

# Speak Up!



Giving a voice to European children  
in vulnerable situations

eurochild

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# ***Speak Up!***

**Giving a voice to European children in  
vulnerable situations**

**Project report**

**Edited by Mieke Schuurman**

**September 2012**

**eurochild** 



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# Speak Up! in Brief

## PROJECT SUMMARY

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The Speak Up! project was run by Eurochild, which is a European network that promotes the rights of children, and its eight partner organisations from across Europe: Greece, Poland, Hungary, Bulgaria, Sweden, the Netherlands, the UK and Ireland.

Each partner ran focus group consultations with children aged 12-15 to find out how children experience their rights. They worked with groups of school children (the so-called 'control group') as well as children that may be particularly vulnerable due to their living situation, for example, those growing up in a youth institution or an asylum seeking centre, or due to their characteristics, for example, deaf or hard-of-hearing children.

The project team compared and contrasted the outcomes of discussions with groups of children in vulnerable circumstances and the control groups. They also compared outcomes across countries. Particular attention was given to the children's awareness of their rights and the four rights they selected as being particularly important to them. The study concludes with some key recommendations on policy and practice regarding the protection and promotion of children's rights in Europe.

## KEY OUTPUTS

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- ➔ A summary of the project and its key conclusions and recommendations in user-friendly triptych<sup>1</sup>.
- ➔ Country reports<sup>2</sup> by partners on the consultations with the focus groups of children in vulnerable circumstances and the consultations with a mixed group of children from randomized secondary schools, the control groups of children.
- ➔ A literature review<sup>3</sup> of studies and surveys based on the views of children in vulnerable situations.
- ➔ A methodology<sup>4</sup> and toolkit<sup>5</sup> which were used to facilitate the consultations of

1 [www.tinyurl.com/eurochild-speakup-conclusion](http://www.tinyurl.com/eurochild-speakup-conclusion)

2 [www.eurochild.org/?id=454](http://www.eurochild.org/?id=454)

3 'Literature Review: Studies and surveys on vulnerable children's own views', Eurochild, <http://tinyurl.com/eurochild-speakup-literrev>

4 'Speak Up! Giving a voice to European Children in Vulnerable Situations: A Methodological Framework', May 2011, Eurochild, <http://tinyurl.com/eurochild-speakup-methodology>

5 'Toolkit for Consultations with Children on Children's Rights: Speak Up! Giving a voice to

children on children's rights based on the United Nations Convention on the Rights of the Child.

- A children's rights card game, including signs for each children's right, has been produced and has been used in the consultation process with the children.

## KEY RECOMMENDATIONS

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Speak Up! has highlighted three key main gaps in policies and practice regarding the protection of children's rights in Europe:

### **1. Children – and in particular those in vulnerable circumstances – are insufficiently aware of their rights**

Eurochild recommends that there is a **Europe-wide awareness raising campaign** towards children and young people, raising their awareness of children's rights in general and in particular in their right to be heard in all decisions affecting them. Such a campaign would need to be built on past work of the Council of Europe and the European Commission and would need to actively involve NGOs at national and European level.

A "European Year" could be an ideal vehicle through which to raise awareness of children's rights more generally. The European Year of Citizens 2013 risks ignoring children completely, reinforcing a common perception that children are not themselves citizens with rights. All efforts should be mobilized to ensure children are visible within the European Year of Citizens. In addition, Eurochild strongly supports a specific **European Year on the rights of the child**.

### **2. Children still face enormous discrimination – not only due to disability, ethnic or religious background, social disadvantage or sexual orientation – but also due to the very fact of being under 18. Age discrimination against children is still very little recognized and understood, and there are few policies that aim to address it.**

Eurochild believes that measures to promote equal treatment of children are urgently required to ensure policies and practices within member states do not directly or indirectly discriminate against children. A first step would be to increase awareness of age-discrimination against children and its impact. This should be followed by an assessment of how anti-discrimination EU legislation could specifically protect children in the future. There is a clear need to raise the visibility and understanding of children's rights on non-discrimination among national and European bodies and institutions to ensure children have equal access to provision of their rights such as the right to health care, education, housing, special care for

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European children in vulnerable situations', May 2011, Eurochild, <http://tinyurl.com/speakuptoolkit>

specific groups of children in vulnerable circumstances and to have equal access to daily life activities, including shops, cinemas, etc.

### **3. Children are too rarely asked their opinion on matters that affect them.**

**Particularly children living in vulnerable circumstances had very little experience of being listened to. Many of them felt that their opinion didn't really count. Some found it difficult to express their own opinion because they had had so few opportunities to think about what is important to them as individuals and to make their own choices in life. Often their skills to express themselves have not been developed or adults do not know how to support them in expressing themselves. Internalised oppression is an issue for children who are discriminated against because of their age or children growing up in difficult circumstances, such as abuse, family difficulties, etc. Internalized oppression affects children's confidence, self-esteem and sense of belonging. Adults who are engaged with children need to be aware of how discrimination and internalized oppression affect children's lives.**

There is so much more that can be done to promote the participation of children and young people. The recent Council of Europe Recommendation on the participation of children and young people under the age of 18 adopted by the Committee of Ministers in October 2011 identifies a number of priority actions that should be implemented without delay by Council of Europe Member States. Following the Speak Up! project Eurochild particularly emphasizes the need to support training of professionals on children's rights, including anti-discrimination training and the recognition of internalized oppression of children. It needs to be ensured that an appropriate mix of methodologies are used to consult children in vulnerable circumstances. We also identify a need to increase support for formal structures that encourage children's participation such as children's councils and self-advocacy groups. It is important that participation structures are supported in becoming more inclusive of all groups of children. Finally, there is a need to strengthen awareness and recognition of good practice in children's participation. We support the development of **child participation indicators and benchmarks** that can help organisations and professionals to strengthen participatory approaches. Recognising the wealth of good experience within member states, it is worthwhile to consider a mechanism that could compare, contrast and celebrate good practices through a Europe-wide mechanism such as a **child participation recognition process**.



# 1. Introduction

According to the **United Nations Convention on the Rights of the Child (UNCRC)** a child is every human being below the age of 18 years, unless majority is attained at an earlier age (Art 1). The specific needs of children are reflected in rights laid down in the UN Convention on Children's Rights.

Some children need special care and protection, for example the UNCRC guarantees special protection for refugee children, disabled children, children without parents, children from minorities, children in detention and children experiencing particular vulnerable circumstances. Like adults, children cope with their vulnerable situations in different ways. Some children feel stronger than others and stand up for themselves, but others do not speak up.

The outreach to children who are experiencing situations of particular vulnerability is difficult. They are shy or do not have the opportunity to speak up. **This report aims to give a voice to Europe's children, aged 12-15, and to empower children in circumstances or with characteristics that make them particularly vulnerable.**

The report starts with an introduction on what is considered by 'vulnerable children', why do these children need to be **consulted on children's rights** and what is meant by children's participation. This is followed by a description of the objectives of the study and the methodology used.

The next chapter gives a brief description and summary of the outcomes of the children's consultations, which have been carried out in eight different European countries. In all countries half of the children and young people consulted were experiencing particularly vulnerable situations and the other half, the so-called 'control groups' do not belong to any particular group, but they can also experience vulnerable situations.

In the report several important points of view from children and young people's horizons will become highlighted, based on their, sometimes brutal, life experiences. The report focuses on findings from **focus groups with children and young people**, where children's rights in various ways have been discussed or have been the focus of their activities. Children and young people focused on their knowledge of what their rights are, how their rights were realised, what the gaps are and what the solutions are that politicians nationally and within the EU need to recognize and implement, resulting in concrete proposals from children and young people on issues that need political actions.

In this report, we **highlight children's voices**, though also expressed in a more

formal language and we have tried to interpret the children's and young peoples' voices close to their own living situations and circumstances. This is therefore an exploratory study of European children and young person's perspectives primarily based on their positions as experts in their own reality. Changing the starting point from adults to children and young people is providing new perspectives and new discoveries.

## CONSULTING CHILDREN IN VULNERABLE SITUATIONS

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What do we mean by 'children in vulnerable situations'? A term allocated to specific groups of children by adults who consider these children are in particular vulnerable to different threats or those facing exclusion, discrimination or marginalisation. Do children see themselves as 'vulnerable'? Often children do not find themselves in a particular vulnerable situation and consider other children to be worst of then they are. Children are at risk of becoming marginalized or facing exclusion when their right to protection from harm, abuse, exploitation, violence and neglect, in accordance with the UNCRC is overlooked. In particular refugee children, children with disabilities, children in institutional care, children working and living in the streets, children in detention are at the greatest risk of becoming marginalized. All of these children are considered to be particularly vulnerable to different threats and as a result they often suffer from a lack of access to appropriate health care, education and other basic services. As one of the children in a consultation group with 'control children' said *'concentrate more on the children because we are here and we are not invisible'* (Irish girl).

A Council of Europe report on children's and young people's perceptions of threats and challenges to the rights of the child in Europe confirms that the **participation of vulnerable groups of children is even more problematic than the participation of non-vulnerable children**, referring specifically to children with specific needs, children who face poverty, children in care, children in youth custody, children in conflict with the law and victims of violence.<sup>6</sup>

The Speak Up! project endeavored to consult children, who might be particularly vulnerable for different reasons and included children from the **Traveller community (Travellers), Roma children, children with disabilities, children living in poverty, asylum seeking children, children taken into care (foster care and residential care) and children having been in contact with the juvenile justice system**. The consultations with the children aimed to address gaps in our knowledge and understanding of children's own views of their rights, the protection of those rights, and their opinions on necessary national and European policy actions in relation to children's rights. The children in this project are deemed to be particularly vulnerable due to their situation or

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<sup>6</sup> Council of Europe, 'Children's and young people's perceptions of threats and challenges to the rights of the child in Europe', November 2011.

characteristics. Many children participating faced multiple examples of exclusion and discrimination, which made them even more vulnerable, for example several Hungarian children living in alternative care, but had also Roma origins or who had experienced abuse at home or in the residential home. In other groups, children were more vulnerable due to their ethnicity rather than other characteristics or issues. This highlighted the marginalization of children through multiple factors simultaneously and distinguished them from other children.

The report does **not claim to be representative of the experiences and knowledge of children’s rights among all vulnerable children across Europe, but it intends to demonstrate cross-national experiences of vulnerable children** leading to both national and European conclusions and recommendations.

Children, **aged 12-15 years old, with some exceptions children as young as 7 years old and a few 16 year old children**, participated in focus group meetings in **eight European countries**: Bulgaria, Greece, Hungary, Ireland, the Netherlands, Poland, Sweden, and the UK (England).

**Quotations** included in the report are given **anonymously**, except for the nationality, gender and age of the child, if these are known.

## SPEAK UP! PARTNERS

Eight Eurochild partners from different European countries took part in the Speak Up! project, each working with different groups of children experiencing vulnerable situations.

Organisation	Country	Children and young people in vulnerable or marginalized situations consulted by partners	Timing of meeting
Amalipe Centre for Interethnic Dialogue and Tolerance	Bulgaria	Roma children from rural areas	Residential weekend
Roots Research Centre	Greece	Roma children	A sequence of shorter sessions
Family, Child, Youth Association	Hungary	Children in residential care and children in foster care	One and a half day
Pavee Point Travellers’ Centre	Ireland	Travellers children	Three meetings

Yohri – Youth and Human Rights Institute	The Netherlands	Asylum seeking children living in asylum centres	Half a day meeting
Foundation Institute of Social Initiative	Poland	Children living in 'urban poverty pockets'	One day meeting
Malardälen University	Sweden	Deaf and hard-hearing children	Residential weekend
Children's Rights Alliance for England	The UK (England)	Children in Secure Children's Homes	Individual interviews and one small focus group.

## WHAT IS CHILDREN'S PARTICIPATION?

Article 12 of the Convention on the Rights of the Child (UNCRC) defines the child's right to participation and provides:

"1. States 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 methodology used for the consultations of children in this study has been based on **General Comment no 12 of the UN Committee on the implementation of Article 12 of the UNCRC**.<sup>7</sup> It states that "the child's right to be heard imposes an obligation on States parties to review or amend their legislation in order to introduce mechanisms providing children with access to appropriate information, adequate support, if necessary, feedback on the weight given to their views, and procedures and complaints, remedies or redress" (paragraph 48). In practice European citizens and children are not always aware or have differing views about what children's participation means. For some participation is considered equivalent to 'citizenship'. For this study the meaning of children's participation is based on Article 12 UNCRC and means that **"children have their voice heard and are listened to seriously and are able to influence decisions affecting them"**. In order to consult children in vulnerable circumstances one needs to have a specific knowledge of the children's background and how their experiences affect their capacity to engage in the consultation process.

<sup>7</sup> United Nations Committee on the Rights of the Child, General Comment no 12 (2009), CRC/C/GC/12, 1 July 2009.



## WHY CONSULT ON CHILDREN'S RIGHTS?

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Since 2008 **Eurobarometer**, which carries out surveys at the request of the European Commission, has conducted two quantitative surveys aimed at finding the level of children's awareness of their rights and understanding what critical issues they face in terms of their rights<sup>8</sup>. In 2010 a qualitative Eurobarometer survey was carried out with 1445 children in 170 discussion groups. The sample was broadly representative of boys and girls aged 15 to 17, from urban and provincial areas, lower and higher economic groups and from a mix of ethnic backgrounds and a group of children with disabilities. The objectives of the study were to understand which issues children find most important in terms of their rights, to understand the obstacles children face in exercising their rights and to have the views of children as to possible solutions to overcome these problems.

Eurochild felt that younger children, below the age of 15, also need to be consulted on their rights and in particular the most vulnerable children and children often excluded need to have the **opportunity to learn and talk about their rights**. At the same time they are asked to discuss the obstacles they face in exercising their rights and to think about possible solutions to improve the implementation of children's rights within their countries and across Europe.

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<sup>8</sup> Eurobarometer The Rights of the Child, Analytical Report, Flash 235 (April 2008) and Eurobarometer The Rights of the Child, Analytical Report, Flash 273 (May 2009).



## 2. Project Objectives and Methodology

### OBJECTIVES

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'Speak Up! Giving a voice to European children in vulnerable situations' aimed to focus primarily on children aged 12-15 years belonging to particularly vulnerable groups in eight European countries. Although the majority of the children falls within this age range, younger children took part in the consultations as well, in the Netherlands, asylum seeking children aged 7 to 14 years old, in the control group in England and in the Bulgarian group with Roma children, children aged 16 participated.

The project aimed to empower children and increase our knowledge and understanding of children's own views about their rights, the protection conferred by these rights, and their perception of what needs to be improved in national and European policies. The project had four main objectives:

To **empower children** in circumstances or with characteristics that make them particularly vulnerable, by demonstrating how these children can be heard and how their voices can be taken seriously.

To ensure that the **views of children are heard** by policy makers, by passing on children's messages to EU leaders (as well as national policy makers) and in particular by providing input to the development of the EU Strategy on the Rights of the Child and the EU's work on tackling child poverty and social inclusion.

To **improve the practice and support** the development of a culture of children's participation, by developing tools for children's participation methodologies, in particular vulnerable groups of children.

