

# RESPECT, INVOLVE, ACCEPT

Child participation in  
the Republic of Croatia  
– situation analysis

This is both a scholarly and practical text, and the style of writing adapts to the topic – the text is scholarly when it gives an overview of a topic or research results, but when it describes phenomena, examples of practice, and the like, then it reads as a text based on professional experience. The paper tackles the topic of child participation, which is analysed from various perspectives, taking into account the fact that it concerns very different aspects of children's lives, from legislation, research, and, especially, the teaching of the rights of children and participatory rights, to the analysis of good practice in the area of child participation.

The study is particularly valuable in terms of its approach to the topic – the problem of child participation in the Republic of Croatia is approached in a special, methodologically and scientifically based way – the topic itself becomes a method, because, in their analysis, the authors apply the principle of participation of both adults who work with children professionally, and children, who added special value to the process of analysis and the conclusions on the findings. Although in the chapter on conclusions and recommendations the authors claim that this analysis (only) documents the existence of some indicators of child participation, and that they cannot comment on their quality or implementation, this study is very important for Croatia for several reasons. The issue of child participation is analysed from various aspects, from legislation to practice, and the study identifies crucial strengths (legislation) and weaknesses (implementation), which clarifies the conditions in which children in Croatia live in terms of participation and in the respect of children's rights. This opens the way for concrete improvements and, of course, for future research on a range of segments covered in this study.

Written in simple and easily understandable language, while at the same time displaying expertise and being scientifically founded, this study can be of use to anyone who is either working with children directly, or developing child-related policies and everyday practice in different ways, from university students and staff in education, healthcare, social welfare or justice systems, to advocates of children's rights, media experts and the widest general public.

Associate Professor Ivanka Stričević, PhD

Since researchers dealing with children's rights in Croatia have not so far focused their scientific interest on this topic, this study represents a first in the analysis of the state of child participation in Croatia. The authors warn of the need to deal with this topic, they present the reader with the real state of child participation in various systems, they raise a number of issues, and pose new challenges to academics, experts, decision makers, and those who work with children in practice. More specifically, this study will satisfy the professional interest and curiosity of a wide range of experts who work with children – from scientists to university teachers, kindergarten and school teachers, experts in the systems of social welfare, healthcare and the judiciary, representatives of associations, and local, regional and public administration.

The authors of this study are scientists who have systematically and thoroughly researched the contexts of the exercise of children's participatory rights, proving by their approach that participation is not only their academic interest, but also their personal and professional philosophy and part of their world view which they build into their research, teaching and advocacy. The philosophy and the intention behind this study can and should be an impetus to readers to initiate positive change in their field of work. There is no need to wait – the authors' recommendations are systematic, concise and clear, and one could say – participatory. The only thing that remains is – active participation!

Arijana Mataga Tintor, PhD

# **RESPECT, INVOLVE, ACCEPT**

Child participation in the  
Republic of Croatia – situation analysis



The UNICEF Office for Croatia would like to thank all individuals and businesses for their donations which have supported UNICEF activities and programmes for the most vulnerable groups of children and young people, and made this publication and the study that preceded it possible.

---

#### Publisher

UNICEF Office for Croatia

#### Executive editors

Ivana Jeđud Borić  
Anja Miroslavljević  
Marijana Šalinović

#### Authors

Ivana Jeđud Borić  
Anja Miroslavljević  
Nivex Koller-Trbović  
Ana Širanović  
Sandra Car  
Barbara Kušević

#### Reviewers

Arijana Mataga Tintor  
Ivanka Stričević

#### Proofreading of the Croatian text

Ankica Tomić

#### Translation into English

Davies d.o.o., Zagreb

#### Graphic Design

Dijana Kasavica

---

All rights reserved.

When quoting and using material from this publication, please cite the source.

The views expressed in this publication do not necessarily reflect the official views of UNICEF.

ISBN 978-953-7702-38-0

# CONTENT

<b>1. INTRODUCTION .....</b>	<b>8</b>
<b>2. CHILD PARTICIPATION – DEFINITION AND MODELS .....</b>	<b>10</b>
2.1. Definition and understanding of child participation .....	10
2.2. Models of child participation .....	14
<b>3. LEGISLATION AND STRATEGIC DOCUMENTS ON CHILD PARTICIPATION .....</b>	<b>20</b>
3.1. Child participation in the context of international strategies and documents.....	20
3.2. Definitions of the term “child” in Croatian legislation .....	22
3.3. Rationale and criteria for the analysis .....	24
3.4. National strategies for children and young people .....	26
3.5. Child participation in the education system.....	29
3.6. Child participation in the healthcare system.....	34
3.7. Child participation in the justice system .....	35
3.8. Child participation in the social welfare system .....	38
3.9. Conclusions of the analysis of legislation and strategic documents .....	43
<b>4. RESEARCH IN THE AREA OF CHILD PARTICIPATION .....</b>	<b>46</b>
4.1. Children as research participants .....	46
4.2. Rationale and criteria for the analysis .....	47
4.3. Research which promotes the idea of child participation .....	48
4.4. Child participation through the research of children’s perspective.....	50
4.5. Child participation in research in terms of vulnerability .....	52
4.6. Child participation in research in terms of different environments .....	54
4.7. Child participation in research in a time continuum .....	55
4.8. Child participation in research in terms of research methods.....	56
4.9. Child participation in research through the prism of ethical questions.....	57
4.10. Conclusions in the area of child participation research .....	57
<b>5. TEACHING CHILD PARTICIPATION IN THE FRAMEWORK OF UNIVERSITY STUDY PROGRAMMES .....</b>	<b>60</b>
5.1. Implementation of participation as a value through adult education .....	60
5.2. Rationale and criteria for the analysis .....	61
5.3. Quantitative indicators of the analysed studies .....	62

5.4. Course leaders, the status and the content of the analysed subjects.....	64
5.5. Conclusions of the analysis of teaching child participation within the framework of study programmes .....	65
<b>6. PRESENTATION OF EXAMPLES OF PRACTICES OF CHILD PARTICIPATION.....</b>	<b>68</b>
6.1. The Network of Youth Advisors to the Ombudsperson for Children .....	69
6.2. The Society Our Children Opatija – Opatija Children’s City Council .....	73
6.3. Dječja igra [Child’s Play] Kindergarten .....	76
6.4. Špansko Oranice Primary School, Zagreb.....	80
6.5. The Igra [Play] Association .....	85
6.6. Mali dom [Little Home] – day centre for the rehabilitation of children and youth .....	88
6.7. The Firefly Association.....	91
<b>7. THE PARTICIPATION OF CHILDREN FROM VULNERABLE GROUPS.....</b>	<b>94</b>
7.1. Roma children.....	95
7.2. Children in out-of-home care .....	95
7.3. Children with developmental disabilities.....	96
7.4. Children in the healthcare system – children with illnesses.....	98
7.5. Children in the justice system.....	100
7.6. Challenges in terms of the participation of children from vulnerable groups .....	102
<b>8. CONCLUSIONS AND RECOMMENDATIONS.....</b>	<b>104</b>
8.1. General recommendations .....	108
8.2. Recommendations in terms of legislation and policies .....	111
8.3. Recommendations in terms of research .....	112
8.4. Recommendations in terms of teaching child participation in the system of higher education .....	114
8.5. Recommendations in terms of examples of good practice of child participation .....	116
8.6. The child participation experts’ perspective and feedback on the recommendations .....	117
<b>9. THE PERSPECTIVE OF THE MEMBERS OF THE NETWORK OF YOUNG ADVISORS TO THE OMBUDSPERSON FOR CHILDREN.....</b>	<b>120</b>
<b>10. REFERENCES.....</b>	<b>124</b>

***Individuals participate,  
systems develop, communities change.***

According to Checkoway (2011)

IVANA JEĐUD BORIĆ

# 1. INTRODUCTION<sup>1,2</sup>

In the last ten years, Croatia's "adult" public has become increasingly aware of the importance of the participation of children in various areas of their lives. Adults who deal with children in a professional capacity (experts, scientists, decision makers) are increasingly recognising the importance and value of child participation. In principle, we can say that the call for greater child participation came mainly from academic circles<sup>3</sup> through research and theoretical work, and then it was soon recognised also in professional work, and expert and public policies (legislation, documents). Today, children are increasingly more actively involved in the development of public policies (two children were part of a working group for the development of the Strategy for Children), as well as in the work of public bodies which deal with issues that are important to them (in 2012, children were involved in the Children's Council as equal members). However, it must be said that at the moment there are no formal indicators of the way children participate in public bodies and policy-making, especially not from their own perspective. Currently, we do not know how children take part in these bodies, or how they perceive their role, etc.

Since 1999, which can be taken as the starting point – a year after the adoption of the Convention on the Rights of the Child – several studies on children's rights have been conducted, including research on the right to participate (Žižak and Koller-Trbović, 1999; Žižak, Nikolić, Koller-Trbović, 2001; Žižak, Vizek Vidović, 2004; Koller-Trbović and Žižak, 2005; Miharija and Kuridža, 2011, Brajša Žganec et al., 2012; Koller-Trbović, Jeđud Borić and Žižak, 2012, Žižak et al., 2012). Data from 1999 (Žižak and Koller-Trbović) have shown that children mostly think that adults do not listen to them, and that they have no opportunities to express their opinion. Later research has shown that there has been no significant improvement: the survey of opinions and attitudes of children in Croatia (Miharija and Kuridža, 2011) has shown that children are able to participate in their own families, but they participate very little in their local communities. Children claimed that adults neither consult them nor involve them in the decision-making process. Apart from research papers, several theoretical papers have been published in Croatia which deal with child participation, but also with the views on children and childhood (e.g. Pećnik, 2008, Markovinović, 2010, Kušević, 2010, Jeđud, 2011, Koller-Trbović, 2012, Babić, 2014). What is missing in research and theoretical work is more comprehensive studies and analyses of child participation, especially regarding specific groups of children (children in out-of-home care, Roma children, children with disabilities, children-patients, and others).

In line with this, there is a need for a deeper and more comprehensive insight into and analysis of child participation in Croatia in terms of the following: the legal

<sup>1</sup> The analysis was conducted between July and December 2015, with the exception of the consultations with the young advisors to the Ombudsperson for Children, which were conducted in April 2016.

<sup>2</sup> In the text, the female and male gender is used interchangeably, except when it is necessary to state the actual gender of the person which the sentence refers to.

<sup>3</sup> This refers to publicly recorded initiatives. There are certainly other examples of good practice of encouraging child participation, but they have not been formally recorded.

framework for child participation, research of child participation, the teaching of child participation, and sharing good practice related to child participation. With regard to this, a research team of five scientists from the Faculty of Education and Rehabilitation Sciences (the study programme of social pedagogy) and the Faculty of Humanities and Social Sciences (Department of Pedagogy), in cooperation with the UNICEF Office for Croatia, conducted an analysis of the state of child participation in Croatia in 2015. Special attention was given to the participation of children from “vulnerable groups”, who are more at risk of non-participation or lesser participation due to their special traits and living conditions which make their participation harder.

The intention is that the insights gained in this study become the basis for subsequent research on child participation, the development of policies and the advocacy of child participation, as well as for the development of methods for working directly with children on the realisation of their rights to participate, especially when it comes to children from vulnerable groups.

As its reference point, the study takes the *National Strategy on the Rights of Children between 20014 and 2020*, which recognises and defines child participation both as a separate strategic goal, and as a specific measure in the framework of all strategic goals. In addition, there are two international documents which serve as the starting point of the study: the Convention on the Rights of the Child (especially the articles referring to the rights to participation), and the Council of Europe Strategy for the Rights of the Child 2012-2015 (the strategic goal which refers to the promotion of child participation).

In order to achieve the aims of the study and gain deep insight into this field, the researchers used the qualitative research approach: the desk analysis method (analysis of existing materials, documents, practices), consultation with relevant experts, and field visits. The qualitative approach is usually used in the social sciences when the aim is to achieve deeper understanding of a certain phenomenon about which there is not enough information, and which is not well understood.

The findings of the analysis are presented in accordance with the research aims and substantiated by notes made in consultation with relevant experts in the field of child participation. In line with the topic of this analysis (child participation) we have tried to make the analysis and the conclusions as participatory as possible by involving both adults (the experts) and children. In this sense, the contribution of the Network of Young Advisors of the Ombudsperson for Children is particularly valuable, and it will be presented in a separate chapter.

IVANA JEĐUD BORIĆ

## 2. CHILD PARTICIPATION – DEFINITION AND MODELS

### 2.1. Definition and understanding of child participation

Today, child participation has become a topic which is extensively discussed, it is often emphasised as a norm in various documents and procedures, it is being written about (although not in our practice), and yet there is still so much confusion about it, so many different understandings of it, and it is so often viewed from the adult perspective. The very term *(child) participation* is interpreted in various ways

– some understand it as involvement/ inclusion (especially when it comes to children from socially vulnerable groups); some view it through the discourse of *children's voices* and the children's perspective (in terms of research); some see it as children participating, in a broad sense, in everything that relates to them (family, school, community, the media); some understand it as involving children in decision making, but also as children's independent decision making; others understand it as listening to what children have to say and respecting their right to express their opinions. This continuum of the understanding of child

**I think that the rights of the child are mentioned only declaratively, on the occasion of some anniversaries, but these rights are not sufficiently exercised – I am not saying that they are not exercised at all, but they are not exercised enough. And these rights are a powerful thing! And children are powerful, too.**

*Nikica Sečen and Hana Rižovski Delogu, Centre for Community-based Services Izvor, Selce; consultation notes*<sup>4</sup>

participation represents a range of different opinions on what child participation is, but sometimes it seems that participation is being unnecessarily limited to two opposing views: absolute non-participation (children do not participate, are not involved in anything, adults represent them) versus absolute participation (which means that children make independent decisions without the support or involvement of adults). These views are the extremes of the continuum, and such a simplified understanding of child participation is a reflection of the basic misconception of (or the lack of will to fully understand) the rights of the child and the need to respect children, which then prevents adults (and consequently children) from exercising the children's right to participate. Viewing child participation through the prism of only two extreme positions could be dangerous as it could provide adults with an excuse and an argument for the claim that participation is "impossible" to put into practice. It seems that these misconceptions, or the lack of active consideration

<sup>4</sup> In this study, we consulted various professionals who deal with child participation through practical work, research, education, and creating legislation and policies. The analysis and some of the conclusions and recommendations are substantiated by notes made in consultation with these professionals.

of what child participation is and could be, diminishes and impedes the everyday practice of working with children, and reinforces the very familiar distribution of power in relationships between children and adults. Therefore, Ray (2010) views participation as a strategy for transforming the relationship between adults and children, while Percy-Smith and Thomas (2010) emphasise the negotiation of power and relationships between children and adults. They consider the contribution of adults to be key for child participation, as adults should ensure the environment in which children can develop their ways of expression and participation. In this way, the focus is on the relationships between adults and children, or rather on the encouragement of adults to consider their role in terms of being facilitators and representatives, rather than controllers. With regard to the changes in the roles and positions of power, the question is raised of what children, as such, are, as is the question of the construction and understanding of childhood. The understanding of child participation is also closely connected to the dominant understanding of the child and childhood. In this sense, Prout and James (1997, according to Babić, 214) differentiate between traditional and contemporary views of children and childhood: the traditional view of the child in terms of immaturity, incompleteness, incompetence, and of childhood in terms of being a preparatory phase for maturity (*children as beings in the making*), and the contemporary view of the child as a competent creator and interpreter of their world, and childhood as a social construct (*children as beings in existence*). Childhood as a social category differs here from biological immaturity, and is not considered as a natural or universal characteristic, but as a structural and cultural category. This is connected to other variables, such as gender and ethnicity, which results in differences in childhood. In the contemporary understanding of the child and childhood, there are (accepted) views that children have experience and knowledge which are unique and different (Ajduković, 2003). Nevertheless, the perspectives and experiences of children are insufficiently represented in the models and understanding of social phenomena (Mishna, Antle and Regehr, 2004), and very often decisions related to children are based on information provided about them by adults, which can be incomplete at best, as adults cannot think, feel or perceive life the way children do (Stephenson, Gourley and Miles, 2004).

It is important to bear in mind that children are not as skilled and as informed as adults, so the extent to which a child would actively participate depends greatly on the quality of the balance between the adult's need to protect the child, and the stimulation and encouragement the adult provides to the child in their developmental challenges (Pećnik, 2008). In this sense, Markovinović (2010) talks about the so-called post-Convention view of the child as an active being, capable of participating in their environment and taking responsibility for their behaviour. The participatory rights of children are seen as the realisation of the paradigm of responsibility (respecting the child as an active stakeholder), in contrast to the paradigm of obedience (viewing the child as an object) (Kušević, 2010).

Žižak et al. (2012) claim that the presence of the children's perspective in everything related to them is a civilisational axiom, and we can say that nowadays we should no longer ask ourselves if we should or want to hear the children's perspective, but instead we should be tackling the ways in which we should respect and bring to life this perspective, or the children's voice (as it is usually referred to in literature). In this sense, the role of adults is to teach children to express their opinions (which often means that we first have to learn this ourselves). In other words, the role of adults is shifting from children's protectors and representatives to the role of respecting partners. The term "respecting partners" refers to the awareness and readiness of adults to accept the children's perspective as it is and in its entirety, without limiting it by the tokenistic and decorative approach (Hart, 1992). To respect the children's

perspective means to respect their decision on whether, when and how they want to express their perspective.

With regard to the understanding of the term “participation”, Lansdown (2010) claims that in the wider context this term refers to social engagement, but when it comes to the rights of the child, this term has become a “shortcut” to the rights contained in Article 12 of the Convention on the Rights of the Child. Babić (2014) understands participation more widely in relation to the whole Convention on the Rights of the Child, as an umbrella term for children’s voice, child well-being and active citizenship.

The Convention on the Rights of the Child (1989) is the mandatory starting point for the definition of child participation, so Opačak (2010) states that the group of rights prescribed in Articles 12 to 17 belongs to so-called participatory rights, which make up the source of the children’s right to participation, and the framework for its realisation. Article 12 of the Convention states that:

1. *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.*
2. *For this purpose, the child shall in particular be provided the opportunity to be heard in any judicial and administrative proceedings affecting the child, either directly, or through a representative or an appropriate body, in a manner consistent with the procedural rules of national law.*

The UN’s Committee on the Rights of the Child in their General Comment of Article 12 of the Convention on the Rights of the Child (2009) defines participation as a *“widespread practice which appeared in recent years, and which has been broadly conceptualised as participation, although the term itself is not used in Article 12. The expression has evolved and is now widely used to describe a continuous process which involves the sharing of information and dialogue between children and adults based on mutual trust, in which children can learn how their views and the views of adults are both taken into account and form the outcome of this process”*.

Verhellen (1998, according to Koller-Trbović, 2005) sees child participation as the most revolutionary part of the Convention on the Rights of the Child because it recognises the right of the child to express their views and to be a partner to adults in decision making. He holds that the promotion of child participation is important for both the children and the functioning of the whole society in a democratic way. Participation is considered to provide children and young people with an opportunity to say what is important to them, and that in this way they become the “owners” of the decisions being made about their lives. Participation increases confidence and skills, and empowers children and young people. On the other hand, it enables adults to take into account and to respect the opinions of children and young people.

With regard to the definition of participation, Davey, Burke and Shaw (2010) claim that participation does not have a single, unique and immutable meaning or definition on which there is general consensus. As Žižak points out (2005), participation brings with it very different understandings by both adults and children. Authors define and write about participation in various ways. Whitmore (2001) talks about participation as an attitude of the expert (in contrast to viewing participation as a method), Zaviršek and Videmšek (2009) talk about “the ethics of participation”, Verhellen (1998, according to Koller-Trbović, 2005) and Žižak (2005)

claim that participation is an elementary part of the rights of the child, while Koller-Trbović (2005) considers participation to be the prerequisite of any direct work with beneficiaries.

Liebel and Sadi (2010) claim that part of the problem of defining participation lies in the fact that the starting point is the English term “*participation*” for which simplified semantic equivalents are sought in other languages. Instead, the authors recommend focusing on the everyday life of children and working with children, as well as understanding participation in the social and cultural environment. In connection to this, they claim that in western countries participation mainly means expressing views and taking part in decision making, and in many other countries it has a wider meaning relating to an active contribution to the family or the community. They conclude by claiming that child participation should be more than “speaking and being heard”, and that it should move toward active involvement in societal processes. A wider definition of participation in the sense of various forms of being, participating, relating, decision making and active involvement in everyday life can bring about more meaningful forms of participation (Percy-Smith and Thomas, 2010). In this regard, in recent literature on child (but also citizen) participation, we often find the term “meaningful” participation (and the demand for it). Children are active members of society and active involvement and participation becomes a key concept, not just the possibility of expressing opinions and having the right to be heard. Thus, Percy-Smith and Thomas (2010) claim that it is necessary to look beyond Article 12 in two ways of thinking (and acting). The first is to enable children to have a bigger role in democratic decision making at all levels and in all areas, not just in those which directly concern them. The second is to focus more clearly on how the rights of the child, and equality and justice for the child can be brought about through their active participation in the everyday life of the community. The authors advocate, among other things, the development of a culturally appropriate understanding of the human rights of the child and their engagement, which can contribute to the regulation and the framework of the policies which will support and enable the putting into practice of the rights of the child in active citizenship in all spheres of everyday life.

Although the idea of child participation and taking into account their perspective is represented relatively well in professional and academic papers and discussions, Badham (2004, according to Bessell 2011) talks about the discrepancy between the idea of participation and its real application in practice, and claims that there is a “flow” of rhetoric about participation, and an “ebb” of the practical application and influence on improvements in child services.

The results of a British survey (Davey, Burke and Shaw, 2010), in which children were asked about the importance of participation, showed that children have a unique perspective which belongs to “another (different) generation”, and therefore think that they can contribute in a new and unique way. Furthermore, it was shown that children were far more creative in their approach to problem solving and that their opinion represents a valuable resource, helping adults to think “outside the box”. One of the conclusions referred to the fact that children make up a large part of the community, and that therefore they should have a role in decision making.

**By improving child participation we improve the awareness of adults, the conditions in society, respect for human rights, and we educate active citizens. There is no clear-cut separation of one group, this is a networked process. Children learn from adults, adults live with children.**

*Ivana Milas Klarić, PhD, Ombudsperson for Children, consultation notes*

Child participation is not only good for children, it is also a shift in thinking of how child participation can improve not only their lives, but also contribute to a healthier and more democratic society. Therefore, it is not unusual that, especially in developed western countries, child participation is being promoted as an important strategic goal in national documents on children, and some countries are even developing separate national (and local) strategies for the encouragement of child participation (e.g. Great Britain and Ireland). The current challenge to EU countries is the development of appropriate mechanisms for monitoring and evaluating of child participation (Day et al., 2015). An example of this is the Welsh national standards on child participation, which were developed in cooperation with children and young people (O’Kane, 2007). The standards are intended for institutions, but they are written in simple language with a very concrete focus, and are suitable for children in style and content.

## 2.2. Models of child participation

In literature there are several models of child participation which were developed by various authors, such as: Hart (1992), Treseder (1997, according to [http://kids.nsw.gov.au/uploads/documents/tps\\_resources.pdf](http://kids.nsw.gov.au/uploads/documents/tps_resources.pdf)), Scheir (2001, according to Franklin and Sloper, 2005), Lardner (2001), Kirby et al. (2003, according to Franklin and Sloper, 2005), Stephenson, Gourley and Miles (2004), Lansdown (2010). The models can basically be divided into **hierarchical** (Hart, 1992; Shier 2001; Stephenson, Gourley and Miles, 2004; Lansdown, 2010), and **non-hierarchical** (Lardner, 2001; Kirby et al., 2003 according to Franklin and Sloper, 2005) models. It is important to note that in this work we will cover some of the better known models, but in recent literature we encounter 33 models of participation, which are in their core very similar to some of the models covered here (more on this can be found in *Participation Models: Citizens, Youth, Online – A Chase Through the Maze*, 2012).

### HIERARCHICAL MODELS OF PARTICIPATION

The best known model is probably Hart’s (1992) model of “participation ladder”. Hart’s model represents an adjustment of the model of citizen participation by Sherry Arnstein. The model is represented as a ladder and views participation as a progression (system) from the lower to the upper rungs. Climbing the rungs represents the gradual transition of the balance of power in favour of children.

We will now compare Hart’s model to the model devised by Stephenson, Gourley and Miles (2004), which in fact represents a kind of a derivative of Hart’s model.

On the bottom of the model (the ladder) there are three types of child involvement which are not considered participatory and are therefore not desirable. Stephenson, Gourley and Miles (2004) call these the **level of coercion, or actions on children**. They are *manipulation* (children and young people do not understand what a project or a study is about or what its aim is); *decoration* (adults ask the children to get involved by singing, acting, etc.); *tokenism* (children appear to be allowed to participate, but in fact they have very little influence on the content and style of what is being communicated). The fourth rung of the ladder is called the **level of information, or actions for children**. This is the level of so-called *prescribed participation with adequate provision of information* where children are informed about the project they are involved in, but the decisions on the project are made by adults. At the next level the children are consulted and informed, although the adults are the ones

who create the project, but with the contribution and consent of the children. The authors call this the **consultative level, or actions with children and with the help of children**. The sixth rung refers to projects which are initiated by adults, but decisions are made jointly, which means that children are involved in the process of planning and implementation, as well as in the process of decision making. The seventh rung is the level at which children initiate and manage, and adults are present as support, but decisions are made jointly. The authors call the seventh rung the **level of collaboration and partnership, or actions with children**. At the top of the ladder there are projects which are initiated by the children themselves and in which decisions are made jointly. Children initiate, design and manage the project, while adults are present as advisors whose opinions will be considered by children, but it will not be imposed. This level is called the **level at which children take over the lead role, or actions by children**.

The model of child participation suggested by Shier (according to Franklin and Sloper, 2005), called “pathways to participation”, also represents an adaptation of Hart’s ladder model, and its intended use is to help experts determine their current position and identify the necessary steps to increase child participation. The model is based on five levels of participation, each of which has three phases, called Openings, Opportunities and Obligations. The levels are as follows: (1) children are being listened to; (2) children are supported in expressing their views; (3) children’s views are taken into account; (4) children are involved in decision-making processes; and (5) children share power and responsibility for decision making with adults. The author states that the first three levels are the minimum which should be achieved if you want to act in accordance with the Convention on the Rights of the Child.

Participation described by these models can be additionally illustrated by three general levels as described by Lansdown (2010).

- **Consultative participation** – adults seek the opinions of children to build knowledge and understanding of children’s life and experience. Adults recognise that children have the expertise and perspective necessary for decision making (e.g. child participation in research, in the planning of interventions, in the development of policies, as witnesses in criminal proceedings, and the like).
- **Cooperative participation** – provides the opportunity of active engagement in the early phases of certain activity. Children may be involved in the development or planning of a project, research, peer consultation, they can be representatives in bodies of public administration, etc. At this level children have the opportunity for joint decision making with adults, and the opportunity to influence the process and the outcomes of a certain activity.
- **Child-led participation** – takes place when children are provided with an environment and the opportunity to identify the issues that worry them, initiate action and represent themselves. Children can initiate action individually (e.g. choosing a school), or as a group (creating policies, raising public awareness). The role of adults is to be the facilitators who will enable children to achieve their goals, and provide information, advice and support.

