

A Local Government Perspective on Children's Civic Participation:
Reflections on Auckland-based Projects with Children 12 Years of Age and Under

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Abstract

Children's right to participate in decision-making processes that affect them is enshrined in Article 12 of the United Nations Convention on the Rights of the Child (UNCROC); New Zealand ratified UNCROC in 1993. As part of its commitment to adhere to the Convention, New Zealand is obliged to actively promote children's participation by ensuring children are heard and their views are taken into account in decisions that affect them, in accordance with their age and maturity (UNCROC, 1989), including across the range of governmental settings. Local government is an important forum for engagement with children and the realisation of their rights (UNICEF New Zealand, 2010).

This research reflects on children's right to participate at the local government level in Auckland City, and from the perspective of local government officers. It explores the policy context in which this right must be realised, and Auckland Council officers' perceptions of barriers to, and enablers of, the civic participation of children 12 years and under on matters under the responsibility of local council. The data has been drawn from Auckland-based projects undertaken up to, and including, the change to the Auckland *Supercity* structure - a structure which incorporates eight previously separate councils in the Auckland region into one local government body.

Interviews with five council officers were conducted under the qualitative descriptive framework. A thematic analysis was completed, and findings reflecting the participants' own voice are presented. Overall the findings show that there is much to support younger children's participation at a local government level in terms of international law, national strategy and local policy and action plans. The interviews indicated that consultation with younger children was a positive experience for participants, and that children actively engaged. However, challenges exist in the complexity of translating children's participatory rights to the front line of communities in the civic space in an on-going and

sustainable way. Recommendations from this research centre on ensuring that UNCROC is promoted in the local community, and within Council as the framework for consultation practice. A metaphor of participatory practice is presented as a foundation for exploring the need to ensure that younger children's right to participate at a local government level is nurtured and supported across the community (Shier, 2010b). Finally, it is offered that, given the focus on long-term policy and priorities being undertaken in Auckland City at present, this is a critical time to review and debate children's active citizenship in Auckland.

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Attestation of Authorship

I hereby declare that this submission is my own work and that, to the best of my knowledge and belief, it contains no material previously published or written by another person (except where explicitly defined in the acknowledgments), nor material which to a substantial extent has been submitted for the award of any other degree or diploma of a university or other institution of higher learning.

Signed:

Date:

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Chapter One: Introduction

Overview

The most crucial link between human rights and democracy is the prevention of unjust exercise of authority by participation in the life of one's society (Kaufman & Rizzini, 2009, p. 429)

As we have learned from the history of non-represented groups, those in power are often able to ignore the interests of those who are absent from the table. (Kaufman & Rizzini, 2009, p. 432)

In New Zealand, *all* citizens under 18 years of age are the holders of the rights enshrined in the United Nations Convention on the Rights of the Children (UNCROC). In 1989 New Zealand became a signatory to this international human rights Convention; in 1993 New Zealand ratified the Convention, and in doing so made a commitment to bring its national legislation and policies in line with the 54 Articles contained within it. New Zealand is one of 191 countries that have ratified UNCROC. Only three countries have not yet ratified - the U.S.A., Somalia and South Sudan - making this Convention one of the most widely ratified in the world (UNICEF New Zealand), and signifying its importance as a standard of human rights to which ratifying States must be accountable.

The rights outlined under the Convention have been summarised as providing children with the rights to “provision, protection and participation” (Committee on the Rights of the Child, 2009, p. 6). The Convention distinguishes itself from earlier international instruments designed to address children's rights by, amongst other things, extending to children the right of “participation” (Butler, 2012). It is this right, outlined most specifically under Article 12 of the Convention, that frames this research. The term *participation* has become “shorthand for the right embodied in Article 12 to express views freely and have them taken seriously” (Lansdown, 2010, p. 11). Smith (2013) notes that the “most innovative and controversial aspect of the Convention relates to its

message that children should have agency and voice, and that they have a right to participate” (Chapter 1, Children’s Rights, para. 3).

The obligation for New Zealand to align itself with UNCROC applies to government policies and practices, including that of local government. This research explores participatory rights in the local context by reviewing enablers of, and challenges to, children’s active and direct civic participation at local government level, from the perspective of local government officers. This study is unique as it focuses on the age group 12 years and under, and on local government within Auckland City. It reviews this issue based on consultations with younger children in the period leading up to and including the amalgamation of eight legacy councils into a unitary Council in the Auckland region – the Auckland *Supercity*. This amalgamation is a significant milestone in the lifespan of the Auckland community in general, and one with significant implications for Auckland children in terms of policy setting and the establishment of civic practice at the local level.

Children’s right to participate under UNCROC

To understand the lens through which this research is viewed, it is critical to review the relevant articles of UNCROC that set the standard of children’s participatory rights. The right of participation is woven into all of the articles of UNCROC as it is an underlying value, and one of the four underlying principles of the Convention (Committee on the Rights of the Child, 2009). The others principles are: the right to non-discrimination, the right to life and development, and the consideration of the best interest of the child (Committee on the Rights of the Child, 2009). The right of participation is most specifically outlined under Article 12, which states:

Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child. (United Nations, 1989)

Article 12 specifically refers to children's right to express their views, express them in relation to matters which affect them, and have those views taken into account. It does not mandate a hierarchy of participatory rights based on age alone. Maturity *and* age are considered factors in terms of the weight given to children's views at the point of decision-making, however the right of participation is a right that all children hold (Lansdown, 2005).

Other Articles also particularly support Article 12, including Article 13 which states that:

The child shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of the child's choice. (United Nations, 1989)

Article 12 should also be read in consideration of the principle of the *best interest of the child*, as outlined under Article 3:

In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration. (United Nations, 1989)

Whilst participation is one of the fundamental principles that underlie UNCROC as a whole (Committee on the Rights of the Child, 2009), it is a challenging and complex principle to bring into practice. It must be meaningfully translated from international law under UNCROC, to practice at the front line of communities and families. Realising this right in full requires active consideration of the challenges at the frontline of participatory engagement.

Topic and scope of the research

This research aims to review a local government perspective on children's civic participation through the reflections of Council officers who have undertaken Auckland-

based projects with children 12 years of age and under; the focus is on participatory opportunities in which council has directly sought children's views on matters relating to local government. These projects are used as a "springboard" from which to explore the issue of younger children's civic participation. The focus has been on those projects undertaken in a period from 2005 until the present - a timeline which encompasses the most recent period within which New Zealand reported to the United Nations on its progress in meeting its obligations under UNCROC, and which has seen significant changes in the Auckland region.

To better understand this issue, this research reviews the policy environment within which this participatory right must be expressed within New Zealand. In addition it explores the interplay of this environment with Auckland Council's construction of its obligation to children's right to civic participation in general, and then particularly in relation to children 12 years and under. This research study has gathered direct data through interviews with Council officers, who provide their reflections on the challenges and facilitators of the practice of participation with children, with a focus on this younger age group.

This research uses a qualitative descriptive methodological framework as a structure under which to elicit these reflections from Council officers, and to convey their views. Qualitative interviewing under this framework has been employed as a tool from which to explore the conduct and outcomes of these projects, and how the information gleaned from children was used, including its impact on decision-making.

It is not the purpose of this research study to question the legitimacy of children's rights under UNCROC, although it is acknowledged that there are challenges to the very notion of children's rights and how these are articulated in accordance with the Convention (for example Farris, 2010; Glanzer, 2010). As UNCROC has been ratified

by New Zealand, the Convention is accepted as legitimised in the national context in which the research is set, and therefore the research moves on to explore the expression of children's participatory rights under its framework.

Rationale of the research

Auckland City by formally recognizing obligations under UNCROC would be showing leadership not only to other local councils in New Zealand but globally. (Irving, 2009, p. 17)

Local government is an important forum for engagement with children and the realisation of their rights (Irving, 2009). The previous Children's Commissioner for New Zealand, Dr John Angus, has identified local government policy as an appropriate site for consultation with children in New Zealand (Hanna & Mason, 2010). UNICEF New Zealand also contends that local government must apply the principles of the Convention in order that New Zealand's fulfil its obligations under UNCROC (Irving, 2010). Local government has a profound impact on the day-to-day lives of children (Irving, 2010), as it controls essential services such as water and sanitation, public transport, libraries, the management of local and regional parks, some social services and a wide range of by-laws (Action for Children and Youth Aotearoa, 2010).

The selection of the local government perspective in Auckland as an appropriate site for exploring these issues is based on a number of factors. Firstly, the new Auckland *Supercity* structure encompasses a nationally significant local government area, covering one third of the New Zealand population (Action for Children and Youth Aotearoa, 2010). Secondly, the United Nations makes direct reference to the community (which is impacted by local government) as a site in which New Zealand children's views must be respected (Committee on the Rights of the Child, 2011), and on the obligation more generally on policy makers to actively provide children with opportunities to participate in decision-making, within all areas of adult authority

including local government (UNICEF, 2007). Finally local government is the focus of an international initiative, the international Child Friendly Cities Initiative (CFCI), which aims for UNCROC principles to be embodied in a system of local governance. The aims of this initiative include the genuine consideration of children's views and the genuine reflection of children's rights "in policies, by- laws, programmes and budgets" (UNICEF New Zealand, n.d.-a). This is further acknowledgment of the international recognition that local government has a significant role to play in realising children's rights, including their participatory rights.

The Auckland *Supercity* planning processes (for example, Auckland Council, 2012a) are currently being progressed, with children at the forefront of the priorities being set. This is a significant time to review and debate children's participation at the local government level. Though the Auckland Council experienced significant change in the 2010 local government elections, current Mayor Len Brown has confirmed his on-going commitment to a "child-friendly" city (S. Collins, 2010). The Auckland Plan, a high level policy document which sets out the focus for the city for the next 30 years, has a priority to "put children and young people first" (Auckland Council, 2012a, p. 76), introducing this priority with a statement acknowledging children's aspiration to participate: "Children want to be heard" (Auckland Council, 2012a, p. 76).

When viewed in light of Auckland's importance in the New Zealand political and economic landscape, and the critical work that Auckland Council is undertaking to develop a 30-year vision for the city in consultation with its communities, one can see as the Mayor Len Brown states, that presented is a "once in a generation" opportunity for Auckland to set its long-term priorities (Auckland Council, 2011, p. 1). This is a critical opportunity that could also be used to incorporate structures and processes that will strengthen children's participatory rights at the local government level, if those rights are prioritised over the long term. There is an opportunity to increase the

opportunities for children to take their place at the decision-making “table” - a place reserved under UNCROC - through participatory engagement at the local government level. Research into the factors that facilitate and those that challenge this participation is aimed at supporting this opportunity to maximise the full expression of children’s participatory rights in Auckland City.

The desire of New Zealand children 12 years of age and under to contribute their views as active citizens, and evidence of their ability to genuinely engage has been established in a number of research findings (Hayward, 2012; Ministry of Social Development, 2002; Taylor, Smith, & Gollop, 2009). This has also been identified in recent Auckland Council consultations with children and young people (Auckland Council, 2013b). But the power to access participatory opportunities at the local political level is still strongly influenced by adult gatekeepers who facilitate community participation in the public space. This research includes the perspective of some of these adult gate-keepers, acknowledging that whilst the Council officer, as a representative of Council, provides only one perspective on these issues, their position renders them, “privileged actors” (Baker, 2009, slide 7). They occupy a critical place on the “frontier on which the wills of individuals and the wills of governmental institutions directly confront one another”, that is, at the level of civic “participation” (Gallagher, 2008, p. 402). Wyness (2009) notes that there has not been a strong focus in the literature on the roles that adults play in supporting children and young people’s participation.

Children 12 years and under are less likely to be the subject of participatory processes; theorists have recognised this (Hayward, 2012; Lansdown, 2005; Shier, 2010a; A. B. Smith, 2013), and in turn this is an issue raised in the literature review undertaken as part of this research (Davey, 2010; Kirby, 2002; UNICEF UK, 2010). In national policy the New Zealand government has acknowledged the increased vulnerability of children

12 years of age and younger, and the insecurity of their participation (Ministry of Social Development, 2002).

Under Article 12, children, regardless of their age, have a right to express their views on matters that affect them. Whether they must express them *directly* is a contested space. Lansdown refers to a “triangular” relationship between the State, parents/caregivers and children in terms of the realisation of children’s rights (Lansdown, 2005). Under UNCROC sometimes adults can speak for children, but with commitment to represent their views accurately, and to ensure that the child has had a genuine choice as to whether they express their views directly (Committee on the Rights of the Child, 2009). Younger children are vulnerable to being marginalised in direct consultation opportunities. Often this is a result of dominant societal constructions around their developmental capacity to meaningfully contribute; this may lead to a belief that adults need to take responsibility for them rather than an active engagement with the complexity of assessing their actual abilities to participate (Lansdown, 2005). However, if New Zealand is to fully meet its international obligations under UNCROC, it must engage with the challenges of realising the participatory rights of its youngest citizens. Local government is one important site of this work.

At the macro-level this research aims to contribute to a larger body of scholarship concerned with promoting younger children’s expression of their right to participate in New Zealand society as whole, in alignment with UNCROC principles. Strengthening children’s right to participate at the local level within Auckland would contribute significantly to the realisation of children’s civic participatory rights within New Zealand as a whole (Irving, 2009). By focussing on the age group 12 years and under it is the aim to ensure that the younger members of New Zealand society continue to be on the agenda - or at the “table”, and in a way that is in accordance with their human rights.

Significance of the research

If we now have a shared global understanding of the importance of taking children's rights seriously, why are we still failing to make these rights a reality in their everyday lives? (Kaufman & Rizzini, 2009, p. 432)

New Zealand is required to report to the United Nations Committee on the Rights of the Child every five years (after the initial reporting requirement two years after ratification of UNCROC). Over the 20 years since ratification, New Zealand's implementation of children's rights continues to be criticised by non-governmental organisations (NGOs) (Action for Children and Youth Aotearoa, 2010; Office of the Children's Commissioner, 2010; UNICEF New Zealand, 2013) and in the feedback of the UN Committee on the Rights of the Child which oversees that reporting (Committee on the Rights of the Child, 2011). This criticism includes New Zealand's failure to promote children's genuine participation in political life.

The issue was taken up directly by the UN Committee in their response to New Zealand's third and fourth periodic reports (the most recent):

The Committee notes with regret that the views of children are not adequately respected within the family, in schools and in the community. The Committee also regrets that there are no means by which children can express their views in the public domain, that the State does not systematically take them into consideration when formulating laws and policies that may affect them. (Committee on the Rights of the Child, 2011, p. 5)

Yet legislation and policy in New Zealand recognises the rights of children to participate in matters that affect their lives. New Zealand's commitment to the principle of children's participation is evident in national strategies such as the Agenda for Children (Ministry of Social Development, 2002) and the Youth Development Strategy Aotearoa (Ministry of Youth Development, 2002). In Section 6 of the Care of Children Act 2004 (Parliamentary Counsel Office, 2004), the right of the child to be given an opportunity to express their views (directly or mediated through a representative) and to

have those views taken in to account is recognised. Children's right to participate is reflected at the local level in the Auckland region in the range of projects that have been undertaken which involve children in decision-making on civic issues (for example, Waitakere City Council, 2002), and has gained momentum through the policy direction of the Auckland Plan (Auckland Council, 2013d).

However the youngest citizens are particularly vulnerable to a degree of invisibility as active citizens in the public space. This vulnerability to marginalisation of their participatory rights has been recognised by the United Nations (Committee on the Rights of the Child, 2009), and in New Zealand government reports (Ministry of Youth Development, 2008). Officers who represent the government, including local government, have a key role to play. The role of "civil servants and public officials" in realising children's rights under Article 12 is advocated by the United Nations (Committee on the Rights of the Child, 2009, p. 12).

Structure of the thesis

Chapter Two is the first chapter of the literature review which is divided into four sections. This first section reviews the policy context in which children's right to participate has developed within New Zealand, and which affects the Auckland Council environment. Starting with the development of children's rights internationally, this section explores New Zealand's engagement with UNCROC, including a review of national policy and its recognition of the need to provide for children's participatory rights. This section then includes an introduction to Auckland city as the site of the research, and focuses down to policy and practice in Auckland local government in recent years. This provides an overview of the local political environment in which children's participatory rights are expressed.

Chapter Three is the second section of the literature review, and outlines the theoretical perspectives underpinning this research. The first suite of theoretical perspectives sit under the new Childhood Studies, and centre on the development of ideas of the social construction of childhood and the recognition of children's agency. It is the contention of this research that how childhood is constructed in the public space - that is, how adults in power conceptualise children's capabilities and agency - can limit if, when and how children are invited to access participation opportunities. As this research is linked to ideas of children's participation in governmental activities, theories of citizenship and a review of some concepts of power within a Foucauldian framework of governmentality are also reviewed (Gallagher, 2008; Moss & Petrie, 2002). These build the perspective of the research from a number of angles - the child (agency and capacity), the societal values and norms (social construction), and then theory around the interaction of government and citizen (governmentality and citizenship). The critical elements of the principle of participation which underpin this research will also be outlined.

Chapter Four is the third section of the literature review, and explores the frameworks and typologies of participation which have influenced the connection between the principles of genuine participation under UNCROC and practice at a theoretical level (Hart, 1992, 2008; Shier, 2010a, 2010b). These typologies provide a basis for conceptualising genuine participation at the front line, and how it may be built within practice. A model of citizenship which brings together participation, decision-making and citizenship within a democratic space, developed within New Zealand will be briefly reviewed (Hayward, 2012).

Chapter Five explores the enablers and challenges to building participatory frameworks with children when consulting within a governmental space, as drawn from the national and international literature. This review highlights some of the key issues identified in

the political space. It also supports the data collection by providing contextual information on common themes in the literature, and by providing points of comparison with the data analysis.

Chapter Six reviews the methodological and ethical framework under which the qualitative section of the research was undertaken. This chapter introduces the participants, and outlines the qualitative descriptive framework, the rationale for its selection as a methodology, ethical frameworks for undertaking the research as well as the practical conduct of the research. The limitations of the research are also addressed.

Chapter Seven presents the thematic findings from interviews with council officers. To be consistent with the qualitative descriptive framework, the participants' voices are evidenced through the use of direct quotes.

Chapter Eight presents the final analysis of results, drawing together the findings from the interview data and the literature review. A conclusion is then presented.

Chapter Two: Policy Context

Introduction

This chapter focuses on the policy context in which the participatory rights of children 12 years and under in local government in the Auckland region are supported. Policy can facilitate or inhibit the expression of participatory rights. Moss and Petrie describe policy as one expression of the assumptions and values that constitute societal views of children (Moss & Petrie, 2002). Kaufmann and Rizzini (2009) note that some of the real obstacles to full implementation of international laws, such as UNCROC, are the “social, economic and political context in which the law is expected to operate” (p. 427), with a need to pay increased attention that context.

The access that children 12 years of age and under are provided to actual and genuine opportunities to participate in the local political space relies on a complex interplay of contextual factors. These include the incorporation of international law (in this context, UNCROC specifically) into national policy and practice, the local expression of the national policy environment, and the specific and unique local context in which these rights must find their way in to practice. Ultimately these could be labelled as the factors which form the “culture” of a community, a culture which greatly impacts on how these rights are expressed. In this chapter, the policy context is explored, beginning at the international level, and then moving to the national and Auckland-specific levels.

International context: Human rights/Children’s rights

The development of international law on children’s rights

The recognition of children’s rights emerged globally and in stages within the context of a broader human rights agenda. In response to the horror of World War I, Eglantyne Jebb the founder of Save the Children determined that children required special consideration and protection. Jebb moved to recognise and affirm the existence of rights

specific to children, and the responsibility of adults towards children, by drafting a set of principles of children's rights (Humanium, n.d.-b). In 1925 the Assembly of the League of Nations adopted these in the form of the Geneva Declaration of the Rights of the Child (1924). This document focused on the perceived fundamental needs of children, centred around their well-being, and their rights to "development, assistance, relief and protection" (Humanium, n.d.-b, para. 8).

Human rights were addressed more generally in the Universal Declaration of Human Rights adopted by the UN General Assembly on 10 December, 1948. The Declaration is described as being "a road map to guarantee the rights of every individual everywhere" (United Nations, n.d., para. 1). However, the need to address children's rights more specifically continued to be on the international agenda. The United Nations Declaration of the Rights of the Child (1959) was adopted by the UN General Assembly on 10 December 1959, and "marked the first major international consensus on the fundamental principles of children's rights" (Humanium, n.d.-a). These Declarations can be seen to indicate an evolving conceptualisation of human rights generally, and children's rights in particular.

One year prior to the the International Year of the Child in 1979, the Polish government proposed a convention which would specifically address children's rights. The Polish Government submitted a draft of this convention to the UN Commission on Human Rights for its consideration. After consultation with governments and NGOs, the Commission formed a working group to develop the convention. After 10 years of debate and drafting the United Nation's Convention on the Rights of the Child (1989) was agreed (Office of the High Commissioner of Human Rights, n.d.). UNCROC was adopted by the United Nations General Assembly in 1989 as "an international human rights treaty that sets out the basic rights of children and the obligations of governments to fulfill them" (UNICEF New Zealand, para. 1). The Convention "covers the largest

scope of any single human rights treaty, and ratifying states take on extensive obligations for the survival, development, protection and participation of children” (Kaufman & Rizzini, 2009, p. 422). UNCROC is distinguished from previous international instruments focused on children by the inclusion of articles which recognise that children not only require protection and provision, but the right to actively participate in the matters which affect them, and to have their views given serious consideration (Committee on the Rights of the Child, 2009).

As stated earlier, UNCROC is one of “the most widely and rapidly accepted human rights convention in history” (UNICEF New Zealand, n.d.-c, para. 5). Ratification indicates that a nation intends to bring national legislation in line with the articles of the Convention as quickly as possible. Areas not in alignment can be registered as *reservations*, however reservations are expected to be removed over time. Periodic reports to the UN Committee on the Rights of the Child must update that Committee on the States’ activity in relation to meeting their obligations under the Convention, and these reports include updates on removing any reservations. Non-governmental organisations (NGOs) within a country can also provide alternative reports to the UN Committee. In response to the review of these reports the Committee provides a list of issues for the State to address to better align itself with UNCROC, and on which it should provide an update in the next periodic report.

Article 12 specifically requires participation to be “not a momentary act, but the starting point for an intense exchange between children and adults on the development of policies, programmes and measures in all relevant contexts of children’s lives” (Committee on the Rights of the Child, 2009, p. 5); and to go beyond one-off or regular awareness raising events (UNICEF, 2007). The work of implementing children’s rights is an extensive undertaking that nation States must fully embrace, not at one point in time, but consistently over the long-term. It is a right that must be pursued even though

“traditional and cultural attitudes to children” are acknowledged as a barrier - a “major obstacle to acceptance of the child as a holder of rights and to implementation of article 12 in States in all regions” (UNICEF, 2007, p. 150). It is also work that must be prioritised in the context of a multitude of other governmental priorities.

Butler (2012) points out some limitations in terms of the ability to compel the actions of States that have ratified the Convention. The legally binding nature of the Convention requires ratifying nations to “show that they are seriously trying to legally implement children’s rights, to file reports on their success implementing those rights, to be examined by the UN Child Right’s Committee and to receive recommendations from the Committee” (p. 2). But he also notes that “no punitive actions beyond shaming and blaming exist to enforce compliance with what nations have legally bound themselves to do” (p. 2). Whilst the Convention refers to itself as legally binding under its own Article 50 – what Butler describes as a *textual interpretation* of the Convention - there are other interpretations he describes as *contextual*. That is, that the Convention is legally binding in the “heaven of human rights law” (p. 2) but full implementation of UNCROC rights around the world are not at the point that would “justify the actual existence of children’s rights as distinct from sometimes contested ethical norms” (p. 2). These are two challenges to the full realisation of children’s rights: the ability to compel action by the ratifying State in areas of non-compliance, and then the context in which the rights are interpreted - the ethical norms of a particular society and community.

Child Friendly Cities Initiative (CFCI)

International recognition of the city as a space in which children’s rights under UNCROC must be realised is found in the Child Friendly Cities Initiative (CFCI). This initiative was launched in 1997 in response to a resolution of the second UN Conference on Human Settlement (Habitat II) (UNICEF, n.d.). The aim of the initiative is to put “children first”, with child friendly cities being “a platform to take forward the child

rights agenda in both the developing world and the industrialized world” (Child Friendly Cities, 2009, p. 1). This focus on the local level arose from factors such as the identification of world-wide trends such as rapid urbanisation, decentralization of government, the effectiveness of initiatives at the community level for achieving the Millennium Development Goals and a need to integrate the rights-based approach through participation at the local level (Child Friendly Cities, 2009). At its core the initiative embodies UNCROC “at the local level” and aims to see the rights under UNCROC “reflected in policies, laws, programmes and budgets” (UNICEF, n.d. , para. 2). In order to achieve these aims, practical tools have been developed to further elucidate how to connect the Convention at a local level. In particular, nine building blocks have been developed. The first building block is to “ensure children’s participation” (Child Friendly Cities, 2009, p. 2), and is described as “addressing the rights of children at sub-national levels, particularly in urban areas, as a means to improve their situation where they live and ensure that children have a say in all issues and decision-making processes affecting them” (Child Friendly Cities, 2009, p. 2).

New Zealand has begun embracing the CFC initiative (UNICEF IRC, 2003). Whangarei is reported to be working on becoming the first UNICEF accredited Child Friendly City in New Zealand (Manaia Health, 2011). Auckland Council has not yet formally secured this accreditation, though this has been recommended by the Human Rights Commission and UNICEF (Human Rights Commission, 2011a; 2012; UNICEF New Zealand, 2010). However it is described as a Child Friendly Cities “ally” (UNICEF New Zealand, n.d.-b).

National context: New Zealand and children’s rights

The development of children’s rights in New Zealand

Breen (2006) traces the evolution of children’s rights in New Zealand alongside international movements, culminating in the codifying of children’s rights under

international law through UNCROC. Earlier New Zealand legislation in this space is noted as being more protectionist, however increased focus on changes in the New Zealand family structure, emerging human rights law and the increasing prominence of theories of children's rights saw changes in the conceptualisation and codification of children's rights (Breen, 2006). In the 1970s, a more established children's rights movement developed along with the development of specific theories connected to the movement, and Breen traces these changes as moving legal discourse around childhood to a "rights" discourse (Breen, 2006, p. 91). Breen (2006) notes that the recent history of childhood in New Zealand has been influenced and to an extent shaped by external legal forces, one of those significant forces being UNCROC.

In 1989 New Zealand adopted UNCROC in principle by becoming a signatory to the Convention. In the same year significant support for children's rights in New Zealand was provided when the first Children's Commissioner was appointed as a statutory advocate for children under the Children, Young Persons and their Families Act 1989 and to champion children's rights nationally (Barrington, 2004). In 2003, the Children's Commissioner Act 2003 was passed giving the Commissioner their own statute (Barber, 2009). The Office of the Children's Commissioner played an important role in advocating that New Zealand ratify UNCROC (Barrington, 2004). The Office of the Children's Commissioner promotes the implementation of UNCROC in legislation by making submissions to select committees, it has a role in raising awareness of UNCROC, and importantly it is one of the agencies that monitors the Government's implementation of UNCROC by coordinating the UNCROC Monitoring Group (Office of the Children's Commissioner, n.d.-b).

In 1993 New Zealand ratified UNCROC with three reservations which at the time of writing (2014) have not been removed, though progress against each has been reported (Ministry of Youth Development, 2008). These relate to children who are in New

Zealand unlawfully (general reservation to Article 2); reservation to Article 32 (2) on the minimum age of access to employment; and Article 37c, a reservation in regard to age-mixing in detention (Ministry of Youth Development, 2008).

Periodic reports to the UN Committee on the Rights of the Child

After initial reporting two years after ratification, ratifying States are required to submit a report every five years on its progress in upholding the Convention in general, and also in relation to progress in lifting its reservations so as to be fully compliant with the Convention. In 2008, the New Zealand Government submitted a combined third and fourth report to the UN Committee on the Rights of the Child (Ministry of Youth Development, 2008). In this report New Zealand evaluates its own progress in implementing UNCROC; therefore this document is an important reference point in terms of a central government perspective on how well children's rights, including children's participatory rights, are being generally implemented within New Zealand.

Focusing specifically on the area of participatory rights under Article 12, the most recent report highlighted that the Committee's recommendations to the previous (second periodic) report was that New Zealand review legislation and programmes affecting children to ensure that they integrated and applied the requirement under Article 12 for the views of the child to be heard and for those views to be taken into account (Ministry of Youth Development, 2008, p. 31). In the combined third and fourth report the New Zealand government noted that there was an "increasing emphasis" on children's participation (p. 31) but also noted that "improving younger children's participation will require on-going effort" (p. 32). It can be noted that, in terms of the evidence provided on the progress of children and young people's participation in the policy process, this report tended to focus on initiatives with youth rather than younger children.

The report also briefly addressed local government. Specifically it asserts that “Territorial Authorities are very experienced in engaging with communities” (Ministry of Youth Development, 2008, p. 31), a signal that local government has a recognised capacity to engage with communities, and one may expect to include consultation with communities of children as being within that capacity. Overall the challenge inside and outside government was defined as needing to go “beyond listening and act on young people’s concerns” (p. 32) - a recognition that consultation alone is not enough; to be genuine these opportunities must also meet the requirement to give weight to children’s views in decision-making. Positively, in terms of policy development it was reported that involving young people was becoming more commonplace at the local (and central) government level (Ministry of Youth Development, 2008).

Despite the New Zealand government’s continued assertion of commitment to supporting the full implementation of UNCROC, reports to the UN Committee from other New Zealand agencies have made some less positive observations about New Zealand’s progress. Children’s access to genuine opportunities to participate in public life is one area that continues to be highlighted as an area for further action (Action for Children and Youth Aotearoa, 2010; Office of the Children's Commissioner, 2010).

Response from the UN Committee overseeing UNCROC

The UN Committee overseeing the States reporting registered its list of issues in response to New Zealand’s most recent report, including in relation to children’s participatory rights. In the concluding remarks the Committee noted with regret that in their opinion “the views of children are not adequately respected within the family, in schools and in the community” and regretted that the State party “does not systematically take into consideration children’s views” (Committee on the Rights of the Child, 2011, p. 5). In addition, the Committee recommended that the New Zealand government:

Promote, facilitate and implement, in legislation as well as in practice, within the family, schools, and the community as well as in institutions and in administrative and judicial proceedings, the principle of respect for the views of the child; and systematically consider the views of the child in formulating laws and policies. (Committee on the Rights of the Child, 2011, p. 6)

New Zealand's next report, which in principle should address these concerns, is due on 5 May 2015. This feedback highlights a gap in legislation and practice that New Zealand generally needs to address, and alignment with participatory rights at the local government level is one practical way to support this goal.

