

Children's Rights Alliance for England

**Written submission to the UN Committee on the Rights
of the Child's Day of General Discussion on
Participation from CRAE Young People's Panel**

June 2006

INTRODUCTION

The Children's Rights Alliance for England (CRAE) is a coalition of 370+ voluntary and statutory organisations committed to the full implementation of the Convention on the Rights of the Child (CRC).

CRAE monitors Government action on the CRC and is the co-ordinating body for the NGO England report to the UN Committee on the Rights of the Child. We also make submissions to other international and national human rights monitoring bodies.

We undertake public policy advocacy on the themes of 'respect' and 'justice' for children, and co-ordinated the campaign for a rights-based Children's Commissioner for England's 11 million children.

We disseminate information on children's rights developments, and educate the public and professionals about children's human rights. We have produced dedicated materials on the CRC for children and young people.

Visit us at www.crae.org.uk

The CRAE **Young People's Panel** is a group of children and young people that is involved in nearly all aspects of CRAE's work.

The Panel is made up of 25 children and young people, aged between 10 and 17 years, from across England. CRAE consults with Panel members on the children's rights issues they want the organisation to focus on, and provides opportunities for members to get involved in (and lead) children's rights advocacy. Three members of the Young People's Panel serve as full members of CRAE's governing body, the Council of Management.

Two members of the CRAE Young People's Panel put together this submission. It is based on discussions within the Panel and extensive written feedback from Panel members.

Please note: where the term 'young people' appears in the text it refers to children and young people (under 18 year-olds).

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BUILDING A WORLD WHERE CHILDREN AND YOUNG PEOPLE ARE RESPECTED AND TAKEN SERIOUSLY

OUR RECOMMENDATIONS:

Participation and consultation

- Everyone needs the chance to be heard. Young people need to be asked about how they want to be consulted. Allow young people to be in a position where their decisions are equal to adults.

School

- There should be a compulsory school council in every school with criteria, standards and inspections. The school council should have a big influence on decisions made in the school.

Politics

- The voting age should be lowered to 16 and all students should get the chance to study politics at school. Politics must be taken more seriously in schools.

Things for young people to do

- There should be a United Nations for children from different countries. There should be somewhere for young people to go where they can make a difference and be in charge. Give children and young people somewhere to go for advice and ways they can actively participate and somewhere that offers continuity and support.

Court cases

- Children need to be made aware of how to make themselves heard. These processes need to be made young people friendly. We are not sure that the video link is actually a good idea – maybe children should be in the courts with their family if they want to be. Young people must be able to decide how they want their voice to be heard.

Positive examples and opportunities

- There needs to be more positive examples of action in the press. There should be more training and opportunities for young people to get involved in participation – maybe some of these should be paid opportunities? There should be incentives to get involved and opportunities must be better advertised.

SECTION 1:

The child's right to be heard in judicial or administrative hearings

'It is silly [not having the right to be heard] – it should still be your decision to make, even if other people think it's wrong ... Why aren't we treated as equals?' (Male, 16)

'It is a misconception that a young person does not know what is best for them. Even though an adult/parent may have a more accurate view from 'life experience', a young person deserves the chance to be heard and to have their thoughts and feelings respected just as an adult's would be.' (Female, 17)

The CRAE Young People's Panel agrees that training is necessary for those who work with young people, and trained professionals are needed to help young people get their voices heard in situations such as court proceedings.

'I think that people that work with children do need training in how to reassure the child he/she is working with [so they know they] will be doing good and get what they want. I think children need to have a say - when the parents go to court the child could have a spokesperson for them.' (Female, 13)

However, due to the mass numbers of professionals involved, a young person can feel very excluded and isolated. Therefore, perhaps one trained person should be assigned to help young people be heard in court proceedings. Of course, a young person should also have someone to go to if they feel they would like a different person to help them. Training for the young people themselves would also be productive - young people co-leading training is a fantastic idea because no one can tell you what young people want and need like young people can.