To **strengthen mutual learning** across EU Member States and the exchange between children and organisations, by providing an opportunity to exchange views on children's experiences and how children's voices are heard elsewhere in Europe.

### THE METHODOLOGY

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Prior to the consultations with the children a methodology framework and a toolkit were developed in partnership with and as a result of consultations and experiences of good practice of the Speak Up! partners. The methodology gave an outline for a programme including information on what the children should be informed about and on what the children should be consulted about, including a children's

rights game and specific questions to be raised with the children on the different children's rights. Specific child protection measures which had to be safeguarded during the consultations were provided as well.<sup>9</sup>

The partners organized **focus groups, including each 8 to 12 children. Two parallel groups were organized, one with the children experiencing circumstances or with characteristics that make them particularly vulnerable and the 'control' group** with children from randomized secondary schools who do not live in particular vulnerable circumstances or have vulnerable characteristics, as the children in the other groups. However, it was noted by **several children in the 'control' group that they also have had their particular vulnerability**, for example in the Dutch 'control' group children were bullied because they were very small or because one child's father was from Morocco. Another girl had diabetes, two children had a disabled sibling and in the Swedish 'control' group, several girls had parents with a different ethnicity than Swedish.

**The groups with children with vulnerable characteristics** included deaf or hard-of-hearing children, asylum seeking children living in an asylum center, children living in 'urban pockets of poverty', Roma children, Traveller children, children in a juvenile justice institutions (secure establishments) and children in care.

The partners were allowed to choose **the format and timing of the consultation events**. All focus group meetings were held **between November 2011 and March 2012**. The consultation varied depending on the children's circumstances and needs. In Sweden, the hard-of-hearing and deaf children met during a residential weekend, in Hungary the children met during one and a half day, in Greece the children met in four shorter sessions, similar shorter sessions were held in Poland, where the children met after school and in Ireland the children met during a full day. In Netherlands, half a day was used for the consultations, with follow-up work done by the facilitators where the children, with the support from the facilitators, drafted two full-colour magazines which were sent back to the children for feedback<sup>10</sup>. In the UK, some of the 'vulnerable' children were interviewed individually, because they were living in secure juvenile justice institutions and were not allowed to meet in a focus group.

During the meetings, different energizers and **creative activities, such as drawing, dancing, singing, photography, drama and magazine making were undertaken**. In some groups the possibility to sing and dance was part of the children's culture and it made them feel at ease during the consultations. The

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9 Hyperlink to the methodology and toolkit: [www.tinyurl.com/eurochild-speakup-methodology](http://www.tinyurl.com/eurochild-speakup-methodology), [www.tinyurl.com/eurochild-speakup-toolkit](http://www.tinyurl.com/eurochild-speakup-toolkit)

10 Web link to the two magazines produced for Speak Up! by the asylum seeking children and by the control group.

children met both within the full focus group and were split up in smaller groups during the consultations. In Sweden '**PI interviews**'<sup>11</sup> were used on two themes, one on the hearing-impairment theme and one on the participatory theme, which meant that the children had to write on green sticky post-it notes things that are bad about being deaf or hard-of-hearing and things that are good about it on a yellow note. Regarding the second theme they had to write down when they felt involved and when they felt left out. They were given the task to illustrate one of the themes with a drawing. The brief notes from the PI interviews were just a starting point for the discussion.

## Child-friendly environment

The partners were encouraged to organize the children's consultations in a **child-friendly environment**, to ensure the children would feel comfortable and at ease to speak freely. The consultations took place in a variety of places, in the premises of the partner NGO, a place which was familiar to the children and where they had met before, which was the case for the groups of vulnerable children in Greece, Hungary and Ireland, in the children's schools (control groups, Greece and Hungary), in the centre where the children were living (the asylum seeking children in the Netherlands and the juvenile justice institutions in the UK), in a conference centre for a residential weekend near the school of the children (deaf and hard-of-hearing children in Sweden), in a research laboratory at the Institute of Sociology at the University of Lodz (both groups in Poland) and in a community centre (control group in the UK).

## Focus Group Programme

**The core programme** was the same for all focus groups and included an explanation of the Speak Up! Project and an introduction of the different partners via a video message from all partners, which was very much appreciated by most children. The programme also included an explanation of the work of the EU in relation to children's rights and an explanation of children's rights. After these general introductions, all children did a **children's rights game**, developed by Defence for Children International/ the Netherlands (DCI/NL) and further elaborated by Eurochild. They had to choose from pictograms which rights were fake and which they thought were real. After the children's rights game and when the children were familiar with the different children's rights, they were asked **to select the four rights which they found most important and which were relevant and**

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<sup>11</sup> PI interviews are a specific type of focus group, developed together with young people and it introduces creative elements into the group's work. It has been used with deaf and hard-of-hearing children as a method of visualization, involving creative elements. The sessions alternative between individual and collective activity, and between writing and talking. Source: Elinor Brunnberg 'Focus groups with creative elements, PI – interviews', Mälardalen University, Department of Health, Care and Social Welfare, Social Work, 7 February 2011, Sweden.

**close to their own life experiences and situations.** The children's rights game provided a catalyst for a range of in-depth discussions, though it did not provide strictly comparative data. The four selected rights were discussed in more depth and where possible resulted in recommendations to local and national governments and the EU. Many groups ended the consultations by asking the children **what they would change for children if they would be prime minister or what would be their dream?**

The consultations envisaged that the children who participated did this on a voluntary basis, however, the facilitators of one of the vulnerable groups noted that some children were forced to participate by staff at the residential home. In the end all children in this group were very enthusiastic and indicated they had fun.

Each partner produced two reports based on consultation activities. This report analyses and compares the country reports<sup>12</sup> of the 'groups with vulnerable characteristics' and 'control' groups from the eight participating countries.

## Gender balance

Each focus group tried to achieve a **gender balance** with equal participation of boys and girls, however, this was not always possible. For example in Ireland, the group of Traveller children solely consisted of girls, since in the context of the Traveller culture there is limited contact between young boys and girls. When boys and girls are in focus groups they are not always comfortable openly expressing their views and there is a tendency to be over inhibited or over excited. Parents are often not comfortable giving permission to young girls to attend external events with boys. For comparison reasons the Irish control group was also solely composed of girls. In the Netherlands, the control group was mainly composed of girls, this was due to the fact that the children were asked in a school class to volunteer to participate in the focus group, which involved the writing and producing of a magazine, including making photos with a professional photographer. Apparently girls were more keen to get involved in journalistic and photo-art work than boys in this class. In Hungary, more girls participated in the control group due to a flu which affected several of the boys. On the other hand, in the UK, more boys participated in the 'control' group, which was reflective of the gender breakdown of children who were in a behavioural support group attached to their school.

The study aimed to achieve a **geographical balance** of children participating from across the European Union, involving children from the South of Europe, Greece, from Eastern European countries, including Bulgaria, Hungary and Poland, from Western Europe, including Ireland, the UK and the Netherlands and from Northern Europe, Sweden.

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<sup>12</sup> Web link to country reports <http://tinyurl.com/speakup-project>

The report compares the results of the children's consultations to outcomes of the Eurobarometer reports of 2008, 2009 and in particular the qualitative survey of 2010<sup>13</sup>, in which focus groups of vulnerable children have been consulted on issues they see as most important in terms of their rights and the rights of children in general and the obstacles children face in exercising these rights.

## General knowledge of children's rights

The facilitators discussed the general knowledge of the children on children's rights: did they know what children's rights were? Why would there be a difference between children's rights and adults' rights? Had they ever heard about the UN Convention on the Rights of the Child? The report compares this with the results of the Eurobarometer survey and other surveys carried out in Europe.

## Specific children's rights selected by different groups

In-depth discussion of specific children's rights took place on four rights selected by the children, which were relevant to their lived experiences and which they found deserved a priority for children to be respected. Discussion of these specific rights resulted in specific recommendations and outcomes for local, national and European level. The report analyses which rights were selected by the different groups of children and has divided these according to the three 'P's' of the UNCRC : **provision rights, participation rights and protection rights.**

## Strengths and limitations to the research methodology

All groups, except the groups in Bulgaria, used the children's rights game and chose four UNCRC articles, which they discussed in more depth. The project is using this new methodological framework to study children's rights resulting in a **qualitative comparative study with children.** The project has used this strict methodological framework to ensure the comparability of consultations with children in vulnerable situations. The children's rights game ensured that children were getting acquainted with children's rights in a pedagogic way, discussing about real and fake rights. The children got the same framework to relate their experiences to. All children then chose from the real rights those they considered most important and talked about their experiences in relation to these rights. There is therefore comparability between the outcomes of the different groups of children and the different countries, even though it is coloured by the children's own experiences. There are differences between the groups of children in vulnerable circumstances, but all groups are identified by the partners involved as one of the most vulnerable groups in their country. However, within the countries there are

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<sup>13</sup> Web link to Eurobarometer reports 2010, 2009 and 2008 ([www.tinyurl.com/eurobarometer-2008](http://www.tinyurl.com/eurobarometer-2008), [www.tinyurl.com/eurobarometer-2009](http://www.tinyurl.com/eurobarometer-2009), [www.tinyurl.com/eurobarometer-2010](http://www.tinyurl.com/eurobarometer-2010)).

different conditions which create vulnerability and there is more than one group in each country with conditions that create vulnerability. The partners have chosen the specific groups in each country based on their ability to communicate with them and on their knowledge about this group of children.

The methodology used for the Speak Up! project is a qualitative study of an exploratory nature with a clear framework. The children's rights game provided a catalyst for a range of in-depth discussions by the focus groups of children, but did not necessarily provide strictly comparative data from the same situation. The **focus groups were all small and diverse** and the messages that came out of the groups were coloured by the children's individual experiences. There is diversity in vulnerable situations.

## Evaluation of the consultations

At the end of each consultation the children were asked to **evaluate the meetings**. This was done in various ways, some children ran across the room to give positive or negative marks to a question, others gave some overall comments and impressions and others were asked to give a ranking to the different evaluation. Not all children were asked the same questions.

Overall the children were very positive about the role and input of the facilitators of the consultations. They were also positive about the environment in which they met. Regarding the content of the discussions, the children gave mixed reactions, some ranked this very high, while others gave an average mark. This could be partly explained by the fact that for several children, in particular the groups of children who were vulnerable or marginalised, the discussion of children's rights was completely new to them and often the terms were difficult for them to grasp or it was more serious, more boring, upsetting or difficult to get their point of view across. **Overall impressions** about their ability to talk freely and openly about their rights and living circumstances were cited as having **fun, interesting**, they would like to take part in similar projects and they felt that their ideas would contribute to tackling issues regarding children's rights. **The children indicated in the evaluations that they felt and enjoyed being listened to by their peers and by the adult facilitators.** Several children indicated they learned something new, in particular about children's rights. Favourite part of the session of some young people were 'learning about new rights' (UK boy, aged 15) and 'choosing most important rights' (UK boy, aged 15). The Irish children in the control group mentioned many times during the consultations that **all children should have this experience.**

*“ I have got the chance to speak up about what I think of children's rights ”* Irish girl, control group.



The Traveller children from Ireland were **excited about the initiative** of consulting them on children's rights and they were very interested that their views would go to Europe. They were thrilled to watch the DVD Speak Up!, at which all European partners and involved Eurochild staff introduced themselves. The Hungarian children living in residential care were very much attracted by the publications of the EU in Hungarian language.

The **children living in residential homes** in Hungary knew each other from the children's home and they knew each other's stories on abuse, trauma and escapes. They were very skeptical and resistant to participate in the consultations, but in the end they were all very enthusiastic and enjoyed the meetings very much. They asked for **a lot more personal attention next to the group work**. In many cases they wanted personal conversations and needed more attention paid to their individual needs and rights.

## Literature Review

Next to the Speak Up! consultations carried out with the children, many other consultations with children on their rights have been recorded across Europe. A **mapping of these consultations** has been done, with support of the partners involved in Speak Up! and other Eurochild members, resulting in a **literature review**<sup>14</sup> looking into children's views in relation to their rights and challenges about implementing these rights. This literature overview has been conducted in a systematic and analytical way and is based on consultations with children in vulnerable situations, including children who have experienced violence, children living in care, disabled children, children experiencing poverty, migrant and asylum seeking children, children involved in the juvenile justice system, children with mental health problems, street children and children in hospitals. Children and young people aged 4 up till 23 years have been consulted by using different methods, including surveys, questionnaires, interviews, focus groups and observing children

The literature review includes a range of documents of academic researchers, UNICEF, NGOs and international governmental organisations.

The key findings from the analysed consultations in the literature review are the wish by children to be able to participate and to speak up on issues which concern them. At the same time, they believe it is important to receive adequate information about their rights. The right not to be discriminated against and for all children to be treated equally was also a key issue that came out of the mapping analysis of the children's and young people's consultations.

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<sup>14</sup> Web link to literature review -[www.tinyurl.com/eurochild-speakup-literature-review](http://www.tinyurl.com/eurochild-speakup-literature-review)



# 3.What children know about their rights

## INTRODUCTION

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All children were asked about their knowledge of children's rights, whether they had ever heard that children had rights and if they could mention any rights. They were given an introduction and explanation on their rights by the facilitators and the signs with the fake and true children's rights were used to familiarize the children with the different rights and its meanings. Several children played the **children's rights game, where they had to choose from pictograms which rights were fake and which they thought were real**. After children had become acquainted with the different rights they were asked to choose four rights which they felt were most important to them and relevant to their personal circumstances.



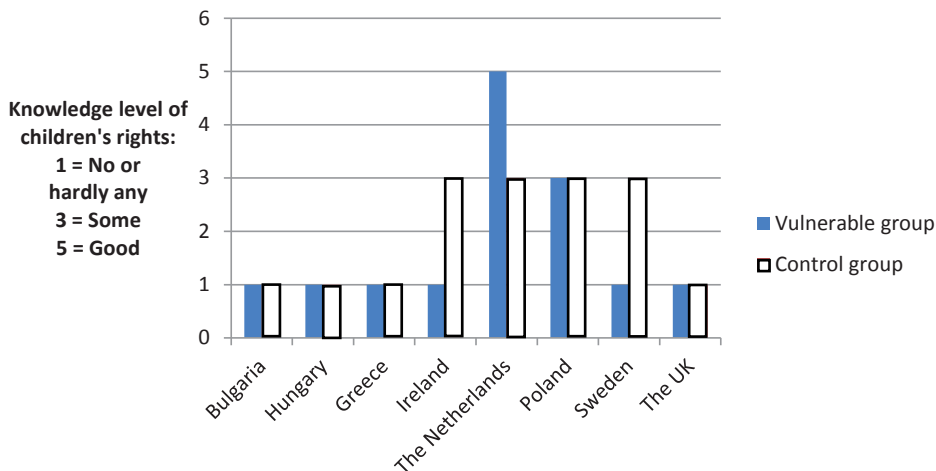
## THE CHILDREN'S RIGHTS GAME

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The children's rights game included 14 'real' children's rights as laid down in the UNCRC and 11 'fake' rights, such as 'every child has the right to drive a lorry', 'every child has the right to belch at dinner', 'no child should have to do the dishes' and 'every child has the right to colour his/her hair'. The 14 UNCRC rights were selected in cooperation with the partners involved, based on which rights would be most relevant to and close to the children's personal experiences and lives, taking into consideration the different groups of children that would participate. These rights included amongst others 'the right to special protection of asylum seeking children', 'the right to special protection of disabled children' and 'children from minorities or indigenous populations have the right to enjoy their own culture'. The reason for selecting a limited number of rights was that it would not have been feasible and productive for the discussions with the children to look at all UNCRC rights. The children had to choose which rights they thought would be 'real' and which would be 'fake', indicating the reasons for their choices.

