI border.

Young people asked questions about what type of border it could be: *"Could it be like the tolls in Dublin? Could we have a digital border?"*

In all the discussions young people equated the return of a hard border with the return of violence in Northern Ireland. A number of young people also highlighted the risk of the police being 'targets' for trying to police a political decision.

Further, young people were interested in how policing the border would be resourced, particularly in the context of public sector cuts and the fact that a regional police service would be responsible for policing a political decision made on a national (UK) basis.

The vast majority of young people also raised the issue of ID. They pointed out that a lot of young people don't have a passport, driving licence or electoral identity card. Many raised the cost of applying for a passport and how it would be beyond their means to apply for one. Others raised the issue of their passport no longer reflecting their name/ gender/ photographic image.

The issues raised by young people here are significant: how the PSNI deals with young people with no official ID; how they manage who is stopped/ searched along a border; and how the PSNI conduct themselves so they are not viewed as a target for those who resent the maintenance of a border within the island of Ireland, will all need careful consideration and sensitive handling going forward.

## Freedom of movement

The documentation provided to participants to help stimulate discussion in relation to potential impacts on freedom of movement that Brexit may have is as follows:

# Freedom of Movement



**What is it?**

- Citizens from EU member states (countries) can move freely to other EU member states to live, work, and/or study
- Some British/Irish citizens live in European countries abroad
- Some EU citizens from other EU member states (countries) live in the UK/Ireland

A good example of this is our NHS system



# What happens when we leave the EU?

This is likely to be caught up in debates about the 'single market'

The single market seeks to guarantee the **four freedoms**:

1. Free movement of goods
2. Free movement of services
3. Free movement of capital
4. Free movement of labour (workers)



• We don't actually know yet

• A visa to go on holiday at the most extreme

• Some form of control on movement seems likely

• What about studying across the border?

# Your thoughts...

## How might this affect you?

You might think about:

- A possible border for NI
- The impact on any travel you do to EU countries
- Your future travel plans
- Your identity as a young person from an EU member state
- The impact on how we see people from other countries
- Your opportunities to get to know young people from other countries
- The short term and long term effects of Brexit and free movement/travel



Young people felt that a restriction in movement North and South would restrict young people's participation in cultural and social events such as playing sport, watching their favourite teams and attending concerts as they wouldn't want to sit at a border to wait to be searched.

Two young people voiced the opinion that refugees and migrants coming into the UK were hiding ISIS terrorists and therefore felt restriction on freedom of movement was a good thing.

With one young person commenting that:

*"I don't blame the UK government for wanting to close borders given the terrorist attacks in Manchester and London".*

One young person highlighted that it may be more difficult to visit his grandparents in Poland post-Brexit, particularly if flying from Dublin and having to cross a border checkpoint to go to the airport.

A number of young people raised concerns about not being able to avail of opportunities that young people enjoy as a result of the UK being a member of the European Union, for example, participating in ERASMUS programmes and going inter-railing without needing any additional documentation. One young woman highlighted that she had recently participated in an EU conference in Luxembourg on education and that young people of the future will miss out on opportunities like this.

Participants also raised the issue of whether they would be considered an international student if applying for a university place in the Republic of Ireland or elsewhere in

Europe which would make the process of applying for and attending university outside the UK more difficult and expensive.

A large number of young people raised issues relating specifically to Northern Ireland.

*"Northern Ireland will be the only place in the UK with a border to contend with".*

*"After the economic crash, you know, lots of people from Derry bought houses in Bridgend. What will happen them now?"*

*"Northern Ireland majority voted to remain, we should stay."*

*"The border should be around Ireland"* (as opposed having land border within Ireland).

Another young person commented that:

*"I would like a special status for the North of Ireland because we need freedom of movement for our goods and also our people."*

Participants also felt that their identity and what nationality they claim within the Northern Ireland context will become increasingly more important. They queried what status young people with Irish passports living in the North will have post-Brexit and whether Irish passport holders will be able to continue to enjoy the full benefits of other EU citizens.

*"Can I ask one question? You know the way I can have dual citizenship? Will I still have EU citizenship with my Irish passport after Brexit?"*

This question has been raised in several of the consultation sessions. It is a question that has not yet been answered by the British or Irish governments or the European Union. Clarity will need to be provided in relation to the status of people who were born in Northern Ireland, are entitled to Irish citizenship (and therefore EU citizenship) by virtue of the Good Friday Agreement and what rights and protections they are entitled to under EU law. The answer to this question will have significant impact across the whole public sector, including the police service.

