

40TH PARLIAMENT



Joint Standing Committee on the Commissioner
for Children and Young People

Discussion Paper

IN THEIR OWN VOICE

*The participation of children and young people in parliamentary
proceedings*

Presented by

Hon Dr S.E. Talbot, MLC and Mr K. O'Donnell, MLA

November 2020

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Executive Summary

This discussion paper arises from the proposition that hearing the voice of children and taking into account their views on matters that affect them is important and worthwhile.

The parliamentary system is one that strives to reflect the voices, interests and concerns of the entire population. This includes children. Given a quarter of the Western Australian population is under 18 years, incorporating their views on matters that affect them will make the Parliament more representative and inclusive. Further, children's participation within the parliamentary process is consistent with Article 12 of the United Nation Convention on the Rights of the Child as ratified by Australia.

While it is a matter for the Parliament to decide, parliamentary committees are well-positioned to hear directly from children and young people in accordance with their existing scrutiny roles.

Notwithstanding this, engaging directly with children and young people and seeking their participation—through hearing their voices and taking them into account—within committee proceedings is a complex matter. Clear and transparent processes will be required to ensure the safety and welfare of all participants.

This discussion paper sets out in some detail the arguments illustrating why hearing the views of children is important. It then highlights some of the complexities involved in engaging with children and young people safely, which must be settled before parliamentary committees can undertake this participatory work.

This paper draws on evidence obtained by the Committee during its recent inquiry when it was briefed about enhanced child participation in parliamentary committee processes within the UK House of Commons. The Committee was advised that incorporating the views of children into committee considerations could improve the usefulness of recommendations regarding issues that affect children and young people.

House of Commons staff provided guidance documents to the Committee about involving children in the parliamentary committee process. In the Committee's view, these documents should be considered if the Western Australian parliament decides to develop the necessary guidance material to facilitate safe and effective evidence gathering from children and young people. Accordingly, the following documents are appended to this report for the Parliament's consideration:

- House of Commons – Oral evidence from young people guidance;
- National Children's Bureau – Recommendations for receiving parliamentary evidence;
- Houses of Parliament – Safeguarding Children and Vulnerable Adults Policy Statement.

In addition, when developing guidance, reference could be made to existing models of child participation and the expertise of the Children's Commissioner should be sought and considered.

The Committee's view is that the development of detailed guidance will assist future Parliaments and committees by guiding their consideration about how and when to engage with children and young people safely and appropriately. Any process considered should include information about how to treat unsolicited evidence, such as written submissions, received from children or young people.

Where children have access to good information and can help shape decision-making processes, better decisions will be made.

The participation of children and young people in parliamentary proceedings

Children have views, interests and concerns that should be heard. They share their villages, towns, cities, countries and planet with us. They are today's citizens, can act as leaders now and in the future, and are tomorrow's voters and decision-makers.

A Handbook on Child Participation in Parliament¹

1 Children in Western Australia should be heard

This Committee recently conducted an inquiry into the monitoring and enforcement of the National Child Safe Principles – a set of child safe and child friendly principles emerging from the final recommendations of the Royal Commission into Institutional Responses to Child Sexual Abuse. The work undertaken during the course of the inquiry was extensive and included consideration of how to implement the National Child Safe Principles' requirement that applicable agencies and private organisations should meaningfully consult with children and young people. Consideration of this matter confirmed for members the importance of seeking the participation of children in matters that impact their lives, a principle which is enshrined in the Commissioner for Children and Young People Act.

It is widely accepted that understanding the needs and wants of children ultimately improves the services that children and their families receive, as well as their safety and wellbeing. This is why implementation of the National Child Safe Principles involves developing ways to include the views of children and young people in the operations of an agency or organisation. If taken together with current efforts to consult with children and young people (see section 2), the Committee expects this type of engagement will increase in the future. The Committee has published this discussion paper with a view to introducing some ideas to the Western Australian Parliament about what forms the participation of children and young people in parliamentary processes might take.

Given a quarter of the Western Australian population is under 18 years, hearing the voices of children and taking their views into account could also make Parliament more representative of the population, and allow for its committees to hear evidence which is more genuinely inclusive.

1.1 Children have the right to be heard

During the Committee's work over the last four years, a number of witnesses raised the importance of hearing the voice of the child by directly referencing the United Nations Convention on the Rights of the Child (UNCRC). The UNCRC was ratified by Australia on the

¹ Inter-Parliamentary Union with United Nations Children's Fund (UNICEF), *A Handbook on Child Participation in Parliament, Handbook for Parliamentarians No. 18 - 2011*, 2011, p. 7.

17 December 1990. It is the most widely ratified human rights treaty in history,² embracing all aspects of a child's life.

Taken together, the provisions set out the civil and political rights to which children are entitled and affirm the substantive rights of children to have a voice – including in public decision-making. The specific right of children to form and express views freely in all matters affecting them and to have those views given due weight, is set out in Article 12.

Article 12 is a well-established legal principle and there is growing evidence that it is being implemented into public decision-making process internationally.³ In spite of this, decisions that affect a child without the child's view having been sought are commonplace.

1.1.1 Understanding what the right to be heard does—and does not—mean

When the UNCRC was adopted, Article 12 posed a challenge to cultures in which listening to and including children in decisions that affect them was not common practice.⁴ It was difficult to find effective methods to engage young people in a meaningful way, as there were few tools available to help plan for this type of participation. Organisations struggled to understand how to incorporate the voices of children and young people into their work.⁵

It was also controversial, as it was perceived as potentially undermining adult authority. For example, critics within the United States argued that a child's right to be heard, as articulated in Article 12, could 'trigger a governmental review of any decision a parent made that a child didn't like'.⁶ This concern has been cited as a key reason for why the United States remains one of only three countries not to have ratified the UNCRC.⁷

According to Laura Lundy,⁸ the view that children's rights are in competition with adult authority could effectively shut down the application of Article 12 if adults do not have a vested interest in complying with it.⁹ To help remedy this, experts on child participation point out that the practice of actively involving children in decision-making should be portrayed as a legal imperative rather than a gift given or a concession made by adults.¹⁰

2 National Children's Commissioner, *Children's Rights Report 2019*, Australian Human Rights Commission, Canberra, 2019, p. 9.

3 Save the Children on behalf of UNICEF, *Every Child's right To Be Heard: A resource Guide on the UN Committee On The Rights of the Child General Comment No.12*, Save the Children UK, 2011, p. iv.

4 Save the Children on behalf of UNICEF, *Every Child's right To Be Heard: A resource Guide on the UN Committee On The Rights of the Child General Comment No.12*, Save the Children UK, 2011, p. 1.

5 Roger A. Hart, 'Stepping Back from "The Ladder": Reflections on a Model of Participatory Work with Children', in Alan Reid, et.al., (ed.), *Participation and Learning: Perspectives on Education and the Environment, Health and Sustainability*, Springer, Netherlands, 2007, p. 21.

6 Karen Attiah, 'Why won't the U.S. ratify the U.N.'s child rights treaty?', *The Washington Post* (web-based), 22 November 2014, accessed 15 October 2020, < <https://www.washingtonpost.com>>.

7 Kilbourne, S. (1998) The wayward Americans—why the USA has not ratified the United Nations Convention on the Rights of the Child, *Child and Family Law Quarterly*, 10, 243–256

8 Laura Lundy developed a highly regarded model of child participation – discussed in section 5.3.

9 Laura Lundy, "Voice" is not enough: conceptualising Article 12 of the United Nations Convention on the Rights of the Child, *British Educational Research Journal*, Vol. 33, No. 6, December 2007, p. 931.

10 Laura Lundy, "Voice" is not enough: conceptualising Article 12 of the United Nations Convention on the Rights of the Child, *British Educational Research Journal*, Vol. 33, No. 6, December 2007, p. 931.

Framing participation as a legal imperative does not mean that ‘children should have the last word’.¹¹ It means that adults with specific responsibility for decision-making—and society as a whole—need to be sensitised to the importance of including children’s voices in public decision-making processes.¹²

The *Handbook on Child Participation in Parliament* emphasises it is imperative that Article 12 is clearly understood for what it ‘does and does not say’, noting that:

It does not give children the right to autonomy. It does not give children the right to control all decisions, irrespective of the implications of these for either themselves or others. It does not give children the right to ride roughshod over the rights of their parents. However, it does introduce a radical and profound challenge to traditional attitudes that assume that children should be seen and not heard.¹³

The UNCRC also recognises the need for children to understand and respect the rights of others, thereby placing responsibilities as well as rights on children.