It is also useful to review the reported dialogue between the Committee and the New Zealand Government representative in relation to these issues, as this provides further evidence of the concern of the Committee over the potential challenges to children's participatory rights within New Zealand society. The Committee is reported to have asked whether children were really able to make their voices heard in all decision-making processes; to have noted that the New Zealand Government seemed quite proactive regarding children's political participation, but it also noted that some traditional attitudes persisted by which children were considered as immature persons, and that this was a dangerous tendency which is further compounded by a paternalistic attitude toward children (TVNZ, 2011).

The New Zealand Government representative, Sue Mackwell, responded to these statements reporting that children were consulted, particularly *from ages 14 and over*, and that the Ministry of Social Development was using networking sites to gather children and young people's views to inform decision-making (TVNZ, 2011). The Committee followed up this point with a reminder that the Convention was for *all young people up to the age of 18 years of age* (TVNZ, 2011).

It is important to note the comments made by the Committee on this link between societal views of children in New Zealand and the lack of participation progress. It is

also of interest that the response to this query from the New Zealand government representative was with information on the older age group, perhaps signalling a persistent challenge in this space for younger children. Taken together with New Zealand's own report which highlights that "improving younger children's participation will require on-going effort" (Ministry of Youth Development, 2008, p. 32), the engagement of younger children is an appropriate area for focused research. The New Zealand Government has an obligation to address the issues raised by the overseeing UN Committee, and update on progress in the next report.

Public policy impacting on children's rights in Aotearoa/New Zealand

A national agenda for children: National policy and children's participation

In 2002 two significant documents were released by New Zealand's Ministries, both of which further support the rights of those 18 years and under. These were the Agenda for Children (Ministry of Social Development, 2002), addressing the needs of children 0–17 years of age, and Youth Strategy Aotearoa (Ministry of Youth Development, 2002), addressing the needs of youth ages 12–24 years of age. It is noted that this thereby indicates that this is the age group which is encompassed in the term "youth", in public policy setting at present. To date there has not been an updated version of these high level strategy documents.

The Agenda for Children is a national government strategy for the practical realisation of children's rights in New Zealand at a policy level (Ministry of Social Development, 2002). The relationship between the significance placed on the way children are regarded within society and their participation as citizens is addressed in this document. For example, the first goal is to: "Change the way children are viewed - establish their place in NZ society as respected citizens with a valuable contribution to make" (p. 37). This is reinforced by the goal of "security of participation" (p. 6) and the principle that policy and practice should have consistency with UNCROC. These goals are highly

significant to this research, and indicate an acknowledgement at a national level that children 12 years and under are vulnerable on a number of levels. These areas include the construction of their value as citizens who have a contribution to make, and as citizens who do not have guaranteed access to participation opportunities. The acknowledgement of these factors is very interesting in light of the comments by the UN Committee overseeing New Zealand's latest periodic report, nine years after this strategy was put in place, which highlighted the persistence of negative views of children within New Zealand communities, and the lack of systematic inclusion of their voice (Committee on the Rights of the Child, 2011).

The Agenda also specifically identifies local government as a sector that must be directly engaged in realising children's participatory rights. The second action area is dedicated to increasing children's participation as a key priority. For example, it states the priority to: "increase opportunities for children to have a real say in decisions that affect them in their local communities" (Ministry of Social Development, 2002, p. 21). The sixth action area addresses "improving local government and community planning for children" (p. 28). All of these points from this strategy document indicate that, at a national policy level, there is a recognised obligation to promote children's participatory rights under UNCROC, and that local government is intended to be one area in which these rights are realised.

In the third and fourth combined periodic report to the UN Committee, the Agenda for Children (2002) was specifically referenced as evidence of progress in terms of implementation of UNCROC. It was described as a "platform to inform work to place children at the centre of policy making", and it was reported that it had led to "increased opportunities for young people to participate in decisions that affect them" (Ministry of Youth Development, 2008, p. 14). However ACYA (2010) has reported to the UN Committee that the action areas contained in the Agenda did not set specific actions to

meet goals, timelines or allocate responsibilities for those actions, therefore it was relegated to a mere “statement of general principles” (p. 4). Further ACYA found “no evidence that the Agenda had been implemented by the Government in any sustained, systematic way in formulating policy or making decisions”, and further that it had been made “obsolete through lack of implementation” and had not been replaced with any other National Plan of Action (Action for Children and Youth Aotearoa, 2010, p. 4). Therefore the positive steps to strengthen children’s participation within this strategy are vulnerable within this environment of lack of implementation, and lack of progressive update.

On the Ministry of Youth Development web-site there is a published update of the action areas under the Agenda for Children. In terms of the second action area of increasing children’s participation, these are mainly focussed on increasing participation by children and young people in the governance and life of their school, rather than in other areas such as local government activity (Ministry of Youth Development, n.d.-b).

Addressing the needs of New Zealand’s vulnerable children

In more recent times, an increased focus on children identified as vulnerable within New Zealand communities has led to the establishment of a series of public policy actions including legislation, and policy plans. In July 2011 the Green Paper for Vulnerable Children (Ministry of Social Development, 2011) was launched “to promote a national discussion about how New Zealand can improve the lives of its vulnerable children” (Ministry of Social Development, 2012a, p. 3). The Green Paper received almost 10,000 submissions overall, and 2,000 were from children and young people. In response to the submissions, a White paper was released in 2012 (Ministry of Social Development, 2012b), along with a Children’s Action Plan. In this paper vulnerable children were more clearly defined as “children who are at significant risk of harm to their wellbeing now and into the future as a consequence of the environment in which

they are being raised and, in some cases, due to their own complex needs”

(Parliamentary Counsel Office, 2013, p. 6). The Children’s Action Plan is a framework that supports the White Paper, and is a document which will be continually updated as part of an on-going programme of consultation with New Zealanders on this important issue (Children's Action Plan, n.d.-a).

The Vulnerable Children’s Bill (Parliamentary Counsel Office, 2013) was introduced in September 2013, as legislation designed for the protection of vulnerable children and aimed to improve their well-being. It has been through a first reading and report back by the Social Services Committee in March 2014 (Children's Action Plan, n.d.-c). The first Children’s teams have also been established - a new initiative that brings together teams of professionals from across a range of departments to focus on the needs of a child identified as requiring support, and to support their families through the establishment of individualised plans (Children's Action Plan, n.d.-b). This is a significant nation-wide programme that seeks to find new ways to support New Zealand’s most vulnerable young citizens.

Submissions from young people themselves identified a role for government in addressing this issue, and confirmed children and young people’s continuing desire to have a voice in addressing matters that affect their lives. Their submissions to government about this issue confirmed that children and young people “want to have a say in developing laws and policies” (Ministry of Social Development, 2012a, p. 9), and that they “want a voice and representation”, particularly around making of laws (Ministry of Social Development, 2012a, p. 39).

Local government in New Zealand and children’s rights

Local Government has an obligation to enable democratic decision-making at the local level. Freeman and Aitken-Rose (2005a) positively noted that the purpose of local

government as outlined under the Local Government Act (2002). They noted that local governments in New Zealand had the “mandate to promote social, economic, environmental and cultural well-being of their present and future communities and are required to give consideration to the views and preferences of every citizen affected by their decision-making processes” (Freeman & Aitken-Rose, 2005a, p. 244).

At that time the purpose of local government under that Act was as follows:

- (a) to enable democratic local decision-making and action by, and on behalf of, communities; and
- (b) to promote the social, economic, environmental and cultural well-being of communities in the present and in the future. (Parliamentary Counsel Office, 2002, Section 10 (1) (b)).

UNICEF New Zealand noted that Section 14 of the Local Government Act sets out the principles by which local government is required to act in the performance of its role; of relevance are the obligations on local government to: make itself aware of, and have regard to, the views of all of its communities, to take account of future and current communities when making decisions, and to take account of the reasonably foreseeable needs of future generations when taking a sustainable development approach (Irving, 2009). Local government is controlled by central government legislation, and it is an agent of central government as it carries out many of the same functions at the local level for which central government is responsible (Irving, 2010). Therefore UNICEF New Zealand emphasises that “local governments are subject to New Zealand’s international obligations in so far as they are obliged not to derogate from the principles by which New Zealand as a state is bound” including consistency with UNCROC (Irving, 2010, p. 13).

Since undertaking this research there has been an amendment to the purpose of local government under new legislation, with point (b) replaced with the following wording:

to meet the current and future needs of communities for good-quality local infrastructure, local public services, and performance of regulatory functions in a way that is most cost-effective for households and businesses. (Parliamentary Counsel Office, 2009, Section 10 (1) (b))

The significance of this change for the rights of children under local government is unclear. The loss of a stated responsibility for the long term well-being of communities (the “four well-beings” (The Department of Internal Affairs, 2012)) could be argued to indicate a movement away from the type of responsibilities engendered by UNCROC (Lambourn, 2012). UNICEF New Zealand opposed removing the four well-beings in their submission to government on the proposed change, stating that the well-beings were a “foundation for more child focussed activities in local authorities that comply with the UNCROC and result in more cohesive communities through promoting and progressively realising the human rights of children” (Lambourn, 2012, p. 3). They also contended that responsibility for the four well-beings is “a core function of local government in order to realise children’s rights and give recognition to the UNCROC principles” including the principle of the respect for the views of the children (p. 2). Certainly the amendment does not appear to strengthen the role of local government in terms of supporting engagement with communities of children. What this may highlight is the insecure space which children’s right to participate continues to occupy. These rights are reliant on interpretation of policy and legislation, in terms of how their rights should be actualised, and also dependent on the priorities of government. Any change which could potentially shift interpretation away from that which prioritises children’s rights threatens the security of the realisation of their genuine participation.

Auckland City and children's participation under the Supercity structure

Auckland City

Auckland City, the largest city in New Zealand/Aotearoa¹, is located in the upper part of the North Island of New Zealand. The Māori name for Auckland is Tamaki Makau Rau². It is estimated that Māori settled in what is now known as the Auckland area over 650 years ago.

Within the city boundaries the population of Auckland City is 401,500 people however there are 1.2 million in the greater Auckland area (Auckland Council, 2012a). The city's population is growing, and by 2030 the population is projected to reach two million people. Auckland City contains a third of New Zealand's population and is described as an emerging international city (Auckland Council, 2012a). The Auckland Council sees one of Auckland's unique strengths as its "opportunities for participation and expressions of diversity" (Auckland Council, 2011, p. 22).

Auckland is also New Zealand's most ethnically diverse city, with upwards of 180 ethnicities residing in the area; 40% of residents were born overseas (Auckland Council, 2012a). This population is changing, with its demographic make-up set to grow more diverse, including significant increases in the Asian and Pacific populations (Auckland Council, 2012a). Auckland has the largest Polynesian population in the world and is home to two-thirds of New Zealand's Pacific people (Auckland Council, 2012a).

One third of New Zealand's children live in the Auckland region (Auckland Council, 2012b). Children in Auckland are a more ethnically diverse population than adults (18% identify with more than one ethnic group in contrast to 6% of the adult population); the number of children in Auckland is set to increase in the period to 2031- possibly more

¹ Aotearoa is the Māori name for New Zealand. Its meaning is most popularly and authoritatively translated as "land of the long white cloud" (Wilson, 1966).

² Translated from Māori as "isthmus of one thousand lovers" (New Zealand Tourism Guide, n.d.).

than double (Auckland Council, 2012b). The increasing diversity of communities of children in the Auckland region points to the need to continue to build relevant and flexible policy and action to address their rights and specific needs. Auckland will accommodate 60% of New Zealand's population growth in the next 30 years, and the proportion of children in Auckland is projected to grow at a faster rate than the national average (Auckland Council, 2012a). Auckland's communities of children are an important section of the city's political life.

Auckland also has some areas which present challenges to the government. Thirty percent of Aucklanders live in areas described as "high deprivation" (Auckland Council, 2012a, p. 54). Some of these disadvantaged communities are also projected to see an increase in the population of children aged 0–14 years over the next 20 years (p. 54).

Changes to structure: Auckland Council 2011/2012

In October 2007, a Royal Commission into the governance of Auckland region was announced (Simpson, 2012). At that time the Auckland area consisted of eight Councils: Auckland, North Shore, Waitakere, Franklin, Manukau, Rodney, Papakura and the Auckland Regional Council. The Royal Commission determined that there was poor community engagement under that structure and that the region would benefit for a unitary council, combining all of these bodies into what is now referred to as the Auckland *Supercity* (Royal Commission on Auckland Governance, 2009). The new structure was put in place on 1 November 2010.

The new Auckland Council structure provides for new Mayoral powers and enhanced responsibilities for the Mayoral role, including leading the vision of the area, engaging with communities, developing plans, policies and budgets (Auckland Council, 2012a). One of the statutory obligations under the new structure is to create a series of plans for Auckland; at the highest level is the Auckland Plan which outlines a vision for the city

over the next 30 years, with a Unitary Plan, 10-year long term plans and annual plans underpinning this overarching document (Auckland Council, 2011).

The new structure of the Council consists of the Mayor and 20 elected councillors who together form the governing body. This body works with representatives from 21 local boards. The governing body leads the strategic focus for the region, and the local boards represent their specific communities (Auckland Council, 2012a). Mr. Len Brown, former mayor of Manukau city (one of the legacy council areas), was elected Mayor of the new Auckland Council in 2010, and again in 2013.

Children's rights and Auckland local government

The formal recognition of children's rights by the Auckland Council would represent a milestone in achieving a 'city fit for children' Auckland City by formally recognizing obligations under UNCROC would be showing leadership not only to other local councils in New Zealand but globally. (Irving, 2009, p. 17)

Given its significance within New Zealand, comment on the need for the Auckland Council specifically to support children's rights has been raised by a number of agencies. ACYA (2010) directly registered concerns specifically related to the new Auckland city structure in their 2010 report to the UN Committee. UNICEF (2009) clearly stated that it wished to see the new Auckland governance structure give effect to UNCROC, noting that in placing Auckland under a unitary council "this one local government entity will soon be representative of 33% of New Zealand's population and at least 25% of New Zealand's childrenthe unified Auckland Council is constitutionally significant" (Irving, 2009, p. 4).

In response to the release of Auckland Unleashed consultation document (Auckland Council, 2011) the Office of the Children's Commissioner (2012) made a submission in which there was strong advocacy for the adoption of the UNCROC and the Child Friendly Cities Initiative in the Auckland Plan, and for prioritisation to enable

meaningful civic participation for children and young people (Office of the Children's Commissioner, 2012). The Human Rights Commission also supported the inclusion of “explicit commitment” to UNCROC in the Auckland Plan (Human Rights Commission, 2011b, p. 4). It does not appear that these recommendations were taken up directly in the finalised Auckland Plan. More generally it was reported that “Auckland Council received a large number of submissions detailing the importance of children and young people having a voice and being ‘Citizens Now’” (Auckland Council, 2013b, p. 5).

In March 2011 the Mayor announced the new Foundation Youth Advisory Panel, which is aimed at giving a regional youth voice on the Council, and which includes representation from each of the local boards. Members are between 12 and 24 years of age (Auckland Council, 2013g). There is currently no equivalent advisory panel for those under 12 years of age.

In addition, Auckland Council promotes children’s political awareness and participation in local government matters through support of the Auckland *Kids Voting* programme (Auckland Council, n.d.). *Kids Voting* is primarily aimed at students in Years 7–10, and schools choose to opt into the programme which provides students with an authentic voting experience in respect to local government elections. Students learn about candidates and then vote. Due to their age, their votes cannot be formally counted, however the results are released publicly and compared to those of adults in the election proper. In addition children answer a referendum question in relation to a topic under local government responsibility and their views feed into the wider community consultation on that issue (Auckland Council, 2013e).

Another feature of this programme is that it teaches children how to independently engage with Council, outside of the formal process of voting, and provides teaching

modules which promote children's right to be heard in any decision-making processes that affect them.

The Auckland Plan 2012

The development of the Auckland Plan began with the release of the *Auckland Unleashed* document—a draft Auckland Plan provided for community consultation in 2011. Of note, priority one in *Auckland Unleashed* was “Putting children and young people first” (Auckland Council, 2011, p. 13), a statement which placed children at the forefront of policy consideration at the local government level. The inclusion of both the terms *children* and *young people* (Auckland Council, 2013d), would indicate that the rights of children 12 years and under are on the local government agenda.

The finalised Auckland Plan (2012a) was adopted by the Auckland Council in March 2012. The policy direction of the Auckland Plan supports participation from the community in general, and children's place as valued citizens in particular. Part of the purpose of the plan is that it “integrates social, economic, environment and cultural objectives”, and strengthens decision-making (Auckland Council, 2012a, p. 11). These statements are in line with the four cultural well-beings of the original Local Government Act that have now been removed, so from a children's right perspective it is positive to see those priorities still in focus.

The language of the Plan is positive for community engagement in general, positioning the Auckland *Supercity* as part of the solution to Auckland's problems including “poor community engagement” (Auckland Council, 2012a, p. 10). It also recognises that some communities are not actively engaged in local decision-making, feel marginalised and ignored, and in response asserts a commitment to the fundamental principle of community led development in terms of inclusion and engagement of all population groups (Auckland Council, 2012a). All of these assertions are positive for communities

of younger children in Auckland. In addition, direct reference to the Universal Declaration of Human Rights is included, providing an acknowledgment of the international human rights agenda (p. 70), however UNCROC is not specifically referenced.

The Plan includes transformational shifts, strategic directions and priorities which are broadly relevant to supporting children's participatory rights. These include stated objectives to: "dramatically accelerate the prospects of Auckland's children and young people" (Auckland Council, 2012a, p. 30); to "create a strong, inclusive and equitable society that ensures opportunity for all Aucklanders" (p. 361); and the inclusion of a key indicator of "civic participation" more generally (p. 359). But most significantly, the first priority is to "Put children and young people first" (p. 76).

However, whilst these support the case for children's participatory rights to be honoured they do not on their own guarantee children's direct engagement. If the paternalistic viewpoint referred to by the UN Committee³ is brought to the question of how to achieve this aim of prioritising Auckland's children, then adults working in children's "best interest" could be judged as able to represent their views. Positively, by coupling the priorities of strengthening community engagement and putting children first, there is an opportunity to design increased community engagement by inclusion of direct engagement with children. However this is a connection that needs to be explicitly made, and be made in an ongoing way in ensuing policy and process development.

The draft Auckland Unitary Plan has been released which is one aspect of the implementation the Auckland Plan (Auckland Council, 2013f). The Unitary Plan will define rules on "what people can and can't do with their land, shaping how Auckland

³ The UN Committee refers to the potential paternalism in New Zealand society's view of children in their response to the most recent periodic report submitted by New Zealand (TVNZ, 2011).

and its communities can grow” (p. 2). Final submissions on the Plan are due mid-2014, after which there will be hearings on some of the submissions, release of decisions and appeals before the document is finalised (Auckland Council, 2013f). Whether a significant connection between the Auckland Plan, with its strong emphasis on children and young people, and the Unitary Plan will be identifiable in that final document will be of importance.

I am Auckland: An Auckland-wide strategic action plan for children and young people: Stage 1

I am Auckland: An Auckland-wide Strategic Action Plan for Children and Young People: Stage 1 (Action Plan) was presented to Council for approval on 18 September 2013 (Auckland Council, 2013d). The Action Plan was an outcome of feedback collected after participatory activities with under 25 year olds in regard to the Auckland Plan Priority 1.1 “Putting children and young people first”, and from feedback between June and July 2013 from the *Put me first* website, established by the Auckland Council to capture feedback and information on activities with children already underway.

In the minutes of the meeting in which the Auckland Plan Committee was asked to adopt the Action Plan, it was acknowledged that how “Council communicates and engages with children and young people is a vital part of this Action Plan” (Auckland Council, 2013c, p. 8). It goes on to say that there is a perception amongst young people that Council is tokenistic in its approach to listening to those under 25 years of age, that this group wants a commitment from Council that it will carefully consider how it engages with them, and that there is a need for guidelines around engagement, including around how feedback is used. Further, it was noted that many suggested actions collected through the *Put me first* website were already being undertaken by Council, thereby concluding that Council is not effectively making young people aware of these activities (Auckland Council, 2013a).

There are seven goals in the Action Plan, the first of which is directly relevant to this research: “I have a voice, am valued and contribute” (Auckland Council, 2013d, p. 13). In the Action Plan document, the seven goals are individually linked back to relevant strategic directives and targets in the Auckland Plan. For this first goal, the strategic directions include promoting inclusion, reducing discrimination and removing barriers to opportunities and participation, particularly for disadvantaged peoples. Of interest, it was clear that this was the only goal for which there were no targets outlined in the Auckland Plan (see p. 14).

This document also acknowledges that almost all Councils teams do interact with children and young people or their families, and therefore there is a need to embed a commitment “to create positive mindsets, practices and skills throughout the organisation” (Auckland Council, 2013d, p. 8) - an acknowledgement of the importance of the Council officer in the work of engagement with child citizens in the local government context.

In the minutes of the Council meeting in which the Action Plan was presented for Council endorsement, there was acknowledgement that there are a considerable number of programmes for youth 14–24 year olds but a gap for 0–14 year olds generally (Auckland Council, 2013a, p. 8). One can also reflect on whether the lack of programmes of engagement with this age group may also indicate a lack of programmes which support this age group’s participatory rights through *direct* engagement.

Auckland Council has outlined how it is already showing commitment to the first goal, and notes current action as the co-governance agreement with the Youth Advisory Council; this is defined as meaning that Council is co-designing and co-developing the Action Plan with the Youth Advisory Council (Auckland Council, 2013d). A high priority reported in the Action Plan is to develop tools and resources for young people

that promote genuine participation, and the leadership and co-design of the policies and plans which impact on children and young people. The Auckland-wide action areas supporting this goal are: civic participation tools, develop on-line tools for communication, youth-led development, develop leadership opportunities with young people, co-design and development of policies and plans that affect the under 25 year olds and develop a cross-Council coordinated approach to engagement with under 25 year olds (Auckland Council, 2013d).

As a researcher concerned with the younger age group, I am interested in how these action areas will connect with children 12 years of age and under. In a couple of the action areas there is reference to “young people” and “youth” specifically—and according to national policy documents, “youth” is defined as the over 12 year age group (Ministry of Youth Development, 2002). Even within this Action Plan (the *Children and Young People’s Strategic Action Plan*), there is a separation of “children” and “young people”. Therefore it is unclear if some of these action areas are only aimed at the older age group, or if this is the language being used to encompass the younger age group as well. Also observed is that the focus on an age group of under 25 years of age encompasses a wide range of ages, with very different abilities to access to political structures. Some members in this age range are legally adults with full voting rights. Therefore, how these priorities will be equally applied across the age ranges will be of importance. However, it was noted in the minutes covering discussion of the Action Plan that there is a gap of services and programmes for the under 14 year age group, so this issue is on the Council agenda for further consideration and action.

Some of the actions arising from the Action Plan will be undertaken through local boards, which are acknowledged as vital for the action plan to work. How that is to be done is still to be determined. This is certainly another area for further review, as actions at the local board level are reported to be dependent on local needs and local

voices. In the Action Plan it states that “each local board and local youth councils may decide to take different approaches to develop and deliver actions in their area, in order to reflect the local voice and local needs” (Auckland Council, 2013d, p. 10). Whether these will be required to include the younger age group, or if the representation at the age level currently on the Youth Council will be deemed sufficient to represent children, is an area to be revealed over time. However, another opportunity is presented to develop participatory processes which include younger children. This appears to require the prioritisation of this work by the local community through their representative local board.

Conclusion: The importance of context

There is significant complexity in exploring cultural context. As Mason and Bolza acknowledge: “cultural systems are dynamic not static” (Mason & Bolzan, 2010, p. 131), and therefore context is changing, and is constantly being shaped. This represents both a challenge and an opportunity. The fluid nature of contextual factors means that there is potential to shift the status quo, positively or negatively. Children’s rights, including the right to participate, need to “live” and “grow” in real communities. Moss and Petrie describe the force of contextual factors (economic, historical, social) as ultimately resulting in the ethical and political choices made at a societal level in relation to children, choices which ultimately shape public policy provision for children (Moss & Petrie, 2002).

There are many contextual factors which support the participatory rights of children, including those in the younger age group, which have an impact at the Auckland local government level. Firstly, international law supports younger children’s participatory rights, most significantly through UNCROC. New Zealand has been a signatory to UNCROC for over 20 years. The Children Friendly Cities Initiative aims to bring

UNCROC principle in to the local government space, and there are New Zealand cities which are engaging with the initiative - though to date Auckland has not formally adopted the initiative, it is engaging at some level (see UNICEF New Zealand, n.d.-b).

There is national policy covering children 12 years and under which includes significant support of the participatory principles of UNCROC (Ministry of Social Development, 2002). In Auckland city itself, the Auckland Plan and its supporting activity, including the Action Plan have embraced children's participation, and this includes children under 12 years of age (Auckland Council, 2012a, 2013d). The ongoing monitoring of the Action Plan opens a pathway for continued refinement and updating in consideration of the city's changing needs, and it embeds a mechanism of accountability to children and young people. Auckland City's positive engagement with the need for children's participatory rights is significant. As New Zealand's largest city, and home to a large number of New Zealand's children, its actions have great potential to have a positive impact on New Zealand children more generally.

There are some contextual issues which also provide challenges. The UN Committee overseeing New Zealand's periodic reports and the NGOs in New Zealand identify a gap between New Zealand's commitment to children's rights to participate under Article 12 and practice (Committee on the Rights of the Child, 2011; Office of the Children's Commissioner, 2010); even at the national government level there is some recognition that the way New Zealand society views its children contributes negatively to their participation (Ministry of Social Development, 2002). All of these factors form a unique cultural context which is complex to address. Butler's point that there is a lack of punitive actions that the UN has available to compel compliance with UNCROC by ratifying States (Butler, 2012), is possibly borne out in the fact that these issues remain over 20 years after New Zealand has ratified UNCROC.

In addition, the national strategy which has application to children 0–12 years of age, and which acknowledges children’s participatory rights, is now 12 years old (Ministry of Social Development, 2002), and has been criticised for its lack of implementation (Action for Children and Youth Aotearoa, 2010). The most recent update on action area two of that strategy, which focusses on increasing children’s participation, only refers to children’s participation in terms of school governance (Ministry of Youth Development, n.d.-b). The Local Government Act (Parliamentary Counsel Office, 2009) has been amended, and that change is broadly seen by some child advocates to be moving away from placing the purpose of local government in a space which prioritises the promotion of children’s rights as a local government concern (Lambourn, 2012). Auckland has not embraced being a Child Friendly City as part of its 30 year Auckland Plan, which means it does not have the benefit of that framework and the support of being part of an international network of child friendly cities. Research within Council as part of the work relating to the Auckland Plan has identified a current gap in programmes generally for those 14 years of age and under (Auckland Council, 2013a). Addressing issues of engagement with the younger age group will have some dependence on local boards (Auckland Council, 2013d). Local boards have youth representation but do not appear to be required to have representation of children under 12 years of age (Auckland Council, 2013g), and so it is not clear how each board will engage with the younger age group. The Auckland Council has embedded a youth voice in their consultation practice through the Youth Advisory Council, but there is no equivalent for those 12 years of age and under.

Context is complex but it must be explored. Younger children’s participatory rights have much to support them, but there is an area of interpretation and prioritisation which still harbours challenge to their right to sit at the decision-making table. Their right to participate is not yet embedded in governmental processes that affect children’s

day to day lives, and therefore those rights are still not secure in the current context. The various Acts and policies must be interpreted in ways that support children's participation, and this it seems may mean that children's participation ends up being subject to constructions of their capacity, as expressed in public policy - an area in which younger children may be particularly vulnerable. The next chapter will review theories that relate to this issue of capacity, as well as other theoretical areas which are relevant to the construction of children's participation as citizens in the public space.

Chapter Three: Theoretical Perspectives

Introduction

This chapter reviews and discusses key theoretical perspectives which have influenced scholarly thinking about children's rights in general, and children's participatory rights in particular. In recognition that UNCROC itself has developed in line with an increasing focus on children as active subjects who are able to participate, this theoretical exploration will discuss ideas around children's capacity as political agents and their citizenship.

That children, even those in the younger age group, have the potential to directly and genuinely participate is an underlying assumption of the research. The aim of this section is to explore the conceptual frameworks underlying this assumption, and their relationship to the question of children's participation in local government

Childhood studies

Childhood is a developmental stage of the life course . . . characterised by basic physical and developmental patterns . . . However the ways in which childhood is interpreted, understood and socially institutionalized by adults through their engagement with children and childhood varies considerably across and between cultures and generations. (A. James & James, 2001, p. 27)

Within this research a child is defined as any person under the age of 18 years, consistent with the age in New Zealand when a person can be legally independent of parents' guardianship, is able to vote in elections, can enter into contracts and is no longer covered by UNCROC (Office of the Children's Commissioner, n.d.-a)⁴.

However, the perspective which underlies this research is that defining life stages on the basis of *age* is not conceptually neutral. Within the Western world, age has become

⁴ Note that children's legal rights are not consistent in New Zealand legislation, and capacity to take responsibility for self is defined differently according to circumstance (Office of the Children's Commissioner, n.d.-a).

inextricably bound to universalised ideas of maturity and capacity within that life stage. Smith (2010) notes that “concepts of childhood have a major influence on our expectations and treatment of children” (p. 107). Moss and Petrie (2002) contend that “childhood can no longer be perceived as a ‘natural phenomenon with natural laws guiding its natural unfolding’” (Moss & Petrie, 2002, p. 33). Childhood can also be seen as a social and political construction, one which constructs people under the age of 18 in certain ways, depending on context and societal values (Aries, 1962; A. James & James, 2001; Lansdown, 2005; Moss & Petrie, 2002).

The theoretical perspective that childhood is a social *construction* refers to the concept that the way that childhood is perceived and discussed in the public space is not universal or natural. Modernity has its own particular version of childhood, and for the purposes of this research, this version is seen as one which “puts into place a framework of meaning that constitutes childhood through a heightened, dichotomized and oppositional relationship between it and adulthood” (Prout, 2005, p. 10). Therefore adulthood is also constructed and defined according to dominant cultural definitions which over time are accepted as normative. Children have become the “other” to adult norms. If adulthood is constructed as a life stage with a right (even an obligation) to active political citizenship, then one may expect that a challenge to children’s citizenship may be that it is placed, at some level, in opposition to the norm of citizenship based on that construction of adulthood.

There are many theoreticians who have developed the idea of the social construction of childhood. An often cited and foundational text by Aries published in English under the title “Centuries of Childhood” reviewed the history of childhood and its socially constructed elements (Aries, 1962). Aries postulated that in medieval society, the idea of childhood did not exist, and “as soon as the child could live without the constant solicitude of his mother, his nanny or his cradle-rocker, he belonged to adult society” (p.

