

Towards a culture of child participation: Measuring progress in promoting the rights of children and young people to participate in matters of concern to them

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The right to be heard and taken seriously

- CRC introduced recognition of the child as a social actor
- Recognition of evolving capacities to exercise rights
- Unique provision of right to express views and have them taken seriously
- 25 years of programmes, research, legal reform, policy initiatives, participatory structures at local and national level
- Experience of children involved in advocacy, campaigns, policy analysis, democratic schools, peer education, youth councils, parliaments and unions, research, media initiatives
- Hundreds of publications – guidelines, good practice examples, toolkits, reviews and research
- General Comment on Article 12

So where are we now?

Huge progress over past 25 years, but.....

Outstanding challenges

- **Lack of legal and policy implementation**
- **Participation commonly limited to consultation**
- **Cultural barriers and resistance**
- **Addressing implications of childhood status**
- **Balancing risk and harm**
- **Reaching all children**
- **Ethical participation**
- **Lack of training and capacity**
- **Addressing power balances**
- **Overall progress piecemeal**

Action by the Council of Europe

- Development of Recommendation CM/Rec (2012)2 on the participation of children and young people under the age of 18
- Recognition of Article 12 both as a fundamental right and as a general principle of the UNCRC
- Recognition that Article 12 is linked with all other articles of the UNCRC and in particular:
 - General principles, articles, 2,3 and 6
 - Evolving capacities, article 5
 - Broader civil rights, articles 13,14, 15, 16, 17
- Development of an assessment tool to measure progress in implementation

CoE: Definition of participation


'individual or groups of children (have) the right, the means, the space, the opportunity and, where necessary, the support to freely express their views, to be heard and to contribute to decision making on matters affecting them, their views being given due weight in accordance with their age and maturity.'

Aim of the Child Participation Assessment Tool


To enable countries to undertake a baseline assessment of current implementation



To help identify measures needed to achieve further compliance



To provide benchmarks to measure progress over time



To strengthen monitoring and accountability

Structure of assessment tool

10 Indicators

- Structural indicators
- Process indicators
- (Outcome indicators)

Data sources

- Constitutions, laws, policies and strategies
- Qualitative research, Eurobarometer surveys, NGO reports
- Monitoring reports, CRC Concluding observations

Assessment criteria

- Graduated criteria from 0-3
- Aim to enable tracking of progress
- Need for disaggregation

The Indicators

Three clusters:

- Protecting the right to participate
- Promoting awareness of the right to participate
- Creating spaces for participation

Protecting the right to participate

1. Legal protection for children's right to participate is reflected in the national Constitution and legislation
2. Explicit inclusion of child participation in a cross-sectoral national strategy to implement children's rights
3. An independent children's rights institution is in place and protected by law
4. Existence of mechanisms to enable children to exercise their right to participate safely in judicial and administrative proceedings
5. Child friendly complaints procedures are in place

Promoting awareness of the right to participate

6. Training in child participation is embedded in training programmes for professionals working with and for children
7. Children are provided with information about their right to participate

Creating spaces for participation

- 8 Children and young people are represented in consultative governance bodies at local, sub-national and national level
- 9 Child-targeted public service feedback mechanisms are in place
- 10 Children and young people are supported to participate in monitoring the UNCRC and CRC shadow reporting.

Existence of mechanisms in judicial and administrative proceedings

Definition

Children who come into contact with the any proceeding in justice system should be informed of their rights, have free access to a lawyer, be heard and taken seriously, and have decisions affecting them explained in a way that they can

Data Sources

- Key legal and policy instruments
- UNCRC monitoring reports and concluding observations;
- European Commission for the Efficiency of Justice monitoring reports on efficiency and quality of justice
- Eurobarometer surveys
- FRA and European Commission forthcoming data on Child Friendly Justice.

Assessment criteria

0= No direct access to the courts;
1= Rules and procedures to ensure right to be heard in judicial proceedings developed but not yet fully operational;
2= Rules and procedures to ensure right to be heard are being applied in at least two judicial or administrative settings;
3= Full implementation of the Council of Europe Child Friendly Justice guidelines has been achieved in all judicial and administrative settings to facilitate children's participation.

Children are represented, including through their own organisations, in consultative governance bodies at all levels

Definition

The extent to which children and young people participate in governance at local, regional and national levels (eg youth councils, schools councils, child parliaments) Particular efforts should be made to explain the process by which children are elected to such provisions, which children are involved, how children take part in the decision making processes (where appropriate), where they exist, and their decision-making

Data Sources

- DG EAC Eurobarometer;
- CIVED
- Local authorities
- NGO and academic research
- National Youth Councils

Assessment criteria

- 0=** No children are consulted in local or national governance bodies;
- 1=** A limited number of child/youth councils and children's parliaments exist, but minimal involvement of a representative cross-section of members;
- 2=** A range of effective mechanisms developed for children's representation at local and national levels. Effectiveness and the scope of their activities vary;
- 3=** Local and national governance bodies are mandated by law to consult with children and to create spaces to listen and to take into account their views through children's forums which are representative of all

Links with other developments in measuring participation

- Global M&E toolkit on participation: UNICEF, Save the Children, Plan International, WorldVision International, The Concerned for Working Children
- Digital hub on child participation – platform for evidence on outcomes
- EU evaluation of Article 12

Moving forward

- Nearly 25 years since CRC adoption by UN and only limited progress globally in sustained implementation of children's participation rights
- Assessment tool represents a huge step forward in creating the potential for measuring progress on children and young people's participation
- Tool to be piloted in a number of countries
- Will facilitate reporting to the Committee on the Rights of the Child
- The challenge is now to utilise it as a means of building societies in Europe which take children seriously