

CHILD PARTICIPATION IN *CHILLS*

The logo for ChILLS is contained within a white, rounded rectangular shape. The word "ChILLS" is written in a bold, blue, sans-serif font. The letter "i" is lowercase and has a thin blue underline. The letters "H", "L", "L", and "S" are uppercase.

ChILLS

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INTRODUCTION

About ChiLLS project

The ChiLLS project aims to increase protection and support for highly vulnerable children in need of legal and linguistic assistance. The project's name stands for Children in Legal Language Settings and it is coordinated by KU Leuven in partnership with Hintalovon Child Rights Foundation and the University of Bologna. As part of the project, a compass was developed for highly vulnerable children, and various materials were written for legal professionals to provide information and support on how to deal with these children. Apart from previous researches carried out by the project partners (CO-Minor 1 and 2), the new materials draw on the findings of the interviews carried out with highly vulnerable minors of foreign origin (previously) involved in criminal or administrative proceedings or in refugee hearings, as well as an international and multidisciplinary workshop held in 2019. Within the framework of the project, a website was developed for legal professionals, dedicated to providing the most relevant information and bibliographical references about interpreter-mediated legal proceedings with children. ChiLLS is funded by the DG Justice of the European Union Commission (JUST-JACC-AG-2017).

Child participation in ChiLLS

Children are considered as precious partners when it comes to a reflection on the protection and implementation of their rights. According to Article 12 of the UNCRC (United Nations Convention on the Rights of the Child), children have the right to participate in all issues affecting them. In line with this provision, project partners are committed to endorse this right and benefit from the added value that children can bring to the project. Hence, children were involved in the project at various levels.

- Children participated in the Steering Committee meeting in Belgium, in May 2019
- Highly vulnerable children were interviewed in two countries, Belgium and Italy, in Autumn 2019
- Children were consulted about the content and design of the child-friendly materials in Hungary, in Spring 2020
- Children spoke during the ChiLLS final conference and shared their awareness raising video in Summer and Autumn 2020

The child interviews were conducted by KU Leuven and the University of Bologna, the participation in the Steering Committee, the testing and the awareness-raising activities were coordinated by Hintalovon Child Rights Foundation. Since the methodology of the child interviews is summarised in the research reports, this paper mainly focuses on the other activities involving child participation.

Ethical considerations

Children's participation has been conducted with due regard for ethical and child safeguarding standards, as set out in the Hintalovon Child Rights Foundation's Child Safeguarding Policy and its special Chapter dedicated to child participation. The Policy is in line with the principles outlined in General Comment No. 12 (2009) of the UNCRC and Keeping Children Safe standards. It aims to ensure the safety and well-being of children who come into contact with the Foundation and it promotes the meaningful and safe participation of child volunteers. The Policy complies with the General Comment principles throughout the whole process: from the selection of children, their preparation and support, to the complaint mechanism and evaluation.¹

Special consideration was given to the research work involving highly vulnerable children. Approval of the research design and object was obtained from the KU Leuven and Bologna University Bioethical Committees, a comprehensive risk analysis was carried out during a project meeting held in Forlì, and two training sessions were held by the project team psychologists for the interviewers on how to conduct interviews with this special target group. The quality of child participation was closely monitored in all phases of the project.

Child participants

Apart from the interviewed children, who have a highly vulnerable background, child participants in the ChiLLS project are members of the Hintalovon's Child Rights Ambassadors team. Since its establishment in 2016, Hintalovon Child Rights Foundation has been working with children aged 14 to 17. The Child Rights Ambassadors undertake different roles in the Foundation's advocacy work: they are researchers, advisors, representatives, activists, bloggers and sometimes co-trainers as well. They help their peers learn about their rights and help adults better understand children's perspective.

1: The Child Safeguarding Policy is available in English here: <https://hintalovon.hu/en/child-safeguarding-policy>.

As young colleagues at the Foundation, they gained experience in producing awareness-raising materials and representing children's rights. In 2020, 14 children work with the Foundation who have joined for 6 to 18 months.²

The project relied on previous practices of the Child Participation Programme and the experiences and commitment of the Child Rights Ambassadors. The established cooperation and trust relationship with children were crucial in the design of the methodology. The Ambassadors are familiar with children's rights, but they have not dealt with issues of criminal justice, migration, interpretation or highly vulnerable children before.