Lansdown (2010) states that all three forms are acceptable in different contexts, and that initiatives which begin as consultative ones can lead to children taking more power, control and initiative, and to the development of skills and increased confidence.

What follows is a graphic representation of the four hierarchical models of participation (Hart, 1992; Stephenson, Gourley and Miles, 2004; Shier, 2001, according to Franklin and Sloper, 2005; and Lansdown, 2010 – Figure 1).

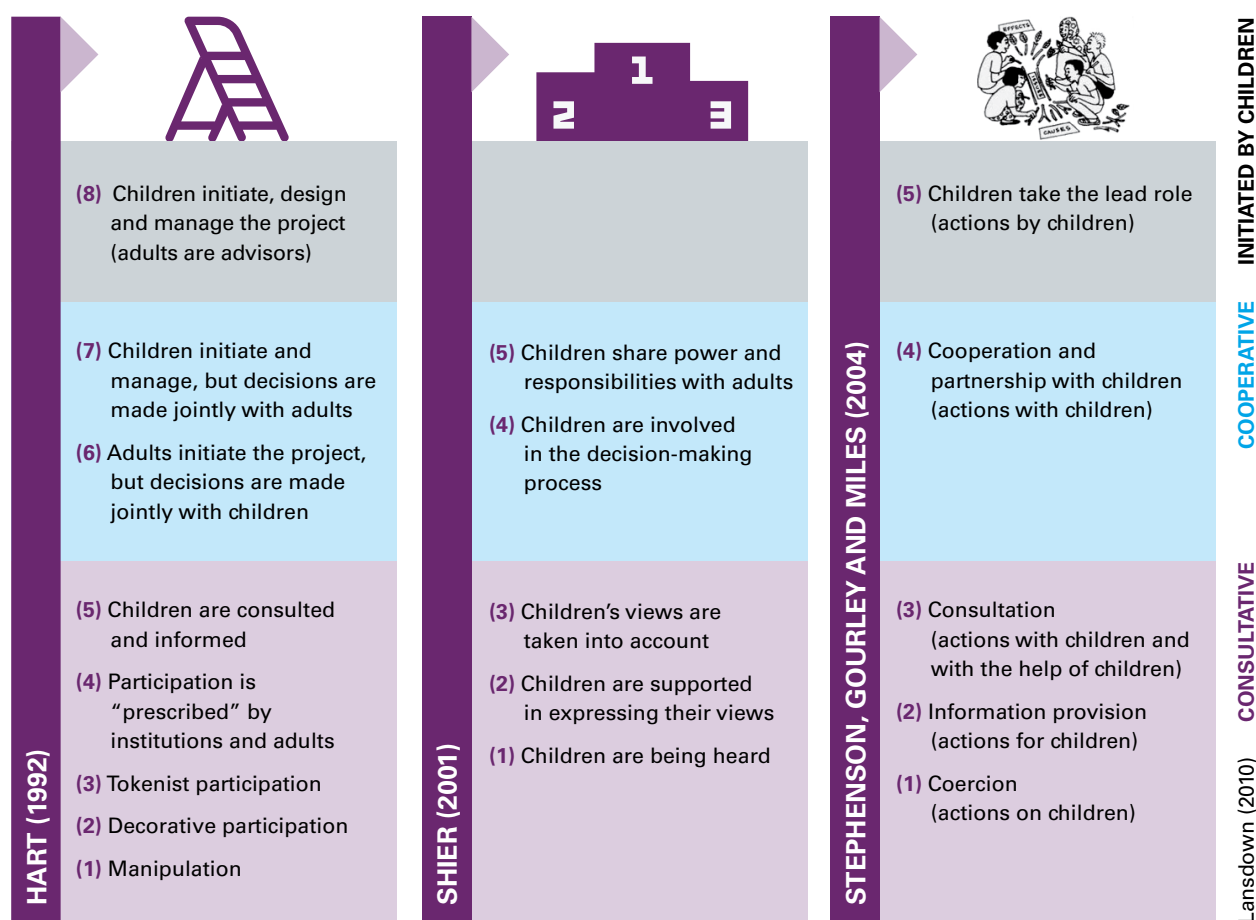


FIGURE 1: GRAPHIC REPRESENTATION OF THE PARTICIPATION MODELS ACCORDING TO HART (1992), SHIER (2001), STEPHENSON, GOURLEY AND MILES (2004), AND LANSDOWN (2010).

## NON-HIERARCHICAL MODELS OF PARTICIPATION

Models proposed by Lardener, Kirby et al. are non-hierarchical; their premise is that no form of participation can be superior to another (Franklin and Sloper, 2005).

Lardner (2001) uses a grid instead of a ladder in her model as she claims that the ladder model implies that it is best to strive for the higher levels of participation. The author states that different models of participation are suited to different situations, and that whether something is initiated and managed by children or adults depends on the given situation.

This author's model of participation consists of six dimensions which represent a continuum in terms of who is in the position of power: adults or children. The elements of the model are as follows: **initiative** – who is it coming from; **agenda** (content) – who decides on the way of working; **decision making** – who makes decisions about how to proceed; **information** – who has the information necessary for decision making; **implementation** – who carries out the decisions; **the structure of participation** – how formal or informal is the participation, to what extent does it reflect the way adults do things? Graham, Whelan and Fitzgerald (2006) claim that this model implicitly acknowledges the nuances related to the position of power and the layered relationships which exist in the process of participation.

The model proposed by Kirby et al. (2003, according to Franklin and Sloper, 2005) assumes that the form of participation is determined on the basis of the

circumstances and the potentials of the children involved. In this sense, participation is viewed as a process, and not as an isolated activity or event.

Participation should be based on the agreed values and principles of inclusion, and, as such, represents more than a symbolic gesture in the development of (co)operative relationships (Bornarova, 2009). It is very important for participation to be (much) more than just a symbolic gesture when it comes to children and young people. Authors who analyse child participation often emphasise the need for participation to be significant and meaningful for the child (Stephenson, Gourley and Miles, 2004; Steinitz, 2009).

Therefore, in their document on the research of the abuse of children, the *Save the Children* organisation (2003) points out that child participation should be characterised by transparent and clear ethical principles, ensuring the safety of children, it should be non-discriminatory and friendly towards children, enabling them to express their views, opinions and ideas in accordance with their abilities. To achieve meaningful child participation, it is necessary, as Stephenson, Gourley and Miles (2004) claim, for both adults and children to be emotionally and socially prepared. When children are given an opportunity to participate, the common cultural beliefs and expectations of the role of the child are being questioned. The authors talk about the so-called *wheel of participation* which helps ensure that child participation is effective and meaningful. The model of the wheel consists of three “spokes” (principles) which need to be balanced accurately in order for the wheel to turn smoothly: *opportunity, responsibility, and support*. In the centre of the wheel is *respect*. If any of these principles is not observed, the process of participation will be slowed down and will become unbalanced, just as a broken spoke or a flat tyre will slow down a bicycle ride. When children are given respect, an opportunity to participate, responsibility and support, then they can truly and fully participate.

It seems important also to mention that it is hard, and perhaps even completely unjustified, to talk about a model of participation whose steps and procedures have been “prescribed and described” in advance. Bearing in mind the individual particularities, competences, and potentials of every child, as well as their free will to decide whether, when and how they want to participate, it seems more justified to talk about “an individual continuum” (Žižak, 2010) of participation, where every child independently determines to what extent they want to participate. In this sense, we are in fact talking about a continuous process of assessment, negotiation and agreement between the expert/researcher and the individual child.

In the context of child participation in the school environment, Fielding (2001) poses several key questions/challenges applicable to wider contexts, which cut to the heart of meaningful participation (Table 1).

**Children need adults who are interested, they do not need to be led, they do not need knowledge. Everyone has the potential for action, creation and cooperation, and the key thing is how not to demotivate them. Adults are important, not to dominate, but to be there, so that children can ask what they want to know. In contemporary education, adults want to impose themselves, and children find that boring, so they feel superfluous.**

*Assistant Professor Branko Bognar, PhD, Faculty of Education, Osijek, consultation notes*

**Children accept participation easily if they live in such conditions in which their rights can be exercised.**

*Professor Edita Slunjski, PhD, Faculty of Humanities and Social Sciences, Zagreb, consultation notes*

**TABLE 1:** KEY QUESTIONS IN THE CONTEXT OF CHILD PARTICIPATION (MODIFIED ACCORDING TO FIELDING, 2001)

QUESTION	FRAMEWORK
<b><i>Who participates (who is enabled/allowed to participate)?</i></b>	Are all children really enabled to participate, in accordance with their particularities and abilities? What about children with disabilities, children of ethnic minorities, children with poorer school performance, etc?
<b><i>Who listens (decides)?</i></b>	Are the adults who are listening the ones who can really make decisions and support the children? In what way are they listening – is child participation seen more as decorative (prescribed) participation, consultative or cooperative participation?
<b><i>What are the necessary skills for participation?</i></b>	The skills necessary for participation (and developed through participation) are considered to be various social skills and competences of both children and adults. In adults, these are the skills of working directly with children in a cooperative way. Apart from skills, a certain level of knowledge and information about the rights of the child and participation rights is required.
<b><i>What are the organisational prerequisites for meaningful participation? What physical and metaphorical spaces are required?</i></b>	In order for active participation to be meaningful, time and space are required. Above all, participation is a learning and creative process which allows everyone involved to develop and learn at their own pace. The question remains whether there is room for participation in families, schools and communities, considering the pace of today's childhood (and life) in western cultures.

With regard to the questions posed by Fielding (2001), the National Strategy on the Rights of Children in the Republic of Croatia is based on the assumptions that “the child is the holder of rights, that it is necessary to inform them of their rights, and that the child is capable of exercising their rights in accordance with their developmental potential”. Additionally, the strategy states that child participation “assumes that adults provide active support to children in expressing their views, and that the conditions for enabling them to express their views are ensured”.

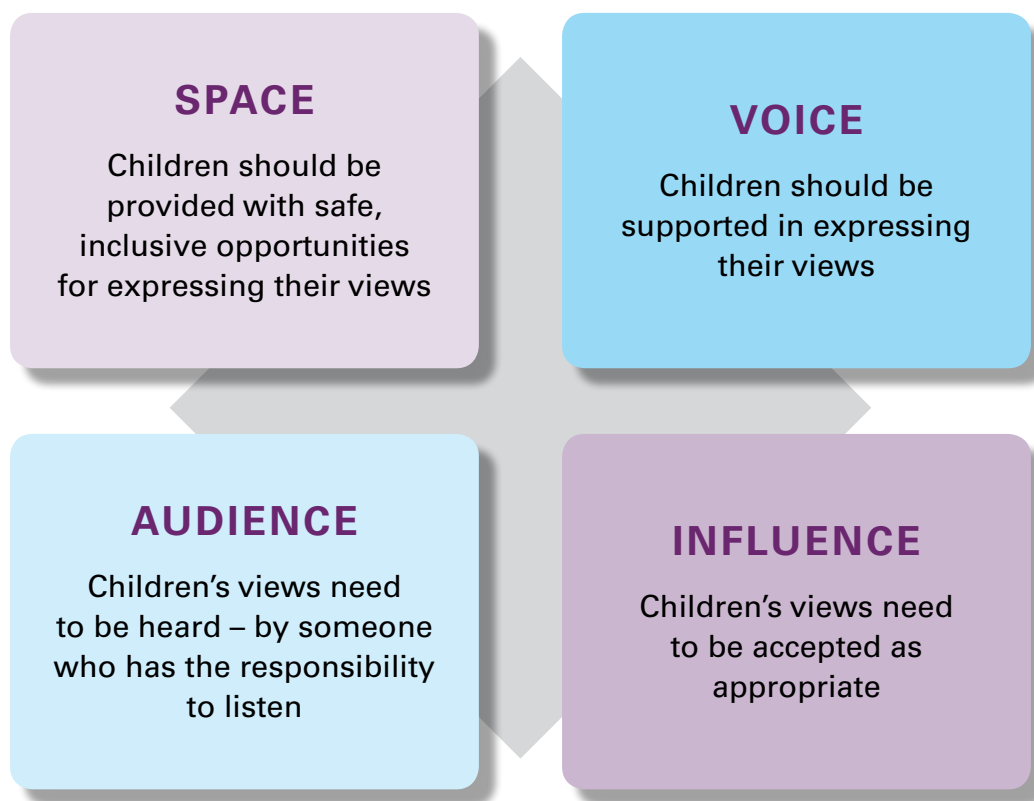
The last model of child participation that we will present is the model by Laura Lundy (2007), who lists four elements of participation which can at the same time be

used for the evaluation of participation. They are space, voice, audience and influence, as shown in the figure 2, and they take place in a meaningful, chronological order.

There is much more that can (and probably should) be said and written about child participation, especially in our social environment, but it is important to bear in mind that both writing and thinking about participation is a continually unfinished job. With the development of policies, research and participatory practices, the general and the socially conditioned insights into participation complement each other. In this sense, in our society, metaphorically speaking,

**When children have to perform well and do a good job, adults sometimes fear that they might be patronising and discouraging. The methods and the approach to work are important. They can discourage children, instead of allowing them to open up. Support from adults is important – the rapport and an open dialogue are key for communication between children and adults.**

*Ivana Milas Klarić, PhD, Children's Ombudsperson, consultation notes*



**FIGURE 2:** LUNDY'S (2007) MODEL OF CHILD PARTICIPATION

we have a long way to go. In this context, we will present an introductory review of the latest Children's Ombudsperson Report of 2014, in which the importance and the necessity of child participation is repeatedly emphasised. The report also calls on experts, politicians and decision makers to engage more in the protection of the children's right to participation.

The indicators which measure the level of the realisation of children's rights at an international level (KidsRights Index<sup>5</sup>) in 2015 show that the area of child participation is the one in which none of the analysed countries achieved good results. Children's views and voice are not being taken into account sufficiently, and children are still only viewed as the users of systems and services, and not as the initiators of change.

<sup>5</sup> KidsRights Index is a global index measured annually, which establishes how focused on children's right countries have been. The index is produced by a British organisation KidsRights Foundation in cooperation with Erasmus University from Rotterdam (Erasmus School of Economics) and the International Institute of Social Studies. The index covers all countries which are signatories to the Convention on the Rights of the Child, and for which data are available, 165 countries in total.

ANJA MIROSAVLJEVIĆ AND SANDRA CAR

# 3. LEGISLATION AND STRATEGIC DOCUMENTS ON CHILD PARTICIPATION

## 3.1. Child participation in the context of international strategies and documents

**Participation is a matter of attitude and behaviour, not law.<sup>6</sup>**

Analysis of the legislation and documents related to the participation of children and young people shows that in Croatia there is a significant number of laws in which participation is mentioned, and which regulate formal participatory structures and stakeholders. Although legislation is the basis for the participation of children and young people, our legal basis has not been evaluated, at least not systematically; instead, there are certain reports and status assessments as part of individual documents (for example, the Alternative Report to the UN Committee on the Rights of the Child, Opinions and Recommendations of the Independent Institution of the Children's Ombudsperson on the Status of the Rights of the Child in Croatia, the UPR – NHRI Shadow Report, the Analysis of the Status of the Rights of Children and Women (2012), the Alternative Report on the Application of the Convention on the Rights of the Child, and the Conclusion of the UN Committee on the Rights of the Child in the Republic of Croatia 2004 – 2010, the Children's Ombudsperson Report...).

As one of the aims of this study is to analyse the relevant legislation and documents relating to child participation, we will present excerpts from, and commentaries on, these documents (the legislative and policy frameworks) which deal with the participatory rights of children (Article 12 – 17 of the Convention on the Rights of the Child (1989.)), the right to information, views, decision making, privacy, the right to child-friendly language, and the right to a special guardian, in various environments and sectors.

Before we focus particularly on the legislation and strategic documents of the Republic of Croatia, we will comment on several key documents (strategic documents and recommendations by UN committees) which regulate the area of child participation at the international level and provide certain guidelines for national policies and practice. As was mentioned in the chapter on the purpose and aims of the study, the key framework consists of the Convention on the Rights of the Child, and the National Strategy for the Rights of the Child 2014 – 2020 (2014), but we will also discuss some other equally important documents. These are: the Sustainable Development Goals (UN General Assembly), the Concluding Observations on the Third and Fourth Periodic Reports of the Republic of Croatia on the Rights of the Child (UN Committee on the Rights of the Child), the Concluding Observations on the

<sup>6</sup> A quotation from a study in Finland on the children's view of participation (Child and Youth Participation in Finland, A Council of Europe Policy Review, 2011).

Initial Report of the Republic of Croatia on the Rights of Persons with Disabilities<sup>7</sup> (UN Committee on the Rights of Persons with Disabilities), the Recommendations of the European Commission (Investing in Children: Breaking the Cycle of Disadvantage), and the Council of Europe Strategy for the Rights of the Child 2012 – 2015.

In ***Sustainable Development Goals (2015)***, child participation is not mentioned as a separate goal, but it is in a way incorporated in goals 4, 5 and 16. Goal 4 refers to ensuring an inclusive, fair and high quality education, as well as to the promotion of lifelong learning for everyone, which also covers acquiring knowledge and skills required for sustainable development, which relate, among other things, to human rights, gender equality and the promotion of peace and non-violence. Goal 5 refers more specifically to ensuring full and effective participation of women and girls in decision making at all levels, while goal 16 refers to the promotion of peaceful and inclusive societies which enable sensitised, inclusive and participatory decision making at all levels.

***The UN Committee on the Rights of the Child, in their concluding observations on Croatia's third and fourth periodic report on the rights of the child (2014)*** lists the following recommendations in connection with child participation: creating systems and/or procedures for social workers and courts related to ensuring the child's right to be heard; ensuring the continuous professional development of experts in the field of the judiciary, social services and other sectors; conducting activities to raise awareness of the further promotion of the meaningful participation of all children in family, community and school environments, including student councils, with special attention given to children from marginalised groups and living in unfavourable conditions in order to change public attitudes towards children as passive subjects of decisions made by adults; enabling children to be educated on how they can participate in the community and in student councils; ensuring that children's views are taken into account in medical interventions.

In the ***Concluding Observations of the UN Committee on the Rights of Persons with Disabilities on the Initial Report of the Republic of Croatia (2015)***, some of the recommendations state the need to ensure a wide range of measures aimed at respecting the autonomy, will and wishes of persons with disabilities.

***With regard to investing in children (Investing in Children: Breaking the Cycle of Disadvantage), the Recommendations of the European Commission (2013)*** emphasise the importance of recognising the child as an independent holder of rights. With regard to participation, it is recommended to focus on supporting the participation of all children in play, recreation, sport and activities in the area of culture. In this sense, taking part in informal learning in the community (outside family and school environments), as well as covering costs, ensuring access and respecting cultural diversity in these activities is emphasised. Furthermore, the importance of promoting child participation based on volunteering and intergenerational solidarity is also emphasised. Some recommendations refer to supporting child participation in decision making related to their lives: ensuring the mechanisms which enable children to participate in decisions related to their lives; empowering and supporting children to express their views, which will be taken seriously and influence the final decisions; the use and further development of the tools for involving children in the systems of social welfare, healthcare and education, as well as consulting children in accordance with their age regarding relevant policies and planning; supporting the involvement of children in all

---

<sup>7</sup> The recommendations refer to all persons with disabilities, including children.

existing structures, especially when it comes to children from marginalised groups; encouraging professionals working with children to actively involve children, and raising public awareness of the rights of the child; implementing the child's right to be heard in all legal proceedings, as well as promoting child-friendly justice, especially regarding children's access to courts and court proceedings.

**The Council of Europe Strategy for the Rights of the Child (2012-2015),<sup>8</sup>** as one of four strategic goals, emphasises child participation as a separate goal, but also as a topic/value present in all other measures of this strategy. The separate strategic goal emphasises: the child's right to be heard and taken seriously, democratic citizenship and education on human rights, providing education and information on the rights of children, the protection and empowerment of children in the media.

## 3.2. Definitions of the term “child” in Croatian legislation

It is well known that the Convention on the Rights of the Child defines “child” as any human being under the age of 18, unless majority is legally attained earlier according to the law applicable to the child. Such a definition provides every country with the possibility to have its own definition (Petö Kujundžić, 2004).

The legal status of the child in Croatian legislation depends on individual acts and their definitions. For example, in the *Juvenile Courts Act* (Official Gazette 84/11, 143/12, 148/13, 56/15), and in the *Misdemeanour Act* (Official Gazette 107/07, 39/13, 157/13, 110/15) the child is defined as a person who is under the age of 14, a young minor is defined as a minor who is over 14, but under the age of 16, and an older minor is defined as minor who is over the age of 16, but under the age of 18. The Criminal Code (Official Gazette 125/11, 144/12, 56/15, 61/15) and the Criminal Procedure Act (Official Gazette 152/08, 76/09, 80/11, 121/11, 91/12, 143/12, 56/13, 145/13, 152/14) define the child as a person under the age of 18. Although this act defines the child as a person younger than 18, it also uses the terms *minor* and *child* without special restrictions, although it is clear that it assumes that these are persons under the age of 18. The age of criminal responsibility is 14, where persons under the age of 14 are not criminally responsible.

The Family Act (Official Gazette 103/15) does not define the term *child*, but it restricts it by saying that the age of majority is 18. Furthermore, it prescribes that a person reaches the age of majority and legal capacity at the age of 18. This act allows for the possibility to exceptionally gain legal capacity at the age of 16 in the case of entering into marriage before reaching the age of majority. Another possibility to gain legal capacity at the age of 16 is becoming a parent at that age.

From the perspective of the Convention on the Rights of the Child and participatory rights, it is interesting to analyse in which situations the legislation refers to: 1) *the child being informed, and their right to express their views*, and the responsibility of adults to enable them to do so (e.g. giving consent to change their name if they are older than 10), and 2) *the right to make decisions* (e.g. a driving licence, voting, entering into marriage, and the like), which can be seen in the following table (Table 2).

<sup>8</sup> In the Council of Europe Strategy for the Rights of the Child (2016 – 2021), participation continues to be one of the priority goals. The Strategy additionally emphasises and promotes child participation through the following measures: promotion of the child's right to participation, reaching out to children, and strengthening participation in schools and through schools.

**TABLE 2:** STEPS TO ADULTHOOD FROM THE PERSPECTIVE OF THE LEGAL STATUS OF THE CHILD IN THE REPUBLIC OF CROATIA

AGE	LEGAL FRAMEWORK
<b>7</b>	» The right of the child to be informed of their adoption – until the age of 7
<b>10</b>	» Consent for changing their name – child older than 10
<b>12</b>	» The child's consent to adoption » Consent to change the first name and the nationality of the adoptee
<b>14</b>	» Criminal responsibility » The right of the child to initiate proceedings related to the exercise of their rights and interests » The right to participate in deciding on measures to protect the child » Making decisions about personal rights and interests of the child in court proceedings » Appealing against decisions on custody, the appointment of a guardian and the termination of guardianship, appealing against decisions which determine their rights and well-being » A child who is 14 or above whose paternity is being determined has to consent to that process » Consenting to take part in research » Founding an association – minors can found an association if they are over 14, with the approval of the legal guardian or representative » Association membership – for minors up to the age of 14, the membership form has to be signed only by the parent, but for minors who are 14 or above, the parent gives written consent » Decision making in the association assembly
<b>15</b>	» Obligatory primary schooling – until the age of 15 » Partial legal capacity » Undertaking legal transactions by the child who earns an income (conducting legal transactions, controlling their income...) and opening a bank account » An employed child is obliged to contribute to their upkeep and education » Driving licence – A1 category (mopeds and motocultivators) » Age of sexual consent » Volunteering (with the written consent of the legal guardian or representative)
<b>16</b>	» Consent to medical treatment » Recognition of paternity » Consent and agreement to paternity being determined » The ban on staying out on their own between 23:00 and 05:00 unsupervised (until the age of 16)
<b>18</b>	» Full legal capacity » Parents are obliged to support their children until the age of 18, and if they continue being educated – until the age of 26 » The right to access information on adoption » Driving licence – B category » Entering into marriage » Voting rights » Betting and playing slot machines » Purchase of alcoholic beverages and cigarettes

\* Taken from the following legislation: the Labour Act (Official Gazette 93/14), the Personal Names Act (Official Gazette 118/12), the Family Act (Official Gazette 103/15), Criminal Code (Official Gazette 125/11, 144/12, 56/15, 61/15), the Act on Games of Chance (Official Gazette 87/09, 35/13, 158/13, 41/14, 143/14), the Associations Act (Official Gazette 74/14), the Constitution of the Republic of Croatia (Official Gazette 56/90, 135/97, 8/98, 113/00, 124/00, 28/01, 41/01, 55/01, 76/10, 85/10, 05/14), the Volunteering Act (Official Gazette 58/07, 22/13)

### 3.3. Rationale and criteria for the analysis

The text that follows lists the strategic documents and individual provisions of Croatian legislation which refer to the participatory rights of the child as prescribed by the Convention. The overview of the information and the analysis of the laws are presented according to fields (the education system, healthcare, justice, the social welfare system), and using the “funnel” principle – i.e. we start from the system in which all children are included, and go down to specific areas and vulnerable groups. Before that, we will comment on the Constitution of the Republic of Croatia (Official Gazette 56/90, 135/97, 8/98, 113/00, 124/00, 28/01, 41/01, 55/01, 76/10, 85/10, 05/14), the Children’s Ombudsperson Act (Official Gazette 96/03), the Youth Councils Act (Official Gazette 41/14), and then present parts (aims and measures) of the *National Strategy on the Rights of Children (2014 – 2020)* and the *National Programme for Youth (2014 – 2017)*, which refer generally to the participation of children and young people.

In its **Constitution** (Official Gazette 56/90, 135/97, 8/98, 113/00, 124/00, 28/01, 41/01, 55/01, 76/10, 85/10, 05/14), the Republic of Croatia generally committed itself to the protection and promotion of the rights of children.<sup>9</sup> Croatia also decided to ratify the Convention on the Rights of the Child in 1991. In that sense, the state accepted the obligation to align national legislation and practice with the regulations of appropriate international agreements, guidelines and declarations in the area of the rights of the child. The development and the application of national strategic documents on child-related activity is also part of these obligations, so until now the Croatian Government has adopted three strategic documents whose goals focus exclusively on the improvement of the quality of life of children in various areas (healthcare, education, protection from abuse and neglect, free time, culture, and others). These documents are: ***the National Action for Children Programme (1995 – 2005)***, ***National Action Plan for the Rights and Interests of Children (2006 – 2012)***, ***National Strategy on the Rights of Children (2014 – 2020)***. Additionally, the ***Priority Activities for the Well-being of Children (2003 – 2005)*** was also adopted. The National Strategy on the Rights of Children (2014 – 2020) represents a significant step in this area because with this strategy Croatia also obtained the national strategy which explicitly promotes Article 12 of the Convention on the Rights of the Child.

In addition, two bodies in charge of implementing the Convention have been formed. ***The Office of the Ombudsperson for Children*** was set up in 2003 with the aim to protect, monitor and promote the rights and interests of children on the basis of the Constitution of the Republic of Croatia, international agreements and legislation (Children’s Ombudsperson Act, Official Gazette 96/03). The second body is ***the Council for Children***, an advisory body of the Croatian Government, founded in 1998 as a body which continually monitors the implementation of national strategic document in the area of protection and promotion of the rights of the child in Croatia, coordinates the work of state and other bodies in terms of the implementation of planned measures and activity, and, among other things, monitors the implementation of the Convention on the Rights of the Child and other international acts and national legislation and programmes which refer to the protection and promotion of children’s rights (the National Strategy on the Rights of Children 2014 – 2020).