128). However, he theorised that over time children began to be seen as different from adults and placed into a “gradual social, political and economic institutionalization of the idea of children’s needs” (A. James & James, 2001, p. 26), separated from the adult world through compulsory schooling and labour laws restricting children’s access to the world of work. The increasing separation of adulthood and childhood is seen to have led to and promoted the dominant constructions of childhood which have in turn legitimised the separation. Archard (2004) links the conventions that have arisen from social changes in how childhood is constructed, to the oppression of children. He refers to J S Mill’s argument (applied to women) that the customary can appear “natural”, and the views from the perspective of custom become further strengthened by the resulting “separation of worlds” (Archard, 2004, p. 40).

There are other perspectives on childhood which view it in a more universal and normative way. Disciplines such as developmental psychology have advanced theories of childhood which have gained public currency. This perspective attributes fixed stages of development to childhood - stages such as toddler, pre-teen and teenager. James and Prout (1997) note that under this view “rationality is the universal marker of adulthood with childhood representing the period of apprenticeship for its development . . . a biologically determined stage on the path to full human status i.e., adulthood” (p. 10). The impact of this dominant Western model of childhood which links biological and social development, and is particularly linked to the Piagetian approach, is a “conceptual scheme (within which) children are marginalized beings awaiting temporal passage through this acquisition of cognitive skills into the social world of adults” (p. 11). James and Prout (1997) consider this view as highly influential - “so much is this perspective incorporated into the everyday understanding of children in Western societies that it is difficult to think outside it” (p. 11).

Under this perspective these stages and the linked competencies are presented as universal, applying to all children regardless of context. It is the position from which this research is based, that whilst there may be broadly identifiable stages of child development, there is also danger, as Wyn (2007) identifies, that these may be packaged as part of a prevalent and “linear” view of children’s passage to adulthood that allows age to be used as “political tool, and a social construction, as well as a biological process” (p. 166). The danger of such a perspective, unchallenged and accepted without reference to local and individual realities, is in the potential for certain constructions to limit when children are deemed “ready” to directly and genuinely participate. If accepted as natural, these views may then cease to be fully interrogated within the adult community and certainly not in consultation with children themselves. The potential that scientific categorisation is vulnerable to being interpreted in ways that can lack objectivity is also pointed out by Lansdown (2005). She outlines that a “considerable body of research [has been] undertaken to identify predetermined physiological or psychological factors linking age with acquisition of competencies” (p. 23). However, Lansdown argues that “extreme caution” (p. 24) is needed in basing ideas on childhood on these psychological models as “our knowledge, to date, as to children’s capacities for informed and rational decision-making in their own lives remains limited” (p. 30).

Moss and Petrie (2002) have specifically linked the public policy sphere to social constructions of childhood. They assert that dominant images of childhood and children emerge from forces acting on a given society, including its historical beliefs, world-view and economic values. In their view such constructions need to be acknowledged as ethical and political *choices* which shape public discourse on the child, and ultimately affect the nature of public policy provisions for children. As an example, Moss and Petrie (2002) argue that in the UK these ideas have led to public discourse which centres on ideas that children must be managed, improved, protected and provided with

opportunities to unleash future potential. These political and social choices are affected by dominant societal constructions, which shape public policy and debate, and potentially set an agenda for how children are managed in the public and private space (Moss & Petrie, 2002). In the New Zealand context, there is an obligation that these constructions, and the subsequent expression of those constructions in public policy, are set against minimum standards for human rights for children under UNCROC.

The interplay between these elements - societal views, legal and policy provision and human rights obligations - makes the exploration of these choices more complex. When a council outlines policy on children and childhood, the policy reflects something of the way children - their present and their future - are viewed, as mediated by those elected by adults to represent the given community. When policy is put into practice through projects, the choices made as to the age groups consulted, the issues discussed and the impact of children's participation on outcomes, all provide information as to how the active citizenship of people under 18 years of age has been constructed. By reflecting on these visible expressions of policy and resulting practice it may be possible to access information on the age people under 18 years of age are deemed competent to participate in the public space and in what capacity. This can then lead to a review of the assumptions behind the choices being made and whether these reflect a critical engagement with obligations under UNCROC.

Within the Childhood Studies discipline there is acknowledgement of children's "agency". Agency can be defined as "children's capacity to make choices about the things they do and to express their own ideas" (A. James & James, 2008, p. 9). This concept of agency is important as it includes "new ways of thinking" about childhood which impact on policy perspectives (p. 9). An acknowledgement of children as agents is significant, as the extent and nature of that acknowledgment frames children's direct inclusion in their society, or limits them to be represented through the agency of adults

working on their behalf. Under UNCROC that agency is acknowledged, with space to consider it in balance with age and maturity in terms of decision-making (Committee on the Rights of the Child, 2009).

This concept of agency is situated within a wider debate on structure and agency. This debate grapples with the question as to the extent to which an individual can act independently of the “social structures, institutions and value systems that make up the societies in which they live” (A. James & James, 2008, p. 9), and conversely how structure affects the individuals capacity to act as a free agent; one perspective is that both are important (A. James & James, 2008). If children’s agency is acknowledged - and it is a complex and sometimes contested space - children would then be placed within this structure/agency debate, raising questions on “the extent to which children are able to exercise their agency and the effect that this might have on society” (A. James & James, 2008, p. 11). In this research, children are acknowledged as “independent social actors” but also as needing to operate within “the social, moral and political constraints of society” (A. James & James, 2008, p. 10). Recognising children’s agency is a step toward recognising their active citizenship within their communities. Recognising the constraints of structure is a platform from which to interrogate that structure in the local government space.

Continuing development of the new Childhood Studies

The new Childhood Studies continues to evolve conceptually, and more recently theorists are critiquing the discipline from within to reflect societal changes in a post-modern environment (Alanen, 2011; Prout, 2011). For example, Prout cautions against dualisms within the discipline, such as over-dichotomised treatments of ideas around structure and agency as it relates to children, or the replacement of “biological reductionism” of the past (reflected in, for example, developmental psychology’s focus

on universal stages) with a “sociological reductionism” which may overstate the construction of childhood (Prout, 2011, p. 8). Dichotomised thinking is acknowledged as the very mindset that Childhood Studies initially challenged, in respect to the treatment of childhood. Prout (2011) sees a need to recognise that in that oft quoted construction of human “beings” and human “becomings”, both adults and children are found on both sides of the construction. In addition, Prout asserts some agreement with commentators who see a continued “weakening of the boundaries between childhood and adulthood” (Prout, 2011, p. 5).

Alanen (2011) discusses the need to critically examine Childhood Studies as a discipline, to more deeply engage with its potential and claim as a critical social science. This includes critically examining not only the normativity in the construction of childhood, and practices that surround it, but also the normative stances that underpin Childhood Studies itself. Part of this work requires that those from within the discipline are explicit in what they construct as a “good, or at least better life for children” (Prout, 2011, p. 50). Alanen reminds the researcher coming from a Childhood Studies perspective to not only critique what is perceived as a “problem” *out there*, but why it is perceived to be a problem from *here*. Well-intentioned adult advocates for children’s rights need to resist dichotomised thinking which results in the obscuring of the “excluded middle” of experience (Prout, 2011) – “all that lies beneath and between” these dichotomised constructions (Prout, 2011, p. 8).

Children as citizens

Not to recognize the presence of a citizen, be it a child or black man, is itself a form of oppression. (Moosa-Mitha, 2005, p. 381)

Citizenship as participation represents an expression of human agency in the political arena, broadly defined ... citizen rights are not fixed. They remain the objects of political struggles to defend, reinterpret and extend them. (Lister 1997 as cited in Moosa-Mitha, 2005, p. 375)

Theis (2010) argues for a broadening of the concept of participation into that of citizenship, as it “provides a broader and more concrete conceptual and political framework than participation” (p. 347). This is an important connection between participation and citizen rights, of particular relevance when reviewing participation in terms of local government projects. When reviewing how rights and power are distributed in New Zealand society, one could look to the unit of the adult “citizen” as theoretically holding full economic, political and social rights by law - guaranteed participation rights should adults choose through the right to vote.

Citizenship status and rights can be seen to be closely linked; for example, James and James (2001) have highlighted that children have both a “lack of citizenship status and lack of political, economic and social rights” (p. 29). If this is the case, then it is necessary to explore whether people under 18 years of age are recognised as citizens within their communities. If their citizenship is recognised, it is then important to explore whether they have a unique (possibly inferior) citizen status based on their age, and to explore the basis for this differing status to that of adults.

There are a number of potential strands of enquiry into this issue. For example, does local government construct children not only as important citizens worthy of focus, but as active citizen, worth listening to? If for example we were to concur with Baumann that democracy is (or should be) “a site of critical reflection which derives its distinctive identity from that reflection” (Bauman, 1999 as cited in Moss & Petrie, 2002, p. 40), then questions around who is a citizen and what rights a citizen has are important areas of community inquiry and debate. Ways in which democracies construct citizenship and therefore limit or promote the participation of sections of their community have been interrogated and challenged over many years. The changing place of women, indigenous citizens, and citizens outside the dominant constructions of sexuality are examples of how views have made radical turns, and ideas of who is a citizen, and how

their rights are constructed, have been challenged and shifted over time. These challenges have expanded the definition of rights and redefined norms in the public policy arena. In societies explicitly committed to the stated ideals of democracy and human rights on a policy level (and New Zealand is one), and striving to meet and continue to meet ideals embodied in instruments such as international treaties, it is offered that citizen rights must be the subject of a debate that is on-going. When political changes are underway that is another opportunity to interrogate principles and practice.

Roche (1999) argues that Western society has inherited a limited view of citizenship, one traditionally linked to property. This is consistent with New Zealand law which results in voting and property ownership being inaccessible before the age of 18 years. This exclusion of children from public life may be linked to the debates around capacity outlined by Lansdown (2005) - adults getting “stuck” in the protection and provision aspects of children’s rights and struggling to come to terms with the participation aspects which are requirements of active citizenship.

Children do not exist outside of the social and political world, and as Roche (1999) identifies, they are directly and negatively affected by these forces. For example, many children are directly affected by poverty in New Zealand, which increases the risk of other negative by-products including family violence. This is a highly relevant example within the New Zealand context. Smith (2013) cites the Green Paper for Vulnerable Children (Ministry of Social Development, 2012a), as an example of the “discourse of concern” in regard to children in the public policy space (Chapter 3, Changing constructions of childhood, para. 2). And this is a live example which provides a potent illustration of children’s own desire to be active agents in the public policy discussions which impact on their lives, not only the objects of adult concern. The need to balance the right of participation with the right of protection is powerfully illustrated in

children's own submissions on the Paper, where children specifically cite the need for a "voice" and "representation" as a way forward (Ministry of Social Development, 2012a). In agreement with Smith's point that children's "views can make a significant contribution to improving the conditions of their childhood" (Chapter 3, Children as citizens, para. 1), children themselves recognise that their views are needed to provide solutions to problems in their communities. However, adults need to let them speak, and then genuinely consider what they say. If children's lack of visibility and voice in the public space represents an attempt to protect them from adult concerns, it is a sad irony, given that "protection" from active participation in respect to the more difficult issues facing their communities affords them no protection in the private space of their homes and communities from directly experiencing the negative consequences of these issues.

Moosa-Mitha (2005) advocates for a new definition of the citizen, and offers a "difference-centred" approach (p. 369), which recognises that the struggle for recognition of citizenship is linked to the struggle for participation. In this theory the concepts around rights, participation and citizenship are deconstructed and set free from their roots in the dominant strands of "individuated and normative stance of liberal theories" (p. 386) which have influenced current Western models of citizenship such as that found within New Zealand. Moosa-Mitha's (2005) contention is that ideas around citizenship are constrained by the dichotomies that have come to dominate discourse around rights and citizenship, particularly ideas of autonomy (as opposed to constructions of dependence) and rationality (versus irrationality). From this point of view, children are often constructed as "not-yet-citizens" (Moosa-Mitha, 2005, p. 374) in comparison to a normative construction of adulthood and therefore negatively positioned in regard to the qualities that are posited as prerequisites for citizenship. However the difference-centred approach challenges the idea that rights are only the birth right of an individual human being who is assumed to have a certain set of

abilities. Instead Moosa-Mitha (2005) recognises citizens of “difference”, for whom rights have not been inherited under this tradition, but instead who must fight for and continually contest their rights.

In this view normative assumptions do not and cannot apply to some sections of the population, and it cannot be assumed that there are universal values for equality and liberty that transcends all the ways in which people differ (for example, race, gender and age). Therefore Moosa-Mitha (2005) seeks to broaden the definition of participation to an “expression of one’s agency in the multiple relationships within which citizens are present in society” (p. 375). As part of this definition children’s “presence as participatory subjects in the multiple relationships in which they interact” (Moosa-Mitha, 2005, p. 369) is acknowledged. In this construction of citizenship “presence and agency” is used to determine who has rights (p. 386). Children may not operate as fully autonomous actors under dominant Western definitions, but under this model they have a presence in the web of relationships that form society and that gives them a claim on rights.

This theory is a base from which to define children as equal local citizens in relation to adults in local communities. It moves discussion away from needing to justify children’s participation against assumed necessary prerequisites of predefined capacity. In addition it recognises that children’s presence and agency - even though differently expressed from that of adults - should be recognised and empowered within the wider culture through “cultural and relational interpretations of citizenship that perceive individuals as members of the public culture of which they are citizens and as living within multiple and interdependent relationships” (Moosa-Mitha, 2005, p. 386). This conceptualisation allows a view of children’s contribution not as a lesser contribution, but rather as one that may be different from adult ways of contributing. Under this construction, citizenship is not placed in a hierarchy in relation to distance from

normative assumptions of adult abilities. Instead children's presence is constructed as sufficient for them to enter the public sphere as participants, a potential to release public discourse discussion from centring on potentially limiting frameworks. The importance of this model is its potential to challenge views around the "normal" child's capacity to participate as citizen - particularly views which centre on children's incompetence and immaturity in the public space. It also allows for the recognition of the citizenship of those children who are further marginalised through their status as members of communities defined as outside of the dominant majority. Drawing from Hall and Held (1989, as cited in Moosa-Mitha, 2005), shifting normative values and practices in a way that acknowledges the presence and agency of those citizens who are positioned as "different" from the norm, is a way to challenge fixed and dominant definitions of citizenship (p. 375).

Power and children's citizenship

Moss and Petrie (2002) and Gallagher (2008) have drawn a Foucauldian analysis of power into the question of children's participation, acknowledging that understanding power is an important prerequisite for understanding children's participation (Prout & Tisdall, 2006 as cited in Gallagher, 2008). Foucauldian theory is seen as providing "tools that will enable us to get to grips with the myriad forms of children's participation in all of their diversity and specificity" (Gallagher, 2008, p. 397).

Gallagher (2008) draws the following concepts from Foucauldian theory: Power as "something that is exercised not possessed" (p. 397); "power as diverse" (p. 398); power as "distributed throughout society" (p. 399); and power as both "means of control and means of resistance" (p. 395).

Each of these aspects has relevance to the issue of children's participation that is part of this research. For example Gallagher (2008) posits, leading on from a Foucauldian

perspective, that “Power” does not exist, but rather there are “powers” throughout society that are expressed by all citizens at some level. In addition power is not something held or not held, but rather is exercised (or not) and its presence is in that exercise of power. In line with this view, and specific to this research, Council can be seen as expressing power through the formation and implementation of policy, but children also exercise power in the ways they respond (or do not respond) to participatory opportunities. From this perspective one would reject the idea that children are only powerless, solely reliant on adults in their lives. Their power will be expressed in a variety of ways, perhaps not obvious or dominant, but in existence in any case. Their power may also be expressed by their choice to not participate. It is the contention of this research that this recognition of relationship, and of the power that children possess, provides a more accurate and positive starting point for exploring children’s participation in the local political space.

For Gallagher (2008), power is also relational and “always involves a relationship between at least two entities” (Gallagher, 2008, p. 403). Moss and Petrie (2002) also look to a Foucauldian analysis of power, and highlight the function of relationships, in particular that “power operates through relationships . . . all exercise and all are affected by power . . . ‘to a lesser or greater extent’” (p. 32). Therefore, power is not held solely by one dominant group, such as adult policy makers. When there is a relationship each party holds a form of power, even though it may be held in imbalance. Gallagher (2008) refers to the possibility for children (in the case quoted, pupils within a school environment) to “comply with, resist, evade, colonise, appropriate or reproduce the power exercised over them” (Gallagher, 2008, p. 403). These actions may manifest in challenges and enablers that arise in the course of the implementation of participation projects, an issue which will be explored in this study (though limited to the perspective of adult representatives of council).

Gallagher (2008) draws on Foucauldian ideas around governmentality and the idea that it is not the intention of liberal governments to *crush* agency but rather to *cultivate* it in particular ways (Foucault, 1992 as cited in Gallagher, 2008, p. 401). The idea of children having power and the potential of governing structures to “cultivate” that power is important to this research. The way that participation projects are constructed, and conducted, and the way children’s feedback is used are all places where children’s power can be “cultivated” in a local context. This is in line with a Foucauldian perspective which recognises the importance of “localized analyses” of power (Gallagher, 2008, p. 398).

Even where policies and intentions are directed towards a certain outcome, Gallagher (2008) notes that “the intention and the effects of an action may bear little relation to one another” (p. 400). This study acknowledges that there are already participatory opportunities being presented to children. In addition, it acknowledges that children in New Zealand society have a measure of power, and the ratification of their rights under UNCROC provides another political “power” that theoretically can be exercised. Though pathways to participation have been constructed in many participation projects, the extent to which children are allowed to genuinely exercise their power may be limited by current beliefs and stereotypes of children in New Zealand society, which cultivate children’s participation in certain ways.

The principle of participation

The United Nations itself has defined children’s right of participation as one of the fundamental values of UNCROC, and one of the four general principles (Committee on the Rights of the Child, 2009). As a principle, “participation” is challenging to interpret at a conceptual level (Lansdown, 2010). Libel and Saadi (2010) highlight language itself is a potential stumbling block - the English word “participation” not only needs

defining but must be meaningfully translated across cultures and languages. In addition, its expression can be culturally specific, for example some would offer that patterns of children's influence and standing in non-Western societies open "spaces for participation by children which takes place outside the narrowed conceptual horizon of a Western notion of participation" (p. 151). In effect, the cultural specificity surrounding this principle means that "all investigations have to reflect self-critically the cultural specificities of every conception of participation, including that formulated in UNCROC" (Liebel & Saadi, 2010, p. 150). This is acknowledgement that participation can be variously defined, and that UNCROC is one specific definition enacted in international law. Within any local context there can be local definition of what citizen participation means, and there is a need to debate and align to the principles under UNCROC to meet international obligations.

The principles of participation encapsulated in Article 12 must be reviewed down to its crucial components. Firstly, this right extends to all children, in all age groups (Lansdown, 2001) - and belongs to individual children and also to groups of children (Committee on the Rights of the Child, 2009). Participation requires consideration of the weight given to the views of the participating child. Age alone cannot determine that weight, maturity is also to be considered. Though the difficulty in defining maturity is acknowledged, it can be expressed as the capacity of the child to express views "in a reasonable and independent manner" (p. 11) - with the greater the impact of a particular matter under discussion on the child, the greater the need to assess capacity (Committee on the Rights of the Child, 2009). States cannot assume incapacity, for example, they cannot summarily decide that an age group is unable to actively participate - the onus is on the State to actively assess capacity (Committee on the Rights of the Child, 2009). This presents a space in which cultural norms which construct the capacity of children to participate are challenged. Younger children, who are more likely to be seen as

unable to participate (A. B. Smith, 2013), are supported in their expression of their participatory rights within these principles, as under UNCROC, their participation, and the weight given to their views is not to be dismissed based on their younger age.

Secondly, children have the right to participate “in all matters affecting them” (Lansdown, 2001, p. 2). There is intention that there is a wide interpretation of the range of these matters (Committee on the Rights of the Child, 2009). Thirdly, children need to be able to access information on the matter under discussion and participate in safe spaces (Lansdown, 2001) - spaces that are “accessible and child-appropriate” (Committee on the Rights of the Child, 2009, p. 9). The right to information is a precondition for genuine participation (Committee on the Rights of the Child, 2009).

Finally ensuring children’s views are “given due weight” denotes serious consideration of those views (Committee on the Rights of the Child, 2009). This includes a need to explore how children’s feedback is not only collected but impacts on decision-making, with that information on impact to be provided to the child participant (Committee on the Rights of the Child, 2009).

The Convention has limits to its minimum requirements, for example, the Article does not mandate *direct* participation by children in all aspects of a process. As Shier (2001) also notes “the United Nations Convention does not make it mandatory to have children involved at the actual point of decision-making” (Shier, 2001, p. 114). Article 12’s concept of participation is not a right to self-determination but to active involvement (Shier, 2001). Lansdown refers to a “triangular” relationship between the State, parents/caregivers and children in terms of the realization of children’s rights (Lansdown, 2005). There are times when adults can speak for children in order to realise their rights. However in accordance with Article 12, adults still must consult with children before representing their views (Committee on the Rights of the Child,

2009; Lansdown, 2005). Participation is also a child's choice but not an obligation (Committee on the Rights of the Child, 2009).

The intersection of the key theoretical strands

Traversing the territory of public policy through the lens of Childhood Studies inevitably leads to a review of the social and political constructs which set limits on that policy. These limits are also reflected in the implementation and outcomes on the front line of participatory practice. This section explored the intersection of some key theoretical strands which provide a way of making these limits more explicit, and then challenging their legitimacy, at a theoretical level.

Childhood Studies has contributed a number of underlying premises which can be summarised as follows: a belief that there is a socially constructed aspect of childhood; recognition of the value of considering children as subjects in their own right, rather than minor parties under adult-led structures; and acknowledgment of children as "competent social actors" - that is, that children have agency (A. James & James, 2001, p. 26). Society's ideological choices about childhood are regarded as impacting on public provision, and the research follows a link between public provisions for children and how children and childhood are constructed (Moss & Petrie, 2002, p. 2).

In this theoretical space, dominant discourse is challenged to move away from an over focus on children's vulnerability, providing an opportunity to engage with the idea of participatory agency that is implicit in UNCROC. This is consistent with UNCROC, which challenges this over focus, and "helps make children visible, challenges governments and others to question their assumptions, and values children as people in their own rights today rather than what they will become in the future" (A. B. Smith, 2013, Chapter 1, Children's rights, para. 4). Acknowledging that childhood is constructed socially allows exploration of those views adults have about children's

capacity. In addition, reviewing children's participation as a component of the overall construction of their citizenship moves this exploration in to the space of civic life, which is the focus of this study. By questioning the structuring of citizenship around a constructed normative Western democratic citizen, and allowing for the recognition of citizens of *difference*, children can enter the civic landscape on terms which allow their agency to be recognised and supported.

Foucauldian theory of governmentality adds a further dimension to the exploration of the agency of children's citizenship. This theory provides a platform for building on ideas of children's agency as not only as *potential* waiting to be allowed expression by the more powerful, but also an *actual* through recognition that children already possesses "powers", even if it is often diverted or limited in the public space. Further, whilst recognising power differentials between adults and children, and the effect of this on children's ability to engage with their rights in the public space, it also acknowledges that children have powers that can act as sites of resistance, and also as sites from which to strengthen children's rights.

By introducing the concept of the cultivation of this power, the way that government conducts its responsibilities takes on a different aspect. Governments may well recognise children's rights but do they cultivate them by unduly shaping these rights, or cultivate them by strengthening them in line with their obligations under UNCROC? Governmental responsibilities in respect to the latter are further explored through a review of the components of the principle of participation. This provides some standards as to the conditions under which the expression of agency and citizen power of children is to be realised, and highlights ways to positively cultivate children's participatory powers.

These theoretical strands intersect in a way which allows children's civic participation to meet with children's agency and power as citizens; they provides a strength-based rather than deficit-based model of children's citizenship which resonates with the voices of children asking to be given an opportunity to contribute in the public policy arena.

Conclusion

The theories presented provide a platform for critical thinking about children's participation. They acknowledge the potential to question the familiar, and to continue to expand, challenge and debate participation in a local context. This study strives to engage with an idea of critical thinking as a way of "introducing a kind of awkwardness into the fabric of one's experience, of interrupting the fluency of narratives that encode that experience and making them stutter" (Rose, 1999 as cited in Moss & Petrie, 2002, p. 11). It aims to interrupt the flow through questions of the local, and analysis against international best practice. Under these theoretical frameworks children can build their identity as active citizens that have the right to participate in their society. As Smith (2013) asserts, children's identity as part of society is forged "through social relationships, shared activities and responsible roles"(Chapter 3, Social justice, para. 4).

Participation takes place through a network of relationships which involve a number of actors, including children, adult caregivers and media, as well as local government who act as policy makers and as implementers of policy. Local government policy provides clues to the priority given to children and how their contribution is viewed. There is value in active debate around the theory of children's power, citizenship and participation as it allows reflection on our views of our children more generally. It demonstrates how we value them in terms of their lives now, as well as their future. It demonstrates how New Zealand, as part of an international community, can meet its obligation and contribute to the progress of children's rights, in the political arena.

There is an aspiration that New Zealand, through carefully constructed participation projects at a local government level, may be in a position to take a leadership role in connecting children's participation at the local level, with the highest standard of human rights practice.

Chapter Four: Typologies of Participation

Introduction

To achieve genuine participation, theoretical perspectives and the principles of children's participation must survive the journey from theory to the front line of practice. Adults and children undertaking the complex work of participatory practice can find support in the frameworks and models which connect concepts of participation, to practice in real world settings. There is no shortage of models or typologies of participation in the research literature - one review identified 36 different models (Karsten, 2012). However there are some typologies that specifically reference children's participation and seek to align this participation to the principles of UNCROC. The most influential of these will be reviewed in this chapter (Hart, 1992; Shier, 2001). A new model which incorporates Western and non-Western perspectives, as well as child and adult perspectives on children's participation, will also be introduced (Shier, 2010b). Finally, a way of building the democratic participatory environment to meet the challenges facing our societies today will be introduced (Hayward, 2012).

Typologies of children's participation: Some foundational models

The Ministry of Youth Development's website provides reference to two models of children's participation as appropriate tools to support New Zealand practitioners to develop and review genuine participatory opportunities (Ministry of Youth Development, n.d.-a): Roger Hart's *Ladder of Participation* (1992) and Harry Shier's *Pathway's to Participation* (2001). Kay and Tisdall (2010) note these two models as being particularly influential over the last decade.

Hart (1992) developed the *Ladder of Participation* from the Arnstein model, *Ladder of Citizen Participation* (Arnstein, 1969). It is useful to review Arnstein's model as it

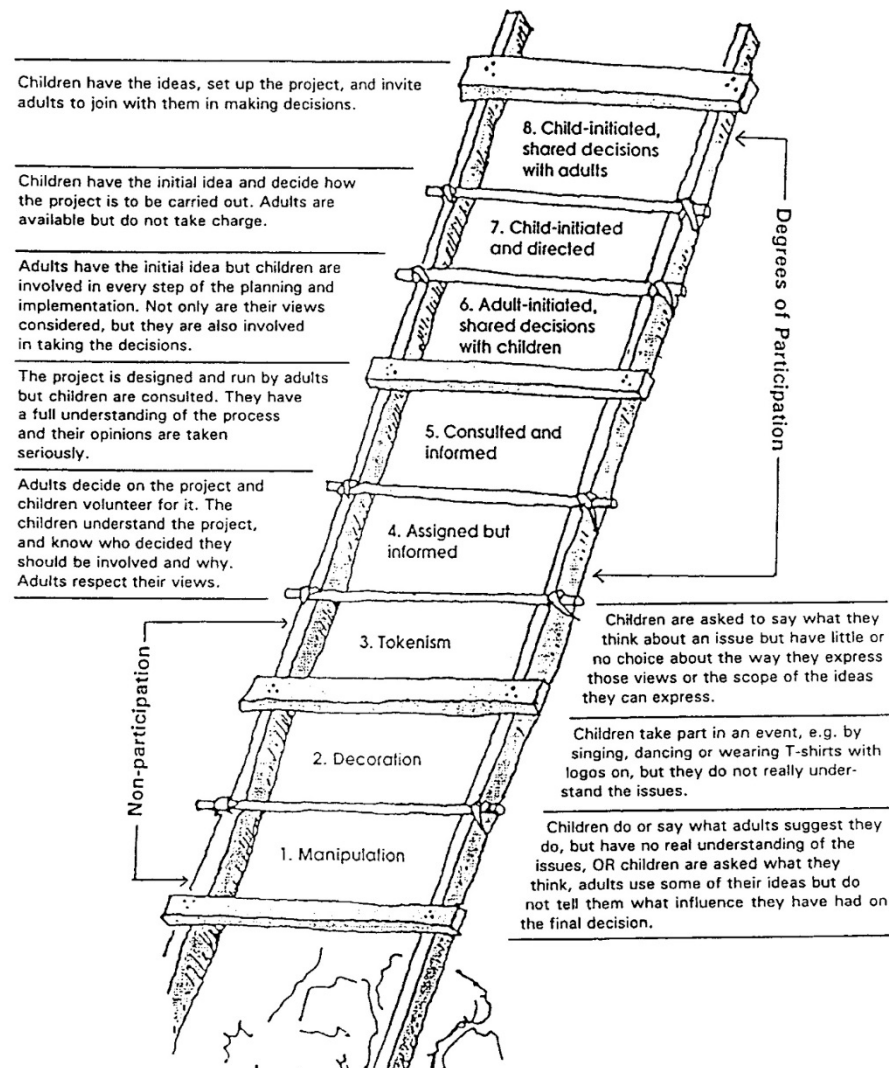
provides a context to the development of later models, which focus on children's participation. Arnstein addressed citizen participation more generally, and reviewed the interaction between dominant and non-dominant groups in the citizen space; these groups were defined as the "haves" and "have-nots", or the powerful and powerless (Arnstein, 1969, p. 216). This model, which has a strong focus on the theme of power imbalance, links citizen participation with citizen power, and genuine citizen participation with a redistribution of power - "participation without redistribution of power . . . [being] an empty and frustrating process for the powerless" (Arnstein, 1969, p. 216). By using the symbolism of the "ladder", an ascending (or descending) distribution of citizen power is illustrated, providing a model from which to assess the level of power-sharing in the instance of participation being undertaken.

At the lower end of the representational ladder, participation is structured in a way that prevents the genuine participation of the "have-nots". These are identified as public participation opportunities which Arnstein defines as "non-participation", for example, those she labels as "manipulation" and "therapy" (Arnstein, 1969, p. 217). These are the instances where participation has been distorted "in to a public relations vehicle by power holders" (Arnstein, 1969, p. 218). This model conceptualizes ways in which genuine citizen participation is more than being seen to seek out views - who asks the questions, who is asked, the intentions behind the participation, and the political environment in which the parties operate, all add to the complexity of the question of defining genuine participation. The model provides a platform of analysis from which to explore whether a participation opportunity is genuinely in line with the spirit of democratic citizen participation; it challenges the idea that the definition of effective and genuine participation is in the hands of the "haves". By linking power and participation, this model provides a basis from which to more specifically focus on groups within society that are traditionally outside of the main power structures.

