Date: 30 June 2021

20 Tamuz 5781

To: UN Committee on the Rights of the Child

Subject: **The State of Israel's Submission to the UN Committee on the Rights of the Child for its 2021 Day of General Discussion**

The State of Israel is honored to submit information to the Committee on the Rights of the Child (CRC) for its 2021 Day of General Discussions on Children's Rights and Alternative Care. Hereinafter is the State's information, pursuant to the key objectives and areas of interest listed in the Concept Note.

**Alternative Care in Israel**

The State of Israel takes various measures to supervise, improve and fulfil the rights of children in alternative care. For information on the relevant institutions as well as projects and initiatives, please refer to the State Party Report 5-6 to the CRC from 2019 (hereinafter: the Report) (paras. 80-110).

In 2016 the *Children Foster Care Law* 5776-2016 (hereinafter: the *Children Foster Care Law*) entered into effect. Section 1 of this Law stipulates its purpose: to establish the rights of children in foster care and the duty of the State to ensure their best interests and rights, pursuant to the CRC, in recognition of their unique vulnerability and their right to receive special protection and assistance, without derogating from the responsibility, duty and right of their parents to ensure their best interests.

Children and Youth Complaints Commission

The Children’s and Youth Complaints Commission (hereinafter: the "Commission"), established in 2017, operates in accordance with Section 56 of the *Children Foster Care Law* and is part of the Ministry of Labor, Social Affairs and Social Services. Information regarding the Commission's establishment and authorities can be found in Annex I to the Report (paras. 58-60, 89-92).

The Commission was established with great adherence to Article 12 of the Convention on the Rights of the Child. At the onset of its establishment, the Commissioner interviewed over two hundred children in alternative care, and the children's responses were aggregated and served as the basis for the framework in which the Commission was established and the way in which it conducts its activities.

Furthermore, the questionnaire was adapted to the needs of children with disabilities in order to ensure their input would be received. The process was conducted successfully, and the Commission is currently innovating programs to promote the participation of children with disabilities, emphasizing participation regarding their daily lives in alternative care.

In 2020, 258 complaints (referrals) were received, as compared to the 110 complaints in 2018, and the 188 complaints in 2019. The majority of the complaints originated from children in residential care facilities while several others originated from children living with foster families. The overwhelming majority of the complaints were resolved within 30 days, while the remainder were resolved in up to 60 days. The Commission publishes yearly recommendations pursuant to the findings of their complaint inquiries.

Apart from the Commission's official activities as an apparatus for investigating children's complaints, as part of its commitment to raising awareness and improving alternative care the following activities were conducted: ways of contacting the Commission were expanded; a website adapted to children was launched; a complaint mechanism was developed and adapted for Arabic-speaking children; ways of investigating complaints were adapted following the outbreak of the COVID-19 pandemic; Inter-ministerial collaborations were conducted; and an advisory committee was established to provide professional support for Commission activities.

The Advisory Committee provides the Commission with advice, diverse perspectives and a source of fruitful cooperation. The Committee members were chosen so that they could represent as many population groups as possible with knowledge regarding children in alternative care. Representatives provide personal experience as graduates of alternative care, academic or legal professional experience, lobbying and legislative experience, or have experience as policymakers and supervisors in governmental ministries.

In 2020, a special appointee for investigating Arabic-speaking children's complaints joined the Commission. The appointee prepared a comprehensive public engagement process with Arabic-speaking children in several alternative care facilities around the country, as well as with the facilities' staff. Special social media pages and information campaign materials were produced in Arabic, and a mobile phone line with service in several languages was established.

Independent Legal Representation

The State of Israel provides children in alternative care with independent, child sensitive independent legal representation, through the National Child Representation Unit (NCRU) within the Legal Aid Administration, at the Ministry of Justice. The legal representation provided to children by the NCRU is professional, devoted, accessible to children and aims to ensure that they fulfil their rights and affectively participate in the decision making process affecting their lives.

For more information on the NCRU, please refer to the Report (paras. 39-40). The NCRU undertakes various steps to improve the quality and accessibility of its representation to children, including mandatory one-year multi-disciplinary training to all lawyers representing children.

As of December 2020 the NCRU represents an average of 5,327 children and youth each year, and approximately 11,000 children and youth at any given moment in civil legal proceedings (child protection, adoption, family law, mental health commitment, and other civil proceedings as well as providing legal aid to children victims of severe sexual offences). The majority of children who request NCRU representation are in alternative care. Child representation services are provided to children and youth by 170 lawyers, who specialize in the field of child representation. All child legal aid services are provided by the Legal Aid Administration (LAA) free of charge.

The NCRU also undertook various steps to make its services more accessible to children - by creating a dedicated email inbox for children, training the Legal-Aid Call Center staff to provide child-sensitive and urgent responses to children's applications, expanding the representatives cadre so that it includes lawyers from a variety of backgrounds, ethnicities, and legal specializations. Recently, the NCRU, together with the Ministry of Labor, Social Affairs and Social Services established an inter-ministerial team in order to expand the availability of foster care families to Arab children. For more information, see Annex I to the Report (paras. 14-25).

Alternative Care in the COVID-19 Pandemic

In light of the effects of the COVID-19 pandemic on the rights of children, especially children in alternative care, inter-ministerial round table discussions were conducted with both State and civil society representatives on this subject. The round table discussions were co-chaired by the Inter-Ministerial Coordinator for preventing children from coming into conflict with the law in the Ministry of Justice and the Executive Director of the National Council for the Child. The discussions focused on the effects of the pandemic on children in alternative care and improving the State's assistance to this demographic.