

TERMS OF REFERENCE

CHILD PARTICIPATION WORKING GROUP

PURPOSE

The Child Participation Working Group (CPWG) is a Promise Barnahus Network Working Group with a focus on children's rights to participation, as set out in the UN Convention on the Rights of the Child.¹

The overall purpose of the CPWG is to promote a participatory culture, which promotes meaningful, ethical and safe participation of children in Barnahus.

GUIDING PRINCIPLES & APPROACHES

The Child Participation Working Group promotes and endorses:

- The UN Convention on the Rights of the Child, in particular Article 12
- The General Comment No. 12 (2009) – The right of the child to be heard'
- The Barnahus Quality Standards

The CPWG is fully committed to keeping children safe in all its work and in coherence with the Promise Child Safeguarding Policy.

¹It implies organizational support to the rights of children to be listened to; to express their opinions on matters that affect them; to freedom of expression, thought, association and access to information; all while respecting the roles and responsibilities of parents and others in authority.

MEMBERS OF CPWG

The CPWG is an adult group consisting of professionals from the Promise Barnahus Network members, including, but not limited to professionals working in Barnahus, child participation experts, researchers, child safeguarding professionals and Promise Experts.

The CPWG is set up as a working group of the Barnahus network and consists of the network members involved in founding the CPWG: the CBSS, Children 1st Scotland, Barnahus Galway (TUSLA), the Ministry of Justice of Slovenia, SAPI and Terre des Hommes.

The CPWG will involve and engage with Barnahus network members and experts, external experts and services as relevant and appropriate.

The group aims to move progressively towards involving children.

ROLE OF THE CPWG

- The role of the CPWG is to promote a rights-based participatory culture in Barnahus through exchange, dialogue, research, capacity-building and development of policy and tools.
- Exchange information and experience by use of different tools such as Teams and other online platforms
- Development of good practice guidance
- Mapping and data collection on good practice and tools to enable child participation in Barnahus
- Supporting the implementation of Promise 3: The voices of children
- Mainstreaming child participation into the work of the network
- Supporting a conversation of learning among professionals in the Promise network members on participation
- Providing input, guidance and support to meaningful, ethical and safe participation of children in the network and Promise 3 activities

ROLE OF THE GROUP MEMBERS

- Attend working group meetings, providing consistent agency representation wherever possible
- Contribute to the development, engagement and participation of the working group
- Support implementation and delivery of the key objectives of the working group
- Undertake delegated tasks and feedback to their own agency on actions and outcomes
- Promote the work of the group within agencies between meetings
- Feedback within own agency on the work of the group and practice development
- Ensure that a video link or a summary from the meetings is accessed if participation in the meeting is not possible

MEETINGS

Meetings are to be held monthly and at no more than six weekly intervals

Meetings can take place online or face to face

The meetings are convened and chaired by the Barnahus network secretariat

REVISIONS

The group members should have an ongoing review of the Terms of reference set out in this document.

ANNEX

Child participation is one of the core principles of the Convention on the Rights of the Child (CRC), which asserts that children and young people have the right to freely express their views and that there is an obligation to listen to children's views and to facilitate their participation in all matters affecting them within their families, schools, local communities, public services, institutions, government policies and judicial procedures.

Article 12 includes two pivotal rights:

The right to express a view

The right to express a view freely means that children have the right to express relevant perspectives and experiences in order to influence decision-making. In this context, 'freely' means expressing a view is a choice, not an obligation and it is coercion-free.

This right also includes a requirement for State Parties to listen to the views of children and facilitate their participation in all matters affecting them within the family, schools, institutions and judicial procedures.ⁱ

The right to have the view given due weight

The right to have the view given due weight implies that when children express their views, this can be done in many different ways and with no restrictions on age or maturity—and their opinions will be considered regardless.ⁱⁱ

Children do not have the duty to prove their maturity in order to give their views; on the contrary, the State Parties and decision-makers have the obligation to ensure the implementation of this right by listening to the views of the child and finding the best ways for children to express their opinions.

The General Comment No. 12 (2009) – The right of the child to be heard

In order to expand the concept of participation outlined in Article 12, the UN Committee on the Rights of the Child in its General Comments 12 defined child participation as an ‘ongoing process, which includes information-sharing and dialogue between children and adults based on mutual respect, and in which children can learn how their views and those of adults are taken into account and shape the outcome of such processes.’ⁱⁱⁱ

Barnahus Quality Standards

1.2 Right to be heard and to receive information: Children’s rights to express their views and to receive information are respected and fulfilled.

Other relevant standards include 5.4, 6, 7.5, 8.3

ⁱ UN Committee on the Rights of the Child (2009). ‘General Comment No. 12: The right of the child to be heard’ (UN Committee on the Rights of the Child: Geneva).

ⁱⁱ Lundy, L. (2007). “Voice” is not enough: conceptualising Article 12 of the United Nations Convention on the Rights of the Child’, *British Educational Research Journal*, 33(6), pp. 927–942.

ⁱⁱⁱ UN Committee on the Rights of the Child (2009). ‘General Comment No. 12: The right of the child to be heard’ (UN Committee on the Rights of the Child: Geneva).