<sup>9</sup> Although in the Constitution, unlike in some other European countries, (child) participation is not stated clearly or explicitly.

In addition to the legislation and documents covered in this text, it is important to say that currently there is a public discussion on additional documents which contain provisions which refer to the participatory rights of children, such as the *Ordinance on the Obligatory Content of the Joint Parental Custody Plan Form*, the *Ordinance on the Method of Obtaining the Opinion of the Child*.<sup>10</sup>

The Croatian Government has so far submitted four reports on the implementation of the Convention on the Rights of the Child in Croatia to the UN Committee on the Rights of the Child. The responsibility for the implementation of participation and participatory rights in accordance with the Convention is divided between various stakeholders, such as the Ministry of Justice, the Ministry of Social Policy and Youth, the Ministry of Science and Education, the Ministry of Health, the Ombudsperson for Children, etc.

**The Act on the Ombudsperson for Children** (Official Gazette 96/03) prescribes the scope of work of the Ombudsperson, which covers monitoring the alignment of legislation, the protection and promotion of the rights of the child, informing the public on the rights of the child, etc. (Article 6). Article 7 of this act covers child participation: (1) The Ombudsperson for Children informs and advises children on ways to exercise and protect their rights and interests; (2) The Ombudsperson for Children cooperates with children, encourages children to express their views and takes them into account, initiates and takes part in public activities directed at improving the status of children, and suggests measures to increase the influence of children in society.

**The Youth Councils Act** (Official Gazette 41/14) is the first act dealing with young people which regulates the founding and the activity of youth councils, with the aim of including young people in public life. The youth councils make proposals and give opinions to representative bodies of local self-government, propose decisions, programmes and other legislation which are important for improving the status of young people. They also participate in the development and monitoring of the implementation of the local youth action plan.

#### Article 12

- (1) The youth council makes decisions on the basis of the majority of votes, provided that a majority of council members is present at the session, unless otherwise stipulated in this Act.
- (2) A member of a youth council who has a direct personal interest in a decision on an issue can take part in the discussion on this issue, but must be excluded from voting on the issue.
- (3) A member of a youth council is considered to have a direct personal interest in a decision on an issue if the decision refers to a project in which he or she, or a legal entity he or she is part of, is personally involved.

#### Article 16

- (1) The youth council plans a programme of activity of the council for each calendar year.
- (2) The programme of the activity of the youth council includes the following activities:
  - participating in the development of the local programme of activity for young people, and in the monitoring of its implementation;
  - cooperation with other youth advisory bodies in Croatia and abroad;
  - consultation with youth organisations on topics that are important for young people;
  - cooperation with the bodies of local or regional self-government in the area of policies related to youth

<sup>10</sup> The ordinances were adopted after a public discussion (*Ordinance on the Obligatory Content of the Joint Parental Custody Plan Form* (Official Gazette 123/15), *Ordinance on the Method of Obtaining the Opinion of the Child* (Official Gazette 103/15).

## 3.4. National strategies for children and young people

**The National Strategy on the Rights of Children 2014 – 2020** is a comprehensive document which “aims to achieve the more efficient promotion and protection of the rights of children in the Republic of Croatia through the implementation of the existing international and national standards in the area of the rights of children, by promoting a comprehensive and integrative approach to the rights of children” (p. 3). The strategy has four strategic goals, and there are 85 operational goals and 248 measures listed in total in various areas. Here we will list all the provisions which refer to child participation in general. In the National Strategy, child participation is positioned as a separate strategic goal, but also as an integral part of other goals and measures. Some individual measures of the National Strategy will be presented according to different sectors, but we will first refer to the separate strategic goal related solely to participation.

**4<sup>th</sup> STRATEGIC GOAL: ENSURING THE ACTIVE PARTICIPATION OF CHILDREN** *which is relevant to the work of all listed sectors, but also of all units of regional and local self-government, bodies of public administration, the Ombudsperson for Children...*

**K.1. Goal:** *Raising the level of the children's knowledge of the rights of the child, of the existing strategic documents of the United Nations, Council of Europe and the European Union, and of the various recommendations of international bodies.*

Measures:

**K.1.1.** To define methods for the comprehensive familiarisation of children with their rights.

**K.1.2.** To design national models for the encouragement and purposeful participation of children in all important aspects of public and family life.

**K.2. Goal:** *Implementation of the general principle of the right to the participation of children in the development of policies and programmes for children.*

Measures:

**K.2.1.** To align national legislation and public policies for children with the implementation of the children's right to participate.

**K.2.2.** To involve children in the development of public policies for children.

**K.3. Goal:** *The promotion and encouragement of the implementation of the right of the child to participate in the family.*

Measures:

**K.3.1.** To educate and inform the parents of children in residential care institutions about the creation of a family environment which assumes active child participation in decision making related to them.

**K.3.2.** To run campaigns and inform parents of the importance of child participation in decision making related to issues of family interest.

**K.4. Goal:** *Ensuring the prerequisites for active and purposeful child participation in the development of strategies/ action plans relating to children at the local level, and the continuous development of mechanisms for child participation in local communities in accordance with their capacity.*

Measures:

**K.4.1.** To network children's councils, children's fora and student councils in local communities, to involve them in the development of local strategies/action plans, and to ensure financial resources for their implementation.

**K.4.2.** To define mechanisms for founding and operating children's councils at local levels, mechanisms for direct communication between children and the representatives of local government, and to ensure that the way children are elected to children's councils is democratic and according to the positive experiences and the programme of the Union of Societies Our Children Croatia.

**K.4.3.** To ensure the participation of vulnerable groups of children in representative bodies.

**K.5. Goal:** *Promoting children's right to participate in the public life of the local community.*

Measures:

**K.5.1.** To encourage the networking of associations and institutions in the local community which promote and implement the children's right to participate.

**K.5.2.** To ensure the active participation of children in local campaigns and local activity related to the life of all citizens in the local community.

**K.6. Goal:** *Revising the Ethical Code for Research with Children with the aim of better safeguarding the children's right to participation and expressing their views in research.*

Measures:

**K.6.1.** To critically analyse the way the *Ethical Code for Research with Children* has been applied until now, and to provide greater autonomy to children in making decisions in terms of taking part in research relevant to age.

**K.6.2.** To enable children aged 7 to 14 to decide whether to participate in research by strictly and consistently observing all other provisions of the Code which clearly protect the rights, best interests and well-being of the child.

In the context of the National Strategy, it is important to note that, at least to a lesser extent, the participatory approach was used in the development of the Strategy. Two child representatives were part of the working group for the development of the Strategy, and children were consulted more widely through focus groups and workshops in a primary school and in the SOS Children's Village. Although this instance of child participation is quantitatively very small, we believe that this approach can be considered a good start in involving children in the discussion of public policies.

#### **The National Programme for Youth**

**2014 – 2017** has eight priority areas with 40 measures and 118 tasks. Its implementation is the task of 17 bodies of public administration. The proposed measures and tasks in each area follow from an analytical framework, which serves as the starting point for their conception. One of eight basic areas of the National Programme refers to active youth participation in society and politics.

In the process of developing the National Programme, young people actively participated in three ways: they were involved in the research *The Needs, Problems and Potentials of Youth in Croatia*;<sup>11</sup> they were part of the working group and the expert committee for the development of the National Programme; they were involved in the process of public consultation.

We will now present the areas and the activities of the National Programme for Youth.

**As a concrete example of child participation, child participation in the development of a new national document aimed at children can be highlighted. There were two workshops held on three topics (active child participation, alternative care, and sport, culture and other free time activities) with students of a primary school and with children from the SOS Children's Village Lekenik. The workshops were run by staff of the Ministry of Social Policy and Youth.**

*Duška Bogdanović, an employee of the Ministry of Social Policy and Youth, consultation notes*

#### **AREA 1: Education, professional training and development in the context of lifelong learning**

Activities in the area of youth work contribute to young people's personal and social development. The activities presuppose their voluntary participation and are complementary to the formal education process. Youth work also provides an opportunity to learn and develop knowledge and skills in various areas. Additionally, it empowers young people to actively participate in society and in the decision making processes.

<sup>11</sup> More about the results of the research can be found in *The Needs, Problems and Potentials of Youth in Croatia* (V Ilišin, V Spajić Vrkaš, 2015).

**Aim 1.2.:** Securing the institutional prerequisites for the improvement of youth work.

**Measure 1.2.1.** To improve youth work through the cooperation of civil society organisations and decision makers.

**Task 2:** To strengthen the capacity of public administration employees by taking part in informal educational programmes for youth work.

## **AREA 2: Employment and entrepreneurship**

*Youth participation in social, economic and political processes is an important factor of social stability in terms of the reproduction of social structures, processes and relationships in society.*

**Aim 2.1.** Facilitating the integration of young people into the labour market.

**Measure 2.1.4.** To empower the associations of young people and for young people as stakeholders in the labour market, with an emphasis on the implementation of the Youth Guarantee.

**Task 3:** To create a system for monitoring the participation of the associations of young people and for young people in the implementation of employment policies.

**Measure 2.1.5.** To develop and implement new, and improve existing measures for the activation and employment of long-term unemployed youth.

**Task 1:** In cooperation with long-term unemployed young people, to develop new, and/or improve the existing measures for the employment of the long-term unemployed youth, followed by an evaluation of their impact on the status of young women in relation to young men.

## **AREA 5: The active participation of youth in society**

The concept of active citizenship and of an active citizen forms the basis of the aims and measures of the area “Active participation of youth in society”. This concept is based on the view that “being a citizen” is not just a status (the legal status on the basis of which we have certain rights and requirements from the state, and social institutions to enable us to exercise these rights), but also a role (continuous participation in the life of a community and in its design and creation). In this sense, the term “active youth” (or “being an active young person”, “being an active young citizen”), on the one hand, means that the young people “practise” to take over the role of an active citizen in various segments of social life in the future, through various institutional and non-institutional projects and activities, while, on the other hand, it means that the projects and activities that the young people create and implement contribute in concrete terms to the raising of the general level of critical thinking and public discussion in society, to the change of the social climate, and to the resolution of certain social problems. The active participation of young people in society and political participation are issues which need to be considered in accordance with the principles of subsidiarity, by emphasising the engagement of young people at the local level, in direct contact with the community, in which the problems the youth are facing are recognised and solved more easily, which implies that young people would consequently become more interested in social-political participation.

According to the State of the World’ Volunteerism Report, young people represent a vast potential for development and it is therefore extremely important to support all forms of their active participation, including volunteering. While growing up, volunteering is an excellent way for young people to be productive and active members of the community, taking part in activities appropriate for their age, for their physical and intellectual level of development and skills and which do not pose a risk to their health, development and success in fulfilling their everyday duties. This type of active participation has significant and long-term effects because it shapes a future person who is aware of themselves and their environment, of their needs and abilities, and the needs and capacity of the community that surrounds them. Because of the changes in the global economy, young people face a reduced number of opportunities for participation in the social and political life, which exposes them to the risk of social exclusion. Therefore, work represents one of the most important ways of surviving or returning to an active social life.

**Aim 5.2.** Ensuring the active participation of young people in the decision-making process.

**Measure 5.2.4.** To monitor youth participation in elections at the national, regional and local level.

## **AREA 6: Youth and culture**

Studies and research conducted by the European Commission in previous years (e.g. The Access of Young People to Culture, 2008) have shown that ensuring access to art and culture for young people (as protagonists and organisers, users, customers and consumers, as audience) is one of the key prerequisites for their full participation in society. Young people’s access to cultural life is also possible through their active participation. Involving young people in culture, not just as a regular and interested audience, but also as producers and co-creators of cultural activities, can encourage them to express their own creativity, which will help them develop their personality and their sense of belonging to their community.

It is important to note that it is this sector in particular, thanks to the work dynamic and the way of organising (in mostly horizontal, and not vertical, hierarchical structures), which is capable of monitoring and responding

- ▼ appropriately to the dynamics of change in the priorities of specific needs and interests of the youth, but also, at the same time, of creating new trends and tendencies. Therefore, the culture scene can have a significant (positive) impact on the shaping of a young person and on the social affirmation of youth.

Furthermore, these types of open structures enable the involvement and participation of a large number of young people, and can encourage them to move from the position of consumers to the position of producers. The full participation of young people in society and in cultural life presupposes their participation in all areas, not just in education or cultural events and institutions, or their self-organised participation in culture, but also their access to employment in culture.

#### AREA 7: Youth in the European and global environment

The areas of the National Programme for Young People 2014 – 2017 are determined according to the structure of the EU Strategy for Youth, valid for the period 2010 – 2018. In line with this, the National Programme for Young People covers the participation of young people, and the organisations of young people and for young people from Croatia in the processes of decision making and in the development of youth policies at the European and global level, as well as their mobility. The area focuses on the participation of young people, youth sector stakeholders, and the relevant institutions in the development of youth policies at the level of the European Union, the Council of Europe and the United Nations. It also focuses on encouraging youth mobility at the European and global level.

The bodies of the European Union, the Council of Europe and the United Nations prescribe and enable young people's participation in the decision-making process, which is regulated in various ways in each of these institutions, i.e. each of them has its separate approach to these mechanisms.

From the perspective of the Republic of Croatia, the decision-making processes at the level of members of the Council of Europe and the European Union, in which young people can take part, are somewhat more regulated, intense and accessible to organisations of and for young people than is the case with the United Nations, where the participation and representation of youth has a somewhat different form. At the level of the institutions of the European Union and the Council of Europe, they mostly clearly define the criteria for participation and the processes in which the organisations of and for young people can take part, and there are continuous programmes designed for the realisation of such participation.

Although these processes often seem well organised and efficient, it is important to comment on the results of these processes and the opportunities for advocating their implementation, which are often unsatisfactory for a range of political and administrative reasons, both at the national and international level. Therefore, the importance of these mechanisms and processes does not lie just in the involvement of young people in decision making, but it also lies in the implementation of these mechanisms and processes, and in the evaluation of the results.

By developing the National Programme for Young People, the importance of youth participation in the important decision-making processes at the levels mentioned above has been recognised. It has also been recognised that it is important to implement these decisions and recommendations, so that young people, with their knowledge and perspective, may contribute to their status and the status of their generations through the work of numerous relevant institutions.

## 3.5. Child participation in the education system

It could be said that education is one of the prerequisite and basic ways in which children should be taught to actively participate in life in general. Education is regulated by the *Preschool Education Act* and by the *Primary and Secondary School Education Act*, as well as by other documents.

For this sector, the *National Strategy on the Rights of Children 2014 – 2020* has this aim: *increasing child participation in the decision making processes that are of interest for children's education*, and, in line with this aim, the strategy has the following measures:

- D.8.1.** To devise a training programme for students, parents and teachers on the rights of the child which would be taught through school subjects, the form teacher's period, parent meetings, the professional development of teachers and headteachers. The training on the rights of the child and the ways for child participation should be an integral part of the school curriculum.
- D.8.2.** To define the way in which students are democratically elected to the Student Council, and the way of communication between the elected students with their base, i.e. with other students. In order to ensure real child participation, the Student Council needs to discuss and make decisions on all issues of their educational institution that directly concern them. To appoint one member of the Teacher Council to coordinate the work of the Student Council.
- D.8.3.** To define the process of student participation in decisions concerning school rules and plans for improvement in discipline in order to strengthen their responsibility and the positive climate in the school.
- D.8.4.** To encourage and support students to initiate concrete actions and activities which contribute to the realisation of their rights and interests, but also to initiate various humanitarian activities. Children should be involved not only in the implementation, but also in the development of various programmes, especially programmes for the prevention of violence, the prevention of addiction, programmes that fight poverty, develop social competences and skills for self-actualisation, non-violent conflict resolution.
- D.8.5.** To develop various forms of cooperation between the school and the local community, in which children will actively participate in the matters of their immediate interest, especially in connection with the security and the accessibility of recreational and other free-time activities.

Additionally, aim **D.9** of the Strategy also refers to youth participation and is defined as: the introduction of human rights and democratic citizenship education to schools. The measures are:

- D.9.1.** To develop a plan for the introduction of human rights and democratic citizenship education to schools as cross-curricular material, but also as a subject which would be obligatory from a certain phase of students' education.
- D.9.2.** To ensure additional teacher training for the implementation of human rights and democratic citizenship education.
- D.9.3.** To develop a handbook for human rights and democratic citizenship education.
- D.9.4.** To ensure the infrastructure and material support for the informal programmes of human rights and democratic citizenship education.

**The National Framework Curriculum for Preschool, General Compulsory and Secondary Education (2011)** (hereinafter: NFC) focuses on eight basic competences, one of which is a social and citizenship competence, and it covers the capacity to behave responsibly, positive and tolerant relations with others, interpersonal and intercultural cooperation, mutual help and the acceptance of diversity; self-confidence, respect of others and self-respect; the capacity to effectively take part in the development of democratic relations in the school, community and society, and acting in line with the principles of justice and peace-making. The values to which the NFC pays special attention are: knowledge, solidarity, identity and responsibility. Responsibility presupposes that education encourages the active participation of children and young people in social life, and promotes their responsibility for the common good, for nature and for work, as well as for the self and others. Acting and behaving responsibly presupposes a meaningful and conscious relationship between personal freedom and personal responsibility. Participation is mentioned also in the educational aims: to raise and educate students in accordance with general cultural and civilisational values, human rights and the rights of children, to educate students for living in a multicultural world, to respect diversity and tolerance, and to actively and responsibly participate in the democratic development of society. Child- and student-centred education presupposes the use of various relevant sources of knowledge and learning materials which encourage participation, observation, independent exploration, experimentation, discovery, understanding, curiosity, and learning how to learn.

The central part of the NFC lists what students need to achieve in each education area, in each educational cycle, and the descriptions and aims of cross-curricular topics, focused on the development of key student competences. The NFC includes these education areas: language-communication; mathematics; natural science; the technical and IT area; the social sciences and humanities; art; physical and health education. The NFC aims to implement the following cross-curricular or interdisciplinary content or modules in primary and secondary schooling: personal and social development; health, safety and the protection of the environment; learning how to learn; entrepreneurship; using information and communication technology; civil education. The purpose of the cross-curricular topic of *Civil Education* is to contribute to the students' capacity for playing an active and effective citizen's role. Among the more significant elements of these cross-curricular topics are knowledge, skills, competences and attitudes which develop the democratic awareness of students, and which encourage them to actively and effectively participate in the development of the democratic processes in their school, local community and society, which contribute to the development of their personal identity, better familiarisation with, and respect of, others, and which sensitises them to, and raises their awareness of, the resolution of global problems according to the principles of democracy, especially the principles of justice and peace-making. Two aims of this cross-curricular topic are particularly focused on student participation:

- to develop a positive attitude towards and interest in effective participation in the life of the school and in the immediate community they live in;
- to develop a positive attitude towards and interest in creative and effective participation in social life as adult citizens.

In the *Preschool Education* section, encouraging the development of competences which are required to manage and actively participate in everyday life and in later professional and social life is also emphasised. A range of activities and impulses form the basis for the development of all the child's learning competences and their learner independence.

The *Skills and Competences dimension* refers to the ability to create, develop and maintain good relationships with other children and adults (participation, negotiation, conflict resolution). Within the area *foreign languages*, the NFC lists: intercultural activity under *listening, speaking, reading and writing* (in order for students to respect and be familiar with both their own culture and the culture of others) (p. 86 ff), recognising humanistic values such as friendship, cooperation, altruism and tolerance, as well as the importance of active participation in issues which are important for the community. The same is listed in the area *classical languages*. In the *mathematics area*, participation in society is mentioned as early as the introductory part. As mathematics studies quantitative relations, structures, forms and space, regularities and patterns, analyses accidental occurrences, observes and describes changes in different contexts and provides students with a precise symbolic language and a system to describe, present, analyse, question, interpret and mediate ideas, mathematics education enables students to acquire knowledge, skills, competences, thinking skills and attitudes necessary for successful and useful participation in society. The *technical and IT area* covers participation in the context of entrepreneurship, i.e. engineering projects in which practical work allows for the acquisition of knowledge, skills and attitudes necessary to participate in entrepreneurship that is innovative and competitive, as well as, the development of the competence of learning how to learn.

The purpose of *social studies and humanities* is to contribute to the development of students as independent and responsible persons, individuals and citizens who

will be able to understand and critically analyse the position and the role of humans in the contemporary world, and who will actively participate in the social, cultural, economic and political development of their society, with special responsibility for its democratic development. Knowledge, competences and values acquired within social studies and humanities area are the basis for the students' responsible relation towards themselves, towards others, and towards everything that surrounds them. This knowledge and these competences and values help them form their own identity in a time of big changes and pluralism. This also helps them understand and respect others and those who are different; this helps them participate in their society actively and responsibly.

One of the items in this area is the *engaged and responsible participation in the life of the family, school, immediate community and society* which means being able to explain, accept and implement rules of behaviour, and to respect adults and members of their group; to recognise and agree on ways in which they can contribute to the well-being and reputation of their family, school and other communities, and behave in accordance with what has been agreed. It is important to recognise the significance of volunteering (and later even to explain it), and of participating in social, humanitarian and cultural events in school or in the immediate community. In this area, participation is also mentioned when it comes to the preservation of the local and national heritage, and activities which promote responsible behaviour towards the environment.

In the area of the *political system, citizens and human rights*, students *need to learn to participate in the process of joint decision making and agreeing on the rules required for life in their class and school* (e.g. a code of ethics/rules of behaviour), and to take part in the active cooperation of their school with the local neighbourhood/district. In the second cycle, students will prepare for, and take part in, election processes in their class and school. They will be able to explain what democracy is and why citizens are able to, and must, participate in it. In the fourth cycle, students will already effectively communicate in various social circumstances, take positions and hold opinions, have purposeful discussions, and take responsibility for achieving joint goals, and demonstrate responsibility and initiative for the resolution of problems in society and for participation in social life. They will also be able to describe their comprehension of personal and joint responsibility for participating in society.

One of the educational aims of the *art area* is to develop a positive and caring attitude for the aesthetics and culture of their environment, as well as to actively participate in the cultural life of the community.

Under *film and media culture and art*, participation in media and film activities is listed. Here, the students will express audio-visually their ideas, experiences and emotions, and create media messages and films.

*Physical activity and health* relates to the *prevention of illness and the promotion of health*, which means that students will be able to actively participate in programmes for the promotion of health and the prevention of illness, and analyse and evaluate how attitudes and skills in inter-personal relationships affect engaged and effective participation in the activities of the community.

The chapter *Children and students with special educational needs* deals with the special conditions required by children and students whose needs the educational process in regular institutions, despite the offered support, does not meet. The aim of regular and special curricula in these institutions is to enable students to be included

in everyday life as regularly as possible, in accordance with the students' age. The learning areas of the special programme are: the practical-personal area; the socio-cognitive area; free time and the creative area; the socio-emotional area; the physical and health area; the productive work area. Participation is covered in the practical-personal area, the free time and creative area, and the physical and health area.

Article 61 of the **Primary and Secondary School Education Act** (Official Gazette 87/08, 86/09, 92/10, 105/10, 90/11, 5/12, 16/12, 86/12, 126/12, 94/13, 152/14) lists students' rights. In the context of our topic, the important ones are: *the right to being informed on all issues that concern them, the right for their views to be respected, the right to appeal to teachers, the headteacher and the School Board, the right to participate in the Student Council and in the development of the code of conduct, and the right to propose improvements in the educational process and education work*. So, apart from being informed and the right to appeal, the Act prescribes that the students have the right for their views to be taken into account, and that **Student Councils** are to be founded in schools, made up of student representatives of each form. The Student Council representative participates in the work of the school bodies when decisions are made with regard to the rights and obligations of students, and the representative has no decision-making power. The method of electing the Student Council, and the scope of its work, is determined by the school statute.

Furthermore, the **National Student Council of Croatia** has also been founded. The National Student Council is the highest body of primary and secondary school students at the national level. It is a body that represents all students, and it has been an advisory body of the relevant ministry since 2005. It has 21 students who represent each of the Croatian counties and the City of Zagreb. The task of the Council is to: represent students at the national level in all matters which are relevant to them, their work and the system of public education, and in institutions which are important for the education system and for students; be responsible for the duties, rights and interests of the students and their representation; prepare and submit proposals to the relevant minister regarding issues which concern students, their work and their results in education; propose measures for the improvement of the work and working conditions in schools; help students fulfil their curricular, extra-curricular and other responsibilities; promote the interests of students with special needs, as well as seek solutions for their everyday problems; promote sportsmanship and to fight any kind of addiction among students; encourage and maintain the culture of dialogue and tolerance among students with regard to national, racial and religious diversity; develop cooperation with students in other countries; promote innovation and exploration among students; strengthen the structure of the Student Councils in Croatia and student representation, and, for this purpose, promote democracy, transparency and representation among students; help build students' individuality and strengthen students' identity (<http://nvuthe Republic of Croatia.skole.hr/nvuthe Republic of Croatia>).

The **Recommendation on the Protection of the Rights of the Child in Educational Institutions (2014/2015)** refers to several areas, and child participation is mentioned in the following:

- The rights of children with developmental disabilities. In 2015, the Office of the Ombudsperson for Children conducted research involving students with developmental disabilities in the final years of secondary school attending six education centres in Croatia. The students listed four key points in the delivery of secondary school education: 1) changes in the syllabus; 2) the delivery of practical lessons; 3) access to, and the appropriacy of, education programmes;

4) *student participation in decision making*. Therefore, the recommendation is that vocational education is adapted so that students with developmental disabilities can acquire the necessary competences to enable them to enter employment and to further integrate into society. Additionally, the participation of students with developmental disabilities should be increased during their entire education and upon enrolment in secondary school. They should have the opportunity to express their views and suggest solutions, and their views should be seriously considered and respected.

- The right to participate. The UN Committee on the Rights of the Child recommends that children be involved in the development and implementation of activities that concern them. Depending on their age and maturity, students need to be respected as partners in the development and implementation of the school syllabus, and in the design of free time and prevention activities. Therefore, it is important to empower the role of student councils in schools and define more clearly their tasks and the process of electing students to councils.
- Supervision in educational institutions. It is recommended that during supervision children are consulted so that they have the opportunity to express their opinions. Students must have the possibility to participate in every part of the learning process, and in the procedures relevant to them, so the students should also be given an opportunity to participate in the monitoring process, as the results of the monitoring can affect the further rights and duties of students, and often also their further compulsory education.

### 3.6. Child participation in the healthcare system

With regard to the healthcare system, reference needs to be made to the **Act on the Protection of Patients' Rights** (Official Gazette 169/04, 37/08), according to which the patient has the right to participate in decision making, which includes the right to be informed and the right to accept or reject a diagnostic or therapeutic procedure. In this sense, the patient has the right to be fully informed, in a way which is comprehensible to them, taking into account their age, education and mental abilities, with the aim of ensuring their right to joint decision making in terms of diagnostic or therapeutic procedures (this includes patients with decreased cognitive abilities, in accordance with their age, and physical and mental state). For patients who are unconscious, who have severe psychiatric issues, for minors and for patients without legal capacity, except in the case of an emergency medical intervention, consent is given by their legal guardian or representative. Furthermore, this Act also regulates the privacy of the patient, and therefore the Act prescribes that patients, during examination or treatment, or when patients are being assisted with personal hygiene, are entitled to conditions that ensure privacy. Data on the patients' health are confidential. Respecting the patients' privacy is additionally emphasised in the ethical codes of various health professions.

