

Chapter 3 Activities

Activity 1

Review the material from the HM Inspector of Prisons and their interviews with parents and children (pages 69–71). Professor Aynsley-Green, the Children's Commissioner for England described the way UK immigration system treated children as 'positively cruel' and 'inhuman' calling on the government to 'live up to its rhetoric by making sure every child does matter' (O'Keefe, 2008, www.newstatemansman.com.uk-politics).

How do you see this material in terms of children's rights and the UK government's commitment to the following outcomes from Every Child Matters?

- being healthy
- staying safe
- enjoying and achieving
- making a positive contribution
- achieving economic well-being.

(DfES, 2004)

Consider each outcome in relation to the responses to the situation of the children in the Yarl's Wood Immigration Removal Centre as described in the reports and commentaries contained in this chapter.

Activity 2

How do you see your analysis of the situation these children are experiencing in relation to the points made in Table 3.3 concerning 'whether everyone has equal access to rights'?

Activity 1

From this discussion how do you see the relationship between rights, consent and the ways children–adult relationships are formed? Again, based on this discussion of Lowden's commentary, how can her critique help see how positive changes can be made in relation to children's experience of consent giving?

Activity 2

In relation to the above material, Lowden (2002) comments,

Children will not be facilitated to develop competence and thus the process of 'best interests' will continue to be defined from a protectionist adult perspective.

How do you see this relating to the comment in Table 3.2, that 'The UNCRC states that the rights of the child should be a "primary consideration" – but that they are not the only consideration? Discuss this in terms of the relationship between an individual child's situation; the concept and practice of what is in their 'best interest'; the rights of other people, such as parents or carers; and the role of what is possible within the laws or policies of a country.

Activities

The following activities are designed to help reflect back on some of the key concerns over the chapter as a whole.

Chapter activity 1

The CRAE report in Chapter 1 quoted a child saying that

*They think because we're small and they're big
they know better . . . and they just treat us like we're
nothing, like we're just a puff of cloud or something.*

(Child under 11)

In this chapter Lowden's comments on consent are referred to

Case law in the UK focuses on the end point of decision making, that is consent, instead of the process of sharing information through the stages of investigation, diagnosis and considering treatment options. This amounts to an all or nothing approach, which confers full legal status on competent people but does not attend to participation when patients are partly involved and can influence rather than make decisions.

Consider these two quotations. How do you see them in terms of the following?

- The possibilities of developing a rights informed way of redefining relationships between adults and children, and
- Children giving consent in a health context as a child rights issue.

Chapter activity 2

Look back through the different examples of research within this chapter, and the analysis of the material. Examine the ways in which you think they offer useful ways of thinking about children's rights and set agendas for new directions in thinking about children's rights. It might be helpful to use some of the ideas in Chapter 1 to help structure your thoughts. Consider the ways in which the material helps develop or rethink ideas and practices of children's rights in terms of the following:

(a) A rights dynamic: 'the ways in which a rights dynamic has been created . . . [this] . . . concerns the ways in which the ideas about rights have been applied in order to affect . . . laws or policies.

(see page 13)

(b) Rights-informed ways of relating to children: 'enabling children to be seen and to be treated differently by adults. It is part of shifts in the ways in which children and young people see themselves, their relationships with each others, individual adults, groups they encounter and braider organisations that they connect with in their lives such as local or national government.

(see page 19)

Chapter 3 Example of research

Example of research: children, participation and a rights veneer

Stafford, Laybourne and Hill (2003) interviewed 200 children aged between 3 and 18 years, from different ethnic backgrounds and different social contexts. They were asked what they wanted to be consulted on, and to detail any advice they wanted to give to government and policy makers about consulting children. Comments showed an awareness of issues referred to earlier – such as consultation being a veneer of involvement, without any real impact on children's lived situation:

- If they're not going to do something, don't ask.
- People consulting should not assume young people are going to like adult ideas and give the responses adults want, but ask for young people's own ideas.
- If the Parliament was asking it would be 'Do you think this would be a good thing?,' so that's not actually us deciding things – they're putting it into our heads. . . . We should be asked what our idea is.

(2003, 365)

The children consulted advocated a reduction in the voting age, young people's referenda over 10 on issues such as the presence of attention to lesbian and gay sexuality within education, and young people's representation in parliament (2003, 370–1).

One of the research's conclusions was that young people's experience of consultation had often been 'unsatisfactory' due to two main factors:

- It had not been representative, and
- It lacked impact.

The research revealed that children and young people had a strong wish to be involved and to be consulted, especially on issues directly affecting their lives: education, school, recreation, public transport and health. The children wanted to see results from the consultation and that their participation had an effect: their views being taken into account in planning policies and in decision making. Feedback on the process and results were also seen as crucial. A strong emphasis was placed on recognizing that children's agendas in participating may be different from those of adults: 'allowing children to talk about what matters to them and not dismissing as trivial, children's priority concerns' (2003, 372).

Reflections on the research

Activity 1

How do you see the comments that the young people wanted their 'views being taken into account in planning policies and in decision making' in terms of rights issues, and the notion of a 'rights veneer' as described in Chapter 1 (page 26)?

Activity 2

- Sinclair has said the challenge is to move beyond one-off or isolated consultations to a position where children's rights to participation are 'firmly embedded within organisational cultures and structures for decision making' (2004, 116).
- Care is needed to ensure genuinely open communication in participation rather than seeking confirmation of what adults think or want (Stafford et al., 2003, 372).

How do you see these comments on rights in relation to the interview findings summarised in this box?

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Jones, P. and S. Welch (2010) *Rethinking Children's Rights*. London: Continuum.

Chapter 3 Example of review

Example of review: rights, protection and privacy – tensions, spaces and relationships

Analysis by Dowty (2008) identifies how information technology (IT) is being used to monitor children's lives. Her review included the following range:

- The use of CCTV in schools and nurseries,
- Smart card technology that allows monitoring of children's meal choices, library borrowing and registration,
- Mobile phone software that allows parents to track their children,
- The growing use of national databases that collect and increasing range of data on all children,

Dowty suggests that this combination can

produce a situation where a child cannot eat chips, visit the toilet or deviate from a pre-ordained route without somebody else knowing about it. Every test result, absence or means of travel to school is captured. Personal profiling tools, behaviour records and practitioners' observations of whether a child's friendships are appropriate, their aspirations realistic or their spare time put to constructive use create a rich seam of data that can apparently be mined for signs of trouble, or to make actuarial assessments of potential problems in the future. It is now possible for children to be under intense scrutiny by one means or another, and the speed, capacity and interoperability of information systems ensure that the assembled data can rapidly be conveyed to others.

Reflections on the review

Activity

The rationale behind these initiatives concerns the 'protection' of children.

What do you think the dangers are of this degree of, or approach to, protection?

How do you see it relating to the ways in which children can be protected while maintaining an appropriate degree of autonomy and privacy?

What tensions can you identify in terms of thinking about who should be involved in deciding what an appropriate degree of autonomy and privacy is?