The rights included in the children's rights pictograms had all been translated into their own language and printed out in A4 format. The Swedish facilitator produced

## Awareness of Children's Rights



a card game with the child rights pictograms which was played with both the group with deaf and hard-of-hearing children and the control group in Sweden.

Not all country reports included specific information on the use of the children's rights game, but those that did indicated that the children enjoyed playing the game and it was felt that it was a good way for the children to get acquainted with children's rights. In the Greek group with Roma children, most children were able to distinguish between which were the real rights and the fake rights, and were particularly expressive about the fake rights concerning not having to clean or do the dishes. They commented that children have to help within the household and that this is their duty. The Greek children in the control group felt that many of the UNCRC rights were silly and they did not quite understand why it was necessary that several of the rights presented existed. For example, the right to health care and the right to education were perceived as redundant, since the responsibility for these rights lay with their parents. The right to play was felt as an amusing right, since they could not imagine that some children were not afforded this right. Irish Traveller children fully engaged in the game, which they played in two groups. The children from the Irish control group engaged thoroughly with the children's rights game and they took a considerable amount of time to identify the rights as they constructively engaged in deconstructing the arguments for and against the right's as relevant to their lives. In the end they voted to secure consensus on the four chosen rights.

## KNOWLEDGE OF CHILDREN'S RIGHTS

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*“ Make sure our rights are heard and children should know what their rights are ”* Irish child, control group.

The first part of the consultations focused on the **general knowledge of children of children's rights** and the UNCRC and the children were asked what was meant by children's rights. Questions were asked such as whether they knew they had rights, whether children have different rights compared to adults and whether they had heard about the UNCRC. The figures below shows that most children, those experiencing vulnerable situations and those of the control group, did not have or hardly have a knowledge of children's rights.

Among the children in vulnerable circumstances the majority of children had hardly any or no knowledge at all about their rights at the start of the consultations, except for the Dutch and Polish children, while within four of the eight 'control' groups, children had at least some knowledge of their rights. However, when children were asked to identify rights they should have, they chose rights which were reflected in the UNCRC.

The **Swedish deaf and hard-of-hearing children** only had a vague idea about the contents of the UNCRC. When discussed whether adults and children have the same rights, one child answered that they have the same value. Another child said that adults have the right to drink alcohol while children do not - therefore they have different rights. They discussed that adults, young people and children can be discriminated against. They had all experienced discrimination though one of the main key articles and principles of the UNCRC states that children are all equal (art. 2). **The children said that they suffered discrimination because of their disability**, for example, being told he/she may not ride the bus because of the driver's decision. Other students told about feeling excluded because of their hearing impairment, for instance in family gatherings. The articles the children chose as their priority articles were discussed in relation to being discriminated, for example the right to health care and the right to education. The Swedish children in the **control group** had heard about children's rights at school, but they did not really know which rights they had.

In **Hungary** the two groups of children in foster care and living in residential care had **never heard about children's rights before, it was the first time they came into contact with children's rights**. The children in the control group had human rights education at school, but children's rights had not been part of this.

Both groups of **Bulgarian children**, those of Roma origin and those in the 'control' group, were not particularly aware of children's rights and if they had some knowledge this was fragmented. Within the 'control' group some fundamental

rights were known as terminology, but they **did not link this to their personal situation**.

Many of the **asylum seeking children in the Netherlands were told about children's rights** 'Since I am in the Netherlands everybody keeps telling me about my rights' (asylum seeking boy, 14y.) . However, the children from the Dutch 'control' group did not have much specific information on children's rights, though some received some information at primary school and they were all aware about the Anti-Bullying Day. Most of the children, both asylum seeking children and control group children, talked about children's rights as being rights for other children and found it difficult to focus on their own rights.

Among the **Greek children**, in particular in the group of Roma children, some children had difficulties in fully grasping the more difficult worded rights or rights that were a new concept to them, such as the right to information and the media's role in society. However, they were very vocal in expressing their ideas about the importance of children's rights in society and they felt there is a clear distinction between adults and children and **a need for children's rights**. The Greek children in the control group were unaware of the UNCRC and that it is a legally binding agreement signed by countries, which commits them to enforce these rights within their countries.

The **Polish children** in the control group felt that **children have different rights than adults** and they felt these differences were in particular related to voting rights, the right to work and education 'school for children is like a job for adults' (Polish girl, 12 years). Some of them had heard about children's rights at school, on TV or read about it. Some of the Polish children with vulnerable characteristics had also heard about children's rights at school or read about it.

Both groups of **English children living in secure children's homes and the children in the control group** had no knowledge about the UNCRC. However, when asked to identify what rights they thought children 'should' have, they chose rights which were reflected in the UNCRC. The children living in secure children's homes felt strongly that it was important to be able to access their rights and spoke about the difficulties they had experienced in doing so because being in custody and their contact with the juvenile justice system.

The **Irish Traveller children** identified different areas of children's rights, such as the right to a 'home, food, rest, friends, to vote, to move and travel, to speak, to work and there should be no slave labour'. They were asked about what was most important in their life and they indicated that 'playing with friends, their phone for chatting with friends, football and the cinema sometimes when they get to go and being treated equally'. The **Irish control group** children identified the right not to be abused, the right to a house, a family, good surroundings,

education and democracy.

The Irish Traveller children had **very limited views on how their rights might be realised or be better protected**. The facilitators of this group felt that the children were able to talk about the rights important in their lives such as their right to express their culture, but they **did not identify internal issues affecting their lives from within their own community**. Internal roles and rules which may suppress and/or hinder their rights as young girls or that also oppress their community from within. The reasons for this could have been caused by the limits of the consultation approach or methodology. The use of alternative ways of working with children on the UNCRC which would not only explore the external realms of children's lives but also the internal could be explored. Other reasons why children were not able to or did not discuss personal issues could have been that they were not used to be asked for their opinion, not used to being heard or they may have had a cultural reluctance to share their thoughts with a settled facilitator, even though they had a trust relationship. But also their experience of feeling **powerlessness** in situations, such as being excluded from shops, could have influenced children's inability to make suggestions or find solutions for change.

**Explanations for the limited responses in some cases** where children were consulted could be that these children are **not used to be asked for their opinion and not used to be heard** or they might **lack the language to articulate their feelings** and emotions. This could lead to the conclusion that a longer piece of work with the children to explain the concept of rights and to allow them to apply this to their own lives might lead to different results.

**Other studies confirm the lack of awareness of children of their rights, which came out of the Speak Up! study**, even though some might have some knowledge of the UNCRC, this endangers the full implementation of the rights of the child in violation of article 4 of the UNCRC, which states "States Parties shall undertake all appropriate legislative, administrative, and other measures, for the implementation of the rights recognized in this Convention. In regard to economic, social and cultural rights, States Parties shall undertake such measures to the maximum extent of their available resources and, where needed, within the framework of international co-operation." Children in the Speak Up! study and in other studies **often do not associate children's rights with their own situation** and they think even less about specific children's rights.<sup>15</sup>

**The lack of knowledge of children's rights and the difficulty for the children consulted to associate the rights with their own situation is a key finding of the Speak Up! study.** Children find it easier to see the need and the rights of other children, which shows their empathy with other children, but also the difficulties in understanding their own situation related to others. For example, the

<sup>15</sup> European Commission Directorate General Justice, 'Children's Rights, as they see them', 2011.

children with disabilities talked about the needs of other children with disabilities.

## DIFFERENCES BETWEEN GROUPS OF CHILDREN IN VULNERABLE SITUATIONS AND CONTROL GROUPS

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Based on an analysis of the two sets of results of the groups of children experiencing vulnerable situations and those in the control groups, one could conclude that the children in the control groups have a better knowledge and understanding of children's rights than the other groups. However, as stressed above, in both groups consulted, children tended to think about children's rights as being the rights of other children, instead of linking these rights to their own living circumstances.

When a Greek child strongly expressed that 'all children need a warm bed, a roof and to eat healthily to be well', she did not mention that she sleeps on the street amongst rubbish and link this to her own harsh reality. When she was asked whether her right to health was respected she replied yes. Even though she did grasp the importance of the right to health and housing, she **did not comprehend the impact of this right on her own life**. Similarly the Irish Traveller children and the asylum seeking children in the Netherlands did **not link children's rights to their own situations**.

Despite the fact that it was clear to the Irish Traveller children that they had to choose the rights which were relevant for them and relevant to their living situations and their own experience, the facilitators were struck by the **empathy the children displayed regarding children globally**: they mentioned several times that children should not be maltreated, they shouldn't have to work when they are children, they should be with their families and in particular that disabled children should be cared for. Explanation for this could be the many campaigns that are targeting schools by Irish charities supporting development aid in the developing world, their access to other children's experiences via global media, their first hand experiences with children in vulnerable circumstances within their own communities and a general sense of children's broader moral framework.

However, within the **Swedish control group the young people did link several rights to their own experiences**. For example, when discussing the fake and real rights, the young people felt that the fake rights 'to colour one's hair' should be a real right. The girls in this group felt that all young people should have control over their own bodies, such as to dye their own hair without having to ask their mom and dad if this is ok with them. Their right to express their opinion and to be listened to seriously was linked to a personal experience of three girls, where they had witnessed a girl being abused by three older boys, after which they called the police, who had asked for their names and contact details. When the girls were too scared to give this because of the boys, they noted that the police did not turn



up. When calling again later at their home, they were told that the police took no action after anonymous calls. They felt they were not taken seriously because they were children. The whole incident was very traumatic for the girls, who received counseling afterwards.

The children living in foster care from Hungary were not interested in the topic of the meeting, however, they asked many questions, **were very curious and wanted to get new information on different matters. They were clearly lacking basic knowledge and information on different issues** that could be evident in many other children's groups. The missing experience of different types of relationships, interactions, situations in everyday life were visible. They blamed themselves first of all for behaving badly, being responsible, if their rights were not exercised, or provided. The children did not know each other before the meeting and it therefore took a long time for them to build up trust and speak freely about their experiences. Games and activities facilitated their contributions.

**To conclude, almost all of the groups of children in vulnerable circumstances had little or no knowledge about children's rights,** except for the groups with the asylum seeking children and the Polish children experiencing poverty and exclusion, where children, to some extent, were aware about children's rights. The asylum seeking children had been told about their rights in the asylum centre where they lived and the Polish children had heard about children's rights at school. However, when children were asked which rights they should have or which they thought were important they were all able to identify with the UNCRC rights. Nonetheless they all tended to think about these rights as being the rights of other children and not necessarily relevant to their own lives and living circumstances.



## 4. Which rights are important to children

### PRIORITY RIGHTS FOR CHILDREN

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In the children's focus group meetings, children were asked to choose the four most important rights, which were relevant to their own situation and living circumstances. In terms of the UNCRC there are no priority rights, all rights are equally important. The UNCRC's overall perspective is to secure children's right to survival, dignity, well-being, health, development, participation and non-discrimination, an holistic approach of the UNCRC needs to be taken into account. The concept of priority rights has been used in the consultations to get the children think about their own lives and situations and reflect on what would need to change for them to ensure their rights are implemented.

The outcomes of the consultations with the children on children's rights as laid down in the UNCRC have been divided in three groups of rights: provision rights, participation rights and protection rights. **Provision rights** are rights providing children access to certain goods and services, such as the right to health care (art. 24), the right to education (art. 28,29), the right to housing (art. 27) and the right to enjoy social security (art. 26). **Participation rights** are the right of children to participate actively in decisions about their own lives and in society as a whole. Examples of participation rights include the rights to express your opinion (art. 12), the right to information (art. 17), the right to play (art. 31) and the right for children from minorities to enjoy their own culture. **Protection rights** are the rights which aim to protect children from harm such as the right to be protected against maltreatment and neglect (art. 19), the right to be protected from sexual exploitation (art. 34) and the right to be protected from torture and deprivation of liberty (art. 37). But also the right to an identity (art. 8) and the right for all children to be treated equally (art. 2) are falling within this category.

A matrix table (see next page) shows that the **results of selected rights by the different groups of vulnerable and control groups of children** are quite similar for participation rights and protection rights, but regarding **provision rights, the groups of children in vulnerable situations tend to choose far more for these rights than the control group**. For the children taking part in the 'control' groups, who were mainly children with middle-class backgrounds, the provision rights are often so obvious, that they do not consider them as a key priority to be implemented. The Greek and Irish children in the control group were surprised that some of these rights, such as the right to education and health care, were included in the UNCRC, since 'every child would have this right anyway', it was an eye opener for them to learn that children living in the same country, which were the Roma children consulted in the other group, did not have automatically access to these services.

<b>Children's Rights selected by children in vulnerable circumstances (X) and 'control groups' (O)</b>	<b>UNCRC Articles</b>	<b>Bulgaria<sup>1</sup></b>	<b>Hungary<sup>2</sup></b>	<b>Greece</b>	<b>Ireland</b>	<b>The<sup>3</sup> Netherlands</b>	<b>Poland</b>	<b>Sweden<sup>4</sup></b>	<b>The UK</b>	<b>X<sup>5</sup> Total</b>	<b>O</b>
<b>PROVISION RIGHTS</b>											
Right to Health Care	24	O	X		X	O	X O	X O	X	5	4
Right to Education	28,29	X O	X	X	X	O		X		5	2
Right to Housing	27					X				1	-
Right to Disabled children to special care	23					X		X		2	-
Right to Secure Income (social security)	26					X				1	-
<b>Total provision rights</b>										14	6
<b>PARTICIPATION RIGHTS</b>											
Right to Play	31			X		X O			O	2	2
Right to express opinion	12	X	X O	X	O	X		X O	O	5	5
Right to information	17				O						
Right of children from minorities to enjoy own culture	30				X					1	-
<b>Total participation rights</b>										8	7
<b>PROTECTION RIGHTS</b>											
All children are equal	2	X XX	O	O	X O		O	O	X	5	5
Refugee children have a right to special assistance	22			X		X O				2	1
Right to be protected from torture and deprivation of liberty	37		X	O			X O		X	3	2
No child shall be abused or maltreated	19	X XX	O	O	O		X O		X O	5	5
Right to family reunification	10					X				1	-
Protection of children without families	20	O		O					O	3	
Right to identity	8		O				X			1	1
Protection from sexual exploitation	34							XO		1	1
<b>Total protection rights</b>										18	18

Notes to the table: 1. The Bulgarian children in the 'control' group chose 3 priority rights - 2. In Hungary two focus groups with children in vulnerable circumstances were organised - 3. In the Netherlands the asylum seeking children chose 7 priority rights -4. In Sweden the deaf and hard-of hearing children chose 5 priority rights.