Article 88 of the **Family Act** (Official Gazette 103/15) states the following regarding the informed consent of a child to medical treatment: "A child who has reached the age of 16 and who, according to the medical doctor's assessment, is sufficiently informed to be able to form their own opinion on an issue, and is, in the doctor's opinion, mature enough to make a decision on a preventive, diagnostic or therapeutic procedure related to their health and treatment, can independently consent to be examined, tested or medically treated (informed consent)".

A similar statement can be found in the **National Strategy on the Rights of Children 2014 – 2020**. As one of the basic principles of health services for children and young people, this document refers to involving children as active stakeholders in decision making (i.e. the child's right to be informed). It also refers to the importance of listening to the child's opinions in accordance with their age, cognitive abilities and maturity, and to the importance of the decisions they are taking part in. With regard to this, as part of aim B.5 – *reducing the child's and parent/guardian's stress of hospital stay*, there is measure B.5.3 – *to conduct treatment in accordance with the principles of involving the child or young person and providing them with information regarding the requirements of the necessary medical procedures*.

### 3.7. Child participation in the justice system

A child can participate in the justice system or the work of judicial bodies for various reasons and in a variety of roles. In terms of the topic of this study, these are the three most common reasons: committing a criminal offence, being a victim of a criminal offence or misdemeanour, or being involved in the civil proceedings of the parents' divorce (National Strategy on the Rights of Children 2014 – 2020). In this respect, many national and international documents refer to *child-friendly justice*. Based on the above, the guidelines of the Council of Europe for child-friendly justice refer to an individualised approach, to a judiciary accessible to children (where it is necessary for all proceedings to be adapted to the age of the child, to be focused on their needs and rights, and to be fast and efficient). In other words, observing the rights of the child within this sector includes their right to lawful proceedings, their right to participate in, and understand, the procedure, their right to privacy and family life, and their right to integrity and dignity. The guidelines particularly emphasise *restricting the length of the presence of children in interrogation and in court hearings in the courtroom, but also enabling the child to express their views before the court* (National Strategy on the Rights of Children 2014 – 2020).

When children are victims of a crime, it is important to bear in mind the effect of court proceedings on the child. It is especially important to emphasise the *provision of appropriate oral and written information to the child and to parents or legal guardians/representatives on the proceedings and on their rights. It is also important to emphasise the use of information-communication technology (especially video-conferencing) in order not to expose children to the stress of direct presence in the courtroom, and in order to avoid direct contact with the defendant* (National Strategy on the Rights of Children 2014 – 2020).

With regard to children who commit a criminal offence, the right to a fair trial, among other things, refers to the *protection of the privacy of the child, and the right to be immediately provided with all the information on the proceedings conducted against them* (National Strategy on the Rights of Children 2014 – 2020). In Croatian legislation, the rights of the child as a perpetrator or a victim of a criminal offence are prescribed by the Criminal Procedure Act, the Criminal Code, the Misdemeanour Act, the Juvenile Courts Act, the Act on the Execution of Sanctions Pronounced to Minors for Crimes and Misdemeanours, and by various implementing regulations (ordinances) which ensue from this legislation (National Strategy on the Rights of Children 2014 – 2020).

The legislation (but also the Convention), on the one hand, refers to active child participation, and, on the other hand, to the protection of privacy. Therefore, the **privacy of children** is, in the meaning of Article 16 of the Convention of the Rights of the Child, protected by the provisions of the Criminal Code, the Criminal Procedure Act, the Misdemeanour Act, the Juvenile Courts Act, the Social Welfare Act, the Civil Obligations Act, the Media Act, but also by other documents. **The Criminal Code** (Official Gazette 125/11, 144/12, 56/15, 61/15) criminalises any attorney-at-law, notary public, health worker, psychologist, social worker, religious confessor or any other person who, without authorisation, divulges information on the child's personal or family life which they were entrusted with while performing their professional duties. The sanction prescribed for this is imprisonment of up to one year. Furthermore, the person who breaches the confidentiality of procedure may be punished by imprisonment of up to three years if they divulge, without authorisation, information considered to be confidential on the basis of law or a decision based on law, and obtained in previous criminal proceedings, court proceedings, misdemeanour proceedings, administrative proceedings, proceedings before a notary public or disciplinary proceedings. The same punishment is prescribed for those who, without the permission of the court, publish the court ruling or the content of the criminal proceedings against a child, or proceedings related to a crime committed at the expense of the child, or proceedings in which the protection of the rights and interests of the child are being decided on. Hence, these regulations also protect the privacy of the child.

**The Juvenile Courts Act** (Official Gazette 84/11, 143/12, 148/13, 56/15) prescribes that neither the content of the criminal proceedings against a minor, nor the ruling in these proceedings, may be published without court approval. What may be published is only that part of the proceedings, or that part of the ruling, for which there is court approval, in which case the name of the minor, or any other information which can reveal their identity, may not be published. The prohibition of publishing the content of the proceedings (which refers to informing the public, in principle by the use of public media, about the documents in the proceedings, ongoing activities and their result in relation to the minor) includes the measures and activities undertaken towards the minor before the formal indictment. The same applies to cases of crimes committed at the expense of children or minors.

**The Criminal Procedure Act** (Official Gazette 152/08, 76/09, 80/11, 91/12, 143/12, 56/13, 145/13 i 152/14) protects the privacy of children in criminal proceedings through various provisions. A child (of up to 18 years of age) as a victim of a criminal offence has, among other rights, the right to be accompanied by a person of trust during court proceedings, the right to the confidentiality of personal data, and to the exclusion of the public. If a special guardian has to be appointed to protect the interests of the child as the injured party because the interests of the child are contrary to the interests of the parents, the body in charge of the proceedings will invite the relevant social welfare body to appoint the special guardian. The legal representative or the special guardian of the child as an injured party is authorised to make statements and undertake all actions for which the injured party is authorised. The provisions on the interrogation of the child witness also partially refer to the protection of the child's privacy. In cases when the child is a witness of a criminal offence, if the child's statements and that of the defendant do not agree, the child must not face the defendant. A child witness who is under the age of 14 is examined by an investigating judge, but without the presence of this investigating judge or other parties in the room where the child is located, using an audio-video device operated by a technical assistant, and in the presence of a psychologist, pedagogue or another relevant expert, as well as the parent or guardian, except when this is contrary to the interests of the proceedings or the child. The examination of a child aged between 14 and 18 may also be conducted in this manner.

Furthermore, if a child is required to identify a perpetrator in an identification procedure, the body in charge of the identification procedure will conduct it so that the perpetrator cannot see or hear the witness.

If the child is on a recording used to establish the facts, the recording will be reproduced with alterations of the image or the voice of the child, if that protects the interests of the child. Information on the child who is participating in the proceedings is confidential. The person authorised to have insight into the files as part of an inquest, inquiry and investigation, or proceedings which are classified, will be warned that they are obliged to keep the information confidential, and that breaching this confidentiality is a crime.

The provisions of the **Misdemeanour Act** (Official Gazette 107/07, 39/13, 157/13) prescribe that, without the court's approval, in proceedings against underage perpetrators, publishing the content of the misdemeanour proceedings or the ruling in those proceedings is not allowed. What may be published is only that part of the proceedings, or that part of the ruling, for which there is court approval, in which case the name of the minor, or any other information which can reveal the minor's identity, may not be published. Additionally, the public has no access to proceedings against minors.

The Act on **Police Affairs and Powers** (Official Gazette 76/09, 92/14) states that the protection of the privacy of minors is the duty of each police officer who exerts police authority on minors and young adults, as well as in cases of the legal protection of children and minors which the Criminal Code provides to minors.

The **Act on the Execution of Sanctions Pronounced to Minors for Crimes and Misdemeanours** (Official Gazette 133/12) operationalises the correctional measures and special obligations prescribed by the Juvenile Courts Act and the Misdemeanour Act. Thus, this Act prescribes that a minor or a young adult (hereinafter: minor) enjoys the protection of their fundamental rights established in the Croatian Constitution, the UN Convention on the Rights of the Child, and other international treaties, the Juvenile Courts Act and this act. Exceptionally, it is permitted to limit fundamental rights within boundaries which are necessary for the purpose of the sanctions. If a minor's fundamental rights are limited, the relevant court, the social services, and parents or guardians have to be immediately notified of this, and about the reasons for this limitation. In addition, the Title *Fundamental Principles of the Execution of Sanctions* is also of interest – Article 5, paragraph 2, which covers the protection of human dignity, prescribes that “when executing the sanctions it is forbidden to discriminate against minors on the basis of race, ethnicity, skin colour, sex, religion, political or any other opinion, nationality or social origin, property, trade union membership, education, social status, marital or family status, age, health conditions, disability, genetic heritage, gender identity, gender expression, or sexual orientation”.

This Act prescribes that a separate programme of action should be drawn up which should be “jointly planned, analysed and contributed to by an educator, social welfare professional, juvenile court expert, the minor, the parent or guardian, and other persons who can contribute to the execution of the correctional measure”. The Title of this Act related to the procedure of the execution of the correctional measure of increased supervision and care states that the social welfare professional informs the minor and the minor's parents or guardian about the content and the method of the execution of the correctional measure, about the minor's duties and obligations, and about the start of the execution of the correctional measure.

In the context of child-friendly justice, the **National Strategy on the Rights of Children 2014 – 2020** states the following aims and measures:

**Aim: A.1.** *Improving the speed and efficiency of proceedings against children who commit criminal offences, and ensuring their appropriate participation in the criminal proceedings, as well as ensuring that they are kept informed about the proceedings.*

Measure:

**A.1.4.** To ensure the provision of appropriate oral and written information to children in criminal proceedings about their rights and obligations, and on what is expected of them during and after the criminal proceedings. The provision of information must be appropriate to their age, and various communication channels should be used (experts providing information personally, brochures, information sheets...). Children also need to be informed about the execution of particular sanctions, which at the same time ensures and encourages the active participation of children and parents/legal guardians.

**Aim A.2.** *Improving the protection and implementation of the rights of children as victims of criminal offences, and ensuring that they are appropriately kept informed and involved in the criminal proceedings.*

Measures:

**A.2.1.** To ensure that all county courts have appropriate and modern audio-video equipment for the conduct of interviews with children, as well as to ensure that specially equipped rooms for interviews with children who are victims of a criminal offence are available during the criminal proceedings, in order for their participation to be active, but also appropriately protected.

**A.2.3.** To ensure that children who are victims of a criminal offence and their parents/legal representatives are provided with the appropriate oral and written information (brochures) about the court proceedings, about the rights and the role of the child in the proceedings – before the child testifies, during the court proceedings and after them.

**Aim A.7.** *Improving the family law legislation and practice related to the active participation and the opportunities for the child to express views on issues that immediately concern them.*

Measure:

**A.7.1.** To clearly define procedural provisions on the basis of which the child will be able to exercise his or her right to participate and to express views in the civil family law proceedings which directly concern the child. Regardless of whether the child testifies in court or not, to ensure that the child has an opportunity to express personal views and concerns on the issues connected to the case: the child's involvement in the legal proceedings, the child's safety, the child's wish to testify or not, the way in which the child testifies, or any other relevant issue that affects the child.

Some of the participatory rights of children which the justice system grants are described in the social welfare system, as the Family Act prescribes some of these regulations.

## 3.8. Child participation in the social welfare system

The **National Strategy on the Rights of Children 2014 – 2020** states that “children who are entitled to rights within the social welfare system require the increased responsibility of adults, and public policies need to pay special attention to them. In this system, they need to be given access to information, services and the opportunity to advocate for their rights and interests, so that they can make informed choices in terms of forms of support, and participate in situations and decisions which affect their future life, as well as in the evaluation of the outcomes of treatment (p. 27 and 28)”. In line with all of the above, this document defines one of the priorities in this area as its aim.

**C.3:** *Ensuring the conditions for the involvement and participation of child beneficiaries of the social welfare system in programmes which aim to develop children's potentials and evaluate the outcomes of treatment, while respecting the children's individual characteristics and abilities.*

Measures within this aim are:

**C.3.1.** To develop mechanisms to involve children beneficiaries of the social welfare system in advocating their rights in accordance with their age, developmental characteristics and living conditions.

▼ **C.3.2.** To ensure the child's right to be fully informed about the type and purpose of social services in a way which is appropriate for children, as well as the right to express their own views and opinions of them.

**C.3.3.** To ensure the participation of children beneficiaries of the social welfare system in the planning, implementation and evaluation of the outcomes of treatment and the social services that they were provided.

The **Strategic Plan of the Ministry of Social Policy and Youth 2015 – 2017** states that their “vision is a society in which the fundamental human and social rights are respected and implemented, where young people are a resource, and where youth participation, protection and improvement of the quality of life of all citizens, and the well-being of social services beneficiaries are fundamental values; a society in which citizens live in solidarity and mutual respect.” Some of the strategic goals of the plan refer directly to participation, for example: aim 2 Improving the involvement of beneficiary groups in the life of the community (especially 2.2 Increasing the accessibility and the quality of social services, while ensuring their even regional spread; 2.3 Strengthening the stakeholders’ capacity for active youth participation in society; 2.5 Increasing the level of social inclusion of persons with disabilities; 2.6 Developing services which contribute to the inclusion of the elderly, of persons with addictions, asylum seekers, victims of human trafficking, and homeless persons into the life of the community). The separate aim 2.2 refers to certain categories of socially excluded beneficiaries whose social services programmes will receive funding: children without appropriate parental care, families which neglect children who are at risk of losing parental care, young people without appropriate parental care who are about to reach the age of majority and thus lose their place in social care homes, children and young people with behavioural disorders, children and young people with risk behaviours and their families, children with developmental disabilities, young persons with disabilities, adults with disabilities, psychiatric patients, victims of domestic violence, the elderly and the infirm, asylum seekers and the homeless.

The **Strategy for the Development of the Social Welfare System in the Republic of Croatia 2011 – 2016** placed special emphasis on the guidelines of the European Union in the area of social inclusion because the European Union recommends the implementation of ten key principles to support the policy of social inclusion (Council of the European Union, 15/223/02).

The Strategy builds on various international and national strategic documents (e.g. *Europe 2020 – The European Strategy for Smart, Sustainable and Inclusive Growth* from 2010, *The Joint Memorandum on Social Inclusion* from 2007, the *New Council of Europe Strategy and Action Plan for Social Cohesion*, the *Hague Convention on the Protection of Children and Cooperation in Respect of Inter-country Adoption*, the *UN Convention on the Rights of the Child*, obligations from the European Social Charter, the *Programme for the Adoption and Implementation of the Acquis*, as well as the national plans for particular user groups, such as children, disabled persons, Roma people, etc.).

Some of the ten principles mentioned above are related to the topic of user/beneficiary participation. These are the following: *dignity and human rights* – policy measures and services which aim at social inclusion, and recognise and support human dignity and basic human rights for all through the application of the principle of equality and rejecting discrimination; *participation* – policy measures and services which aim at social inclusion are planned, provided and monitored (examined) with the participation of those at risk of poverty and social exclusion; *personal development* – policy measures and services which aim at social inclusion, directed at decreasing dependency, supporting the development of acting independently and strengthening autonomy, so that the conditions for personal growth can be created;

*continuous improvement and sustainability* – policy measures and services which can better support inclusion, and can have more lasting effects, because there is an increasing tendency among Member States to check and monitor the results of the policy measures and service provision, and to consult their beneficiaries and take their opinions into account.

The basic legislation in the social welfare system is the **Social Welfare Act** (Official Gazette 157/13, 152/14). This Act regulates the way in which social welfare is operated and funded, defines beneficiaries, rights, the procedure for gaining the rights, and other issues related to this sector. In the third Title, the Act refers to the principles of social welfare, stating that social welfare in the Republic of Croatia adheres to the principles of subsidiarity, social justice, freedom of choice and accessibility, *individualisation, integrating the beneficiary in the community*, timeliness, respect of human rights and the integrity of the beneficiary, prohibiting discrimination, providing information on rights and services, *beneficiary participation in decision making*, confidentiality and personal data protection, privacy, and the possibility of filing complaints. *Article 11 states that in accordance with the principle of individualisation, the beneficiary can exercise rights in line with the beneficiary's individual needs, and can actively participate.* Furthermore, this Act prescribes the principle of respecting human rights and the integrity of the beneficiary, which means that the rights in the social welfare system are implemented in a way that respects the beneficiary's human rights, physical and psychological integrity and security, as well as the beneficiary's ethical, cultural and religious beliefs. The Act also prescribes the beneficiary's *right to be informed on rights and services*, as well as the right to support in overcoming communication difficulties in the social welfare system, which contributes to the satisfaction of personal needs and improvements in the quality of life in the community. The principle of participation in decision making is especially interesting, and it is clarified in Article 17 of this Act, where it states the following: *(1) A beneficiary of social welfare rights shall have the right to participate in the assessment of condition and needs, in making decisions about using services and shall receive information and support for decision making in a timely manner; (2) a beneficiary of social welfare rights shall not receive social services without his consent or without the consent of his guardian or legal representative, except in cases prescribed by law; (3) in proceedings in which decisions are made regarding the rights and interests of a child, the child shall be entitled to receive information about significant circumstances of the case in an adequate manner, to receive advice and express his opinion, as well as information about the possible consequences of taking his opinion into account. The child's opinion shall be taken into consideration in accordance with his age and level of maturity.*

Additionally, this Act protects the right to confidentiality of the child's personal data, and the confidentiality of the social services provision by prescribing that social service employees must perform their duties in accordance with the rules of the profession, to respect the beneficiary's personality, dignity and the integrity of their personal and family life, and that they are obliged to keep as a professional secret everything they learn about the personal and family life of the beneficiary. Other employees of the institutions of social welfare are also bound by confidentiality, and breaching confidentiality is treated as more serious than a breach of obligations in employment relations. In addition, the Act allows for complaints to be filed if the beneficiary is not satisfied by the services provided or by the conduct of the professionals providing the services. In such cases, the beneficiary can file a complaint to the director or some other person in charge of the social welfare institution. The complaint can also be made to the relevant responsible person in a religious community, to another legal entity which provides the service, and to another natural person who provides the social welfare services. It is the duty of the

director or other responsible persons who are providers of the social welfare services to immediately respond to the complaint and inform the beneficiary in writing of the measures taken regarding their complaint within 15 days of the receipt of the complaint. If the beneficiary is not satisfied by the measures taken, he or she can file a complaint against the service provider with the Ministry. If the complaint is justified, the Ministry will instruct the service provider on how to proceed and set a deadline by which the service provider must submit a notice of the actions taken.

This particular Social Welfare Act made the introduction of service quality standards compulsory for the providers of institutional and non-institutional social services which seek to provide their services within this network. In addition, the **Ordinance on Social Services Quality Standards** (Official Gazette 143/14) was developed. It aims to define the framework for the provision of social services to beneficiaries (except for foster families, which are regulated by different standards), but also aims to increase the efficiency of the assessment and evaluation of the quality of these services. In other words, the Ordinance prescribes the quality standards for social services and guidelines for their introduction, as well as the criteria for the assessment of compliance with the quality standards for social services. In addition to the quality standards, Guidelines for their implementation have also been developed. The Ordinance states that the most important indicator of the quality of services is the way in which the service provided is reflected in the life of the people who receive it, and emphasises the active role of the beneficiaries who, together with the professional staff, define the objectives of the service provision. The standards provide beneficiaries with a clearer insight into both the content of the service and into the quality which they can and should expect. These quality standards ensure that the legal rights of the beneficiaries are enhanced and raised to a higher level in line with the modern participatory practice of social work. The beneficiaries are further empowered to ultimately become informed co-creators of the service they receive and/or pay for.

Some of the standards which are directly related to the participatory rights of the beneficiaries, and therefore also of children, are: *the standard of access to information* (current and potential beneficiaries need to receive all information on the social services they are entitled to so that they may choose the right services which meet their needs best); *the standard of decision making and self-determination* (beneficiaries are encouraged to actively shape their own lives, and they are enabled in every way to make their own choices and decisions on all aspects of their lives); *the standard of privacy and confidentiality* (the recognition of every beneficiary's right to privacy, confidentiality and dignity in all aspects of their lives); *the standard of safety from exploitation* (the service provider ensures an environment free of neglect, abuse, intimidation or exploitation, and an environment in which the beneficiary's basic human rights and the rights guaranteed by law are respected).

Furthermore, the standards also refer to the right of the beneficiary, the beneficiary's family or other interested parties, to file complaints about the decisions of the responsible bodies or individual employees.

Standard 4 titled *assessment and planning* (together with the standards of admission and discharge), which also explicitly refers to the importance of beneficiary participation, is also of interest. *Needs assessment and planning should lead to agreement between the beneficiary (and, if appropriate, the beneficiary's family, guardian or representative) and the social services provider on the beneficiary's needs, and on the services which can meet those needs.* Thus, this standard states that the key principle in the provision of social services is to empower beneficiaries to take an active role in the assessment and planning of services, which ensures that

access to services is based on the individual needs of every beneficiary. Therefore, it is important to develop various assessment and planning models which make it easier for beneficiaries to take an active role in the planning of services directly related to them.

The **Family Act** (Official Gazette 103/15), in Article 86, also prescribes the right of the child to express their views, which should be respected by parents or other persons in charge of the child as appropriate, depending on the child's age and maturity. Additionally, in all proceedings in which decisions are made on some of the child's rights or interests, the child has the right to be appropriately informed of the relevant circumstances of the case, to receive advice and express their views, as well as to be informed of the possible consequences if their opinions are taken into account. The same act prescribes that a child who is older than 14 has the right to independently institute proceedings before the relevant bodies in order to exercise their rights and protect their interests. Furthermore, *the child has the right to participate in the process of agreeing the measures for their protection*, which means that they have the right to take part and express their views in all proceedings where the measures for the protection of their rights and well-being are assessed and agreed. If the child is older than 14, the child is allowed to present facts, review evidence, submit legal remedies, and undertake other actions if they are able to understand the meaning and the legal consequences of these actions. The same applies to making decisions on personal rights and interests of the child in court proceedings: a child older than 14 has the right to legal capacity.

This Act also protects the child's right to privacy, and therefore Article 351 prescribes the principle of exclusion of the public (i.e. the public cannot access proceedings in which decisions are made on status issues, issues of parental care, personal relations, child support, and measures for the protection of the rights and well-being of the child).

Ensuring the opportunity for the expression of the child's views is prescribed by Article 360, which states that *in proceedings in which decisions are made on personal and property rights and interests of the child, the court shall enable the child to express his opinion, except if the child objects to that*. If necessary, the court will enable the child to express his opinion in a suitable place and in the presence of a relevant expert. If the child is younger than 14, the court will enable the child to express his views with the help of a special guardian or another relevant expert. The same article also prescribes that the child has to be kept informed about the case, the course of the proceedings, and the possible outcome of the proceedings in a way that is appropriate to the child's age and level of maturity, provided this does not pose a threat to the development, education or health of the child. The duty of informing the child falls to the child's special guardian, the court or the relevant expert from the social service centre, depending on the circumstances of the case.

Furthermore, the child needs to be informed of the court ruling which affects the child's rights and interests. The ruling is forwarded to the special guardian or legal representative of the child, who is obliged to inform the child of the content of the ruling, and of the child's right to appeal, either personally or with the help of an expert.

**The Act on the Adoption of the Convention on Contact Concerning Children** (Official Gazette 7/08), in Article 6, refers to the right of the child to be *informed, advised and allowed to express his views*. In more concrete terms, if, according to the national legislation, the child is able to sufficiently understand the circumstances, the child has the right, except when it would clearly be against the child's interests, to receive timely information and be consulted on contact with persons who are or who are not the child's parents. The child also has the right to express his views on this.

With regard to the principle of beneficiary involvement, the **Foster Care Act** (Official Gazette 90/11, 78/12), (Article 6), *refers to beneficiary participation and states that the foster care beneficiary has an active role in satisfying their needs*, and is provided with the required services by the coordinated service providers in the local community which cooperate with each other. In addition, in Article 48 it is stated that the social welfare centre which is placing the beneficiary into foster care is obliged to involve the following people in the development of the individual transition plan: *the chosen foster family, the beneficiary, the members of the foster team from the foster centre, the parents, the guardian, and, if necessary, other members of the beneficiary's family*. The rights of the beneficiary who has been placed in foster care are prescribed by law, which gives the beneficiary the right *to be appropriately informed, depending on their age, of all phases of leaving their own family, and to be prepared for placement into a foster family. The beneficiary also has the right to participate in decision making that affects their life*. Additionally, the centre can form a **Council of Children and Young People in Foster Care** in the area they are responsible for, which would promote their interests and their right to family life and participation in their community. The structure and the way the council operates are determined by a formal Decision on the Founding of the Council of Children and Young People in Foster Care.

### 3.9. Conclusions of the analysis of legislation and strategic documents

In total, the analysis covered 23<sup>12</sup> various acts, ordinances, strategic documents and recommendations. More specifically, the Constitution of the Republic of Croatia, 19 acts (*the Act on the Ombudsman for Children, the Family Act, the Act on the Adoption of the Convention on Contact Concerning Children, the Misdemeanour Act, the Criminal Code, the Criminal Procedure Act, the Juvenile Courts Act, the Primary and Secondary School*

*Education Act, the Youth Councils Act, the Associations Act, the Labour Act, the Social Welfare Act, the Foster Care Act, the Personal Names Act, the Act on the Protection of Patients' Rights, the Police Affairs and Powers Act, the Act on the Execution of Sanctions Pronounced to Minors for Crimes and Misdemeanours, the Act on Games of Chance, the Volunteering Act*), five strategic documents (the strategy for children, the strategy for young people, the strategy for the development of the social welfare system, the strategic plan of the Ministry of Social Policy and Young People, the national framework curriculum), two ordinances (one for the quality standards of social welfare, and another defining the method of electing student representatives), and one recommendation of the Ombudsperson.

With regard to legislation, it can be concluded that **there are satisfactory regulations which ensure the prerequisites for the realisation of children's rights**. Therefore, we agree with the comment made in the National Strategy that in the Republic of Croatia there has been significant achievement in the area of structural and

**Child participation does not need to be additionally legally regulated; this initiative needs to be implemented, and its wider implementation needs to be encouraged.**

*Duška Bogdanović, employee of the Ministry of Social Policy and Youth, consultation notes*

<sup>12</sup> We are referring only to the documents currently in effect, although in our analysis we used documents from earlier periods.

**The Family Act and the Criminal Code regulate participation well. The Convention on the Rights of the Child is above the law, according to our Constitution. We can rely on the Convention directly, even if its articles are not incorporated into our legislation. So, the law was never the problem. It is not important to incorporate everything into Croatian law; this is about the willingness of the professionals. Our laws are good. Attorneys-at-law and experts working with children are still insufficiently informed about the rights of children, but this is slowly changing.**

*Lana Petö Kujundžić, Zagreb County Court judge, consultation notes*

process-related indicators in terms of this topic. We can conclude that child participation (in its various aspects, as can be seen from the legal texts and strategic documents) is regulated well. There is general consensus on this among the experts consulted in the study.

