

Consultation with Children and Young People
Policy recommendations
By
National Children's Advisory Council
To
Minister for Children

Introduction

The following paper is written in light of a requirement of the National Children's Advisory Council to advise the Minister for Children on how best to build effective structures to consult with children and young people. It outlines briefly the current status of consulting children and young people in relation to public policy development in Ireland, and makes recommendations regarding how best to develop comprehensive and effective consultation mechanisms.

Over the last 10 years there has been a significant growth in awareness of the need and importance of consulting with children resulting in the development of new mechanisms of consultation at both national and local levels. It is now timely to review the extent and quality of these developments in order to find the optimum direction for policy and practice in this area and to consolidate, within public and political thinking, a sustainable commitment to consultation with children.

What is Consultation

Consultation can be defined as a mechanism for involving children and young people in decision-making. Consultation is most typically regarded as a mode of involvement where the balance of power rests firmly with adults and has the following characteristics:

- Adults formulate, design and run the initiative.
- Children/young people are provided with the opportunity to contribute.
- Children/young people are given the information they need to make informed decisions and contributions.
- Adults listen actively to participating children/young people and are committed to taking their views seriously.
- Adults decide what to do with the material generated through the consultation.
- Adults provide children/young people with feedback.

It is important to distinguish consultation from participation in that consultation is a chance to express views and opinions whereas participation implies a more active involvement in deciding which issues are important enough to be consulted in the first

place. Consultation is therefore regarded as a process where views are sought but not necessarily taken on board by the consultant(s) whereas participation is regarded as a process where there is a real engagement, according to age/ability, in all stages and development of a programme, from conceptualisation, through operation to evaluation.

While the following recommendations relate to consultation with young people there is clearly a need to develop a national strategy for the development of mechanisms and structures that ensure the full participation of children and young people in Irish society. Such a strategy, while sitting parallel and enhancing developments in the area of consultation, focus on a distinct and imperative aspect of the social inclusion of children.

Policy context for consultation with children and young people

The policy context for consulting with children and young people involves the following:

United Nations Convention on the Rights of the Child

In September 1992, Ireland ratified the UN Convention on the Rights of the Child (CRC). By doing so, Ireland made a formal commitment under international law to implement the principles and provisions of the CRC. An internationally agreed framework of minimum standards for the well being of every child, the CRC defines 41 substantive rights for children and young people less than eighteen years of age. These rights are commonly grouped under four themes: survival, development, protection and participation. The latter theme of participation is recognised in Article 12 stating that: “State Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child”

The UN Convention on the Rights of the Child has served as the foundation for policymakers at a national level to promote and implement a strategy to enable consultation with children and young people in relation to decision making on matters that affect them.

National Children’s Strategy

The *National Children’s Strategy* was launched by Government in November 2000. While Goal One of the National Children’s Strategy takes it lead from the UN Convention on the Rights of the Child, in particular, Article 12, the Children’s Strategy is not a rights-based document, However, Goal One of the Strategy does establish the right of children and young people to be heard as a matter of national public policy. The structures created to support the implementation of the Strategy in particular the Cabinet Sub-Committee on Children, the National Children’s Office and the National Children’s Advisory Council offer a framework for a cross-departmental and inter-sectoral approach to realising commitments outlined under Goal One. Taken together, Goal One and these structures can be seen to provide:

- A bedrock of legitimacy for hearing children’s and young people’s voices

- A means of ensuring that their right to be heard remains on the public policy agenda
- A foundation for the systematic development of opportunities for young voices to become structurally embedded in the democratic process.

Putting Consultation into practice

Before the launch of the National Children's Strategy, consultation initiatives were mainly run by the community/voluntary sector. In preparation for the National Children's Strategy, an extensive consultation process took place that was considered groundbreaking in its approach and involved a variety of mechanisms. The launch of the strategy and in particular the establishment of the National Children's Office has led to the development of a number of new formal consultation initiatives including the establishment of a Dail ná nOg and of County based Comhairle ná nOg or Youth Committees. These developments have been supported by the National Children's Office and the community/voluntary agencies and are currently managed by the County and City Development Boards. Other organisations have also begun the process of developing smaller consultation initiatives.

