



Through our eyes

**Giving due weight to the views of children
and young people in policy making.**

This eBook was created on the land of the Widjabul Wiyabul people of the Bundjalung Nation. We acknowledge the sovereignty of the Bundjalung nation and pay respect to Elders past, present and emerging, who hold Country, culture and community sacred and who continue to teach Indigenous ways of knowing, being and doing.

Always was, always will be, Aboriginal Land.

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Our research: the practices of 'giving due weight'

Five young people aged 17–25 with firsthand experience in OOHC were involved as co-researchers throughout this project. We wanted to learn about practices policy actors use to 'give due weight' to children and young people's views when making decisions and rules. We wanted to know what helps, and what gets in the way? How might the practices of 'giving due weight' be improved?

What is 'giving due weight'?

The United Nations' *Convention on the Rights of the Child* sets out some obligations of people who are involved in making decisions that affect children's lives. Article 12 says children have the right to express their views freely in all matters affecting them. In a policy context, this means that people working in government roles, and people in positions with decision-making power and authority must make sure children are supported to express their views freely in decisions that affect them. It also says that their views will be 'given due weight'.

'Giving due weight' means that policy actors must listen to children and young people's views and carefully consider them. The UN has cautioned signatories to the convention against 'appearing to listen'¹ without implementing political, institutional, and cultural changes that enable children and young people to express and have their views taken into account in decision-making.

The lack of transparency in policy decision-making, coupled with little accountability to children and young people in care and their absence in policy and program co-design, is evidence that practice has not yet caught up to the UN's imperative in Article 12. These factors affect the relationship between children and young people in care and the policymaking bodies that make decisions that affect their daily lives. Co-researchers saw it as critical to shift the relationship to one of respectful dialogue, reciprocity, and accountability that entails listening to, and delivering on, children and young people's views about policymaking.

Participation is not enough

In policy language, this right of children is commonly regarded as 'the voice of the child' or 'children's participation'. But these terms hide the accountability of policy actors. Gathering children's views through consultations and surveys does not guarantee their views will be listened to, or taken seriously, when rules and policies are decided.

In our research, **policy actor** refers to anyone who is authorised in their work role to develop or influence policy. **Policy** is the systemic decisions, rules, laws, frameworks, guidelines and procedures that affect the lives of children and young people in out-of-home care (OOHC). **Policymaking** is all of the practices and processes involved in making decisions about policy.

We went to six policymaking sites and observed more than 100 people involved in policymaking. Then we interviewed nine senior policy actors. The sites we visited included:

1. Department of Communities and Justice (DCJ), where policy actors told us about their work consulting with young people to develop a *Care Leavers' Charter of Rights*.
2. NSW Office of the Children's Guardian, where policy actors were planning changes to regulation of services when they care for Aboriginal and Torres Strait Islander children and young people.

Introduction

3. Their Futures Matter, where policy actors told us about their work that brought stakeholders together to design new programs, including young people leaving care.
4. Families Australia, which ran community consultations about national policy for children and families all over Australia, including the one we attended in Ballina NSW.
5. Department of Social Services, where policy workers reviewed the feedback from consultations with over 600 people, and discussed how to 'enshrine' the voices of children and young people.
6. National Coalition on Child Safety and Wellbeing meeting, where the National Children's Commissioner represented the voices of children and young people to a forum of service providers, government and academics.

This book shows what we found out, and what co-researchers thought about how other policy actors can 'give due weight' to children and young people in OOHC.

We invite you to read and think about whether these practices make sense to you, what you might add or change. We would love to hear from you — please take our [survey](#).²

This resource is structured into six 'practices' that we learned from policy actors who are working in development, consultation and evaluation of policy that directly impacts the lives of children and young people in care. Each section articulates how policy actors are practicing these critical ways of thinking, acting and relating with children, young people and each other, that together enable them to 'give due weight' to children and young people's views in policy practice and program design. It includes some findings from observing and interviewing policy actors, followed by the responses, views and reflections of co-researchers who draw on their lived experience to consider how policy actors can improve or embed each practice in their work.

The practices are not 'divisible' but work together to form a network that policy actors can use to enact their obligations to children and young people, within the challenging organisational, cultural and political constraints of policy practice.

¹ United Nations Committee on the Rights of the Child (2003) 'General Comment No. 5: General measures of implementation of the Convention on the Rights of the Child'. United Nations Committee on the Rights of the Child, pp. 7–21.

² https://scuau.qualtrics.com/jfe/form/SV_3Q1KN4O2DnsAaX3

1.

Valuing children and young people's lived experience

Image: Nika, 18

In practice:

Seeking out, listening to, prioritising and sharing the knowledge that children and young people develop through their experiences in life and social systems.