The project was presented to the Child Rights Ambassadors first in person. They were informed about the project's aim, timing and possible roles in the project, and information sheets were sent out in writing, so they were able to respond to this call within a specified time. A selection procedure was only applied for participation in the Steering Committee meeting, which implied an international travel for no more than two children. Children's opinions were heard and taken into account about the process. In the end, Child Rights Ambassadors could apply in an anonymous online form. They were asked to write a short argumentative essay about a debated topic and also share their opinion about whom they would give the opportunity to participate in the Steering Committee meeting. Applicants were also asked to give a short oral statement in front of the group, and then every child could evaluate both the essays and the oral statements anonymously, based on previously set evaluation criteria. The vote of the mentors counted twice. In other phases of the project, no selection procedure took place and every volunteer was given a role in the project.

Child participation was facilitated with at least two adults in all phases. Children took part in the project with various levels of involvement. At the level of consultation, children's views were sought in order to understand their perspectives, at collaboration level, children had a higher level of partnership, and at child-led level, children were afforded the opportunity to initiate actions and they controlled the process (Lansdown, 2001).

2: More information about the work of Child Rights Ambassadors:
<https://hintalovon.hu/en/child-rights-ambassadors>

Table 1: Summary of child participation in ChiLLS project

	Aim	Level of involvement	Participants	Organizer	Date
Steering Committee	Involve children directly in multidisciplinary discussion about children's need in the justice system	collaboration	2 Child Rights Ambassadors	<u>Hintalovon</u>	May 2019
Interviews	Learn from the experience of highly vulnerable children in individual, semi-structured interviews	consultation	Highly vulnerable children (migrant and criminal background) 8 in Belgium 15 in Italy	<u>KU Leuven, University of Bologna</u>	Sept - Dec 2019
Testing	Test the applicability and quality of the developed child-friendly materials	consultation	Your text here 8 Child Rights Ambassadors	<u>Hintalovon</u>	April, May 2020
Conference	Make children's voices heard, involve children in raising awareness of highly vulnerable children's perspectives	child-led	4 Child Rights Ambassadors	<u>Hintalovon</u>	June - Oct 2020

PARTICIPATION OF CHILD RIGHTS AMBASSADORS

Steering Committee

In May 2019, a Steering Committee/workshop was organized in Antwerp for legal and other professionals working with interpreters in a legal setting where extremely vulnerable children are involved. The aim was to discuss existing research, daily practice and to exchange best practices, with a special focus on vulnerability. 20 stakeholders from all over Europe attended the workshop, including lawyers, judges, interpreters, cultural mediators, police officers, psychologists, psychiatrists and child care workers. It was clear that children should be part of the conversation too. Supporting children's well-being and rights will only succeed if their views are also taken into account, therefore 2 children were invited to join the discussion, and help professionals understand children's position, questions or concerns about situations in need of legal and linguistic assistance.

Following the above described selection process, two 16-year-old Child Rights Ambassadors attended the meeting, accompanied by one mentor and other colleagues from Hintalovon who participated in the project as partners. The children did not represent any highly vulnerable groups, they were teenage volunteers motivated to reflect on children's needs, with good discussion skills, such as confidence in speaking up and ability to think critically. They had a very basic knowledge of English, but interpretation was used during the whole workshop.

Many times, children have tokenistic or decorative roles in conferences and workshops. To make their participation meaningful, preparation is key.

- The agenda was put together having child participation in mind, and relevant discussion points were assessed during the planning. For instance, topics in which children had no competence (such as legislation or teamwork) were put at the bottom of the agenda.
- Children were made aware of the aim of the workshop and their participation. Two preparatory sessions were held, one about the topic at issue to help them getting familiar with the basic terms of juvenile justice, criminal proceedings and the persons involved, and another about logistic aspects and to discuss the agenda, participants, travel arrangements, etc.
- Adult stakeholders were informed about the participation of children weeks before the workshop. A briefing was shared about the relevance of children's involvement, their background and practicalities. Special guidelines were developed to promote children's safe, child-friendly and supportive participation during the workshop. Every attendee had to declare that they read and agreed with them prior to the beginning of the meeting.