Within an Irish context the development of formal consultation processes is in its infancy although there is a vast amount of expertise and experience available within individual organisations on which to draw in developing comprehensive mechanisms for consultation with children.

Evaluating the effectiveness of consultation processes

While it is acknowledged that the impetus and developments in the area of consultation have been substantial over the last number of years, the various mechanisms and structures utilised are in the earliest stages of development. Some of the mechanisms utilised have been criticized as being tokenistic, pre-participative in nature and inherently lacking in their ability to enable young people to take ownership of them. Formal evaluation of many of the mechanisms utilised has not occurred.

Main issues arising out of processes of consultation with children and young people

Having reviewed current research and practice in the area of consultation with children and young people, the following are the main issues that have emerged:

Structures:

Development of National Structures: There is a lack of a coherent framework, including structures at local, regional and national levels, for the consultative processes that have been developed in recent years. Despite the establishment of the National Children's Office, there is no centralised structure developed to link local consultative structures with county, regional or national structures. It is imperative that consultative structures at all levels work in an integrated manner to feed into national public policy structures such as the Cabinet sub-committee on Children.

Role of the National Children's Office: There are three goals set out in the National Children's Strategy including the goal that "children will have a voice in matters which affect them and their views will be given due weight in accordance with their age and maturity". It is important that the National Children's Office devise an action plan for the development, implementation and evaluation of this goal. The National Children's Advisory Council should review this action plan on an annual basis.

The Role of Statutory Organisations: All statutory organisations, particularly those with responsibility for children, need to develop children and young people's consultation processes. Many have already begun this process and their experiences need to be built upon. It is important that the statutory sector work in partnership with the community/voluntary in developing consultation processes.

The role of community/voluntary organisations: It is important that the knowledge and experience of NGOs who work with children and young people are recognised as integral to processes involving children and young people and that work in this area be adequately funded. It is important that the voluntary/community sector work in partnership with the statutory sector to develop effective consultation mechanisms.

Encouraging youth-led participation: Consultation is often regarded as a 'top-down' approach to involvement. Top-down consultation mechanisms often pre-select issues and themes that need wider discussion, in contrast with 'bottom-up' approaches to participation that many children and young people choose to be a part of and are often youth-led. There is a dearth of research and evaluation in this area, however, as an example of a youth-led group, the Union of Secondary Students has been established to communicate the views of student councils to a wider policy arena. Young people that

are not linked to the formal consultative structures have set up many other local initiatives¹.

Ombudsman for Children: Under the Children's Strategy, a commitment was made to establish the office of Ombudsman for Children. Legislation was passed in 2002 in order to appoint an Ombudsman for Children to protect the rights and welfare of all children in Irish society. In Northern Ireland, children and young people were consulted about the recruitment and selection of the Commissioner for Children and submitted their views on how the role should be developed and implemented. Given the Ombudsman's seminal role in promoting consultation principles it is important that children and young people have an involvement in the selection of the Ombudsman. There is also an argument that there should be a close relationship between children and young people and the holder of the Office of the Ombudsman for Children if it is to effectively protect the rights and welfare of all children.

Promoting good practice:

Information and Resources: Consulting children and young people on issues that affect them is in its infancy in Ireland. Internationally, there is a wide body of literature on good practice for consulting children and young people. Nationally, there is a lack of good quality information and resources on how to consult with children and young people².

Rights-based approach: Ireland ratified the UN Convention on the Rights of the Child in 1992. The Convention's rights-based approach has been incorporated into the National Children's Strategy to some degree. However, it is argued that the language of the Children's Strategy is not strong enough to protect the rights of all children and young people in Ireland and that further provisions are necessary to strengthen the rights of children and young people.

¹ For example, Naas Youth Parliament: <http://www.kildare.ie/naasyouthparliament/index.htm> . Naas Youth Parliament is a non-partisan organisation aimed at targeting the needs of the Youth in their area. Any issues young people feel strong about or any ideas they may have can be voiced through the parliament.