There are limitations to the model, and one that Arnstein identifies is that the model simplifies the complexities of participation, and that in reality there is likely to be many “rungs” beyond the defined levels represented in the model. It is also noted that the negative views that both the “haves” and “have-nots” hold of the other can add to that complexity of achieving meaningful participation (though Arnstein also acknowledges these groups are not single “homogenous blocs”) (Arnstein, 1969, p. 217). This acknowledgement fits somewhat in to the Foucauldian idea that power exists on many levels; “have-nots” do express power in some form, even if through a negative construction of the “powerful”. Though children are not specifically referenced in the model, one can argue that children and youth can be seen as the “have-nots” - the *other* to an adult norm - in terms of citizen participation.

Hart (1992) picks up the theme of power sharing introduced by Arnstein (1969) and applies it directly to instances of participation involving children and youth. According to this model, participation is sharing decision-making in relation to issues of relevance to one’s life and the life of one’s community, and is a fundamental right of the citizen (p. 5), thereby identifying the community level as a relevant site for this activity. As with Arnstein’s (1969) model, non-participation is identified. The first three rungs are defined as non-participation - along with the “exploitative and frivolous” aspects of children and youth participation that Hart observed in the public space (Hart, 1992, p. 4). The model then proceeds to define the level of power sharing between children and adults that exist within participation opportunities that are genuine.

Figure 1: The Ladder of Participation⁵



Hart (1992) identifies eight levels of the practice of participation involving children. As with the Arnstein (1969) model, the vertical placement could be interpreted as indicating a hierarchy of participation, from the lower forms to the highest. Indeed the bottom three rungs of the ladder are practices which Hart which are defined as “models of non-participation” - manipulation, decoration and tokenism (Hart, 1992, pp. 8,9). Examples of manipulation include involving children as participants in regards to issues they don’t understand, and not providing them with feedback. Tokenism is identified as more common in the Western world than genuine participation and is present in

⁵ Reproduced with permission. Hart, R. A. (1992). Children’s participation: From tokenism to citizenship. *Innocenti Essays No. 4*, Florence, Italy: UNICEF International Child Development Centre.

opportunities where children are given a “voice” in the sense of providing feedback but have no input into how their voice is communicated, the subject under discussion, nor are they given adequate information to form their own opinions. These absent elements are all aspects of genuine participation as defined under UNCROC (Committee on the Rights of the Child, 2009; Lansdown, 2001).

Hart (1992) provides some minimum standards for participation opportunities, i.e., children understand the intentions of the project, they know who made the decision concerning their involvement and why, they have a “meaningful (rather than ‘decorative’ role)”, and they volunteer for the project after the project was “made clear to them (p. 11). These are represented in the higher levels of the ladder where participation levels are judged in terms of power sharing between child and adult. As with the Arnstein (1969) model, power is a concept around which is built the indicators of genuine and effective engagement. Examples of an increased power sharing, at the higher rungs, are adult-initiated opportunities where decision-making is shared with children; child initiated and directed opportunities, and finally child initiated opportunities and shared decision-making with adults (Hart, 1992, pp. 12–14).

One notes from these higher levels that it is in the areas of initiation of opportunities, directing of the opportunity and decision-making that power is judged to be present or not. The intention of those who present the opportunity is not emphasised, but the demonstrated balance of power between children and adults in these key aspects of the participation opportunity assist to define whether children are accessing a genuine opportunity to participate. The metaphor of a ladder, and the structure of the diagram used to illustrate, imply a movement from lower forms of non-participation to the highest levels, and that the higher up the ladder the better the practice and more genuine the opportunity. However, Hart (1992) states that it is not his view that children should “always operate on the highest possible rungs of the ladder” (p. 11). He notes that some

of the lower forms may be appropriate, but advocates for a genuine choice to be presented to child participants, through adults ensuring that programmes “maximize the child’s ability to be able to choose to operate at their highest level of ability” (p. 11). Here Hart (1992) is promoting an honest labelling of opportunities, a conscious intent when working with children, and an ethical consistency between the stated purpose of an opportunity and the actual opportunity presented. This would seem to indicate that the “powerful adult” (to put it in very simplistic terms) is the one who must take an active role in scrutinising the interaction.

Hart (1992) acknowledges the importance of the community context in this paper, stating that “improving children’s lives must involve families and communities . . . families need to be encouraged to open up traditional practices to the greater involvement of their children as part of a general move towards creating a more democratic society” (p. 7). Here Hart (1992) is directly referencing the importance of the philosophical and ethical approach to children’s participation of the local community as directly influencing the quality of the participation opportunities that children access. He goes further and identifies the overall quality of participation opportunities for adult citizens as setting a standard for participation of all citizens, even those currently marginalised, such as children. He states that “most commonly... the degree of opportunity for a child to collaborate in the everyday management of family, schools, neighbourhood and community groups is a reflection of the participatory opportunities for adults in that culture” (p. 5). This is a critical acknowledgement, because it introduces the idea that the standards of citizenship in the local space more generally affect the exercise of children’s participation as citizens; it also acknowledges that the local political community is a suitable space to review challenges and enablers. One may expect that Hart’s (1992) ladder is suited for the use of adults to use to review their own engagement with child participants - it is a model created by an adult and the

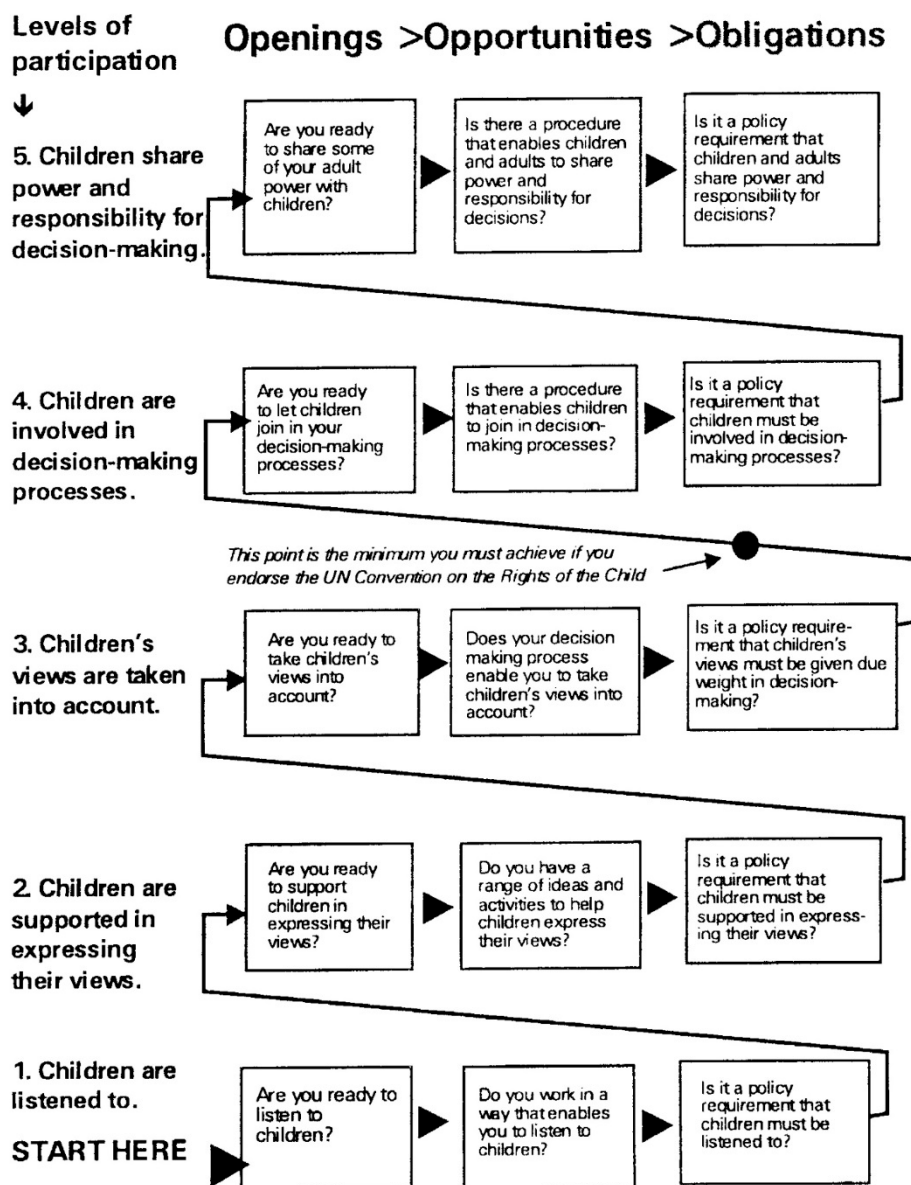
likely intended audience is other adults. This also opens up the question as to how children should engage with this model and others which have been put forward in the public policy space in New Zealand as best practice.

The implied hierarchy in the ladder metaphor has been reworked in alternative models, particularly to emphasise the importance of the context of a particular opportunity (Barber, 2009). Treseder (1997) posed an alternative representation, based on Hart's categories, but moving away from the ladder representation to a more circular representation of categories defined as "equal but different" (Barber, 2009, p. 29). Hart critically reflected on his own model, referred to it as both a model and a metaphor (Hart, 2008). He states that it was not meant to be a "comprehensive tool for measuring work with children" (Hart, 2008, p. 19) and that he had no intention of implying that children had to always operate on the highest rung. Rather he acknowledges that the model was published at a time when NGOs were trying to interpret UNCROC (p. 21). He also noted that the degree of emphasis in the model on individual agency may not be appropriate in the context of the many cultures (p. 26). Importantly he describes this work as aimed at starting a dialogue to critically address the area of children's participation. This model has been a seminal work for those involved in children's participation who wish to grapple with the complex area of theorising, and then practising, genuine participation projects in real settings.

Almost 10 years after Hart's model was published, Shier, acknowledging the significant impact of the Hart model, proposed another model titled *Pathways to Participation* (Shier, 2001). This model has five levels of participation, and a set of questions to probe the depth of the participation opportunity and identify stages of commitment at each level. These levels are: children are listened to, children are supported in expressing their views, children's views are taken into account, children are involved in decision-making processes, and finally children share power and responsibility for decision-

making - all moving toward greater power-sharing between children and adults (Shier, 2001).

Figure 2: Pathways of Participation⁶



At each level there are a set of questions that it appears are intended for the adult facilitator to use in order to assess the level of genuine participation in a participatory event. These are categorized as exploring whether the level is an: opening, opportunity or obligation. An *opening* is when a worker has an intent or commitment to

⁶ Reproduced with permission. Shier, H. (2001). Pathways to participation: Openings, opportunities and obligations. *Children & Society*, 15(2), p. 111.

participation opportunities, even before an opportunity may be available. *Opportunity* exists when it is possible for children to participate. *Obligation* grounds the practice in an environment where it is the “agreed policy of the organisation or setting that staff should operate at his level” (Shier, 2001, p. 110). These are not necessarily sequential, for example an obligation may arise before an opportunity is presented.

Shier (2001) identifies the third level, where children’s views are taken into account, as the level mandated under UNCROC. He points out that there are limits even at this level of genuine engagement - there is no guarantee that children are granted their choices. Level four is seen as the point where there is a shift “from consultation to active participation in decision-making” (p. 113). Shier (2001) acknowledges that children participating in each of these levels have no independent decision-making from adults; children are bound in relationship with the adults they engage with in the public space; and there is a necessity for cross-generational power sharing.

An important aspect of the model is that it acknowledges the minimum standard at which a participatory opportunity meets a child’s basic human rights under UNCROC. This is an important definition for those who are operating in a public policy space which aims to meet those obligations. It also offers that the intention of an individual or group at the *opening* level is a relevant factor in the assessment of an opportunity. An *obligation* within a level implies a systemic engagement with children’s participation which goes beyond the intention of the individual practitioner. For example, once children’s participation is an *obligation* in the public policy space one would expect that this could result in participation that is more deeply rooted in all aspects of consultation - the conception, process and evaluation of participation opportunities.

The Participation Tree: A metaphor of children's participation

Shier has subsequently revised his initial model of participation (Shier, 2001), in light of his practical experience with child workers in Nicaragua (Shier, 2010a, 2010b). In a framework titled: *Navigating the Tensions*, he extends earlier typologies of participation, including his own, which he saw as “inadequate to conceptualise the complex and multidimensional reality of children and young people's participation in society” (Shier, 2010a, p. 25). He does so by identifying 15 *tensions* of children's participation. The first grouping of tensions which he labels as the struggle between “participation as social control” and “participation as empowerment” is the grouping most relevant to this research (Shier, 2010a, p. 24). This tension engages with the requirements of genuine participation in terms of the relationship between the power of government and the power of the individual, and the intention behind that use of power. This also links to Gallagher's discussion of the Foucauldian idea that power can be cultivated by government (Gallagher, 2008), with two alternative cultivations explored: one which empowers children and the other which controls them.

Participation can be a form of control, most particularly where adults control the agenda and children's voices are manipulated voices, rather than autonomous (Shier, 2010a).

Though Article 12 of the UNCROC gives children and young people the right to express their opinions (i.e., be consulted) and to have these opinions given due weight by decision-makers, children and young people's right to sit in deliberation at the decision-makers' table is less clearly established (Shier, 2010a). Again this tension between consultation and participation emerges, and is linked to the access to the decision-making aspects of a participatory opportunity. How far children are able to set the agenda is in focus here, and for younger children who can struggle to get to the table and who are more likely to be deemed as less competent, the issue intensifies.

Shier (2010b) provides another representation of participation, developed this time with child workers. It is to this model that this research anchors itself, as it reflects the continuing evolution of ideas of children's participation at a conceptual level, acknowledging that participation practice must grow and evolve with changing community and political contexts. This model incorporates concepts of participation from very different contexts, Western and non-Western, adult and child. This model is conceptualised in the form of a participation "tree".

Figure 3: The Participation Tree⁷



⁷ Reproduced with permission:

Figure 20.2 The Participation Tree, p. 227. Shier, H. (2010). 'Pathways to participation' revisited: Learning from Nicaragua's child coffee workers. In B. Percy-Smith & N. Thomas (Eds.), *A handbook of children and young people's participation: Perspectives from theory and practice* (pp. 215–230). London, England: Routledge. The bottom text box did not reproduce properly; the text has been inserted into the above Figure by the author.

The primacy of an adult-child power relationship is less in the foreground of this model. Instead participation is rooted and grows (in line with the metaphor) within a larger community environment; its strength is an outcome of the “health” of the total environment in which a child lives (and reflects the general philosophy applied to adult participation). And importantly children are not given the role of participant by an adult, but rather the level to which they are able to express their active participation in the many roles within the community in which they can and/or do participate is at issue. Participation is not a one-off event, but is grown within local communities, and therefore will be very specific to the local community. It needs to be noted that the metaphor is strongly UNCROC-based - the roots and earth are based on children’s rights, and specifically the model of children’s rights under UNCROC.

This metaphor does not require a participatory opportunity or event to arise in order to assess the health of the participatory environment. An observer can use the *Participation Tree* to review the community environment as it presents, without reference to specific participation events. For example, the number and quality of the “leaves” - representing the active role children actually take within their community - is a reflection on the total environment of participation for children in the community historically. Successes in the present nourish opportunities of the future, and reflect groundwork of the past. This is a metaphor of a local system of children’s rights, growing in an international context of a human rights framework. In line with the Foucauldian idea that power is diverse and that all individuals have power (Gallagher, 2008), if one accepts that children are, at some level, mediators, defenders, participators as outlined in this metaphor, then how far are they allowed to fully participate in these roles becomes the issue; where these roles are not enabled, one can look to the environmental elements in which the participation of children has grown.

The *Participation Tree* is a different way of viewing children's participation. It is neither a prescriptive model nor a way to rank participation projects. Instead it illustrates the interaction between environment and results. In a local context such as Auckland, the environment is one in which Council officers have a role - but so do parents, teachers, the general community and researchers, and children themselves. There is shift away from seeing participation as an interaction of the power of the citizen with the power of government. The officers at the government level represent the government at one level, but that is only one of their roles. They are also part of the families that are the roots and earth, and part of the larger community. The Council is part of the environment in which the tree grows, its richness feeds into the tree as a whole but it is one part, and its own structure is nourished by the family and community.

Shier (2010b) acknowledges that there needs to be better "cross-fertilization between the fields of children and youth participation and participatory governance" (that is, participation by adult citizens), stating that research is showing that the 'tensions' that are being faced in children's participation are no different from those encountered in work on participatory governance more generally (Shier, 2010b, p. 24).

S.E.E.D.S.: Nourishing children's citizenship in Aotearoa/New Zealand

Bronwyn Hayward's (2012) work, based in the New Zealand context, can be meaningfully linked with the metaphor of *The Participation Tree* (Shier, 2010b).

Specifically based on research with children 8–12 years of age, this study looks at both children's exclusion from public spaces and highlights their ability to be able to communicate and to participate in issues of significance to society as a whole. That children, and particularly those 12 years and under, have a role to play in addressing

serious issues within society and that adults need to work with them to nurture their ability to take on these roles, given global threats, are highlighted.

Roger Hart, whose typology is mentioned above (Hart, 1992, 2008), provides the foreword to the book, and acknowledges that though the focus to date has been more on the teenage age group, that children are ready to participate at earlier ages (p. ix).

Hayward (2012) points to a sense of urgency to engage with children given the serious issues that face us all, particularly environmentally, and the need to “support the capability of young citizens to address the enormous challenges we are bequeathing them” (p. 1). Hayward introduces elements of “a new kind of sustainable democracy” of children’s citizenship, through a model to which is applied the acronym: SEEDS. The elements can be summarised as:

- *Social agency* – drawing on the elements of collective action, collaboration with the groups to which children belong, and ideas of working together and co-operation with their communities.
- *Environmental education* – addressing the need for formal and informal links to their environment, and the importance of connecting children with ecological issues.
- *Embedded justice* – including the obligation to be aware of and debate injustice, and to take action to ensure that all citizens “live as well as they are able” (Hayward, 2012, p. 59).
- *Decentred deliberation* – requiring debates within and across communities (including intergenerationally), scrutinising and challenging decision-making and ensuring opportunities to be heard.

- *Self-transcendence* – promoting that children “exercise their political imagination for citizenship” beyond the immediate concerns of their world and even of their time. (Hayward, 2012, p. 60)

Elements that I wish to draw particular attention to due to their relevance to this research are: the need to expand thinking on the appropriate spheres of concern for children in the public space, the introduction of a model of responsibility and a commitment to action that transcends the immediate needs of the self and the need to apply serious and on-going critique of citizen participation, including children’s participation (in this research, *particularly* for children) - a “deliberative democracy” which justifies the value of public debate and moves to a more radical deliberate democratic position (p. 123). In Hayward’s (2012) view:

the aim of deliberation is not to reach consensus per se, but to create shared public space for on-going democratic dialogue, seeing our differences as an important, creative resource for informing democratic decision-making. (p. 123)

Also noted is the need for intergenerational communication to support these aims.

This model promotes the nurturing of the environment in which younger children are involved through dialogue, debate and democratic decision-making. Whilst the Shier (2010b) metaphor directs attention to the environment in which active participation grows, this model can be coupled with that approach to provide some direction on where communities in New Zealand might nurture children’s and the wider community’s agency for the health of the environment in which participation must grow - areas such as justice, responsibility, exercising political imagination to expand spheres of concern and possibly influence, and public debate for better democratic decision-making. This relies on all sections of the community, including children, to exercise personal agency and be part of a collective responsibility to be aware and active participants in the democratic process.

Reflections on the typologies and metaphors of children's participatory practice

The typologies and models presented here can be seen as a bridge between the theoretical perspectives, concepts and principles of children's rights and capacities outlined in Chapter Three, and the actual practice of their participatory rights in public policy settings, which is the focus of this thesis. They provide a conceptual "map" from which to develop strategies on the front line of participatory activities in the public policy space.

The earlier typologies presented start with ideas of power sharing, and recognise the diminished place of children on the societal power scale. They explore the balance of power between children and adults, and tend to focus on the struggle of children to express personal agency within a participatory opportunity ("participation as empowerment"), and the structural power of adults in charge ("participation as control") (Shier, 2010a). Recognising the role of *power* differentials in terms of children's participation is critical in a world in which power imbalance is present. But in line with theoretical explorations of children's power, for example by Gallagher (2008), later models also represent children as agents with a degree of power, in the wider community context.

In these later models (Hayward, 2012; Shier, 2010b), individuals and organisations sit in a wider context beyond a particular instance of participatory opportunity. In this wider context every citizen has a role to play in the continued construction, reconstruction and maintenance of the political environment. These are dynamic metaphorical models illustrating that children's participation in decision-making is dependent on a continued nurturing of their agency as citizens within their local democratic environment. Perhaps these models have more in common with the approach discussed by Prout (2011), as they move away from dichotomised thinking in terms of situating the powerful in opposition to the powerless. These models recognise

that the child who is not formally asked today to participate in local government processes, still takes an active role in some part of their community life. There may be challenges to the full expression of children's role as public actors in the present, but embedded in these conceptual perspectives is recognition of potential enablers, one of which is that children already possess power and agency. Families and communities can support them in the everyday world, not always reliant on formal structures to build the capacity that can eventually find expression in the public domain. The research by Hayward (2012) brings to the fore the urgency of this participation in the 21st century.

Conclusion

Active democracy today needs to grapple with the challenges of both the global and the local. Children's participation has been framed under UNCROC based on an international standard of children's rights generally, including the right of children to be able to access a level of democratic participation in public life. Yet the text of UNCROC is not fully prescriptive and its language allows for (even requires) further interpretation of its principles, in order to be applied at the national and at the local level.

Auckland City is on a journey of translating priorities into policy, and then into practice. There is an opportunity for Auckland Council to construct its public provision in terms of citizen participatory opportunities for children, as a "site for democratic and ethical practice involving critical thinking", one that "might contribute to the political project of influencing the direction change takes" (Moss & Petrie, 2002, p. 2). This influence denotes intentionality in practice and provision. Having typologies or metaphorical maps to assist in the review participation opportunities for children can support the development of locally relevant models that allow critical engagement with international standards in ways that are nuanced and sensitive to local contexts.

Chapter Five: Enablers and Challenges to Children's Participation in Public Policy Settings: Review of Case Studies in New Zealand and Internationally

Introduction

The typologies of children's participation provide a framework for actualising and reflecting on instances of children's participation to strengthen practice across a range of settings in which children's views are sought. This chapter now turns to looking at the literature on what facilitates (enablers) and what hinders (challenges) children's participation within public policy settings, based on data from engagements with children and youth in participatory projects. This information from the national and international literature informed the questions posed, and analysis of data elicited, during interviews with Auckland Council officers to explore their perceptions of the enablers and challenges to involving children in council consultation processes.

A review of publications from New Zealand and internationally was undertaken, firstly in order to identify studies which have focused on enablers and challenges to younger children's participation in local government settings, with a specific focus on the 12 years and under age group. An extensive search revealed no published studies meeting these criteria. However there were many publications which focused on some aspect of the enablers and challenges to children's participation in governmental settings, focusing on a wider age range to include youth. There were also studies relating to children's citizenship in ways that are relevant to this research.

The research reviewed often included long lists of the opportunities and barriers across a range of projects; however it did converge around some common themes, which are summarised below. The aim of this section is not to document an exhaustive list of enablers and challenges, as this is not consistent with the focus of the research which is to identify *local* enablers and challenges. Given that contexts vary and change, it is not

useful to review every possible aspect of this question. However it has been useful to be aware of the more common themes on a couple of levels. Firstly, as I do not work in a Council environment it has enabled me to undertake data collection with some orientation to the types of issues that may be raised in the interviews. However, it must also be noted that it was important that this did not lead me to look for certain patterns in the data – this review gave me a foundation from which to identify themes, not a prescription for what was to be identified. It has also provided some points of comparison as to where Auckland City fits within this larger context: does it face similar challenges, and how is it unique? The aim of this chapter is to ground data collection and data analysis in a national and international context by identifying some general themes in the literature, and to use the findings from the literature as a point of comparison to the findings from the interviews.

Enablers and challenges: New Zealand literature

There was one study in the New Zealand literature that had significant, but not full relevance to this research. This study focused on Council members in the Auckland region who had a child and youth focus in their particular Councils. This research examined drivers for youth participation from a local government perspective up until 2006, and how participation in decision-making benefits local council and the youth involved (Peteru, 2006). The age group identified as relevant was youth, defined as 12–24 years of age. Officers of seven cities and districts in the Auckland region were interviewed about the opportunities and barriers to youth participation under a specific Auckland Regional Child and Youth Engagement (ARCYE) Project linked to New Zealand's commitment under the international Sustainable Cities programme. The age group in focus (youth), the framework of review (Sustainable Cities rather than UNCROC) and the time-frame (the studies reviewed up until 2006) were major points

of difference to this study. However, there were points of relevance and the information on enablers and challenges from that study are outlined below.

Other New Zealand studies were identified which focused on aspects of local government processes which could be seen as enabling or challenging to children's participation more generally. These studies included the perspective of planners within local government, and local government workers. Generally these studies were more youth focused. In turn the studies: examined local government choices as to which communities of children are selected to access participation opportunities (Nairn, Sligo, & Freeman, 2006); interviewed local government planners on how widespread participation initiatives had been and the extent to which children and young people were considered, including a focus on barriers encountered and what assisted them to facilitate children and young people's participation (Freeman & Aitken-Rose, 2005a); and explored the conduct of planning projects from the point of view of planners and local government workers, including those in the then Auckland City Council (Freeman & Aitken-Rose, 2005b).

Other studies that have also been drawn on include a literature review commissioned by one of the legacy councils of Auckland local government which focussed on identifying aspects of youth development practice from the literature that were relevant for local government (Jensen, Kaiwai, Greenaway, & Conway, 2005) and a case study review of the Child Friendly Cities Initiative project in Christchurch, reported by UNICEF (UNICEF IRC, 2003).

The results of this literature review from both international and national studies are discussed below however the New Zealand based research tended to support three key points. Firstly, the studies were in agreement that there were a good number of initiatives in the local government space which included a child and youth participation

focus. What was at issue was the genuineness of those opportunities and the degree to which they moved from collecting children's views to ensuring these views impacted on decision-making; the participatory projects were described as being on the "lower end of the participation continuum" (Freeman & Aitken-Rose, 2005b, p. 397). Secondly, there was an absence of focus on younger children; this was reflected in the participatory projects described and commented upon by the authors (Freeman & Aitken-Rose, 2005b). Finally there was agreement on the low status of children and young people in New Zealand society, and the impact of this both on children and youth's visibility in public policy settings.

Enablers and challenges: International literature

A literature search was undertaken to locate studies which provided information on enablers and challenges to children and youth participation in public policy settings in Australia, the United Kingdom and Ireland, which included a focus on the local government level. The selection of literature from these countries was on the basis that these nations share historical, political and cultural links with New Zealand. Given Moss and Petrie's emphasis on the influence of these historical and social contexts on public policy choices (Moss & Petrie, 2002), these were selected to provide some useful points of comparison with the data from Auckland City. Importantly, these studies provided reflections from case studies based in real life settings at the front line of participatory practice. The literature tended to focus more on youth from the age of 12 years and upward. No studies or reports were located which focused solely on the younger age group.

International studies located and reviewed in this category were of two types. Firstly, there were reports from Australia which included best practice guidelines and case study reviews of participatory projects with children and youth which included local

government settings (Bell, Vromen, & Collin, 2008; Dibley & Gordon, 2006; Saggars, Palmer, Royce, Wilson, & Charlton, 2004). The other type of literature reviewed was from the United Kingdom and Ireland. These studies reported on a range of public policy participatory projects involving children in England (Davey, 2010; Davey, Burke, & Shaw, 2010); a review of “what works” in terms of involving young people in public decision-making, and what can be achieved, based on a review of evaluations of participation projects in the United Kingdom (Kirby, 2002, p. 5); and issues around consulting children and young people in relation to public policy development in Ireland (McAuley & Brattman, 2002).

The second category of literature that was reviewed was drawn from Child Friendly Cities Secretariat reports on case studies of good practice, under the Child Friendly Cities framework protocol (UNICEF France, 2010; UNICEF Germany, 2004, 2010; UNICEF Ireland, 2004; UNICEF Italy, 2004a, 2004b; UNICEF Netherlands, 2010; UNICEF UK, 2010). The projects selected for review focussed on Western countries who had indicated in their report that children and youth participation was a high priority in terms of implementing the Child Friendly Cities framework. These initiatives are all listed as on-going, with the exception of the report from UNICEF Ireland which was completed in 2010. All are the current reports on the Children Friendly Cities database. All of these publications were reviewed in order to identify key themes around enablers and challenges to realising children’s participatory rights in respect to decision-making at the civic level.

Table 1: Key themes in the literature reviewed: Enablers and challenges

The social constructions of childhood/adulthood

This theme includes the range the positive and negative stereotypes of children held by adults in power that affect, limit or promote children's participation, and the impact of children's participation in public policy space. It also necessarily reflects constructions of adulthood and adult obligations to children within a particular community, including the way that children in turn, construct adulthood, and how that impacts on their motivation to participate in adult-led consultations.

Support for children and young people as active citizens

Intersecting with social construction this involves how children are nurtured in their roles as public actors, how their contributions are encouraged, prioritised and publicly supported.

Connecting with the contemporary child

This theme is focused on the recognition that children's needs and child culture change with time, and with changes in the society in which they are a part. Importantly this is about relationship building within engagement, commitment to finding ways to connect with children in the present, and demonstrating sincerity and genuine engagement. This is on-going work.

Equal access to participation for all children

This theme is focused on the recognition of the complexity and diversity of childhood, the challenge to genuine participation that is present in limited dominant constructions of childhood that inhibit equal access to participation opportunities across all communities of children.

Institutional support including resourcing and prioritisation

Most importantly this theme is around the government institution providing support to children's genuine participation - this can include time, money, trained workers, spaces for consultation, physical access, support of council officers, and support of the children, as well as senior management support. One of the key resources is the prioritisation of this activity amongst the competing priorities of political activity.

The importance of staff working to promote children's genuine participation

Though a part of resourcing, a focus on staff as key mediators between children and political worlds is recognised in the need to acknowledge and support staff who are in this key role.