“ *The best source to go to is who it's happening to ... who's experiencing what they need information firsthand about.*
Bonnie, 18

When it comes to out-of-home care, many policies, decisions, rules and regulations affect children and young people's lives differently from those who are not in care. Children and young people are often excluded from decision-making processes and places. Including them starts with valuing their lived experience.

Lived experience knowledge comes from firsthand experience of rules, regulations and policies that affect daily life. Lived experience can be seen as a kind of expert knowledge that children and young people bring to decision-making. It might include experience of different kinds of services, contact with siblings and other family, cultural connections, the challenges of being at school when everyone knows you're the kid in care, or trying to navigate gender diversity, bullying, racism and everyday life challenges while moving regularly from one living situation to another. For many children and young people, transitioning into care is a really difficult time in their lives over which they have very little control. Valuing lived experience involves seeing the knowledge that children and young people can contribute to decision-making.

A lot of kids feel like all these decisions are being made for them, but not with them... We heard that 'carers said this' and 'caseworkers said that', so 'that's what children and young people want'. But is it? Do you actually know that? Anyone can have a degree, but lacks the actual experience, the

lived experience, and you can't get the insight to that experience without talking to someone who's actually walked that path.
Shelley, 25

Our research: what we found

We went to a conference designed in collaboration with a Young People's Panel (YPP). They decided the topics for discussion and presented their own conference session. They raised concerns about exclusion, violence, abuse of children and young people, and the need for involvement of young people in systemic decision-making. One panel member spoke about her lived experience in care. The young people were strong leaders, with different experiences and cultural backgrounds, and we respected their powerful advocacy. YPP members asked the hundreds of policy actors at the conference to think seriously about how they can involve children and young people in their organisations.

In two research sites, young people were involved in youth advisory groups (YAGs). In one site, YAG members all had firsthand experience in care. Policy actors we met had listened to their experiences to design policy that would improve case worker practice. In another site, YAG members had a range of experiences, but did not have experience in OOH. The discussion was about national

policy relating to children and families' wellbeing, but policy actors were talking a lot about OOHC and child protection. The co-researcher in this site, Bonnie, felt there was a gap between the talk of 'participation' and the practices of policy actors. She spoke up several times, advocating for children and young people with firsthand experience in care to be present whenever OOHC is being discussed. Understanding and valuing children and young people's lived experience knowledge may help policy actors to prioritise their involvement.

Barriers to valuing lived experience

In all sites, policy actors talked about what gets in the way of giving due weight to the views of children and young people in policymaking. Constraints were different in each organisation, but included:

- limited resources of time, constraining communication and relationships
- concern about children and young people being uncomfortable or inept in policy settings
- concern that children and young people's views may be different, and may contradict 'academic' expertise or other priorities
- concern about the credibility of consultation data
- feeling unskilled and uncomfortable engaging with children and young people
- feeling responsible to children and young people's views, but unable to control the outcomes
- seeing that adults are the audience for their work, not children and young people, and
- tradition: involving children and young people is not 'the done thing', not 'the way we do things around here'.

Lived experience as 'qualitative input'

One policy actor told us that when they advocate for listening to children and young people internally, they conceptualise their contributions as 'qualitative input'. Rather than expecting lived experience knowledge to be replicable amongst all children and young people, collected following strict rules, and less 'valid' than 'expert' research, they argued that stories of lived experience provide rich detail about children and young people's lives. Policy actors should aim to hear the views of a range of different children and young people, in depth and

deep detail. This policy actor saw that lived experience knowledge is invaluable for understanding the complexity of children and young people's experience or points of view. But there were too many resource restrictions in this site, so this policy actor had not been able to collaborate with children and young people in a recent 'rapid co-design' process. Instead their co-design had relied on data, and the expertise and experience of case workers and academics.

What young people said

There needs to be young people who have been in care involved in these discussions. It's great to have young people speaking up, but they need to include young people who have been in care. Policymakers are speaking about OOHC but aren't hearing from any young people speaking from their own experience.

Bonnie, 18

You can't actually read about our experience in a book... There needs to be kids there who actually have experience, and you have to make sure people get a chance to talk and be heard. Let them speak. Don't give them that platform and then not listen, that's not fair.

Dylan, 17

All decisions, rules, policies and programs should be based around the interests and the desires of the young people, because otherwise, what's the point? It seems like young people are kind of just dropped in the deep end and forced to deal with what they get... The system currently isn't based on the wants of young people, it's based on the wants of the policy makers and what they see is necessary... there's no regard for young people as people. It's more case numbers rather than people.

Ben, 18

2.

