

## Nurturing voices: Psychologists' Role in Amplifying Children and Young People's Participation Rights in Decision Making

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# Nurturing voices: Psychologists' role in amplifying children and young people's participation rights in decision making

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## Introduction

Children have a fundamental right to participate in decision making across settings, including physical (Quaye, Coyne, Soderback, 2019) and mental health, family law proceedings (Tisdall, 2016), and educational and local area planning processes (Usher, 2023). However, it is sometimes the case that children experience obstacles, for example when their opinion, wishes and values are not heard and they are not included in decision making processes. For participation to be optimal and meaningful, health and social care professionals—including psychologists—need organisational, social, paediatric and pedagogical competence, critical awareness and reflection, and an openness to change in the practice and culture of service delivery (Quaye, Coyne, Soderback, 2019; Bijleveld, Bunders-Aelen, & Bedding, 2020; Bjønness, Viksveen, Johannessen, & Storm, 2020).

Psychologists are increasingly asked to play a role in advancing the human rights agenda. The APA suggests that we have a responsibility to advocate for the human rights of our patients, clients, students, research participants, and their families and communities of clients, including marginalised populations made vulnerable by societal inequalities (Huminiuk, 2023). As rights-based and person-centred paradigms become more central to our profession, there is a growing need to learn about human rights and how to integrate rights-based approaches with practice. In the Rep. of Ireland, rights-based practice is particularly important to children's well-being and the protection of their right to the highest standard of health. Recently, the PSI explicitly stated that 'children and young people who attend specialist mental health services ... have the right to expect safe and effective support in a timely manner with their rights and needs at the centre of that care' (PSI Statement, 2023). More than ever, psychologists are being asked to implement a rights-based approach for children— one that integrates equality, equity or even freedom from discrimination to the implementation and evaluation of mental health programmes (e.g. Mental Health Commission, 2023). In this article, we focus on legal frameworks and principles helpful to the implementation of children's participation rights. We set out some practical ways for psychologists to start engaging with, or reflecting on, rights-based approaches in theory and practice.

*The Special Interest Group in Human Rights & Psychology's will hold a one-day hybrid conference 'Children's Participation in Decision Making' this Spring. Attendees will learn more about, and reflect on, strategies to support and enhance rights-based children's participation. For further information and how to register, see end of this article.*

## Children’s participation rights: Key frameworks

Children and young people’s participation in decision making may be defined as “...ongoing processes, which include 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” (UNCRC General comment No.12, 2009). In the Rep. of Ireland, the journey towards meaningful children and young people's participation in decision-making unfolds at the intersection of the National Participation Framework (2021), the forthcoming Children and Young People’s Participation in Decision Making Action Framework 2023-2028, other national standards, and indispensable international human rights conventions. Specifically, the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD<sup>1</sup>) and the United Nations Convention on the Rights of the Child (UNCRC<sup>2</sup>) lay the foundation for an inclusive and empowered approach.

### The UNCRPD

The UNCRPD, ratified by Ireland in 2018, champions the active participation of persons with disabilities, including disabled children, in decision-making processes. Article 7, for instance, spotlights the rights of disabled children, emphasising their freedom to express views with due consideration for their age and maturity.

The Articles contained in the UNCRPD are binding on those State Parties that have ratified the Convention. In practice, however, the Committee on the Rights of Persons with Disabilities has observed a disparity between the articles outlined in the Convention and the actual involvement of persons with disabilities, including disabled children. To clarify the obligations of State Parties in this regard, the Committee developed General comment No. 7 in 2018. General comments are utilised by the UN committee to clarify accepted norms or themes relevant to the Convention on the rights of the child. They offer guidance about practical measures of implementation and outline what is expected of State Parties in implementing these obligations. General comment No. 7 (2018) elucidates State Parties' obligations, emphasising the involvement of disabled children through representative organisations and the creation of an enabling environment, including appropriate resources for support.

### The UNCRC



The UNCRC, ratified in 1992, champions the rights of children and young people, stressing their entitlement to be heard and participate in decisions shaping their lives. Article 12 highlights the obligation of State Parties to consider the views of

on the Rights of Persons with Disabilities. (UN doc.

on the Rights of the Child. Treaty Series, 1577, 3.