## COMPARING THE OUTCOMES OF THE CONSULTATIONS WITH CHILDREN IN VULNERABLE SITUATIONS WITH THE 'CONTROL' GROUPS

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When children were asked to choose the four most important children's rights, which were close to their own situation and living circumstances, it turned out that they chose a variety of children's rights as being their priority rights. Some chosen rights clearly reflect the particular vulnerability of the children, such as the right for refugee children to have special assistance, raised by the asylum seeking children in the Netherlands, or the right of disabled children to special care by the Swedish hard-of-hearing and deaf children or a group which included children with disabled siblings.' In several groups children found it difficult to choose only four important rights and most of the children selected a longer list of important rights, after which they discussed which ones were really important to all of them or voted on these.

**In some countries there were hardly any differences between the rights chosen by the group of children in vulnerable situations and the 'control' group**, such as in Poland. An explanation for this could be that both groups of children come from the same area and attend the same school. The children from the 'control' group, with a higher-social economic status, experience the same violations of children's rights as the more vulnerable children with a lower-social economic status. Similarly, in Hungary the control group chose three of the same rights as the children living in alternative care: the right that no child shall be abused (art. 19,34), all children are equal (art. 2) and the right to express one's opinion (art. 12). Many of the vulnerable children had experienced abuse at home by parents, fathers or stepfathers, but also at school and at the residential home children had experienced abuse. Though none of the children in the Hungarian 'control' group had experienced abuse at home themselves, they knew about it from neighbors or friends' families. A similar explanation as for the Polish children could be given for these children, since the children from the 'control' group came from the same area, Budapest and suburbs around Budapest, as the children living in foster care and the residential home.

In other countries **the two groups chose completely different rights**. In Greece, the Roma children chose the right to education, the right to play, the right to special assistance for refugee children and the right to information as their priority rights, while **the control group wondered why there would be a need to lay down rights like the rights to play, the right to education and the right to health, since these rights were so obvious for them** and their parents would take care of these rights, that they did not see the need to have these laid down in a children's rights convention and they chose the right of all children to be treated equally, to give special protection to children without a family, not to abuse or maltreat a child and the right of children not to be deprived

of liberty. When the facilitators explained that there are children, such as the group of Roma children in the same country, who were not always able to go to school, to get the necessary health care or did not have anything to play with, the children from the control group were touched by this and reacted by writing letters to the Roma children and proposed to help and support these children.

These results show **the inequity between the 'control' groups and groups with children living in vulnerable circumstances and their lack of integration**. Children can therefore be ignorant of other children's needs.

In other countries the rights chosen were almost completely different between the vulnerable children and the control group of children, such as in the Netherlands, the UK, Bulgaria, Ireland, Sweden and Greece.

Only one of the children's rights which were presented was not chosen by any of the groups as a priority right. This was **the right of children in conflict with the law to have special assistance** (art. 40 , which focuses on the administration of juvenile justice).

In general the control groups chose hardly any of the provision rights as one their top four priority rights, which might lead to the conclusion that children in the control groups are taking these rights for granted and do not think about these rights needed to be implemented for themselves, while the children in marginalized situations are conscious of threats to their need to be provided with food, shelter, health and education and acknowledge the vulnerability of these provisions.

## **GROUPS EXPERIENCING VULNERABLE SITUATIONS: SPECIFIC OUTCOMES**

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In this section, the outcomes of the consultations of the children living in vulnerable circumstances around the four rights which they chose as their priority rights are described and divided into provision rights, participation rights and protection rights.

### **Provision rights**

The provision rights within the UNCRC stress the right of children to an **adequate standard of living, health care, education and services**. These include a

balanced diet, a warm bed to sleep in, and access to schooling and health care. The provision rights children could choose from the pictograms provided by the methodology, included the right to health care (art. 24), the right to education (art. 28, 29), the right to housing (art. 27), the right to disabled children to special care (art. 23) and the right to social security (art. 26).

The right to education and to health care was chosen by a majority of the children. It came out that they felt strongly about being treated equally in accessing education and health care. With regard to education the children acknowledged the importance of education for their future, to be able 'to survive' and get jobs. The deaf and hard-of-hearing children in particular felt strongly about being able to communicate in sign language at schools and they also chose the right for disabled children to receive special care. Social security and housing was important to some children as well, in particular the asylum-seeking children, who lived in an asylum seeking centre, felt strongly about this.



### Right to health care (art. 24)

The right to health care was chosen by a majority of the children experiencing vulnerable situations, the Hungarian, Irish, Polish, Swedish and English children chose this as one of their priorities.

The Irish Traveller children found that the right to health care was top priority for them 'it just seems like a very important one' and they articulated the importance of health care regardless of background: 'Doesn't matter where they come from', which also indicates a knowledge of **unequal treatment for particular groups**.<sup>16</sup> Irish Traveller children live with the **consequences of poor accommodation and life chances which manifest in poor health**.

The Hungarian children in foster care discussed under the umbrella of the right to health their **preoccupation with death**, including infections, illnesses and avoiding death, since many of them had experiences in their biological families of early death and serious illnesses. The right to health is very important to them.

Swedish deaf and hard-of-hearing children gave the highest priority to the right to health care and in relation to this to equal treatment for all. They highlighted the difference between having a disability and being unhealthy. When being unhealthy and visiting the **health care system** the children indicated that adults received care more quickly than children and deaf and hard-of-hearing young people were prioritized less than others to receive medical care. Their difficulties with

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<sup>16</sup> In the All Ireland Health Study 'Our Geels' (2010) it is shown that the 'Traveller community has a higher burden of ill-health than does the general population. Whilst Travellers would appear to access hospital services more frequently than other do, their experiences of the services are not as positive'.

communication in spoken language (most of them used sign language) was a problem, for example when visiting medical emergency units. In this way deaf and hard-of-hearing children **faced “double discrimination”** both as children and as a person with a disability. The personnel could use the phone and modern technologies to be able to communicate with an interpreter to ensure that deaf and hard-of-hearing children are included and get the same services under the same conditions as others. The availability and access to **health care for all is very important and is something that pleases the children when it would exist.**

Polish children described their contacts with doctors and medical staff, several described their treatment as normal and that the medical staff was nice and kind to them. However, other children had unpleasant experiences with nurses or in hospital, for example ‘I went to the doctor for blood collection and the nurse pricked me with the needle several times, so I shouted at her’ (Polish boy, 12 years old). They had different experiences with hospital staff listening to them, some did and others didn’t listen to their wishes.

Some of the English children commented on the inadequate level of health care in the secure children’s home and others indicated that they experienced stress, which seemed in part to be caused by the behaviour of the staff in the secure children’s homes ‘Because this is a secure unit, not a prison. You shouldn’t be feeling the stress like you’re in prison but that’s how some people feel in here’ (English boy). However, also positive experiences occurred, one boy said that the medical staff listened to what he had to say and another child said that staff explained medical problems in a way that she could understand.

The right to be equal (art. 2) and to health care (art. 24) are very related for the children consulted in this study. The **children all felt very strongly about being treated equally when receiving health care. The issue of “double discrimination”**, where children were not receiving health care because of their age and because they were experiencing particular vulnerabilities was an important outcome of the consultations.

The right to health care (art. 24) and being listened to (art. 12) by medical staff were linked for the children when the right to health care was discussed. According to General Comment No. 12 on the implementation of article 12 of the UNCRC, the right of a child to participation<sup>17</sup>, ‘the child’s right to express his or her views and to participate in promoting the healthy development and well-being of children’ is required.

Being treated equally came out in relation to other situations as well, often where adults as professionals discriminated children, such as meeting adults at the bus, police and shops. This is explored in more depth when the right to be equal is

<sup>17</sup> United Nations Committee on the Rights of the Child, ‘General Comment No. 12, The right of the child to be heard’, CRC/C/GC/12, 1 July 2009.



discussed below.



## Right to education (art. 28,29)

The right to education is laid down in two articles in the UNCRC, article 28 stipulates the child's right to education on the basis of equal opportunities and article 29 lays down the aims of education, indicating that education should be directed at developing the child's personality and talents, fostering respect for human rights and developing respect for the child's own cultural and national values. This right was selected by a majority of the children, including the Bulgarian, Hungarian, Greek, Irish and Swedish children.

The Irish Traveller children discussed the **need to read and write**. One child commented that you need education 'so you won't be stupid'. This last remark presents again evidence of children feeling internally oppressed.

All of the Greek Roma children were aware of the right of all children to be educated and go to school. The Support Centre for Children and Family<sup>18</sup> strongly focuses on the importance of attending school and often talk to parents **to 'convince' them to let their children attend school**. Prior to attending the Support Centre for Children and Family, **many of the children were not attending school, as they were involved in supporting their family financially by working illegally or caring for siblings**. During the consultations, several children had not attended school for a day, because they were too tired. This is often due to working throughout the night, selling flowers and other trinkets. The young female participants generally seemed more interested in attending school, expressing the importance of education. School is seen as important because the children consider it important to be literate. Often their parents are not able to read and responsibility of reading falls on their children, for example an official letter from the authorities. It is clear that the children were motivated to attend school, but their living circumstances made this difficult. Better economic circumstances for the families would create better possibilities for the children to attend school. According to the children, reading is important to read the prices of goods when trading and to avoid being mocked by other children. For the Roma children, the **most fundamental and basic of educational skills is perceived as key to providing the skills necessary for survival in their world**. Most children liked the teachers at their schools, because they all got good grades and passed exams and were allowed to 'play outside' during most lessons. It seemed that in some cases teachers were not very dedicated to teach Roma children. This could be

<sup>18</sup> The Support Centre for Children and Family, also called the Roots Research Centre, is a local support centre in Athens, Greece, which offers support to children with regard to their school work, assistance with the Greek language and social support in obtaining government allowances, personal documents and family and individual psychotherapeutic counseling. The Roma children consulted in the Speak Up! project, include children from this centre.

explained by prejudices against the Roma population, leading to the assumption that it would not be 'worth it' to invest in educating the children.

The **right to education for all children was felt strongly by the Swedish deaf and hard-of-hearing children**. Their dream would be for all teachers to be fully proficient in sign language.

*“ All deaf and hard-of-hearing are entitled to receive education in their language. Everyone has the right to use sign language ”* Swedish deaf child.

A big discussion took place on the wish of Swedish politicians to have an **integrated school system**, meaning that all children should be integrated into the same school system. All children would then go to their home municipality school and probably be the only deaf or hard-of-hearing child in their class and in a hearing school. **None of the children wanted to be in such a school, they would feel excluded**. Some of the children found that the deaf school they attend could be accommodated in a hearing school, so that the deaf and hard-of-hearing children would just have their own section and the hearing children would have the opportunity to learn sign language, according to one child. A panel discussion was organized with children who had to be in favour and children who had to be against integrated schools, which was a role-playing game. After the panel debate all children agreed that it was a bad proposal, because they would feel excluded if they would be the only deaf or hard-of-hearing child in a hearing community school where the hearing children would not be able to communicate with them in sign language. However, the children wanted to attend a school together with hearing children, but this would need to be organized based on equality.

The English children living in secure children's homes also discussed about their right to education and they talked about the **limitation of the education they received in the secure unit** and were unable to do the same classes and educational experiments than children in 'ordinary' schools. An English Traveller boy said he should have the right not to take part in education, since 'Travellers are not meant to do education (...) we're meant to teach our own ways' showing internalized oppression again. Many Travellers' experiences of state school education have been associated with experiences of racism or are seen as irrelevant to the education and skills required for family businesses. He also mentioned that he was Catholic, but not allowed to wear rosary beads in the secure children's home.

The Hungarian children living in foster care felt strongly that children have a right to education, which meant to them that children need education for their future "they need education to find a job when they grow up". In addition, they expressed their fear that the lack of education is leading to homelessness.

*“ If children do not learn how to read and write and basic maths, and these are missing from our lives, than we will not be able to form our own opinions and cannot find a job ”.* Hungarian child living in foster care.

The Bulgarian children from the Roma community identified the right to education as a priority since they had **problems with attending classes at school for various reasons**. At the same time they knew older students who wished to continue their education at university, but were unable to cover the costs for it. They raised their right to be able to **afford school and books necessary for education**. In relation to education they discussed the relation between students and teachers and some children shared stories of being **discriminated by their teachers**. The children concluded that they have a right to be treated equally. The children also brought up that the issue of violence and sexual abuse in relation to education and attending safe schools. They said that they have the right to study in a **school free of sexual harassment**.



### **Right to housing (art. 27)**

The UNCRC lays down that children have a right to benefit from an adequate standard of living in article 27. Only the **asylum seeking children in the Netherlands** chose this right as one of their priority rights. They **felt strongly about living in their own house**. They all live together now in an asylum seeking centre in a provincial town in the Netherlands. They liked the place where they live and very important to them is that they felt safe in the Netherlands, since there was no war and they were able to play with other children and go to school. Despite all these positive changes compared to living in their country of origin, they would like to have their own home. One of the children explained that he has a family with two sisters and one brother, with the six of them sharing four beds. This is very tiny. He wished they would live in their own home.

*“ I would be able to play more and have my own bed and sleep more peacefully. And my mum wouldn't be able to watch me all the time ”.*  
Asylum seeking boy in the Netherlands, 12 y.

In none of the other groups the right to housing was chosen as a priority right, though in the Greek group with Roma children one of the girls strongly expressed that *“all children need a warm bed, a roof and to eat healthily to be well ”.*



## Children with disabilities have the right to special care (art. 23)

The right of disabled children to special care is laid down in article 23 UNCRC and this right was chosen by the Swedish deaf and hard-of-hearing children and the asylum seeking children in the Netherlands. One Dutch boy (11 y.) said that “I find it important that children don’t get handicapped or ill. They have the right to be healthy’.

**Positive and negative aspects of being deaf or hard-of-hearing** were discussed by the children and illustrated in drawings. Positive aspects were that they could sleep without being disturbed and you can decide yourself if you would like to listen to someone. Regarding the negative aspect, the children indicated that they were longing to be able to take part in activities that are important to many hearing youth, such as going to concerts and listen to music and go to the swimming pool: it can be difficult to take part in swimming lessons at the pool because ‘you can’t use your hearing aid or cochlear implant and can’t follow along as well – IF you’re there with hearing people, that is.’ The children also discussed that they felt excluded ‘when someone disses<sup>19</sup> me’, examples are given of a deaf child refused admittance in a child-minding section of a grocery store because he was deaf and when a child asked for directions to the town square and was insulted after showing he/she cannot hear. The term ‘being dissed’ refers to the experience of children being discriminated. The children gave many examples of ‘being dissed’ and being bullied. To be dissed is not as systematic at a personal level as to being bullied but it is about discriminative acts. The deaf and hard-of-hearing children could be ‘dissed’, bullied and discriminated within the systems in society.



## Right to Social Security (art 26)

The right to social security (art 26) was chosen by the asylum seeking children in the Netherlands. For them the right to have a secure income is very important. Several children mentioned that if they were the boss in the Netherlands **they would give money to people in need or give them a house.**

*“ I would make everything free. Often I’d like to buy something, but it’s too expensive and I can’t have it. And if things run out, I would make sure there were enough products”. Asylum seeking child in the Netherlands ”. Girl, 11 y.*

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<sup>19</sup> The term ‘dissed’ is generally considered as slang or vernacular, in particular by children and young people and means insulted or dismissed.