1.2 Do governments have an obligation to listen to children and young people?

Despite Australia having ratified the UNCRC, national broad-based legislation regarding the rights of children is absent.¹⁴ According to the Commonwealth Government, states and territories ‘are responsible for delivering many of the programs and services that give effect to Australia’s obligations under the [UN]CRC, including in relation to matters such as education, health, youth justice and child protection’; as such, there is no need for national legislation to ensure the UNCRC is upheld.¹⁵ The Commonwealth has placed this responsibility on state governments to develop policies and practices that deliver programs and services that give effect to the UNCRC.¹⁶

2 Children’s participation is increasing in Government and elsewhere

Historically, participation of children was not commonplace in the development of laws or policy in Western Australia. However, the Committee is aware of a trend towards creating mechanisms for the participation of children in a variety of contexts; such as that which currently exists in child protection legislation. For example, the Principle of Child Participation in the *Children and Community Services Act* ensures that a child is able to

11 Roger A. Hart, 'Stepping Back from "The Ladder": Reflections on a Model of Participatory Work with Children', in Alan Reid, et.al., (ed.), *Participation and Learning: Perspectives on Education and the Environment, Health and Sustainability*, Springer, Netherlands, 2007, p.25.

12 Save the Children International, *The Rights of Children to Participate in Public Decision-Making Processes*, United Kingdom, 2020, p16.

13 Inter-Parliamentary Union with United Nations Children’s Fund (UNICEF), *A Handbook on Child Participation in Parliament, Handbook for Parliamentarians No. 18 - 2011*, 2011, p12.

14 National Children’s Commissioner, *Children’s Rights Report 2019*, Australian Human Rights Commission, Canberra, 2019, pp.41-42.

15 *ibid.*, p. 41.

16 The Committee notes State laws that require due regard be given to the UNCRC in their operation. For example, Section 20(1)(b) of the Commissioner for Children and Young People Act 2006. Implementation of the National Child Safe Principles will also impact this in operation (see section 2.2 for a discussion about this observation). In the Committee’s view it will require further scrutiny to determine how effectively the State is assisting the Federal government to meet its UNCRC obligations.

participate in decisions made about their life.¹⁷ Furthermore, the Government has started engaging with children through schools and youth focussed organisations, and is seeking the views of children and young people regarding relevant policy work. For example, the Department of Communities is developing a new youth strategy for Western Australia which is being informed by the Government's consultations with youth.¹⁸

2.1 Work of the Children's Commissioner raises the voice of the child

The establishment and ongoing regard given to the work of the Commissioner for Children and Young People (Children's Commissioner) provides the Government and Parliament with access to the voices of children and young people about matters that are important to them or that might impact them.¹⁹

The work undertaken by the Children's Commissioner is also helping the Government and the community to engage directly with children. For example, recent evidence suggests that the Minister for Health has directed his agencies to take into account Child Impact Assessment Guidelines, developed by the Children's Commissioner, when developing policies. The guidelines seek to incorporate the direct participation of children into decision-making processes.²⁰

2.2 Impact of the National Child Safe Principles on hearing the voice of children

The Government has committed in principle to the implementation of the National Principles for Child Safe Organisations (National Child Safe Principles) and advised the Committee that, in addition to relevant agencies and departments, there are approximately 25 000 private or non-government organisations to which the National Child Safe Principles will apply.²¹

The National Child Safe Principles will require that private organisations and government agencies to whom they apply must ensure that children who access their services:

- Are informed about their rights;
- Participate in decisions that affect them; and
- Are taken seriously.²²

17 *Children and Community Services Act*, (WA), s. 10.

18 See: <https://www.communities.wa.gov.au/strategies/wa-youth-strategy/>

19 The most recent example of this is the Speaking Out Survey which gathered individual responses from more than 4,500 year 4 to 12 students across the state about matters relating to their health, safety, community experiences and access to services and supports. Commissioner for Children and Young People, *Speaking Out Survey 2019. The views of WA children and young people on their wellbeing – a summary report*, Commissioner for Children and Young People, Perth, February 2020.

20 Mr Colin Pettit, Commissioner for Children and Young People, *Transcript of Evidence*, 16 September 2020, p. 17.

21 Joint Standing Committee on the Commissioner for Children and Young People, *From Words To Action: Fulfilling the obligation to be child safe*, August 2020, p. 30.

22 National Child Safe Principle 2 – see: National Office for Child Safety, *National Principles for Child Safe Organisations poster*, February 2019, accessed 17 October 2020, <https://childsafety.pmc.gov.au/resources/national-principles-child-safe-organisations-poster>.

The implementation of these Principles will therefore mean that across government and the community, adult decision makers responsible for designing policies, strategies or services for children and young people will have to take into account the views of children and young people.²³

3 Child participation in parliamentary committees

[We] here in Parliament have a responsibility to create an environment in which children are heard and respected. Parliament by its very nature is a very adult-dominated world; it is the same across the globe. However, jurisdictions are making important changes to address that. During our investigative travels in London, we learnt about the changes that have been made to the Westminster system of committee procedures to allow children to participate in inquiries or topic discussions that have a direct impact on them. I believe we have a great opportunity to give our children and young people a voice, to respect their viewpoints and acknowledge their contributions.²⁴

The report on the Committee's inquiry into the monitoring and enforcement of the National Child Safe Principles calls for direct engagement and interaction with children and young people in order to understand what is important to them and what their needs are.²⁵

While conducting investigative travel for this inquiry the Committee was advised across multiple jurisdictions about the many benefits direct engagement with children can have on policy design and delivery. This approach ultimately improves the services that children and their families receive and has positive economic and social benefits for the entire community.²⁶

3.1 Hearing the views of children in the United Kingdom

The Committee received direct evidence from the National Children's Bureau (NCB) in the United Kingdom (UK) regarding their experiences in helping children and youth provide oral evidence to a parliamentary inquiry. Feedback from the youth who participated in the process illuminated the value of their participation and highlighted a number of improvements that could be applied to existing parliamentary processes in order to make the direct participation of children and young people more effective. The feedback was provided to the House of Commons and it was ultimately incorporated into a guidance document for committees seeking oral evidence from children and young people.

This Committee subsequently requested and received this guidance document, *Oral Evidence from Young People*, and the *Houses of Parliament Safeguarding Children and Vulnerable Adults Policy Statement* from the House of Commons. These documents, and the

23 Further detail about the impacts of the National Child Safe Principles can be found in the Committee's related Inquiry report - see: Joint Standing Committee on the Commissioner for Children and Young People, *From Words To Action: Fulfilling the obligation to be child safe*, August 2020.

24 Mrs Jessica Stojkovski, Assembly, *Hansard*, 13 August 2020, p. 4965b.

25 Joint Standing Committee on the Commissioner for Children and Young People, *From Words To Action*, 13 August 2020, p. 23-26.

26 *ibid.*

earlier evidence received from NCB, proved crucially important in highlighting for the Committee the role a parliament could play in seeking the views of children.

These documents, included at Appendix Two, Three and Four, provide a significant example about how a Parliament might seek oral and other evidence directly from children and young people.

3.2 Benefits of hearing the voices of children and young people

3.2.1 Benefits to the parliamentary committee process

The Parliament's committee inquiry process is a useful and powerful tool to both scrutinise and inform the operations of government. It would be hoped that seeking the views of children and young people about relevant policy areas and taking them into account during the inquiry process would improve the usefulness of committee recommendations to Parliament on issues that affect children and young people. This could make a meaningful contribution to policy development in areas concerning children and young people.

3.2.2 Benefits for Parliament - realisation of Article 12

Participation of children and young people within the parliamentary committee process aligns with Article 12 of the UNCRC. It enables children and young people to give their views and opinions on decisions that affect them and it gives them the opportunity to participate in decisions that affect their lives.²⁷

The Children's Commissioner reiterated this position in correspondence to the Committee, stating:

Empowering and supporting children and young people to participate directly in parliamentary committee proceedings would represent an important step by the Western Australian Parliament in its efforts to uphold the rights afforded to children under Article 12.²⁸

3.2.3 Improving the civic contribution made by children and young people

Young people have the capacity to both contribute to decision-making and to play an active role in the formation of their communities, but are rarely afforded the opportunity to do so. It would be hoped that active participation in parliamentary committee processes—when facilitated in an appropriate way—would help children and young people develop their own awareness of issues affecting their community. Children could be provided with the opportunity to express their views about matters that are important to them with the possibility that they would see the outcomes of their participation through the publication of committee reports and papers and the speeches made by Members of Parliament in the

27 United Nations Convention on the Rights of the Child (entered into force 2 September 1990), accessed 24 September 2020, <https://www.ohchr.org/EN/ProfessionalInterest/Pages/CRC.aspx>.

