

## GETTING IT RIGHT FOR EVERY CHILD:

### CHILDHOOD, CITIZENSHIP AND CHILDREN'S SERVICES

24<sup>TH</sup> SEPTEMBER 2008

Report prepared on behalf of SACP by M. Easton. Official minutes from this conference should be available from the organisers..

In his keynote address Adam Ingram, Minister for Children and Early Years, stressed the need to learn from each other, building on good practice. This should not mean increased bureaucracy. Every member of society should acknowledge responsibility for the well-being of children so that early, appropriate and effective intervention can be made where necessary. The Minister also highlighted the role played by the Children's Hearings System in ensuring that children access support and asked that all interested parties respond to consultation.

#### Session 1- Children's Voices, Citizenship and Inclusion

Three speakers gave their different slant on the issues involved in ensuring the meaningful participation of children and young people in decisions about their lives.

- 1) Dr. Kay Tisdall, Programme Director of the MSc in Childhood Studies, University of Edinburgh.

Dr Tisdall asked delegates to consider how best to consult with two year olds on the quality of their nursery education and asked how often they felt consultation was no more than a gesture, a photo opportunity paying lip-service to consultation. Reasons given for consulting include a) children's rights and legal requirements, b) the enhancement of services and decision-making, c) to promote the protection of children and d) to enhance children's skills and self-esteem. However if consultation is carried out for one of these reasons it should be both meaningful to those being consulted and be genuinely able to impact on decision-making. Dr Tisdall expressed her concerns, partly based on research done in the English justice system, that too often children's views are discounted when they do not chime with adult views. She asked the audience to consider how young people could feel listened to and valued by a society where we discriminate against them with regulations which allow shopkeepers to ban more than two children at a time in shops or to install sonic devices only audible to young ears to deter them from standing outside shops.

2) Professor Andrea Mooney, Clinical Professor, Cornell Law School, University of Cornell.

This speaker talked about child advocacy and protection in the United States. She looked at the conflict which can exist between the rights of parents and children, citing the example of Amish parents who won the right to withdraw their son from state secondary education. A victory for family and parental rights? Who asked the son whether he wanted to return to life in his parents' community or to have the chance for further study and a career in a different sphere? Whose rights were upheld?

In American legal system children may be represented by an attorney for the child (a lawyer representing the child's wishes) or by a guardian ad litem who represents the child's best interests but may not necessarily consult the child or advise the court of the child's wishes. Most states opt for the appointment of a guardian ad litem.

The professor highlighted problems which can arise with these forms of representation. There is little training and guidance given in child development to enable representatives to assess the competence of a child to understand their situation and express their views. Without this training, the professor argued, it is all too easy for the adult to substitute their views for those of the child.

Courts in the United States look for a child to have legal representation when he/she is being prosecuted or when a parent is being prosecuted for offences relating to the child. However, the child is not necessarily present in court and hearsay evidence is acceptable to testify to the child's words and actions. In custody cases representation is discretionary but the court may decide to speak with the child in chambers.

The professor's description of current US practice allowed comparison with the current situation in Scotland.

3) Professor Andrew Lockyer, St Kentigern Chair, University of Glasgow.

Professor Lockyer asked delegates to consider the idea of the child as a citizen, a notion which may have gained greater currency as society starts to fear that a constant emphasis on "rights" may produce individuals with little sense of social responsibility. He looked at different models of children as citizens. He contrasted the historical view that children, until they reach the age of reason, are primarily in the enclosed sphere of the family with the more modern view that from birth children are part of a wider social community which, in turn, bears responsibility for their well-being. However,

despite the prevalence of the latter view, the belief persists that the family sphere should be protected and its rights recognised and enshrined in law. We see the consequences of this standpoint in the differences which exist in Human Rights statutes between the rights of children and adults. In the main, children do not have the political rights of adults, which the speaker considers unjust.

Finally, Professor Lockyer looked at the concept of responsibilities linked to citizenship and found that, in the case of children, this largely relates to obeying laws, meeting criminal responsibility and meeting what is, in adult terms, a positive contribution to society. There is much less emphasis on the responsibility to challenge laws and make changes to society.