A young person should have the chance to express their views and opinions in a relaxed environment, and be told about court proceedings in a way that they can understand. With their consent, these views should be taken into account, as the courtroom situation is obviously very distressing. However, we also think that a young person should be able to speak in the courtroom rather than through a video link if they prefer. A video link can feel very strange because you cannot see who is speaking in the court. It can make you feel even more cut off from the process. It is very important that the views of young people are really listened to and taken seriously:

'During my parents' break up I had no say or choice in who I wanted to live with. I was 11 at the time – when I tried to appeal, the decision had already been made for me. Until I was 15 I couldn't do anything about it.' (Female, 15)

The CRAE Young People's Panel also believes that a young person has the right to be informed of any decisions affecting them.

'If the situation or argument is over the child then why should the child be pushed away and not know what's going on?' (Female, 13)

This follows on naturally from the right to be heard, as it demonstrates a commitment to the young people involved, and that they are not only heard but also listened to. We also think it is important for a young person to have the right *not* to express an opinion.

Overall, it is important that young people know how, where and when they can express their opinions in a safe, non-confrontational environment.

Ideally, we believe nobody should need to decide how much 'weight' a child's opinion has, as it should be **equal** to that of an adult.

'I would think that they should probably get an equal weighting to any adults, otherwise it seems a bit tokenistic? It's like saying "you can have some influence but not enough to have any effect"...' (Male, 17)

However, if it is felt the child's opinion should not be an ultimate deciding factor in proceedings (and ideally it would be) the person the child is working with, the parents and the child together should decide how much 'weight' would be appropriate.

We think laws need to be written to make sure that every child has a right to be heard in the courts – then it is up to the child whether they take up that right. Although the United Convention on the Rights of the Child already says children and young people have the right to be considered about things that affect them, there should be a more precise rule in the area of law/court proceedings. Too many children are stopped from being heard when their parents separate, because all the adults assume they are too young and don't have a view. They also think the child will be too upset – but they are already upset, and keeping them out will only make things worse.

We also think that if a child is cross-examined in court, it should be done in a way that is understandable to the child (i.e. not using jargon), but without being patronising.

Although the United Nations Convention on the Rights of the Child already states that a child has the right to be heard, we feel this needs to be promoted and further measures need to be taken to ensure it is carried out. For countries that are involved in war, we should be speaking to the people who have faced such situations:

'I cannot give a direct solution to countries which have been in war but the best people to speak to are those affected by it.' (Female, 15)

SECTION 2:

Children as active participants in society

Panel members had a lot to say about children young people getting active in society. We felt that one of the problems with trying to participate is that adults often don't listen to our views and take them seriously. They often don't give young people respect or treat us as equals, or they only have a negative image of children and young people:

'Adults try and mould young people into what they want them to be – they try and shape them.' (Male, 11)

'Its like adults think "we are older than you so we are right ...' (Female, 16)

'That's how it was for them...it's a cycle. We need to change it. There is a negative image of children constantly being portrayed.' (Male, 16)

'When I go into a shop the assistants always follow me around – we [teenagers] are treated as criminals.' (Female, 16)

Young people are often demonstrating how they can be active members of society, but this is not often appreciated. For example, young people in England can become members of the UK Youth Parliament, and also push for their right to be heard through organisations such as the Children's Rights Alliance for England, National Children's Bureau, English Secondary Students' Association, A National Voice and Young Voice. There are also routes to involvement such as school councils and community work. One young person gave an account of how their youth council works:

'On my...youth council, members of the county council attend our annual general meeting and we have quarterly meetings with them. This gives them a chance to

engage with young people and for us to get our views heard. At these quarterly meetings, the chair of our youth council and the leader of the county council co-chair the meeting. Both members of the youth council and the county councillors have the opportunity to put forward agenda items.' (Female, 16)

Another young person described how their youth council shadows the main town council, and manages to get a real say for young people in that area.