Children took part both in the plenary and group discussions, and they were valuable partners in talking and reflecting about children's needs in legal settings and vulnerability. Their questions or comments and even their mere presence made adults think differently. One of the most remarkable moments of the two-day workshop was clearly linked to their participation: when professionals were asked to explain who cultural mediators were, it turned out that giving an appropriate but child-friendly definition is really not easy, and it also sparked a heated debate about their different role internationally. The evaluation forms of the workshop confirmed the added value of child participation. The workshop was a great experience for the two Child Rights Ambassadors as well.

They took great pride in representing children's perspective in front of key stakeholders, they gained insight into an international, multidisciplinary cooperation for the first time, but above all, they experienced that their voice matters for professionals. They shared many posts on the official Instagram site of Child Rights Ambassadors about the workshop and made sure that this message got through to their peers too.

"It was amazing to feel and see that as a child I can be equal and an expert" – said Viktória Botos, Child Rights Ambassador.

Testing

A set of child-friendly tools and a compass were developed to help children learn about their rights. Adults are responsible for informing children about these rights, and for supporting them in understanding the legal proceedings, the role of the different professionals they meet, the available support, the consequences of their actions, and for answering children's questions. Previous research and the Steering Committee workshop highlighted the need for printable and online materials that can be shared among professionals, distributed in waiting rooms and offices or that can be shown to families and children. Therefore, the aim of these child-friendly materials was to assist adults in providing comprehensive, easy-to-understand information to children. Legal professionals are provided with these resources on the ChiLLS website.

Based on the input of the Steering Committee and the needs identified in previous research, the following topics were addressed in 7 separate documents:

- Children's rights to information, support and protection in legal proceedings, as set out in the EU directives
- Children's right to interpretation and interpreter-mediated legal proceedings
- Migrant children's rights
- Professionals and available services
- Criminal proceedings
- Asylum proceedings
- Age assessment in asylum proceedings

Several approaches were adopted, including storytelling techniques, flowcharts, information sheets. Although these tools might work on their own, they primarily aim to support a discussion between a child and an adult.

Assigned to the different project partners, their original versions were written in English. Based on earlier experiences, Hintalovon prepared guidelines for the partners about how to develop child-friendly materials.

Children were involved in the review of the drafts. Since Hintalovon works together with children, the developed tools were tested in Hungary. All of the interested Child Rights Ambassadors were invited to the group meetings, and 8 children applied to participate in the project voluntarily. It was an open group, other members were able to join in the meantime, and the number of participants varied from meeting to meeting.

Before the consultation started, COVID-19 pandemic crisis brought significant changes to children's lives and affected their participation in Hintalovon's work. Child Rights Ambassador meetings had to go online, while remote teaching made children sit in front of the screen for many hours every day. It challenged the motivation of the group that had to be reflected in the way we work with children, and obviously, it limited the opportunities at the same time.

Online sessions were organized in 3 consecutive weeks around the main topics. While different approaches were used to receive feedback from children, they all followed a similar structure:

- Help children familiarise with the topics and put themselves in the shoes of vulnerable children.
- Present and discuss the developed tools.

Table 2: Session plans

Session	Topic	Tested material	Session plan
1	Child-friendly justice, legal procedures	<ul style="list-style-type: none"> - Child-friendly information about the EU directives (text) - Service mapping (designed version) - Flowchart about criminal procedure (designed version) - Flowchart about civil procedure (designed version) 	The facilitator briefly introduced the justice system in order to help children understand the differences between criminal and civil proceedings. After the introduction, children started to work in groups on a short case study. They were asked to use the materials we had prepared and give us some feedback about how it helped them to understand the case (what will happen to the children, who will be involved in the case, <u>etc</u>).
2	Interpretation	<ul style="list-style-type: none"> - Storytelling about an interpreter-mediated legal procedure (designed version) 	The child-friendly material was shared with the children. They discussed the story and their free reflections in small groups that was followed by a plenary discussion about the importance and role of interpreters in the legal proceedings. Children raised questions about the story and made comments about its format too.
3	Migration	<ul style="list-style-type: none"> - Storytelling about a migrant child (text) - Flowchart about asylum procedure (designed version) - Child-friendly information about age assessment (text) 	Children received the materials several days before the session, so they had time to read them. At the beginning of the session, the facilitator introduced the topic and helped them familiarize themselves with basic concepts of migration. After that, the group discussed the developed materials and children's questions.