Summarising the reports and documents which tackle child and youth participation in various ways in Croatia, we would also like to note some obstacles to active participation: a large number of aims (in the strategies and ordinances) related to participation, the absence of clear mechanisms for monitoring and evaluating legislation and strategies, the absence of sanction mechanisms in the case of non-compliance with regulations and strategic measures, and the absence of (or the existence of very

little) information on legislation concerning children that is available in child-friendly format. We will briefly comment on these obstacles.

**The excessive number of aims and measures set in the strategies and ordinances** can be demotivating and can hinder focusing on short-term activity. It seems that it can be especially difficult at a time when there is still no clear understanding of participation and acceptance of cooperation with children. In informal conversations with experts (but also with the general public) we can observe the attitude that children have “too many rights” (and “too few obligations” – a frequent addition to that statement), and that extensive legislation can only increase that skewed view. Such detailed regulation of participation should by all means be followed by activities to sensitise the general and expert public of the need to respect child participation. There should also be education on specific ways in which the prescribed rights can be implemented in practice.

**Some say that children have too many rights, but when you list them and show these people the articles of the laws, there is not one that they consider superfluous. The terms “wishes” and “rights” are being confused, that is the problem. Drawing a parallel between human and children’s rights is good for understanding how important they are. For example, in legal proceedings, the adult has the right to express their view. Now I want to draw a parallel with children: when it comes to children, this right is being questioned, but when it comes to adults, it is not.**

*Ivana Milas Klarić, PhD, Ombudsperson for Children*

**The absence of clear mechanisms for the monitoring and evaluation of legislation and strategies** – we can agree that our laws and strategies are clear, well-written, even demanding for experts and decision makers, but how will we know that these same laws, aims and measures have achieved their purpose, and how will we know in which ways they have improved child participation? This would require evaluation studies, but also monitoring and documenting the lives of children. There is indeed a great need for active participation and feedback from children themselves. In this sense, it is important to note that the coordination of the implementation of national documents and legislation in the area of the protection and implementation

of children's rights (both vertical and horizontal) is ineffective, and that more work should be done in terms of the clearer monitoring of the implementation of children's rights in general.

**The absence of sanction mechanisms in the case of non-compliance with regulations and measures**

– the question here is what happens when the law and strategies are not being observed.

This obstacle is closely related to monitoring and evaluation, but it also raises the question of both institutional and personal (professional and private) responsibility for ensuring child participation. Currently, there are no prescribed mechanisms of sanctioning (or rewarding) the disregard of children's participatory rights, which leaves the responsibility to enable and encourage child participation to institutions and individuals. In this sense, it is important to note that legislation and ordinances allow for the possibility to file complaints about the work of public employees, and therefore, technically speaking, one can also file a complaint about the failure to observe participatory rights.

**The absence of (or very little) information on laws related to children available in a child-friendly format** – in order to ensure real child participation, children first need to have all the materials available in a child-friendly format. We do not mean just the materials intended for children in general, but we are also referring to the specific adaptation of materials for specific groups of children (e.g. children with difficulties, children of minorities). In consultation with one of the experts who has been working in the area of children's rights and child participation for many years, we learned that children who are members of the Children's Councils receive the same materials for the Council's sessions as adults, which we consider almost a paradox of participation: children are formally involved, but in fact their participation is not encouraged.

**Nobody is held accountable for oversights or for disregarding the law. The person or the institution behaving irresponsibly regarding children's rights is never taken to task. Seldom is anyone removed from key positions. Oversights are not sanctioned. An oversight is the same as intentional wrongdoing. In addition, control and supervision are very important, going out in the field to listen to teachers teaching, checking to what extent they involve children, checking the work of educators in children's homes, checking how judges judge... Especially in the beginning, when people are young. The ministries must pay attention to this.**

*Lana Petö Kujundžić, Zagreb County Court judge, consultation notes*

**Children are only formally involved in strategic bodies;<sup>13</sup> they are not being prepared for the sessions, they are given the same materials as adults.**

*Sanja Škorić, director of the Society Our Children Opatija, consultation notes*

<sup>13</sup> This refers to a child, a member of the Children's Council.

NIVEX KOLLER-TRBOVIĆ AND ANA ŠIRANOVIĆ

## 4. RESEARCH IN THE AREA OF CHILD PARTICIPATION

### 4.1. Children as research participants

Hall (2006, according to Marković, 2008) claims that there are two ways of viewing children as research participants. The first refers to the sentimentalisation of the child's "voice", or seeing the "voice" as truer because it is produced by the child, while the second refers to perceiving children as "culturally naive" and unable to contribute more significantly to new knowledge. In this sense, Stephenson, Gourley and Miles (2004) refer to the cultural and social perception of children as lacking skills, and therefore unable to express their thoughts. In terms of the perception of children and research on children (and with children), James (1999, according to Marković, 2008) defines four ideal types of child as we perceive and research the child:

1. The developmental perspective of the child, according to which the child is someone who is in development. The child's competences are underestimated; even when the "voice" of the child is articulate, they are not believed, or they are not taken seriously.
2. The perspective of the child as a tribe member, which says that children inhabit an autonomous world, detached from the world of adults; children are seen as competent stakeholders in the world which is conceptually different from the world of adults, with separate rules and organisation.
3. The perspective of the child as adult, where children are seen as competent participants in the shared world made to the adults' measure.
4. The perspective of the social child, which sees children as research participants in the same way as adults, but in this perspective children have different competences and conceptual modifications which enable the researcher to focus more on the diversity of childhood.

Considering the importance of the active involvement of children in research, Czymoniewicz-Klippel (2009) claims that contemporary scientists have accepted the children's right to be equal participants in research, and that today they are more focused on deciding on the extent to which children can – and should – be involved in research.

In this sense, Stephenson, Gourley and Miles (2004) discuss the cultural and social perception of children as lacking skills, and therefore unable to express their thoughts. Kellett et al. (2004) claim that children in themselves are not really competent for research, regardless of their age, just as adults are not. They need to be prepared for research, so the authors conclude that the obstacle to children acting as researchers is not that they are not "adult enough", but that they lack specific research skills, which they can be taught.

Therefore, it is important to note that children can be involved in research in at least two ways: as **active participants** (those who share their experience and whose

insight helps create new knowledge), and as **researchers** (initiators or equal partners throughout the whole research process) (Clark, 2004). In both cases, we are dealing with participatory research, but the role and the level of engagement of children is different. Czymoniewicz-Klippel (2009) raises the question of how practical it is for the researcher to involve children as researchers, and as equal participants, especially if the children are not used to being treated this way. This question actually goes beyond the aspect of practicality and is more related to the effect that research has on the whole environment in which it is being conducted. The question is to what extent the ideas, values and approach advocated through research is in line with the values and approach to children in general.

Children cannot be considered as a homogeneous group, as it is clear that some children are more competent and more ready than others to become involved in research. Hart (1992) lists some of the factors which affect children's ability to participate: social and emotional competence, the ability to express themselves, belonging to a certain social class, and different opportunities of participation for boys and girls (especially in developing countries).

Research with children puts adults in a new position, too – they become an unusual breed that is truly interested in understanding children's views and perspectives, without the dubious attempt to be children themselves. Therefore, the researcher is, first and foremost, an interested person, and only then an expert with a specific aim (Haudrup Christensen, 2004).

## 4.2. Rationale and criteria for the analysis

Article 12 of the Convention on the Rights of the Child (1989) represents the starting point for an analysis of research related to child participation, where child participation is understood as the participation of children in all areas and decisions which concern them. It was shown that this is a very wide area and that there is research on **child and youth participation (research on what children/young people think of participation, as well as research on what adults say about child participation in decision making), and the participatory research of children and young people (research in which children participate actively and cooperate with researchers)**. Research which studies the children's perspective on participation, and where children participate in decision making – in research, etc., has also been taken into account. However, it was shown that there are very few such studies, and that in the beginnings of researching child participation, participation was understood as the opportunity for the child to express the child's own views, and satisfied the researcher who was interested in the so-called user perspective, or the perspective of the child. A number of papers of various methodology and subject matter were analysed in this way. The analysis of child participation in research was therefore approached as a developmental process, a certain continuum, ranging from research characterised by listening to what children had to say about the topics set by researchers, the provision of detailed information to the child on the aims and ways of their participation, and interest for their particular perspective, to research in which the child is a participant in its conduct, but also the subject of the research itself.

Despite its wide scope, the relative scarcity of such research in Croatia between 1989 and 2015 is surprising. The year of 1989 is taken as the starting point as this is the year in which the Convention on the Rights of the Child was passed. The sources of data for this study were books, journals, dissertations, national reports

and other publications. Special attention was given to an analysis of publications of the following faculties and study programmes: *the Faculty of Education and Rehabilitation Sciences, Department of Pedagogy, Department of Psychology, Department of Social Work, and the Law Faculty*, as well as to an analysis of the following journals: *Kriminologija i socijalna integracija [Criminology and Social Integration], Hrvatska revija za rehabilitacijska istraživanja [Croatian Review of Rehabilitation Research], Ljetopis socijalnog rada [Social Work Chronicle], Dijete i društvo [The Child and Society], Odgojne znanosti [Education Sciences], Hrvatski časopis za odgoj i obrazovanje [The Croatian Journal of Education], Društvena istraživanja [Social Research], Napredak [Advancement], Pedagogijska istraživanja [Pedagogical Research], Revija za socijalnu politiku [The Croatian Journal of Social Policy], Život i škola [Life and School], and others.*

The study also accessed the online databases (*Hrčak, Crosbi, Google Scholar, the catalogue of the National University Library*), as well as available publications. The key search words were: *participation, taking part, active participation, proactivity, activity of children, child as active being, responsibility, respecting opinions, right to participation, participatory right, participatory rights, listening to children, child's voice, children's voice.*

In this way, 17 studies were identified on the general population, 11 on the population at risk, and 12 on children with (developmental and learning) disabilities. However, many other studies were listed as they seemed relevant to the topic, but did not fully satisfy the selection criteria because they were either of a theoretical nature, or they had children and young people as participants of the research, but only related to the topic of interest of the author, not necessarily related to participation. Still, on the one hand, these studies advocate child participation, often according to foreign models or research, by which they continually contribute to the raising of awareness of the importance of child participation in issues that concern them, and, on the other hand, they contribute to increasing the visibility of children's perspective in relation to many topics (free time, the future, violence, etc.).

The criteria for the **selection of participatory research were the interest of the researcher in children's perceptions, views and experiences of participating in decision making on issues which directly concern them** (the user perspective on the perception and experience of participation), and the intention to **seriously listen to children and involve them in the decision-making process regardless of the outcome of these decisions** (whether they are in line with the wishes/stated opinions of the child).

### 4.3. Research which promotes the idea of child participation

Research which promotes the idea of the participation of children in decisions and issues which are important for their life provides guidelines, explains the need for and the advantages of such an approach, offers positive foreign solutions, etc. These studies do not represent research of child participation, but they deal with the idea of participation, i.e. with the promotion of the idea of child participation in decisions which concern them. They also draw attention to the important principles of such an approach, they discuss methods of implementation, and the advantages of such an approach on the basis of foreign experiences. Therefore, they serve the purpose of promoting the children's right to participation. Of course, they also discuss and

emphasise the child's right not to participate, as that is also a choice, so the child chooses whether to participate or not in the decision-making process after having been informed in detail. The child expresses a view which is seriously considered and accepted. Some of these studies are:

Ajduković, M (2003): *Sudjelovanje mladih i mogućnosti grupa za socijalnu akciju u prevenciji poremećaja u ponašanju djece i mladih u lokalnoj zajednici* [Youth Participation and the Capabilities of Groups for Social Activity in the Area of Prevention of Behavioural Disorders in Children and Youth in the Local Community]. In: Bašić, J and Janković, J (eds): *Lokalna zajednica – izvoriste nacionalne strategije prevencije poremećaja u ponašanju djece i mladih* [Local Community – the Source of the National Strategy for the Prevention of Behavioural Disorders in Children and Youth]. State Institute for the Protection of Family, Maternity and Youth, the Committee of the Government of the Republic of Croatia for the Prevention of Behavioural Disorders in Children and Youth, Zagreb. 31-42

Ajduković, M (2002): *Pravo djece s problemima u ponašanju i njihovih roditelja na sudjelovanje u procesu procjene potreba i planiranja intervencija* [The Right of Children with Behavioural Disorders and their Parents to Participation in the Process of Needs Analysis and Intervention Planning]. In: Vladović, S (ed): *Zaštita prava i interesa djece s problemima u ponašanju* [The Protection of the Rights and Interests of Children with Behavioural Disorders]. Ombudsperson for Children of the Republic of Croatia. Zagreb. 95-111.

Bašić, S (2009): *Dijete (učenik) kao partner u odgoju: kritičko razmatranje* [The Child (Student) as a Partner in Education: A Critical Study]. Education Sciences, 11(2), 27-44.

Bašić, S (2011): *(Nova) slika djeteta u pedagogiji djetinjstva* [A (New) Image of the Child in Childhood Pedagogy]. In: Maleš, D (ed): *Nove paradigme ranoga odgoja* [New Paradigms of Early Upbringing]. Faculty of Humanities and Social Sciences, University of Zagreb, Pedagogy Institute, Zagreb. 19-37.

Hrabar, D, Vizek Vidović, V, Žižak, A (2001): *Mentoriranje prava djeteta na slobodno izražavanje vlastitog mišljenja* [Mentoring the Right of the Child to the Free Expression of Their Views]. The Association for the Initiative in Social Welfare. Zagreb

Jeđuđ, I (2011): *Modeli participacije i njihova refleksija u hrvatskoj praksi* [The Models of Participation and their Reflection in Croatian Practice]. The Child and Society, 13(1/2), 31-43.

Jeđuđ Borić, I, Miroslavljević, A (2014): *Participatory Research in the Field of Social Pedagogy in Croatia*. In Rauch, F, Schuster, A., Stern, T., Pribila, M., Townsend, A. (eds): *Promoting Change through Action Research*. Sense Publishers. Rotterdam. 173-192.

Johnson, K, Clark, S (2015): *Uključivanje djece i mladih u istraživanja obrazovanja* [Involving Children and Youth in the Research of Education]. In: Igrić, Lj (ed): *Osnove edukacijskog uključivanja – škola po mjeri svakog djeteta je moguća* [The Basics of Educational Inclusion – Schooling for Every Child's Needs Is Possible]. Školska knjiga, Zagreb.

Koller-Trbović, N (2012): *Sudjelovanje djece u procesu procjene potreba i planiranja intervencija: socijalnopedagoški pristup* [Child Participation in the Process of Needs Analysis and Intervention planning: The Social-Pedagogical Approach]. In: Vladović, S (ed): *Zaštita prava i interesa djece s problemima u ponašanju* [The Protection of Rights and Interests of Children with Behavioural Disorders]. Children's Ombudsperson of the Republic of Croatia. Zagreb. 63-79.

Kušević, B, (2010): *(Ne)uvažavanje participativnih prava djeteta: suvremeni obiteljski odgoj između poslušnosti i odgovornosti* [(Not) Respecting the Participatory Rights of the Child: Contemporary Family Upbringing between Obedience and Responsibility]. The Child and Society, 12 (1/2). 105 – 116.

Laklija, M, Pečnik, N, Sarić, R (2005): *Zaštita najboljeg interesa djeteta u postupku razvoda braka roditelja* [Protecting the Best Interests of the Child in the Process of Divorce]. Social Work Chronicle. 12 (1). 7-38

Maleš, D (2003): *Redefiniranje uloge učenika u svjetlu Konvencije o pravima djeteta* [Redefining the Role of the Student in the Light of the Convention on the Rights of the Child]. In: Vrgoč, H (ed): *Odgoj, obrazovanje i pedagogija u razvitku hrvatskog društva* [Education and Pedagogy in the Development of Croatian Society]. Croatian Pedagogical-Literary Collected Papers. Zagreb. 209-216.

Markovinović, A (2010): *Participativna prava djeteta u sustavu odgoja i obrazovanja* [Participatory Rights of the Child in the Education System]. The Child and Society: Journal for the Advancement of the Rights of the Child, 12 (1/2). 117-125.

Markovinović, A, Maleš, D (2011): *Pravo djeteta na sudjelovanje u procesu suradnje obitelji i odgojno-obrazovne ustanove* [The Right of the Child to Participate in the Process of Cooperation between the Family and the Education Institution]. In: Vantić-Tanjić, M et al. (eds): *Unapređenje kvalitete života djece i mladih* [Improving the Quality of Life of Children and Young People]. OFF-SET, Tuzla. 123-133.

Croatian Youth Network (2009): *Sudjelovanje mladih u razvoju politika za mlade*. Studij o mladima i za mlade [Youth Participation in the Youth Policy Development. A Study Programme about Young People and for Young People]

Croatian Youth Network (2009): *Učenička vijeća. Sudjelovanje učenika u procesima donošenja odluka* [Student Councils. Student Participation in the Decision Making Processes]. ACT, Printlab, Čakovec.

Radočaj, T (2001): *Značaj sudjelovanja* [The Significance of Participation]. The Child and Society. 3 (4). 499-505

Rengel, K (2013): *Gledišta predškolskih odgojitelja o dječjoj igri* (neobjavljeno predavanje) [Pre-school Teachers' Perspectives on Child Play] (unpublished lecture). Link: <http://bib.irb.hr/prikazi-rad?lang=en&rad=687629>; a published paper on a similar topic: Rengel, Katarina (2014): *Stavovi predškolskih odgojiteljica o igri* [Pre-school Teachers' Views on Play]. Croatian Education Journal, 16 (1), 113-125

The Association of Societies Our Children Croatia: *Dječja participacija. Aktivno sudjelovanje djece* [Child Participation. Active Participation of Children].

Širanović, A (2012): *Dijalog s učenicima: temeljna odrednica interkulturalno osjetljive škole* [A Dialogue with Students: The Basic Feature of an Inter-culturally Aware School]. Research in Pedagogy, 9 (1 /2). 191-204.

Širanović, A (2013): *Dijalog – zrcalo kulture zajednice učenika i učitelja* [Dialogue – the Mirror of the Community of Teachers and Students]. In: Ljubetić, M, Zrilić, S (eds): *Pedagogija i kultura. Znanstvena monografija. Kultura kao polje pedagoške akcije: odgoj, obrazovanje, kurikulum* [Pedagogy and Culture. A Scientific Monograph. Culture as a Field of Pedagogical Action: Education, Curriculum]. Croatian Pedagogical Society, Zagreb. 294-301.

Žižak, A, Koller-Trbović, N (2003): *Sudjelovanje djeteta u procesu procjene potreba i planiranja intervencija* [The Participation of the Child in the Process of Needs Analysis and Intervention Planning]. The Child and Society. 5(1). 119-139.

Some research deals only with the approach to children in research, and the ethics of such research. This was the subject of an entire issue of the journal *Dijete i društvo* [The Child and Society] in 2003, and on the basis of this (a scientific-professional conference) the *Ethical Code of Research with Children* was developed (edited by M. Ajduković and V. Kolesarić). However, papers on this topic can be found in numerous other publications, which only shows the sensitivity of researchers to the issue of children taking part in research, especially of participatory involvement.

Additionally, the methodology of participatory research is, if not exclusively, then mostly qualitative and very challenging for both the participants and the researchers, in terms of personal engagement, time commitment and organisational issues. On the other hand, until 10 year ago such methodology did not prove to be well suited to publication in scientific journals in Croatia because, according to the positivist paradigm, it did not satisfy the scientific criteria. Therefore, such research or projects were often published as separate publications, e.g. Žižak, A., Vizek Vidović, V. (2004): *Participacija djece u procesu odgoja – ostvarivanje prava djece smještene u domovima za djecu u Republici Hrvatskoj* [The Participation of Children in the Education Process – the Realisation of the Rights of Children in Children's Residential Care Homes in Croatia] UISP, Zagreb, or they remained as internal material of the authors/professional institutions which were then hard to access.

On the basis of the above, and on the basis of the insight into participatory practice, we can conclude that in practice there is more participatory work than is visible in this analysis of research. The reason for this is the fact that practice is quicker, more flexible, and it adjusts more easily to new needs and trends, but is not often followed by scientific research.

## 4.4. Child participation through the research of the children's perspective

There are numerous studies in which **children participate by being interviewed about the topic/aim of the research which is closely connected to their experience and life,**

e.g. about stress and the way they cope with stress at home, about their free time, about punishment in their family, about unemployment, etc. Although such research is of special significance and importance because it reveals the perspective of a participant/user, it cannot be considered participatory for several reasons. Firstly, the topic and the aim are defined by the researcher or the team which chooses the participants in relation to the set aims, and they are interested in what the participants have to say about that, but such research usually stops there, not having the active participation of the participants in the whole process as their aim (from their relation to the topic, to offering different perspectives and approaches, and the potential joint work on the results and the dissemination of results). Secondly, the methodology of such research focuses sometimes exclusively on filling in questionnaires, i.e. on instruments which were prepared in advance, which are then filled in by the participants, individually or in groups, by post, and the like, answering prepared questions, often using suggested answers. And it often stops there.

On the other hand, qualitative methodology is increasingly used when researching the participants' perspective, especially using the method of discussion (interviews, focus groups, or essays). However, with this approach it also happens that researchers process, interpret and disseminate results without the active participation of participants. Therefore, the participants are mostly informers and sources of data for the topics the researchers are interested in, and this is almost the only role of the participants in such research. However, this kind of research is also very significant because it presents the **perspective of the participants/users/children, especially when it comes to the marginalised or stigmatised population, children at risk, and the like, and children with very specific experiences in relation to certain life phases or events**. Although such research requires a more significant level of participation, not just when it comes to data collection on a certain topic, but also in terms of the methodology used for the collection and processing of data, observing ethical principles, particularly in terms of informed consent, willingness to participate, anonymity, respecting the participants and taking them into account, as well as obtaining approval for the results, it also builds trust with participants and shows them they are important for the research topic, and recognises that their participation can be of help for the advancement and development of practice and science. In this way, using qualitative methodology, for example, in the study of new, less researched and less accessible topics and participants has an impact on both practice and theory, and on science itself. Some of the studies of this kind are:

Baban, P, Galić, Ž, Marin, G (2010): *Što je za nas slobodno vrijeme i kakve sadržaje trebamo* [What is Free Time and What Kind of Activity Do We Need?]. In: *Dječja prava i slobodno vrijeme* [Children's Rights and Free Time]. Ombudsperson for Children, Zagreb. 17-21.

Bouillet, D (1999): *Procjena primjerenosti institucionalnog tretmana u Republici Hrvatskoj* [The Assessment of the Appropriacy of Institutional Treatment in the Republic of Croatia]. In: *Odgoj u domovima – kako dalje* [Education in Children's Homes – How to Proceed]. Ministry of Work and Social Welfare, Zagreb. 73-84.

Filipušić, I, Opić, S, Krešić, V (2015): *Neke specifičnosti zadovoljstva učenika školom u bolnici*. Hrvatski časopis za odgoj i obrazovanje [Some of the Specifics of Student Satisfaction with Schooling at the Hospital]. Croatian Journal of Education. 17 (sp.ed.1). 97-111.

Jeđud, I (2011): *Doprinos perspektive korisnica Odgojnog doma Bedekovčina razumijevanju rizičnosti kod djevojaka* [The Contribution of the Perspective of Users of the Juvenile Correctional Home Bedekovčina to Understanding Risk Behaviour of Girls]. Dissertation. University of Zagreb, Faculty of Education and Rehabilitation Sciences, Zagreb.

Klinec, M (2011): *Stavovi i ponašanja učenika srednjih škola u području prava djeteta na odmor i slobodno vrijeme* [The Attitudes and Behaviour of Secondary School Students in Relation to Children's Right to Rest and Free Time]. Master's thesis. Faculty of Teacher Education, University of Zagreb. Zagreb. Postgraduate specialist study *Contemporary Primary School*.

▼ Koller-Trbović, N (2009): *Nezaposlenost u doživljaju i iskustvu nezaposlenih mladih u Hrvatskoj* [The Perception and Experience of Unemployment of Young Unemployed People in Croatia]. Social Work Chronicle. 16(1). 91-111 and Koller-Trbović, N, Žižak, A, Jeđud, I (2009): *Nezaposlenost i socijalna isključenost mladih u Hrvatskoj: perspektiva nezaposlenih mladih u riziku ili s poremećajima u ponašanju* [Unemployment and Social Exclusion of Young People in Croatia: The Perspective of Young Unemployed People at Risk or with Behavioural Disorders]. Criminology and Social Integration. 17(2). 87-105.

Koller-Trbović, N, Žižak, A (2012): *Problemi u ponašanju djece i mladih: višestruke perspektive* [Behavioural Problems in Children and Young People: Multiple Perspectives]. Criminology and Social Integration. 20(1).

Maleš, D, Kušević, B (2008): *Kako djeca doživljavaju kažnjavanje u obitelji?* [How do Children Perceive Punishment in the Family?]. The Child and Society, 10 (1 /2). 49-71.

Mirosavljević, A (2015): *Izvansudska nagodba – perspektiva oštećenika i mladih u sukobu sa zakonom* [Out of Court Settlement – the Perspective of the Damaged Parties and Youth in Conflict with the Law]. Dissertation. University of Zagreb, Law Faculty, Social Work Study Centre, Zagreb.

Žižak, A, Koller-Trbović, N, Jeđud, I (2004): *Poremećaji u ponašanju djece i mladih: perspektiva stručnjaka i perspektiva djece i mladih* [Behavioural Disorders in Children and Youth: the Perspectives of Experts and of Children and Young People]. In: Bašić, J, Koller-Trbović, N, Uzelac, S, editors: *Poremećaji u ponašanju i rizična ponašanja: pristupi i pojmovna određenja* [Behavioural Disorders and Risk Behaviours: Approaches and Terminology]. Faculty of Education and Rehabilitation Sciences, University of Zagreb, Zagreb. 119-139.

## 4.5. Child participation in research in terms of vulnerability<sup>14</sup>

In the **general population**, according to analysed research, the research covers the whole continuum of environments (kindergartens, primary and secondary schools, family and the local community, the media) and topics focused on the research of children's rights in these contexts, with the emphasis on participation, active involvement, influencing decisions in the family, school, local community and the media. These studies show, among other things, that children want to be involved and want to participate in issues that concern them, but that they do not always have the necessary support for this. Besides, from some research it can be concluded that the level of participation of children in different parts of Croatia is different, so children in some areas and contexts participate very successfully, and vice versa (for example, the Children's Council in Opatija is an example of good practice of child participation in decision making at the local community level). This means that child participation is possible and achievable, but that it requires dedication and engagement from adults to ensure the conditions and to empower children for it.