Supporting children and young people's participation

Image: Nika, 18

In practice: Providing comfortable spaces, speaking in accessible and inclusive language, building children and young people's capabilities to express views and engage in policy deliberation.

“ If they explain things differently so that us kids could understand a bit better, I feel like younger kids could generally work along with it. But if I have no idea what they're saying, I'm over the conversation. Bye.
Nika, 18

Our research: what we found

Two organisations we visited support young people's participation directly: Families Australia hosts the Young People's Panel and Department of Communities and Justice (DCJ) supports Youth Consult for Change, a group of young people who give advice and feedback to DCJ about OOH. Policy actors told us that facilitating these groups includes recruiting young people, developing their confidence and skills in speaking up, organising travel, food and payment, and making sure that adults are accountable to the groups. It requires time and resources. Other organisations in our study did not run ongoing groups or forums for children and young people's participation in policy decision-making.

In four sites, policy actors contracted external organisations to consult with children and young people in care about policy matters, record what they said, then report back. Consultations were generally irregular and one-off. Policy actors told us about two organisations that run programs to build young people's confidence and skills in advocacy: CREATE Foundation's [Speak Up](#), and AbSec's [Youth Ambassador Program](#). We also heard about the work of the NSW Advocate for Children and Young People, who offers a range of ways to get engaged, including advocacy training, children and young person inspectors, NSW Youth Advisory Council, and published a [guide to engaging young people](#) in 2019.

In practice: Providing comfortable spaces, speaking in accessible and inclusive language, building children and young people's capabilities to express views and engage in policy deliberation.

“ If they explain things differently so that us kids could understand a bit better, I feel like younger kids could generally work along with it. But if I have no idea what they're saying, I'm over the conversation. Bye.
Nika, 18

What young people said

Co-researchers felt that these programs are vital, and some have already completed Speak Up. Co-researchers were adamant that children and young people are capable of participating in policy decision-making. They felt that this right should not be overridden by assumptions about their vulnerability, or their 'best interests'. Risks can be managed through support rather than used as reasons not to engage.

*It can be hard for us to participate. What makes it easier is if there's someone present that we know. I started doing stuff like this when I was really young, but I needed somebody to guide me to express things that have gone wrong in a way that someone in a business suit is going to understand... It helps to have a support person and plan what you're going to say beforehand. A support person might have a discussion saying, 'you don't have to talk about anything you don't want to', or 'give me a hand signal if you're feeling uncomfortable'.
Shelley, 25*

There are many reasons why children and young people may not feel confident to participate. For some, this is compounded when they are excluded from decision-making. There can also be particular times when extra support is needed, like transitioning from care. Rather

than avoiding children and young people's 'vulnerability' or risks, policy actors should work to find language, spaces and activities that enable their participation. Assuming that young people who don't speak up don't care might be incorrect. They may just need some extra help to get involved. But not all children and young people want to participate - it needs to be voluntary.

*It's essential that politicians and policy makers create an environment that young people are connected to, where they are validated to share their ideas, values, opinions and feelings.
Ben, 18*

How policy actors can support participation

*It's hard for a young person to talk to someone in that position, because you've got to muster every ounce of complex thinking to make sense, because they deal with that complexity day in day out. Policymakers tend to use complex language, almost to scare people off. Using language that young people understand is critical.
Ben, 18*

Policy actors can support children and young people's involvement by:

- developing relationships with children and young people
- using friendly and inclusive language, making processes accessible
- explaining the policy problem, and how you will respond to their views
- involving support people so they feel safe and confident
- making spaces comfortable including age-appropriate activities like art, groups and play
- being honest, respectful and inclusive, and use interpreters
- compensating children and young people for their time, costs and expertise
- ensure they can refuse participation with no fear of penalty
- 'meet' children and young people in a spirit of dialogue, rather than 'collecting' their views
- paying attention and listening, and
- being accountable for your commitments.

Keep processes informal

It can be hard for children and young people to feel comfortable in formal meetings, but that should not stop policy actors engaging them on policy questions. Interacting with children and young people is the best way to understand what's important to them. Policy actors might go along to activities being run by people who children and young people know and trust; keep processes informal and conversational. Practicing accountability is essential despite this informality, and is addressed in section 4.

*If you're going into their world where they're comfortable and just being introduced, and just getting to know them on that level. You're not going to make their view so distorted, and they're going to have more to say... In their environment, where they're comfortable ... they're going to feel more 'in their zone' I guess. You can't take them out of their environment and then tell them to explain their environment. You need to ask them where they're comfortable... Service providers always have events, like online, or taking all the kids to Dreamworld. Policy makers could go to one of these events, and just be there like everyone else... And maybe the kids don't really feel under pressure like in a formal meeting when it's like, 'what do you want things to make better?' Instead, you can just have a conversation with them.
Bonnie, 18*

Children under 16

Children under 16 have the same rights to participate and to have their views given due weight by policy actors involved in decision-making that affects them. Supporting younger children to participate is important, to understand their different experiences and perspectives on policy issues. Both policy actors and young people questioned the categories of children and young people based on their age, rather than capabilities and rights to participate. Co-researchers felt that excluding children under 16 leaves out important knowledge about children's lives, experiences and understandings about systems, procedures, culture and places.