Different approaches were used to present the materials:

- Children read the materials with a purpose and they had to use the information to respond to a particular case (Session 1)
- The material was shown to children to introduce the topic (Session 2)
- Children received the materials before the session (Session 3)

The adopted approach was highly influenced by

- children's general familiarity with the given topic and concepts
- the type of the materials (storytelling, information, flowcharts or combinations)
- the number of related materials (1 to 4 materials were tested in one session)

Child-friendly tools were first translated and then presented to children in Hungarian. Every session was facilitated by two adults: the coordinator of the Child Rights Ambassador programme and a lawyer from Híntalovon. Audio-recording was used during the feedback discussion, but recordings were deleted after evaluation.

The findings of the testing were compiled and discussed by the project partners. The authors took children's feedback into consideration, leading to some changes in the content and format of the tools and encouraged the development of a few new ones.

It is not intended here to summarize all of their feedback tool by tool, but some of the conclusions might be indicative for anyone who develops child-friendly materials.

- Child-friendly information and storytelling techniques complement but do not replace one another. The age of the target group is not the only aspect that makes them different. Shortlisting the most important information and putting it in context by building a storyline were found equally important.
- Picking up the story of one child gives the impression that it usually happens the way it is presented. Exemplifying always holds a risk for setting a standard. "Does it happen always like this? Does it necessarily lead to a court hearing?" – creating expectations like these should be considered during the drafting.
- Regarding storytelling: children's free reflection gives a good picture of whether or not certain storylines are faded, incomplete, unclear or distract attention and raise new questions or concerns. Children might be interested in different parts of the happenings which are not so relevant or concerning for adults. For example, if a new character is introduced, his or her storyline also needs a closure, or they might be more interested in what happens to the second character, then the actual right that the adult character in the story is explaining.
- Repetitions should be used mindfully, and its role should be clear for the sender and the receiver. They are common in fairy tales, but they might indicate something else in informative materials. For example, it might cause confusion, if the child tells twice what happened to him/ her on purpose or not (to the police and in court).
- The use of some technical terms that children might hear during a legal proceeding is important, but once they are mentioned, they should be explained as well.

- Visual statements, graphics and photos should be used whenever possible. If the content can be expressed visually, it helps to imagine the circumstances or avoid misunderstandings.

The consultation with children led to further conclusions:

- Children have a general idea about the work of different professionals, but they have vague concepts about their competences which might lead to false expectations or disappointment. Children develop different relationships toward adults, which is linked rather to their personal attitudes than professional competences. It also underlines the need for helping them understand the roles and competences of lawyers, guardians, interpreters. For example, while the importance of the interpreters was clear, the fact that they interpret what they hear and do not rephrase it in a more child-friendly way was not. This confusion is exacerbated by the fact that sometimes interpretation is done by qualified interpreters, sometimes by any available person who understands the language, not to mention that the availability and competences might differ from country to country (for example that of guardians, interpreters and cultural mediators).
- Similarly, presentation of international regulations and definitions leads to hard compromises. One needs to mitigate the dilemma of staying too general or giving too detailed information. Children are often interested in those details that are behind the scope of these universal children's rights and EU directives. The ambition to keep the text simple causes similar concerns. Writing at a simple level sacrifices the complexities of the content. For instance, Directive 2013/48/EU of the European Parliament sets out that children cannot be heard without a lawyer and they should be provided one free of charge. However, it also mentions some exceptions, and indeed, Hungarian regulations and practice are not so straightforward. International rules and standards should be put in context and the development of national adjustments should be encouraged.³
- A too wide target group inevitably leads to limitations. Take for example children in Hungary, in Italy or experienced and non-experienced children, younger and older children, migrant children, those involved in criminal or civil proceedings, etc. – they are all at different levels of understanding, with different interests. Choosing the overall goal, as well as the aims and target groups of every document should be considered carefully and publishing different versions at several levels should be assessed.