Professor Lockyer feels that one of the strengths of the Children's Hearings System is its recognition of the joint responsibility of parents, children and society when looking at children's actions and needs. It also relies on other citizens, the panel members, to make a judgement.

## Session 2 – Building Better Childhoods, Understanding Contemporary Childhood

The speakers in this session focused on factors which help or hinder children cope with difficulties.

- 1) Professor Malcolm Hill, Glasgow School of Social Work spoke about the Resilience and Desistance School of Social Work

Resilience is the ability to do well despite adversity. Factors which bolster resilience include intelligence, self-belief, humour, having a positive role model or supporter and being involved in organised activities such as sports.

Desistance relates to the likelihood of stopping personally harmful or anti-social activities. The basic elements required are personal openness to changing behaviour and the external circumstances which give the opportunity and support for change.

During the early teens some youngsters choose to give up risky activities for fear of consequences or because they have a weak attachment to a negative peer group. Older teenagers may choose to alter behaviour because of additional responsibility such as having a girlfriend or a baby. However the timing of intervention is crucial and must occur at a time when the young person is open to and committed to change or can be persuaded to engage in change. This has implications for services as it

emphasises the need to assess strengths and resources in the young person's own situation, ensure access to positive role models, encourage social activities and ensure access to education and accommodation. This type of intervention fits with the holistic approach to supporting young people.

2) Professor Linda de Caestecker, Director of Public Health, NHS Greater Glasgow and Clyde, spoke about promoting protective factors and reducing modifiable risk factors in improving children's health.

Recent research has shown significant variations in life expectancy within Scotland, depending on where you live, and the speaker spoke about ways in which some risks to children can be minimised.

- Education on modifiable risks such as smoking, including the effects of smoking on the smoker and on the unborn child and the links between secondary smoke inhalation and asthma and ear infections.
- Encouragement of good parenting skills. In her work, the professor has found parenting interventions to be both powerful and cost effective. She talked about the Australian Triple P programme (Positive Parenting Programme) which has been used to great benefit in both Australia and the USA. Professor de Caestecker spoke of the elements needed for the introduction of a similar programme in Scotland. It would have to be appropriate in terms of culture, available, multidisciplinary with adequate training for practitioners, be seen as a normal part of parenting, use lots of different means of communication, and allow parents to both progress at their own pace and, crucially, to recognise their own strengths.
- Glasgow's approach to enhancing parenting skills has been to mount a publicity campaign, train staff in the Solihull Approach ([www.solihull.nhs.uk/solihullapproach](http://www.solihull.nhs.uk/solihullapproach)), co-ordinate parenting activities at Community Health Partnership level and to use web-based resources such as baby clubs and netmums.com.

Finally, Mike O'Connor, Director of Notre Dame Centre and an educational psychologist with extensive experience of working therapeutically with children and young people, spoke about helping young people deal with grief and loss. In his wide experience, grief is often misunderstood and young people feel isolated. They need to be helped to understand that grief is normal, that there is no "grieve by" date and they need to feel that they can talk about their feelings. Centre for Child Health statistics indicate that 10% of under-sixteens have mental health problems and almost 50% of young people generally say that they find it difficult to talk to their parents about problems. The recognition of the effects of grief and loss in young people is a

relatively new concept but as it can often lead to significant, negative changes in behaviour it is a factor worth considering seriously.

Types of loss:

- developmental e.g. changing from child to teenager
- anticipated e.g. moving school, moving home
- unexpected e.g. divorce, illness, change, becoming Looked After

In each instance the support of family, friends and community is crucial in helping a child deal positively with their feelings.

Extent of the problem:

Recent research in primary schools in Clackmannanshire (2003) revealed that an average of 59% of pupils had experienced family bereavement and an average of 30% had experienced parental divorce or separation.

It has also been found that children tend to under-report their level of distress both to parents and teachers. In part this may be because they do not recognise their feelings as normal. Those children most at risk will be those lacking in resilience and support. For this reason, the speaker felt strongly that children should be prepared for grief and loss, not just helped through it when it happens. A programme which he has found helpful in his work is Seasons for Growth. More details can be found on the Notre Dame Centre website.

[www.notredamecentre.org](http://www.notredamecentre.org)