28 Mr Colin Pettit, Commissioner for Children and Young People, Letter, 21 September 2020, p. 1.

Parliament. Participation has been proven to strengthen children's social responsibility and help them develop civic skills as well as improved social and communication abilities.²⁹

4 Obstacles and matters of concern

4.1 A child will only be meaningfully heard with the cooperation of adults

As indicated previously, a child's enjoyment of Article 12 is dependent on the cooperation of adults;³⁰ therefore, it is important to address any concerns that may inhibit full commitment to this provision. Documented concerns include but are not limited to:

- A focus on a 'scepticism' about children's capacity to have meaningful input into decision-making;
- The abovementioned worry that, in realising Article 12, control will be handed to children which will undermine adult authority; and
- Concerns that compliance with the provision will require too much effort to do effectively.³¹

While there are clear challenges associated with effectively seeking the views of children, the presence of cooperative adults within Parliament will be crucial. The support of adult facilitators (both members and staff) will be critical to ensuring that children's participation is effective in practice. Research has shown that children and young people (particularly younger children) prefer to make decisions about matters that are important to them collaboratively with supportive adults rather than autonomously.³² Conversely, negative adult attitudes towards children can create a significant barrier to their participation.³³

4.2 Resources to increase the capacity of Parliament is required

Training and capacity-building of adult facilitators is an effective way to ensure that they are able to properly support children's participation.³⁴

The Committee's view is that consideration needs to be given to how committee members and staff can be supported to participate effectively in meaningful engagement with children. In addition to the establishment of a protocol for this type of engagement, which is

29 Save the Children International, *The Rights of Children to Participate In Public Decision-Making Processes*, United Kingdom, 2020, pp. 12-16.; Hickey, A., Pauli-Myler, T, and Schroder, R, *Engaged and Active: Engaging young people across the Toowoomba Region*, University of Southern Queensland, Brisbane, April 2020, p.4.

30 At a minimum, parental consent would almost always be required for children to be able to participate in any formal public decision-making process. This is in accordance with Article 5 of the UNCRC which provides for an adult's right to provide appropriate direction and guidance in the exercise by the child of their rights.

31 Save the Children International, *The Rights of Children To Participate In Public Decision-Making Processes*, United Kingdom, 2020, p8; Laura Lundy, "Voice" is not enough: conceptualising Article 12 of the United Nations Convention on the Rights of the Child, *British Educational Research Journal*, Vol. 33, No. 6, December 2007, p. 929.

32 Carolyn Willow, Ruth Marchant, Perpetua Kirby, Bren Neale, *Young children's citizenship: Ideas into practice*, Joseph Rowntree Foundation, York, United Kingdom, 2004, p. 4.

33 Save the Children International, *The Rights of Children To Participate In Public Decision-Making Processes*, United Kingdom, 2020, p18.

34 Save the Children International, *The Rights of Children To Participate In Public Decision-Making Processes*, United Kingdom, 2020, p18.

discussed below, it is likely that additional resources may be required to build the capacity of parliamentary committees to effectively engage in this manner.³⁵

4.3 Engagement with children must take into account their age and development

Article 5 of the UNCRC outlines the obligations of adults to provide appropriate direction and guidance to children ‘in a manner consistent with the evolving capacities of the child’.³⁶ The concept of evolving capacities acknowledges that children gradually acquire the capacity to protect their own interest through an incremental acquisition of knowledge and competence.³⁷

In that regard, Article 12 asserts that where a child is *capable* of forming their own views, they must be taken seriously.³⁸ The concept of ‘evolving capacities’ in order to determine how capable a child is to form their own view is intended within the UNCRC to be seen as ‘generous and child-empowering rather than negative and opportunity-restricting.’³⁹

In practice, taking the different “ages and stages” of children into account poses challenges.

Genuine engagement with children and young people will also need to consider differences in culture and language when communicating, and any process must be safe and sensitive to the age and development of the children involved. This might necessitate engaging in different ways of communicating and interacting, such as using visual or artistic methods, or making use of technology. Processes must be accessible to all children willing to participate, regardless of any differentiated needs. Furthermore, to be effective, it may mean adapting physical environments so that children, youth and adults can equally feel comfortable participating within them.

Establishing the means by which the evolving capacity of a child or young person can be taken into account will pose a challenge for a committee as it may not have access to enough information to determine what the capacity of a potential child witness might be.

4.4 Detailed guidance is required

Developing a process that can accommodate the variety of means required to effectively communicate with different ages, maturities and understandings of children and young people will be necessary. This process must be developed into guidance material and include information about how committees can engage with children safely and

35 For example, the House of Commons’ employ Engagement Officers to assist committees to plan and carry out engagements with children and young people. This is discussed more at 5.2.3.

36 United Nations Convention on the Rights of the Child (entered into force 2 September 1990), accessed 24 September 2020, <https://www.ohchr.org/EN/ProfessionalInterest/Pages/CRC.aspx>.

37 Moira Rayner, ‘Taking Seriously the Child’s Right to be Heard’, in Philip Alston and Glen Brennan (ed.), *The UN’s Children’s Convention and Australia*, The Human Rights and Equal Opportunity Commission and the ANU Centre for International and Public Law, Canberra, 1991, p. 38.

38 Save the Children International, *The Rights of Children To Participate In Public Decision-Making Processes*, United Kingdom, 2020, p.5.

39 Laura Lundy, “Voice” is not enough: conceptualising Article 12 of the United Nations Convention on the Rights of the Child, *British Educational Research Journal*, Vol. 33, No. 6, December 2007, p. 937.

appropriately and how to treat unsolicited evidence, such as written submissions, received from children or young people.

This guidance material will need to be developed before a committee can reasonably be expected to seek evidence from children and young people.

4.4.1 Guidance must include consideration about treating evidence from children as public

While a Parliamentary committee has the final decision on how it chooses to treat a particular submission, treating evidence received from children as confidential is consistent across parliaments in Australia and New Zealand.⁴⁰ This is appropriate when evidence from a child relates to a disclosure of sensitive or criminal behaviour or matters which may cause the child witness distress; however, it may not be appropriate all the time.

The problem with treating *all* evidence from a child as confidential lies in not affording that child with the same right as adults to have their say about matters that affect them. There will be matters about which children and young people will want to express their views publicly—in their own words—and have those views acknowledged. In such cases, committees will need to have a process for receiving or seeking and using children's evidence in a public manner while still maintaining the welfare of children.⁴¹ This is the inherent challenge Article 12 poses. Guidance about the various ways to achieve these engagements safely will be crucial if the voice of the child is going to be sought, in practice, by committees.

4.4.2 The Guidance must incorporate the views of children and young people

Any guidance developed by Parliament for committees to engage with children and young people should rightly involve the input of children and young people. The Children's Commissioner agrees with this approach, advising the Committee that it should '[e]nsure children and young people from a range of backgrounds and circumstances are involved in the development of ... Western Australian guidance and materials'.⁴²

The House of Commons guidance has been developed with input from young people, based on their actual experiences of providing evidence to a committee. There is a lot to learn from this advice. Nonetheless, it does not remove the necessity to seek out and incorporate the views of Western Australian children. The advice of the Children's Commissioner can be utilised in this regard (see section 5.1).

Sufficient time and resources will be required to undertake this engagement process effectively if the views of children and young people from a range of backgrounds and circumstances are to be sought.

40 Information provided by the Clerk's at the Table across Australia and New Zealand and shared with this Committee on the permission of the Clerk Assistant Committees (WA) in August 2020 revealed that no other parliament had formal guidance for how to treat or seek evidence from children and young people, although several parliament's expressed interest in developing one in the future.

41 An example of how the House of Commons Guidance addresses this issue is noted in the final paragraph of 5.2.1*.

42 Mr Colin Pettit, Commissioner for Children and Young People, Letter, 21 September 2020, p. 2. Note: a copy of this letter is at Appendix 5*.

5 Issues to consider so children can participate in committee inquiries

Further work is required before appropriate processes can be recognised, developed and put in place. Accordingly, the Committee is not advocating for specific processes to be implemented.

The Committee views this as matter for the Parliament to determine, taking into account relevant procedural matters; the current capacity of Parliament; and any additional resources required to effectively enable staff and committee members to put these processes into practice.

The information provided below and the appended documentation are intended to assist these considerations.

5.1 The expertise of the Children's Commissioner should be sought

The Children's Commissioner has published participation guidelines for involving children and young people that should be taken into account when developing processes for Parliament.⁴³

Further, the Children's Commissioner has offered to assist in drafting a guidance framework for child participation for parliamentary committees.⁴⁴ This expertise would be beneficial and should be accessed during the development of any relevant participation guidelines.

5.2 Reference should be made to the House of Commons guidance documents and the work of the National Children's Bureau

Noted earlier in this paper, the House of Commons (HoC) provided the Committee with documents currently used by the UK Parliament to increase the safe and appropriate participation of children and young people in the work of its committees. These documents, together with the original briefing by NCB provided the Committee with a very useful starting point for this discussion paper.