In the **population at risk**, selected research on child participation relates to children's participation in their treatment, in the process of assessment of whether they need to be placed in a residential care home, in the decision on the correction measures that will be applied to them, in the evaluation of their treatment, and in the evaluation of a programme of study/practice from the perspective of the user. The children covered by this research come from children's/residential care homes, foster care families, special homes, or who are the beneficiaries of non-institutional interventions. In addition to satisfying the rights and needs of the beneficiary in a care home or during an intervention, some research also focused on learning about

<sup>14</sup> The analysed research is related in principle to three larger groups of children: the general (typical) population that does not display any issues or difficulties; the risk population (children at risk of developing behavioural disorders, and children with behavioural disorders); children with developmental and learning disabilities.

their views on, and experiences of family, school, and social welfare support. Unlike the research mentioned earlier, in this research the topics are often related to those aspects of life which are important for every individual child, i.e. decisions which can be crucial for the child's future life. Some of these topics are relevant only to children with behavioural issues (for example, the decision on future treatment, or the right to participation of children placed in residential care homes), while others are relevant to all children (for example, observing the right to participation in the family and in school). Although here we also encounter both the quantitative and qualitative methodology used, in several instances, on very large samples of participants, when it comes to so-called *proper* participatory projects aimed at understanding the participants' perceptions and experience, the qualitative approach, methods and techniques are used (such as interview, focus groups, the observation of participants, and sometimes even questionnaires with open questions or essays), while qualitative analysis is used for processing the data. This also means that the number of participants in such research is smaller. However, as before, here we can also conclude that children's rights to participate are insufficiently implemented, and are understood in various ways, but that there is interest, mostly in children, for participation in issues that relate to their lives, especially in making decisions regarding treatment, and that there is a lot of room to improve not only the level of respect for the rights of the child, but also the treatment activity itself.

Although this may not be a valid conclusion for all of the listed research, it is generally possible to conclude that the population at risk often depends on the decisions made by experts, and it often does not agree with those decisions. Research shows that children can provide accurate information about themselves and their lives, and that they are interested in future decisions that concern them. It was shown that researchers and experts should change their approach to children and young people at risk, and place more emphasis on participation and joint work, as well as joint decision making and the implementation of those decisions. It was shown that this approach was not easy or simple, either for the researchers/experts or for the children, because it requires greater engagement and responsibility from them (this requires the thorough preparation and empowerment of children). However, it was also shown that the advantages of such an approach are greater than the disadvantages, and that everyone involved was interested in such an approach. This approach, however, needs to be further adapted to suit the practice and the specific needs and abilities of the beneficiaries, but also the realistic possibilities in the environment (the culture of participation needs to be developed in all segments).

In **children with developmental and learning difficulties** in particular, research focuses more on learning about their perspective on some segments of inclusion or participation in their own (medical) treatment. Although this type of research employs child participation less in decision making, it is more focused on learning about the perspective of the beneficiaries with the aim of improving the quality of the relationship to these children, and of adequately meeting their needs (e.g. involving these children more in free time activities at the local community level, the greater orientation of children who have a personal assistant in class to socialising with other children in order to avoid their gradual withdrawal, which was something research warned about). We can say that, in learning about the beneficiaries' perspective, this type of research has the function of "fixing" the practice and providing more opportunities to children with disabilities so that they can engage more in activities with their peers without disabilities. Such research also focuses on the study of the relationship towards, and the perception of parents of children with disabilities, on their empowerment, as well as on the study of the perceptions and the participation of the general population (students, teachers) in the process of inclusion.

## 4.6. Child participation in research in terms of different environments

The analysed studies cover **topics in a continuum of environments** in which children move, from family, to kindergarten, primary and secondary schools, up to the local community. When it comes to children at risk, to these topics we can add participation in either institutional or non-institutional interventions, while for children with disabilities greater emphasis is placed on topics related to the family and the inclusive school. In these studies the topics are increasingly more focused, so they cover, for example, child participation in choosing certain activities, or in making decisions on some everyday matters that concern them, like choosing their company, or the school, or the topics cover child participation in making decisions in school, or they cover the perception of a certain school activity, or relationships in school. In terms of the local community, the studies cover the participation of children in making decisions at the community level which are related to the interests and activities of children and young people (playgrounds, free time activities, security in traffic). Children with behavioural issues are more often focused on participation in their own life, in terms of decisions regarding their treatment, in terms of influencing the course of treatment, and the like. Children with developmental disabilities are studied more in terms of the inclusion process, and the factors which either support or weaken it, which is where the beneficiaries have an important role as sources of information.

In terms of the media environment, the analysed studies have shown that the content related to children was mostly negative and sensationalist. In a one-year study of the relevant printed press in Croatia, only 1.4% of it was positive, while the children's right to participation made up for only 0.7%. Moreover, it was shown that there was no content on the inclusion of children with disabilities in everyday life, while other children at risk were presented more like victims or criminal offenders. The authors of these studies (Ciboci, Kanižaj, Labaš, 2011) concluded that in Croatian newspapers children are marginalised and excluded, they are often written about, but they are not given an opportunity to become actors of the newspaper story. The absence of child participation in the development of media content leads to the stereotyping of children – they are presented in a certain light, and not the way they perceive themselves. Journalists and editors should provide space for children to express their views, and they should write more about the positive aspects, they should promote children's rights and the rights of children with developmental disabilities. Further, they should be aware of the fact that by what they write they create an image of children in society, which affects their behaviour towards adults, but also their understanding of their own role in society.

In the context of environment, it is important to consider the **insufficiently researched aspects** of children's participatory rights. Starting with the ecological approach, from the environment that is closest to the child, progressing to the farthest, we can claim that the rights of children to participate in their family are not sufficiently researched, although several studies which deal with this topic have shown that children report satisfaction with the level of respect of their rights to participate in their family in terms of the possibility to influence the choice of friends, school, clothes, going out, and the like, but not in terms of the topics important for the whole family, or rather, topics which, in the perspective of adults, require a higher level of responsibility. Moreover, the research of this segment of rights requires a shift towards the participatory approach because the way research has been conducted until now has produced the results mentioned above. School, as an institution of special interest to children, but also to the community, which should, among other things, educate

for future citizen participation, seems to be the one neglected most in the research of student participation from the perspective of students themselves. Although there are certain insights which point to the students' general dissatisfaction with the opportunities for participation in decision making in partnership with the adults in the school, there are the results of some older, but also of new studies which show that adults in schools (teachers, pedagogues) perceive the opportunities for student participation as satisfactory. It seems that the students and adults in schools perceive the observance of children's participatory rights in very different ways. There is also an obvious need for joint, participatory research which would aim at bringing these perspectives closer together, and influence changes in practice, or at least study the causes of this gap, and provide better understanding of it. More recent research of the participatory rights of children in the local community has shown that there are varied practices and levels of child participation – from models of good practice, to those of a more formal character. In this area, it does not seem that there is any need for more research of child participation, but there is a need for greater use of the existing results for spreading the models of good practice to all parts of Croatia. However, even in this area, as research shows, it is necessary to improve the way children are elected to representative bodies, as well as their connections to all the children they represent.

## 4.7. Child participation in research in a time continuum

Research in the area of child participation can be viewed in a **time continuum** in terms of several elements. The early **studies focused on learning about the participants' views of the observance and understanding of the participatory rights** of the child in various contexts and from different perspectives. At that time in Croatia there was no insight into child participation, so such studies were very valuable as they attempted to establish how children, young people and adults in various contexts and roles understood the participatory rights of children, what their experiences were regarding the extent to which these rights were respected, and what they thought of them. It is interesting that the first such studies were conducted in the area of children and young people at risk, or those with behavioural issues, and they were then widened to cover the general population. The reason for this is probably the sensitivity of experts to children at risk, especially those with behavioural issues, who, because they are usually perceived as those "with unacceptable behaviour, who are disobedient, bad", never had an opportunity to influence the decisions of adults on issues that directly concerned them. These studies have shown that children understand participation, as well as the great responsibility it brings, but that they mostly want to participate in decisions which are important for their lives. This is the basic difference between the participation of the so-called general and risk population. In the general population, it is more about everyday matters and decisions related to the free-time activities, friends, going out, the choice of school, but also clothes, food, and the like, while in the risk population, besides these things, it is also about the key decisions on where and how and with whom they will live, and how restricted their free choice and contact with people they are close to will be. In this context, one would expect that children and young people at risk would be far more interested in the extent to which their participation rights are respected, because their existential needs, their need for belonging, security and freedom are often unmet.

Because they were dealing with new rights, in the beginning the experts themselves attempted to define the areas and the content of the children's participatory rights, so

the research instruments focused more on the structured collection of data through questionnaires and surveys, adhering to the principle of consensual participation and the anonymity of participants. Later in the research of the participatory rights of children, experts started to increasingly involve participants and their perspective, experience and perception, and, in a more open and less structured way, applying the qualitative methods such as interviews, focus groups and essays, or questionnaires with open questions.

We can call this **the second wave of child participation research, where there was more focus on the perspective of the participants from whom the researchers attempted to obtain information on how they viewed these rights. They also wanted them to provide suggestions for improving the observance of these rights, and for getting more out of them for the benefit of children.**

It was not until the **third wave of research that a further step was made in this direction and children began to be involved as co-creators of research**, if not from the very beginning, i.e. the selection of the topic, then from the moment of actually conducting the research, where children became partners to the researchers of the participatory rights of children in various contexts. Together with researchers, they deepened the topics, interpreted results and wanted to take part in the dissemination of results, understanding their own role, which has special significance in the development of science and better practice.

## 4.8. Child participation in research in terms of research methods

The course of development mentioned above in the area of participatory rights of children in Croatia was followed by employing, but also by the development, of various research methods and approaches. It was shown that for the early studies in which children took part only by providing information in questionnaires, a larger sample of participants was more appropriate, or, so to say – more representative. It was also more appropriate to apply the procedures of the statistical method and the generalisation of results. **The second wave of research changed the approach and focused entirely on the participant** in the desire to understand and learn as much as possible about the participant's perspective and experience of participation rights, so, in this sense it turned to **individualised methods and techniques for data collection, such as interviews, focus groups, and, less frequently, essays**. Such an approach requires a significant amount of time not only for preparation and implementation, but also for data analysis, detailed information provision to participants, obtaining their informed consent, allowing for the possibility of them withdrawing from the research, obtaining their approval of transcripts, etc., which can be a significant drain on research resources (time, researcher availability, conducting research in the participant's environment, money), which leads to the reduction of the number of participants in such research. This is why a smaller number of participants was used in research, which, together with the fact that data were analysed by using the qualitative methodology, produced the results of a small range (the small-range theory), which were impossible to generalise, and also often difficult to publish in scientific publications. Therefore, it is not surprising that such research is less frequent, even though it is immensely useful. The problem, however, is that often the completion of such research does not mean that the topic has been elaborated, and often nothing happens after it, probably because of the difficulties we mentioned, and the fact that such research is very demanding. The situation is similar in the

**third wave of research, which involves children in research to a greater extent. This is mostly so-called action research**, which deepens child participation further, but also sets high standards for researchers and for the logistics, because the aim here is not only to research the practice in cooperation with children, but to also change it. This, on the one hand, means securing significant resources for the conduct of the research, and, on the other hand, ensuring that such research is scientific.

## 4.9. Child participation in research through the prism of ethical questions

The question of ethics in research with children follows a continuum in the development of the research on child participation – in the beginning, children would just be briefly informed about the research, about anonymity and how to fill in the questionnaires, while today there are very sophisticated procedures for informing the children and guardians, requiring informed consent to be given by signing a consent form a copy of which is given to the child; the child's individuality is respected, as is their decision to voluntarily participate or, if they so decide, to withdraw from the research. Consent is sought for each research phase, and lastly, for the final results and their presentation and dissemination. Of course, it is recommended, although it has not so far been mentioned, that such research, from the moment of its conception and approval by the faculty, university, ministry, civil society organisation, inter-governmental organisation, etc., undergoes rigorous control to ensure the alignment of the research topic, the way participants are selected, the way they participate, the selected methods, etc., with the ethical principles listed in various codes (such as the Ethical Code of Research with Children, the Ethical Code of the University of Zagreb, ethical codes of particular professions, etc.). This ensures the maximum protection of the rights of the child – this protects them from malpractice in the research process or in the presentation of results, and allows them to make their own choices and their own decisions regarding participation.

## 4.10. Conclusions in the area of child participation research

Scientific research on child participation in Croatia in the last 25 years is weak in terms of quantity. Conducting such research began almost 10 years after the 1989 Convention on the Rights of the Child came into effect, and more research can be found on the necessity of child participation than on the topic itself. In terms of the general population, such research has somewhat intensified in the last few years, while in terms of the population at risk, it has been relatively even for the past 15 years, especially in terms of children with behavioural disorders. In terms of children with developmental disabilities, such research and the approach to such research are yet to be intensified. It was established that such a type of research is conducted mainly by groups of researchers from several faculties of Zagreb University (Faculty of Education and Rehabilitation Sciences, Social Work Study Centre, and the Department of Pedagogy), prompted either by their own interests and internal motivation, or by engagement and funding from other organisations, such as, very often, UNICEF, or some ministries (earlier it was the Ministry of Family, War Veterans and Intergenerational Solidarity, today it is the Ministry of Social Policy and Youth, as well as the Ministry of Science, Education and Sports). Apart from these institutions,

research is also conducted by individuals from practice, some associations, etc., who are often led by their own interest in the subject. However, in these cases, the research or projects are usually of a smaller range and their results cannot be easily generalised. Additionally, for the purpose of writing their degree theses, in recent years there has been some rather lively activity and interest from students regarding research of children's rights in various contexts, but because these are small projects which are less accessible to the general public, they are not analysed here.

Although it is rare, child participation in research is well received by children and they recognise it as significant. Children can, want and know how to participate in research, so such participation should be encouraged more than it has been until now. Far greater partnership is needed between researchers and children from the very beginning of the research when the research is outlined, which, at the moment, is proven to be the weakest point.

The analysis of research has shown that research in terms of the general population and in terms of children with developmental disabilities is relatively less frequent, which does not mean that their rights to participate are denied or are less respected, but that they are simply less researched. This also does not mean that the participation rights of children with behavioural disorders are respected more than those of the general population or the population of children with developmental disabilities. It is important to stress that in the analysed research there are no studies related to the participation rights of children from some other vulnerable groups, such as Roma children. Therefore, there is a wide area not only for research, but also for the implementation and observance of child participation rights that remains open to future scientific and professional activity.

As mentioned earlier, research of the participation of children at risk in decisions related to them, as well as in participatory research, began earlier than research involving the general population, and it covered several contexts and themes (e.g. the participatory rights of children in residential care homes, of children who are in the process of a needs analysis and intervention planning, who are in foster care, or under non-institutional treatment). The results of these studies unequivocally show the children's readiness to participate, but also their continued insufficient involvement and partnership with adults, especially in terms of participating in decisions on their future life. In direct treatment, although also insufficiently, children do report better opportunities for participation than in the process of needs analysis and intervention planning. Here, too, just as in our earlier recommendations, it is necessary to focus more on action research with children than on learning about how children and adults perceive these rights and what their experiences of them are, because certain insights into this area already exist (perhaps there is significantly less insight related to children with developmental disabilities). However, in terms of children at risk, we found no research which addresses their participation in the life and in the decisions of the local community, which could be of special interest because of the well-known fact that such children are isolated, especially children from institutions (which needs to be connected to the process and principle of de-institutionalisation), as are children with developmental disabilities, regardless of the fact that they attend regular schools. Therefore it can be claimed that children with developmental disabilities, at least in terms of research, are disadvantaged most in terms of participatory rights.

The discrepancy in the way observance of the children's participatory rights is viewed by children and adults (parents, teachers, educators) points to another less researched topic, especially from the perspective of understanding participatory rights and their application. It shows that this is a topic that requires, as mentioned

earlier, mostly action research because the already existing knowledge points to the need for research and a change of practice.

In conclusion, we can say that studies in the area of child participation are disconnected from each other, and that each new study starts from the beginning again, from a different perspective, using different methodology, etc., which is not necessarily bad, but in a situation where resources are limited, it has proven inefficient. Therefore, future research should build on existing knowledge and on projects which have proven to be successful, it should study the topics which have not yet been researched sufficiently, and focus on the population of children that have been less represented in such studies. Different methodological approaches should be combined, and the effect of participatory research on the development of participation (in terms of awareness and practice) should be evaluated.

BARBARA KUŠEVIĆ AND IVANA JEĐUD BORIC

## 5. TEACHING CHILD PARTICIPATION IN THE FRAMEWORK OF UNIVERSITY STUDY PROGRAMMES

### 5.1. Implementation of participation as a value through adult education

The implementation of the idea and values of participation in the everyday practice of working with children requires some elements of preparing the key stakeholders in this process: children, experts (adults) and institutions. The phase of preparation for participation is an important prerequisite for later phases of participation, and is considered by many authors to be the most important part of child participation (Lansdown, 2001; Stephenson, Gourley and Miles, 2004; Žižak, 2005; Steinitz, 2009; Davey, 2010). The preparation of adults and institutions precedes the preparation of children, because it is important that adults first understand what participation means and how it can be implemented, so that they can transfer that insight to children and can familiarise them with the purpose of participation. While preparing, professionals should read and reflect on participation, and question their own attitudes towards it. Čekić Bašić (2009) claims that professionals may be sceptical or cautious, and even intimidated by the more equal distribution of power between them and children, which can make the process of the inclusion and participation of children in decision making more difficult. The author states that the implementation of what she calls the rhetoric of participation in practice is more time consuming and harder than just accepting the idea in itself.

In the evaluation of legislation, policies and practices of child participation in the European Union,<sup>15</sup> Day et al. (2015), among other things, list the lack of awareness, knowledge and skills for participation, both in children and experts, as obstacles to effective participation. The authors claim that there is a lack of clear awareness of (all of) what participation actually is, and that without educating the public and the experts, and without raising awareness, participation will remain limited to only normative regulations. Furthermore, they claim that even in countries where child participation is accepted to a great extent and integrated in some policies and practices (Finland and France), the key adults (such as teachers and social workers) still lack the knowledge and skills for the implementation of participation in practice. The general conclusion is that experts are relatively well informed about the rights and participation of children,

---

<sup>15</sup> The leader of our research team Ivana Jeđud Borić took part in the creation of this document in the capacity of consultant for the Republic of Croatia.

but lack specific skills to ensure the conditions for child participation and to encourage it. In their conclusions and recommendations, Day et al. (2015) emphasise therefore the importance of the training of professionals who work directly with children (above all, teachers, social workers, health workers, workers in the judiciary, and the like). Similar recommendations can be found in the 2014 Children's Ombudsperson's Report, where it is clearly stated that "the training of education professionals about child participation must be a compulsory part of their professional development" (p. 41).

The topics related to children's participatory rights should become an integral part of study programmes at all levels of study – from undergraduate, graduate, vocational, postgraduate studies, to lifelong learning education. Existing and future professionals should also, beside the knowledge, acquire some concrete skills for the realisation of participatory practice and the integration of values and principles of participation into everyday work. Concrete skills, above all, refer to the approach to children: listening, dialogue and inclusion, and developing relationships based on respect.

## 5.2. Rationale and criteria for the analysis

All study programmes of all nine Croatian universities (Zagreb, Osijek, Rijeka, Pula, Zadar, Split, Dubrovnik, the Croatian Catholic University and the University North<sup>16</sup>) which educate future professionals who will work directly with children were analysed: early and preschool education, teacher education, pedagogy, psychology, sociology, journalism, communicology, law, social work, rehabilitation sciences, social pedagogy. All of these study programmes were analysed at all levels: from undergraduate to postgraduate (vocational and doctoral studies). The analysis covered the publicly available documents, such as study programmes, curricula, schedules, subject descriptions, and syllabi. Although the initial idea was to analyse the syllabi of individual subjects dealing with children's rights and participatory rights, in most cases that was not possible. The syllabi were not available, they were written inconsistently and in different formats (in terms of the presented elements such as subject aims, learning outcomes and content). At various faculties and study programmes there were various approaches to defining the outcomes of learning, and, therefore, in the final analysis we referred to all available elements as "Content", which is the umbrella term referring to aims, outcomes and the relevant topics that are taught.

The analysis was conducted in several phases:

- Browsing through the faculties' websites and **identifying the relevant parts of the programme**, or individual subjects. In the first phase, the focus was very narrow, and it was on the subjects which exclusively or mostly covered child participation and participation rights. As the initial focus proved to be too narrow, and the subjects covering participation exclusively were not found (either in terms of titles or content), the focus was widened to cover the following key words: *child, children, of a child, inclusion, participation, taking part, rights, ethics, user perspective*. Topics which refer to the perspective of *ethics* and *user* were taken into account because they largely refer to both inclusion and participation of children. Literature often mentions the ethics of participation (e.g. Završek and Videmšek, 2009), and the teaching of the ethics of how to behave

---

<sup>16</sup> Both public and private universities were included in the analysis.

with children is an important part of acquiring professional competences. Only the subjects covering topics explicitly connected to children's rights and the ethics of research with children were analysed, fully acknowledging that in many study programmes these topics are extensively covered only in a wider context (e.g. all psychology and sociology study programmes touch on ethical questions related to research, etc.). Building on the discourse of the ethics of participation, in the analysis we also included subjects which explicitly deal with taking into account the user perspective, and here we can note two parallel perspectives: the perspective of the child, and the perspective of the beneficiary (Žižak et al., 2012). The analysis covered the study programmes of communicology and journalism, because the unethical behaviour of journalists is often pointed out, as is the insufficient (or non-existent) participation of children in the development of media content (e.g. Ciboci, Kanižaj, Labaš, 2011). It is important to note that in the study programmes which have single-major and double-major versions, the single-major programme was analysed because it is more comprehensive.

- After selecting the relevant subjects, **their syllabi and descriptions were analysed**. From the overall description of subjects we selected the parts which relate to children's rights, ethics, user perspective, research, and teaching methodology (how the subject is covered in class).
- What was also taken into account was who the **course leaders** were, and the extent to which their professional work and research dealt with child participation and children's rights.
- **The status of the subject** was also noted (whether it was a compulsory or optional subject), as was the year of study in which the subject is taken.
- We did **not analyse the subjects which probably cover child participation**, but not in the context of the rights of the child. Furthermore, because in some cases we analysed study programmes, and in others we analysed the syllabi, the assumption is that participation is operationalised differently, and that in some subjects it is most certainly covered even though this cannot be explicitly seen from the programme (or even the subject descriptions). An example of this is the current discourse in preschool education study programmes, teacher education studies, as well as in the study programmes of pedagogy, where the child is perceived as a co-creator of the curriculum, of knowledge, identity and culture. Additionally, in the study programmes of social work, social pedagogy and rehabilitation, a number of subjects focus on the interventions for children and young people (e.g. social work with an individual, social work and young people with socially unacceptable behaviour, social welfare for children, education theories, the individual approach to social-pedagogical interventions, individualised programmes of education, etc.), which basically require the involvement of the user. It is interesting that in the study programme of psychology we cannot find a single concrete subject that deals with children's rights or participation explicitly, although a large number of subjects deal with various aspects of child development (in terms of theory and research). In the study programme of sociology, we found only one subject which explicitly covers childhood and the rights of children.

### 5.3. Quantitative indicators of the analysed studies

The analyses began with an overview of the relevant study programmes at nine universities in Croatia. In total, 24 undergraduate, 23 graduate, 3 vocational, and

20 postgraduate study programmes were reviewed. Out of all the reviewed study programmes, for the second phase of the analysis (the criterion was the fact that study programmes cover the relevant topics in some segment) 47 of them were selected at 19 faculties, more specifically, 98 subjects were analysed in total (more detail is provided in Tables 3 and 4).

**TABLE 3:** NUMBER OF ANALYSED STUDY PROGRAMMES

	Under-graduate	Graduate	Vocational	Integrated	Postgraduate
<b>STUDY PROGRAMMES</b>	13	13	3	11* *these are study programmes of law and teacher education	7* *2 doctoral study programmes *5 vocational study programmes
<b>TOTAL</b>	47				

**TABLE 4:** FACULTIES WHOSE STUDY PROGRAMMES WERE ANALYSED

UNIVERSITY	CONSTITUENT UNITS / FACULTIES AND DEPARTMENTS	NUMBER OF SUBJECTS
Zagreb University	Faculty of Humanities and Social Sciences	5 subjects
	Law Faculty	1 subject
	Law Faculty – Social Work Study Centre	15 subjects
	Faculty of Political Sciences	1 subject
	Croatian Studies	2 subjects
	Faculty of Education and Rehabilitation Sciences	8 subjects
	Faculty of Teacher Education	4 subjects
	<b>7 faculties</b>	<b>36 subjects</b>
University of J. J. Strossmayer in Osijek	Faculty of Humanities and Social Sciences	4 subjects
	Law Faculty	4 subjects
	Faculty of Education Sciences	9 subjects
	<b>3 faculties</b>	<b>17 subjects</b>
Split University	Faculty of Humanities and Social Sciences	12 subjects
	Law Faculty	1 subject
	<b>2 faculties</b>	<b>13 subjects</b>
Zadar University	Department of Pedagogy	8 subjects
	Department for Teacher and Kindergarten Teacher Training	1 subject
	Department of Teacher Studies in Gospić	4 subjects
	<b>3 departments</b>	<b>13 subjects</b>
Rijeka University	Faculty of Humanities and Social Sciences	4 subjects
	Law Faculty	1 subject
	Faculty of Teacher Education	9 subjects
	<b>3 faculties</b>	<b>14 subjects</b>
The Faculty of J Dobrila in Pula	Department of Education Sciences	5 subjects
	<b>1 department</b>	<b>5 subjects</b>
<b>TOTAL</b>	<b>19 constituent units</b>	<b>98 subjects</b>

\* **Note:** In various universities individual study programmes are organised by different faculties (e.g. the integrated teacher education study programme at the University of Zagreb is organised by the Faculty of Teacher Education, at the University of Osijek it is organised by the Faculty of Education Sciences, and in Split by the Faculty of Humanities and Social Sciences, etc.)

On the basis of the analysed study programmes it is possible to outline the following picture of the study programmes in terms of statistics and topics related to child participation and children's rights at the country level.

In terms of the **level of the study programme**, starting from postgraduate and working up to undergraduate studies, we noted:

- 1 postgraduate doctoral study programme in social work and social policy (Zagreb University, Law Faculty, Social Work Study Centre) which covered the topics of children in care and children's rights within the framework of family law. Both subjects are optional.
- 1 postgraduate doctoral study programme in pedagogy (Zadar University, Department of Pedagogy) where there is one compulsory subject which mentions children's rights.
- 2 postgraduate vocational study programmes at the Social Work Study Centre of the Law Faculty in Zagreb (vocational study in social work and family mediation) which cover topics related to the rights of children in care and the rights of children in mediation. The subjects are mostly optional.
- 1 interdisciplinary vocational study programme in children's rights (Zagreb University, Law Faculty, the Faculty of Humanities and Social Sciences and the Faculty of Education and Rehabilitation Sciences). In this programme, most topics refer to various aspects of the rights of the child (an introduction to children's rights, the rights of children in family legislation, contemporary parenthood and the rights of the child, children and the media, the child's right to education, children and criminal law, children's rights and the prevention of risk behaviour, children in care, the methodology of research with children), but there is not a single subject that explicitly deals with child participation. Most subjects which cover children's rights are compulsory.
- 1 vocational study programme focused on human rights in general (Osijek University, Law Faculty) where only one optional subject was found that deals with children's rights.
- 1 postgraduate vocational study programme in lifelong learning (Zagreb University, Faculty of Teacher Education) where there is one subject related to human rights and responsible citizenship. The study programme and the subject are part of the analysis, although the detailed syllabus is not available, but the topic of human rights and responsible citizenship presupposes the rights of the child as well.
- 13 undergraduate, 13 graduate, 10 integrated and 3 vocational study programmes which primarily teach children's rights, but also the ethics of treatment, participation, inclusion, user perspective, the child's voice, etc.