The Speak Up! project has highlighted in this section on provision rights how the impact of exclusion gives children a greater awareness of the vulnerability of their rights, threats to them and the importance of their protection. The fact that **awareness of the threats to provision rights was not apparent to the same degree in control groups is a very important outcome of the consultations with the different groups of children.**

## Participation Rights

**The participation rights in the UNCRC** stress the right of children to express their views in all matters affecting the child (art. 12) and their right to have access to appropriate information (art. 17). The children could in addition choose from the right to play (art. 31) and the right of children from minorities to enjoy their own culture (art. 30). A majority of the children felt strongly about their right to express their opinion and to receive appropriate information. Even though not all children chose this right as one of their four priority rights, it came out strongly from the consultations that children felt they have a right to be listened to and that their views were taken seriously. It became clear that the concept of children's right to express their opinion and the right to information are more abstract concepts which were for some groups of children difficult to grasp. The right to play was only chosen by the Greek children, which might be explained that the other groups felt that other rights were more important to them if they could only choose four. Similarly, the right to enjoy their own culture was only chosen by the Irish Traveller children.



### **Right to express their opinion and the right to information (art. 12 and 17)**

The right of children to express their views in all matters affecting the child) and the right to information was chosen by five groups of children, including the Swedish, the Dutch, the Greek, the Hungarian and the Bulgarian children. Since these rights are very related they are discussed in the same section.

The Hungarian **children living in residential care** chose the right to participate as the most important right and the statements made by the children stressed that these children were hardly listened to, **their opinion does not count or is never asked**. In addition, the **children living in foster care** from Hungary all **felt very isolated in their foster families** and found that **foster parents were not prepared or willing to listen to them** nor understand the needs to work on former traumas.

The **significance of participation rights for children in care seems very important to them and parallels similar evidence from other research**

and work carried out with them (see annex on the literature review). One of the results of a lack of consultations was that the children did not have a chance to be 'healed' from their experiences of abuse and traumas, which could have been done by talking about the bad things and injustice that they experienced in their lives. Several children admitted that they often **told their older peers in the residential home about their problems and asked them for advice**. Though the group of children living in residential care was much more informed about their rights than the children in foster care, they had additional needs and required different styles of working than the children in foster care, there was more tension during the consultations and several hard to handle situations occurred. They started off being loud in their behaviour, but as they spent more time together the atmosphere became more relaxed. Their behaviour seemed to be **a cry for more personal attention**, which was voiced by the children who asked for personal conversations next to the group work. Though the children living in foster care did not choose this right as a priority they did talk how they felt isolated in the foster families, often not having experiences of sharing their life story, foster parents not prepared and/or willing to listen to them or not understanding the need to work on former traumas.

Among the asylum seeking children in the Netherlands **no one complained about not being listened to**: the teachers and the staff at the asylum seeking centre were nice to them.

**The deaf and hard-of-hearing children** in Sweden felt they have the right to receive information on emergencies and in public transport situations in a way they are able to understand, which means not via loudspeakers, but for example via written text on displays. A **modernization of information systems taking into account the needs of deaf and hard-of-hearing children** needs to be undertaken. School is seen as an important arena for interaction and participation, but also home with parents, the gym, dormitory and friends. They felt that there is a **need for more education on how to communicate with children in general and with children with special needs in particular**.

The Greek children **chose the right to information due to the earphones depicted on the right's card** and they understood this right meaning to allow them to sing songs and listen to music. Though their choice appears to provide evidence that they misunderstood this sign, they did feel they had a right to sing songs and listen to music, which is an important part of their culture. Due to the misunderstanding of the right to information, none of the children was able to answer the question what sort of information is useful for them and where this information might come from, apart from two exceptions. One of the children

commented on information provided by posters on the dangers of alcohol and tobacco, which could prevent children from not drinking or smoking cigarettes when they grow up.

The Bulgarian children felt that they have a right to participate in more events organized at school or in their villages. They also raised another issue, **early marriages**, which is part of their Roma culture. The Roma girls indicated that they have the **right to decide** 'when to start their sex life and with whom'.

Apparently the right to express your opinion and to be listened to is a difficult right to grasp what it's real meaning is, except for the deaf and hard-of-hearing children. This could be due to the limited available consultation time and these rights are more abstract concepts than many other provision and protection rights. Eurochild therefore recommends to **raise awareness and inform children, in particular among vulnerable children, and professionals working with children about children's rights and the meaning of the right to participate** and to be listened to seriously for children. The Council of Europe Recommendation on child and youth participation<sup>20</sup> supports this need.



### **Right of children from minorities to enjoy their own culture (art. 30)**

Only the Irish Traveller children identified the right to enjoy your own culture as one of the four priority rights. An English Traveller boy living in a secure home also felt strongly about this. This right was closely tied to their own needs. They felt that Traveller culture was not recognized and that many Travellers have to hide their identity to get a job or go to places such as hotels and pubs:

*“ They should be able to enjoy their culture’ and ‘Travellers have their own language Cant and we speak it ”.* Irish Traveller child.

Even though the children found their language very important they did not want it to be taught at school, they did not want the 'settled' children to understand them. The reason for this might be that having their own language and being able to converse without settled children knowing what they were saying gives them a little bit of power in a space where their culture is not necessarily recognized or celebrated. The children talked about the importance of the right to travel and live in trailers and halting sites. The group discussed where the children live and if they were happy with where they lived and all children said yes. This is despite the fact that many of these children live in circumstances, where key basic facilities are not available or provided, such as no electricity or running water and living at the end

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<sup>20</sup> Council of Europe Recommendation CM/Rec(2012)2 of the Committee of Ministers to member states on the participation of children and young people under the age of 18.

of an isolated unlit road. The children's discussions showed that they accepted their circumstances and not see their limitations, as they lack the experience of what is available to them beyond their immediate living circumstances.

The children also raised the Dale Farm evictions<sup>21</sup> in England, which evicted a group of Travellers from a piece of land. The children felt it violated their right to live together in extended families, which is important in Traveller culture. **The children said that they were proud of who they were and where they came from.**



### Right to Play (art. 31)

Only for the Greek Roma children the right to play was very important, even though they were not aware of the existence of such a specific right before they came to the meeting. They felt it was important that children have the freedom to express themselves during play sessions and leisure activities. Some children associated the right to play with negative incidents and unsafe activities. The Greek report explained this due to the unavailability of safe play areas within the vicinity of where the children live. **Most Roma children did not have time to play, since their daily lives consisted of taking responsibility for finding food and bringing in money for the family.** They have to take care of their siblings and in some cases children are left by themselves due to parents who suffer from alcohol and drug addiction. The children who attend the Support Centre for Children and Family are able to take part in lessons as well as leisure time activities, apart from these activities, the children are not involved in any extracurricular leisure activities. The children **wished their family to be involved in their leisure time activities.** None of the children had ever been consulted on playgrounds in their neighbourhood.

## Protection Rights

The protection rights in the UNCRC stress the right of children to be protected from abuse, neglect, exploitation and discrimination. The consulted children could choose their priority rights from the right to be treated equally (art. 2), the right of refugee children to special assistance (art. 22), the right to be protected from torture and deprivation of liberty (art. 37), the right not be abused or maltreated (art. 19), the right to family reunification (art. 10), the right for children without families to be protected (art. 20), the right to identity (art. 8) and the right to be protected from sexual exploitation (art. 34).

The right to be treated equally and not to be discriminated was felt strongly about

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<sup>21</sup> In October 2011 the Dale Farm site in Essex, the UK, on which Traveller families lived were expelled from the site.



by many of the children consulted. Even though not all chose this as a priority right, in discussions about other rights, they all indicated the need to be treated equally. The right for children not to be abused and maltreated was an important right for many children. Many children had experienced violence, including bullying, physical punishment, abuse and sexual violence, themselves or been witness to such violence and abuse. They felt the government has a role to prevent violence and support parents in a non-violent upbringing of their children. The right not to be deprived of their liberty was felt strongly by those children living in secure children's homes as well as the Polish group of children. Both groups came with suggestions on how to improve children's circumstances in secure homes and felt that a child should only be placed in custody as a last resort.



## Right to be Equal (art. 2)



*“ Loneliness and the feeling of being unwanted is the most terrible poverty”.*

Swedish hard-of-hearing child, addressed to Swedish and EU politicians during Speak Up! consultations.

The right of all children to be treated equally was chosen by the two Hungarian groups of children in vulnerable situations, the Bulgarian, the Irish and the English groups.

The Irish Traveller children were unanimous in their choice for the right of all children to be equal. The children had all (but one) experienced discrimination individually.

*“ You should treat people like you want to be treated yourself”.* Irish Traveller child.

Some children felt they were discriminated against in school and not treated in the same way as settled children. Irish Traveller children are often subjected to derogatory name calling by the settled (country) children, such as 'knacker' meaning useless and worth less than others and they are perceived as unacceptable socially. Some children referred to Traveller children as being excluded or not being allowed into some schools. The children discussed their experience with siblings and relatives hiding their identity to find jobs, which they felt was 'very unfair'. The children discussed their experience of discrimination of being followed, stared at by people in town or followed by security when they go into shops. They felt powerless to deal with the external experiences of being followed in shops. **Traveller children did not feel that they could do anything to change their situation at local or at political level** and that they see the same powerlessness from their parents

in similar situations: being refused entry into pubs, hotels, etc. The children have no particular experience of their voices being heard and/or of any positive results from their expression of their difficulties, such as name calling in school.

Both the Hungarian groups of children living in foster care and the children in residential care felt this was a priority right. There were several children of Roma origin in these groups who talked about their experience of racial discrimination, prejudice, pain and humiliation. They were **very keen on expressing their opinion and the need to speak freely about their experiences of discrimination, abuse and exclusion. Parallels** can be seen here **with the Irish Traveller group**.

The Bulgarian Roma children felt that they had to be **treated equally, in particular in their access to education**.

*“ Some children are from Spain and others come from other countries. We aren’t all the same, but it’s essential that we are all treated as equally important ”.* Asylum seeking child in the Netherlands.

The children living in secure children’s homes in England knew they had a right to be treated equally and not to be discriminated against and they placed this right in the top four rights. The children talked about the differences between children and described these as the way someone acts, their age, their background, their language and the way they learn.

*“ I think all children should be treated the same, but maybe it might look in different ways because they’ve got different abilities or some people are different to other people, but I think they should also be treated equally on other things ”.* English girl, 14 years.

## **Age discrimination**

The children in secure children’s homes in England described that they felt not very happy, isolated, hurt and like they are different when **they were treated differently from other children their own age**. Some children raised being treated differently because of their age.

*“ Some adults these days don’t listen to what us kids say. Am I right or wrong? ”.* English boy in secure children’s home.

Some children complained that as a child you were unable to do certain things, such as employment. One child said that young people used to be able to work, but now they have less to do and are more likely to get involved in crime. This might be caused by another threat to being treated equally, which are economic

inequalities and the lack of equality of opportunities and the impact this can have on a child's life. On the other hand, these children acknowledge the impact that good education can have on their future lives.

*“ I think the rich people they go to high school and start getting a better education than lower people who don't get higher education so then that gives them more opportunities for them to get better jobs, better qualifications, better everything. On the other hand the people who are poor, they're more likely to sell drugs and stuff like that...”*  
English boy in secure children's home.

Some of the children living in secure children's homes raised their experience of being treated differently in custody because of committing a crime.

*“ They treat you differently because you've done something wrong, but **we all make mistakes (...)** **all your opportunities are gone, your freedom has gone,** ... I think this way, you have nothing to live for so basically you're in here ... ”* English boy in secure children's home.



## **Refugee children have a right to special assistance (art. 22)**

The asylum seeking children from the Netherlands and the Greek children chose the right of refugee children to special assistance as one of their priority rights. The asylum seeking children have chosen this right, because of their own experience of being an asylum seeking child in the Netherlands. One of the children's biggest wishes is to have a residency permit (girl, 8 y.), another child talks about his country Iraq where there are refugees.

*“ Somebody has to help them. They need food and water from their friends or people that live there ”.* Refugee boy in the Netherlands, 9 y.

Other children have experienced war and **wanted to stop all war**, since they are afraid of it.

The Greek Roma children identify themselves as a minority population in Greece, even though they are all Greek citizens, they are often facing social exclusion, similar to what refugees and illegal immigrants face. There are high numbers of refugees living in Athens and the children were, after explanations of the facilitators, able to understand the situation faced by refugees and **they felt that it was their duty and that of the state to provide food, a home and special care to those**

**living in Greece as a refugee.** The children recalled seeing refugees sleeping on the street and they were concerned as to how they would survive. One of the Greek children felt that all people from Pakistan and Albania should be forcefully removed from Greece, she commented that *“ Greece belonged to the Greek and Roma only... and the Turkish ”*.



### **Right to be protected from torture and deprivation of liberty (art. 37)**

The right to be protected from torture and deprivation of liberty was chosen by two groups of children in vulnerable situations, those in the UK and in Poland. The choice of the English children was obvious since they all live in secure children's homes. When they were asked what torture meant to them they mentioned violence, rape and unwanted touching. The children knew that even if they break the law, they have the right to be treated in a human way and their rights to be protected.

In relation to children's needs to be protected from torture and deprivation of liberty, several things were considered important. One child found it important that **children and adults in custody are not placed together**. Another child highlighted the **importance of phone calls and visits for keeping in contact with the family whilst in detention**. They also stressed that children who are in secure units for welfare reasons should be treated differently to the children who are detained through sentencing.

*“ ... this place... they claim for it to be more lenient than prison, but it feels like prison, because we don't do a lot of things and the staff treat us like shit, yes? And, there's certain people who work here, who ... don't care about us... but they just work here for the sake of the money and working ”*. English boy with experience in a secure children's home.

In general the English children felt that children should **only be placed in custody as a last resort and alternative sentences should be given to children**. In addition, staff in juvenile justice institutions should be trained to work with children and parents or other trustworthy persons need to be present throughout juvenile justice processes.

The Polish children discussed the fact that children need to be protected from deprivation of liberty and they, like the English children, felt that children and adults should not be in the same prison and children should be able to maintain contact with their parents. Some of the children had been in touch with the legal

authorities, for example as witness in a car accident. They discussed what legal sanctions should be given to children for committing crimes and they mentioned a range of alternative sentences, such as community services at school, cleaning toilets, pay for it. Several children felt that parents are responsible for their children's behaviour. Another boy (12y) stated that children should not be deprived of liberty. They felt that children would learn bad behaviour in prison, as was also stated by the English children. Some children felt that children could go to prison for a short period, but should be able to keep in touch with their parents.



### **Right not to be abused or maltreated (art. 19 )**

The Polish, English, Bulgarian and both groups of Hungarian children chose the right to be protected from abuse or maltreatment (art. 19) as one of their four priority rights<sup>22</sup>. The Polish children were of the opinion that a child must not be abused mentally or physically, since that might make them feel hurt, angry and it may lead to suicide. When the children continued discussing violence, abuse and bullying, they described having been **witness of incidences of violence**.

*“... His mother beat him with a cable and he wanted to commit suicide by jumping from the second floor”*. Boy, 12y.

Another boy (12y) saw the violence on the playground at school. When the children talked about their **own experiences of violence**, one boy (12y) said

*“ I wanted to jump out of the window ”*.