3.

Engaging directly with children and young people on policy matters

Image: Nika, 18

In practice:
Being in reciprocal dialogue with children and young people on policy matters.

“ Maybe they could question the children actually in care. Like talk to them... Those questions that they ask each other, but ask the children, and ask in a way that they understand.

Nika, 18

Engaging directly with children and young people in care is the first step towards a dialogue on policy matters. More than seeking or capturing their views, engagement by policy actors means they hear directly from children and young people, in their words, and in context. This enables the next practice, which is listening and deeply considering children and young people's views in policy problems and solutions.

Our research: What we found

'Youth Consult for Change' (YCC) is a group of young people with firsthand experience in care, who give advice to Department of Communities and Justice. They also created a series of podcasts in 2019 called [More than just a kid in care](#). Policy actors at DCJ consulted directly with YCC to develop a [Care Leavers' Charter of Rights](#). YCC members were asked what kinds of communication they had with case workers when they were leaving care that was helpful and made them feel respected. They were also asked what kinds of communication was really unhelpful or disrespectful.

Policy actors were present at these workshops, listening while the group's facilitator ran the activities. The policy actors drafted the charter with notes from the workshop, then came back to the YCC group to check if anything had been left out. The charter was then shown to people

in higher-up policy roles at DCJ for endorsement. Once approved, it was distributed among case workers around NSW. This was the only organisation we encountered with dedicated funding to engage directly with children and young people in an ongoing way.

Other policy actors contracted other organisations to consult on policy matters, like the [NSW Child Safe Standards for Permanent Care](#), and design of [Futures Planning and Support](#) program being piloted for young people leaving care in NSW. The policy actors contracted external agencies to consult with children and young people, then read reports about their views by the consultants.

Some policy actors we spoke to did not engage with children and young people directly at all. They read the reports of data, statistics and research written by experts like the Australian Institute of Health and Welfare and university academics. They also asked carers, case workers and service providers about children and young people's views.

One policy actor in our research represented the views of children and young people to government. She does good work raising awareness about problems that children and young people face. But she had no funding to consult with children and young people directly. This limits her ability to engage in real dialogue that reflects the diverse interests of children and young people, especially those in OOHC.

Dialogue trumps surveys

Co-researchers felt this kind of direct engagement, where a dialogue is established between young people and policymakers, is preferable to surveys when designing policy and programs. Even if policy actors can't sustain a youth advisory group, direct engagement is the key to opening up dialogue and listening well. The influence of youth advisory groups and panels depends on the power they are given by the organisation, whether they meet directly with policy actors, and whether policy actors listen and take them seriously on policy matters.

Youth panels need to be representative and include kids from care, from each region... give everyone an opportunity to talk. Have one forum related to out-of-home care, and then separate ones like mental health... You should come back and talk, again, not wait another 10 years.

Dylan, 17

Dialogue allows for complexity

Co-researchers saw that policymakers are grappling with difficult questions. They felt that better policy solutions could be found by bringing their perspectives together with children and young people as user stakeholders in co-design. In our research, some policy actors used co-design but did not involve children and young people as users in ideation, empathy, user insight, prototyping, trialling, implementation or evaluation.

They need to do more consultations, and more roundtable discussions to understand what children and young people have been saying in those consultations. To break down that wall even more. They need to have their door open more to taking on feedback... Meeting directly with young people is worthwhile, even if they are a bit intimidated at first.

Shelley, 25

Funding is needed to enable dialogue

Co-researchers saw a lack of resources, funding, and time as a problem, an example of insufficient resources preventing children and young people's views being

considered in policymaking. They felt that anyone representing the views of children and young people must be in direct dialogue with children and young people, about the specific policy matters under consideration. Without this grounding in lived experience knowledge, their views may be used to 'dress' or 'enhance' policy, what co-researcher Bonnie called 'icing on the cake', instead of being a core ingredient in policymaking.

Contracting-out vs direct engagement

Co-researchers felt that contracting external agencies to consult with children and young people was a start. But this practice fails to bring children, young people, workers and policy actors together to find better solutions.

Policy actors who connect with children and young people directly spoke about reaping the rewards of their involvement: new insights to long-standing policy conundrums, renewed sense of purpose, clearer accountability and driving towards solutions that include children and young people. Co-researchers want to see different perspectives of children, young people, workers, policy actors and managers.