children and young people in decision-making, with Article 23 ensuring that disabled children enjoy the same rights as their peers. The UNCRC Committee advocates for the rights of all children to form views without minimal age restriction, on matters affecting them; particularly that due weight be given to all children's views. State Parties are obliged by the UNCRC to support children who face challenges in expressing their views, including disabled children, by providing diverse communication modes to fulfil their participation. Article 13 reinforces children's right to freedom of expression, encompassing seeking, receiving, and imparting information through various media. This obligation urges the development and utilisation of diverse participation methods (e.g., verbal, written, creative methods, technology use) to facilitate expression for all children, including non-speaking individuals and those whose preferred means of communication are other than speech. General comment 12 (2009) states clearly the right of the child to be heard is a fundamental principle and offers practical insights to guide children's meaningful participation. UNICEF (2018) takes a broad interpretation of 'matters,' including conventional child-related concerns as well as the social issues impacting lives of children such as the environment, public expenditure, and the economy. UNICEF emphatically insists that these views are expressed without coercion or pressure in an environment where children's voices are heard freely and safely.

Facilitating the participation of children's voices therefore requires serious consideration by psychologists, especially taking the child's age, maturity, and understanding into account. Of growing importance is the application of the concept of 'due weight'. Giving due weight to children's views has been found to enhance the quality of outcomes for children across a myriad of contexts (e.g., Lundy, 2007). Moreover, ensuring guidance facilitative to children's participation is provided by skilled psychologists who know how to deliver for the best interests of the child, is becoming increasingly important.

## ***National frameworks***

In practical terms, children and young people's participation in decision-making extends beyond a fundamental human right. It encompasses a collaborative approach that influences the development, monitoring, and evaluation of policies, services, programmes, and various initiatives. The ideology of this inclusive approach is embedded in national policies, outlined below. However, the authors are conscious of potential policy-practice gaps, where practice on the ground may not yet reflect or embody the ideology of participation.



1. [\*Children and Young People's Participation in Decision Making Action Framework 2023-2028\*](#): The National Strategy on Children and Young People's Participation in Decision Making and its successor the Children and Young People's Participation in Decision Making Action Framework 2023-2028 (due to be published), and Young Ireland: The National Policy Framework for Children and Young People 2023-2028, all clearly signpost this collaborative approach to children's decision making.

2. *HIQA National Standards: [The Health Information and Quality Authority \(HIQA\) National Standards for Residential Services for Children and Adults with Disabilities](#)* incorporating The Assisted Decision-Making (Capacity) Act 2015, also highlights the participation of children and young people. The Health Information and Quality Authority (HIQA) National Standards for Residential Services for Children and Adults with Disabilities define benchmarks for ensuring high-quality and secure residential services for both adults and children with disabilities. Under Standard 1.6, active participation of children in decision-making processes is mandated. Further, Standard 2.1 specifies the imperative for developing a child's personal plan with maximum involvement from the child.
3. *ADMA 2015: [The Assisted Decision-Making \(Capacity\) Act 2015](#)*, along with the commencement of the Decision Support Service in 2023, focus on optimising an individual's capacity to make decisions. This legislation establishes a legal framework for supported decision-making, enabling individuals to enter into legal agreements outlining various forms of support, such as co-decision making, decision-making assistance, and decision-making representation. Currently applicable to individuals over 18, the act maintains parents or guardians as decision-makers for children and young people under 18, unless the latter are wards of the court.

These national policies and standards align with global initiatives like the EU 2030 Sustainable Development Goals, European Youth Strategy, European Child Guarantees, and Council of Europe Recommendations. This interconnectedness emphasises the need to consider global perspectives when shaping youth participation strategies at a local level.

## **Participation principles of note for psychologists**

Delving into the principles of children's participation, UNICEF (e.g., [Child Participation in Ireland](#) report on good practice, 2022) provides further valuable insights, encompassing the following key basic requirements (A-I) for meaningful participation. These principles offer practical guidance to psychologists:

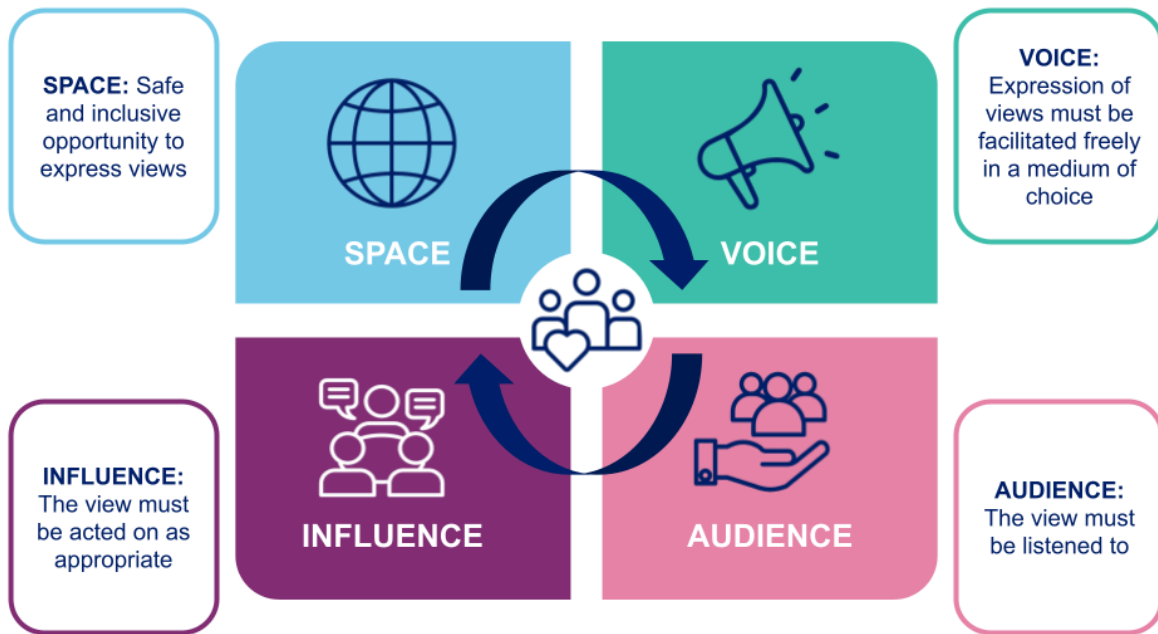
- A. *Transparent and informative process*: Children and young people should receive accessible, age-appropriate information about their right to express views. The process should be clear, purposeful, and inclusive, considering diverse communication, cognitive, sensory or physical needs. This could include the use of visuals, tactile objects, symbols, sign language, and audio or technological tools (e.g., videos, social stories etc).
- B. *Voluntary participation*: Children and young people must be given time to consider involvement, provide informed consent, and retain the right to withdraw. Choice is integral to meaningful participation.
- C. *Respectful interaction*: Children and young people should freely express their views and be treated with respect. Involvement processes should build self-esteem, involving direct communication with the child or young person,

not intermediaries. In instances where a communication partner is required it is imperative that questions and eye contact are directed towards the child/young person. It is important to understand the child/young person's preferred communication method and use it.

- D. *Relevant issues*: Participation should focus on topics relevant to children and young people's lives, considering the best interests of the child as a primary consideration. This means that the potential participation outcomes for the child/young person such as enjoyment, enhanced self-esteem, confidence, and social skills, should surpass any challenges posed by the consultation.
- E. *Child-friendly environment*: The process, methods, and meeting places (in-person and online) should be adapted to children's and young people's capacities, considering the unique needs of each child or young person.
- F. *Inclusive approach*: Efforts should be made to include children and young people from all backgrounds, recognising intersectionality and diversity among children and young people. All communication methods should be valued equally.
- G. *Supported by training*: Adults working with children and young people should receive appropriate training, particularly in understanding various communication methods, including Alternative Augmentative Communication (AAC).
- H. *Safe and sensitive to risk*: Safeguards must minimise risks, prevent abuse, and ensure physical and emotional safety. Lighting, noise levels, and physical accessibility barriers should be considered reflecting on each individual child and young person's unique needs or preferences. Consent, assent, and confidentiality considerations are crucial.
- I. *Accountability*: Commitment to follow-up, evaluation, and feedback mechanisms ensures accountability. Children and young people should be supported in these processes. Feedback should be given in full, in a timely fashion, and be youth friendly.

## **The Lundy Model of child participation**

The Lundy Model of child participation (2007) best reflects the majority of these principles. The model functions as a rights-based model and is included in Ireland's National Strategy. Comprising four integral elements—Space, Voice, Audience, and Influence—this model aligns with the principles outlined in Article 12 of the UNCRC. The Lundy Model shows how to implement the rights to participation enshrined in the UNCRC, as shown below:



*The Lundy Model (adapted from Lundy, 2007)*

The four key components of participation demonstrated by the model are:

- **Space:** Children should be given safe, inclusive opportunities to form and express their views.
- **Voice:** Children should be facilitated to express their view.
- **Audience:** The view should be listened to.
- **Influence:** The view should be acted upon, as appropriate.