² *Hearing Young Voices: Consulting Children and Young People, including those experiencing Poverty or other forms of Social Exclusion, in relation to Public Policy Development in Ireland* by McAuley, K. & Brattman, M., (Dublin: Open Your Eyes to Child Poverty Initiative, 2002) outlines current good practice for consulting with children and young people.

Methodologies:

Diverse Methods: Many consultative processes that involve children and young people have been formal in their approach, mirroring the type of consultation that involve the majority of adults in relation to public policy development; through written submissions and formal meetings. More innovative approaches are required to consult with children and young people that go beyond ‘adult-led’ models. Many such approaches have been developed in the field of youth work, offering a means to consult with children and young people using alternative methods such as role-play to allow young people with low self-esteem and/or low levels of literacy to participate. Such methods also provide a mechanism for the inclusion of many children and young people who are not able to participate through oral or written communications.

School participation: Under the Education Act 1998, the right of post-primary students to set up student councils was formally acknowledged under law. Student Councils act as a forum for school students to have a say over their formal education. Research has also found that student councils affect their wider communities by raising money for charities or assisting in worthy causes. Despite the fact that young people and children spend so much of their lives in formal education settings, for most they have little influence on decision-making in this arena. There is little encouragement or practical support for the establishment and development of student councils in post-primary schools as a forum for youth participation.

Voter Participation: There is considerable disquiet with the reduction in voter participation, especially among young people. Democratic participation, and the skills and attitudes that underlie the concept, must be considered an important element of children and young people’s participation. Under the Programme for Prosperity and Fairness (PPF), the Government committed to an action encouraging voter participation in elections. The implementation of this commitment to voter participation would enable organisations concerned with the issue to take an active role in improving civil and voting participation, enabling young people to gain the skills of active democratic participation through, for example, campaigns, mock elections, youth programmes, etc.

Enabling younger children to participate: The first evaluation of Dáil na nÓg noted that the voices of younger children were not being heard. There is a danger that younger children will be unable to engage meaningfully in consultative processes that are adult-led and follow adult-devised consultative methodologies. There is also an argument that younger children have not developed the necessary skills to engage in such processes and that facilitators may not have the necessary skills to understand the voices of younger children. Different methodologies must be explored and utilised to hear the voices of younger children.

Evaluation procedures:

Integrating Evaluation: Many consultative and participative processes involving children and young people are not evaluated. When funding to carry out a consultative process is limited, funds are rarely put aside to evaluate the outcomes of the process. Consequently, much of the learning on how to carry out good (and bad) consultation is lost. This ultimately hinders the development of good practice, particularly at the grassroots level. It is necessary to formally evaluate all consultative processes involving children and young people in order to build a body of knowledge and build good practice.

Funding and personnel:

Consulting children and young people on issues that affect them is not an easy task. Utilising creative and participative methodologies to consult with children and young people has major cost implications. Furthermore, it is important that facilitators are equipped with the necessary skills for listening and hearing young voices and that there are sufficient resources to ensure feeding back to participants and evaluating consultative processes.

Moving from consultation to participation:

At present, the majority of opportunities for children and young people to be involved in decisions that affect them are consultative in nature. In other words, they are often ‘top-down’ in approach and adult-led. There is a genuine need to create an environment where children and young people are consulted on issues that affect them but also to stimulate youth participation where children and young people are given the opportunity of developing, implementing, managing and evaluating initiatives, including those that influence public policy³.

³ O’Leary highlights a number of initiatives that promote young people’s involvement in public decision making in Ireland and are youth-led. For further information, O’Leary, E. *Taking the Initiative: promoting young people’s involvement in Ireland* (Dublin: NYCI/Carnegie Young People Initiative, 2001)

Recommendations

Structures

The National Children's Office

- The National Children's Office (or an organisation designated by this office) should be given full responsibility for the devising of an action plan for the development, implementation and evaluation of Goal One of the National Children's Strategy. This plan should be approved by the National Children's Advisory Council and should be reviewed by the council on an annual basis.
- The National Children's Office should improve the links between consultative processes at local and regional levels and national public policy structures.
- The National Children's Office should endeavour to set up a youth-led consultative committee for all of its activities under goal one of the National Children's Strategy.
- The National Children's Office should promote improved communication and co-operation within and between relevant agencies involved in the field and enhance professionals' awareness of each other's roles and how they are linked. The National Children's Office should seek to identify consultation deficits and initiate programmes to address these deficits.