Adults do have a perspective. The kids see the details and the workers see a different picture, and the policy people see a bigger picture again. Bringing them together, you can come up with better solutions... in a positive environment, the two can help each other, rather than the adults leading blindly what's going to be the next move.

Bonnie, 18

Co-researchers noted that surveys don't measure children and young people's participation very well, and do not provide a dialogue between policy actors and survey respondents. Some researchers exclude children and/or young people because of their vulnerability, or because ethics applications are too slow. Carers and case workers have important views, but they are not unbiased representatives for children and young people's voices.

Introduce 'spokespeople', from out of home care, whether they've just left, or they're still in the system — say, age 16 to 18. Then take one from every area, collectively you could come up with plans and policies that ... express ideas and opinions and wants of people from those areas.

Create an environment where young people feel comfortable and have a spokesperson from each area. Then they'd feel more obliged to reach out and express concerns, ideas, wants. And things would be carried out a lot better than they are now... There should be a way of enforcing their views..

Ben, 18

4.

Relating with respect, reciprocity and accountability

Image: Nika, 18

In practice:

Building relationships and communication with children and young people, recognising their contributions and capabilities.

Prioritising authentic and meaningful interaction and demonstrating accountability to them in each engagement.

Our research: what we found

Giving 'due weight' to the views of children and young people involves recognising their rights and human dignity. All of the policy actors were concerned about tokenism when engaging with children and young people in care. All told us that there were many constraints on authentic engagement in their roles and organisations, from time constraints, to funding and an absence of power or authority that left children and young people out of policy decision-making. But some policy actors still found ways to relate to children and young people authentically, with respect, and in ways that demonstrated a deep commitment to transparency and accountability. We want to clarify and share what we learned about these concepts from observing and listening to policy actors.

So yesterday I did case worker training, and also sat on my [foster carer assessment] panel, and we discussed about how can we listen to young people more. How can we show that we're listening?

How do we take on board what young people have said to us? And kind of give the young people the feedback back too? So it's not just like, oh, okay, you've helped us with something. And, you know, that's it. Yeah, to kind of get like the outcome. Because I have heard that a lot that well, and I experienced it too... [Politicians and policy actors]

they do a lot of tokenistic stuff that makes them look good. When it suits them...

You help them with stuff and then you never ever hear from them again. And then it's like 'well, what's the point?' And there's the other side, if someone genuinely wants you to do something similar, then you're even more hesitant to help them because it's like, well, if this was gonna turn out like last time, then you know, why should I even bother?
Shelley, 25

Tokenism is when people 'say' they are consulting, but really are not listening or taking them seriously. Children and young people are used as a 'token' or 'tick box' of participation. Tokenistic participation lacks feedback about what was heard, there is no link between participation and policy decisions, and tokenistic approaches are usually one-off consultations conducted at 'arm's length' from policy decision-making. Fear of tokenism was the reason policy actors gave for not engaging directly with children and young people.

Practicing respect involves treating children and young people as equals, recognising their different skills and contributions. We saw this clearly in the site where young people were involved in co-designing a conference for policy actors and practitioners. It means recognising Aboriginal culture and ownership, paying respect to

Elders, and learning and respecting self-determination. Policy actors demonstrated respect by using inclusive language and accessible policy processes, including young people who have disability, who are from culturally and linguistically diverse backgrounds, those who are LGBTIQ+, and those who have had a range of OOHHC experiences. Policy actors also practiced respect by taking the time, and allocating the resources, to create ethical, safe and inclusive places and policymaking processes, including ethics applications, extended relationships and extending timeframes.

Practicing reciprocity involves two-way dialogue, giving and receiving feedback, reporting back about what was heard, what difference it made, and the outcomes that have been achieved. Reciprocity includes sharing something of yourself, and being flexible to engage with children and young people in their trusted spaces and places away from policy offices. In several sites, policy actors practiced reciprocity through critical-reflection, as a team or with trusted colleagues. This meant that policy actors were aware of shortfalls in accountability, and in giving due weight to children and young people's views in their organisation.

Being accountable doesn't mean agreeing with everything. It is a commitment to open discussion, following through on commitments, and seeing children and young people as central stakeholders in policy decision-making. Policy actors can seek and respond to feedback, take it on board, and use critical-reflective practice to ask: who is benefiting? How am I practicing accountability in this relationship? How am I identifying and addressing tokenism? How are we delivering on our commitments to children and young people? Some policy actors saw their role as guiding service providers to engage with children and young people, even though they did not do so themselves. They saw themselves as accountable to children and young people, but did not measure this accountability. Co-researchers wondered whether they might ask children or young people the questions that we observed them deliberating, to create a loop of accountability.

