



children &
young people's
participation
strategy







what's inside

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"it's my life & i
deserve to have
a say"

BEC (15 YEARS)

FOREWORD

The simple truth of this statement is hard to ignore. It presents a challenge for how we in the child protection system balance children and young people's protective needs with their need to have a say in their own lives.

International, national and state legislation and guidelines enshrine the right of children and young people to participate in decisions about their own lives. Research shows supporting children and young people to make informed decisions about their own lives improves outcomes in terms of self confidence, social skills and positive life choices.

For children and young people who experience the child protection system, participation is of particular importance. Feedback shows they continue to demand more involvement in the care that they receive. On a broader level, children and young people also want a say in the system designed to protect and support them.

Our goal is a child protection system that supports children and young people to be engaged participants in their own lives. Without a doubt, their participation results in both improved individual outcomes along with improved services.

This strategy is the Queensland child protection system's commitment to give young people a voice and develop a system that truly meets their needs. It was originally developed by a youth led group called G-Force, which sees young people with a care experience working alongside key representatives from organisations throughout Queensland to improve our care system.

Involving children and young people in decision making processes is a responsibility shared across the child protection sector. This document offers advice, information and guidance designed to help the sector effectively engage children and young people in their own lives.

We ask that everyone listen carefully to what children and young people have to say and work with them to improve their lives and our care system.



ACKNOWLEDGEMENTS

The development of this strategy was driven by the voices and commitment of young people with a care experience. It builds on the commitment and collaborative efforts of the, then, Department of Child Safety, non-government agencies and CREATE Foundation over at least ten years.

Acknowledgement also needs to be given to current G-Force members; CREATE Foundation, the Department of Communities, Peakcare Queensland, Foster Care Queensland, the Commission for Children and Young People and Child Guardian and other key partners for re-invigorating the focus on young people having a say in their lives.

G-Force is a working group of the Child Protection Partnership Forum. The group is a collaboration between young people with a care experience, the Department of Communities, peak bodies, NGOs and other departments. G-Force is a practical example of participation highlighting young people's voices, not only about their own experiences, but also in shaping the system that has a significant impact on their lives and other children and young people in care.

Special mention needs to be given to all of the young people who have participated in G-Force and have driven the re-launch of this strategy.

G-Force would also like to thank Paul Testro who authored *Listening, hearing and acting* a review of the literature on the approaches to the participation of children and young people in decision making from which was drawn on to develop this strategy and Gerry Norris and Amanda Solomons for their work on designing this document.

OUR VISION

All children and young people in the child protection system shaping:

- their lives now and for the future; and
- the services and support they and other children and young people receive.

All children and young people have a right to participate in decision-making about their own life.

This is not limited by ability, age, ethnic background, personal circumstances or behaviour. Specific skills and processes are required to facilitate the participation of the most vulnerable children in our services including the very young, children with intellectual disabilities or communication difficulties, children from cultural and linguistically diverse backgrounds and Aboriginal and Torres Strait Islander children.

The historical and cultural context for engaging the participation of Aboriginal and Torres Strait Islander children and young people is specifically recognised in the Queensland context.

Children and young people will also have increased opportunities to express their views, and have these views meaningfully considered, in discussions about the type of services they and other children and young people receive.

OUR OBJECTIVES

We want to:

- develop our culture of valuing children and young people's views and being proactive in facilitating their participation;
- grow the number of children in our services (direct and funded) who report that they have had opportunities to participate in decisions about their own lives and that they are satisfied with the process and the effect of their participation; and expand opportunities for children and young people to have a say about the nature and delivery of services to themselves and their peers.

OUR APPROACH

To build opportunities for greater participation of children and young people, we will:

Build a culture that supports and values the participation of children and young people – our commitment will be evident.

Develop structures that support children and young people's participation in the department's key systems and processes to ensure that our planning and service delivery takes account of children and young people's perspectives.

Strengthen practice by improving our ways of engaging and working with children and young people to support their participation individually and as a group.

Establish review processes that allow us to evaluate the impact of children and young people's participation on the decisions we make and the outcomes for children and young people.

OUR UNDERSTANDING OF PARTICIPATION

The participation of children and young people can be focused on matters and decisions that relate to them as individuals or to them as a group.

Individual matters and decisions include those relating to the immediate circumstances of a child or young person, their day-to-day care and support, and their life course. This includes the informal interactions between children and young people and those involved in their day-to-day care and lives.

Group matters and decisions include those relating to service planning and development, service improvement, development of policy and procedures and review and development of legislation.

Participation is most usefully viewed as a multi-layered concept.

Its dimensions include the uniqueness and diversity of the children and young people involved, the matters being discussed and the decisions being made, the relationships and the child/young persons preferences for how, and to what degree they want to be involved.

Participation is an ongoing process of engagement and involvement not an event.

It can be informal or formal.

In formal participation, there may be particular points at which individual or group decisions are made but these points sit within an overall process of engagement and involvement. A case-planning meeting is an example of a formal point of decision-making at an individual level, whilst a consultation forum is an example at a group level. In both cases there is a need for preparation before, support during and feedback and follow up after. Opportunities need to be provided for children and young people to develop their confidence and skills in participating.

Informal approaches include on-going dialogue, observation, listening to spontaneous communication and engaging in joint activities, whilst formal approaches involve dedicated mechanisms such as case planning meetings, one-off consultations, regular group meetings and suggestion boxes.

Communication can be verbal or written. In some instances communication may need to be supported by interpreters, the use of sign language, communication boards or other aids.

Children and young people are active participants in their lives and they actively shape their environment.

The diversity of children and young people who come into contact with the child protection system presents significant challenges for how they are engaged in processes and decisions that affect their lives.