The children were asked whether they had ever had such a day in their life that they thought about committing suicide by throwing a candy paper in a cup under the table. **Nine out of the twelve children** had thrown in their candy paper, **which meant they had thought about committing suicide, which meant that it was very important for them to talk about their quality of life**. The facilitator was surprised about this very sad outcome.

The Bulgarian Roma children spoke about problems at home with their parents and said that many parents use physical punishment as a method of disciplining their children. The children indicated that they have a **right not to be physically punished** and they felt that their parents **should use conversation instead**.

<sup>22</sup> UN CRC Committee General Comment No 13 'The right of the child to freedom from all forms of violence', (18 April 2011) refers in paragraph 26 that 'victims of torture, inhuman or degrading treatment or punishment are often children who are marginalised, disadvantaged and discriminated against and who lack the protection of adults responsible for defending their rights and best interests. This includes children in conflict with the law, children in street situations, minorities and indigenous children, and unaccompanied children'.

The English children described that **abuse can be physical, sexual and emotional. Bullying** was also identified as a form of abuse '...because you're making the other people feel that they're worth nothing and that can make their self-esteem low and they might commit suicide' (boy). The English children living in secure homes did not talk so much about their own experience of violence or abuse, but more about other children who had this experience.

The Hungarian children discussed **openly their experiences of abuse, misuse, degradation, humiliation** used by the staff in the residential home. These were discussed as part of issues related to hierarchy and it was mixed up with all kinds of disciplinary measures and forms of punishment. The children also described the role of parents and the bad memories of parental abuse. At the same time the positive role of some neighbours, other family members helping them in crisis situations was mentioned. Several children living in foster care found that **corporal punishment** was a form of acceptable discipline, though other children said that 'from hitting one cannot learn'. These children had **no information on the prohibition of corporal punishment in Hungary**. Similar to the children in residential care, the children living in foster care had also experienced abuse and felt hurt without having received any adequate services to heal and express their feelings and anger.

The children then **came up with proposals for policies and actions to prevent violence**. The Polish children mentioned that there should be more cameras, more police and more teachers, but also to 'prohibit warehouses' and 'selling little girls' and remove children for adoption. Others talked about drugs and the need to 'prohibit the cultivation of drugs' and 'destroy these pills'. The English children felt strongly that **the government had a role to identify intentional and unintentional maltreatment and to prevent it from happening**, by for example providing more information on abuse and where to report this. They also raised to provide **support to parents to prevent maltreatment of children** and to **listen to victims of abuse**. Schools could also have a role in identifying cases of abuse.



### **Protection from sexual exploitation (art. 34)**

The right to be protected from sexual exploitation is linked to article 19, the right not to be abused or maltreated. This right was not included in the children's rights game list of rights for children to choose from, but was added by the Swedish facilitators as research in Sweden has shown that girls and boys with disabilities, 15-16 years of age, report a significantly higher rate of sexual debut than adolescents with no disabilities.<sup>23</sup> The sexual debut can be desired or may be involuntary and occur in an abusive situation. Another study revealed that force at first intercourse

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23 Brunnberg, Lindén Boström & Berglund, 2009.

is more common among girls aged 17-18 with multiple disabilities or one disability, than those without disability<sup>24</sup>. These studies show that **disabled children are more vulnerable to sexual abuse than children without a disability**.

Indeed, the Swedish children chose this right as a very important right. They knew of peers, even boys, who had been victims of abuse. They also knew that the victims had been helped, contrary to the story of some girls in the Swedish 'control' group, who felt that the police did nothing, when they called in the police when they witnessed an ongoing sexual abuse (see page ..).



### **Right to family reunification (art. 10)**

The asylum seeking children in the Netherlands chose the right to family reunification as one of their priority rights, they **felt that the right to stay together as a family was very important to them**.

*“ I think it's important that we can stay together with our whole family and that nobody gets killed. Otherwise I will be very sad and I will have very bad memories ”.* Asylum seeking girl in the Netherlands, 8 y.



### **Right to an identity (art. 8)**

Only the Polish children chose the right to an identity, including a name, nationality and families ties as a priority right. They **felt it was obvious that all children have a right to an identity**, to practice their religion, to use the language of their group and to lead their own cultural life. They knew children from minority groups, but they did not know any children without a name or nationality.

## **CONTROL GROUPS: SPECIFIC OUTCOMES**

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### **Provision Rights**

In general the **control groups chose hardly any of the provision rights as one their top four priority rights**, which might lead to the conclusion that children in the control groups are taking these rights for granted and do not think about these rights as needing to be implemented for themselves. Among the provision rights chosen, only the right to health care was chosen by several groups.

Children spoke about their own experiences with health care and medical

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<sup>24</sup> Brunnberg, Lindén Boström & Berglund, 2012. This article is published in Child Abuse & Neglect 36 (2012) 285– 295.

professionals, where the Polish children mainly had positive experiences, while the Swedish children were a lot more negative about not being listened to and taken seriously by health professionals. The right to education was chosen by the Dutch children, who felt that education was very important for their future, and the Bulgarian children, who linked this to free education. The reason for the Bulgarian 'control' group children to choose two provision rights from the three priority rights could be explained by their low to middle social status, which makes them experience to some extent a vulnerable situation as well.



## Right to Health Care (art. 24)

The Dutch, Polish, Bulgarian and Swedish control group chose this right as one of their priority rights.

The **Dutch children** discussed the right to health and said 'I find the right to health very important, because you will live longer and happier if you are healthy' (Dutch boy, 12 y) and 'Children who are different from others also have a right to health' (Dutch girl) and 'All children should have this right' (Dutch girl), 'Also ill children count' (Dutch girl, 14 y).

A girl describes in the Speak Up' Magazine<sup>25</sup>, produced by the group of children, that **her life looks normal, but she has diabetes**, 'which is a job in itself'. 'I'm also busy making sure that my blood sugars are good (...) if this is not the case I will definitely get low marks. People do not always understand and if I need to measure my blood sugar, I often get weird looks. But I don't suffer too much from my diabetes'. This stresses the link with **equal rights for all children**.

The **Swedish children** felt that the right to health and health services is very important and did not feel respected in the way they were treated by health professionals and they were not being listened to.

According to the **Polish and Bulgarian children** the right to health care means that everyone has the right to free medical care. The experience of the Polish children with medical staff was in general very positive, they felt they were treated in a nice way. However, they also observed that the medical staff mainly spoke to their parents to explain things to them, although some also asked the children questions. The Polish children **mainly spoke positive about their experiences regarding their right to adequate health care**. The issue of the child's right to **health care, equality and discrimination** emerged as well.

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<sup>25</sup> Produced by the children consulted in the Netherlands [www.eurochild.org/?id=454](http://www.eurochild.org/?id=454)





## Right to Education (art. 28, 29)

The Dutch and Bulgarian children chose this right as a priority right:

*“ Without education children have no future ”.* Dutch girl, 14 y.

and *“ When children are well educated from generation to generation, science will be kept alive ”.* Dutch girl, 13 y.

The Bulgarian children stressed the need to raise the budget for education to **ensure education would be free** for everyone.

## Participation Rights

Many of the children in the 'control groups' chose the right to express their opinion and the right to receive information. Even those groups that did not choose these rights as priority rights felt strongly about the need to have their voice heard and being listened seriously to. They talked about how adults, including parent and carers did not listen to them. The right to play was chosen by the Dutch and English children, the last group felt that the word play should also cover all kinds of leisure time activities.



## Right to express your opinion and the right to information (art. 12 and 17)

The Hungarian, English and Irish children chose the right to express your opinion and/or the right to information as their priority rights. However, several children in the other countries felt strongly about their right to be heard and taken seriously as well.

*“ Everybody has a right to their own opinion ”.* Dutch girl, 13 y.

*“ It is important that children can express their opinions, because they often have good ideas ”.* Dutch girl, 14 y.

The **Irish children** chose both the right to information and the right to express their opinion and have a voice as two of their four priority rights. Regarding the right to information the children felt that parents and adults do not trust them and therefore not share enough information "parents need to tell us the truth" (Irish girl) and 'more information about the world how important it is that you have access to information around the world'. The young people felt that they

have a right to 'family information' and 'information on what is going on in the school'. **They felt they were entitled to information and at the same time they should be consulted on issues which affect their lives**, in school for example. Which is directly linked to the right to be able to give your opinion and to being heard. The notion that their voice would be heard in Brussels appealed to the children. The children gave numerous examples of **not being listened to by their parents**, who never had time to listen to them 'in another five minutes, just another five minutes' and they did **not have a voice at school** at all, despite having a class representative. Because they felt powerless in many situations to have their opinions heard, this led to a level of disrespect for adults, they felt 'really annoyed, angry'. They felt the messages they got from adults about how they should behave wasn't modeled by the adults themselves.

*“ Pay more attention to us. We do have a very big voice and not just because we are small and stuff doesn't mean we haven't things to say ”.* Irish girl.

The English children felt that **some adults were more respectful of their views than others, in particular parents, grandparents and friends**. One boy (15 y) had given evidence in a court case following a road accident and he felt that his views were taken seriously. Two boys (15 and 16 y) mentioned incidents where their views were not taken seriously by teachers at school. The other children also felt that **teachers in general did not listen to their views** 'because they don't care, they don't like you'. The children discussed the role of children who had to represent the students' views to the staff. They felt that these children did not represent their interests accurately, they took the sides of the teachers or only brought up issues they wanted to. The children felt 'angry', 'annoyed' and 'fed up' when adults do not take their views seriously. None of the children had experience of being involved in decision-making processes at local, national or European level.

The Hungarian children felt that when children have problems it would be essential to sit down with them and ask them about their problems and how they feel. Parents should be present as they could learn from the discussion. However, they also felt **that adults are not listening to them** as they **are not interested in the opinion of children** as they have got the same experiences in their childhood.

The Bulgarian children indicated that the right to participation meant that they had the **right to express their opinion and to make decisions for their future**. Most of them face difficulties in determining what they would like to do in the future and how they can exercise their rights.



## Right to play (art. 31)

The Dutch and English groups chose the right to play as one of their priority rights. Interestingly the Greek children felt strongly against choosing this right, they felt that children would not need this right, since all children already have the opportunity to play. After further explanations by the facilitators they realized that there were children living in vulnerable circumstances, who were due to work, household tasks and school commitments, not able to play.

The Dutch children chose the right to play as one of the key children's rights 'by playing children can develop better' and 'just be a child and play instead of working or carry responsibility is very important'. The children's ideas about the right to play stressed **the need for children to be able to enjoy being a child and children can learn by playing.**

The English children **objected against the word 'play', since they felt it did not describe the activities they took part in.** The children took part in different leisure time activities, though some children mentioned they had not much free time because of school work and one boy had caring responsibilities at home. Most of the children had access to fields to play on. Some felt that the local swimming pool was unaffordable. They felt there were **not always enough leisure activities** for them to get involved in. They also raised concerns about the **safety of playing** on the road and the public skate park because of the kinds of people hanging around there. The children that attended organized group activities said that the adults generally listened to what they had to say and respected their views and they were asked about their opinions. However, no-one had ever asked them about what leisure time facilities they would like to have in the area and they felt it **would not be worth contacting a Member of Parliament, since they would probably not read their e-mail, but delete it.**

## Protection Rights

Many of the children chose protection rights as being priority rights, in particular the right to be protected from torture and deprivation of liberty, the protection from abuse and maltreatment and protection of children without families. Even though these children did not have direct experience with the violation of these rights in their daily lives, they either knew about incidences of violence in their neighbourhood, for example in the Polish part of the city where many children live below the poverty level, or they were concerned with bullying. Bullying is considered by both vulnerable and non-vulnerable children as an act of violence which needs to be combated. The right to be treated equally and not to be discriminated was also felt strongly about by a majority of the groups, similarly to the children in vulnerable situations.



## All children are equal (art. 2)

The right for all children to be treated equally was chosen by the Hungarian, Greek, Irish, Dutch and Swedish children. They discussed being discriminated due to various grounds, including ethnicity, disability and nationality.

A girl (13 y.) describes in the Dutch Speak Up! Magazine how **bullying** affected her time at primary school. She was bullied because her father was Moroccan:

*“Children would suddenly start talking like foreigners, with weird grammar. I wouldn't have minded that, although it was annoying, but I would also get bullied for not being the typical 'pink girl'. I'm more the kind of girl that loves football. Primary school was actually hell for me and I cried at night. Fortunately, in high school it got better (...) but I think it will always remain a painful experience”.* Dutch girl, 13 y.

Two Dutch girls (13 y.) talk about their **disabled brother and sister**. ‘Some ‘normal’ people do not have any consideration for people with disabilities. This hurts us a lot because they are human beings as well’. When people swear at their brother or sister this is an insult to the girls and they believe that all children are equal and ‘all children are entitled to love and care and all children are entitled to play. This includes children with disabilities’.

*“Everyone is equal: all people should be treated the same and not treated differently because of their colour, their clothes, etc”.* Irish girl.

Half of the **Polish children** felt that the children of waste pickers should attend special schools ‘one big school should be built and one part should be reserved for them, and one for us (Polish boy, 12 y.) or ‘go to boarding school’. The other half of the children felt that these children should attend ‘normal’ school. Some argued that Roma children should not attend the same school as Polish children, though others claimed that ‘they are just like us’. However, when the children discussed as one of their priority rights, the right for all children to be equal, no matter what their background is, they didn't realize that sending Roma children to separate schools is discrimination as well. The facilitator used this opportunity to have a discussion about discrimination with the participants and encouraged them to see that segregating Roma children in education is discriminatory. This provided an important **learning experience for the children on the right of all children to be treated equally**. Several children told about being forbidden by their parents to be in contact or play with some other peers, for example one girl (12 y) was forbidden to talk to another girl living in her flat, because everyone knew that her dad was in prison.

The Hungarian children identified this right as a priority right:

*“ I think it does not make any difference what nationality is a child, whether it is a boy or girl, I mean children are equal ”.*

The facilitators told the Greek children that they had completed similar sessions with a group of Roma children from Athens. The children were unaware of the specific vulnerabilities of Roma populations and showed a great deal of interest in finding out more about the Roma children. They asked if they could write to the Roma children to explain to them that they were regretful of their circumstances. The letters show a great deal of sympathy by these children for the Roma children and **the children were very concerned as to why the rights of Roma children are not protected, despite the existence of the UNCRC**. The children said that they would like to organise a day or party with the Roma children and suggested to share their fortune with them.

The Greek children were familiar with the right that all children should be treated equally and they felt that **discrimination on the basis of race, ethnicity and colour was “very bad”**. One of the participating children had a speech impediment and had difficulty in sounding out his words and took a considerable time to talk about himself. He was, however, at no point during the consultations ‘rushed’ or teased by any of the children. **Despite his disability, he was treated equally by the other children**. The children commented that they all felt able to be themselves and respected for their differences at their school.

The Irish children were aware that many children were not treated equally, but their main focus was on skin colour, Traveller and disability status. In this respect they did not focus on their own lives. When they were asked to reflect on their own situation and whether they were treated equally this brought another dimension for them and they brought up being bullied for who you are or being treated in a mean way by sixth years when you start secondary school. In this regard they also found that **being treated with respect was very important** to ensure everyone is treated equally. For example inconsistencies of messages of adults or inconsistent behaviour of teachers was considered as disrespectful of children and ‘people older than you think they can boss you around’.