5.2.1 HoC Guidance for Committees when inviting young people to give evidence

As discussed in section 3.1 the HoC Guidance, *Oral evidence from young people*, incorporates the feedback provided by NCB based on direct views of children and young people.

It provides examples of child-friendly ways to invite young people to give evidence. The Guidance also includes points for consideration when seeking evidence from children and young people; such as:

- The way in which members can question young witnesses;
- Ways to support a young witness;

43 Commissioner for Children and Young People, *Involving Children and Young People – Participation Guidelines*, October 2009, accessed 21 October 2020, <https://www.ccyp.wa.gov.au/media/1479/report-participation-guidelines-october-2009.pdf>.

44 Mr Colin Pettit, Commissioner for Children and Young People, Letter, 21 September 2020, p. 2. Note: a copy of this letter is at Appendix Five.

- The types of planning steps that need to be followed before and after any hearing;
- The physical layout of the room; and
- Safeguarding issues to ensure the welfare of all young witnesses are protected.
 - For example, guidance about making sure parental/caregiver consent is obtained, and that no unaccompanied young person is able to give evidence.

The Committee has made particular note of the House of Commons approach of anonymising transcripts of oral evidence taken from children and young people in a public hearing.⁴⁵ Anonymising the transcripts means the voice and tone of this evidence can still be published and taken into account by a committee equally alongside public evidence received from adults. Where appropriate this approach has merit and should be examined for its procedural suitability.

5.2.2 Houses of Parliament Safeguarding Children and Vulnerable Adults Policy Statement

This safeguarding policy statement (included at Appendix Four) sets out the responsibilities for all adults who work for or on behalf of the Houses of Parliament to ensure they safeguard and promote the wellbeing of all children and vulnerable adults who are involved with the Houses of Parliament. While this policy does not refer specifically to committee processes, the HoC Guidance, discussed above, refers to it and it is clear to the Committee that the two documents work in tandem.

While this discussion paper has not considered the development of a safeguarding document, it is in accordance with the Committee's previous report that any organisation that has direct contact with children should develop a safeguarding process in line with the National Child Safe Principles.

Consequently, the Committee expects the Parliament will develop a child safeguarding policy in line with other public agencies in Western Australia, in due course. When developing a safeguarding policy, regard should be given to how it will support the ability of committees to work safely with children and young people.

5.2.3 The UK Parliament's material is supported by engagement officers

The UK Parliament has in place a committee engagement team that works with committees across both Houses and helps them engage in meaningful ways with the public, including young people. The engagement team 'identify, organise and facilitate consultative public engagement events to diversify the views of the people that committees hear from.'⁴⁶

This approach ensures that all participation of young people is in accordance with both the HoC Guidance and Houses of Parliament Safeguarding Policy. Further, the engagement

⁴⁵ There would still be differences about how the public hearing is held with a child witness when compared to a public hearing with an adult witness; such as, caveats placed on who could be present in the room and differences in how transcripts are processed for publication in order to ensure the child had not said something of a sensitive nature.

⁴⁶ House of Commons, *Senior Engagement Officer Job Description*, 17 March 2019, provided via email attachment to the Committee from Judith Boyce, Head of Guidance and Learning, House of Commons, 15 September 2020.

officers have the appropriate training and expertise to improve the diversity and equity of witnesses that provide evidence and can actively facilitate the effective participation of children and young people in a committee process when required. A scaled response to this approach could be considered by the Western Australian Parliament to assist committees realise the goal of child participation.

5.2.4 The Children's Commissioner supports the HoC Guidance

The opinion of the Children's Commissioner was sought and received on the usefulness of the guidance to seek oral evidence from children and young people in a Western Australian context. The Children's Commissioner was also asked to advise the Committee about potential issues or gaps within the guidance. The Commissioner concluded:

The House of Commons guidance contains well-reasoned protocols that broadly reflect the needs of children and young people. I therefore believe it to be an appropriate starting point for the development of more succinct, user-friendly guidelines to be applied by Western Australian parliamentary committees.⁴⁷

The full response which includes a number of elements suggested by the Commissioner to consider when tailoring for a Western Australian context has been attached (Appendix Five).

5.3 Existing models and guidelines

As children seek to participate more, it is desirable that committees have a set of principles to consider. For example, if children wish to participate, principles that guide how it can be done appropriately and how committees might manage submissions they receive from children including the treatment of unsolicited evidence and submissions would be useful.

There are a number of models of child participation available that have been developed to help organisations engage meaningfully with children and young people. During the committee's travel, it was advised about the Lundy model of child participation, which is the cornerstone of the Irish Government's *National Strategy on Children and Young People's Participation in Decision-Making 2015-2020*.⁴⁸ The Lundy model is founded on Article 12 of the UNCRC and is intended to:

[F]ocus decision makers on four elements of the provision:

- Space: Children must be given the opportunity to express a view
- Voice: Children must be facilitated to express their views
- Audience: The view must be listened to. [*sic*]
- Influence: The view must be acted upon, as appropriate.⁴⁹

⁴⁷ *ibid.*

⁴⁸ Department of Children and Youth Affairs (Ireland), *National strategy on children and young people's participation in decision-making 2015-2020*, Government publications, Dublin, June 2015. See also Joint Standing Committee on the Commissioner for Children and Young People, *From Words To Action Fulfilling the obligation to be child safe*, Parliament of Western Australia, Perth, August 2020, pp. 25-27.

⁴⁹ Laura Lundy, "Voice" is not enough: conceptualising Article 12 of the United Nations Convention on the Rights of the Child, *British Educational Research Journal*, Vol. 33, No. 6, December 2007, p. 933.

The Lundy model for participation and the National Strategy developed by the Irish Government are both useful references and could be considered when developing a model of participation for Parliament.

5.4 Reference should be made to the requirements made by the UN Committee on the Rights of the Child

[A]ppearing to “listen” to children is relatively unchallenging; giving due weight to their views requires real change.⁵⁰

The UN Committee on the Rights of the Child has adopted a number of requirements for the implementation of the right of the child to be heard. These requirements are listed in the dot points below with additional information on how they can be applied to children and young people providing evidence to a parliamentary committee.⁵¹

- **Transparent and informative** – where children are provided accessible information that is age appropriate and suitable for all users from a range of cultural backgrounds, including complete information about the scope, purpose and potential impact of their participation. Examples of this type of child friendly information about a committee proceeding is included in the HoC Guidance document.
- **Voluntary** – children should never be forced, coerced or made to feel pressured into providing evidence to a committee.
- **Respectful** – children and their views should not only be treated with respect but also provided with opportunities to initiate ideas.
- **Relevant** – children should be invited to participate and express their views about matters that have real relevance to their lives to enable them to draw on their experiences, skills and abilities.
- **Child friendly** – the environment in which children participate during a committee proceeding must be comfortable for them to be in; further, the time children are given to prepare, both before and during, must be appropriate to their age and evolving capacities to ensure they feel comfortable enough to adequately participate.
- **Inclusive** – just like adults, children are not a homogeneous group so participation methods must encourage opportunities for marginalised children to get involved.
- **Safe and sensitive to risk** – the Committee will have a responsibility towards any of the children they hear from or engage with and must take every precaution to minimize the risk to children of any negative consequence of their participation.
 - The need for steps to be taken to provide appropriate protection rest at the centre of this discussion paper; that is—if it is accepted that hearing the views of children is important—then doing so in a safe, protective and appropriate way is crucial, for which a transparent and consistent strategy is required.

50 Committee on the Rights of the Child, *General Comment No. 5 (2003): Implementation*, UN, Geneva, 2003, paragraph 12.

51 Inter-Parliamentary Union with United Nations Children’s Fund (UNICEF), *A Handbook on Child Participation in Parliament, Handbook for Parliamentarians No. 18 - 2011*, 2011, pp 17-26. Additional commentary provided by Committee.