They differ in terms of their age, gender, culture, maturity and ability.

They also differ in the experience and history they bring to their engagement with services and their subsequent experiences within child protection services including the nature and length of their involvement.

Trust and positive relationships between adults and children and young people are essential to effective participation.

In the child protection system, children and young people come into contact with a range of people, for different purposes and over varying periods of time. Ideally, people involved in providing direct care or working with a child or young person will establish a relationship with them and gain their trust and respect over time. Sometimes it will be necessary to involve people who already have the trust of the child or young person e.g. family, friends, other known significant adults in the community. Other times, assistance will be required from someone who has specialist knowledge and understanding of communicating with a particular group, for example, Aboriginal and/or Torres Strait Islander Elders, early childhood workers, worker's with knowledge of culturally diverse groups and disability workers.

The nature of children and young people's involvement will vary according to their age and development, their wishes, the matter or decision under discussion.

The nature of children and young people's participation in decision-making varies depending on the degree of autonomy held by children and young people in the decision-making process and the roles played by adults.

Four approaches or pathways to participation (Wilcox, 1994; Kirby, 2003; CREATE, 2006) have been adopted.

No one approach is assumed to be better than another.

The appropriate degree of participation will be determined according to the matter under discussion or decision being made, and the circumstances and capacity of the children or young people concerned.

The approaches can be described as follows:



Consultation – children and young people's views are taken into account: the information children and young people provide (whether volunteered or sought by adults) is one source, amongst others, that adults use to make a decision. The children/young people are not involved in implementing any decisions.

Deciding Together – children and young people are involved in decision-making: children/young people and adults discuss their views, identify options and make a decision together. The adult in the process holds ultimate responsibility but children and young people steer decisions. Adults are most likely to implement any decisions.

Acting Together – children and young people share power and responsibility for decision-making: children/young people and adults decide together and take action to implement the decision together.

Supported – children and young people make autonomous decisions: children and young people make their own decisions and carry out the actions with the support of adults. This may still be in a framework of adult structures, processes and resources.

Reflection and Review is a critical part of the participation process.

Ongoing reflection and review by children and young people, and adults about what happened, how it happened and what worked strengthens relationships and contributes to improved practice.

OUR REASONS

The strategy was developed because:

Children and young people's participation is a right, not an option and children/young people report that we could do it better.

Their human and legal rights to participation are identified in:

- The *United Nations Convention on the Rights of the Child* which states that public services and governments are to provide children with the freedom and opportunities to express their views and that the service or government must consider their views in a meaningful way (Article 12).
- The *Child Protection Act 1999* establishes that the welfare and best interests of children and young people are served by observing their rights to have their views considered and opportunities to take part in making decisions affecting their lives (s5E and the Charter of Rights Schedule 1).
- The *United Nations Convention on the Rights of the Child* and the *Child Protection Act 1999* guide individual policy and procedures within the sector require that children and young people are provided with information and that their views are sought in court proceedings and case planning processes. Section 59 of the *Child Protection Act 1999* requires that the Children's Court may only make a child protection order if satisfied that the child's wishes or views have been made known to the court.
- The Commission for Children and Young People and Child Guardian's third survey of children and young people in foster and kinship care was conducted in 2009. Of the 1180 young people and 769 children who responded, 52.7% of young people and 60.2% of children indicated that they have a say in matters

that affect them. When young people were asked if they know what is in their case plan, 42.1% reported that they do. This is a significant increase in the 2007 and 2006 proportions of 26.9% and 18.2%. In contrast, the proportion of young people reporting to have a say in matters that affect them has decreased from 59.4% in 2007.

- In 2009, *Protecting Children is Everyone's Business - National Framework for Protecting Australia's Children 2009-2020* was endorsed by all Australian governments and represents an unprecedented level of collaboration between Australian, State and Territory governments and non-government organisations to protect children. One of the key principles underpinning the National Framework is that children and their families have the right to participate in decisions affecting their lives.

Creating opportunities for children and young people's meaningful participation has benefits for the individual child or young person.

Positive outcomes are achieved for children and young people when attitudes change to working with, rather than for them.

Benefits for individual children and young people include:

- feeling empowered and having increased belief in their ability to change and control aspects of their life and see themselves as an active agent in their life rather than as a victim;
- heightened self-esteem and confidence in their interactions with others gained through the experience of being included and valued;
- skills and experience in decision-making gained through choosing between options, taking responsibility for their decisions and negotiating those decisions with others, prepares them for autonomous decision-making in adulthood; and
- increased awareness of their rights and options as a citizen leading to positive life choices.

Additionally, self-advocacy and advocacy on behalf of their peers has been shown to promote resilience in children and young people who have experienced adversity (Grover, 2005).

Children/young people in the child protection system face additional barriers to participation.

The circumstances that bring children into contact with the child protection system can lead to adults adopting a 'protective' role that has the unintended consequence of excluding their views through well-intended efforts to spare them further trauma (CREATE 2000). In turn, children may accept this approach because they lack confidence and self-esteem and have no expectations that their views will be listened to.

Further barriers to their participation can include:

- **attitudes** toward children and their capacity to be involved in decision-making;
- **relationships** between children and young people and those people involved in making decisions about them;

- **structures and processes** used by adults for decision-making; and
- **a lack of understanding** of what participation means, consistency in approaches, capacity of those involved in working with children and young people, and the resources necessary to support participation.

Children/young people views and perspectives are critical to the planning and delivery of services that meet their needs.

In addition to participation in decision-making about them as individuals, children's right to express and have their views heard in decision-making about the design and delivery of services, is central to the Department of Communities – Child Safety Services' commitment to carry into action child-focused policies and practices that support the best interests of children and young people.

For further information, contact:

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