Building long-term and genuine participation with child citizens in the local political space

Linked to trust and relationship building this theme focuses on having a clear idea for each participation project as to the level of children's involvement in all aspects of the project and how their contribution will be used – and clearly communicating that to all participants, adults and children. It is honesty in the public contract between child participants and Council, as an on-going process, one that is reviewed and evaluated, and adjusted as required. In the context of this research, this links to doing so in alignment with the principles of UNCROC.

Discussion of the themes

Social construction of childhood

Many of the studies referred to the way children were viewed by adults, for example policy makers, the adult community, and adults in the media. Negative attitudes of the

general public toward children and youth were raised as a barrier to participation (Davey, 2010; Peteru, 2006). This negativity could be expressed in a range of ways, for example, a lack of belief in youth maturity and realistic expectations, or a view that children and youth are apathetic around engagement (Freeman & Aitken-Rose, 2005a). Negative constructions of children's capacity may cause adults to wish to protect children and youth from unrealistic expectations of participation, for example, "believing in unreal possibilities" (UNICEF Italy, 2004b, p. 13). Interestingly however those negative stereotypes may also be a facilitator for consultation (albeit a negative one), as sometimes children and young people who have been classed as problematic were identified as prioritised for local government participatory opportunities (Nairn et al., 2006).

Though there is more of an emphasis on the negative within much of the literature, too little ("young people can do nothing") or alternatively too *high* an expectation of consultation ("young people can do everything") can both be potential issues (Saggers et al., 2004, p. 106).

Support for children and youth participating as active citizens

In terms of children's participation in political life, the social construction of childhood within a community intersects with the construction of children as citizens. Challenges in this space include the need for children and young people to know more about how government affects their lives, including civic education about council (Peteru, 2006). Children were often not aware of their rights, did not seek out participation opportunities, and therefore were reliant on an invitation to participate (Kirby, 2002, p. 33). They were often not aware of the opportunities that are available (Nairn et al., 2006). In these ways they may not engage with the idea that they can be active citizens, and therefore require support to do so.

It emerged from the literature that there is a need to work at the community level to promote children's participation, for example, by the use of specific "motivational strategies" to assist models of children's involvement to gain general public acceptance (UNICEF Italy, 2004b, p. 14). Effectively promoting the social participation of children throughout a city, helps to "create the conditions for explicit recognition of children's rights" (UNICEF Italy, 2004b, p. 13).

Connecting with the contemporary child

Understanding children and young people involves connecting with the complexity of children's culture. It is difficult to connect with a community that is unknown, and a lack of access to current data on youth in a given city is one challenge to engagement (UNICEF Germany, 2004). Governments need to know their constituencies, and connecting with contemporary children and youth can be facilitated when governmental agencies know where to find participants and link into existing structures that are active and effective (Bell et al., 2008).

The reluctance of some children to participate is a factor that needs to be understood within each specific context; some youth don't want to participate but the challenge can be a lack of understanding and research as to why from the perspective of young people (Kirby, 2002, p. 32). Some reasons that have been highlighted in the literature are: cynicism based on consultation fatigue and perceived elitism or tokenism around engagement (Bell et al., 2008); demoralisation when bureaucratic processes slow down expected improvements (UNICEF Netherlands, 2010); children feeling that their opinions were given low status (Davey, 2010); their sometime apathy (Bell et al., 2008); and children and youth's lack of confidence in participatory settings, especially at the initial stages (Saggers et al., 2004).

A number of the studies mentioned the need to have an understanding of the issues that have particular importance for many children and young people (Saggers et al., 2004). Enablers discussed included: keeping communication relevant and up to date (UNICEF Netherlands, 2010); utilising innovative and stimulating opportunities for participation (UNICEF Germany, 2004); and “using a range of participatory tools and creating opportunities for participants to be creative and have fun” (Bell et al., 2008, p. 66).

Without proper connection to children’s perspective, there is the potential for variations between the adult and youth perspective of participation which results in young people’s frustration (Freeman & Aitken-Rose, 2005a). This issue can be exacerbated by the transitory nature of youth, prompting a consideration of the fact that participants may experience significant change in their viewpoints over time (Dibley & Gordon, 2006). Understanding children in a contemporary context is an on-going challenge. Sometimes more sophisticated approaches to consultation resulted from the learnings gained from interaction with children and young people, indicating that making those connections with children and young people is needed to help council officers to realise they need to approach children in sophisticated, not simplistic, ways (Freeman & Aitken-Rose, 2005a).

On a more practical level, another enabler identified is support of children’s short term needs in a particular engagement opportunity, by providing for practical needs such as food and drink supplies during consultation, as well as provisions for transport and choosing times which suit children and young people (Saggers et al., 2004). Engaging youth using by the (current) “language” of youth is a further consideration (Saggers et al., 2004, p. 106).

Equal access to participation for all children

The experience of childhood across a community is diverse, however sometimes public discussion around childhood focuses on a limited construction of childhood. Ensuring access for those children outside of the mainstream is important if participatory rights are to be accessed by all children.

Adults are critical as gatekeepers for these opportunities. For example, one study found that “well-meaning” middle class adults, acting as facilitators for participation with local government, “may contribute to the (re)production of class inequalities via their assumptions about who has the “right” dispositions for making appropriate contributions to local government”; other groups can be on the “periphery of local government decision-making processes” (Nairn et al., 2006, p. 260). In this study it was noted that there tended to be a focus on seeking the views of those defined as high achieving and troubled youth, resulting in an “excluded middle” of children and youth who are not targeted for participatory opportunities. Hart (1992) also raises the issue that children can be artificially homogenised into a few groups, leading to the potential for participating children to be unrepresentative– for example he refers to a sometime bias toward the selection of “articulate, charming children” by adults (p. 10). Tokenism and exclusionary targeting of certain young people can be issues (Nairn et al., 2006).

Many governments, including at the local level, were seen to “increasingly utilize youth advisory committees ... to input into youth policy and realize youth participation” (Dibley & Gordon, 2006). This could be viewed as an enabler, as these groups were reported to often have access to the main council bodies and their facilities, and often formed a recognised, therefore resourced, part of a council structure. These are all factors increasing the potential for their views to be heard by council. However for some councils there was an over reliance on these structures - for some councils this was their sole youth participatory mechanism (Saggers et al., 2004, p. 109). Sometimes

the principles of best practice for young people from “diverse backgrounds” do not connect at the front line of practice (Bell et al., 2008, p. 81). At other times, it is the well-resourced young people, or those who have been encouraged to become leaders by their communities, who are given opportunities to participate (Bell et al., 2008, p. 31). Overall there was an acknowledgement of a need for further attention to children who are considered harder to reach, expressed in the terms specific to the local government community (Jensen et al., 2005; Peteru, 2006; UNICEF Germany, 2010; UNICEF Netherlands, 2010). Low engagement with iwi as a source of specialist advice when wanting to consult with children was identified (Freeman & Aitken-Rose, 2005a), and is a New Zealand-specific finding.

One further and critical observation from the literature is that the research tended to focus on “young people” – variously defined but usually between 10 and 25 years of age, rather than younger children (Stewart, 1998 as cited in Saggars et al., 2004). Davey (2010) notes significantly lower levels of involvement of those children 11 years and under were evident, particularly those children seven years and under; children of secondary-school age were more likely than younger children to be involved in decision-making processes. Consistent with this observation, it has also been noted that the very young are more often outside of processes and that older young people and girls were more likely to be involved in participation (Kirby, 2002). There is also a challenge in making the voices of children in early childhood heard (UNICEF UK, 2010).

One final reflection on the selection of child participants is that there appears to be a heavy reliance on schools as an access point. Freeman noted a frequent reliance on schools when consultation needs to be undertaken - “although tensions sometime arise when planners seek to find a space in the curriculum-driven imperatives of education programmes” (Freeman & Aitken-Rose, 2005a, p. 243). The use of schools as a way to

connect with children was often an enabler, however it is worth reflecting on the presence of some limitations that arise when there is an over reliance on this approach. As schools also contain their own hierarchies, and are not always inclusive of children in decision-making, not all children are accessible through schools.

Institutional support including resourcing and prioritisation

Participatory opportunities require that institutions, including local government, provide support for the facilitation of participation. The political priority that a local government authority places on listening to the views of children of a local government authority is a potential enabler (Davey et al., 2010, p. 34). However, it can also be a challenge.

Peteru reported feedback from officers that “child and youth input to decision-making is not prioritised in local councils” (Peteru, 2006, p. 127); and that youth participation can be dependent on “a particular council’s priorities and often reflects the availability of officer time, resources and energies that councils are prepared to commit to young people” (p. 150).

Many of the studies referred to inadequate resources as a barrier. These resources include time, money and dedicated expertise. In terms of financial resources there is a need for funding of participation work to include funding in the medium to long-term (Davey, 2010; McAuley & Brattman, 2002). The need for patience, due to the “long gestation period” needed to grow serious participation processes, sometimes clashes with usual practice, and sometimes results in “oversimplified and banal practices of participation” for both children’s communities and more generally (UNICEF Italy, 2004a, p. 14).

Other barriers were linked to the organisation and communication between Council departments, which were reported as operating within single units or ‘silos’ rather than via a coordination of units and officer efforts. Some council officers felt that the ability

to have “dedicated staff from across council examining policies, plans, strategies and actions as they relate to young people had merit”; however, the practicalities of having such dedicated staff can be a barrier, though these practicalities were not specified (Peteru, 2006, p. 115).

Participatory opportunities in a council setting may be enabled if the council is a well-resourced (Saggers et al., 2004, p. 102). However, an interesting finding was that the size of the council influenced the resourcing for initiatives but not the actual *undertaking* of initiatives (Freeman & Aitken-Rose, 2005a). Of more impact was the attitude in the authority, especially at the managerial and political level: “In councils large and small political vision and will are critical in creating opportunities and providing the impetus for the active engagement of children and young people” (p. 243).

The importance of staff working to promote children’s genuine participation

The staff who work with children on participation projects are the facilitators between the governmental system and communities of children and therefore are critical; acknowledgment of the importance of that role, and how well they are supported to do that work, may form an enabler, a challenge or both within the same council structure.

Freeman’s study with local government planners found that the officers interviewed were generally very positive about consulting with children, and were “well-intentioned”, however the participatory opportunities being produced were not resulting in genuine impact on local government decision-making (Freeman & Aitken-Rose, 2005a). Peteru also noted that staff were “well-intentioned” in the space of children’s participation (Peteru, 2006, p. 122). However officers faced challenges such as undertraining (Peteru, 2006, p. 122); a sense of isolation in promoting youth voice (Peteru, 2006, p. 129); lack of resources, workload issues, and a difficulty relating to

children and young people (Freeman & Aitken-Rose, 2005a). Some ways to support the role of officers included adequate selection and training of staff (Saggers et al., 2004; UNICEF Germany, 2010) and having staff who have specific knowledge of youth issues (Saggers et al., 2004). Having said that, not all local government staff are supportive of participatory events. One review highlighted as a barrier public planners' willingness to include children and advocated for policies that mandated the inclusion of children (UNICEF Germany, 2004).

An interesting reflection from the research was the reliance staff can have on their own personal networks, rather than formal institutional structures, to undertake consultation work. For example, in one study the presence of a specific child or young people's policy plan or strategy did not necessarily impact on the level of consideration of, or engagement with, children; officers may also simply be unaware of whether their council has a child or youth policy or plan (Freeman & Aitken-Rose, 2005a). Freeman found staff tended to make limited use of the resources available in their own local authorities in assessing and designing for children and young people's needs, and instead relied on their own expertise, or information from "community planning groups, safer communities division and government ministries" (Freeman & Aitken-Rose, 2005a, p. 243). This perhaps also indicated a need for staff to be aware of the available institutional resourcing and central government resources to support them to work with children and young people.

Council officers dedicated to support children's genuine participation were an enabler, with a challenge being when officers have to balance too many portfolios and children and youth are only one (Peteru, 2006, p. 150).

Building long-term and genuine participation with child citizens in the local political space

Peteru (2006) found a significant number of projects that were being undertaken by Council which focused on youth, so Council *focus* was not a barrier to engagement with children: “over a one year period local councils in the Auckland region might plan and implement anywhere between one hundred and two hundred and initiatives where there are clear outcomes for young people” (p. 107). The rhetoric of participation was visible however there was noted a lack of sustained efforts (Peteru, 2006). Other studies have also observed that “the number of participation initiatives has grown steadily since 1990 in New Zealand” but noted that the quality varied; the projects “tend to be ad hoc, unevenly distributed and reactive rather than proactive” (Freeman & Aitken-Rose, 2005b; Nairn et al., 2006, p. 249). These are described in many cases as being on the “lower participatory levels identified by Hart (1997) and Shier (2001)” (Freeman & Aitken-Rose, 2005a, p. 244) .

This indicates a need to ensure that there is not only participation, but that it is genuine. The genuine nature of participation can rely on a number of factors. Firstly, there are the types of issues about which children and youth are consulted; with some observation that adults sometimes will be selective as to the topics about which they will consult children (Davey, 2010, p. 10). From the literature, other factors affecting the quality of a participatory opportunity are clarity on time-frames and processes (Dibley & Gordon, 2006), and a publicly stated purpose and commitment (Saggers et al., 2004). Another way to promote genuine engagement is to balance formal and traditional mechanism of engagement (for example, youth council structures) with more flexible mechanisms, such as “virtual tools, multimedia and interactive technology” (Saggers et al., 2004, p. 109). Integrated processes that were long-term and purposeful were identified as successfully promoting participation (Bell et al., 2008), with advantages including Councillor involvement, use of Council facilities (e.g., Hobart Futures, Southern

Midlands Youth Committee of Council in (Dibley & Gordon, 2006) and the opportunity to plan for long-term goals (Dibley & Gordon, 2006). However, retaining flexibility of structures and including options for both long term and one-off projects was also identified as facilitating opportunities, as was integrating with community consultation to leverage off these opportunities to speak to children and youth (Dibley & Gordon, 2006).

The level of involvement provided to children - the degree of power sharing - can shift an opportunity from non-participation to participation (Arnstein, 1969; Hart, 1992). Some practical ways to increase children's power and therefore enable genuine participation identified in the literature include: giving youth an operating budget (Davey, 2010; Dibley & Gordon, 2006); developing complaints procedures (Davey, 2010, p. 18); and giving children and youth planning and leadership roles within initiatives (Bell et al., 2008; Peteru, 2006).

Genuine participation includes feedback to participants, and the demonstration of the valuing of their contributions (Saggers et al., 2004, p. 3). Sometimes children are not provided with information on the outcome of their feedback (Kirby, 2002, p. 44); at times children are consulted but then their views have little impact on decisions that are made (Kirby, 2002, p. 5). The need for tangible outcomes (Bell et al., 2008) and ensuring that children do not become frustrated by seeing that their participation is rebuffed "through a block of consideration of their proposal" are also important (UNICEF Italy, 2004b, p. 14).

Some studies identified a lack of evaluation of participatory work with children and young people as an issue (Kirby, 2002; McAuley & Brattman, 2002), as well as a need to ensure that evaluations are disseminated so that others can improve future practice (Kirby, 2002). The need for a variety of evaluation types, particularly "larger scale,

national and longitudinal”, and evaluations by young people was also identified (Kirby, 2002, p. 12).

Overall genuine participation is also supported by: building trust through transparency; mindfulness of young people and their familial support; “respectful inclusion” and ethical access and processes (Peteru, 2006, p. 106); and relationships of mutual trust and respect between Council and child and youth participants (Dibley & Gordon, 2006) .

Conclusion

This research explores the enablers and challenges to children’s participation at a local government level in Auckland city, but these issues are situated in an international context. Exploring the enablers and challenges from the frontline of experience in other settings situates this research in this wider context, and allows reflection on ways in which Auckland city shares in obstacles and facilitators, and how it is unique. On searching through enablers and challenges it became evident that there is often no clear division between the two – they are two sides of a factor which could emerge as a facilitator or an obstacle depending on circumstance. The literature search that is outlined above provides a point of comparison with the local data as a way to identify whether consistent themes emerge, and also to identify if unique findings are revealed.

There is no definitive and exhaustive list of enablers and challenges to younger children’s participation, and one would expect that with changes in time and conditions, the enablers and challenges relevant in a local space will also shift. Because these continue to change, on-going active debate on the issue of whether children should be consulted can be a useful tool to promote participatory opportunities (McAuley & Brattman, 2002, p. 68). This involves keeping consultation as a “continuous ‘open’ discussion” (UNICEF IRC, 2003, p. 5).

Chapter Six: Methodology

Introduction

The qualitative data collection for this research aimed to gather Auckland Council officers' reflections on the conduct of civic participatory projects that involved children 12 years and under. The inclusion of participant interviews required careful consideration of the overarching methodology, and subsequent methods. The critical considerations were two-fold: most importantly, once engaging with human participants the ethical considerations of the research must be compatible with the methodological framework to ensure that the participants are protected in the research environment. Secondly, the methodology and methods chosen must be the most appropriate to support the collection and analysis of the data required, in order to answer the research questions that frame the study.

A review of various methodological perspectives was undertaken prior to commencing the research, and the most appropriate and in my view, ethical, for the project was determined to be the qualitative descriptive method. This is a post-positivist methodology, consistent with the view point that there is no objective or "rigid" reality, rather, that reality is constructed from many factors such as "individual behavior, attitudes, external structures and socio-cultural issues" (Crossan, 2003, p. 52).

Methodology: Qualitative descriptive

The qualitative descriptive method aims to stay as close to the original meaning of the words of participants as possible, as it seeks to gather information rather than utilise a method involving multiple layers of interpretation (Sandelowski, 2000). This methodology places language as a "vehicle of communication" as opposed to "an interpretive structure that must be read" (Sandelowski, 2000, p. 336). The aim of the research was not to interpret the data collected, but to directly gather the participants'

reflections, and to present their reflections accurately, which this methodology supported.

Sandelowski (2010) is careful to point out that minimising interpretation does not mean there is no interpretation; the qualitative descriptive method is not a “mere celebration” (p. 83) of data in place of a rigorous engagement with the data; it must be acknowledged that the very act of placing data into themes and choosing quotes is a process of interpretation at some level. However the methodology is one which engages rigorously with the data even though it does not focus on layers of interpretation. Indeed trying to avoid over interpretation and accurately reflect the views of participants is highly challenging. As Sandelowski puts it: “There is nothing trivial or easy about getting the facts, and the meanings participants give to those facts, right and then conveying them in a coherent and useful manner” (Sandelowski, 2000, p. 336). Finally this method was chosen as appropriate as it “is especially amenable to obtaining straight and largely unadorned (i.e., minimally theorized or otherwise transformed or spun) answers to questions of special relevance to practitioners and policy makers” (Sandelowski, 2000, p. 337). This is in line with the purpose of this research.

Methods

Sample group

The data collected and reported in the Findings chapter was drawn from interviews with five participants. The participants who took part in this project had worked as a Council officer, either in the current *Supercity* structure, in one of the legacy councils, or in both, at some point during the period from 2005 onwards. Each had undertaken direct consultation with children 12 years and under in their capacity as a local government officer.

Though the pool of participants interviewed was small, it was a relatively diverse group. Two participants had taken a leadership or managerial role within larger scale consultations in which engagement with children and youth had been the primary focus. Three participants had a specific child/youth focus. Two participants had no particular focus on children and youth in their Council role, but had been part of a small team who had responded to an opportunity to meet with primary school-aged children to collect their views in relation to a larger Council project. Given the number, there was also a good geographical spread, participants having worked in at least three of the legacy councils which now form part of the Auckland *Supercity*, as well as representation from a central office. All participants had at least four years' experience in Council with the longest serving advising they had been in Council role 7+ years. Participants were male (2), female (3), New Zealanders (3) and overseas-born (2).

Reflection on sample size

Recruitment of participants began with a focus on those who had been directly involved in council projects which involved the direct participation of children 12 years of age or younger, from 2005 onwards, and drawing from as many legacy councils as possible. The participants had to have directly engaged with the child participants within that participatory work. The aim was to recruit six to eight participants, from across the legacy councils and the current Auckland Council structure. If a larger number of potential participants were identified there was an intention to further focus the criteria to those who had directly undertaken the projects at a managerial level so that they would be able to reflect on the management of participatory practice.

Eighteen potential participants were contacted, however it was difficult to recruit participants. It is difficult to give a definitive answer as to why it was difficult to recruit participants. Not all those who declined to participate gave a reason as to why, but the two lines of feedback offered were that the potential participant was not suitable as

direct contact with children had not been part of their role, even if their role had some connection to a child or youth focus, or I was referred to staff who had undertaken a high profile and highly respected consultation that was considered to be the best place for me to explore the research questions. In the final group of participants, all had directly undertaken consultation with children - not always solely focussed on 12 years of age and under, but this age group had always been included as participants, and all participants were working on behalf of Council.

Recruitment method

McGilvy and Thomas (2009) note that participants within the qualitative descriptive method must meet three basic criteria: they must have experienced the phenomenon, be able to communicate the phenomenon and be willing to do so with the researcher (Mcgilvy & Thomas, 2009, p. 299). Only key informants in Council that met the above criteria were able to contribute their reflections at the level required to provide data relevant to the research questions. Only those who were fully informed of the aim of the research and the use of their data participated.

My supervisor and I identified a senior manager at Council as an appropriate person to approach for permission to interview Council officers, and to obtain advice on protocol for inviting Council officers to participate. We forwarded a summary of the research project to the manager and requested a meeting to explain the research project, hear their views on it, and to explore how we might get permission to invite participants. On the basis of the project summary we were referred to other appropriate managers to start the process of obtaining permissions. We ensured that all managers who were approached were provided with a copy of the AUTECH approved Participant Information Sheet (Appendix A) and provided their written permission (via email), before proceeding with invitations to potential participants. At times, managers directly contacted officers who they thought may be suitable potential participants, rather than

providing names of participants for me to invite. As it was important to ensure that participants felt no pressure to participate, either from their organisation or from me as the researcher, I ensured that any officer invited to participate was provided with confirmation that participation was entirely voluntary and confidential. Potential participants were provided with the AUTECH approved Participant Information Sheet (Appendix A), Consent Form (Appendix B) and Interview Schedule and questionnaire (Appendix C) so that they could review the criteria and determine if they were suitable participants, and also so that they had sufficient information to decide whether they wished to undertake the interview. If they had been suggested by a senior manager but chose not to participate, this was kept confidential.

It was intended to use a snowball or chain sampling approach to locate information-rich key informants or “critical cases”, which involves asking a “well-situated” person: “Who knows a lot about X? Whom should I talk to”? (Patton, 2002, p. 237). In this way it could also be possible to identify cases that are referred to as potential “core” cases (Patton, 2002, p. 237). Participants and those invited to participate recommended other possible participants for the project, and so a snow-ball method of recruitment was utilised.

Interview approach

Data was gathered via a very brief questionnaire outlining general details about the participant and through a standardised open-ended interview (see Appendix C).

All participants generously provided information on their experience. During the course of the research I became very aware of my role as learner in the research process, learning from participants who had direct experience in the field. This was a powerful reminder of the debt owed to the participants who have contributed time and knowledge

so that I would have the data required for this research project. Interview times ranged from 35 minutes to 1 hour and 20 minutes.

Qualitative interviewing begins with the assumption that the perspective of others is “meaningful, knowable and able to be made explicit” (Patton, 2002, p. 341). Qualitative descriptive interviewing seeks to explore a phenomenon when the researcher acknowledges they “do not know or perceive the experience from the perspective of those who have lived it” (Mcgilvy & Thomas, 2009, p. 299). Therefore the researcher must approach the participant with respect for the validity and importance of their perceptions. This was an aspect that was specifically discussed with my supervisor to ensure consistency with the methodology, i.e., the importance of determining the data required and asking incisive and direct questions to gather that data, rather than trying to interpret data that had been gathered.

The aim of the interview questions was to probe the details of consultations undertaken with younger children. Specifically, participants were asked to reflect on the initiation of the consultation, number of projects undertaken, their role in the consultation, age groups consulted, enablers and challenges throughout the consultation process, frameworks in use to guide the consultation, and the advantages and disadvantages of consultation with children.

The interview structure used the standardised open-ended interview method, with standard conversational probes developed before the interview to more efficiently use the restricted interview time and to facilitate the consistency of questioning of each participant (Patton, 2002, p. 343). Conversational probes were used to elicit thick description (Patton, 2002, p. 437). “Good” questions were defined as “open-ended, neutral, singular and clear” (Patton, 2002, p. 353). Neutrality in this context has some primary aims: “to minimize the imposition of predetermined responses when gathering

data” (Patton, 2002, p. 353) and to minimize bias that follows from communicating “the interviewer’s belief about the situation prior to hearing the respondents’ assessment” (Patton, 2002, p. 367). Singular questions have no more than one idea in a question in order to avoid “tension and confusion” (Patton, 2002, p. 358); they aim to enhance clarity and to minimise multiple interpretations by the participant (Patton, 2002, p. 362). These are all critical components within the qualitative descriptive method. In order to accurately gather the participants’ reflections, it was important to ensure that the data collection instruments facilitated the genuine expression of their views, and did not obscure the data that was sought under layers of information; it was not consistent with the methodology to interpret in order to find the answers to the research questions if they could not be easily uncovered through the words of the participants.

The interview schedule allowed me to clarify with participants, at the outset, what would be asked, and also what would *not* be asked (Patton, 2002, p. 347). A copy of the interview schedule was provided in advance to participants, so that they were aware of the information being sought (Patton, 2002, p. 347), and so that they could consider these questions and their answers away from the pressures (such as time limitations) of the interview situation. Providing a copy of the interview guide in advance to participants enhanced their safety in the interview setting by allowing them to know in advance what information was being sought (Sandelowski, 2000, p. 347). At the end of the standardised interview there was space for the participant to introduce additional information they saw as relevant (Patton, 2002, p. 379). This was done by introducing a “sensitizing concept” (Patton, 2002, p. 348), a concept which would allow the participant to reflect on their individual experience. The sensitising concept used in the interviews was a request for advice for officers who were undertaking participation projects involving children in the future.

The questions on the interview schedule were sequenced with some thought to the role of order in facilitating the interview, however participants were also given the space to explore the questions posed in ways that made sense within their experience.

Knowledge questions were built from a context which centred on a projects focus, questions on the future were then incorporated, with the closing question inviting the participant to have final say (Patton, 2002, p. 379). After the first interview the way of building rapport was reviewed and adjusted to incorporate more rapport building at the outset, rather than going straight to questioning.

In practice, rapport was built by allowing the interview schedule to set the general direction of the questions, but allowing participants to focus on challenges and enablers which they particularly wished to emphasise. Therefore participants approached the order of information in a way that made sense in their experience, and it was necessary for me as interviewer to keep track of what questions had been answered and to take the spaces in the interview as an opportunity to review the interview schedule for areas not yet covered. This was a dynamic and interactive process rather than a set and ordered structure. The knowledge gained from the literature review allowed me to approach the topic with a somewhat more sophisticated grounding in context than I had started with prior to embarking on the research project. The open-ended nature of the questions allowed the participants to provide their own specific and unique perspective on the questions.

Data analysis

Analysis methods

Through the interviewing process, the aim was for descriptive validity, reflected in summary of an event in a way that stays close to the surface meaning (surface here being low levels of interpretation) of that event, and to which the participant would agree to its accuracy (Sandelowski, 2000, p. 336). That accuracy was confirmed by the

participants' direct review of the data transcripts, and approval of their accuracy before data analysis commenced.

A content analysis was then conducted on these transcripts to uncover themes emerging from the data. As part of the analysis, themes from the literature were reviewed to see if these were meaningful as a framework for organising data - in particular the enablers and challenges framework. The open-ended nature of the interview also allowed "indigenous" concepts generated by the participants themselves to emerge (Patton, 2002, p. 454). This is consistent with the aim of exploring any specific and possibly unique experiences and perceptions from the Auckland Council context.

McGilvy and Thomas (2009) describe this process of analysis as "peeling layers" – asking the right questions and listening carefully to the answers (Mcgilvy & Thomas, 2009, p. 299), in order to be able to describe the phenomenon from the perspective of the participant. These layers are uncovered through the process of analysis, which involves detailed coding and categorising of data so that themes can emerge (Mcgilvy & Thomas, 2009, p. 300). When analysing interview data, the process of theme formation aimed to be inductive, including iterative revision as I worked through the interview material. Content analysis of the transcripts became a "sense-making effort" in line with Patton's definition, to identify "core consistencies and meanings" (Patton, 2002, p. 453). Analysis started with immersion in the data through directly transcribing the interviews. I then read each transcript a number of times, and also listened again to the recordings in order to increase my familiarity with the words of the participants.

The methodology was designed to employ a mixture of inductive and deductive techniques. Inductive analysis was used to draw out the emerging themes, without reference to the literature review, so as to reduce bias for identifying a particular outcome. The literature review was later reviewed as a point of comparison against the

themes. The first set of analysis resulted in the division of themes into enablers and challenges. However, after discussion of these results with my supervisor it was agreed that the results needed to be better refined - the absence of an enabler is often a challenge and vice versa, and the data themes were not sitting comfortably within these two categories. Data was reviewed again and a more appropriate framework was developed by using three categories: challenges to children's participation, enablers of participation and the benefits of participation.

I undertook another detailed set of analysis by reviewing all transcripts and coding according to these three broad categories. I then linked direct quotes and checked them against the code to test whether the words of the participant matched the code. These were then drawn in to broader themes, and outliers identified. I was careful to ensure that all codes were able to fall under a more general theme or had a specific designation on their own.

After finalising this analysis, I then reviewed the themes and re-read the transcripts and listened once more to the recordings, with a view to what may have been missed. I then undertook a reflexive exercise, specifically to review the types of enablers, challenges and benefits I had expected to find, and review against what had been found. This allowed me to question myself as to whether there were unexpected findings, in an attempt to uncover unconscious pattern making, as far as possible. To validate the themes it was necessary to challenge the potential for over interpretation of the data, and to go back to the original data to ensure that the themes reflected the actual words of the participants.

Measures of trustworthiness

A pilot interview was undertaken to test questions and review coding with my supervisor on a portion of the transcript, and to reflect on those methods in order to enhance subsequent interviews and analysis.

Analysis also involved reflection on interviewer bias. A detailed model for debriefing qualitative interviewers for bias was a tool employed for the reflexive exercise (Onwuegbuzie, Leech, & Collins, 2010, p. 707), and this tool included a specific review of authenticity criteria (p. 706). Whilst use of the tool in full would be a more complex process than was able to be undertaken within the time-frame of this study, the debrief questions outlined in this model were used to strengthen the data analysis. This is in line with McGilvy and Thomas' (2009) contention that within the qualitative descriptive method the researcher must try to "acknowledge, then set aside, preconceived ideas about the answers to the questions" (Mcgilvy & Thomas, 2009, p. 298).