Again, frustration was expressed regarding the lack of clarity on how movement will be restricted. Young people were worried that movement would be restricted at a local level between NI and RoI. They were also worried about restrictions that may be placed on them if they tried to travel across Europe.

Similarly, young people recognised the benefit of cultural exchanges and being able to access other cultures, new experiences and broadening their life view. They were very aware that limiting cultural exchanges, alongside the growing sentiment of intolerance was the making of a perfect storm.

With the exception of two of young people who that felt restricting freedom of movement was the price to pay to prevent terrorist attacks, all the participants raised concern in relation to restrictions that may be placed upon them for studying cross border especially when accessing third level education or socialising/visiting family.



## The Border

The documentation provided to participants to help stimulate discussion in relation to potential impacts that a hard or soft border may have is as follows:

### What does a “hard” border or a “soft” border mean for children and young people?

#### Did you know...?

The border between north and south is 312 miles long. Many people don't know where exactly the border is when they are travelling across it because you can't physically see it! Every day adults and young people cross back and forth over the “soft” border between NI and the Republic for school, work, university, sports and leisure events or to visit family, without being stopped or checked or any delay. Between 20 – 30 thousand people are cross border workers (2010 statistic).

Pre Good Friday Agreement in 1998 there was a “hard border” i.e. militarised border checkpoints, car searches, customs controls and sometimes serious delays in getting to your destination on either side of the border.

Post-Brexit, Northern Ireland will be the only UK country to share a physical border with an EU country. This might mean that the EU will require the British and Irish Governments to put up a “hard border” again i.e. border checkpoints, customs controls, checking ID etc. which might need to be manned by police and customs officers.

#### Points for discussion

- Your views on a hard border – good or bad for young people?
- What about if you are living on the border...How will it affect you and your family, your friends e.g. school life, social and leisure activities, family life, work life?
- Any concerns about increased policing presence in border areas?

Young people, particularly from the Fermanagh group, spoke of an invisible border:

*“We cross the border all the time, Clones is the closest shop to me and I travel to Ballyconnell for work.”*

*“I crossed the border twice to get my hair cut on Saturday. Will I have to show my passport to get my hair cut in future?”*

*“It's not even a border. There is no border. Borders and Northern Ireland don't go together.”*

One young person commented that *“Brexit to me I feel is a big topic in everybody's conversations. The drastic changes that may come out of this such as a hard border*

*and customs checkpoints, I myself would feel very intimidated crossing the border into the Republic of Ireland.”*

*Another young person commented that “Fermanagh used to have closed roads, border closures, checkpoints. It isn’t nice to think that we might have to go back to that.”*

*“A hard border is bad for Fermanagh. Northern Ireland is only a small part of the UK, we only have 18 MPs out of 650. If England was bordering France, the issue of the border would have been hammered out by now.”*

*The young people from Derry were also extremely concerned about the impact a border would have on their lives:*

*“Donegal is only 10 minutes away from here. Loads of people go to Donegal for the fishing, to work.”*

*They described the potential need for border checkpoints as “really annoying”, “an inconvenience”, “a hassle” and that “it would take ages”.*

*One young person explained that “it isn’t the fact that there might be a hard border, it is people’s reaction to the border. It will take away the Good Friday Agreement. What about those people that consider themselves Irish? A border will definitely bring violence back.”*

*“This whole thing is about power and control. Power and control breeds aggression. The negativity around at the minute is so strong; it would take a hell of an all singing, all dancing police force to solve that. Scratch the surface here and all those old issues are still there just under the surface.”*

*“The tensions are definitely still there. There is a still a cultural divide between the Unionist and Nationalist community. People think things are fine here now, just because we have a few cross community programmes. It’s not, every time I turn on the news, there are people being shot by paramilitaries every day. That’s still what happens in Northern Ireland.”*

*Young people also discussed the threat to the police in policing a border:*

*“Police officers would be at risk. If we were 50 years on, maybe, but we are not ready for it yet.”*

*Young people were exasperated by the thought of a border, asking “why is Northern Ireland always the poor relation? We are the ones having to deal with the conflict and the border. We have had years of bringing down ‘peace’ walls and now we are going to put them back up again. I imagine them like ‘Trump’s wall’”.*

*One young person, who was a Special Olympian, expressed her fear that given the Special Olympics work on an all-Island basis and on an EU basis, there may be barriers for those wanting to participate in the Special Olympics in the future.*

The issue of organising cross-border youth initiatives was also raised, with young people wondering if they forgot their passport, would they not be able to participate if they had to cross the border?

In a number of the discussions around a hard border on the island of Ireland, the issue of a border poll was raised by young people.