**Refugee children have a right to special assistance (art. 22)**

The Dutch children may have chosen the right of special assistance to refugee children as one of their priority rights because they were informed about the meeting of the asylum seeking children as part of the consultation process. They

felt that 'refugee children have an extra right to protection. They are often very afraid, are sometimes ill and have the right to be taken care of' (girl, 13y.). The children proposed to **change asylum seeking procedures** in the Netherlands in the advantage of asylum seeking children and suggested, like the asylum seeking children **speedy procedures** and the **possibility for the parents of asylum seeking children to work**. They found that asylum seeking **children should not be detained and have a right to more privacy**, instead of living with a whole family in a small room.



### **Right to be protected from torture and deprivation of liberty (art. 37)**

Both the Greek and Polish children chose the right to be protected from torture and deprivation of liberty, even though they had not been in contact with juvenile justice themselves. They commented that **children should not be placed in a prison cell**, since these are places for adults. Crimes committed by children should be dealt with sensitively. Young children might not be able to know if they have done something wrong. It was also raised that children should be able to **maintain contact with their parents** if imprisoned. The Polish children also thought about **alternative sentences**, such as house arrest, placing a child under the protection of a guardian and explain to the child that he/she cannot behave like this.

The Greek children felt that it was the responsibility of parents to ensure that children do not get into situations where they may be able to commit a crime. The children **were shocked to hear that there are incidences where children are exposed to imprisonment and torture. The children questioned how this was possible as there were rights in place to stop this happening.**



### **Right not to be abused or maltreated (art. 19)**

Five of the groups consulted, the Irish, Greek, Hungarian, English and Polish, chose the right of children not be abused or maltreated as one of the priority rights to be protected. **They all felt strongly that children should not be hurt or abused, either physically or mentally. They found that children need to be protected against abuse.**

The Irish group mainly focused on **being bullied**, some children spoke about personal experiences of being bullied. Consequences of being bullied were isolation, sadness, lack of confidence. Some of the children described being fearful of teenagers on the streets or in their estates, since they had been chased or intimidated by these groups.

The Greek children expressed that no child should be hurt in anyway and by anyone, including parents. The children were aware that the following acts were against the law, having sex with a child; beating up a child; not taking care of their children. They felt that the police should arrest anyone who did not treat a child well. None of the children reported being abused or bullied in any way.

The Hungarian children mentioned child abuse and the prevention of it as an important issue to them. Some of them were hit at home, but did not want to talk about this. They said that most of the parents are using verbal aggression and some children were afraid to tell everything they did to their parents. They knew of abuse by neighbours and families from friends.

The English children also spoke about 'neglect' and found that when parents cannot afford basic needs such as food and heating, this could lead to the 'neglect' of children. The children discussed what they could do if they would be abused, they mentioned to go to the police, a friend's house or contact NSPCC (National Society for the Prevention of Cruelty to Children).

The Polish, Greek and English children felt that no child should be abused, either physically or mentally. The Polish and Greek children felt that when a child is treated badly, then he or she would also badly treat others. The children could mention numerous examples of abuse, including children who work in the household and the abuse of children as soldiers (known from the media). The children proposed that **actions be taken to eliminate all violence against children.**

Overall the children proposed to **give a role to the government** to prevent and protect children from violence and the children saw a role for teachers to monitor abused children. The children mentioned that teachers should be asked if they were aware of any children being abused and if so the children should be visited in their houses. The children also proposed to do regular unexpected/unannounced checks in the houses where children live. The English children mentioned the **role of social services**, which could provide help to both parents and children. They were concerned that the police and teachers would not believe them if they would report abuse, unless there was evidence and they were afraid about whether confidentiality would be kept. Similarly, the Swedish children discussed the need to be protected from sexual abuse and the need to be listened to seriously when reporting this to the authorities. These outcomes show the need for listening to children seriously and to **treat reports of abuse confidentially.**



## **Protection of children without families (art. 20)**

The Bulgarian, Greek and English children chose the right to protection for children without families as one of their priority rights.

Though the English children had no experience of being in care, several of the children knew other children in care and one boy had almost been placed into care, but now lived with his grandmother. The children felt that all children in care should be part of a family and **they should all be treated equally**. They also felt that children should have **a say in care decisions**, such as the people they are placed with, whether they should move schools. They felt it was **not fair for children in care to be moved around often** as this can have an impact on many areas of their lives. They felt that there should be one child per carer to ensure each child gets enough care and attention.<sup>26</sup>

The Bulgarian children felt that **the number of abandoned children was an indicator for measuring whether children's rights had been protected**. The living conditions for abandoned children would have to be improved and homes should be found for these children.

Despite that none of the Greek children had any experience of living in care they were aware that special institutions exist where children with no families or parent live all together. Throughout the consultation process the children associated all care responsibilities and placed their utmost trust in their own parents. They felt that parents were primarily responsible for the education, health care and overall well-being of their children. The children proposed that if adults were not able to look after their children, **these children could be looked after by adults without their own children** or the **government should build safe places** for these children to live.



## Right to an identity (art. 8)

Though only the Hungarian control group selected the right to an identity, a name, ethnic background and family as a priority right, the Irish children felt very strongly about this right as well. They felt that **'identity is more than a name and nationality, it's about who you are'**. Not having an identity would mean that you are a 'nobody' and no name is disrespectful.

## COMPARATIVE OUTCOMES BETWEEN EUROPEAN COUNTRIES

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The figure next page shows the rights children have selected in each country as their priority rights regardless of their circumstances and cultural background.

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<sup>26</sup> United Nations, 'Guidelines for the Alternative Care of Children', A/HRC/11/L.13, 24 February 2010 and Council of Europe Committee of Ministers, Recommendation Rec (2005)5 on the right of children living in residential institutions, 16 March 2005.



**Priority rights selected by the children in almost all of the eight countries** that participated in the consultation, include **the right to health care (art. 24), the right to education (art. 28, 29), the right to express your opinion and the right to information (art. 12, 17), the right for all children to be treated equally (art. 2), the right not to be abused or maltreated (art. 19)**. The selection of these rights indicates that there is no difference between cultural background and countries for the selection of these rights. These rights are basic rights for most children in all of the eight countries that participated in the consultations, which becomes clear in the overall conclusions of the study.

In some countries children chose very different rights, in particular in the Netherlands, where children attached importance to refugee rights, family reunification rights, the right to play and several provision rights such as housing, disability rights and a secure income. In Sweden the right to be protected from sexual exploitation was considered as crucial due to experiences the children or friends of the consulted children had with violations of this right.

**No specific conclusions can be drawn regarding the selected rights per country**, there is no pattern which would indicate that children in Western European countries, the Netherlands, Sweden, Ireland and the UK, select different rights from children in Eastern, Poland and Hungary, or South-Eastern European countries, Bulgaria and Greece. The key selected rights are similar in all of the countries in which children participated in the consultations and the other selected rights are to a large extent linked to children's own experiences or knowledge, such as the rights of refugee children and disabled children.

## Children's rights selected by children by country

UNCRC articles	24 Health	28,29 Education	27 Housing	23 Disability	26 Secure Income	31 Play	12,17 Opinion Inform.	30 Minorities	2 Equal	22 Refugee	37 Liberty	19 Abuse	10 Family Reunif.	20 No family	8 Identity	34 Sexual Exploitation
Bulgaria	X	XX					X		X			X		X		
Hungary	X	X					XX	XXX			X	XXX			X	
Greece		X				X	X		X	X	X	X		X		

Ireland	X	X					XX	X	XX			X				
NL	X	X	X	X	X	XX	X			XX			X			
Poland	XX								X		XX	XX			X	
Sweden	XX	X		X			XX		X							XX
UK	X					X	X		X		X	XX		X		

## Children's Recommendations to improve the protection of children's rights

According to **article 4 UNCRC States have an obligation to undertake the measures** for the implementation of the rights recognized in the UNCRC.

In cases where children did come up with proposals for their national authorities or the EU, **the children in vulnerable situations and the children in the control groups had similar recommendations**. However, it is noted that the children in the control group had more ideas and proposals than the children in vulnerable circumstances, who often felt it difficult to express themselves and come up with concrete ideas, however they could express clearly which living circumstances and situations had to be changed or improved.

Even though children received an explanation about the European Union and how it works, including child-friendly information material, they found it far more difficult to think about solutions for children's rights violations and recommendations to the EU. However, several of the recommendations relevant for national governments are equally relevant for the EU institutions.

The **recommendations below have been brought up by the children themselves** or have been drawn out of the consultations with the focus groups. These are linked to the recommendations for national authorities and the EU presented at the beginning of the report.

What did children say to improve the protection of children's rights?

### Provide information on children's rights and ensure children can have their voice heard

- ➔ Write a book on children's rights for all children to take home 'Every child would take at home a book, which would present the children's rights. What a child is allowed to do and what he isn't' (Polish girl, 12 y.)
- ➔ Children should be told about children's rights from birth onwards 'I would read [to my child] about children's rights from his birth' (Polish boy, 12 y.)

- ➔ Receive information on children's rights via appropriate channels (e.g. none of the Hungarian vulnerable children mentioned parents, carers, teachers or group home staff or media as a way of learning (media is only used for playing games)
- ➔ Children must be taken seriously by the police when they report (sexual) abuse of children (Swedish children)
- ➔ Ensure that there are more television programmes which discuss children's rights (Hungarian control group)<sup>27</sup>
- ➔ Do more to ensure that children retain the **child's right to preserve its identity** (Polish girl, 12 y)
- ➔ In emergency situations in health care and transportation make use of modern technologies to communicate. 'Everyone is entitled to receive information, such as the subway or on the train, we deaf and hard-of-hearing have the right to get information just like any other' (Swedish child)
- ➔ Organize education for children with disabilities in a new way, on the basis of inclusion and equality, to ensure that children's opinions are listened to (Swedish children)

## Ensure Equal Treatment for all Children

- ➔ **Support poor families financially** to enable them to send their children to regular schools
- ➔ Organize education for children with disabilities in a way that all children are treated equally, feel included and are listened to seriously
- ➔ Create **education for all children**, including poor children
- ➔ Ensure all children can have **free medical treatment**, including poor children
- ➔ Ensure that information in emergency situations is both auditory and visual
- ➔ Ensure the use of interpreters and **modern technology for communication in emergency situations** in health care

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<sup>27</sup> The Universal Education Foundation (UEF) developed in partnership with different ministries and several groups across the territories in Palestine initiatives to support children's well-being, including a weekly TV programme to reach the wider public. This initiative proved to be very successful.

- Raise taxes if finances are needed to pay for schools and medical treatment for everyone
- Adults should **give children the opportunity to speak, provide children with information, ensure children are listened to seriously and children should be able to vote**
- To address **economic inequality provide grants** to parents to pay for basic needs such as food and clothes in the first years of their children's lives and provide grants to young people who cannot afford to pay university fees to improve their access to life opportunities

## Stop Child Abuse and Violence

- Install more cameras and have more police
- Teachers need to monitor and supervise incidences of violence
- Prohibit 'whorehouses' and selling of children
- Combat the dealing in drugs and pills
- **Several children felt that the government is responsible for preventing children to be abused. The government has a role** to identify intentional and unintentional maltreatment and to **prevent it from happening**, by for example providing more information on abuse and where to report this
- Provide support to parents to prevent maltreatment of children
- Authorities need to listen to victims or witnesses of abuse
- Police, professionals in custodial settings, health care professionals and other authorities need to be informed about their responsibility to provide information to children and listen to them
- Ensure that staff in different settings are trained to work with children

## Stop Children's Deprivation of Liberty

- **Ensure that children are not treated in the same way as adults in juvenile justice institutions** and ensure the staff in custodial settings is trained to work with children
- **Stop placing children into custody unnecessarily**, since it causes a substantial impact on their lives and raise awareness on this with adults

- Introduce **alternative sentences** such as reparations to the victim, electronic tags, indoor curfews and work with the youth offending team
- **Listen to** what young people suspected of committing a crime have to say
- **Listen to children and young people who report an offense**
- Both parents and the government have a role to play in protecting children from torture
- **Parents should be present with the child throughout the criminal justice process to help protect their rights** or another adult could fulfill that role

### **Ensure special assistance to Refugee Children.**

- Change the asylum seeking policies and procedures in the advantage of refugee and asylum seeking children: including speedy procedures to ensure clarity fast and asylum seeking children should not be detained and need more privacy in the asylum seeking centres: **'speed and clarity is necessary! But in a human way'**

*“ End all wars so that people stop fleeing from their country to the other ”.* Polish boy, 12 y.



## 5. Conclusions

This chapter presents the conclusions based on the findings from the focus group consultations with children. The conclusions focus on general results from the consultations and are compared with conclusions of the Eurobarometer reports on children's rights.<sup>28</sup> The conclusions and recommendations are build up in three sections. The first section interprets what the children have said to improve the protection of children's rights. The second section focusses on what we have learned from the consultation process with children in vulnerable situations and the children in the control groups. The last section summarizes the key recommendations presented in the beginning of the report based on the outcomes of the children's consultations.

### INTERPRETING WHAT CHILDREN SAID

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*‘‘ We have a right to have our voice heard and to receive information ’’*

Children want to be consulted, to be listened to and to have their views taken seriously. This is not only a conclusion because many children prioritized the right to participate and to be listened to, but the evaluation carried out among the children consulted showed that the children genuinely enjoyed being listened to and learning about their rights. In particular children in vulnerable situations would like to be consulted in small groups such as focus groups or world café style, but also through individual conversations. According to one of the facilitators **some children were 'hungry' for personal attention to be listened to and taken seriously.**

Moreover, a **lack of 'child-friendly' information** can increase the child's sense of vulnerability. There is a **need for more child-friendly information on children's rights** and on how children can implement these rights in practice and where they can go when their rights are violated. This means not only include children's rights education in the national educational curricula, but also ensure that service providers and professionals working directly with vulnerable groups are trained to provide information on the rights of children<sup>29</sup> and to listen to children.

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28 European Commission, Eurobarometer, Qualitative Study, 'The rights of the child, Aggregate report', October 2010, which focused on the consultation of 'privileged and vulnerable groups of children aged 15-17'; and the Eurobarometers on the Rights of the Child, 2008 and 2009.

29 An example of human rights education has been produced by the Council of Europe: 'Compasito', a manual on human rights education for children.

## The long-term benefits of listening to children:

*“... I’m just saying if you pay more attention to people our age you’re more likely to have a better future. If you’re not paying attention to something, let’s say you’re baking a cake, you don’t read the recipe properly or you try and make your own recipe and it doesn’t come out as you want it, you’re going to feel like you have done a mistake”.*  
English boy.

In the Speak Up! consultations and the Eurobarometer surveys both the need to be able to participate in decisions affecting children’s lives and the need to have more information about children’s rights were highlighted as important.