As the researcher is the instrument of data collection, it is necessary for the role to be a reflexive and sensitive one. Reflexivity is essential and challenging, and moreover it is never complete. It requires "self-awareness, political/cultural consciousness, and ownership of one's perspective" (Patton, 2002, p. 64). Though ideally one approaches the research with an emotional and cognitive stance of "empathetic neutrality" (Patton, 2002, p. 50), in practice it is important to undertake an "ongoing examination of what I know and how I know it" (p. 64).

Ethical considerations

Voluntary and informed consent

The Auckland University of Technology Ethics Committee (AUTEC) approved the application to undertake this project with human participants, on 28 August 2012. The application number for this project is 12/197, and the expiration date of this approval is

13 August 2015. No data was collected prior to full approval being obtained by AUTEC.

Senior Managers at Auckland Council were provided with a summary of the research project and copy of the AUTEC approved Participant Information Sheet (Appendix A), and asked if they would provide permission for me to invite officers in their area to participate in the research study. Potential participants were provided with the AUTEC approved Participant Information Sheet and Consent Form, as well as the questionnaire and interview schedule (see Appendices A, B, and C). The Information Sheet confirmed the managers who had provided permission for me to invite officers in their area to participate, and requested advice from participants if any other managers needed to provide consent before they could proceed with an interview. If further managerial consent was required I was careful to generalise the request so that the potential participant was not identified.

The detail in these forms allowed the participants to review the project and to see if they were able to contribute to the project based on the selection criteria. They also ensured that participants were fully informed of the intention of the project, the use of their data and their rights to participate or withdraw at any point. The interview only proceeded after informed, voluntary consent, both written and verbal, was obtained. The participants were able to request a quote be deleted or appropriately modified (being careful to retain original meaning) to protect their anonymity.

Confidentiality

No participant is named in the thesis. Information that may indirectly identify an officer has been omitted from the reported data as far as possible and non-identifying labels (e.g., Participant A) are used to refer to individuals. There is a possibility that someone within the sector may be able to deduce who is referred to, as the participants have been

interviewed about activities undertaken in their professional capacity. It is acknowledged that in practice participants may provide personal information, that their contributions will include their own personal interpretations, and that there will be diversity in their perspectives. For these reasons participants reviewed the transcripts of their interviews and were given the option to withdraw information they did not wish to contribute to the final thesis.

Though the questionnaire requested some information that may be identifying (position, how long the participant has been in a council role), these details are not directly reported in the research in reference to individuals but were available to draw general conclusions during analysis. Peteru (2006) highlights the vulnerability of participants such as Council officers within “political environments such as local councils” (p. 79). The vulnerability stems from the officer’s employment status as one “contracted to deliver outcomes as determined by their employer” (p. 112). This vulnerability was kept in focus throughout the research process, with an aim to ensure a high standard of protection of participants.

Data has been securely stored in accordance with AUTECH approved guidelines, and the consent forms separated from the transcripts in the storage area.

Typologies of participation

The typologies of children’s participation cannot be directly applied to a review of this research as these are models which have been developed to reflect the relationship between adults and children, and this data collection involved consultations between adults. However this research is concerned with capturing the voice of participants, in an ethical and genuine way, just as the typologies of children’s participation aim to do, so it is useful to take time to reflect on the levels of participation undertaken in this study, as far as is possible.

Participants in this research process were in the consulted and informed category in terms of the models developed by Hart (1992) and Treseder (1997). They were informed of why they were being consulted, and how information was to be used. They did not co-design the research, nor did they co-interpret and co-analyse the data. In this sense they were not partners in the research. In terms of Shier's (2010b) framework, *The Participation Tree*, the participants were providing data on many aspects of the metaphorical "tree" – including the learning processes, opportunities for participation - which support the "leaves" of the tree, that is, the active roles children take during participatory opportunities.

During the research project I became aware of and reflected on, the fact that I was seeking views of participants, under time constraints, and wanting to do so *genuinely*, in ways that bore some similarity to the circumstances faced by the participants being interviewed. This realisation helped me to refine my own perspective, supported reflexivity within the process, and allowed me to reflect on the challenge of bringing participatory theory into practice.

Ethical philosophy

Part of the philosophy underpinning the project is that the research process is not neutral and objective, and every interaction with others during the process has an effect; this is particularly true of direct data collection such as an interview, and in the presentation of the data in the final thesis. As Patton (2002) states that "Interviews are intervention" and one doesn't know what results it will have (Patton, 2002, p. 405), and I used this as a basis from which to reflect on the privilege and the power of the researcher position.

The ethical framework chosen for this research has been drawn from researcher guidelines developed between researchers Smith (1999) (in terms of cultural values) and Cram (2001) (with corresponding researcher guidelines) which can be applied by

researchers to reflect on their own codes of conduct (as cited in L. T. Smith, 2006, p. 11).

The first of these values is: “Titiro, whakarongo ... korero” in Smith 1999 (as cited in L. T. Smith, 2006, p. 12). This has been translated into a corresponding researcher guideline in order to show respect for this value through recognising “the importance of looking/observing and listening in order to develop understandings and find a place from which to speak” Cram 2001 (as cited in L. T. Smith, 2006, p. 12). The pause between whakarongo (listening) and korero (speaking) highlights the need to stop between listening and speaking. Through the data collection, the goal is a thesis which is a physical representation of that “place” from which the research will communicate, but the emphasis on reflexivity has provided a space to write, reflect and interrogate my own practice before allowing this thesis to “speak”.

Treaty of Waitangi: Protection, participation and partnership

The research is designed to engage with principles drawn from the Treaty of Waitangi, and summarised in this ethical context as protection, participation and partnership (Auckland University of Technology, n.d.).

In respect to the principle of *protection*, the principles as outlined by Smith (1999) and (Cram, 2001 as cited in L. T. Smith, 2006, p. 12) were a basis from which the protection of the participant was considered and developed. These suggest the researcher use the following guidelines to show respect and give effect to the corresponding cultural values:

- *Aroha ki te tangata*. (Smith, 1999 as cited in L. T. Smith, 2006, p. 12). In terms of researcher conduct this means: “A respect for people - allow people to define their own space and meet on their own terms” (Cram, 2001 as cited in L. T. Smith, 2006, p. 12).

- *Kia tupato.* (Smith, 1999 as cited in L. T. Smith, 2006, p. 12). In terms of researcher conduct this means: “Be cautious. This suggests that researchers need to be politically astute, culturally safe and reflective about their insider–outsider status. It is also a caution to insiders and outsiders that, in community research, things can come undone without the researcher being aware or being told directly” (Cram, 2001 as cited in L. T. Smith, 2006, p. 12).
- *Kaua e takahia te mana o te tangata.* (Smith, 1999 as cited in L. T. Smith, 2006, p. 12). In terms of researcher conduct this means: “Do not trample on the mana or dignity of a person. This is about informing people, guarding against being paternalistic or impatient because people do not know what the researcher may know” (Cram, 2001 as cited in L. T. Smith, 2006, p. 12).
- *Kia mahaki.* (Smith, 1999 as cited in L. T. Smith, 2006, p. 12). In terms of researcher conduct this means: “Do not flaunt your knowledge. This is about finding ways to share knowledge, to be generous with knowledge without being a ‘show-off’ or being arrogant. Sharing knowledge is about empowering a process, but the community has to empower itself” (Cram, 2001 as cited in L. T. Smith, 2006, p. 12).

To engage with these concepts from my perspective, it has been important to recognise that both participant and researcher come from a “place” unique to each, to respect that and tread carefully. In the interview situation this has manifested as openness to the participant and the information they have wanted to share. Whilst it is important to direct an interview situation to capture the required data, it also became quite clear to me that each participant’s perspective was very unique, as was the information they wished to emphasise as important to the research; I needed to listen to that emphasis.

These principles also refer to knowledge being something that is shared not only given or taken; they remind the researcher to consciously take on the work of trying to balance the power imbalance in the interview relationship by equally respecting the role of interviewer and participant. In respect to the idea that a community has to empower itself, as a researcher I am reminded that my research provides a piece of knowledge aimed to support the community of council officers, and adult and child citizens as they empower themselves in the most appropriate direction. That journey is enriched through knowledge-sharing, however the researcher must keep their role in perspective, which is that they contribute a part to the greater whole.

Sensitivity is an aspect of protection, and incorporated in the research design is “context sensitivity” (Patton, 2002, p. 61), that is, awareness of the environment that the Council currently operates within, particularly through investigation of context before beginning the interview process. Again, this was supported by the literature review on enablers and challenges in other governmental policy settings.

Reflexivity as a concept is also an aspect of protection. It requires that the community of researchers own “our own perspective and taking seriously the responsibility to communicate authentically the perspectives of those we encounter during our inquiry” (Patton, 2002, p. 65). The qualitative descriptive method is most appropriate in meeting these requirements in this context.

In this case, the research is not aimed at criticising the performance of the Auckland Council or of the legacy councils. Rather it aims to provide a platform from which to explore the perspective of Council officers who have been responsible for facilitating younger children’s participation at a practical level. It is also aimed at identifying the strengths of processes already in place, and to draw on the learning that has emerged from within the Auckland context. In this sense, the participants are partners in a

process of discussion and reflection for the future benefit of the local government and its community. Participants are recognised as expert informants who have *already* been actively engaged in council projects involving children's direct participation, and this is acknowledged and respected. Whilst as a researcher I am studying the phenomenon, they have all directly engaged on the front line of challenges and successes when facilitating children's voices in the public space.

In respect to the principle of *participation*, the researcher must acknowledge the importance of practising the principle outlined as "*He kanohi kitea*" (Smith, 1999 as cited in L. T. Smith, 2006, p. 12). Guidance in terms of researcher conduct emphasises the importance of meeting "face to face especially when introducing the idea of the research, 'fronting up' to the community before sending out long complicated letters and materials" (Cram, 2001 as cited in L. T. Smith, 2006, p. 12). For me this means engaging again with the participants before sending out the thesis and ensuring they have an opportunity to read and reflect on their contributions in terms of the quotes to be used.

The principle of participation is particularly relevant to this research. That is, a foundational principle of this research is that citizens have a right to participate in decisions that affect them and their communities, but that this right is denied to citizens whose presence at the decision-making table are not prioritised; this research focuses on this issue on the basis of age. As the underlying purpose of the research is supporting participation, it is therefore essential that research participants are also able to access the opportunity to participate in a genuine way.

In respect to the principle of *partnership*, the primary researcher needs to acknowledge the importance of finding expression of the value of "*Manaaki ki te tangata*" (Smith,

1999 as cited in L. T. Smith, 2006) translated into guidance for the researcher that acknowledges the need for:

Sharing, hosting, being generous. This is a value that underpins a collaborative approach to research, that enables knowledge to flow both ways and that acknowledges the researcher as a learner and not just a data gatherer or observer. It also facilitates the process of 'giving back', of sharing results and of bringing closure if that is required to a project but not to a relationship. (Cram, 2001 as cited in L. T. Smith, 2006, p. 12)

The process of interviewing was a learning opportunity within the research. Each interview allowed me to refine my approach and my perspective and to keep discovering new ways that children's participation can be constructed and supported in real-world settings.

Limitations of this study

The sample size and the qualitative nature of the research means that this study is not designed to be representative. This study adds to the literature on enablers and challenges to consultation with children 12 years and under in Auckland city, and is distinguished from other studies both in its focus on participatory rights under UNCROC, and in terms of the focus on the age group 12 years and under. It also is specifically placed temporally in terms of its focus on a critical time in Auckland Council life, which is the period leading up and to and including the landmark decision to create a *Supercity* Council to set a long-term vision for Auckland city.

The number of interviews conducted was slightly less than had been the aim. There was not the required number of officers who self-identified as being able to participate. Five interviews were conducted, and a sample size of six to eight interviews had been the goal in order to gain a significant range of views. The sample is therefore small, though its strength is that it is relatively diverse.

The use of qualitative descriptive methodology, and the construction of the interview to elicit thick description, allowed a depth of review of the topic with the participants, and their engagement was active. Participants ranged from those with substantial experience working with children, to those who would rarely consult with younger children.

Though the sample size means that this research is not representative, it is a starting point in reviewing this issue. As there were no previous studies to draw from, the data presented here provides a number of points from which to launch more in-depth reviews of the issue of the realisation of younger children's participatory rights under UNCROC, in Auckland city.

Conclusion

This research incorporates a holistic perspective, meaning that it acknowledges that the phenomenon being studied is part of a complex system with complex interdependencies that "cannot be reduced to a few discrete variables and linear, cause and effect relationships" (Patton, 2002, p. 41). When dealing with a high level of complexity a high standard of ethical methodological oversight of the research process, including research design, participant protection, data analysis and interpretation, is required. As the researcher is the leader and instrument of all of these aspects, self-reflection and self-awareness - to be aware of what can be known but also the limits of the research process - is critical. The methodology, methods and ethical philosophy and actions described in this chapter have all aimed at facilitating the research to provide as accurate a rendering of the data as possible in order to answer the key research questions.

Chapter Seven: Findings

Introduction

This chapter summarises the interview data, which is presented thematically under three main headings: challenges to children's participation, enablers of children's participation and the benefits of participation. A further section outlining other issues raised by participants is also included. The findings are linked to the overall enablers and challenges themes that were presented in Chapter Four, and a comparison between the outcomes of both will be discussed in Chapter Eight of this thesis.

The use of the qualitative descriptive framework is demonstrated in the inclusion of the participant's own voice through the use of quotes.

These main findings are summarised in Table 2. The challenges represent those issues that limit consultation with younger children and the genuineness of that consultation. Children's "invisibility" in the local political space emerges as the first obstacle and as an overarching barrier in terms of consulting with children in any capacity. The challenges which follow move to the obstacles to making that consultation more genuine – ethical issues, issues with time-frames, the need for children to understand how council activities affect their lives, and finding ways to communicate that connect with the current generation of children. Finally, there are a series of challenges raised that relate more specifically to the public policy setting. The most significant of these is connecting policy which supports children's visibility to the front line of practice.

The enablers describe the elements that emerged from the data that were seen to support consultation with children. The first two relate to the positive commitment to the actual process of consultation brought by the consulting parties, that is, children as active engagers in the process, and the Council officers as active facilitators. The next two are

environmental factors which were identified as providing support particularly in a council setting in Auckland: networks that support consultation and the council's organisational commitment. The fifth and sixth are practical enablers: identifying practical ways to connect with children's cultures and communities in today's setting, and having available clear frameworks to assist in conducting the consultation. The seventh is systemic, and involves Council taking a role in actively empowering and educating children as local citizens, so that they participate with an understanding as to how Council activity affects their lives and how to engage with Council. The final enabler is more methodological - fundamental respect for child citizens in local government settings.

The participants also offered some important insights into the benefits of consultation with younger children, and some reflections for the future and these are included later in this chapter. As an overall observation, an identified or perceived benefit has the potential to be an enabler in the future because it can motivate individuals and organisations to pursue opportunities to consult.

As an overall observation, three participants focussed on consultations in which Council had sought the views of children, and two participants discussed consultations in which a school had collaborated with Council to organise a consultation opportunity. Though one participant raised examples that they had observed of children bringing their own issues to Council for discussion, based on the interview data the consultations reported on were based on topics raised by Council, rather than child constituents.

Table 2: Summary of themes: Interviews

Challenge	Enablers	Benefits and other reflections
The invisibility of children - getting them to the “table” Ensuring participation is genuine: complexity of ethical challenges Time constraints and time lags Limited understanding of the role of local government Finding appropriate ways to communicate with child participants Connecting high level policy with front line practice Other issues: resourcing, topics of consultation, silos	Children’s willingness to actively participate Council staff as key facilitators of children’s voice Networks of support Council commitment to a child focus Identifying ways to connect with current communities of children. Clear boundaries and frameworks guiding consultation Educating and empowering child citizens in the local political space Respect for child participants	Supporting better community consultation Inspiring active citizenship now and in the future Leveraging off larger projects, support of formal mechanisms, direct engagement with local politicians and local boards

Challenges

This section outlines issues that the participants defined as being challenges to consultation with children. This first issue identified by participants is a broader societal issue, not confined to the Council setting, but impacting on Council officers as adults in a wider context. This challenge was getting children, and in particular younger children, to the consultation “table”. Once children were at the table, the next set of themes tended to focus on obstacles to the genuineness of that engagement. Finally some specific council related issues were raised, with the most significant being the difficulties of connecting the child focused policies of Council down to the practical level of consultation.

The invisibility of children: Getting them to the table

A core challenge to involving children in council decision-making was children’s invisibility, with participants pointing out that at times it did not occur to council

officers to consult with younger children. A range of possible reasons were given for this invisibility including, significantly: a societal tendency to disregard children's views generally; adults belief that they can more adequately represent children's needs in regard to matters that affect them than children themselves are able to; or a need for greater advocacy for children's voice to be prioritised from within council.

The first obstacle is overcoming why we don't take any notice of them in the first place. And I don't know why, I suppose it's because people think it's difficult . . . But why, why is it? I guess that is society generally doesn't take the views of children that seriously . . . But most societies . . . they don't count as much. (Participant C)

The difficulties are ... you take it out to Auckland City or New Zealand society, trying to get children's voices valued and their opinions listened to (Participant B).

Interviewer: Actually talking to kids ... is that common in your experience?

Participant: No, not enough of it... I don't think its resources. I guess, first of all it's people's acknowledgement of this whole idea of getting kids involved - just knowing about it. Some people... it wouldn't be the first thing off the top of their head (Participant E)

The day-to-day children who live in [location], or wherever it is, they don't get much of a say really in what they think it could look like... because they are not really a 'listened to' group. They don't carry votes or anything like that...we do need to find some way to kind of engage them really.

We think we know best but maybe that's where it's at - adults always think they do know best (Participant C).

...we don't really have a specific group which represents children in that group [referring to an advisory group]. We should think about that. That would be a good idea (Participant E).

There needs to be active championing so that the importance of consultation with younger children is understood and followed up throughout local government. (Participant B).

Even when involving younger children in council decision-making was considered, it sometimes required advocacy from within to ensure that this occurred:

Children were missed from the consultations and the draft, so I had to actively champion their inclusion. I went with [them] following that, to do the research with this group of children... and it was quite successful (Participant B).

And finally sometimes the Council itself felt less comfortable in speaking to the younger age groups. One of the participants noted that Councillors did not initially feel comfortable with direct engagement with the younger age group:

They [Councillors] didn't feel comfortable having anyone under the age of 15 [presenting to them directly] (Participant A).

Therefore active advocacy for their inclusion was required in order to break down that barrier and create the opportunity for the younger age groups to speak and successfully engage.

The participants reported the reduced visibility of the lower age group of children more generally. Children over the age of 12 years were reported to be more likely to be consulted. It was hard to ascertain why this was an issue but one participant suggested that one reason youth had a higher priority was because youth were perceived by adults to have potential to have a bigger impact on the community - they may cause issues for society in general if not a focus of engagement.

That age between 11 and 12, those intermediate school years, there is a huge gap in programming ... There's nothing much going on. So for me that's an area through the development of [policy document] that I want to expand on" (Participant A).

You know as far as children go, they don't seem to figure very much. Youth does." (Participant B).

Within the [refers to high level Auckland Council policy document] there is certainly a much greater focus on children so I think that may help...once they have sort of done all the strategy and stuff, that will probably be a good forum - or a good lever if you like for doing some of that, but even then it tends to be with older children ...

Participant: So it's pretty rare ... we rarely go out and consult children, not at that age anyway.

Interviewer: Yeah, so we are talking about 12 and under?

Participant: Yeah ... we are doing some work at the moment ... we have consulted with...teenagers really but not really younger children, which is a shame because they are very creative. (Participant C)

... and this is the sort of first time that we have gone out and said we are going to do consultation, dedicated consultation with anyone that is under the age of 16 - quite an interesting position for Council to come from (Participant A).

Sometimes those under 12 years of age are not prevented from participating but they were not the focus of prioritisation. One participant noted that whilst there was no restriction on the entry of younger children in to the process of consultation they were undertaking, the programme tended to target the older children and teenagers.

Interviewer: I'm actually looking for 12 and under, 12 years old and under.

Participant: Yeah, so year 7, 8, so more around there. The others are more around 13 up

Interviewer: That's right, yes. I am just sort of seeing what's for that - it sounds as if there is a lot more for the youth

Participant: Yes we do get quite a few intermediate schools and the odd primary school jumps in there from time to time as well. We are not going to stop them from doing it. I think it is really good if primary schools come in. We haven't had so many in the last wee while. (Participant D)

Part of the problem of lack of visibility may be that adult advocacy groups in the community are far better placed to be heard and influence Council than children, whereas there is much less advocacy by, or on behalf of, children.

The interest groups or those with particular interests are the ones that tend to, you know ... create the biggest noise if you like.

And [local politicians] tend to be swayed by different groups who come and talk to them. I wonder how they would be swayed by children ... that's an interesting idea, 'cause that doesn't happen that much. (Participant C)

Ensuring participation is genuine: navigating ethical challenges

Once the hurdle of getting younger children involved in council decision-making is overcome, participants perceived there to be a further set of barriers to ensuring participatory processes are genuine. One set of issues is ensuring that children's views

are being heard and not limited or unduly shaped by adults during the participatory process.

There is having a voice and then there's being listened to and being heard (Participant A).

There are times where we were meeting with the kids, especially we were sitting down like this, and they were drawing on the table. You don't want to limit them, right? You don't want to say, 'Oh, you shouldn't do that because it could be a safety issue' or 'It is going to cost too much money?' ... So to me that's one of the bigger challenges. A lot of adults when they do interact with kids ... sometimes have a tendency to limit them: Oh, you don't do that, you can't do that because of this' ... it's that kind of fine line where...you don't want to influence what they are going to think...so you've got to be careful not to mould them too much. (Participant E)

However, one participant pointed out that ensuring genuine consultation is a challenge generally as Council tries to capture the community voice genuinely. The wider context of consultation practice could be a site from which to explore approaches which inhibit genuine engagement with the general community, within which younger children form a part of the constituency. Sometimes these challenges were raised in the form of questions that the participants grappled with in their particular context, as they considered the challenges of genuine engagement more generally:

[Adult citizens] have to buy-in to it ... some people will get some opportunity to input and there will be changes because of their input, so you'll get some buy-in, but some groups/people will be very resistant: 'you didn't give me a chance – you just came to me with this plan and it's like a *fait accompli*' ... hopefully they will get the kids involved at least a little bit.

Is it real engagement? Just providing, you know, a bunch of sections, a document and taking a plan out to the local community and saying 'here you guys, so what do you think?' (Participant E)

This question of "real engagement" was considered against an alternative approach, for example one which started with:

A blank board – 'how would you like to see your community development in the next 50 years'? (Participant E)

A significant challenge to the practice of genuine consultation can be the absence of a clear framework being in place at a whole of Council level, to specifically guide officers when consulting with children generally and with children 12 years and under specifically; this was a challenge faced at a number of points in the conduct of a consultation. Though this was not an obstacle to bringing children to the participatory table, it was an obstacle to ensuring that the participation was *genuine*. Of interest the majority of the participants did not report during the interview that there were child-focused frameworks in place *within* Council which guided the *specific* work of consulting with children. That is, there was no standard participatory tool common to all participants that was referred to in all of the interviews. Participants were aware of the higher level council policy, the Auckland Plan, and the increased focus on children contained within that document. Two participants mentioned policy in place when they were involved with work under a legacy Council which they believed increased the focus on children as a result.

Participants grappled with their own set of ethical issues depending on their role in the consultation and the intent of the participatory activity. Often they relied on their own expertise during consultation, and referred to frameworks and/or experience that they were personally familiar with to guide them when consulting with children. For example: two participants referred to their own knowledge of UNCROC in the interviews; two participants referred to having undertaken research and had used that experience to guide their practice; two participants referred to previous roles outside of Council which had given them experience in working with children; and four participants referred to their personal experience as parents as a type of reference point to their work.

Ethical challenges arose at various points in the consultation process. For instance, at the very outset of the project, at the planning stage:

We looked at - what are the ethics of doing this? Can we do it? And how do we talk to these young people?

Do we need parental permission? How do we work in this? (Participant A).

A lack of transparent purpose and clarity over the use of children's views at the outset of a consultation opportunity were raised as challenges to genuine participation.

Without clarity on why consultation was taking place and how children's voice would be used there was a danger that consultation would be superficial – a “tick box” exercise that did not genuinely benefit child participants.

Know why you are doing it. We don't just consult with young people because it looks good in a tick box. It's actually why are you doing it... what do these young people get out of it is a more important question than what does Council get out of it. And what decision making powers are you actually going to give young people? (Participant A)

Ethical engagement across diverse communities of children required a sensitivity to groups of children considered harder to reach, and there were challenges around making engagement culturally safe and appropriate. Three participants raised the issue of the challenges of engagement with children from communities considered outside of the dominant mainstream. One participant also raised the challenge of incorporating other world views in to the questions asked, and translating and interpreting data across different cultural groups in appropriate recognition of the differences between communities of children. The challenges of working in a culturally appropriate way with rangatahi⁸ and tamariki⁹ were raised, and are issues specific to the New Zealand context.

So it is not just about having UNCROC, tick the box and all of that, but actually what about the rights of rangatahi and tamariki and how do we do that and how do we culturally appropriately deal with that? You know we did a lot of work with a Muslim girl's school and you know, under the age of 16, how do we deal

⁸ Maori word translated as “youth” (Rangatahi, n.d.).

⁹ Maori word translated as “children” (Tamariki, n.d.).

with that information so it is culturally appropriate, and how do we actually get it right in the future? (Participant A)

After data was collected, the need to ethically handle the information to ensure that analysis produced results which genuinely reflected the participants' voice could be an issue. One participant raised as a challenge those circumstances where there is no clear organisational framework in use by the consultation team for ensuring that children's voice is represented genuinely. Another raised the challenge of deciding whether adults could review and analyse information ethically, or whether children and young people should be involved in that aspect of the process as well. The intention to be genuine introduced a level of complexity at various stages of the consultation process.

So one of the challenges was in analysing it ethically and how do we do that under UNCROC? And so young people have got to have a voice, and they've got to have a say, and they've got to have co-design and co-development of what we are doing, moving forward. (Participant A)

As staff on the front line of consultation, some participants raised concerns about the potential for a lack of follow up in the wake of a consultation process to impact on the relationship they had built during consultation and to impact on opportunities in future. Timely demonstration of the valuing of the children's contribution was a demonstration of ethical engagement, its absence presented a challenge.

When there is no formal acknowledgment and feedback to participants after a consultation, then the children do not know that their contributions have been remembered and valued. (Participant B)

Another interesting challenge was to meet the ethical requirements of the community of adults who are child advocates, and who have a keen interest in ensuring that any participation projects meet a high standard. This could particularly pose a challenge as these advocates may come from different perspectives as to the frameworks within which an officer should operate. When the officer is drawing on their own expertise,

knowledge and networks, rather than a set framework from within Council, the decision on how they choose to engage can pose a dilemma for them.

The sheer passion [of those working in child rights advocacy in the NZ environment] and that can be a hindrance as well. 'Cause everyone has got an opinion of how it should work and what we should do, and how we should function and 'OK you are doing the national youth worker ethics but I think this piece of work should actually inform you'. And so it can get a bit interesting in that space. (Participant A)

Time constraints and time lags

All five participants mentioned the impact of time constraints on consulting with children. They noted that participatory processes are time-consuming, which can be difficult to reconcile with Council deadlines. Even when consultation has taken place, there is a need to ensure time to appropriately incorporate feedback into Council processes.

It's time-consuming, it tends to be ... well quite a lot recently we have kind of part-contracted out some of it because of the actual time [consultation] takes (Participant C).

I mean I did everything under such time constraints (Participant B).

It [results of consultation] got lost in the sense that we were pretty short around the time when we were being restructured (Participant C).

The urgency was actually around, if we do not get these voices right now then their voices will not be in [policy document]. This [policy document] will not be reviewed for another six to seven years (Participant A).

Time constraints could also put limitations on the range and nature of participatory processes that could feasibly be conducted, even when an officer had a will to increase engagement with children.

I think it [consultation with community generally] kind of has to be something that's done in a variety of different ways over a much longer period of time. But then you also have the pressure of getting things done (Participant C).

I was hoping at that time to give them an opportunity to give some input into it so that we can get designs and creations... First that didn't work out. I had to

take timelines, so I tried to get the Council to give the kids an opportunity to have a hand in designing but that just didn't work out either.

Interviewer: That's more a timeline thing?

Participant: It's a timeline thing (Participant E).

The time lag between a participatory project and the final council decision was sometimes so long that timely feedback process was not possible. This potentially impacted on the relevancy of the information for Council, and potentially challenged the long-term motivation of children, who had been engaged, to continue to participate in council processes.

So maybe someone is going to have to go back to the school and get the next set of kids, 'cause those kids will be all gone. Maybe we can get the next set of kids to develop something. Or we can use those same ones, those concepts for the park. I don't know. It will probably be better to go back to the school, refresh them again, because by the time this thing is built most of those kids will have moved on already. (Participant E)

Disadvantages come purely through Council process. So we've got this document here that is still sitting in draft form, even though the research was done a year ago... So Council process prevents that [handling feedback from children in a new way, in terms of detailed analysis and write up] from being a very quick process. And then the disadvantages ... again are coming back to, we've been told all these wonderful things but the process to actually get those things in place and to show these kids that we are actually listening to them is so long. Do we actually lose that really positive civic participation? (Participant A)

It was noted that the speed at which policy and plans can be written in the council environment could be a challenge to the inclusion of children. There was a concern that the speed of policy development could exacerbate children's invisibility from the process of consultation, but also that it could inhibit their inclusion in the overarching requirements that guide Council practice more generally, for example, the Unitary Plan. This outcome had the potential to further distance children from being a priority for general consideration and for consultation purposes.

Policies often get written in a hurry... [in] almost 2 years there's been a huge amount of policy written...well to me children should always be included. I

don't care whether it is policy for a road or a policy for leasing, community leases... (Participant B)

I am not convinced that 'The Unitary Plan' will have a lot in there about kids ... because it's been happening so quickly. (Participant E).

Limited understanding of local government's role

To elicit genuine viewpoints from children, and for children to be able to participate in accordance with UNCROC, they must know how Council activities are "matters that affect the child", as outlined under Article 12 (United Nations, 1989). Access to relevant information is essential for a participatory opportunity to be genuine (Lansdown, 2001). One barrier to genuine consultation was the lack of awareness of Council's purpose. Children often do not understand how local government affects their lives, and sometimes live with communities of adults who also do not understand the role of local government. This could manifest as a lack of knowledge, but also as an incorrect understanding of the Council role. As noted in the quote below, some children saw the Council role as a punitive one.