One young person commented:

*“If Brexit turns out to be a mess, the next thing to consider will be a border poll for a United Ireland. The issue of a united Ireland has moved from a political ideal to a pragmatic conversation we all need to have. The conversation needs to move away from traditional orange and green [viewpoints] and have an honest conversation about what a united Ireland would mean.”*

Another young person commented:

*“Ireland needs to claim Northern Ireland back.”*

Another commented that:

*“Brexit has brought people from Northern Ireland together. Wherever you stand on the ‘constitutional question’, a hard Brexit will have a negative impact here.”*

There was also an acknowledgement from participants that both Unionists and Nationalists recognise the need to keep close links with the Republic of Ireland.

It is very clear that young people equate a hard border with a return to the conflict in Northern Ireland. The issue of a border poll and the constitutional status of Northern Ireland came up very quickly in each of the discussions.

It is clear from the young people’s comments that young people live their lives across an invisible border, in some cases crossing the border many times daily as they travel to school, work, access services and visit friends.

The potential impact on daily lives cannot be underestimated. It is essential that any decisions in relation to how a border is policed here does not negatively impact on young people’s lives.

Failure to address this politically sensitive issue will become a significant issue for the police.

## Other issues raised by young people

Whilst not a theme directly discussed during the workshops, a lot of the young people that participated in the workshops were acutely aware of the rights and protections that are afforded through the UK's membership of the European Union;

*"We need the EU to set the example".*

Young people expressed concern in relation to the current UK government's rhetoric vis-à-vis repealing the Human Rights Act 1998 as the next step once this current round of Brexit negotiations are completed.

A number of groups also expressed concern that the Northern Ireland Assembly would no longer have to be compliant with EU law once the UK has withdrawn. Examples were highlighted during discussions such as progressive anti-discrimination laws in relation to young people with disabilities and LGBT young people, as well as EU laws which protect young people at work. Participants expressed a desire for the NI Assembly and the UK government to ensure that any developments at a European Union level are replicated at a domestic level.

A young person from Gender Jam, for example, advised that the only time LGBT rights have been debated in the NI Assembly, with the exception of pardons for abolished gay sex offences was the introduction of the Gender Recognition Act. The young person further advised that the Northern Ireland Assembly was forced to comply with the Gender Recognition Act by the European Court of Justice. The young person went on to comment that:

*"It doesn't bode well for LGBT rights if the Northern Ireland Assembly no longer has to comply with EU legislation. Leaving the EU will make it easier for the Northern Ireland Assembly to pass legislation that isn't equality compliant."*

The young person from Gender Jam further commented that

*"As we turn away from the European Union, are we looking to North America as an ally on social policy? There is a huge anti-LGBT rights movement happening in the US now, with some States proposing the introduction of a 'Bathroom Bill'. This would prevent members of the Trans community using public bathrooms and will result in Trans people being excluded from public life."*

One young person highlighted his fear in relation to the potential rise in the cost of living post Brexit: *"the UK doesn't produce enough of its own food; we don't grow our own bananas or coffee. We will have to pay more and this will have a huge impact on young people on benefits as we only have £54 per week to live on."* Other young people expressed concern in relation to prices going up as a result of having to pay additional tariffs as goods cross from an EU border to a non-EU border.

A number of young people also felt that the economy will be worse off as a result of Brexit and they had concerns in relation to a drop in household income and living

standards and increasing rates of child poverty. Young people were also worried about job opportunities for them in the future.

They were also worried about not being able to afford to go across the border for holidays in Donegal if the pound crashes as a result of Brexit. *“We have been going to Bundoran for years, since we were kids. It’s horrible to think we might not be able to go anymore.”*

Two different groups raised the issue of Milky Way Magic Stars. This is in reference to a Tweet containing a picture of a packet of Milky Way Magic Stars hot chocolate, in which the packaging stated that the product ‘should not be sold outside the EU’. The picture went viral on a number of social media platforms. As a result of the Tweet going viral, some journalists contacted Mars, who were told that Magic Stars would still be available even if the UK leaves the EU, with one journalist quipping “crisis over”.

One young woman, whilst acknowledging the Milky Way Stars will be available post-Brexit, commented that *“it still brings up an important point in terms of other products that mightn’t be available after Brexit”*.

The young people from Gender Jam also raised specific issues in relation to accessing health care. They advised that there are initial discussions taking place in relation to providing health services to the Trans community on an all Island basis. Delivery of these services post-Brexit on an all-Island basis would prove much more difficult.