What young people said

I've seen incidents where older white people made younger Aboriginal people feel uncomfortable by just the way they talk. First impressions are important. If you were to seem rude, that kid would probably not like you as much as they would if you would be respectful. If you want respect, show respect. If you're nice to them and treat them good, they're going to be like that back to you. If a white person says, "thank you for welcoming me to your country and showing me respect," I find that so respectful. I find that person mature and kind. I give them my respect because they have shown their respect.

Nika, 18

It can be quite irritating, particularly for young people ... because there's a stigma that young people don't know complexity and they use simplistic answers and reasoning.

Ben, 18

You need to respect them. Even if you don't agree — you've got to take it on.

Dylan, 17

It felt like it was just a sad story to make them feel pity... It was like, 'oh, I feel so bad with what you went through, it's so good you can speak up'. Well right, I can speak up. But I also would like to improve this, but that wasn't really on the table.

Bonnie, 18

You know, we're all human, we all make mistakes.

But when something does go wrong, you need to have that accountability, and also that reflective practice to kind of go 'Okay, this didn't go too well'.

But the accountability side, so kind of whoever you've affected, kind of an apology or, at the minimum an explanation.

Shelley, 25

5.

Integrate children and young people's views into decision-making

Image: Nika, 18

In practice:
Include children and young people in decision-making processes, spaces and places.

“ Why is she not on the table when they're discussing... Like, they discuss statistics, and they say 'where do we go from here'?... I feel like it's really difficult to always have young people there at that table, considering it's such a high level. And if young people are at that table, most of them would be confused...? I feel like they need someone who's gone out and engaged with the young people to be at that table, to advocate.

Bonnie, 18

Consider the decision-making 'table'

Several policymakers in our research talked about a 'decision-making table' and were aware that children and young people are absent from this table. They weren't sure how to practically include children and young people in important decision-making conversations. They told us that policymaking is complex, and this complexity and pace is directed by political, organisational and cultural imperatives that they cannot necessarily control. Decision-making happens in different places with different people, and is influenced by a range of priorities, values, ideas and language, politics and evidence about what works, costs and cost-benefits.

Pressures on policy decision-making come from different stakeholders, like service providers, carers, advocates and higher-up policy actors. Not everyone is involved in every part of the decision. One policy actor explained that when they were invited to the table, they represented children and young people's views and lived experience. But this policy actor said that decisions were often made at a different table without her being present.

Child/youth-friendly spaces and processes

Some policy actors created 'child/youth friendly' spaces and processes so that children and young people would

feel empowered together. Facilitated by specialists, decision-makers were often not present in these activities to engage in dialogue and experience the richness and diversity of children and young people's contributions. In other spaces, young people were involved in policy discussions with adults, but their views had to compete with adult voices at the table. In these spaces, often the 'right' adults who were empowered to make decisions weren't there to hear, talk, and share ideas.

Make it a roundtable

One organisation had consulted with nearly 800 people around Australia about a new child and family policy, including young people. When we visited, they were reviewing what all of the people had said with the policy actors who were writing the new policy. Our co-researchers, Shelley and Dylan, were invited to deliberate with five adult policy actors to consider the question: 'How do we amplify and enshrine the voices of children and young people in policy?' This helped to make sense of the different views in the room and to challenge some assumptions about children and young people's capabilities.

You can easily hear someone when they're talking, but to actually listen and take on board what they're asking you is a lot different.
Shelley, 25

In our roundtable, Dylan and Shelley advocated for more direct dialogue with children and young people in care. They challenged the way that policy actors focus only on their 'patch' of policy (a 'portfolio' like child protection or 'children and family wellbeing' of housing or youth justice), and jurisdictional boundaries between states and the Commonwealth. Co-researchers felt policy actors should coordinate across different policy areas to have a dialogue with young people about the policies, rules and decisions that affect their lives, in an ongoing and regular way, rather than one-off consultation on one issue.

Involve young people in complexity

Co-researchers were aware of the complexity of policy processes and want to be involved in complex discussions. For them, being 'at the table' means meeting as equals and deliberating with different policy actors who have the power to influence decisions. It means having a dialogue, and considering different policy options, problems and solutions. It means having the power to speak and be heard in the right settings, spaces and places where decisions get made. They felt that children and young people need access to research and data to understand policy constraints, so they can be authentically involved in deciding.