So that was an interesting lesson in civic participation for Council with young people ... young people had a very limited understanding of what Council is and what they do. And you know what? I'm not surprised 'cause we have older people who have limited understanding of what we do and how we function ... They didn't understand that we were the same people that pick up rubbish and that we provide the swimming pools and recreation centres, and we look after the parks and all of that. They seemed to just think that we were like just some Council people - almost like police - you get into trouble with us. It was very interesting, they were: 'you are just like this giant machine we don't actually know what you do'. (Participant A)

And it's interesting, you know there's questions asked like "what does Council do?", and 'are they fireman, are they..?' You know, it's interesting what they come out with (Participant D).

Once children do understand the role of the Council in their lives, council must then be prepared for the need to meet the expectations of children and youth.

So for them [children consulted] to find out that we actually do things for young people, it opened their mind but it heightened their expectation of us.
(Participant A).

Finding appropriate ways to communicate with child participants

A challenge to genuine participation can be in identifying ways to connect with children so that they engage with the consultation process. Under UNCROC children have the right to choose whether they participate, and therefore a challenge is to find ways to communicate that do not discourage participation.

One expression of this challenge is when Council gets stuck in traditional ways of consulting, rather than finding creative ways to engage with all communities generally, including communities of children.

'cause traditionally what we tend to do in Council, is say: 'well we are having a workshop on such and such a day' and pot luck hoping someone turns up or not. I don't think they are particularly creative ways of getting people involved, so we are going to look at trying to do things differently. (Participant C)

One participant offered that these consultations also need to be ongoing to be engage the community more generally, not one-off opportunities:

Personally I don't think one off [consultation] events work (Participant C).

More specifically for children, there were challenges in finding appropriate language to connect with the younger age groups, to support them to identify how the particular issues presented by Council for consultation were relevant to them.

Well, the challenge was really making sure that the material we presented was relevant for that age group really. And not presenting some adult thing. I had to think more carefully about ... what are the sorts of things they might be interested in? (Participant C)

Interviewer: what advice would you give to an officer who was consulting with children 12 years and under?

Participant: I'd really be careful what I spoke to them about! I think it's really keeping them stimulated - so you want to get them really thinking about 'how would that affect me'? (Participant D)

One participant brought up their experience of the effects of consultation “fatigue” – that is, when the timing of consultations are too close, children begin resisting multiple approaches for their views, and the numbers of child participants reduce. This is linked to repeating methods of consultation, which then become tiring or boring for child participants.

So this piece of engagement will inform the work of Council for the next two or three years. And so it is not about going out and continuously fatiguing our young people with consultation and engagement. I’m quite firm even across Council, if anyone wants to do engagement with young people then we have to get together and we discuss it.

And I was quite honest and I said ‘you are not going to be able to do this, exactly the same [method of consultation] again for about 3 years’. (Participant A)

Linked to the point above, extensive consultations can be difficult work as they need to be developed with respect to the specific context and information sought. One participant observed that in their experience, projects that copied successful methods from previous work into new contexts, without adequate reflection on the appropriateness of doing so, could result in low participation rates.

Another challenge is the assumption that children will always respond to certain methods of consultation - in particular technological methods - and therefore not approaching children’s spaces with adequate sensitivity to context. Speaking about the use of technology and on-line methods to support children and youth participation, one participant made an interesting observation that they had noted that sometimes these methods are a challenge to participation - children and youth don’t always want to share their digital private spaces for the “business” of consultation. This is evidence of the challenge of getting the context and method finely tuned to the target community of children being consulted and the specific context (some participants also spoke of technological use as being an enabler).

And when we did a wee focus group with young people about why they wouldn't use online, and they were actually quite clear with us. Which reflects some research I read a while ago from I think, the Netherlands it might have been, which was that children and young people are going to pick up a piece of paper when you put it in front of them or a postcard and take it more seriously than an email. They don't want us in their social marketing. Like Facebook is their own, that's where they organise their lives. (Participant A)

Finally, to connect with children Council needs to know who the communities of children are within their constituency, and the need for accurate data on children and youth in the city was raised by one of the participants.

Connecting high level policy with front line practice

Another challenge raised was to find ways to connect high level policy focussing on children in ways that will support practice for the individual officer. This included ensuring that Council officers generally see how a focus on children could be relevant to their roles. In terms of the specific action of genuine consultation with children, one challenge identified was a specific linkage between policy and the requirements that guide practice.

Staff need to understand what "putting children first" means to their role. (Participant B).

Interviewer: I guess there is the [policy document] and that's high level goals...

Participant: Yes, its policies and objectives that filters down to the rules and assessment materials statutorily there needs to be something in that document [The Unitary Plan] that mentions the importance of designing communities for children, because it's in the [policy document], so it needs that relationship.

So, you know if it says 'consult with the local school children to develop a park' ... those kind of things need to get in that Unitary Plan to ensure that ... it's not just the fluff in the [policy document] and then everybody forgets about it.

It's all lovely to put it all up in the [policy document] but to come to fruition it needs to filter down to all the departments. And everybody recognises that, but at least that's a good step. (Participant E)

One participant noted that this connection could be about those at the coalface of practice having the opportunity to input their views back to policy makers. It could be about testing the Mayoral vision in the community, and even as one participant noted, having the courage to go back to the Mayor and letting the Mayor know if the policy direction is not connecting with children.

Other issues raised

One participant faced an interesting challenge, when other adults involved in a consultation raised concerns that information presented to child participants about the adult political world was not child-appropriate. Adult ideas about the limits of the information to share with children can be a contested space.

Two participants pointed to the silo effect working within Council, which can limit opportunities to coordinate activities between Council units, diminishing the ability to ensure a consistent and child-focused approach across Council activities.

We still have all these silos. ... it can be said that the silos have just changed - different names. We still have the same silos (Participant E).

Another participant mentioned the challenge of working in a team in which there was not a consistent understanding of the value of children's participation amongst the team members.

Interviewer: ... so that was quite a block, having a different perspective on how you do the work of community engagement?

Participant: Yes, yes that's right (Participant B).

Enablers

Enablers -that is, factors that support consultation with children - existed at a variety of levels: from attitudes and practical resources, to policy and commitment, and the systemic recognition of the need to educate and empower young citizens more generally. Some enablers are able to be addressed at a Council level (for example,

resources and frameworks), but others require more general community involvement (education, child citizens' willingness to engage). The enablers were often the "flipside" of the challenges that were discussed in the first section.

Children's willingness to actively participate

The participants referred to children's willingness to engage in the consultation process, often enthusiastically, and as serious and articulate participants. Under UNCROC children have a right to participate but are not obligated to do so - children must choose to engage.

I certainly enjoyed that [consultation with children 12 years and under] you know. I think it was about half a day but it was a good half a day because you've got a really interested audience (Participant C).

They are so articulate about what they want and, and they don't just come in and go: 'we want this and we want skateboard parks', and they actually really seriously think about it. When you put an under 12 year old in a Council environment, especially in Chambers, they are not there to whinge and moan. They are there because they have seriously thought: 'Do I want to talk to Council? And what do I have to tell them? And this could be my one opportunity to get them to listen to me'. So they actually bring quite serious things and they bring solutions too. And some of those solutions are really innovative. (Participant A).

And they [children under 12 being consulted] certainly asked us lots of questions... quite sensible questions I suppose about what was happening in New Zealand. They were really, really interested; kind of how that was going to affect them and what was going to change, how many people were coming – all those sorts of things. (Participant C).

It's really interesting how passionate the young people are about [participating in project]... Yeah and I think too that they get quite a buzz [during engagement] (Participant D).

These quotes illustrate that even in the younger age groups, children can exhibit an interest in the activities of local government, that they have already thought about many of the issues that affect them even before they are formally asked ("they bring solutions too") and have ideas to contribute. One of quotes above also indicated that some children may also be aware that they are not regularly offered opportunities to be heard

and therefore can be motivated to contribute when they are invited to share their views – further indication that children want to participate.

One participant reported the effects of children's active and passionate engagement on Councillors who, initially concerned about talking directly to the younger age group, were so impressed with the children that they requested future contact. This outcome potentially enabled a continuing and direct dialogue in future with children in the younger age group.

Because these kids, under the age of 12 they just come in [clicks fingers] 'this is what we want and this is how it goes' and they are confident. They know what they need and what they want and it was an absolute pleasure. And because of the [refers to a process in which children directly addressed Councillors] our Councillors now understand that as well. They are completely, 'Bring them in, just get them in, boatloads of them in. Rock up'. (Participant A).

Council staff as key facilitators of children's voice

Often the inclusion of children's views in a project relied heavily on one, or a team, of committed and passionate Council officers who actively facilitated that engagement.

So that was what enabled it [extensive consultation with children] the urgency and the sheer passion of people who work with young people (Participant A).

Two of the participants spoke about the significant amount of personal time, in addition to their designated work hours, that they as facilitators contributed to ensure that the consultation they were involved in took place.

So I blew my hours out doing those community consultations [with children under 12 years of age] (Participant B).

For three of the consultations discussed, seeking children's view was not strictly required as part of the overarching project, but was pursued as a positive inclusion in order to enhance community consultation. These participants had been presented with an opportunity to engage and had they had actively engaged with that opportunity.

Other participants spoke about needing to actively advocate for children to be on the

consultation agenda, and that this had been the reason why the consultation reported on had taken place.

Networks of support

All participants had partnered with at least one other organisation (most commonly schools) to undertake their consultation.

We partnered with agencies, we had 30 odd agencies that we partnered with to go out and work with young people.

... I don't think we could have done this without having the networks that we have in Council, and even my own personal networks... I sat on the phone for a day and phoned 30 organisations and said 'I need your support', and every single one of them said 'OK, what do we need to do, we're with you'.
(Participant A).

All five participants had support from schools; four participants had based their participatory activities solely within schools. The importance of someone outside of Council who would facilitate the engagement opportunity within schools was identified as critical by one participant.

Yeah that in between person is really quite crucial and so that's the only way you get into these schools (Participant B).

Two participants noted that buy-in from the school had potential for on-going engagement. For two participants, access to the school was enabled because the school had a learning agenda that included engagement with the local Council. Sometimes schools proactively seek opportunities to engage with Council when this fits in with their learning agenda.

Probably the enabler was it was part of a project for the school or for the class. So, I think increasingly now ... at primary school age they have to do things by inquiry. ... We were able to engage them as part of that inquiry. If we'd have come along cold to talk about [suburb] I am not sure it would have necessarily been so relevant. But you know, they were doing a project and they needed to know all the things they wanted to know, so I think that was kind of the focus really. (Participant C).

Interviewer: So really the teachers are quite critical.

Participant: They are. [To get the engagement] They are, they're the ones we need to get on side....Yes, and if you go to the school you want to connect with the Principal as well. You don't want to just see the teacher (Participant D).

Networks within Council were also important as they provide support for consultations by providing a range of expertise in this sometimes complex consultation space. One participant mentioned specialised support that had been provided from within Council to support consultation with groups of indigenous children, and those children who were considered hard to reach (for example, homeless children).

[I had] staff who were qualified enough to work with me across Council (Participant A).

Council commitment to a child focus

Two participants mentioned a particular legacy Council's child-focussed policies around children as something that they had observed had made a positive impact on the level of engagement with children in the past. Four of the participants talked about a particularly successful and extensive consultation that had taken place under the new Auckland Council structure, as a result of a greater focus on children more generally. The Council demonstrating its focus on children through the Auckland Plan, was seen by participants as having potential to ensure that children are more highly prioritised across Council activities - children being recognised as relevant to the discussion could enable children to become *part* of the discussion.

But now because of the amalgamation that's [focus on children] really strong in the new Auckland Plan, which is great. So hopefully, no longer, there won't be that thing where, it will be like a "tack on" at the end; it will be a part of the whole discussion on whatever we are doing. (Participant E).

In the Auckland Council setting, with the increased Mayoral powers of the Auckland Mayor - Mayoral support is key.

This is His Worship, the Mayor's vision for children and young people ... the Auckland Plan is the Mayor's document. It is his vision for Auckland - how we

are going to go, *where* we are going to go. Mayor Brown is very passionate about young people, he had lots of similar aspirations for Manukau - for children and young people - so he has just translated a lot of that here and has got very strong support from the Council body. (Participant A).

Identifying ways to connect with children in the present

Though connecting to younger children could be a challenge, when an appropriate method was found, it was an enabler. Careful consideration of the design of consultation was important to improve accessibility, expand children's awareness and engage child participants.

I think it was really just gauging the presentation was meaningful to that group and not having lots and lots of ridiculous words even we don't know - simple English, and some pictures and some quite simple statistics - getting them to think about what it might look like. (Participant C).

So it's good to throw in some images to kind of get them to dream a little more. Enhance that, 'cause some of them – obviously all kids dream and they think of really cool ideas - but if they have never seen some of these other ideas they might not be willing to dream so extravagantly I guess, and to challenge things. Where, if you kind of show them: 'Oh this is what they do in here - da dah dah', it's like 'Oh you can do that?' Then they come up with something even better, you know? Yeah, so I think the imagery was really helpful. (Participant E).

Two of the participants spoke of the need for Council officers to build into consultation processes opportunities for Council staff to be *directly* accessible to young people during the consultation, to directly answer children and young people's questions and explain processes, rather than always relying on more indirect methods (such as on-line feedback). Some children need to directly connect with the reasons for engagement before engaging, and that can be enabled through the opportunity to have a dialogue with council.

Interviewer: So when you go into the school, you're there to answer the questions of the students, just to talk to the students?

Participant: Yes and probably strengthen what they are doing (Participant D).

Connection was also about relationship building - a collaboration between Council, children and also with and through their communities.

So pretty much it is a collaboration between Council, various agencies and children and young people themselves [speaking of a project which involves ongoing consultation with children]... Even after a few sessions we are seeing change in the community. So the actual community is taking ownership of it, for their children and young people, and with their children and young people. So it may be something like, within a year we start stepping out and that community would take ownership and just do it themselves. (Participant A).

Technology was also mentioned by two participants as a way to enhance accessibility of information to child participants and as a tool to facilitate children's participation in Council processes.

Another enabler of engagement was to be creative about involving children across the different stages of consultation. One participant put forward as an enabler, the importance of children having a leadership role in engagement. The same participant also noted the importance of having children design engagement processes and analyse data to ensure genuine consultation, by genuinely reflecting children's voices.

So what we did is to take all of the [data] into a room with 20 young people and sat down and said 'what do you think it all says?' And they came out with ... the top 10 statements that we think actually cover everything in that data. (Participant A).

Children could also actively engage other children in their community through their own personal networks. One project gave children the resources to go into their communities and record other child and youth views, as a way of increasing children's participation.

Finally an enabler can be finding ways to connect children to the more general processes of community consultation that are available. One participant mentioned an opportunity that had arisen in some open Council events. Children who were brought along by adults - particularly parents and grandparents - took up an opportunity to talk to Council, and Council officers took the opportunity to talk to them. The opportunity

was not designed specifically for children but it included an access point that could be engaged with.

A number of kids showed up to the open houses that I attended and they had some really cool little conversations about what they thought was interesting in their suburb and what they wanted to see.

Interviewer: So, some turn up to the open houses and things like that. What sort of age group did you see there?

Participant: It was mainly the younger ones ... between 7 and 9 because they came...maybe 7 to 12... They were coming with Mum and Dad or coming with Grandma and Grandpa. ... not many teens, few teens. It was mainly the younger ones coming with the parents.” (Participant E)

One participant mentioned practical considerations which facilitated consultation with children, particularly providing an informal environment, providing food for participants, and meeting at a time to suit the children as there was a need for some flexibility around when the consultation took place.

Clear boundaries and frameworks guiding consultation

Some of the most extensive consultations reviewed in the interviews had been supported by clear frameworks for consultation. Frameworks that supported consultation and were raised in the interviews included UNCROC, Auckland Plan and the Local Government Act. An overarching framework enabled officers to be better supported in undertaking consultations with children.

And that all comes back to that youth worker ethics, confidentiality clauses, even the Privacy Act... the Local Government Act and Official Information and Meetings Act. So everything we took consideration of, especially UNCROC.

I've worked under UNCROC through all of that and so that really supports the way I work. (Participant A).

Two participants mentioned their training in these frameworks as having provided them with some clear starting points from which to consult with children.

Ethics, have to have ethics. You cannot do it without having professional help If you are going to work with under 12 years olds you have to have

professional help. And you have to have some sort of ethics approval to do it or be working within some ethical guidelines. (Participant A).

Educating and empowering child citizens in the local political space

One participant stated the need to bring to participatory opportunities those issues which engage with children's worlds - to bring politics into the world of each child so they connect with its relevance to their own lives, and are then inspired to actively participate. One participant discussed a project that promoted children's active engagement with Council more generally, and it was from this platform of connection that the participant observed that when they had an understanding of Council's role in regard to issues of importance to their world, child participants were motivated to engage.

It's really interesting how passionate the young people are about it... So you work through those issues with them and the kids get really 'rarked' up.

Interviewer: When you are actually in there talking to the students...is there anything you have found as challenges in terms of engaging with the students?

Participant: No because you can normally bait them [by raising issues which are important to them] ...

Or give them an example... Victoria skate park is another good one. You know it was youth who got that - kids still at school. All various ages, and they lobbied the Auckland City Council.

Interviewer: Getting things that are relevant and then linking them...

Participant: Yeah just linking everything back in, and then just giving them a few examples to really get them thinking and then ask...lots of thinking through processes and going through the steps.

....and that's why I am so passionate about this as well. It's really interesting, when you teach young people how to obtain their rights, they become very proactive. (Participant D).

Respect for child participants

The importance of respect for children was noted in some way by all participants - genuine participation is enabled when one comes from a position of respect for the child participant.

I am no expert on it so, just having a kid ... so you learn some things. But I think the best lesson that anyone can learn is to just: 'don't think they are stupid'. You know, kids are smart, they know what's going on, they understand the world – their world ... You don't have to 'dumb' everything down for them. They get it. Especially these days - I was never as quick as some of these kids. (Participant E).

This participant found that during the course of engagement one can uncover that children's capacity to understand may be higher than an adult may initially believe.

But there were all kinds of different ideas and that was really cool. It was just good to get them to discuss about their neighbourhood and to find out from them what they thought was lacking. And it's funny how some of these kids don't actually get all of those aspects you are discussing, but the more you keep chatting with them you then start to pull more out of them - they really understand planning, they understand good urban design, even though they don't know it. (Participant E)

Another participant noted that to enable genuine engagement Council needed to consult with honesty about the purpose of consultation and use of children's voices. This was an aspect of respect for the child through honesty around the limitations of their role.

And be honest about it. So it might be a case of: 'we want to consult with you around the harbour bridge and, yes we'll let you pick the nuts and bolts that go in the harbour bridge but we are not going to let you pick this, this and this'. And to actually be honest – 'this is what actually we'll allow you to do'.

... talk to young people about how they want to be fed back with, during the process. If you can't do that, tell them. (Participant A).

Benefits

Children are the canaries in the mine! They experience their whanau and community at a flax roots level and are uninhibited, *very* astute! (Participant B).

The interviews also elicited information on the benefits and disadvantages of children's participation in council processes. Disadvantages were not a focus for the participants who were overall very positive about the consultations. When disadvantages were mentioned they tended to actually be barriers or concerns - for example, concern that they were not able to implement all of the children's ideas because some were not practical, or not being able to conduct the participatory event in a way that the officer

felt was most appropriate due to time constraints. However, the participants cited a range of benefits, from their viewpoint. These are outlined below.

Seeing the community through the eyes of child citizens

One significant benefit of consultation that was mentioned was the opportunity to access a different perspective from within the communities of children, and one that was not often heard.

Children are quite creative and see things differently... and think of things adults probably wouldn't think about (Participant C).

That's an opportunity for me to take a bunch of planners to those locations and sit them down and say: 'you look through the eyes of a child'. And they start seeing what these children and young people want. Why do they like this area? Why is it the best thing about Auckland? How do we recreate it somewhere else? (Participant A).

Children provide insight into issues because at times their experience gives them access to a perspective that adults may not always access. For example, one participant spoke about how younger children in one community fed back their concerns that the idea of an over bridge (proposed so that children could cross a busy road safely) could actually be "commandeered" by a bully and become an unsafe space – and potentially one they then would not use (Participant B). This type of information could be critical, for example for planning purposes.

Because of their different perspective, consultation with children provides a forum for children to debate and potentially improve the quality of the Council activities. It also allows Council to connect to different world views.

So, young people actually querying and questioning even the questions you are asking. The amazing thing about that was a young person who turned around and said, 'Why the hell have you got male/female on this?' I said, 'What do you mean?' And he said, 'Well, what if I am Fa'a fafine? I want gender.' So we changed it. (Participant A).

Supporting better community engagement

Direct engagement with children provided Council with an opportunity to meet their obligation to consult with community more effectively and promote democratic decision-making, as outlined under local government legislation. Talking directly to children and young people had the potential to specifically strengthen connections to communities of children and youth.

The main purpose was getting out and getting connected, so it not just about depending on everyone else to do it. It's actually officers getting out on the ground and connecting one-on-one with young people (Participant A).

Direct engagement may also help Council to better understand its citizen clients.

Children are some of the main customers for some Council services, for example play grounds. In addition consultation also has the potential to improve long term planning, which is of significance in the current environment in which there is a focus on Auckland Council's long term planning process.

But I am sure they would be doing all of that [consulting with children] because they are the customers, and you should be talking to your customers (Participant E).

Interviewer: Any disadvantages that you can see in consulting with the sort of younger age group, children - it's particularly 12 and under but you do go a bit further?

Participant: ...We do go a bit higher. No, I haven't, I haven't foreseen any disadvantages ... it's all been very positive, and it's just assisted people to engage in, get what they want from a public service. (Participant D).

Oh I think there are lots of advantages [to consultation with younger children], 'cause as I said earlier, they are future citizens. A 12 year old now is going be an adult in 10 years' time and often these things can take up to 10 years, so you really should be planning with them in mind. (Participant C).

With the current focus on putting children first within the Auckland Plan (Auckland Council, 2012a), inviting children to directly contribute to decision-making processes allows the Council to meet this commitment of putting children first, by valuing their voice. Consultation with child participants can also test the link between policy and the

views of communities of the children and young people they intend to serve – to keep intention and outcome aligned.

... in order to do that [put children first] you have to kind of engage with them.

... But we definitely need to do more of it all the way around and I know in the new [policy document] there is a huge section on children (Participant E).

But that is what we put in [policy document] we were asking ‘have we got it right in the [policy document]’? And if we actually had [feedback that] said ‘I don’t even know what this thing means’ then we have to reassess [policy document]. We are not saying it right. (Participant A).

Inspiring active citizenship now and in the future

One participant raised the facilitation of children’s connection with community as a benefit of consultation with younger children.

Because, you know suburbia is so nondescript I guess, and one area looks like another. It would be nice to get some aspects of it, that the kids feel like they’ve put their heart and soul into their neighbourhood - the buy-in of that. So that as they get older, they get to the age that they start to do the tagging and those things, that they’ll love their community, respect their community, won’t do those kinds of things - so, so many benefits to getting kids involved that are young, to really love their community and get involved within it. (Participant E).

The participants spoke about the educational aspects of the consultation as being a benefit to the child participants, and one that could expand children’s awareness.

So I do think it really helps the kids when they do it. It gives them a ... different awareness (Participant D).

[Reasons for the consultation] One was to talk about the whole project itself, to get the kids into it and one was more of an educational thing I wanted to do because actually we were introducing a new shared space in [suburb]... But it’s just also kind of, I guess making them aware that there are other ways cities can be developed ...

But again, it’s that whole idea that you don’t want to be overly influential on them - let them be creative, but that is also part of the learning aspect. (Participant E).

But learning was cross-generational - learning was “*a two way thing*” (Participant C).

...it was partly informational session just to describe what we are doing, part education, obviously to educate what we do and why we are doing it. And then I guess the other part, the other aspect, was to get them to design the park for us, or at least get some ideas ... so it was a good learning experience for all of us. The kids learned something, we learned something. (Participant E).

Sometimes this was also a matter of children learning political awareness and then being able to teach and share in the family home; to enter the adult political world as a knowledgeable agent.

And we look at it as well as a vessel for the children to take home - talk to their parents.

.... that's one part of the objectives of the programme as well – that engagement at home can happen as well. Where normally kids wouldn't go home and talk to their parents . . . but because they are stimulated by what they are doing at school, they'll go home and tell the parents... (Participant D).

This was supported by creating a vested interest in the political world in alignment with adult engagement, by allowing children to access information and tools available to adults, and to teach them how to engage in effective action on issues of concern in the present by using those tools.

... they learn to organise and structure themselves.

So teaching the young people – they are the voters of tomorrow – by doing the programme, they're informed.

So for us it is promoting democracy and how to access democracy, and then how to be involved in democracy.

[The programme teaches children] how to be involved. Go and sit in your local board meeting, you know and listen to what they are doing. (Even to know you can...) Yeah, yeah 'Oh can you?' 'Yeah, it's a public forum'. (Participant D).

Reflections for the future

Participants sometimes discussed their own ideas about what might be done to improve participatory processes.

Firstly, there are potential opportunities presented through the leveraging off larger, well-resourced projects.

...but to me I think the best way to...we have big projects - that's the time to do these kind of things right? Because you can get everyone excited about it, and the budgets are bigger - you know, a good size. And we could have spent a little more and did something different. (Participant E).

Other recommendations for enhancing engagement with children included: appointing a dedicated children's officer; ensuring that Council has access to good information on the children in its constituency; have a co-ordinating mechanism for projects, including a single point of contact in Council; establishing reporting mechanisms on the progress of consultation projects, as a way to monitor whether children are responding to calls for feedback and taking action if they are not; building in mechanisms for children to feedback about consultation processes, including ways for them to register their complaints; and also ensuring protection for both children and officers during the consultation process, and this final point was particularly true if officers needed to go out in to the field to consult with children in less conventional locations.

...one of the actions that we have been requested via children and young people and agencies and NGOs in government sector, was that we need to know where we are actually at, before we can move forward. So that children and young people's status report will become the reporting mechanism against the action plan and any of the engagement that we do.

Interviewer: So you have an overview of what is going on...

Participant: the whole of the Council... and the sector. That's on going. So we have communicated back within the [policy document]. But children and young people have been quite clear with us, so, 'no you're doing this so we will see it happening', so the next stage for us is to get this [council action plan] up and running.

... and there needs to be a formalised complaint process if anything goes wrong, and you need to have support and protection for both officers out in the field and for children and young people that you meet. (Participant A).

Other ways to increase engagement suggested were to find ways for children to directly engage with local politicians. The participant who mentioned this feedback seeing this as a positive step based on their own experience of consulting with children.

But a way to do it [engage children, allow them to have a say] would probably be to invite local politicians to join, I don't know... if we did another exercise like we did for [suburb] we might invite them to come along and listen to the children ... there might be a way to do that. (Participant C).

And specifically relevant to Auckland, given the importance of the local boards, finding new ways to connect children to the boards may be a way forward.

Once the Unitary Plan is finalised, then they [local boards] will be doing their own little local plan. They are already working on some, they've got draft versions but they can't be finalised until the Unitary Plan is done. But those are the kinds of things where that kind of stuff [focus on children] could easily get into those local boards area.

Interviewer: It could be down to the local board to sort of decide how they...

Participant: Yeah, so they [for example] have a 100 grand to spend on something, they make sure they get the kids involved as well. (Participant E)

Finally adults can leverage off opportunities to bring children in to processes from the start, rather than, as one participant put it, have them as a "tack on" to Council processes.

So those are the opportunities that we can get kids involved ... You've got a brand new school. You get brand new kids and a brand new neighbourhood. It's kind of like 'guys what would you like to see?' ... Instead of just having all the landscape architects there to design, get the kids involved ... these are the kinds of things that we need. So just kind of give them a briefing, and then just let them go at it." (Participant E)

Conclusion

The participants were all positive about children's participation and communicated that they believed children were able to participate meaningfully. This applied to children 12 years and under, but it must also be noted that the engagements discussed tended to consult the upper end of that age group - generally 9–12 years of age, though there was some consultation within one project with younger children, including some children in early childhood education.

The first and major obstacle raised was getting younger children on the consultation agenda, and for them to be considered as a priority. The restrictions of timelines, as Council struggled with its own competing priorities in terms of project completion, were also discussed. Another overarching observation that emerged from the interviews was that all participants, regardless of their level of experience consulting with children, delineated elements of genuine participation from tokenistic consultation. Because the benefits of children's participation were clear to participants, it appeared easier for them to identify when its genuineness was not being facilitated.

Enablers existed on a number of levels, and *connection* was a key theme across these enablers. One expression of this was relationship-building through children's active engagement during consultation, and the ability of Council, and specifically Council officers, to connect with children. Networks and frameworks supported that connection. Helping children to link local government with their lives so they wanted to engage, through to the more practical aspects of connecting with them during consultation (timing, setting etc.) were highlighted. Finally, connecting for the purpose of consultation requires a level of mutual respect between parties in the consultation, and this was discussed in the interviews.

Officers also reflected on the benefits of consultation, which as an overall observation, were benefits that enabled Council to do its core business more effectively. The recognition of benefit after a consultation can be seen as a potential enabler for the future, as the value of consultation with younger children is demonstrated. Officers also contributed ideas, based on their experience, of how to improve consultation practice and these are important contributions for further consideration. The next chapter will discuss the findings in reference to the theoretical material and literature review findings from the earlier chapters in the thesis.

Chapter Eight: Discussion and Conclusion

Introduction

This section will focus on bringing the strands of the research together. It will discuss the findings in light of the literature review, as well as the limitations of the research. It will conclude with recommendations for future action and research.

This research explored how the participatory rights of children 12 years and under, as defined under UNCROC, were being supported or hindered at the local government level within the currently defined Auckland City area. It did this from the perspective of Council officers who had directly consulted with this age group. It has reviewed the environment in which these rights need to develop. This was done in the context of the lead up to, and establishment of, the Auckland *Supercity*.

Aligning Auckland children's civic participation with UNCROC

An overarching observation drawn from this research is that there is much to support children's participatory rights in respect to local government processes in the Auckland region. These supporting factors include: international law (United Nations, 1989) and national strategy (Ministry of Social Development, 2002) which support the principles of children's participatory rights; extensive research literature that provides a plethora of information on translating the principles of participation into practice (for example Hart, 1992; Shier, 2001, 2010b); and information in the literature on what has worked and what has not based on case studies from within New Zealand and internationally. There is a well-established theoretical literature base which can support a wider debate on children's place, their agency and their capacity to contribute in the civic space. The UN Committee has provided direction on gap areas for New Zealand to address, which can be used as a basis for closing gaps between obligation under international law, and practice at the local level (United Nations Office at Geneva, 2011). The Child Friendly

Cities Initiative (CFCI) provides an accreditation process which supports city authorities to implement UNCROC at the local level, and this framework is available for adoption by Auckland Council. Consultations with New Zealand children have demonstrated that they wish to engage as citizens (Taylor et al., 2009), including in the Auckland region (Auckland Council, 2013d), and that they wish to engage on the serious issues facing their communities (Hayward, 2012). There has been work done on conceptualising children's citizenship in New Zealand (Hayward, 2012).