However, we do believe opportunities for participation among young people could be improved:

'If they [young people] put time and effort into a project, and then nothing happens because of it, then it tends to switch them off volunteering a bit.' (Male, 17)

We also believe that it should be made easier for young people themselves to set up projects, as adults run most of them:

'Unfortunately, society has taught young people that they are not supposed to undertake roles of leadership, because this is what adults do.' (Female, 16)

One suggestion was that adult facilitators could train young people on how to run projects, campaigns and organisations. We also think that when a young person/young people do successfully run a project, it should be publicised:

'Displaying and clearly celebrating the examples of young people-led activities would also be a good idea, as it could inspire other young people to take similar action, show them that their efforts can be more than tokenistic achievements and perhaps combat the negative stereotypes that young people are subjected to in the press and local communities.' (Female, 17)

We believe measures need to be taken to allow more participation in schools, community projects and other organisations. Most of us have a lot of experience of being disrespected in schools – we don't think we are treated as people with rights and practically all of the decisions are made around us, instead of with us:

'...My carers [support workers at school for disabled children] at school...some of them do have respect, but some don't. If I want to make a complaint sometimes I get ignored – we should get respect back but we don't. Sometimes I don't know if people are listening to me.' (Male, 16)

'...The teachers and teaching assistants are no use unless the children can get on with them. Children should have a say in who works there.' (Male, 11)

'We have these rules at school that say we can't eat outside because of the litter. When we [students] said, "ok what can we do about this...can we work with you to find a solution" the teachers said "no!" But when we get inspected they make things up to look brilliant!!!' (Female, 14)

'My school council only meets once a year, and only talks about things like the canteen. Teachers don't really take any notice and it's not effective.' (Female, 13)

'Non-tokenistic' school councils are necessary to make sure that young people get their voices heard within educational establishments. They should meet regularly and have a direct link to the decision makers within the school (governors etc). Young people should be able to elect their own chair of the school council. Young people should be encouraged to elect a secretary and to learn how to take minutes. The young people should have the chance to put items on their agenda and invite people to their meetings. Young people should have the chance to

decide the way in which they want their school council to go, how do they want to improve it, when do they want to meet etc.' (Female, 16)

We think that there should be a system of inspection to ensure that school councils work effectively, such as the starring system currently being used by the Newham Youth Parliament – here teams go out to school councils and rate them. They give them a number of stars depending on how good they think they are.

Aside from organisations within schools, we think somewhere where young people can connect projects together would encourage people to get involved.

'More youth advisory groups or young people's panels should be established so that young people who are often frightened of acting alone can be part of a decision-making body that deals with issues relating to them. Similarly, many organisations that cater for young people or are, in part, loosely based around them should arrange more consultations in order to include young people and ensure that their views are acknowledged.' (Female, 16)

'Networks that are open to a greater number and variety of young people are also needed, for instance so called 'hard to reach' young people, those perhaps from a poor background, those from minority groups and even those who live in rural areas and perhaps find it difficult to access services and organisations.' (Female, 17)

The impact of young people's participation should also be evaluated – so that things really do change. This can be done, for example, through anonymous evaluation forms. Young people should be allowed to give suggestions on how they think problems could be remedied. Also, a simple guideline is Roger Hart's ladder of participation:

'If an organisation measures the participation of young people that they're involved in currently against the ladder, they may find that it is not necessarily as genuine as they may have thought.' (Female, 17)

It is important to create an environment that encourages participation, and this can be done through several means. Firstly, guidelines should be set down for sessions of participation (i.e. to respect what others are saying even if they don't agree with it):

'There needs to be an atmosphere of respect.' (Female, 15)

Other suggestions from the Panel include:

- Make opportunities varied, and at least jointly led by young people
- Encourage the use of young ambassadors within organisations both locally and nationally
- Try to combat the negative press that young people receive by properly celebrating young people's achievements
- Make sure opportunities are easy to access, both in terms of subject matter, presentation and location
- Groups led by children and young people should be recognised by law, and there must be money to support them.