The majority of the young people consulted recognised the risk that Brexit poses to the rights, protections and enforcement mechanisms afforded by the EU. There is a fear that the human rights and equality agenda in Northern Ireland will not progress without obligations placed upon the NI Assembly by the European Union and the European Court of Justice and that there was a risk of regression in relation to equality and human rights legislation, policy and practice once the UK leaves the EU.

Furthermore, young people acknowledged that accessing services on a cross border basis, for example education, healthcare, child protection, will present challenges in the future.

## **Priorities for young people in Brexit negotiations**

To finish each consultation, young people were asked to put forward what their main 'wants' would be post Brexit:

*"Need to ensure that further and higher education opportunities are protected – I would like to have the opportunity to participate in future ERASMUS schemes".*

*"Ensure the safety and protection of young migrants and asylum seekers living in the UK".*

*"We need to maintain international ties and relationships".*

*"We need to ensure that peace is maintained in Northern Ireland".*

*"Northern Ireland needs special status".*

*"Need to protect opportunities for young people such as exposure to other countries, cultures and languages".*

*"Need to maintain the protection of worker's rights such as the Working Time Directive and end zero hour contracts."*

*"We should beg not to leave."*

*"We need to protect kids."*

*"We need to make sure that our legislation and services keep up with the rest of the EU."*

*"We need to ensure funding for youth provision is protected".*

It is clear from the young people's voices that they believe that it is imperative to protect peace in NI and protect the current quality of life that children and young people enjoy. It is also important that there is recognition that this jurisdiction is unique and needs to be treated in a different way to the rest of the UK.

Young people are also keen to ensure that the protections and rights that they currently enjoy under the EU are protected through any Repeal Process.

## CONCLUSION

Young people are angry that they didn't get to vote in a decision that will impact their lives and will dominate the political landscape for a long time. Across the 7 groups consulted there was a strong call to lower the voting age. Young people also felt that the Brexit campaign was punctuated with lies. The '£350 million bus slogan' was mentioned in almost all of the consultation sessions.

Young people reported tensions within their own friendship groups and the drawing of old identity lines as a result of Brexit. They described how the "Leave" vote was being aligned to the Unionist tradition in NI and the "Remain" vote aligned to the Nationalist vote. They felt that Brexit had polarised Northern Ireland dramatically in a short period of time.

Young people acknowledged not just tensions rising between the two traditional communities in Northern Ireland, but also tensions with minority groups such as migrant workers, refugees and asylum seekers and the LGTB community. They spoke first hand of their experiences witnessing racism in NI subsequent to the Brexit vote and their fear of also being targeted as a result of being from a minority group.

The issue of returning to the conflict and a border poll was raised at every consultation session that was held. The return of a hard border was, in most instances, simultaneously equated with a return to violence in Northern Ireland and conflict with the police. The majority of the young people consulted indicated that they did not want any kind of border within the island of Ireland. Of the 54 consulted, only 1 said that they wouldn't mind showing their passport at an internal border checkpoint.

The issue of having a passport or other official identification that would satisfy a border checkpoint was also raised across a number of groups. A significant number of young people said that they did not have a passport and would not be able to afford to pay for one.

On a similar note, young people were curious in relation to what protections Irish passport holders would have under EU law. Clarity is required in relation to what rights and protections will be in place for those born in NI and who were able to apply for Irish citizenship by virtue of the Good Friday Agreement.

Young people also expressed concern in relation to the loss of European funding, particularly in relation to community development work, cross community and cross border projects and opportunities to allow for cultural exchange. Young people felt that losing these opportunities would result in NI becoming inward looking and insular. They recognised the protections and benefits afforded to them by virtue of being an EU citizen. They do not want to see a regression in relation to rights in Northern Ireland following the UK's withdrawal from the European Union and they are keen to see

domestic legislation, policy and practice keep up to the standard of other European countries as a basic minimum. They were worried that the Northern Ireland Assembly would not bring forward equality and rights based legislation without the encouragement of the European Union.

Young people are extremely worried about Brexit and the need to recognise this jurisdiction as unique:

*“With the Troubles, the Peace Process and the Good Friday Agreement, people not from here, can’t really know what it is like to live here. Our lives are in the hands of people that don’t know our lives.”*

This consultation has reinforced the imperative that the voices of children and young people from this jurisdiction must be heard in any Brexit negotiations and Repeal process. The potential impact on daily lives in NI of withdrawing from the EU cannot be underestimated.

It is vital that any decisions in relation to how any new border is managed and policed on the island of Ireland and how freedom of movement is dealt with are taken with the voices of young people ringing in the ears of decision makers..