- Insisting on adult or caregiver consent for any witness under 18 years old, and liaising with the family of each potential young witness, are excellent examples of how the HoC Guidance seeks to ensure the safety of these witnesses.
- **Sustainable and Accountable** – It is important that participation be part of ongoing processes that integrate child inputs into parliamentary decision-making and not mere token events or consultations. Children are entitled to clear feedback on how their participation influenced any outcomes so clear follow up processes are needed. This is a matter that has also been raised by the Children's Commissioner.⁵²
- **Supported by training** – in order to facilitate meaningful participation of children and young people in committee proceedings, a committee will be required to understand how to give 'due weight' to the views expressed by the children and young people. In practice, this means being provided with the tools to understand the different ways children and young people express themselves across their different ages and evolving capacities. The House of Commons' committees support this process by employing engagement officers with the necessary skills to facilitate this. The HoC Guidance also provides examples of how committee members can question and 'actively' listen to children, providing the Chair with responsibility for ensuring the guidelines are followed. This approach was endorsed by the Children's Commissioner and may be an appropriate method for the Western Australian Parliament to adopt.⁵³

5.5 Other strategies will help increase child participation in committees:

The following is a brief list of other strategies that members of the Committee have identified, through background research or evidence gained during its previous inquiry, that would help increase the safe and appropriate participation of children with committees:

- Liaising with stakeholders outside Parliament who have regular contacts with children and young people and accessing their help when seeking the voices of children and young people.
- Seeking written submissions from children and young people who may be affected by the inquiry outcome. In so doing, some consideration should be given to what constitutes 'written' evidence. For example, visual material such as videos or artistic material such as painting or comics might enable a young person to express their opinion more effectively.
- Ensuring that all requests for submissions and any notice of the inquiry are well publicised in a child friendly, age appropriate and culturally safe manner and through appropriate social media and other online and print avenues.
- Consider holding online forums and surveys, undertaking site visits and round table discussions and/or seeking to establish peer-led activities to discuss a potential inquiry topic before any terms of reference are settled upon.

52 Commissioner for Children and Young People, *Involving Children and Young People – Participation Guidelines*, October 2009, accessed 21 October 2020, pp. 17-18.

53 Mr Colin Pettit, Commissioner for Children and Young People, Letter, 21 September 2020, p. 2

- In accordance with the National Child Safe Principles and the Children's Commissioner's Child Impact Assessment guidelines, consider avenues for asking children and young people in the first instance whether a particular matter affects them or not.
- Any guidelines and processes that are developed will need to be responsive to changing environments and technology.

6 Meaningful participation needs meaningful supports

This paper began acknowledging some of the controversy surrounding the UNCRC, particularly Article 12 when, over 30 years ago, it was seen as a 'radical and profound challenge to traditional attitudes that assume that children should be seen and not heard'.⁵⁴ Since that time, provisions in the UNCRC are still seen as controversial by some and realising Article 12 in practice remains problematic.

Hearing and taking into account the views of children requires the support of adults. Even with a commitment from adults, it is difficult to work with children and young people in a meaningful way if there are limited tools available to help organisations plan and engage in this type of participation.

When the Committee first started to look at the participation of children as a standalone issue, it was hoping to gain evidence directly from children and young people about the different ways they might like to participate in a committee inquiry. The Committee encountered first-hand the difficulties associated with gaining feedback from children when considering, for example: matters of consent; the capacity of children to answer questions; the capacity of staff and members to facilitate a child friendly meeting; the issue of where such a consultation could occur; and, the problems associated with obtaining feedback from children and young people in remote and regional areas.

Committees across Australia and New Zealand receiving evidence directly from children and young people have done so with ad hoc approaches. For example, in the 37th Western Australian Parliament the Legislative Assembly Education and Health Standing Committee (EHSC) successfully applied for funding to engage a facilitator to convene a number of student forums in Perth and Albany.⁵⁵ While the material gave the EHSC a better understanding of the issues, an ad-hoc method cannot easily be replicated without engaging external expertise.

While it is a matter for the Parliament to consider, the Committee's view is that the development of detailed guidance about how to engage with children safely and appropriately will help future committees ascertain how and when to engage with children and young people. Where children have access to good information and can help shape decision-making processes, better decisions will be made.

54 Inter-Parliamentary Union with United Nations Children's Fund (UNICEF), *A Handbook on Child Participation in Parliament, Handbook for Parliamentarians No. 18 - 2011*, 2011, p12.

55 The Education and Health Standing Committee held student forums in Perth on 13 August 2010 and Albany on 20 August 2010 to gather evidence regarding alcohol consumption amongst young people. See Education and Health Standing Committee, Report No. 10, *Alcohol: Reducing the Harm and Curbing the Culture of Excess*, 23 June 2011, pp. xiv, 11, 44.

During the writing of this report, Western Australia is still recovering from the global COVID-19 pandemic. Apart from the work of the Children's Commissioner, there is limited work being done to assess what impacts this pandemic is having on the State's children.⁵⁶ Children have unique insights into their lives and will have ideas about how to solve the challenges they are facing; however, their perspective will be better understood by asking them about their views and inviting them to engage in informed decision-making.

Perhaps now more than ever it is timely to consider putting processes in place to encourage collaboration with children and young people. With the end of the 40th Parliament in sight, this Committee hopes those in the next Parliament will be motivated to seek this vital information from children, so that the road to recovery can be paved with informed and appropriate decision-making.

A handwritten signature in blue ink, appearing to read 'Sally Talbot', with a stylized flourish at the end.

HON DR S.E. TALBOT, MLC
CHAIR

⁵⁶ Mr Colin Pettit, Commissioner for Children and Young People, Letter, 6 May 2020.

Appendix One

Committee's functions and powers

The following was agreed by concurrence between the Legislative Assembly and the Legislative Council on 13 June 2017, establishing the Joint Standing Committee on the Commissioner for Children and Young People:

1. Pursuant to section 51 of the Commissioner for Children and Young People Act 2006, a Joint Standing Committee on the Commissioner for Children and Young People be appointed by the Legislative Assembly and the Legislative Council.
2. The Joint Standing Committee shall comprise 2 members appointed by the Legislative Assembly and 2 members appointed by the Legislative Council.
3. It is the function of the Joint Standing Committee to—
 - i. monitor, review and report to Parliament on the exercise of the functions of the Commissioner for Children and Young People;
 - ii. examine Annual and other Reports of the Commissioner; and
 - iii. consult regularly with the Commissioner.
4. A report of the Joint Standing Committee will be presented to the Legislative Assembly and the Legislative Council by members of the Joint Standing Committee nominated by it for that purpose.

The Standing Orders of the Legislative Assembly relating to Standing and Select Committees will be followed as far as they can be applied.

Appendix Two

House of Commons – Oral evidence from young people

Oral evidence from young people

08 March 2019

16:36

GUIDANCE OWNED BY: Select Committees Engagement Team

FIRST PUBLISHED: March 2019

UPDATES: None to date

The Select Committees Engagement Team has produced the following guidance on planning evidence sessions involving young people as witnesses.

The team has also produced the following resources, stored on SharePoint:

- A pack of information that can be adapted and given to young people coming to give evidence
- A 'Welcome to Parliament' slide deck in Easy Read format for people coming to talk to committees

These resources were developed in consultation with groups of young people from the British Youth Council and the National Children's Bureau.

For more information and guidance on using these resources, or to give feedback, please speak to your committee's Senior Engagement Officer.

Guidance for Select Committees when inviting young people to give evidence to a committee

Supporting young witnesses

- Your Senior Engagement Officer can provide help on making the session more accessible.
- Be clear where you will meet the young person when you meet them on the day.
- Introduce yourself and all the staff members the young people will be interacting with on the day. Have a specific point of contact in the room that the young people know they can talk to.
- Important to have a briefing and a debriefing for young people.
- Let the young people see the room in advance and talk through what they will say.
- Talk the young people through the questions in advance.
- A 'Who's Who' guide to the panel – should be part of the briefing.
- Ask them afterwards how they felt and what could be improved.
- Support for young people who are not used to answering direct questions.
- Use plain English.
- Can the young people give evidence virtually?
- Use first names for everyone (this includes on toblerones etc)

Questioning young witnesses

- Members should introduce themselves and give a little more information about themselves than they usually would.

- Consider your questions and make sure they are in a format that young people can easily understand and answer.
- Only ask questions that young people can realistically answer. Don't rush through them.
- Give young people a chance to reflect on their experiences.
- Don't probe too far into personal circumstances.
- Young people need to be given the option to not answer questions. There needs to be an easy way of declining to answer questions.
- Questions should not be about blame, as this may make young people feel uncomfortable.
- Some questions are complicated to understand - be patient.
- Remember the ability to answer depends on the young person's experience and age - be aware of this when talking to a panel of multiple young people of different ages.
- Young people should be able to provide written and oral evidence. If the young people don't feel comfortable speaking in public, they can submit in writing after the session.
- Can young people read out a prepared statement at the beginning of the session, in case they struggle to answer questions later?

Room layout

- Let young people see the room in advance if possible.
- Consider the physical layout of the room. Does the session have to take place in the horse shoe? Do they have to sit in the traditional witness seats or could they sit among Members?
- Mix the young people in with Members if possible.
- How close can the young person's guardian sit? They can act as an advocate if a young person is feeling uncomfortable.
- Book a second, preferably adjacent, room for the young people and their parent/supporting adult to wait in.