If they talk back, and they give you their attention and seem like they're engaged or they want to change something, then that's good enough for me... Policymakers and politicians, it's hard for them because they have a busy schedule and stuff... There's a politician I have met a few times talking about this stuff. She's great and she listens. She knows me now. I saw her multiple times. We built a relationship, so she knows me.
Dylan, 17

Pay attention and prioritise children and young people's views

Meeting children and young people 'at the table' also means policy actors pay attention, hear and respond to what they say, weaving ideas together in a dialogue. Co-researchers were wary of adults who spend their time writing notes, but don't seem to be listening or paying attention. Their views should not only be 'captured' and reported back but woven

into decision-making and policy dialogue.

One of the challenges for policy actors is when the views of children and case workers don't match the priorities of the policy organisation. It can be hard for policy actors to make decisions based on the feedback they hear from children, carers, caseworkers and academics. Co-researchers suggested that this is a good time for roundtable discussions, where young people with lived experience, case workers, and other experts can come together and deliberate around complex matters. Roundtables also help to 'make sense' of consultation data.

It felt like it had more weight to it. It was more in-depth and gave me an understanding about how things really happen in policy, that there are things happening. Because there are long periods where it seems like nothing's happening. I knew our opinions were actually being listened to, because I was getting real responses.
Shelley, 25

Recognise children and young people's capabilities and agency

Co-researchers had experiences of being involved in service design, staff recruitment, participative evaluation, media and policymaking. They also support other children and young people in care, like siblings and young people in care, and advocate for changes in the system. They wanted policy actors to know that they are capable of participating, if policy actors create the space, speak in understandable language, practice respect in a dialogue and listen carefully. Examples where they felt listened to and taken seriously included:

- training case workers, who listened and asked questions
- advocating alongside politicians and policy actors in media interviews
- lobbying successfully for changes to child protection procedures
- participating with other stakeholders in assessing new foster carers
- presenting at policy and practice conferences to welcoming audiences
- facilitating and supporting other children and young people to speak up

- participating in recruitment panels for caseworkers, policy actors, CEOs, children's commissioners
- advocating for siblings in administrative arrangements, court orders and care plans.

A lot of my friends who have been in care say they'd like for the older person — like we'd call the 'bigger person' — to listen to us more. I feel there would be a lot of very strong-minded and very opinionated children who are between a young teen kind of young adult age. Like I feel like they would have a lot to say. I am out of care for like that few months now, and I feel very opinionated about the care system.
Nika, 18

Have their backs

One of the co-researchers described her experience of being 'backed up' by an adult at school, and explained that policy actors could think about their relationship with children and young people in care like an aunty or a superhero, like having the backs of kids in care:

One day at school I was talking loudly outside class, and this teacher said "I'm writing you up". I've never been a bad student, so yeah that was very 'rrr' to me. I got a bit too upset and I just said "Excuse you!" and all that. And she didn't like that and she said I was very rude.

And then she goes "All you people are the same." I might have like reacted in a way that I'm not very proud of, but luckily my cousin was there, and the support teacher.

The support teacher said, "How dare you say that about this student?" She really backed me up. The teacher got suspended for a while, and I also got a suspension for how I reacted, which I feel is fair.

But it felt pretty good to have someone who was on my side. She heard the whole thing and she knew the teacher was in the wrong place. And she's like, "Hold up. No, that's not right. You shouldn't be talking to our student like this in the first place." She's a lovely lady. Everyone loves her.

That kind of support is, I would say like an Auntie, like a really strong family member who you respect, kind of like your superhero, someone that you look up to. Everyone needs someone backing them up like that. Seeing something is wrong and saying, "I don't like what you just said to that student".

I feel that teacher stood up for me. She didn't have to, but she did. And like I said she showed the respect to me, I really respected her from that day onwards.
Nika, 18

This story highlights the importance of support people, so that young people can be confident to speak up, and to protect their rights. For co-researchers, supporters were a mix of family and advocates. For this co-researcher, family is a great source of personal strength, pride and identity.

6.

Giving due weight

Image: Shelley, 25

In practice:

Listening, weighing-up and giving serious consideration to children and young people's views. Paying attention, deeply considering their meaning and deliberating the consequences for policy.

Children and young people in care have many experiences of not being listened to, about where they live, who they live with, where they go to school and how often they see family and friends. They also have a lot of extra rules in their lives, including police, judicial and administrative processes that get in the way of friendships and activities like sleepovers, camps, sports and hobbies.

OOHC is discussed a lot in policy settings, whether that is about 'permanency', 'restoration', 'independent living', 'therapeutic care', 'leaving care', care planning, 'cultural planning' or 'transition' - into care, out of care, into education and work, and into adult health and disability care systems. Children and young people have contributions to make to all these policy matters.

Our research: what we found

What came through strongly in our interviews and observations was the need for policy actors to share power, have a dialogue and be accountable to children and young people in care for policy decisions that affect their lives. The obligation to listen and give serious consideration to children and young people sits with people involved in deciding.