In the context of this model, 'Space' denotes the necessity for children and young people to have the opportunity to express their views in a safe and inclusive environment. The creation of space involves actively providing children and young people with the opportunity to communicate their views in an environment safe from the fear of reprisal. 'Voice' underscores the importance of facilitating children and young people in expressing their views utilising methods that meet their preferences and needs. Moving beyond 'Voice,' the concept of 'Audience' dictates that children and young people must be guaranteed the opportunity to communicate their views to an individual or body with decision-making responsibilities. Simply put, this means that their views must be listened to by someone with the power to implement their views. Lastly, 'Influence' goes beyond merely listening to children's views, allowing those views to have an impact, as appropriate. The use of the term influence in the Lundy model encapsulates the concept of 'due weight' as expressed in Article 12 of the UNCRC, and discussed earlier. Feedback is an important component of The Lundy Model. Describing feedback as an aspect 'not traditionally done well', Hanna (2023) advises that 'participation can only be realised when the young understand

the outcomes of sharing their views and opinions' (p.3). Participation is a continuous process.

## **Empowering psychologists to enhance implementation**

These principles and frameworks are all crucial for ensuring that participation is not tokenistic but genuinely empowers children and young people. The role of psychologists in this context is pivotal. Decision making in health, education and family law contexts is complex and challenging. These are high stakes decisions in high stakes environments with potentially lasting consequences for the young person. However, supporting children and young people to participate in decision making engenders positive outcomes across mental health, life satisfaction, personal development, and understanding how organisations work (e.g., Price & Feely, 2021). Psychologists, with a clear understanding of international conventions, national policies, models and principles, can enhance their role in promoting participatory practices for the benefit of the children and young people they work with. For example, they can pay due diligence to a 'whole systems approach,' ensuring that children and young people are not only heard in one-off instances, but are consistently empowered to instigate meaningful change within their individual health and social care and other settings, and the development, monitoring and evaluation of services and organisations that support them. As advocates for mental and physical well-being and human rights, psychologists play a crucial role in fostering environments that respect and integrate the perspectives of children and young people at an individual, service and organisational levels. This is not only meeting their rights or an ethical imperative, but also a pathway to creating positive and transformative outcomes for the well-being of children and young people.

## **Special Interest Group in Human Rights and Psychology**

Under the auspices of the PSI, The Special Interest Group in Human Rights and Psychology (SIGHRP) was established in Nov 2021. It provides a platform and point of connection for all those psychologists who are interested in how human rights intersect their research and practice. The core purpose of the SIG is to operationalise PSI's affirmation of the Human Rights statement under which the PSI functions through its membership in the European Federation of Psychologists' Associations (EFPA). Modelled upon the United Nations Declaration of Human Rights UDHR (1948), psychology's particularised statement of Human Rights was adopted both by the International Union of Psychological Science (2008) as well as by the PSI through membership of the EFPA.

## **Springtime Children's Participation in Decision Making event to be held in the Office of the Children's Ombudsman**

The upcoming Participation event will serve as a space for psychologists to deepen their understanding of the national policies outlined above and enhance their skill set in promoting participatory practices for the benefit of the children and young people they work with.



- Participants will learn about the relevance and role of human rights in psychological practice with children and young people. In particular, participants will be informed on children's rights regarding participation in decision-making, including the national model for children's participation in decision-making.
- The event presents a wonderful lineup of keynote speakers including globally recognised children's rights scholars, experts and advocates. *The programme and registration page will soon be live on the PSI website events page, so please keep an eye out for its advertisement.*
- The event is aimed at Psychologists and Health and Social Care Professionals.

## → References

*Assisted Decision Making Act 2015*. Retrieved from:

<https://www.irishstatutebook.ie/eli/2015/act/64/enacted/en/html> (8th June 2023)

Bjønness, S., Viksveen, P., Johannessen, J.O., & Storm, M. (2020). User participation and shared decision-making in adolescent mental healthcare: a qualitative study of healthcare professionals' perspectives. *Child and Adolescent Psychiatry & Mental Health*, 14(1), 1–9, available: <https://doi.org/10.1186/s13034-020-0310-3>.

Bijleveld, G.G., Bunders-Aelen, J.F.G., & Dedding, C.W.M. (2020). Exploring the essence of enabling child participation within child protection services. *Child & Family Social Work*, 25(2), 286–293, available: <https://doi.org/10.1111/cfs.12684>.