In Auckland City, high level policy contained in the Auckland Plan (Auckland Council, 2012a) and the subsequent Action Plan (Auckland Council, 2013d) all contain priorities which support children's participation. There is a high level of theoretical support for even the youngest children in the Auckland community to be engaged at a local government level. Auckland Council is engaging with the CFCI, at this point as an ally of the initiative (UNICEF New Zealand, n.d.-b). From the interviews as part of this research, there was evidence of very positive engagement between Auckland Council officers and children during previous projects, and an enthusiasm (reported by these officers) for consultation. In terms of the typologies of participation that have been discussed, these factors move participatory practice in Auckland City up the ladder (or along the pathway) towards alignment with UNCROC.

Some challenges exist that detract from alignment, including the challenges around connecting high level policy with front line practice. These challenges will be reviewed in relation to the elements of participation under Article 12 that were outlined under the theoretical perspectives outlined in Chapter four. The elements that will be used to frame these results can be summarised as: firstly, that participatory rights are the rights of *all* children under 18 years of age, and so apply equally to children 12 years of age and under; secondly, that children have this right in relation to all matters that affect them; thirdly, children must be supported to participate through information,

appropriate spaces, and support for their expression of their views; and finally that their views should be given due weight in accordance with age and maturity.

A right of all children

The social construction of children and childhood emerged as a theme both in the theoretical literature and in the reviews of participatory practice, as a fundamental shaper of so many aspects of children's lives generally, including opportunities for civic participation. As outlined in the literature review, there is a powerful dominant construction of childhood in Western countries that has the potential to be a barrier to children directly accessing their right to participate in political life (see for example, Aries, 1962; A. James & James, 2001; Lansdown, 2005; Moss & Petrie, 2002). The social construction of childhood affects public policy provision for children (Moss & Petrie, 2002), children's access to information, targeting and selection of age groups for participatory opportunities, and then how these opportunities are utilised (Lansdown, 2001). It affects the construction of children as political actors and as full citizens (Gallagher, 2008; A. James & James, 2001; Moosa-Mitha, 2005).

There is an absence of younger children, in terms of their role as political actors in the political landscape. In Auckland (and across New Zealand) this is most obviously expressed in children's exclusion from the right to vote for those who will lead their communities at the local government level – a matter which clearly is one which affects their lives. During interviews for this study, some participants also noted that younger children are very often absent from other community consultation processes, at times as a result of what participants perceived as the lack of prioritisation of younger children as subjects of consultation. One can reflect on whether their absence from formal political structures (through the absence of a right to vote) in some way contributes to their absence in the consultation space, i.e., children may be seen as lower priority citizens.

In one of the quotes included in Chapter seven, a participant directly reflects on a possible relationship between children not voting and their diminished status (Participant C). It is important to note that a focus on children's communities as communities of priority under the Auckland Plan *in itself* is not a guarantee that children will be asked to directly participate in a local government setting. A strong focus on children's interests is not a guarantee of their right to participate *directly* (Lansdown, 2005). But as one participant states, this focus is a "good step" (Participant E) - and indications are that there is a commitment through regular monitoring of the Action Plan, to maintain momentum on priority one in the Auckland Plan, in which children are to have a voice.

Within the theoretical perspectives discussed, Moosa-Mitha's (2005) construction of citizenship of "difference" provides some liberation from the constraints of normative constructions of citizenship. It provides a pathway to challenge the equating of citizenship with a construction of adult capacity, and questions the exclusion of child citizens from directly contributing to the political conversation on that basis. This perspective is one starting point from which to base an alternative construction of citizenship in which children are included.

Challenging younger children's citizenship rights moves into the sensitive space where the right of the parent/caregiver as empowered voting citizens to act in a child's best interest, and the rights of children to directly participate, must meet. As one participant expressed it, adults tend to construct themselves as the ones who "know best" (Participant C). Children 12 years and under are more vulnerable to a diminished construction of their capacity, and the majority of the participatory events discussed within the interviews had a tendency to focus on the older end of this age group. Therefore engaging with the fact that under UNCROC *all* children have this right to participate is a challenge.

It is useful to look at some illustrative examples raised in the literature review and in the data on this point. The participation of children in the younger age groups relies on parental permission, as raised by two participants. However, if parents/caregivers are not supportive of their younger child's right to directly participate and do not give permission, a child cannot participate no matter the number of participatory initiatives presented to them by local government. This illustrates the importance of the environment within which children's expression of their rights is nurtured and grown, in line with the metaphor of the *Participation Tree* (Shier, 2010b).

In the literature review and in the interviews, there was reference to some prioritisation in terms of the target age groups for participatory activity in local policy settings, with youth more firmly in focus. This is shifting in Auckland, with demonstrated engagement with the younger age groups over the Auckland Plan (Auckland Council, 2013b) and acknowledgement of gaps in programmes for those 14 years and under (Auckland Council, 2013a). This very positive momentum needs to be maintained as the focus goes on to the local board's engagement with children. And again this activity will be influenced by how local communities view children's role as agents in local communities.

The social construction of childhood, and its effect in a given community setting, is a profoundly complex issue to review as it requires an investigation into deeply held and often historical beliefs within communities around children's capacities and rights; it is further complicated by the variations in the ways different age groups within childhood are constructed. It is an issue very much framed by cultural norms, rather than being controlled by local government in isolation from the community. Therefore it needs to be addressed at a societal level (see Committee on the Rights of the Child, 2011; Office of the Children's Commissioner, 2010). Children's rights under UNCROC need to be widely understood in the local community and actively debated. To fully align with

UNCROC there must be community support for children's participatory rights, particularly as local government represents the community. It requires a willingness to take that difficult step outside of the dominant thinking as James and Prout (1997) highlight, and to interrupt the flow of the assumption of current local citizenship construction (make it "stutter") long enough to examine it.

As a reflection from a researcher perspective, the very act of talking and asking questions within the interviews emerged as one simple model for this type of interruption to the flow of normativity. There were instances in some of the interviews where it appeared that the participant had a moment where standard practice came into question. As a further observation, it appears at times there can be a disconnect between dominant cultural practice and ideas, and that of personal experience. When that gap is made explicit, there can be some important insights into the unexamined assumptions that control practice. For example, it may be assumed in terms of dominant discourse that a child of a certain age does not have the capacity to be an active agent, or that they are simply not interested in political matters. Yet at an individual level, we may know of examples of children in our own lives who contradict these very ideas around agency and interest. The opportunity and commitment to review the fit between dominant construction and reality can be valuable as part of the *decentred deliberation* that can support a form of active citizenship which includes children in the New Zealand context, as outlined by Hayward (2012).

Auckland City is culturally diverse, with that diversity set to increase, and therefore local government must also ensure that the principles of non-discrimination (Article 2) and the principle of participation (Article 12) under UNCROC are tightly woven and supported. National and international literature shows that children considered *minority* or *hard to reach* are noted as more difficult to access in terms of participatory opportunities. The construction of a minority community is quite specific to each

cultural context, as evidenced in the literature, and local government needs to ensure that children across the broad range of child communities have equal access to participatory opportunities if it is to align with UNCROC.

Finally ensuring inclusiveness in terms of participation is supported by knowing the child constituency in the city, as raised in the literature review. In Auckland the need to regularly report on children in the city has been recognised (Auckland Council, 2012b).

Matters that affect them

From the interviews, it emerged that the child participants on the whole actively engaged on a range of issues - from policy, to views on leadership in the local community, to how they wished to see their local environment developed. A definition of the matters that affect children and on which they should be consulted, is not strictly defined under UNCROC; guidance from the UN is to make the field of issues as wide as possible (Committee on the Rights of the Child, 2009). However the lack of a clear definition leaves much to be interpreted, in a practical sense. Further research is required into whether there is a limit to the types of issues about which council consults children, as there was some indication during the interviews that the issues on which children are consulted may need to be broadened (Participant B).

It emerged from the interviews that the topic of the consultation reported on was almost always set by adults; adults controlling agenda setting was highlighted within the tensions around genuine participation identified by Shier (Shier, 2010a). That adults and adult-controlled structures often set the consultation agenda is not wholly negative - as outlined in Chapter Two, Council is obliged to go out and consult with communities on issues under its responsibility. However, ensuring that children are empowered to access ways to tell council what they need to discuss in terms of local government activity is an area for further review. Their ability to do this is partly challenged by the level of

education within the communities of children on local council business, as has emerged in the literature review and in the interviews. Programmes such as *Kids Voting* are aimed at supporting children to learn about the local government space and how to access their rights. Access to information on local government arose as important in the data, and children need to know what decisions are being made for them in the local space by local government to be able to make decisions on whether to engage. Children may feel empowered by the opportunity to respond to invitations from council to participate, but they also need opportunities to tell council what issues are relevant to them in their local communities. It is in this sphere of agenda setting that there is a connection with one set of tensions outlined by Shier – the tension between participation as empowerment and its use as a mechanism of control (Shier, 2010a).

The issue of control rather than empowerment is further explored under Foucauldian theory, through discussion of the ways in which (local) government cultivates children's agency (Gallagher, 2008). In this case this could be around how local government determines the issues which matter to children. In the literature review there was some reference to children being consulted about some standard issues - for example, playgrounds, skate parks, other recreational issues, general planning - but an indication that they may not always be consulted on a wider range of issues.

There is an increased focus on vulnerable children at a national level, a focus on prioritising children in Auckland Council policy setting, and the acknowledgement of a projected increase in populations of children 0-14 years of age in what are described as areas of "high deprivation" within Auckland (Auckland Council, 2012a, p. 54). The intersection of these factors indicate that there is a need to explore ways that local government in Auckland can facilitate the voice of local children in terms of the updating of the national Children's Action Plan for vulnerable children.

How does one determine whether a matter affects a child? Adults are obligated under UNCROC to actually ask a child whether a matter *matters* to them. There is no maximum limit set on the political and social topics on which children should be consulted under UNCROC, except that they be matters which affect the child's life. Therefore one could argue there are no topics about which children should not at least be *asked* if they wish to express a view. Practically speaking, this is a high standard of participatory practice for any organisation, or government, and one which consultation with adult citizens may not always reach. However, the obligation under UNCROC mandates critical engagement with the question of when council must engage with children. Participants also noted that sometimes it is during engagement that adults and children may uncover children's knowledge and concerns, and so it is in the act of consultation, not in the agenda setting prior to consultation, that matters of importance to children may be identified.

It is also clear that the range of matters that affect children's lives cannot be finally defined. The need to connect with the contemporary child, which emerged in the literature, indicates that these issues may change with the generation of children, and as a result of the fact that the stage we label as childhood or youth is transitory (Dibley & Gordon, 2006) – it is on-going work. In addition the continued blurring of the line between adulthood and childhood (Prout, 2011) and the need to continually critically challenge normative constructions about what childhood is and should be (Alanen, 2011), means that this is another area for on-going critical examination.

Participation that is actively supported

Local government, as an organisation, facilitates children's participation through placing children's rights on the local government agenda, and honouring their participatory rights as a stated organisational purpose. In the New Zealand literature, the local government commitment to consultation emerged as key (Freeman & Aitken-

Rose, 2005a, p. 245). In Auckland the focus on children in the Auckland Plan and the Action Plan is facilitating an increased focus on engagement; they also provide a basis for officers to consult.

Participation practice also needs to be actively supported. Typologies of participation discussed in Chapter Four (Hart, 1992; Shier, 2001) demonstrate that part of that support is an active critical review of actual participatory opportunities to see how the balance of power is set between child (agents) and adult (structures). In a sense this also relies on adults in a consultation questioning how they construct themselves in relation to child participants.

In the interviews, staff emerged as key facilitators for these practical elements of consultation. The participants' enthusiasm and commitment was often required to make the consultation work. How to better support staff is therefore an issue. Staff need to understand how a child focus fits into their role, as was raised in the interviews. The support already available to staff needs to be widely understood, and the gaps identified. Though adults could be facilitators, they are also gatekeepers, and this can further challenge getting children in to the participatory space. Even when an opportunity to participate arises, children must get past these gatekeepers – from the school teachers and principals who must choose whether the child's class can participate, to the parent who must consent for participation to proceed. Children 12 years of age and under are not guaranteed security of participation – a point recognised at a national policy level (Ministry of Social Development, 2002).

Another example from the data and the literature review is that very often participatory opportunities are mediated by a school. This was an enabler and also a challenge. Schools often generously facilitated access, however if a school does not provide permission, the child is denied participation (for example if an opportunity does not fit

into their learning agenda, as had facilitated one participant's experience). Also, by deferring to a school to select child participants, a Council may lose control of the aspect of inclusive participant selection. These are two examples of how community (parents, teachers), constructions of the need of children to participate directly, the provision of consultation opportunities by local government, and obligations under UNCROC must coincide for children's rights to be fully and genuinely realised

Council officers require clear and practical guidelines to undertake the important work of consultation with children. Participants with knowledge of external frameworks relied on them to proceed with the often complex work of ethically and genuinely consulting with children. At a minimum, realising children's participatory rights under UNCROC requires that Council staff know and understand the Convention generally, and Article 12 in particular. Without the support of clear frameworks built from UNCROC, it is challenging to meet the standard set by the Convention. The level at which UNCROC was being promoted within Council was not clear given the small sample size, but it was clear that not all participants had this as a central frame of reference that supported them in their consultation activity. The United Nations advocates that all professionals including "civil servants and public officials" working with children should have training in Article 12, and how to put it into practice (Committee on the Rights of the Child, 2009, p. 12). Training and dissemination of information on children's rights are obligations under Article 42 and 44 (United Nations, 1989). Note too that the Action Plan for children in Auckland recognises that almost all council staff interact with children, young people or their families (Auckland Council, 2013d), making clear the relevance of this issue across Council.

There were specific ways to connect with children that arose in the literature and in the interviews - providing food, appropriate use of technology, and child-friendly methods

of engagement. All of these overall point to the need for sensitivity to the constraints and needs of communities of children.

The research participants were involved in both participatory opportunities that were carefully planned but also those which arose as one-off opportunities. It became clear that, for some Council officers, opportunities to consult with children may arise unexpectedly, and therefore it would not be possible to refer back to an extensive and complex model of consultation and still be available to take advantage of opportunities when they arise. Sometimes children's voice may be able to be incorporated in to wider community consultations; sometimes they may choose to speak to Council informally. One challenge seemed to be how to ensure these more ad hoc opportunities could move into a genuine consultation space for the officer who had no specialist knowledge of how to consult with children, and without formal planning.

In addition, it appeared from the interviews that children were not *prevented* from participating in more general community consultations, though the limitations they face in terms of resources (for example, time, support and transport) must be acknowledged. But here again, there may be potential for more creative ways to ensure that general community consultations are "child friendly", and not only designed for adult citizens.

Given due weight

Once children provide their views, how those views are used is critical. To align with UNCROC, local government is obliged to ensure that the weight given to children's views in decision-making is based on age and maturity, not on age alone. However, in some circumstances, local government must face legal restrictions as to the weight given to children's views based solely on age. The obvious example, mentioned previously, is that children can provide views on who they would like to govern them, but under legislation that controls voting, those views cannot be taken in to account, no

matter the level of maturity that the child brings to the issue. Other formal structures, such as youth councils, are very much age-based and may be areas where Council can explore their choices. A conflation of age and maturity is not in line with UNCROC, which separates out age *and* maturity as factors which determine the weight given to a child's views (Committee on the Rights of the Child, 2009).

One of the participants interviewed also raised the possibility of Council being more creative about the way it uses the feedback from children, as a way to demonstrate appreciation of children's contributions, and show that they had been considered. The example given was to incorporate children's visual representations of what they would like in a public space as public art (Participant E).

Themes unique to this research

As can be seen from the preceding sections, overall the data on enablers and challenges from Auckland City was not unique in comparison to the international data. However there was one area of specific relevance to the Auckland City context, and that was in respect to the bi-cultural nature of New Zealand society.

It was difficult to find an expression or view on the principles of children's participation in public life from a Māori worldview, and this may also be an appropriate and localised context for further research. Actively requiring that a Māori worldview be brought to the question of children's genuine participation would benefit all communities of children in Auckland, and acknowledge the bi-cultural context in which New Zealand children's rights must be realised.

Recommendations for future research

The areas of congruence between Auckland City's current child and youth focus, and the principle of participation under UNCROC - how Auckland Council constructs

genuine participation, and then the alignment of that construction with UNCROC - is an area of study of immediate relevance to Auckland. A review of the alignment of current strategies within Auckland Council in respect to an understanding of children's rights under UNCROC across Council would support this work.

Data on consultations that have arisen that are child-initiated and those that Council-initiated would assist in understanding if civic participation is balanced between the two in Auckland City. Data on community attitudes on younger children's capacity to participate as active citizens is another topic for further research.

Separating out the reflections of officers who were involved in participatory events in which children were the *focus* of the engagement, from those in which children were a component of wider community consultation, could yield some important data that could enhance the conduct of both types. General community consultations may be enhanced by incorporating some guidelines from those engagements which are constructed with children in focus, increasing the potential for wider consultations to ethically and genuinely incorporate children's views. Child focussed consultations may be enhanced by reflections from general community consultations.

Given that schools are an often used to access child participants, research on the alignment between participatory practice in schools and UNCROC, may assist council to guide schools in supporting genuine consultation opportunities on local council matters.

Further exploration on ways for Council to engage with its youngest citizens and deal with the complex area of balancing parental/caregiver rights and children's rights requires further study.

Finally, research on Māori concepts of children's participation is needed to ensure that children's participation in Auckland City is developed in respect to the unique bicultural nature of New Zealand culture.

Recommendations for local government in Auckland

The following are some recommendations that are drawn from the research data:

- Consideration of a Council-wide adoption of UNCROC as an explicit guiding framework for the current focus on children and youth in Auckland, including Auckland's accreditation under the Child Friendly Cities Initiative.
- Promotion of children's rights generally, and children's right to participation in particular, in the Auckland community and within local government.
- The establishment of general ethical and practical principles for consultation with children 12 years and under that align with UNCROC and are available for all Council officers for use in daily practice.
- Training for Council officers on children's rights under UNCROC as a way to support priority one under the Auckland Plan.
- Review of the ways that general community consultations could be constructed to incorporate methods to genuinely engage with children in the community.
- Facilitation of active public debate on citizenship rights of children of all ages, and in consultation with children of all ages, and across diverse communities of children and adults.
- Development of mechanisms for consultation with Auckland children on the national Children's Action Plan, and for their views to feed into the ongoing development of the Plan.

- Development of child-friendly formal feedback and complaint processes in relation to local government business that are promoted to children and that they can access.
- Establishment of a formal mechanism to represent the views of children under 12 years of age, to complement the work of the established Youth Council. This representation could also be drawn from each of the local boards.
- Training for local boards on consulting with children, and the development of UNCROC-based frameworks to guide their local community consultations.
- Providing regular opportunities for children 12 years and under to present directly to Council on any issue that they believe is critical to their lives in their local communities.

Conclusion

The aim of this research was to provide data to strengthen younger children's participatory rights at the local government level within Auckland City. This research focussed on reviewing the context for the development of children's participatory rights in Auckland, and sought specific data on what facilitated that consultation and the obstacles that were presented, through the reflection of Council officers on the front line of participatory practice. Other reflections of relevance were also offered by participants and reported.

There is a challenge in translating the complexity of Article 12 in a way that is relevant to real participatory experiences. In evidence of this point there is a significant amount of literature to assist practitioners in this work. A further and significant complexity is that participation must work in a specific cultural context; younger children, who

generally lack the formal political rights are largely reliant on adults to facilitate access, and this relies on broader social and political support of this aim.

I would like to conclude with reference to the metaphor of the *Participation Tree* (Shier, 2010b). Younger children's genuine participation in local government in Auckland, or in any setting, develops in a wider community context. Whilst barriers and enablers can be identified which arise from power imbalance or specific actions or activities, ultimately genuine engagement arises from communities which embrace and support their children's rights, including that of participation over the long-term. The way that we think about children - their capacities, the value of their views - will be reflected within local government. Where there is a lack of genuine realisation of children's participatory rights one must look at the total environment to see why children's roles ("the leaves") are as they present in the public space.

In the Shier (2010b) model the soil of that environment is made rich by the principles of UNCROC, and therefore it is critical to ensure the Convention is a foundation to the work of supporting children's civic participation. To best achieve this aim, children need to be at the table of consultation and decision-making, recognised not only as active future citizens, but active citizens in the present. Auckland is in an important phase of significant policy and priority setting in the short and the long term. This is the critical time to engage with these questions, and build democratic processes at the local level in Auckland City.

New Zealand Acts and Bills

Care of the Child Act, 2004.

Local Government Act, 2002.

Local Government (Auckland Council) Act, 2009.

Vulnerable Children Bill, 2013.

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Appendices

Participant Information Sheet



Date Information Sheet Produced:

4/6/2012

Project Title

A local government perspective on children's civic participation: reflections on recent Auckland projects with children 12 years of age and under.

An Invitation

Tena koe. My name is Liana de Jong and I am a Master's student at the Auckland University of Technology (AUT). My Master's thesis examines projects at the local government level in the Auckland region, which involve direct consultation with children 12 years of age and under. Specifically I am looking at projects conducted from 2005 onwards. I would like to speak to Auckland City Council officers who have been involved in the conduct of such projects in order to hear their perceptions on the consultation process, including any barriers to involving children in council decision-making processes, and also the successes or best practices they have identified.

I would like to invite you to participate in an interview. Participation would involve some reflection on your experiences using a brief questionnaire (this also includes some demographic questions), a one hour interview (questions will be provided to you in advance) and the time you wish to spend reviewing the transcript of the interview to confirm that it accurately captures what you said.

Participation is *entirely voluntary* and you can withdraw at any time. You may also request that information in the transcript not be included in the written thesis. The contribution of time and effort at the level that you feel comfortable with is acknowledged and appreciated.

What is the purpose of this research?

I believe that Auckland has the potential to be at the forefront of the international movement to increase children's participation at the level of local government, in line with New Zealand's commitment to the principles of the United Nations Convention on the Rights of the Child (UNCROC); Article 12 and the principle of participation are particularly relevant to the research.

In recent non-governmental organisation reports on New Zealand's overall progress in relation to its obligations under UNCROC, it has been reported that children in New Zealand are not participating in public life at the level required under UNCROC.

Local government is an important site in which children can participate in civic life. My research to date has shown that there have been a number of projects aimed at giving children a voice at the local level within the Auckland region. The aim of this research is to explore the perceptions of those who have had responsibility for conducting consultation projects; I am particularly interested in their reflections on the challenges and enablers when undertaking such projects. The research aims to stimulate review of the lessons from past experience in order to benefit the future of the Auckland Supercity. The end result will be a thesis, publications in relevant journals and forums and conference presentations on the research.

How was I identified and why am I being invited to participate in this research?

I have written to [list of relevant managers within Auckland Council] to gain permission to undertake this research, and to identify key people to talk to. A colleague within Auckland City Council gave me your name as someone who may have been involved in a participatory project(s) with children under 12.

If you have any recommendations of others who may have been directly involved in consulting children 12 and under, since 2005, then I would be very happy to receive your recommendations.

What will happen in this research?

Your participation would involve:

- Reviewing the interview questions
- Signing the consent form
- Answering a brief questionnaire
- A one hour interview which I will audio-tape and transcribe
- Optionally, reviewing a transcript of your interview for accuracy, and possibly reviewing any direct quotes to be used in the final thesis (though these will not be directly attributed to the participant).

In addition I am also reviewing national and international literature relevant to children's participation in civic life. The data that is collected will be organised into key themes with a view to providing Auckland specific information that may be of assistance when undertaking such projects in the future.

What are the discomforts and risks?

It is not anticipated that there will be any discomforts or risks associated with the research.

It is acknowledged that this research involves your feedback on an area in which you are employed, and its aim is to work in partnership with you to explore these issues in a way that will be of benefit to the future of the Auckland 'Supercity'.

As there may be a small pool of Council officers undertaking these types of projects there is a possibility you may be able to be identified by someone who has knowledge of your work

How will these discomforts and risks be alleviated?

Your information will remain confidential; only my supervisors and I will have access to information directly identifying you.

You may decline any questions posed and stop the interview at any time.

You may bring a support person with you to the interview.

Please indicate any cultural or other special requirements you would like observed during the interview process prior to the interview.

Acknowledging that there may be a small number of projects and therefore you may be able to be identified by those who have knowledge of your sector, you will be provided with the questions in advance so you can consider your answers. You will also be given the interview transcript to review so that you may remove any information you subsequently wish to exclude. In addition if I wish to use any direct quotes which may identify you or be critical of the Council, I will check with you to ensure that you are happy for the quote to be included.

The data will be written up using general themes, and not in a way that will directly link individuals to projects. Though the questionnaire includes some information that may be identifying (position, how long you have been in a Council role) these details will be used only to draw general conclusions: for example, if a particular issue is raised consistently by those who are new to Council projects.

AUT counselling is available to participants, free of charge for the first 3 sessions, should any issues arise that need further discussion.

As mentioned above, there has been consultation with a senior member of Council before approaching you to request your participation. Participation is entirely voluntary and the names of those who participate will only be available to my supervisors and myself.

What are the benefits?

The benefits of the research are aimed at the local government, local community and children themselves. By exploring the challenges and enablers in undertaking children's projects it is the aim to provide an opportunity to reflect on and explore aspects of children's participation in civic life in the Auckland region.

Increasing children's direct participation has the potential to promote children's right more effectively in policy and practice at the local government level, to improve on decision-making by strengthening community consultation, and to demonstrate Auckland City's continuing commitment to a high standard of alignment with international children's rights obligations.

I will benefit by using the data to complete a Master's thesis.

How will my privacy be protected?

Your information will remain confidential, only my supervisors and I will have access to information directly identifying you.

Analysis will be based on identifying themes, and if quotes are used to support the conclusion these will not identify you; pseudonyms will be used.

What are the costs of participating in this research?

In total this will involve a few hours of your time: the time you wish to spend on the initial review of the information, and completing a brief questionnaire, a one-hour interview and then the review of the transcript.

I will travel to your workplace to conduct the interview, fully at my expense, however if you have concerns that this will identify you as a participant, it is also possible to conduct the interview at AUT offices.

What opportunity do I have to consider this invitation?

Please let me know by [date] if you would like to take part in the study. If you would like more information you are most welcome to contact me.

How do I agree to participate in this research?

To take part in the study please complete the consent form attached and then contact me to arrange an interview time (see below for contact details).

Will I receive feedback on the results of this research?

Yes, I will provide all participants with an electronic copy of the thesis and a summary of the research if they wish to receive a copy.

What do I do if I have concerns about this research?

Any concerns regarding the nature of this project should be notified in the first instance to the Project Supervisor, Dr Kirsten Hanna, Institute of Public Policy, AUT, Kirsten.hanna@aut.ac.nz, 09-9219999 x8308.

Concerns regarding the conduct of the research should be notified to the Executive Secretary, AUTEK, Dr Rosemary Godbold, rosemary.godbold@aut.ac.nz, 921 9999 ext 6902.

Whom do I contact for further information about this research?

Researcher Contact Details:

Liana de Jong [details included]

Project Supervisor Contact Details:

Dr Kirsten Hanna, Institute of Public Policy, AUT [details included]

Approved by the Auckland University of Technology Ethics Committee on 28 August 2012, AUTEK Reference number 12/197.

Appendix B: Participant Consent Form

Consent Form

For use when interviews are involved.



Project title: A local government perspective on children's civic participation: Reflections on recent Auckland projects with children 12 years of age and under.

Project Supervisor: Dr Kirsten Hanna

Researcher: Liana de Jong

- ☐ I have read and understood the information provided about this research project in the Information Sheet dated 4 June 2012.
- ☐ I have had an opportunity to ask questions and to have them answered.
- ☐ I understand that notes will be taken during the interview and that it will also be audio-taped and transcribed.
- ☐ I understand that I may bring a support person to the interview if I wish to.
- ☐ I have had an opportunity to request cultural or other requirements that I require for the interview.
- ☐ I understand that I may withdraw myself or any information that I have provided for this project at any time prior to completion of data collection 20 January 2013, without being disadvantaged in any way.
- ☐ If I withdraw, I understand that all relevant information including tapes and transcripts, or parts thereof, will be destroyed.
- ☐ I understand that I will receive a copy of the transcript of my interview and will have two weeks to review it for accuracy.
- ☐ I understand that if, as a result of this interview process, I require counselling, AUT will provide three sessions to me free of charge.
- ☐ I agree to take part in this research.
- ☐ I wish to receive an electronic copy of the final Master's thesis and a research summary (please tick one):
 - ☐ Yes
 - ☐ No

Participant's name :

Participant's signature :

Participant's contact details (if appropriate) :

.....

Date:

Approved by the Auckland University of Technology Ethics Committee on 28 August 2012 AUTEK Reference number 12/197. Note: The Participant should retain a copy of this form.

Appendix C: Interview Guide

This research focuses on projects undertaken from 2005 to the present. Please briefly answer the following:

How many Council projects involving children 12 years and under have you been involved in as a Council officer, since 2005?	
For each of these projects please state:	
What year was the project undertaken?	Project 1. Project 2. Project 3. ..Please add as required.
What age groups were consulted?	Project 1. Project 2. Project 3. ..Please add as required.
The issue/s that were the focus of the project?	Project 1. Project 2. Project 3. ..Please add as required.
What was your role in the project?	Project 1. Project 2. Project 3. ..Please add as required.

Indicative Interview Questions

Development Stage	How were the projects initiated?
	Were there any frameworks or models that were used to design the projects?
	How were the participants selected?
	How was the age range of the participants decided?
	How were the issues that were the focus of the project determined?
	What were the challenges during this stage?
	What were the enablers during this stage?
Consultation Stage	Where were the consultations undertaken?
	What was the time-frame of the project? Was it completed within that timeframe?
	How did you engage participants?
	What were the challenges whilst conducting the consultation?
	What were the enablers whilst undertaking the consultation?
Post-consultation Stage	How were the outcomes of the consultation communicated to the participants?
	Was the project evaluated? By whom? Criteria?
	What were the challenges you encountered when following up with participants?
	What were the enablers?

1. Which Council policies support your work consulting with children under 12 (or any other age)?
2. Overall, what are the advantages for Council in consulting with children 12 years of age and under?
3. What are the disadvantages?
4. What advice would you give to an officer consulting with children under 12 years of age?
5. Is there any other information that I haven't yet asked for, that is relevant?

Finally, can you please give me the following information – please note that this information is to help the researcher contextualise information and will not be reported in a way that can identify you.

What position do you hold in Auckland Council?	
How long have you worked in Council in the Auckland region?	
Gender	
Which ethnicity/ies do you identify with?	