Families Australia's (FA) engagement with the Young People's Panel (YPP) was good evidence of giving due weight. With very little funding, FA supported the YPP to co-design two national conferences and run their own panel sessions, including telling stories from their lived experience. They listened to and shared decision-making power with YPP members.

In most of the sites we visited, we saw evidence of gathering children and young people's views, although on a limited range of policies. But most policy actors, when we asked them how they 'give due weight' to children and young people's views, responded that they didn't do this well. They found it difficult to show they were listening, being in dialogue and sharing decision-making. They were hampered by professional roles and policy projects that don't include children and young people as key stakeholders or users. They were hampered by jurisdiction and policy portfolio. Lack of funding for engagement with children and young people was seen as a reason not to engage or listen to them, despite the right and obligation entailed in the *Convention on the Rights of the Child*.

What young people said

Each point we made, they would repeat and then add their own comment onto it. It's great when you're doing public speaking to show that you're voicing. It also gives you the knowledge that you are understanding things properly and you're comprehending what we said. Not writing all the time. If they're having their own input in the conversation or at least clarifying what we've said, that shows they are paying attention.
Dylan, 17

Co-researchers did not expect that all their ideas would be made policy. But they wanted to be taken seriously. They had experience in speaking up and communicating with adults in decision-making roles. They knew what it felt like to be listened to and taken seriously, and what it felt like to be excluded and disregarded.

...to be included meant a lot because it showed me that they were taking the weight of their decision seriously as well, knowing that this affects real people and, you know, we're not just statistics.
Shelley, 25

What policy actors can do to give due weight

Children and young people know when they are being listened to in policymaking. Most policy consultations are never reported back to the children and young people who contributed.

I asked the question of how are you going to be able to measure that the policy's actually being successful and I think the response I got... was you know "we're going to base it on statistics and surveys" and that's when I said, "Shouldn't you go back to who you consulted with, say what your findings were, say how things are going and the outcome so they know they haven't wasted their time?"

To me I felt like that would have been a more logical sense and response than to just base it on statistics. Particularly when you also then think well ok... where in the population group is the statistics coming from? They could be completely different from people you

consulted with. The circumstances could be different. So I was a little bit concerned around that.

I think they definitely have listened, and I think they are going to take things onboard, but in terms of measuring things, I'm a little bit — about that.
Shelley, 25

Actions they identified that policy actors could take to demonstrate listening and considering children and young people's views:

- being present, seeking children and young people's views in accessible and inclusive ways, and paying attention to their views
- giving serious consideration to their views as possibilities in policy
- engaging in dialogue, weighing up and responding to their views
- finding ways to support participation of 'vulnerable' children and young people that enhances their agency, rather than undermines their involvement based on their 'best interests'
- including children and young people in collaborative co-production, co-design and co-creation processes
- feeding back what you heard, providing this feedback in transparent and accessible ways
- reporting back about how their views have made a difference, even the things that will not be implemented, and why
- measuring and reporting your accountability to children and young people
- including expectations of children and young people's involvement through governance arrangements, planning, service design and evaluation.

When policy actors give due consideration to the views of children and young people in care, the consequences for those children and young people, and those to come in the future, are exciting to imagine. Exploring and embedding practices associated with giving due weight may, in time, result in fuller implementation of the *Convention on the Rights of the Child*, and lead to collaborative policymaking between policy actors and those who are most affected by their practices: children and young people themselves. Giving due weight is not optional, it is foundational to the empowerment of children and young people, and to bringing the richness of their lived experience knowledge into policy decision-making.

Being involved in decision-making gives you a sense of belonging as well as validation. Everyone in care should get the opportunity to get involved more... to discuss what they feel and have that sense of importance and validation. It's almost like a triumphant feeling when you are taken seriously.

A lot of young people, we know we have a voice, but our voice isn't always heard, particularly when you're dealing with seasoned adults. There's almost a fear that we're not going to be understood.

Reassure them that you will try to understand, and their views are not going to be cast aside.

Ben, 18

Co-researcher team

Ben, 18
lives in the mid-north coast and is studying at university

Bonnie, 18
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Through Our Eyes was co-created by young people with firsthand experience in out-of-home care in 2020 as a resource for policy workers who would like to improve their practices associate with 'giving due weight' to the views of children and young people in policymaking.

We would love to hear from you. To contribute to the conversation, please take our [survey](https://scuau.qualtrics.com/jfe/form/SV_3Q1KN4O2DnsAaX3).

Survey url: https://scuau.qualtrics.com/jfe/form/SV_3Q1KN4O2DnsAaX3



Cover image: Shelley, 25