Finnerty, S. (2023). Mental Health Commission's Independent review of the provision of Child and Adolescent Mental Health Services (CAMHS) in the State by the Inspector of mental health services. Retrieved from: <https://www.mhcirl.ie/sites/default/files/2023-07/Mental%20Health%20Commission%20Independent%20Reviews%20of%20CAMHS%20services%20in%20the%20State.pdf> (26th July 2023)

Hanna, A. (2023). Appraising youth participation in Ireland. *Human Rights Education Review*, 6(1). <https://doi.org/10.7577/hrer.4982>

Health and Information Quality Authority (HIQA). (2019). *Guidance on a human rights-based approach in health and social care services*. Retrieved from: <https://www.hiqa.ie/sites/default/files/2019-11/Human-Rights-Based-Approach-Guide.PDF> (21st July 2023)

Health Service Executive, National Social Inclusion Office. *Social inclusion within the Irish Health Service Executive (HSE.ie)*. Retrieved from: [www.hse.ie/eng/about/who/primarycare/socialinclusion/about-social-inclusion/about-social-inclusion.html](http://www.hse.ie/eng/about/who/primarycare/socialinclusion/about-social-inclusion/about-social-inclusion.html) (20th July 2023)

Houses of the Oireachtas Sub-Committee on Mental Health (2022). *Report on pre-legislative scrutiny of the draft heads of bill to amend the Mental Health Act 2001*. Retrieved from:

[https://data.oireachtas.ie/ie/oireachtas/committee/dail/33/joint\\_sub\\_committee\\_on\\_mental\\_health/reports/2022/2022-10-12\\_report-on-pre-legislative-scrutiny-of-the-draft-heads-of-bill-to-amend-the-mental-health-act-2001\\_en.pdf](https://data.oireachtas.ie/ie/oireachtas/committee/dail/33/joint_sub_committee_on_mental_health/reports/2022/2022-10-12_report-on-pre-legislative-scrutiny-of-the-draft-heads-of-bill-to-amend-the-mental-health-act-2001_en.pdf) (7th June 2023)

Huminuik, K. (2023). The five connections: A human rights framework for psychologists. *International Journal of Psychology*, <https://doi.org/10.1002/ijop.12908>

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), 927–942. <https://doi.org/10.1080/01411920701657033>

Mental Health Commission, Rep. of Ireland. (2023). *National Quality Framework: Driving excellence in mental health services*. Retrieved from: <https://www.mhcirl.ie/what-we-do/guidance/quality-frame-work-mental-health-services-ireland> (20th July 2023)

Mental Health Commission, Rep. of Ireland (2023). *Independent Review of the provision of Child and Adolescent Mental Health Services (CAMHS) in the State by the Inspector of Mental Health Services Promoting Quality, Safety and July 2023 Human Rights in Mental Health: Recommendations*. Retrieved from: <https://www.mhcirl.ie/sites/default/files/2023-07/CAMHS%20Recommendations.pdf>

Psychological Society of Ireland. (2023). *The Psychological Society of Ireland (PSI) welcomes the publication of the Mental Health Commission final report on Child and Adolescent Mental Health Services*. Retrieved from: <https://www.psychologicalsociety.ie/source/PSI%20press%20release%20on%20published%20MHC%20CAMHS%20Report.pdf> (26th July 2023)

Price, A., & Feely, M. (2021). Young people's experiences of youth participation in a mental health organisation. In D. Horgan & D. Kennan, *Child and Youth Participation in Policy, Practice and Research* (1st ed.). Routledge. <https://doi.org/10.4324/9781003099529>

Quaye Msc, A.A., Coyne, I., Söderbäck, M., & Kristensson Hallström, I. (2019). Children's active participation in decision-making processes during hospitalisation: An observational study. *Journal of Clinical Nursing*, 28(23-24), 4525–4537, available: <https://doi.org/10.1111/jocn.15042>.

Tisdall, E.K.M. (2016). Subjects with agency? Children's participation in family law proceedings. *The Journal of Social Welfare & Family Law*, 38(4), 362–379, available: <https://doi.org/10.1080/09649069.2016.1239345>.

United Nations (UN 2006). *UNCRPD Convention on the Rights of Persons with Disabilities*. Retrieved from: <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-rights-persons-disabilities> (20th July 2023)

United Nations (UN 2018). *UNCRPD General comment No. 7 on the participation of persons with disabilities, including children with disabilities, through their representative organisations, in the implementation and monitoring of the Convention*. Retrieved from:

<https://www.ohchr.org/en/documents/general-comments-and-recommendations/general-comment-no7-article-43-and-333-participation> (7th January 2024)

United Nations (UN 2009). *UNCRC General comment No. 12 on the right of the child to be heard*. Retrieved from:

<https://www2.ohchr.org/english/bodies/crc/docs/advanceversions/crc-c-gc-12.pdf> (7th January 2024)

Usher, J. (2023). Conceptual framework for the participation of children in local area planning decision-making processes through primary geography education. *Irish Educational Studies*, 42(4), 583–597, available:

<https://doi.org/10.1080/03323315.2023.2260998>.