The outcomes of the Speak Up! consultations show the need to **spend sufficient time with children. In particular the groups of children in vulnerable situations** needed more energizers and creative activities to keep up their interest. More time ensures the possibility **to build up trust between the facilitators and the children and between the children themselves.** In the groups where children already knew each other they participated more actively and openly than in groups where the children were all new to each other, as is shown by the Hungarian example of the children in different foster care families, who did not know each other and the children living together in a residential home, who knew each other from the residential home. **Key to the active participation of children is that they can not only express their views, but that they are listened to, taken seriously and can see the results of their involvement.**<sup>30</sup>

The age of the consulted children for Speak Up! was lower than the young people consulted for the Eurobarometer survey. This had however, no impact on the contents of the discussions and shows that with well-qualified facilitators and a good methodology, children of different ages are able to talk about their rights. Even children as young as 7 years old, in the case of the asylum seeking children in the Netherlands, can express their views about their rights. For consultations with children of different age groups, it might be recommended to split up children in different age categories and to tailor the consultation methodology to the age group participating in the consultation.

*“We all should be treated equally and need to be respected”*

In the Speak Up! consultations **the right to be treated equally was felt very strongly** about among many of the children, in particular the children in vulnerable situations, but also the control group children felt the need for equality. This was

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<sup>30</sup> Council of Europe Recommendation on child and youth participation supports this need: CM/Rec(2012)2 of the Committee of Ministers to member states on the participation of children and young people under the age of 18, 28 March 2012.



raised not only in relation to discrimination based on different grounds, but also in relation to provision rights such as the right to education, the right to health care and the right to housing and in relation to the protection of specific vulnerable groups of children such as disabled children, refugee children and children in care. The issue of being bullied was also raised by children in several of the groups.

Children felt that all children are equal, irrespective of their age, background, gender, ethnicity, race, disability, nationality and socio-economic class. **Children want to be respected for who they are** and they therefore need to be seen as competent partners in society. Children felt empathy for the needs of other children in marginalized situations.

When analyzing the outcomes of the consultations with the children it is clear that the rights as laid down in the UNCRC do not stand on their own. There is a clear link between all rights, underlining the need to adopt **a holistic view of the implementation of the UNCRC**. For example two of the guiding principles of the UNCRC, all children are equal (non-discrimination principle, art. 2) and the right to participate (art. 12) were repeatedly referred to in the consultations with the children, not only when discussing these specific rights, but also in discussions on other rights.

The division of the UNCRC in three categories of provision rights, participation rights and protection rights leads to different outcomes for priority rights chosen by the groups experiencing vulnerable situations to those chosen by the control groups. **The children in vulnerable circumstances tend to choose far more provision rights than the control groups, while both groups attach equal priority to participation rights and protection rights.** An explanation for this could be provided due to the fact that most of the children in vulnerable situations lack equal access to basic needs and services such as health care and education or they are seeking specific care such as disabled children. For the control groups, the access to these rights is often so obvious that they sometimes do not even recognize these as rights that need to be guaranteed by governments.

The Speak Up! project has highlighted in the section on provision rights how the impact of exclusion gives children a greater awareness of the vulnerability of their rights, threats to them and the importance of their protection. The fact that awareness of the threats to provision rights was not apparent to the same degree in control groups is a very important finding of the consultations with the different groups of children. It shows the inequity between the control groups and groups with children living in vulnerable circumstances or with special needs and their lack of integration.

## **‘Stop child abuse and violence’**

Children felt that **the government is responsible for preventing children to be abused** and has a role to identify maltreatment and to prevent it from happening by **providing more information on abuse** and where to report this. Support needs to be given to parents to prevent violence against children, since often the parents themselves abuse their children.

Children need to be informed about complaints procedures in a child-friendly and accessible way, taking into account that abused children and in particular children experiencing vulnerable situations, are often not reached via the usual communication channels, such as schools and the internet. Alternative ways to reach these children could be via NGOs and service providers which work directly with the children and who have often build up a relationship of trust.

Girls calling the police and reporting an on-going sexual abuse of another girl, which they had just been witnessing were asked to leave a name and phone number for further contact. They were scared to do so, since they were afraid of the boys abusing the other child:

*“ It doesn’t matter what it is. If you call the police and want them to come then they should come ”*

*“ It doesn’t matter if it’s a false alarm because they can’t decide... no, that’s a false alarm. They cannot say that ”*. Swedish girls.

Children felt that they were not taken seriously when reporting child abuse or sexual abuse to the authorities. Authorities need to ensure that children who are victims or witnesses of violence and abuse are listened to and taken seriously.

## **‘Stop children’s deprivation of liberty’**

*“ ...everyone is allowed to make mistakes, aren’t they? Am I right or wrong? That’s how we learn from it and obviously, I reckon, by putting children like us, 13, 14, 15-year-olds into jail and shit, that’s not really going to help ”*. English boy.

The children felt strongly about children being placed in juvenile justice institutions as a last resort. They favoured alternative sentences instead and attached importance to children not being placed together with adults in custodial settings. They felt that staff in juvenile justice institutions would need to be trained to work with children. During criminal justice proceeding parents or another adult would need to be present to ensure that their rights would be protected.

## **‘Ensure special assistance to refugee children’**

The most important outcome regarding the protection of the rights of refugee children was the need to have fast and clear asylum seeking procedures which would take the best interests of the child into account. Regarding family reunification measures the best interests of the child would also have to be core to the decision.

## **LESSONS LEARNED FROM THE CONSULTATION PROCESS**

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The methodology, including the game with the fake and real signs with children’s rights, proved to be successful and led not only to concrete results and recommendations to improve children’s rights across Europe in particular for children in vulnerable situations, but also to learning experiences for the children involved. The consultations showed that we **need to be sensitive not only to what the children spoke about but also to what children did not talk about.**

The children in the Speak Up! consultations valued the **learning experience** they gained throughout the consultations, which did not come out of the Eurobarometer survey, where children were not asked to evaluate their consultations. This learning experience is probably due to the length of the Speak Up! consultations, which took place between a day or one and half day for most consultations, whilst the Eurobarometer consultations only lasted two hours for each focus group.

Each of the partners in the Speak Up! Project has shown that it is possible to involve groups of children in vulnerable situations in participation activities. **What is required is a good methodology, such as games, activities, art work, drama, dance, singing, magazine making, anything which appeals to a specific group of children and encourages them to participate and get involved.** In addition, the programme, its length, the environment where the children are meeting and **the children’s facilitators play a crucial role.** All of the children felt that the facilitators were excellent when they evaluated the meetings. The children not only learned content-related issues, such as on children’s rights, but developed other competences such as **gaining self-confidence** to participate, the capacity to express their thoughts and feelings and working in small groups, which involved the **listening to other children and having respect for other children’s views.**

**All children are keen to know about their rights,** even children who have never heard about rights before and have no idea what these are about.

Participation can **change the perspectives of children in vulnerable circumstances,** the knowledge about their rights, it **empowers them and**

**makes them more open to their rights and how to implement these.**

## **Lack of awareness of children's rights**

A **lack of awareness of children's rights** is one of the conclusions of the consultations with the groups with children in vulnerable situations and the control groups. Children in particular do not link children's rights to their own personal situation. If children know about their rights they do not know how to solve problems when their rights are violated. The children in the Eurobarometer surveys similarly indicated that they wanted more communication about children's rights. The majority of the young people (15-18 years old) consulted for the Eurobarometer surveys were aware that people under 18 enjoyed specific rights compared to adults. However, the majority was not aware of their rights and they requested more information on children's rights. There is therefore **a need for practical tips in children's rights programmes for children on how to deal with situations where their rights are violated**, (i.e. discrimination, unequal treatment or access to services, violence and abuse).

**Children in vulnerable circumstances in general knew a lot less or nothing at all about children's rights, while the children in the control group had more knowledge about their rights.** All children who participated **learned a lot about children's rights and they enjoyed this.** Every child should have a right to know about his/her rights and children's rights should be part of the curricula at school and educational institutions starting from an early age. All children need to be treated equally in this respect. Education and capacity building of adults, including professionals is therefore needed: adults should not be afraid to give some power away to the children.

The **powerlessness** of the control groups of children, as compared to the children in vulnerable situations, in having their voice heard and to be treated equally is striking. This raises the question as to how children in more vulnerable situations can have their voices heard. **A personal approach focusing on the specific needs of each child is needed**, as well as age specific approaches. Individual interviews with children in vulnerable situations might make them feel more comfortable to speak out and realize that someone is actually listening to them. It is therefore recommended when consulting children in vulnerable situations on children's rights to **use a mixed methodology, including both focus group consultations and individual interviews.**

In some groups limited responses were given by the children in vulnerable situations. Explanations for these limited responses could be that they **are not used being asked for their opinion and not used to be heard.** The **lack of language to articulate their feelings** and emotions could be another explanation, although this could have been solved by the facilitators to allow children to use other

means of communication, such as art work and drama. **Facilitators have a very important role in linking children's rights to children's own lives as this does not come naturally to the children.**

A tentative conclusion is that there seems to be a difference between the vulnerable group with disabled children and the other vulnerable groups in the way they discussed children's rights. The deaf and hard-of-hearing children have clear views on their rights, though they also mainly selected provision rights like a majority of the other vulnerable groups did. Children with disabilities do have special needs to get support and at the same time they are a group at high risk of maltreatment and exclusion. **It would be recommended to do more research with groups of children with different disabilities and in different countries**, since this might lead to different conclusions on their knowledge and opinions on children's rights. These groups should include children with physical disabilities, such as deaf and blind children or children needing special aids such as a wheelchair, but also children with mental disabilities. The literature review has only shown a very limited number of examples of consultations with children with disabilities.<sup>31</sup>

## **Issues that children did not talk about**

The issues that affected children's internal lives were not coming out in all of the children's consultations, such as the 'real' problems affecting the children's lives, though a mixed picture can be seen here. For example **early marriages**, which is an issue for Traveller girls was not brought up by them. However, the Roma children in Bulgaria did discuss this. Another issue not discussed in many groups was corporal punishment, it is not allowed in Sweden, but it was not discussed by the children, possibly since they take this for granted. It was brought up by the Bulgarian children, who preferred conversations instead of physical punishments by their parents. The Hungarian children living in residential care discussed openly abuse by staff of the residential home and parental abuse. The **experience of living in the streets** was not brought up by any of the children, though the facilitators were aware that some children sometimes spend their nights on the street, for example in Greece. Children accept their circumstances and would not necessarily see this as problematic. To further explore this would be a valuable learning point for facilitators and to empower children. **With individual interviews more might have come out of the different consultations.**

## **Gender Impact**

Though it was anticipated to have a gender balance in all focus groups, this appeared

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<sup>31</sup> Eurochild has been involved with Inclusion Europe in research on the rights of children with intellectual disabilities: 'Latimier C. and Šiška J., 'Children's rights for all! Implementation of the UN Convention on the Rights of the Child for children with intellectual disabilities', Brussels, Inclusion Europe, October 2011.

not to be possible in some of the groups due to their particular characteristics. In Ireland only girls have been consulted and in the UK, more boys were consulted than girls (see introduction). Whether the gender differences had any impact on the outcomes of the consultations is difficult to estimate. There were no specific gender issues discussed, such as unequal treatment or abuse because you are a girl or a boy. **The experiences the children discussed were not typically gender specific.**

## CHILDREN'S IDEAS FOR THE FUTURE

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### DREAMS for the FUTURE or “*When I would be Prime Minister*”

In several of the groups the children were asked what their dreams for the future were or what they would change if they would be Prime Minister. These questions prompted answers for policy changes and actions at national or international level.

- ➔ The Polish children were asked to think about their wishes for the future, several of them wrote to have a pet, like a dog or cat, others were dreaming about specific careers, such as dancer, computer scientist or a cook and a few had fantasy dreams such as having supernatural powers.
- ➔ “Harsher punishments” for those who are abusing, hurting children if they were the Prime Minister (Hungarian children living in foster care).
- ➔ Stop bullying and ensure children are safe (raised by several groups of children).
- ➔ To find foster parents for children who live in social institutions deprived of parental care.(Bulgarian control group)
- ➔ To find homes for homeless and abandoned children.(Bulgarian control group)
- ➔ Ensure that teachers teaching deaf and hard-of hearing children are able to use sign language.
- ➔ Give money or a house to the (asylum seeking) people; solve all fights; do something against child abuse; ensure to keep families together; get a residence permit. (asylum seeking children, the Netherlands)
- ➔ Ensure all children can go to school and have free medical treatments. Organise fundraising events to help children who cannot afford to go to school or to get medical treatment (Polish control group).

- ➔ The Greek Roma children made drawings of their dream houses, which were very colourful, included playgrounds, a lot of green and flowers.
- ➔ The Bulgarian Roma children would like to participate in more events at school and in their village.
- ➔ The Irish Traveller children were concerned about the financial situation of their families 'Stop making the rich richer and the poor poorer' and 'Put the prices in the shops down more'. Though these children were able to name external issues hindering the implementation of their rights, **they were unable to articulate any change or offer any solutions.**
- ➔ If they were the Prime Minister, the Greek children in the control group would give money to all children who were poorer than themselves so that **all families could have a warm home, food and clothes.**
- ➔ **Many of the dreams and recommendations were linked to financial support for their families and for children living in vulnerable circumstances.**

## KEY RECOMMENDATIONS

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Speak Up! has highlighted three key main gaps in policies and practice regarding the protection of children's rights in Europe, which are explored at the beginning of this report. The three key recommendations are summarized as:

- 1. Children – and in particular those in vulnerable circumstances – are insufficiently aware of their rights.**
- 2. Children still face enormous discrimination** – not only due to disability, ethnic or religious background, social disadvantage or sexual orientation – but also due to the very fact of being under 18. Age discrimination against children is still very little recognized and understood, and there are few policies that aim to address it.
- 3. Children are too rarely asked their opinion on matters that affect them. Particularly children living in vulnerable circumstances had very little experience of being listened to.** Many of them felt that their opinion didn't really count. Some found it difficult to express their own opinion because they had had so few opportunities to think about what is important to them as individuals and to make their own choices in life. Often their skills to express themselves have not been developed or adults do not know how to support them in expressing themselves. Internalised oppression is an issue for children who are discriminated against because of their age or children growing up

in difficult circumstances, such as abuse, family difficulties, etc. Internalized oppression affects children's confidence, self-esteem and sense of belonging. Adults who are engaged with children need to be aware of how discrimination and internalized oppression affect children's lives.









# SPEAK UP!

## Giving a voice to European children in vulnerable situations

The Speak Up! project was run by Eurochild, which is a European network that promotes the rights of children, and its eight partner organisations from across Europe: Greece, Poland, Hungary, Bulgaria, Sweden, the Netherlands, the UK and Ireland.

Each partner ran focus group consultations with children aged 12-15 to find out how children experience their rights. They worked with groups of school children (the so-called 'control group') as well as children that may be particularly vulnerable due to their living situation, for example, those growing up in a youth institution or an asylum seeking centre, or due to their characteristics, for example, deaf or hard-of-hearing children.

The project team compared and contrasted the outcomes of discussions with groups of children in vulnerable circumstances and the control groups. They also compared outcomes across countries. Particular attention was given to the children's awareness of their rights and the four rights they selected as being particularly important to them. The study concludes with some key recommendations on policy and practice regarding the protection and promotion of children's rights in Europe.