## 5.4. Course leaders, the status and the content of the analysed subjects

The analysis established that some of the course leaders (university lecturers and researchers) are in general more focused on children's rights, while others deal with the protection of the rights of specific groups of children (e.g. children in care, children at risk). We did not include all staff involved in the delivery of a subject in order to focus the analysis more clearly on key personnel.

In terms of the **status of the subject**, 52 analysed subjects were compulsory, while 46 were optional subjects.

In terms of **content (aims, outcomes and topics)**:

- there are 98 subjects in which some of the aims, outcomes and content refer to the topics of children's rights, the ethics of treatment of children, participation, inclusion, user perspective, child's voice, and the like, of which:
  - 60 subjects are primarily focused on the teaching of children's rights;
  - 30 subjects cover participation through the aspect of teaching methodology (inclusion, participation, user perspective);
  - 4 subjects cover participation as a research approach;
  - 4 subjects tackle specific ethical questions related to children's rights.

In terms of being focused on **specific groups of children** (children from socially excluded groups) there are:

- 24 subjects which deal with specific/vulnerable groups of children;
- 9 subjects which deal with children's rights and the participation of children at risk (children with behavioural disorders, abused and neglected children);
- 8 subjects which deal with children's rights in relation to children with developmental disabilities. It is important to point out that in this group of subjects, some titles of the subject do not follow the current terminology used in the area of educational rehabilitation, so one can encounter subjects which talk of "special needs and rights", which points to the need for clearer and more consistent use of terminology.
- 4 subjects which deal with children in social care;
- 3 subjects which deal with the rights of children in an intercultural sense (the topics covered are the topics of tolerance and respect).

## 5.5. Conclusions of the analysis of teaching child participation within the framework of study programmes

On the basis of the conducted analysis of the study programmes and individual subjects, it is possible to present conclusions through three key aspects:  
*how extensively do university study programmes cover child participation (undergraduate, graduate, postgraduate), what are the most frequent topics and methods for teaching child participation, and to what extent does teaching child participation focus on children from socially excluded groups?*

Firstly, it is important to emphasise that the analysis of the study programmes was more "kindly disposed" than critical, and that all subjects which dealt with children's rights and child participation in the broadest sense in terms of aims, outcomes and topics were taken into consideration. Had we employed a more critical approach, then we could, at the level of the entire higher education system in Croatia, single out only a certain number of subjects which deal with child participation in a more

explicit way. However, as it was important to recognise all subjects which, in a more or less focused way, deal with the topic of child participation in order to find interested leaders and stakeholders for future actions or for the alignment of teaching on this topic, all listed programmes and subjects were analysed. Additionally, we should keep in mind that probably many of the materials have not been regularly updated, and that it is not possible to have a real insight into the content which the course leaders actually teach. However, the value of the analysis lies in the fact that it identifies the stakeholders who touch on children's rights and child participation in some way, which potentially provides us with the basis of partners for discussion and for joint work on aligning the teaching of child participation.

In terms, tentatively speaking, of the **coverage and the visibility of the topics** of child participation, it is clear that there is in fact no subject that focuses exclusively on covering the topic of child participation and participatory rights. Participation as a term is mostly not used at all (it is used only exceptionally in some subjects in the study programme of social pedagogy at the Faculty of Education and Rehabilitation Sciences), and various synonyms and expressions of similar meaning are used more often, such as *taking part*, *child involvement*, *expressing opinions*, etc. In study programmes, most subjects that deal with child participation do so in a wider context of children's rights. We took them into consideration, as participatory rights are a specific group of children's rights. These subjects are mostly taught in undergraduate and graduate programmes, and significantly less in postgraduate study programmes. The largest number of topics related to children's rights can be found in the interdisciplinary vocational study programme of Children's Rights, but in this programme there are also no subjects that explicitly deal with participatory rights. As mentioned earlier, subjects which probably do teach participation were not analysed as these are the subjects focused on individual work with children, on interventions, and the like, and there child (user) involvement is unavoidable. Similarly, it is certain that in the study programmes of psychology and sociology many subjects discuss certain aspects of child participation and the participatory approach, but this was not stated in their subject description. We can, therefore, conclude that in the current study programmes at all levels of study there are no subjects that exclusively cover child participation, and in the subjects which do cover child participation in general terms, participatory rights themselves are either not mentioned, or are mentioned infrequently. It is therefore necessary to check what the perception and understanding of the terms child participation and participatory rights are, and begin defining the topics related to participation more clearly. Following on from this, developing new subjects at all levels of study which would specifically cover participatory rights should be encouraged.

**The topics and methods** of teaching child participation can be broadly categorised into four major groups (teaching children's rights, the participatory approach as a method of working with children, the participatory approach in research, and specific ethical questions). Most subjects transfer **knowledge** about children's rights (58). Twenty-nine subjects to an extent enable learning on how the participation of children is implemented in practice (through involvement, the user perspective, listening to children), and they teach certain **skills**, while 4 subjects deal with research-related issues and ethics, which represents a certain combination of knowledge and skills. It seems, however, that formal higher education focuses significantly more on knowledge and general information on children's rights in general terms, which is, in fact, the level of knowledge suited to lower levels of education. If we consider that children today are taught about their rights from kindergarten on, then the system of higher education should focus more on how to teach children about these rights, how to encourage and enable the implementation of these rights, especially participatory rights, and more attention should be paid

to skills, attitudes and values. Some subjects (undeniably important) repeat at different levels of study (e.g. children in care, children and the media), which speaks in favour of the fact that it would be worthwhile considering whether it is possible to create interdisciplinary subjects at the level of individual universities which would cover topics related to child participation. The methods of teaching participation (or topics related to children's rights) were harder to identify, and here we analysed the data which provided information on involving students in tasks related to practical work with children, or preparing students for this. There were project tasks in kindergartens, participatory work in the assessment of risks and needs, encouraging and assessing student inclusion in lessons, developing learning materials for working with children.

If the focus of the analysis is narrowed to **specific groups of children**, we notice that slightly less than a third of the analysed subjects cover some aspects (in terms of knowledge and skills) of children's rights (even child participation). To a large extent, these groups are children at risk (children with behavioural disorders, abused and neglected children), and children with developmental disabilities. A smaller number of subjects deal with inter-culturalism, so we can assume that they also cover children who are members of minorities, and children who are members of some other vulnerable groups, but there is no concrete information concerning this. There is a noticeable lack of subjects which refer to children in the health system, children from poor families, etc., who may be at greater risk of non-participation.

IVANA JEĐUD BORIĆ, ANJA MIROSAVLJEVIĆ,  
BARBARA KUŠEVIĆ, ANA ŠIRANOVIĆ AND SANDRA CAR

## 6. PRESENTATION OF EXAMPLES OF PRACTICES OF CHILD PARTICIPATION

Although we can, in principle, agree that child participation is still not a widely accepted, fully understood, publicly advocated value, in our country there are a number of examples of practices which show that children participate in real life in a positive and meaningful way. In this part of the report only some of those examples will be presented, those which are perhaps the most well known to the wider public (both general and professional), but also those which are not. In practice, there are more good examples, but the intention of this part of the analysis is not to list and describe all of them (which is most certainly not possible), but to start the practice of describing the practice of child participation. This is just a preliminary list which needs to be added to, not by expert analyses, but by the everyday work and initiative of children and experts who cooperate with them. In the available literature and on the available websites one can generally only find formal information, but not vivid examples which, together with the promotion of child participation, would also be educational for both children and adults. At the beginning it has to be emphasised that it was not easy to assess what the examples of *good practice* of child participation were, and gathering the information and recommendations of examples of child participation included numerous consultations, deliberations and discussions among the members of the research team. The logical framework for the description of the practices of child participation was the aspect of the “national vs. local”, and the description of practices in individual sectors. The final (or rather) initial list of models of the practice of child participation is as follows (Table 5):

TABLE 5: THE LOGICAL FRAMEWORK FOR THE SELECTION OF CHILD PARTICIPATION PRACTICES

SELECTION CRITERIA	INSTITUTIONS/NETWORKS/ASSOCIATIONS
National level	The Network of Youth Advisors to the Ombudsperson for Children
Local level	The Society Our Children Opatija and the Children’s City Council Opatija
Education system	Dječja igra [Child’s Play] Kindergarten Špansko Oranice Primary School, Zagreb
Social welfare system	Igra [Play] Association – programme <i>The Contact with and Working with Young People in Alternative Care</i> Mali dom [Little Home] – a day centre for the rehabilitation of children and young people
Healthcare system	The Firefly Association

The description of the examples of child participation practices will be presented in terms of these elements (more or less depending on the specific institution/organisation): *name of institution/association/network; the description of the institution/association (short description, mission, vision – especially in reference to children's rights and participation); persons consulted; forms of child participation (ways in which children participate, activities, concrete outcomes...); the attitude of adults towards child participation; children's views; examples (of activities, methods, materials).*

**In the general public, participation is perceived as an accessory, or a trend which is not understood adequately. In the professional public, participatory rights are declaratively respected, but on a manifest level in various contexts there are practices of varying quality – among various institutions there are islands of quality, in which children are co-creators of processes and co-constructors of the curriculum, and their activities are continually monitored in an attempt to understand them.**

*Prof. Edita Slunjski, PhD, Faculty of Humanities and Social Sciences in Zagreb, consultation notes*

## 6.1. The Network of Youth Advisors to the Ombudsperson for Children

This presentation of examples is made on the basis of official information available on the official website of the Office of the Ombudsperson for Children ([www.dijete.hr](http://www.dijete.hr), [azanas.dijete.hr](http://azanas.dijete.hr)), and on the basis of discussions with the Ombudsperson for Children, Ivana Milas Klarić, PhD, and with her advisor, Davorka Osmak Franjić, MSc. The presentation of examples is enhanced by quotations from the youth advisors to the Ombudsperson.<sup>17</sup>

The Network of Youth Advisors to the Ombudsperson for Children (NYA) is a permanent, advisory and cooperative body which consists of children and young people at the national level. It has 20 members: children and young people aged 12 to 17 (16 female and 4 male). Membership in the network (the mandate) lasts 3 years, but if they are interested, those members whose mandate ends can remain as collaborators of the NYA and of the Office of the Ombudsperson for Children. There is also a reserve list of 5 to 7 candidates if any of the 20 elected candidates withdraws or is not able to continue working for the NYA – every member of the NYA can at any point during their mandate request the termination of membership regardless of their reasons, which they are not obliged to provide.

**The members of the NYA have an opportunity to express their views which is taken into account. Through them children can express themselves better, and the most important thing, and the main argument, is that our views and ideas are heard, not only in all of Croatia, but also around the world.**

*A quotation from an NYA online forum discussion*

<sup>17</sup> In consultations with the Network of Youth Advisors, they were asked to think about the way in which they would like to present their work. It was agreed that they would discuss this on their online forum. The content of the discussion on the forum showed that the youth advisors discussed the importance of the NYA and their satisfaction and pride of being members of the NYA, but that they did not particularly discuss or agree how to present the NYA.

**More children used to apply, there were fewer of them at the last elections, we don't know why, although we suppose that the elections were not announced in the same way in all schools. It depends on each school whether the advertisement is shared on a notice board or read in every class. Some schools even clarified to children what this was about. Some parents say they had no information about the elections.**

**Youth advisors are first and foremost children. They are not specially prepared, they have varying success in school, they are from vocational schools, gimnazija, various parts of Croatia. There are *children* from the islands, different types of children apply, and, although it is not especially emphasised in the advertisement, they write about themselves – that they have some difficulties, complex family situations, etc. And there are children from vulnerable groups and situations, they do not particularly point this out, but children themselves sometimes write – developmental difficulties, complex family situations. They sometimes write motivation letters.**

*Ivana Milas Klarić, PhD, and Davorka Osmak Franjić, MSc,  
Office of the Ombudsperson for Children, consultation notes*

Any child can become a member of the NYA. Members are elected on the basis of a public call by the Ombudsperson for Children (various ways of announcement). Potential candidates apply independently, and their election is decided by the current members of the NYA and the expert team of the Office of the Ombudsperson for Children.

Members of the NYA are elected as individuals, and not as representatives of their school, town, county or such like, but the elections aim to achieve the representation of different populations – children from cities and from rural areas, children who do not live with their parents, young students of vocational schools, art schools, *gimnazija*, children who are members of ethnic minorities, children with developmental disabilities, in short – children and young people living in various living conditions, who come from various situations. If no members of the individual groups (children with developmental disabilities, children who are members of ethnic minorities, and the like) apply through the public call, it is acceptable, according to the principle of positive action, to target a specific population and look for members of the NYA there in order to achieve a representation of children and young people from various backgrounds, with the aim of obtaining insights into as many different views as possible.

The members of the NYA act in three ways through three key roles:

- a) *Advisors* – in the e-forum and in meetings (whole group, regionally, by topic) the members exchange views among themselves and with the representatives of the Office of the Children's Ombudsperson on current issues (passing new legislation, policies, preparing conferences, publicly presenting their views on certain topics and issues that are important for the life of young people). The members share their experiences and insights and suggest changes or possible solutions to problems.
- b) *Collaborators* – the members propose topics for discussion with the Ombudsperson, and propose activities of the Office, contribute to the development and planning of activities, and the report of the advisory body (NYA); together with the Ombudsperson they present initiatives and the work of the Office of the Ombudsperson for Children, participate in the design of promotional and educational material on the rights of the child, and on the Office of the Ombudsperson which are intended for children and young people.
- c) *Ambassadors* – the members share information with their peers in their communities (school, city, etc.) about children's rights and about how to protect

them, as well as about the existence and the role of the Office of the Ombudsperson for Children and the Network of Youth Advisors. They talk to their peers and report their views to the Ombudsperson. Apart from that, they encourage their peers to contact members of the NYA and the Ombudsperson and suggest issues related to young people that deserve more attention and engagement from adults; they can also suggest which type of support young people expect and want from adults, and which areas children would want to be more active in.

**I would like to share with you how I felt when I received the letter from the Ombudsperson. I was afraid that the reply might be negative, and then, when I read that I had become a member, I could not believe it. We have been together for two years and every meeting makes me as happy as the first one. We have to fight to let more children and adults know about us, and tomorrow they could become members of the NYA.**

*A quotation from an NYA online forum discussion*

They act through the following:

- a) *E-forum*: each member of the network has their own username and password for logging into a closed electronic forum (available to members only). The members take part in discussions so that they respond to the set topics by sharing their views, experiences, and arguments by which they clarify their views, etc., and they also post and open new topics. It was agreed that members should actively take part in the E-forum, and that they should log on at least once a week to follow the discussions. Active participation is additionally encouraged by adult advisors, but also by the members themselves.
- b) *Member meetings*: the meetings of all members of the network are held at least once a year, and if other obligations of the members and the budget of the Office of the Ombudsperson allow, it is possible to meet more than once a year. Meetings at the regional level are held in principle once a month, or, in the regional offices of the Children's Ombudsperson, at least once in three months. Apart from working at the regional level, activity can take place in topical groups, so, when necessary, meetings can be organised for topical working groups. In the meetings, network members are educated on children's rights and the functioning of a democratic society, and the meeting agenda is proposed equally by both the members and the Ombudsperson.
- c) *Other activities of the members*: In accordance with the organisational and financial possibilities of the Office of the Ombudsperson for Children, members are invited to take part in meetings with the wider team of the Office, to propose the activities of the Office, and to contribute to the design, planning, delivery and evaluation of the work of the Office. Similarly, members are invited to present the work of the advisory body (NYA), and to present the initiatives and the work of the Office together with the Ombudsperson.

In conversation with the Ombudsperson and her advisor, the importance of preparing for working with the youth advisors was emphasised. The Ombudsperson and her advisors prepare for it at both a personal and professional level. As persons, they try to be spontaneous and open, and in the professional sense, they stress the importance of their multidisciplinary team which consists of attorneys-at-law, psychologists, social pedagogues, rehabilitation workers, and the like. In the professional sense, continuous professional development in the area of child participation is also important.

**I thought of something while I was reading this post. I believe that most children in Croatia have never heard of the NYA and their purpose. It would be great if we could promote the NYA in various distant places and places where there are no NYA members to inform their community of our activity. It is also great and much better that the NYA is presented by children (resembling that message 'children – to children'). What do you think of the idea that we encourage organisations similar to NYA in their work and development in various parts of Croatia in order to familiarise the public with child participation in the fight for their rights and for the improvement of their lives?**

*A quotation from an NYA online forum discussion*

Key activities in 2015 in which the members of the NYA took part:

- 180 young people from all European countries attended the "Enter! Youth Meeting 2015" in Strasbourg, in the European Youth Centre between 29 June and 3 July, Organised by the Council of Europe. The programme was related to social rights and the adopted Recommendation of the Council of Europe.
- On 29 and 30 June 2015, the Greek Ombudsperson's Office in Athens organised the ENOC conference and the ENYA Forum. At the ENYA Forum 11 young people and their advisors from 10 countries (Belgium, France, Greece, Italy, Malta, Georgia, Azerbaijan, Cyprus, Estonia and Croatia) presented their work in the project "Let's Talk Young! Let's Talk Violence!", and they actively participated in the Forum's workshops.
- Organised by UNICEF on 17 June 2015 in Novinarski dom [Croatian Journalists' Association], a round table was held titled "The Influence of Poverty on Young Children – What Do Analyses Show and What Needs to be Done?"
- On 20 May 2015 in Zagreb an international conference was organised jointly by the Ministry of Science, Education and Sports and the UNICEF Office for Croatia. The topic was "Stop Violence among Children: From Inspiring Practices to Schools and Communities without Violence". As part of the conference, a roundtable was also held. Psychological abuse (invisible violence) received most attention in the discussion, followed by electronic media violence and physical violence.
- In order to raise young people's awareness of the problem of psychological abuse (with the emphasis on child isolation) and to educate them on how to avoid it and what to do when it happens, these topics were discussed at the NYA meeting in Jezerčica Thermal Resort in Donja Stubica.
- On 17 and 18 April 2015 in Jezerčica Thermal Resort in Donja Stubica, the annual NYA meeting was held, where the project of the youth advisors of the European Network of Youth Advisors ENYA was discussed in workshops. The project "Children's Messages – COPE Postcards" was also discussed. The advisors also exchanged their experiences of the implementation of health and civil education.
- In Mato Lovrak Primary School in Nova Gradiška, on 10 February 2015, the Safer Internet Day was marked as part of the Open School Day. The topic of safety covered not only the internet, but also traffic, health, children's rights, and interpersonal relations. The Convention on the Rights of the Child and the work of the Network of Youth Advisors to the Ombudsperson for Children were presented to the students, teachers, professional associates and the headteacher of the school.

## 6.2. The Society Our Children Opatija – Opatija Children's City Council

This presentation of examples is based on official information from the website of the Society Our Children Opatija, an interview with the president and mentor of the Children's Council and the Children's Forum, Mrs Sanja Škorić, an interview with the Head of the Department of Social Activities of the City of Opatija, Mrs Zlata Turbarina, an interview with children councillors, and from the press conference held on the occasion of Children's Week.

**THE SOCIETY OUR CHILDREN OPATIJA** is an association which deals with the organisation of preschool and school children's free time. It bases its work on the UN Convention on the Rights of the Child, on the tasks set out in the education system of the Republic of Croatia, on the National Strategy on the Rights of Children 2014 – 2020, and on the wishes and needs of children and parents. The society has been active for the past 63 years. SOC Opatija is a member of the Union of Societies Our Children Croatia, a full member of the Eurochild organisation, and of the Child Rights Connect. The society also has a branch in Lovran. The main aims of the Society Our Children Opatija are: to implement the rights of the child and child participation, to promote the values of volunteering work, to help organise children's free-time activities, and to help parents and children in the development and education of children. The mission of the Society is described as "love for children above all". The ways in which children can participate in SOC Opatija are: the Children's Forum, the Children's City Council, the meetings of children and the mayor, participation in public gatherings, sending messages to adults.

**OPATIJA CHILDREN'S CITY COUNCIL** has a long tradition. It was set up in 2001 with the aim to enable children and young people to exercise their right to express their opinions on all issues that affect them. The council has been active without pause for the past 14 years. It was founded at the initiative of the then mayor of Opatija, who came across this way of working on one of his visits to an Italian city, and then initiated the founding of the Children's Council in Opatija. In the beginning, the Children's Council was led by teachers from the local schools, which did not prove to be a good model, so now it is led by SOC Opatija.

The Children's Council is a formally structured organisation; it has its statute and members who from themselves elect a children's mayor. The aims of the Children's City Council (CCC) are mutual respect, listening to each other and communication between children and the City, raising the awareness of the City as a community of all citizens, recognising and respecting the rights of all groups of citizens, enabling children to exercise their right to express their opinions, enabling children to make decisions for themselves and others, and developing a sense of responsibility in children for the decisions they make. The Children's City Council consists of two representatives of each class (year 4 to 7) from the Rikard Katalinić Jeretov Primary School in Opatija and two representatives of children from the districts of Oprić, Dobreć and Ika, who attend the Viktor Car Emin Primary School in Lovran. The councillors' term of office is two years. The councillors are

**The CCC has a child mayor, once even a boy with disabilities was a mayor. All children are involved all the time, everyone has the right to speak. They lead their sessions themselves, the current president of the City Council used to be a child councillor, the child mayor, and now he is president of the City Council.**

*Sanja Škorić, director of SOC Opatija, consultation notes*

**A lot of things are being done, for example we have renovated 29 playgrounds. We went round the playgrounds accompanied by children, they made a list of all of them, they listed everything that was in order and that needed fixing, and also made a list of their recommendations for things they wanted to be changed in every individual playground, and this is how the Report on the Status of Playgrounds was developed. Later, they wanted the skating rink to be open for longer, until the end of the winter school break, which will be done. The prerequisites for children's activities in Veprinac have been secured, so that they do not have to always come to Opatija. The sports club and SOC are delivering various activities there, too.**

*Zlata Torbarina, Head of the Department for Social Activities of the City of Opatija, consultation notes*

elected in elections held in schools where anyone can run, and the councillors are elected by their peers. Any child, regardless of their characteristics, can be a member of the CCC.

The CCC has sessions every three months in the city hall which the mayor and his colleagues also attend. Each session is also attended by one class from the local primary schools so that the children can familiarise themselves with the work of the Council and be encouraged to get involved.

Through the CCC children have an opportunity to propose projects and initiatives which are important to children on the basis of a needs analysis in the local community, and to lobby for them in the City Council. Some of the initiatives of the CCC over the last year which have resulted in concrete changes in the City of Opatija and which are related to children are: building a bicycle training ground, the renovation of children's playgrounds in the town,

extending the working hours of the skating rink, the renovation of the town's beaches to include children-related content, and the like.

The City of Opatija supports the CCC not just in principle, but also financially, so the CCC has an annual budget of HRK 12,000. This money is awarded through public tenders. The aim of the tenders is to support initiatives and projects for children, and all associations, non-profit organisations can apply. The children decide independently to whom to award the money.

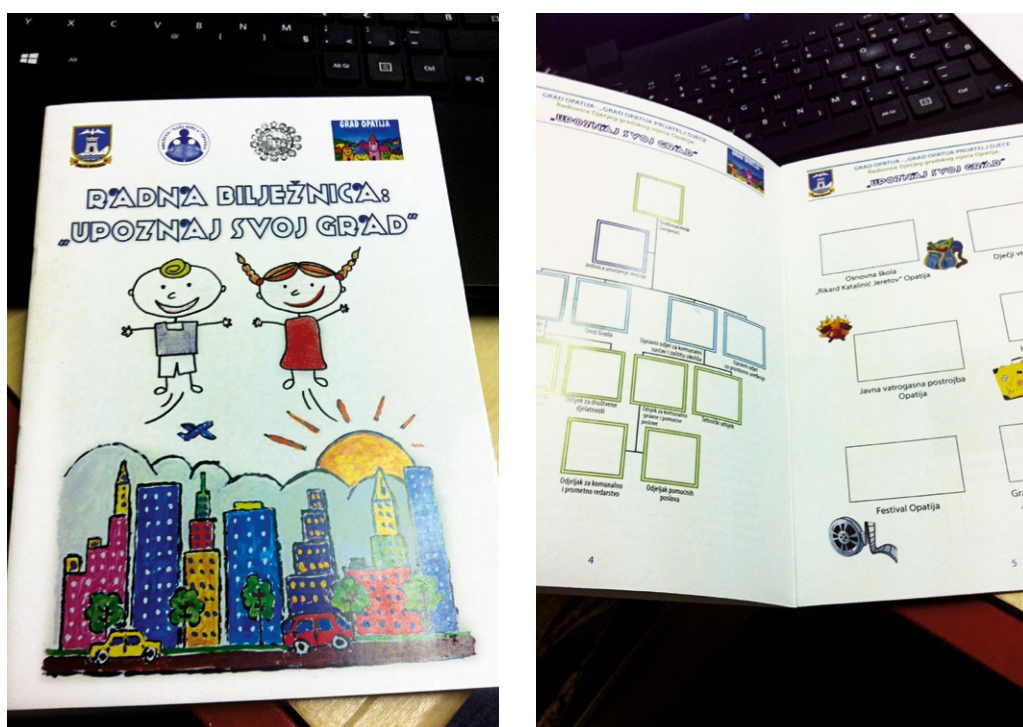
The children in the CCC work intensively; they meet every week on Fridays between 15.00 and 17.00 at the SOC Opatija office. Their work is mostly organised through workshops led by the director and two volunteers, one of whom used to be a child councillor.

Every council session has its main topic, chosen among themselves, and they get a list of topics and then they choose what to cover. The current council is dealing with the topic "The Detectives of the Forests of Učka", and they cooperate with

the Učka Nature Park. Immediately after elections for the CCC, they receive training on children's rights, they visit all the institutions of the city and they are familiarised with the work of those institutions, but also with the individuals who work there. A worksheet was created for them which they need to fill in with information they obtain during their visits (they fill in the names of the incumbents of certain functions).

**The best thing is that most of them return when they grow up, they come as volunteers. There is currently a lot of "ex-children" in SOC Opatija who come as volunteers, or as interns. This proves that they enjoyed it here.**

*Sanja Škorić, Director of SOC Opatija, consultation notes*



FIGURES 3 AND 4: EXAMPLES OF PRINTED MATERIALS FOR CHILDREN<sup>18</sup>

The idea was that children councillors share what they are working on in the Children's Council in the form teacher's period at school so that they sensitise other children. The councillors are very active in their schools, they conduct surveys, and ask other children for opinions. They are also engaged in various city events. The experience of the leader of the Children's Council is that some children withdraw from the CCC when they see how much time and effort it requires. The children are satisfied with their participation in the CCC. They happily go to the SOC and take part in the activities. In conversation with the children, it is clear that they are satisfied with their work and that they take pride in their achievements. They list the projects they worked on, and the conferences they have participated in.

Within the framework of the SOC and the work of the CCC, a range of child-friendly materials was created which provide information on the city administration, the budget, and children's rights. The children were involved in the design of some of these materials.