Safeguarding

- [REDACTED] is the House of Commons designated lead on safeguarding issues. The House safeguarding policy can be found [here](#) and specific guidance on safeguarding and select committees is [here](#).
- Get written consent from parents/carers/guardians if under 18, and ensure the children themselves are aware and understand what they have agreed to do.
- Never be alone with a young person.
- Create a risk log – a list of the potential issues that could arise - to help you plan for any contingencies.
- If the young person is unaccompanied by an adult, they cannot give evidence.
- Talk to young people and their parents/carer as a group on the phone – so everyone is clear what they are consenting to.
- Consider how you will film the session; does it need to be recorded and if so does it need to go out live? This can help catch if the young person says anything they don't mean to.

Planning for your session

- Create a timeline to help plan your contact with the young people.
- Contact Hansard in advance to let them know of the special circumstances of the session.
- Consider organising a larger panel than normal as young people might not be able to attend at the last minute.

After the session

- You may want to try and organise a tour for your young witnesses.
- Send a thank you email, and the transcript to the parent to approve. Once they are happy with the text it can be published.
- In sessions with young people it can often be good practice to anonymise the transcript and report as standard.

Information for Members

- Members should know if the young witness has any needs that may affect how they give evidence.
- How the witness would like to be referred to.
- If the witness has any prepared statements they would like to make to the committee.



Welcome to Parliament!

Thank you for coming to the UK Parliament to speak to Members of Parliament (MPs) about your experiences of **INSERT INQUIRY**

This pack will guide you through your day at Parliament covering: arrival at the building, what to do when you get here, where to go and what will happen when you meet and speak to the MPs.

There is also information about the House of Commons and the **NAME OF COMMITTEE**. If you have any questions, just ask by contacting **PERSON AND CONTACT DETAILS**.

Please note, if you're under 18, there is a page of this document your parent or carer must sign to show that they and you have discussed it. Even if you're over 18, you may want to read through this document with somebody else.

1. When and where

Date: XXXXX

Time: XXXXX (Length of session)

Location: XXXXX INCLUDE EXACT LOCATION AND ENTRANCE TO USE

Although the session begins at **XXXXX**, please arrive 20 minutes earlier.

2. Why you are here

The **INSERT NAME OF COMMITTEE** wants to find out **XXXXX** and has asked you to come to Parliament so you can tell the committee your **thoughts and experiences of ...** Your views are important because you are the expert on **XXXXX**

Speaking to MPs in the Committee is an opportunity to say what you think to people who can help to change things. It is also a chance to talk about the effect on your life, and to help other young people in the future.

3. What you need

You don't need to bring anything with you other than your fast track letter, but please think about the things you might like to talk about and you can use notes if you want to bring them. You could think about **XXXXX**.

There is no dress code in Parliament. The most important thing is to wear something that you feel comfortable and confident in.

Any issues? – Don't worry if you think you might be late or if you get lost, **give XXXXX a call on insert number XXXXX**

4. Arriving at Parliament

The main entrances to Parliament are Portcullis House and the Cromwell Green entrance. These are marked clearly on the map in this pack. When you arrive at Parliament, there may be a queue at the door. You will be sent a fast track letter and you can show this letter to security to move to the front of the queue. Once through security, you'll be met on the other side by **INSERT NAME OF PERSON, PHOTO (IF POSSIBLE) AND PLACE YOU WILL MEET THEM** who will then take you to the Committee room, where the meeting with the MPs will take place.



Portcullis House entrance

The entrance is through a revolving door at the front of the building facing the river. There may be a queue of people waiting to get in. Security is directly in front of this door and as you go through you'll be asked to remove bags, empty your pockets and take off coats to go through the airport style security. Once through this you will see a glass barrier and a reception. If you have to wait, there are some seats near reception. (Entrance number 4 on the map).

Cromwell Green entrance

The entrance faces a large church (Westminster Abbey) and is next to the road. There are staff here to help show you the way to go. The staff will show you down a long ramp which may have a queue on it. At the end of the ramp is Parliament security and a Police Officer will point you towards security where you'll be asked to remove bags, empty your pockets and take off coats to go through the airport style scanners. Once through here, and if you have to wait, there is another ramp out of security that will take you to the Parliament coffee shop. (Entrance number 8 on the map).

Some Police at the doors might have guns, this is to keep you safe.



Portcullis House doors



The ramp to the Cromwell Green entrance

5. When you're in the room

When you enter the room, the MPs will be sat around a table shaped like a U or a horse shoe. You might be sat on your own or with other people in front of this U-shaped table.

There may be people sat around the room. These are people that work for the UK Parliament. There may be members of the public sat at the back of the room too. These sessions are sometimes open to the public and shown online. Check with the committee to find out if your session will be. The adult who comes with you will also be in the room with you.

The MPs will introduce themselves and different MPs will ask you different questions. You can speak freely and honestly without worrying about getting into trouble.

Everything that is said during the session is written down and recorded. This is then published on the Committee's website. We want you to be comfortable and feel able to share your experiences openly. This is why the committee will let you see what has been written down and let you change any bits you would like changed. Only your first name will be used.

If you forgot to say something you might be able to add it in later, ask the committee staff how to do this.



What the room might look like

6. What sort of questions will I be asked?

The MPs of the Committee will take it in turns to ask you and the others on your table questions. If you'd like to speak, you can tell the chair of the meeting, or raise your hand.

The questions might include:

- Insert bullet point questions
- 2
- 3
- 4

Talk to **INSERT NAME XXXXX** if you would like more information.

Things to remember

- If you feel uncomfortable, or no longer want to take part, just tell the adult who has come with you, or tell one of the MPs beside you.
- Let the adult coming with you know if there's anything you would not like to discuss, or let us know before you come.
- If there are other young people who want to share their views, please take it in turns to give your views and do not speak over other people.

7. What happens next?

What you say will help shape the Committee's inquiry and the recommendations it makes to the government. **Remember that what you say will be recorded so it's important that you're happy with what you say to the committee.**

What you say to the Committee may be quoted in the final report that the committee will write, but we will only use those quotes that you are happy with us including **INSERT IF SESSION IS ANONYMOUS OR NOT** You can **read an example of a committee report on the committee's website INSERT LINK.**

The recommendations will be passed to the Government. The Government must reply within two months to say what they are going to do about them.



8. Safeguarding

Your welfare and the welfare of children and vulnerable adults is very important to us. Parliament's safeguarding policy is available [here](#). If you have any questions just ask your contact.

9. Names and photos of committee

Insert names, photos, party of Members here

**10. Consent form**

If you're under 18, please talk about the information in this pack with your parent or carer and ask them to sign the page below once you've done that.

Please make sure that this is returned to **INSERT NAME AND EMAIL ADDRESS** before you come on **DATE**. Otherwise you might not be able to take part.

For parents/carers/guardians:

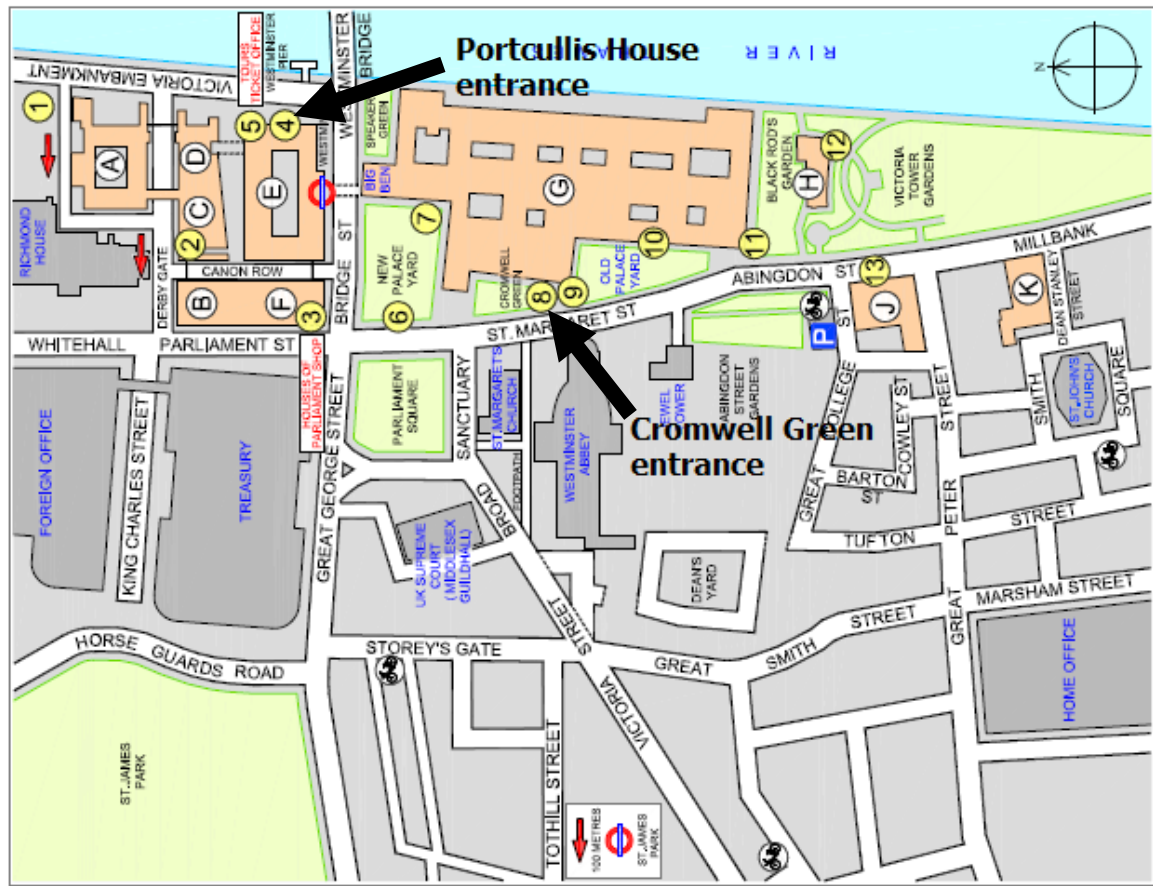
- Please confirm that you and the young person appearing before the Committee have read this information pack
- Are happy with the proposed arrangements outlined in this pack.