3: The child-friendly version of the Council of Europe's Lanzarote Convention is a good example for this: <https://www.coe.int/en/web/children/-/so-this-is-sexual-abuse->

- The real value of testing lies in the process and not specifically in children's feedback. It models the introduction of these materials to children, similarly as it might be presented later by legal professionals. Even though COVID-19 and the online meetings posed an extra challenge for the implementation, the difficulties in planning the sessions and choosing an appropriate methodology highlighted the need for reviewing the aims of the compass and for developing a supporting document for legal professionals. This guidance should set the context and provide suggestions about how to use them and also raise awareness about the significance of national adaptations.

The methodology was evaluated after each session. The trusted relationship with children and children's experience in similar activities proved to be very valuable in opening up and reflecting freely and constructively on the topics at issue and on the tested materials. This strong background made it possible to have informal discussions with a loose structure that are more centred about children's ideas than our adult evaluation criteria. Access to children and project partners' capacities had a great role in deciding who to involve, when, how and by whom, but this methodology had certain limitations. The testing of the compass underlined the cost of this compromise.

- Child Rights Ambassadors had no prior experience with interpretation, criminal or asylum proceedings and are not considered as vulnerable children. Their motivation to read the child-friendly materials and understand the information differed from the target group. This circumstance, together with the ethical principles of child participation (such as relevance, being child-friendly and supportive) created the need for contextualization. Meaningful participation in testing is not just about sending children materials and asking for feedback, neither would it help reaching its goal. As mentioned in the previous bullet point, one can benefit from the process even more. However, educational or awareness-raising activities affect the objectivity of the testing, so a proper balance should be found when looking for children's ideas and giving explanations. Concerning the compass, it is assumed that children will learn about it through legal professionals who will be able to provide them with the missing context. This supports the validity of the applied methodology, namely that the information was explained orally and discussed together. Still, the testing made it clear that additional explanation might be needed by legal professionals, and that these tools are less likely to support general educational purposes or 'primary prevention' without further guidance.

- The gender balance and the age of the participating children did not reflect the target group. Efforts should be undertaken to make the group more heterogeneous.
- Translated versions were tested, because the compass is to be made available in Hungarian as well, and this solution made the consultation more inclusive, avoiding language barriers. This may not limit the validity of their feedback about content, but children reflect on the language too. It is advisable that every translation, including the original English version, and national adaptations should be tested by native children.
- Some of the authors were not personally involved in the testing. Materials written by Belgian or Italian partners could only receive an indirect feedback from Hintalovon. It is debated whether this distance promotes objectivity, but it was considered as a drawback here.
- Children were not involved in the development of the tools from the beginning. Children can have very good insight into the concept and can help identifying the relevant issues at an earlier stage. Discussions with children before writing child-friendly materials are very inspiring and might prevent later changes.

Representation

The voices of highly vulnerable children are rarely heard. This is why project partners interviewed children who have been in direct experience with interpreter-mediated hearings in legal settings. There was an intention to help them reach out to a greater audience directly, but their safe and meaningful participation at further levels could not be ensured, at least not within the scope of this project. Having discussed this with Child Rights Ambassadors and children, we decided to support them to speak up on behalf of their vulnerable peers.

Hintalovon's child volunteers are not only advisors in drafting child-friendly materials, nor just partners to address children's needs, they are also representatives who highlight children's perspectives and speak up for children. Using their enhanced capacities and opportunities as Child Rights Ambassadors, they carried out a child-led project in Summer and Autumn 2020 to raise awareness about the situation of children who do not speak the language of the proceedings. Their work resulted in publishing online campaign materials and in a conference presentation.

Four Child Rights Ambassadors continued to work on this project voluntarily. This time, children controlled the process, and Hintalovon's mentors served as facilitators rather than leaders. Children were supported in:

- getting familiar with the results of the interviews
- setting feasible and achievable goals within the limits of the project
- carrying out certain tasks to make the most of their contribution (for example finalizing the design)
- practicing their speech for the final conference.

Two preparatory sessions were organized to present the results of the interviews in Belgium and Italy. The scripts of the interviews were also shared with children.

Learning about the individual stories of real children was an intense experience for them. Emphasis was put on providing enough time and space to share their feelings, ask their questions or voice their concerns.