The Role of Statutory Organisations:

- All statutory organisations, particularly those with responsibility for children, need to develop children and young people's consultation processes. Many have already begun this process and their experiences need to be built upon.
- It is important that the statutory sector work in partnership with the community/voluntary in developing consultation processes.

The input of Voluntary organisations

- It is important that the knowledge and experience of NGOs who work with children and young people are integral to any process involving children and young people and that their time and energy be funded accordingly.
- The National Children's Office should take responsibility for the drawing up of agreements between relevant government departments and voluntary organisations when embarking on consultative processes. The agreement should include conditions on resourcing the consultative process.
- It is important that the voluntary/community sector work in partnership with the statutory sector to develop effective consultation mechanisms.

Encouraging youth-led participation

- The mapping of youth-led participation at local and national levels should be included in the research brief of the National Children's Office.
- Relevant government departments and the National Children's Office should ensure support and promote youth-led organisations at local and national levels.

Statutory Positions impacting on children

- Children and young people should be consulted on the recruitment, selection, role and responsibilities of all statutory positions impacting on them and in particular the Ombudsman for Children.

Promoting good practice

Identifying a lead agency

- Consideration should be given to the establishment of a lead agency with responsibility for the documentation and dissemination of good practice to all relevant stakeholders.
- Assistance should be provided for organisations in the development of codes of practice that facilitate accountability and transparency in relation to consultation with children and young people.

Education and Awareness

- An education and awareness campaign should be run on the importance of consultation with children and young people ensuring public and political commitment to this area is consolidated

Rights-based approach

- The National Children's Office should investigate how rights-based approaches could be utilised in consulting with children and young people

Recognising cultural diversity

- Good consultation practice must recognise cultural diversity and must develop diverse and appropriate mechanisms to ensure children and young people from diverse cultural backgrounds are effectively included in consultation processes. Consultation mechanisms should be consistent with the nine principles underpinning the Equality legislation.

Methodologies

Youth Work Practice

- Youth work methodologies should be employed when devising, planning, implementing and evaluating consultative and participative processes.
- All facilitators consulting with children and young people should be trained in youth work methodologies that can act as a mechanism for social inclusion.

School participation

- Provision of training to students involved in student councils, should be supported by the Department of Education & Science.
- School management boards and staff should be provided with adequate information to allow them to support, encourage and enable the work of student councils.
- Guidelines to facilitate the development of School Councils within Primary schools should be developed and promoted.

Voter Participation

- A voter participation strategy should be implemented at local and national levels to encourage voter participation among young people and children.

Enabling younger children to participate

- Civic, Social and Political Education modules should be developed in primary schools and youth organisations
- Techniques from the areas of play and the arts should be utilised more in consulting younger children.

Evaluation

- Adequate funds should be set aside to evaluate all consultative and participative structures involving children and young people.
- A lead agency draws up evaluation guidelines based on international best practice.
- The National Children's Office establish a monitoring and reporting process that requires relevant organisations to submit regular reports on work that they have done in relation to consultation with children and young people. The development of effective consultation processes should be integral to the assessment criteria for allocation of statutory funding.
- Development of consultation structures should be linked with the allocation of all statutory funding.

- Formal consultation assessment mechanisms should be developed to ensure young people are consulted on all policy matters impacting on their lives and how effective these consultations have been.

Funding and personnel

- Processes of consultation with children and young people at national, regional and local levels should be sufficiently resourced.
- All participants and facilitators should receive adequate training that adheres to good practice

Moving from consultation to participation

- A National Strategy for the development of mechanisms and structures that ensure the full participation of children and young people in Irish Society should be developed by the National Children's Office.
- Resources should be developed to stimulate youth participation where children and young people develop, implement, manage and evaluate their own initiatives

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