| | |
|---|---|
| Name of session | FILL IN NAME AND DATE OF SESSION |
| Name(s) of participant | |
| Name of consenting adult (for any participants under 18) | |
| Signature | |
| Date | |



HOUSE OF COMMONS

11. Map



| KEY | |
|-----------------------------------|--|
| (A) NORMAN SHAW NORTH | 1 NORTH ENTRANCE (VEHICLES ONLY) |
| (B) 1 DERBY GATE | 2 CANNON ROW PASS OFFICE |
| (C) 1 CANNON ROW SOUTH | 3 HOUSES OF PARLIAMENT SHOP |
| (D) NORMAN SHAW SOUTH | 4 PORTCULLIS HOUSE MAIN ENTRANCE |
| (E) PORTCULLIS HOUSE TOURS | 5 TOURS TICKET OFFICE |
| (F) 1 PARLIAMENT STREET | 6 CARRIAGE GATES |
| (G) PALACE OF WESTMINSTER | 7 MEMBERS ENTRANCE |
| (H) PARLIAMENTARY BUILDING CENTRE | 8 CROMWELL GREEN (VICTOR) ENTRANCE |
| (J) MILLBANK HOUSE | 9 STEPHENS ENTRANCE |
| (K) 7 MILLBANK | 10 PIERCE ENTRANCE |
| | 11 BLACK RODS GARDEN PASS OFFICE |
| | 12 PARLIAMENTARY BUILDING CENTRE MAIN ENTRANCE |
| | 13 MILLBANK HOUSE MAIN ENTRANCE |

THE PALACE OF WESTMINSTER AND THE PARLIAMENTARY ESTATE

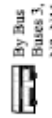
Directions by Public Transport



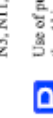
By Rail
Nearest stations are Charing Cross, Victoria and Waterloo (20 - 30 minutes walk).



Underground
Westminster (Circle, District and Jubilee Lines).



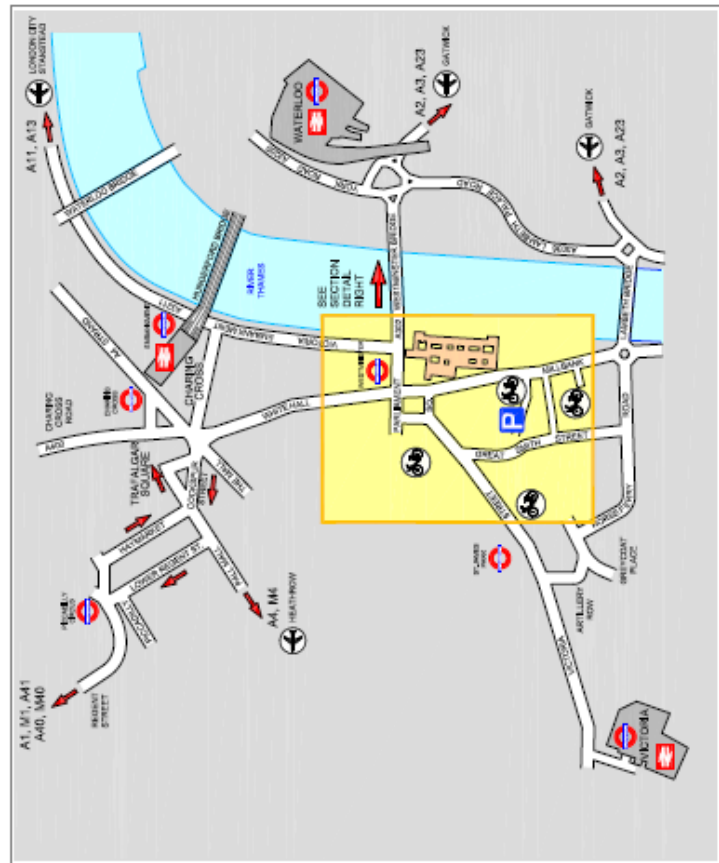
By Bus
Buses 3, 11, 12, 24, 53, 87, 88, 148, 159, 211, 453, N2, N3, N11, N87, N136, N155, N159 & N381 all stop nearby.



Use of public transport is advised as the Abingdon Green car park is often full and meter parking is expensive and scarce.



Santander Cycle Hire Docking Station



HOUSE OF PARLIAMENT: The Parliamentary Estates Directorate



Information you may want to add – depending on the recipient

Who are MPs?

Part of living in a democracy, like Britain, is being able to have a say in how the country is run.

As a representative democracy, the key we do this is by electing Members of Parliament to represent our views in Parliament. (Do you know who your MP is? If not, you can find out [here](#).)

By talking to MPs and sharing your views with them, you are taking part in this process.

What do Select Committees do?

Small groups of MPs, known as Select Committees, meet regularly to discuss particular areas of government policy. This could be on anything from housing to policing, or even where airports should be. Different MPs are members of different committees.

Select Committees can make recommendations to the Government on the area they are investigating after taking evidence from experts and from the public. Select Committees are another way that MPs represent our views and make sure that the government is responsible for its actions.



Welcome to Parliament!

Getting here and talking to
MPs



We are the INSERT NAME OF COMMITTEE

We are a group of Members of Parliament (MPs) that find information on a problem we are interested in and find ways we can make it better.

We are looking into INSERT NAME OF INQUIRY

On this date: XXXXX

At this time: XXXXX

To this place: XXXXX INCLUDE EXACT LOCATION





Arriving



These are the doors you will go through to get into Parliament.



There may be a queue but you will have a letter that you can show to security that will let you in without queuing.



Security



Some Police Officers at Parliament carry guns. They carry these to keep everyone safe.

When you get here you will go through security. It is safe. All visitors must do this.

You will put your bag, belt and coat in a box. The box goes through a scanner.



Security



You will walk through a doorway which will scan you.

After the scanner you can collect all your things from the box.

When you're inside, INSERT NAME OF PERSON AND PHOTO will take you to a room where you can talk to MPs.



The room

The MPs will be sat around a table.

They will ask you questions about how you feel about **INSERT SHORT SIMPLE INQUIRY DESCRIPTION.**

There may be other people in the room too, they are there to help the MPs do their work.

The room might look like this.

If you have any questions, just ask.





Talking to the MPs

The MPs will say hello and will ask you questions about:

LIST EXACT QUESTIONS IF POSSIBLE

1

2

3





Talking to the MPs

You may want to talk with an adult to plan your answers before you come.

Take your time to answer the questions. If you want to stop at any time, let someone know.

The words you say will be written down and people will be able to read them on the internet.





Pictures of the MPs

INSERT PICTURES OF THE MEMBERS WITH THEIR NAMES



What happens next?

The Committee will use what you have said to help write a report. The report will have ideas on what can be done to make things better.



Appendix Three

NCB – Recommendations for receiving parliamentary evidence



NCB Young Research Advisors (YRA) consultation on upcoming All Party Parliamentary Group for Children (APPGC) evidence session

Saturday 30th September 2017

Intro

- Ten young people from aged 13 to 23 from across England participated in the consultation.
- These young people had a range of physical and mental health needs, as well as those without additional needs.
- The session started with a presentation on: the All Party Parliamentary Group for Children (APPGC); the No Good Options Inquiry; and inquiry evidence sessions in parliament.