The issues of concern were identified by children. They organized several separate meetings, decided about the messages, drafted the scripts, collected pictures and consulted Hintalovon's mentors when it was necessary. As the date of the conference was approaching, children were supported to finalize the materials and their conference speech. In the end, a social media toolkit, posters and a video were developed.

Child Rights Ambassadors talked about this process in the final conference as follows.

"I still can't speak English very well. But I could feel my voice has a power and my opinion matters. We learned, researched and thought a lot about this project. We worked all summer together, we got a free hand, and got a free voice to use our knowledge" – said Viktória Botos.

"This collection of interviews gave us an insight into what these children think and what happens to them when they are in a foreign country, going through legal procedures. (...) Having read the interviews, I could be in their place, and even though we're alike in many aspects, we find ourselves in very different situations. We also came across shocking statistics that illustrate these children's situation. We felt that we have a responsibility to raise awareness and use the opportunity we were given" – highlighted Lili Juhász.

“We used extreme examples, extreme life situations and compared them to each other. We started thinking about how different the situation of a child can be, and how many kids can live a life with everyday struggles. With this we would like to achieve that adults pay attention to the fact that this can be challenging to the kids that are involved in a procedure in another language” – said Rebeka Kerék.

“We need attention, information, help, trust and understanding. These aren’t always given when we talk to an adult who speaks the same language, are rare when we talk to a stranger, and are the most difficult to achieve when we talk to an adult stranger who doesn’t speak our language and only does his/her job. That’s why we have chosen this sentence as our slogan: ‘Think of us as children’ ”– concluded Viktória Botos.

The materials were uploaded to the Chills website (www.chills-research.eu) and distributed on international professional forums, social media and in the project partners’ network.

The final conference was organized on 19-20 October 2020. All the four children volunteered to speak in English. Children participated only in the session when they gave a presentation. They preferred to join the conference from Hintalovon’s office, where their mentor, Lilla Palotay was also present. This setting turned out to be very useful. They could support each other, and the handling of the technical difficulties was easier, even though they were also prepared by the technical support team before the conference. Their talk was part of a longer presentation by Hintalovon, which gave children more flexibility with the time frame and helped them to feel more comfortable. There was no Q&A session afterwards, so children had full control of the situation. Their presentation can be watched online at the ChiLLS Website.

Lessons learnt from children’s participation in representation activities:

- For practical reasons and to overcome language barriers, children learnt about the findings of the interviews indirectly, from the colleagues of Hintalovon. Discussing it with the interviewers could have helped children gain a better understanding. Effort should be made to work with children as directly as possible.
- There are plenty of untapped opportunities to support children in representing the voice of their vulnerable peers. Children enjoyed the process of learning about their situation and using their capacities to help them. However, addressing sensitive issues or personal stories requires a safe environment and trusted relationship with children.

The adherence to the organisation's child safeguarding policies, as well as children's familiarity with it (including the reporting system) was very important and closely monitored.

- The COVID-19 pandemic affected the meetings, the forms of the awareness-raising materials as well as their conference speech. Online work can promote the inclusion of child participation, it enables to reach out to a greater audience, but it also requires a separate risk assessment from the facilitators.
- Some practical arrangements can make children's participation in an online conference more comfortable. Presenting from the same place and before or after a colleague turned out to be a good decision. On the other hand, children's presentation took place in school time, which should be avoided whenever possible.
- Switching from consultations to child-led projects is challenging both for child participants and facilitators, because they both have to undertake different roles and different responsibilities. A gradual approach helps children prepare for a more complex task while respecting their evolving capacities. However, clarifying the competences in each phase is therefore very important.

Concluding Remarks

Meaningful child participation requires time, money and human capacity, and should be considered from the planning till the evaluation stage of a project. Following the ChiLLS final conference in October 2020, project partners and child participants evaluated the project and the quality of child participation. This document aims to contribute by summarising the methodology of our work with children and presenting the most important lessons we learnt from it. It became clear that children had a real added value both in researching children's needs, giving them easy-to-understand, relevant information, assessing that information, and in representing their peers. Giving them a chance to contribute to advocacy and research projects at various levels – consultation, collaboration to child-led – benefitted the project outcomes, taught professionals how to address, communicate or work with children better, and empowered children at the same time. The project underlined that not just interdisciplinary but intergenerational teamwork is a great asset.

ChILLS



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