The YRA's suggestions for issues that should be considered when asking questions of young people at an evidence session in Parliament

- Not to push too far
- Support the child or young person
- Don't probe too far into personal circumstances
- Only ask questions that young people can realistically answer
- Question should not be about blame, as this may make young people feel uncomfortable
- Be patient
- Give young people a chance to reflect on their experiences
- Structural format/ physical layout of the room is important
- Important to have a briefing and debriefing for the young people
- Let the young people see the room in advance and talk through what they will say
- Ask them afterwards how they felt
- Young need to be given the option to not answer questions. There needs to be an easy way of declining to answer questions
- There should be an advocate for young people – who is able to say if a young person is feeling uncomfortable
- A 'Who's Who' guide to the panel – should be part of the briefing
- Young people be able to provide written and verbal evidence. So if they young people don't feel comfortable speaking in public they can submit in writing
- Make sure every young person has a voice
- Questions can be hard to answer
- Ability to answer depends on the young person's experience and age
- Some questions are complicated to understand
- There needs to be support for young people who are not used to answering direct questions
- It would be good to have a young person on the panel asking questions to make the young people feel more comfortable.

Houses of Parliament

Safeguarding Children and Vulnerable Adults

Policy Statement

Safeguarding is everyone's business.

Within the Houses of Parliament, we take seriously our responsibility to safeguard and promote the welfare of children, young people and vulnerable adults, both during visits to the Parliamentary Estate, and when our staff engage with them in the community. We are committed to providing a safe environment and ensuring that we can confidently and competently fulfil our safeguarding responsibilities.

Introduction

Within the Houses of Parliament, we take seriously our responsibility to safeguard and promote the welfare of children, young people and vulnerable adults, both during visits to the Parliamentary Estate, and whenever our staff engage with people in the community. We are committed to providing a safe environment and ensuring that we can confidently and competently fulfil our safeguarding responsibilities.

Our management and governance arrangements are necessarily complex, but our line management structures are plain, robust and well understood, and good practice in relation to safeguarding cuts through any complexity, by making safeguarding a line management responsibility.

This document sets out Parliament's policy for Safeguarding Children and Vulnerable Adults including the responsibilities and arrangements for putting it into effect. The Policy should be read alongside the following:

- Combined Health and Safety Policy, July 2014.

Definitions:

'Safeguarding' means:

- The actions taken to promote the welfare of children and vulnerable adults and protect them from harm.

'Children' refers to:

- children up to the age of 18 years.

'Vulnerable adults' refers to:

- a person aged 18 years or over, who is in receipt of or may be in need of, support or care services by reason of learning or physical disability, age or illness and who may be unable to take care of him or herself, against exploitation or harm.

Policy Commitment

It is the policy of the responsible authorities as set out below to:

- Ensure that all adults who work for or on behalf of the Houses of Parliament including those adults who use the facilities provided on site, are clear about their responsibility to safeguard and promote the well-being of all children and vulnerable adults who visit the Parliamentary Estate, whenever and wherever they are in

a position to do so.

- Ensure that all adults who work for or on behalf of the Houses of Parliament and undertake work within the wider community outside the Parliamentary Estate are also clear about their responsibility to safeguard and promote the well-being of all children and vulnerable adults, whenever and wherever they are in a position to do so.
- Act in accordance with the relevant legislation and statutory guidance for the protection of children and vulnerable adults.
- Ensure that all working practices are regularly reviewed from a safeguarding perspective to ensure that the welfare and safety of children and vulnerable adults is not compromised.

The commitment to fulfill our safeguarding responsibilities will be achieved by:

- a) Establishing a Safeguarding Board.
- b) Identifying named Safeguarding Leads.
- c) Ensuring the Safeguarding Board has access, as required, to independent advice and guidance.
- d) Implementing clear procedures.
- e) Ensuring that adults are clear about expected codes of conduct where contact with children or vulnerable adults is concerned.
- f) Implementing an effective system for recording and management of information.
- g) Providing effective management, support or supervision, and training of staff in relation to safeguarding.

The safeguarding policy is supported by other organisational policies and procedures aimed at promoting safe and healthy working practices.

People and Their Responsibilities:

The policy places specific responsibilities on the following:

- *The Clerk of the Parliaments and the Clerk of the House*
- *The House of Lords Management Board and the House of Commons Executive Committee*
- *Directors (in the Commons and the Digital Service) and Heads of Office (in the Lords)*

- *Director of Parliamentary Procurement and Commercial Services*
- *Managers*
- *Safeguarding Lead(s)*
- *All staff,(especially those who have contact with children and/or vulnerable adults)*

The policy does not apply to Members of either House or their staff.

Safeguarding Arrangements

The effective management of identified or emerging risks to children or vulnerable adults requires a systematic approach and a strong supportive culture. The policy is underpinned by links to appropriate authorities with guidance & legislative frameworks to support its implementation.

Checking and Reviewing the Effectiveness of this Policy

The Clerk of the Parliaments and the Clerk of the House together with the Safeguarding Board need to be assured that this Safeguarding Policy remains fit for purpose, has been implemented, and is achieving the right level of response to identify, respond to and manage risks in practice.

Health and Wellbeing Service

This central advisory and support service is part of the Corporate Services Team (Commons) and their involvement with the Safeguarding Board will help ensure the implementation of the policy.

Appendix Five

Correspondence from the Children's Commissioner



Commissioner for Children and Young People
Western Australia

All enquiries

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Our reference: 30/5861

Hon. Dr Sally Talbot MLC
Chair, Joint Standing Committee on the Commissioner for Children and Young People
Parliament House
4 Harvest Terrace
WEST PERTH WA 6005

Dear Dr Talbot,

Voice of children and young people in parliamentary committee processes

Thank you for the opportunity to contribute to the Joint Standing Committee's consideration of appropriate ways in which the views of children and young people can be heard directly by parliamentary committees.

Article 12 of the United Nations Convention on the Rights of the Child states that children and young people who are capable of forming their own views have the right to express those views freely in all matters affecting them, with their views to be given due weight in accordance with their age and maturity. Empowering and supporting children and young people to participate directly in parliamentary committee proceedings would represent an important step by the Western Australian Parliament in its efforts to uphold the rights afforded to children under Article 12. I therefore strongly support the work the Joint Standing Committee is undertaking to facilitate such participation.

As requested in your correspondence of 10 September 2020, I have reviewed the House of Commons Guidance for Committees Taking Oral Evidence from Young People. I have done so with a particular eye to my own Participation Guidelines¹ and the *Equal Justice Bench Book* produced by the Supreme Court of Western Australia².

The House of Commons guidance contains well-reasoned protocols that broadly reflect the needs of children and young people. I therefore believe it to be an appropriate starting point for the development of more succinct, user-friendly guidelines to be applied by Western Australian parliamentary committees. In tailoring the House of Commons guidance for a Western

¹ Available at <https://www.ccyp.wa.gov.au/media/1479/report-participation-guidelines-october-2009.pdf>

² Available at <https://www.supremecourt.wa.gov.au/equaljustice/>

Australian context, I would recommend considering the following elements with regard to content and design:

- Ensure children and young people from a range of backgrounds and circumstances are involved in the development of equivalent Western Australian guidance and materials.
- Ensure that any guidelines and supporting materials provided to children and young people, their families and carers is available in a form that is able to be understood by users and is suitable for people from a range of cultural backgrounds.
- Provide that hearings in which children and young people act as witnesses are to be held in an informal setting with restrictions placed on the number of non-essential personnel allowed in the room. Committee members should be encouraged to dress less formally and sit amongst the children and young people appearing before them. This will reduce the risk of a child or young person being unable to effectively participate as a result of feeling intimidated or overwhelmed.
- Provide for mechanisms through which a child or young person can give oral evidence without having to appear before the committee. For example, via video link where the committee's questions can be conveyed by an appropriate support person. Again, this will reduce the risk of a child feeling intimidated or overwhelmed.
- Allow for children and young people to give unsworn testimony before committees.
- Ensure the privacy of children and young people is respected by restricting the availability of video recordings to committee members and support staff. As in the House of Common's guidance, Hansard transcripts and reports should not contain the full name, or any other identifying details, of a child or young person appearing as a witness.
- Establish a clear set of rules that committee members must follow in hearings that involve children and young people, with the committee chairperson responsible for ensuring they are upheld.

I would welcome the opportunity to contribute to the Joint Standing Committee's work in this area as it progresses. Please feel free to contact me should you believe my office can be of further assistance in drafting the guidance framework.

Yours sincerely



COLIN PETTIT

Commissioner for Children and Young People WA

21 September 2020



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