Based on the visit and the meeting with children, with the director of SOC Opatija and a colleague from the City of Opatija, it is clear that the CCC is working intensively with the great engagement and involvement of the children, but also with the full support and leadership of adults: through the mentoring provided by the director and with the respect and financial help from the mayor and his staff.

**Participation is important because children know better what they need than adults do. This is good because you learn how the city functions and how decisions are made, so you behave responsibly.**

*Children councillors, consultation notes*

<sup>18</sup> The photographs shown in this report are for illustration only. It was not possible to obtain high-quality photographs related to individual examples of child participation, so only some photographs are included as an example.



© Ivana Jedud Borčić

**FIGURE 5:** THE PREMISES OF SOC OPATIJA<sup>19</sup>

### 6.3. Dječja igra [Child's Play] Kindergarten

The presentation of this example of child participation is based on official information available on the kindergarten's website, a visit to the institution, interviews with the director Anja Bucković, with the kindergarten teacher Ivana Bucković, and with the pedagogue Sanja Kolarić Piplica, as well as on the materials (photographs and the activity descriptions) documenting the practice of the institution, which have been made available to us.

Dječja igra Kindergarten was founded in 2002. Today it consists of four buildings in total and 11 kindergarten groups (every group has between 20 and 25 children), and it employs 44 staff in total. Three of the kindergartens are situated in the Zagreb neighbourhood of Dubrava (Suncokret [Sunflower], Maslačak [Dandelion] and Tratinčica [Daisy]), and a new one in Vrbani III (Jaglac [Primrose]). The kindergarten operates on the principle of mixed groups, except for nurseries, which have homogeneous groups in terms of age. The quality of the work was recognised by

<sup>19</sup> In September 2016 SOC Opatija moved to new premises.

parents, but also by the Ministry of Science, Education and Sports, which in 2007 named this kindergarten a teacher training institution of the Faculty of Teacher Education for their part-time students' teaching practice. Since 2010 this kindergarten has been where the students of pedagogy of the Faculty of Humanities and Social Sciences in Zagreb have their professional-pedagogical practice.

Dječja igra is a private kindergarten (the City of Zagreb co-finances part of the market price) and offers a basic accredited 10-hour programme and a range of shorter specialised programmes (English and German lessons, preschool and sports programmes, rhythmic and dancing, as well as programmes during the winter and summer breaks). It focuses on respecting the different interests and abilities of each child, and on the optimal development of all of the child's potentials. Our interviewees emphasise that monitoring the interests of children in their institution is not an empty phrase, but a philosophy put into practice, which follows entirely from the child's needs and respect of all the child's rights, including participatory rights.

Special attention is paid to flexibility in the organisation of work in terms of time, so that it better meets the needs of each individual child – it is not obligatory to come to kindergarten at a specified time in the morning, so that children who sleep longer or whose parents are at home in the mornings can join their group later; afternoon rest is also an option agreed with the child and with the parents on the basis of continued monitoring of the child's sleeping rhythm, and the child, if need be, can sleep at any time of day in the quiet areas of the kindergarten; breakfast is organised in such a way that the child can choose between several kinds of food, while lunch is organised in smaller groups so that children can have their meal at the time that suits them best.



© Dječja igra Kindergarten

**FIGURES 6 AND 7:** SPACE IS ORGANISED IN SUCH A WAY THAT CHILDREN CAN WITHDRAW OR REST AT ANY TIME OF DAY

In addition to the flexible schedule, respecting the participatory rights of the child were also taken into consideration in the spatial organisation of the kindergarten buildings, especially in the building in Vrbani, which was built in cooperation with architects, and has the possibility to connect the entire space into one single whole, by removing the movable partitions between rooms. Such architecture enables the child to choose the teacher they want to spend time with because in a single space there are several kindergarten groups with their teachers. Therefore the groups exist as separate units only "on paper", while every day, following the open door principle,

children circulate around the space and choose the children and the teachers they want to socialise with, as well as the centres of activities they want to engage in.

Keeping in mind that the space of the kindergarten is called “the third educator”, it can be concluded that the kindergarten is organised so that it encourages encounters, children’s free exploration, and a whole range of self-organised activities. The freedom of choice, well-organised centres of activity, the diverse choice of materials (which is continually added to), and play which is an end in itself, ensure not only the children’s satisfaction, learning and success, but also enable them to thrive in terms of creativity. In such an atmosphere it is easy to notice that the children use the same materials in different ways, according to their affinities (for example, the supplied materials are used by some children as a medium for artistic expression, while others use the same materials to self-organise building activities).



© Dječja igra Kindergarten

**FIGURE 8:** THE SPACE AND THE MATERIALS ARE CREATED AND USED SO THAT THE CHILD HAS THE OPPORTUNITY TO CHOOSE AN ACTIVITY, THE TIME WHEN THEY WANT TO ENGAGE IN IT, THE LENGTH OF THE ACTIVITY AND THE LENGTH OF TIME THEY WANT TO SPEND IN CERTAIN COMPANY.

Based on the above, Dječja igra Kindergarten considers as indicators of child participation the space and the materials used in the kindergarten, as they are all in the service of the child (they are interesting to the child, they are purposeful and constantly available), and not in the service of the needs of adults; respecting the communication of all participants and the already mentioned schedule flexibility

of the organisation of processes, which means little or no led activities with children, every activity is initiated by either the teacher or the child, and only those children who are interested in it at that particular moment engage in it. However, as child participation is an integral element of their practice, the kindergarten considers that it is very difficult to single out some measurable and isolated indicators of it, as it is part of the entire culture of the institution.

**Participation cannot exist in children if the adults don't mutually respect each other and take each other into account. We all mutually respect each other and we like to listen to each other.**

*Ivana Bucković, kindergarten teacher, consultation notes*



© Dječja igra Kindergarten

**FIGURES 9 AND 10:** CHILDREN TAKE PHOTOS OF THEIR ACTIVITIES INDEPENDENTLY, AND LATER, WITH THE TEACHERS, USE THE PHOTOGRAPHS TO REFLECT ON THE EARLIER ACTIVITY AND NOTE DOWN THEIR THOUGHTS ON THE ACTIVITY.

In Dječja igra Kindergarten significant attention is paid to communication with children and listening to what they are saying. Children's voices are documented (in writing or they are recorded) and analysed by the teachers and the expert team on a weekly basis, and on a monthly basis with an external supervisor. Reflection sessions are also conducted in such a way that the recordings are played to children so that they can comment on what they notice in the recordings, which is later also analysed by the teachers and the expert team. Such reflection sessions provide insights into children's thinking, interests, wishes and problems, and they are the basis for the planning of the educational work, and changes and innovations in their practice, which improve the quality of life of the kindergarten children. Children's interests are especially taken into consideration when designing the centres of activity, which is why the kindergarten has very few purchased materials: based on the children's interests and needs, the space and the materials used are shaped (and created) primarily by the teachers, either on their own or in cooperation with the children. They think that the children notice the teachers' interest in their opinions, which results in their greater involvement, they are more focused, and even the activities they initiate themselves last longer.

Through participatory work they also agree the rules of behaviour in groups. If there is a problem in everyday situations (for example, a toy breaks), the teachers talk to the children about what happened, why it happened, and what can be done so that it does not happen again. As a conclusion of that conversation, a rule is created for the future, which the children can then draw or perhaps write down, if older children are involved, and then put that up on the wall of the relevant centre of activity. Later both the teachers and the children can refer to that rule.

The entire principle of work is based on child participation. Our interviewees are aware that to an external observer, who perhaps does not understand what good practice in an early and preschool education institution means, this may raise the fear of chaos and anarchy. This is what sometimes causes smaller misunderstandings with parents, who in the beginning of the child's stay at the kindergarten display a certain dissatisfaction with the absence of led activities or the usual ways of demonstrating the child's progress (for example, by learning poems by heart, or taking part in end of year performances, which the kindergarten considers to be inadequate indicators of the child's progress).

**In a kindergarten group you have a room full of partners. You are not just a teacher and a partner, but the room is full of partners – this is how we perceive children. This is how we live here.**

*Ivana Bucković, kindergarten teacher, consultation notes*



© Dječja igra Kindergarten

**FIGURES 11 AND 12:** CHILDREN AND THEIR TEACHER IN SMALLER GROUPS AGREE AND NOTE THE RULES WHICH REFER TO THE CENTRE FOR BUILDING AND CONSTRUCTION

Our interviewees conclude that behind this approach to children stands significant theoretical knowledge of all the staff, numerous discussions and the continued development of high-quality practice. It is precisely the professional development of the teachers that they view as key in the improvements in the participatory rights of children. The purpose of this development, which is continuous, systematic, and focused on acquiring a wider range of theoretical knowledge, is the understanding of the meaning of child participation, and not forcing the kindergarten teachers to make “cosmetic” changes, the purpose of which they do not understand, and therefore want to resist. Such understanding can be achieved by regular communication between the teachers and the expert team, coupled with monthly sessions with university teachers, and by networking with other institutions to share examples of good practice. They consider action research particularly powerful, and conduct it in their institution continually, emphasising that you do not “open” a high-quality kindergarten, you build it bit by bit.

At Dječja igra Kindergarten they currently do not enrol children with special needs because they do not have an adequate expert team for that, but if they notice certain difficulties in a child that has already been enrolled, the child stays in the kindergarten, and the child and their family are provided with the necessary support, with the cooperation of the existing members of the expert team. Therefore, they say that the inclusion of children with special needs and children from vulnerable social groups is a large area for potential improvement in their practice.

## 6.4. Špansko Oranice Primary School, Zagreb

The presentation of this example is based on the official information available on the school's website,<sup>20</sup> a visit to the school, a discussion with the pedagogue, Jasna

<sup>20</sup> <http://www.os-spansko-oranice-zg.skole.hr/>



**FIGURE 13:** ŠPANSKO ORANICE PRIMARY SCHOOL BUILDING<sup>21</sup>

Soldo, and with six students (four boys and two girls), members of the Student Council of Špansko Oranice Primary School.

Špansko Oranice Primary School was founded on 17 May 2007, and they started working on 3 June later that year. The school is currently attended by a little more than 900 female and male students in 35 classes, averaging 25 students per class. There are 97 staff at the school. In addition to the pedagogue, the expert team includes a psychologist, defectologist, and two librarians.

The school is well equipped with teaching aids, every classroom has a computer and a ceiling projector. Every student has their own locker.

The school hosts teaching practice lessons for students of the Faculty of Humanities and Social Sciences, and is a centre for the state qualifying examinations for trainee pedagogues, which shows that the schools has been recognised in the wider community as an example of good practice. Since 2010 the school has hosted competitions as part of the programme called “Weekends in Sports Halls” organised by Zagreb primary schools, and since 2011 the school has organised county-level competitions in knowledge of the Croatian language.

The school offers its students numerous extracurricular and extramural activities, among which, in terms of child participation, we can note the journalist, ecology, drama and literary groups. Students are involved in humanitarian work as well, and the school has until now organised several humanitarian actions. The school library offers various courses and activities to both students and staff, for example, the lifelong learning course in library and information science, literacy activities which encourage reading, literary events, lectures and exhibitions.

On the school’s website there are short descriptions of the environmental and humanitarian actions that have been organised until now, and the notable

<sup>21</sup> The photographs in the report were taken from the Špansko Oranice Primary School website.



**FIGURE 14:** 7<sup>TH</sup> GRADE STUDENTS AT THE MUNICIPAL LIDRANO COMPETITION IN 2011

achievements of the students, but also some of the more informal events, such as playing in the snow and making snowmen, which the school presents as its “funny side”,<sup>22</sup> which altogether, including the excellent material environment and the wide range of activities it offers, points to the fact that the school nurtures togetherness and a family atmosphere which is conducive to child participation.

In Špansko Oranice school a Student Council is active and consists of 35 male and female students who are each a representative of their class. For the purpose of this report we interviewed four male and two female representatives of the Council, who are all students of the 8th grade, and who briefly described to us the work of the Council.

The representatives in the Student Council are elected at the beginning of the school year, so that every class nominates and democratically elects their representative. Any student in the school, without discrimination, can be a representative in the Student Council, but usually the representatives are the students who stand out because they have excellent marks, they are diligent, well behaved, and/or have some other special competences for the function (for example, they are outspoken, they are willing to fight). However, older students, according to the consulted members of the Student Council, sometimes elect their representatives on the basis of popularity. The pedagogue and other expert staff take part in the elections of the representatives only by motivating the students to participate and by informing them about the function of the Council and its work.

The Council is presided over by the headteacher who is the one who most often calls the meetings and proposes the agenda. In general, the interviewed members of the Council are satisfied by the way the headteacher leads the Council. They think that almost all reasonable student suggestions are accepted, for which they provide the example of the initiative to improve the work of the school kitchen, which came from the students and was taken on board and implemented by the headteacher.

<sup>22</sup> *The Funny Side of School* is the name of the category in which the descriptions of such informal events are listed.

The Student Council of Špansko Oranice Primary School meets as necessary. They regularly meet at the beginning of every school year, and then the headmaster presents to the Council the school curriculum for the upcoming school year. During the year the Council meets when there is a problem that needs to be solved and that has not been solved in other ways. Then the meeting can be called by the students, too. For example, an 8<sup>th</sup> grade student indicated that there would probably be a meeting of the Council because of a problem with the heating in the changing rooms, which caused some health issues for some students. The members of the Student Council that we interviewed did not know whether the Council had initiated any projects or actions; the initiative for this usually comes from adults, which they consider good practice as they have confidence in good decisions made by the headteacher and other staff; they take pride in the action “A Candle for Vukovar” which is organised every year and which has now become a school tradition.

In general terms, the interviewed members of the Student Council think that it is important to have student councils in schools because they believe that children have the right to their opinion and to make suggestions on the issues that affect them, but they emphasise that they do not expect children to make decisions independently because they are under age and need the help of adults. With regard to students making independent decisions, one female student pointed out that big groups, such as a whole class, are often not capable of agreeing among themselves on some issues, for which she provided the example of her own class – the way they discussed where to go on a school trip was neither constructive nor productive.

Furthermore, the interviewed members of the Student Council think that the adults in their school, their teachers, expert staff, and the headteacher in general take their opinions into consideration and respect them as participants and partners. They are satisfied by the level of respect for their participatory rights in and out of school. They think that in terms of child participation, their school is one of the best in the city.



**FIGURE 15:** ENVIRONMENTAL ACTION IN ŠPANSKO ORANICE PRIMARY SCHOOL

**There aren't many schools like ours, in which children have a say. Our teachers accept, respect and take our opinions into account!**

*D., a student in Špansko Oranice Primary School, consultation notes*

**Children's ideas are sometimes very advanced and therefore it is valuable to have them take part in making decisions on issues that affect them.**

*Jasna Soldo, member of the expert staff in Špansko Oranice Primary School, consultation notes*

When asked about whether there is room for improvement in the work of the Student Council, the interviewed students expressed the wish for better communication with the class they represent in the Council. They think that there should be more frequent and more serious discussions of the Council during the form teacher's period, and that the Council should meet more regularly. Furthermore, the interviewed students think that the Council should discuss some issues that are less formal than the curriculum and other official issues, such as the aesthetic appearance of the school.

In addition to students, for the purposes of this report we also consulted the pedagogue of Špansko Oranice Primary School, Ms Jasna Soldo. The pedagogue has long experience in working directly

with children (32 years in total), which makes her a competent interviewee on this subject. She thinks that today child participation is accepted by both the general and expert public, but mostly only on a declarative level (for example, civil education and child parliament as an idea), while in practice adults are still afraid of child participation; it seems to her that the reason for that might be children's honesty, their courage to say: "The emperor is naked!" Children, on the other hand, Ms Soldo thinks, want to participate, but their motivation for participation drops when they realise that their participation is not meaningful, when they do not see any results of their participation.

The pedagogue understands her role in the implementation of the rights of the child in general terms and participatory rights in concrete terms as an *advisory* and *representative role*, which means that she discusses with the students how to solve the problems they encounter in their school life, and that, when necessary, she sometimes actively helps them with that. The pedagogue understands child participation as personal participation, as development. She thinks that children, who are supposed one day to actively participate in society, should start learning as early as possible how to do so, how to get involved, what it means to have rights and obligations, how to raise their own awareness, and how to change their community.

As a principle indicator of child participation, the pedagogue states the children's interest in participation and action. As the main obstacle, the pedagogue sees the attitudes of adults towards children, and the fact that school staff are overburdened by administrative tasks, which leaves them little time to devote to child participation.

The pedagogue thinks that child participation can be encouraged by open dialogue between children and adults, and by establishing better cooperation with the local community and civil society organisations with the aim of acquiring competences for child participation and for the support of child participation. In conclusion, she pointed out the need for

**Children do not hesitate to say: "The emperor is naked!", which may frighten adults.**

*Jasna Soldo, member of the expert staff in Špansko Oranice Primary School, consultation notes*

continued support for child participation, which necessarily includes partnership of the school, the local community and civil society organisations, which has a long and proven track record in this area.

## 6.5. The Igra [Play] Association

The presentation of this example is based on the official information from the Igra Association website (<http://udrugaignra.hr/>), interviews with a member of the expert staff, educator and supervisor, Sunčana Kusturin (the creator and long-standing leader of the programme “Contact”), and on the long-term cooperation between the leader of our research team and the Association in the programme “Contact – the Centre for Empowering Youth in Alternative Care”.

The Igra Association is a non-profit organisation which has existed since 1999. The primary aim of the Association is to provide education and rehabilitation, as well as psycho-social and pedagogical assistance through programmes and activities, which means working directly with the beneficiaries, empowering and training experts, and the activities of exploration, advocacy and sensitisation. The Association focuses on children and young people with behavioural disorders (especially children/young people in alternative care), and, in general, families that live in vulnerable situations. Members of the Association provide assistance and training to children, young people, parents and experts who work with them so that they can all overcome more easily the difficulties they encounter in the process of education and growing up. Accordingly, the Association conducted the following programmes in 2014 and 2015: “MBTP – Modification of Behaviour through Play”, “Contact – the Centre for Empowering Youth in Alternative Care”, “HTP – Healing through Play”, the Counselling Centre for Children, Young People and Family “A DIFFERENT APPROACH”, and the Educational Programme “IT’S IMPORTANT TO KNOW”. It has also been a partner in various projects – for example: CARE-A-NET: Youth Leaving Care Advocacy Network – advocating the rights of young people in alternative care in the area of employment, education, housing and social inclusion in general in partnership with the Rehabilitation Centre for Stress and Trauma Zagreb and the CINAZ Association from Zadar; Extending Entitlements: Making the Youth Guarantee in Croatia Work for Youth Leaving Alternative Care (in partnership with the Croatian Youth Network, SOS Children’s Village Croatia, Youth Centre Zaprešić) – the project monitors and evaluates the implementation of the measures of the Youth Guarantee from the perspective of young people in the system of alternative care.

In the report we will particularly cover the **“Contact” programme** because it is the one we are most familiar with. It is a programme worthy of attention and an example that we can do more and better.

“CONTACT – Centre for Empowering Youth in Alternative Care” has been in existence since 2002, and the reason for its creation was the research conducted by Sunčana Kusturin for her thesis dealing with the young people in the Residential

**Participation is the space where beneficiaries are approached – where you educate, learn, teach them to become aware of their wishes and opinions, to verbalise them and later stand up for them... It is demanding, but possible! It presupposes responsibility, a good relationship with the beneficiary, adjusting the method of work, the security of the environment, but also the expert’s belief that it is possible...**

*Sunčana Kusturin, university specialist of the supervision of psycho-social work, the Igra Association, consultation notes*

Care Home for Children and Youth in Karlovac, and in the Residential Care Home in Mali Lošinj, which tackled the difficulties they encounter, especially when entering the home and leaving it (Kusturin, 2002).

The general aim and purpose of the programme is to develop competences to become independent upon leaving the institution, and for mitigating the consequences of the institutionalisation of children and young people by providing assistance and support during the three most stressful periods of institutional treatment: the beginning, the end and after leaving care (the social inclusion of young people who left care, and post-treatment protection). In other words, through group and individual sessions, children and young people who have just joined the institution, those who are soon to leave it, and those who have left the institutions or foster care acquire new knowledge about the world around them, develop competences which will enable them to establish quality relationships with their environment and feel that they are not alone with their problems. There are several basic segments of the programme: providing psycho-social pedagogical non-institutionalised services for children and young people in care that are focused on improving the life skills and competences that are key for independent living (counselling, providing information, trips, group work, etc.); improving the quality of non-institutional services through the training and supervision of expert staff in alternative care, and improving national and local policies through exploratory and advocacy activities.

By cooperating and networking with various sectors and institutions (e.g. faculties, the Croatian Employment Office, ministries, other associations...), "Contact" makes considerable efforts in the sensitisation of society to the problems of young people in institutional care, as well as in the advocacy of rights and improvements in the social status of children and young people with behavioural disorders.

The programme has been implemented in the following institutions: Residential Care Home for Children and Youth Karlovac, the Home for Children without Adequate Parental Care Vrbina in Sisak, SOS Houses for Youth in Zagreb, Velika Gorica and Osijek, the Centre for the Education of Children and Youth Dubrava, Residential Care Home for Children and Youth Zagreb, Children's Home Zagreb, Residential Care Home Turopolje, Children's Home Maestral Split, Residential Care Home for Children and Youth Osijek.

This is a programme that can undoubtedly be called a "model-programme" which raises (and also sets) the quality standards of social services in the Republic of Croatia. It is therefore not surprising that in 2003 it received, in writing, the support of the then Ministry of Work and Social Welfare, which recognised it as an "excellent complement to the existing programmes of institutional treatment in residential care homes for children and youth", and as a "project which can represent an excellent link between the work of governmental and non-governmental organisations". Furthermore, the former State Institute for the Protection of Family, Maternity and Youth and the Croatian Government Committee for the Prevention of Behavioural Disorders included the "Contact" programme in the group of 14 programmes which represent potential model programmes for the prevention and treatment of behavioural disorders and are an example of good practice in Croatia.

Although, as Kusturin says, the concept of participatory rights is not separated from other children's rights in the Association's documents, it is horizontally interwoven into all segments of the Association's work. Related to this, it is important to stress that the whole of its work is based on the mutual respect of young people and staff, and on youth empowerment and participation. Proof of this is seen in the numerous

activities conducted within this programme. For example, the young people in the “Contact” programme created the website SkokUŽivot [JumpIntoLife], which they now maintain. The website is for young people in institutions and foster care who can find useful and interesting information on independent living there (<http://www.skokuzivot.hr/>).

In 2011 they published a brochure under the title “The Thoughts of Young People Who Grew up in the System of Social Welfare on Independent Living” (<http://udrugaigra.hr/wp-content/uploads/2011/01/promisljanja.pdf>), which was written by young people in alternative care for young people in alternative care. The brochure presents the experience of the young people in the period of transition, and in the period of leaving the institution with the aim of making this stressful period of life easier for their colleagues. The idea for the publication came from a young person who expressed the wish and the need to develop such a brochure.

“Catapult – an Educational Brochure for Youth Leaving the Institutions of Social Welfare” was printed for the first time in 2007, and in 2015 it saw its fifth and revised edition ([http://udrugaigra.hr/wp-content/uploads/2011/01/katapult\\_5-izadnje\\_web.pdf](http://udrugaigra.hr/wp-content/uploads/2011/01/katapult_5-izadnje_web.pdf)). This is a comprehensive and useful publication with an abundance of information necessary for independent living, and advice to young people who have already been living independently for some time.

As part of the programme, the Association also offers a programme of peer support which was born as a result of the ALEN international project. Peer helpers are young people aged 20 to 30 who had been placed in children’s homes or residential care institutions when they were growing up, and now live independently and want to help others by sharing their experiences. They provide support to young people who are now leaving the children’s homes or residential care institutions. For this purpose, they published the “Handbook for Future Peer Helpers” (<http://udrugaigra.hr/wp-content/uploads/2011/01/ALEN-publikacija-zaWEB1.pdf>).

The end of the “OkvirKO [FrameKO]” project came in 2013, and a handbook under the same title was published to empower young people in the process of leaving alternative care ([https://www.sos-dsh.hr/hr/novosti\\_opsirnije.aspx?idNews=507](https://www.sos-dsh.hr/hr/novosti_opsirnije.aspx?idNews=507)). Its main feature, which is reflected in its design, is the emphasis on the importance of active youth participation and providing coordinated and continuous support to young people in their last years of living in care and in their first years after leaving care.

The handbook consists of three related publications and a DVD “The Taste of Care”, intended for experts and young people who aim to define the FRAME of the process of leaving alternative care and the key competences that are important for young people to develop in the process of leaving care. Young people in care took part in the project and in writing the publication, the handbook was illustrated by a young person in care, the multimedia work for the DVD was done by a young man in care, and one of the reviewers was a girl in care. This is a handbook and a project which can undoubtedly serve as a framework for ensuring the post-treatment protection of children and young people in alternative care at the national level and at the level of the social welfare system by means of implementation and ensuring sustainability on the part of the Ministry of Social Policy and Youth.

In conclusion we can say that the Igra Association is an example of professionalism in working with young people, **an initiator of change in practice, but also an example of determination in believing that experts, together with young people, can and must start doing something to improve practice for the benefit of all.**

## 6.6. Mali dom [Little Home] – day centre for the rehabilitation of children and youth

The presentation of this example is based on official information available on the website of the institution, and on an interview with a member of the expert staff, Assistant Professor Sonja Alimović, PhD.

*Mali dom* is a Zagreb institution which serves as a day rehabilitation centre for children and young people. The programmes and activities of *Mali dom* involve around 100 children with visual impairment and other development-affecting disabilities that they have had since birth until the age of 21. A further 150 children from the same population go through the programmes of inter/trans-disciplinary assessment and counselling in the institution. **The mission of *Mali dom* is to ensure that children with multiple disabilities and visual impairment have a life as full and as meaningful as possible, by providing services, in an encouraging and positive environment, that encourage the development of each child with the aim of their self-actualisation.** The programmes of *Mali dom* are constantly improved by new knowledge and are modified according to the current capacities of the institution, and according to the individual needs of the children and their families. Until today, more than 800 children have gone through the programmes of *Mali dom*. In addition to the activities for the children and their parents, *Mali dom* places strong emphasis on cooperation in various scientific research projects, and on the cooperation and exchange of experts and knowledge with domestic and foreign institutions, associations, faculties and experts of various kinds. *Mali dom* began to develop its programmes for children with visual impairment and additional developmental disabilities about 12 years ago, as a civil society organisation, responding to the needs of society, because no adequate programmes existed for children with multiple developmental disabilities.

In *Mali dom* there is a Day Centre and an Education Centre, where various education-rehabilitation programmes are run for children, and training programmes are run for experts who work in the area of assessment, education and (re)habilitation of young children with developmental risks and developmental disabilities. *Mali dom* also offers a special programme – the Programme of Early Intervention.

The **Day Centre for Rehabilitation** offers education-rehabilitation programmes for children with visual impairment and additional developmental disabilities. The programmes are delivered through daily programme activities and services of periodic stay for children who are involved in other programmes, and who have a need for some specific services provided by the institution. The curriculum of the Day Centre focuses on the child and considers children holistically. The child is considered through their interaction in the current and future environments, as well as through an analysis of the activities which they take part in those environments in order to enable them to fully participate in the life of their environment. At the beginning of the year, for every child an *Individual plan and programme* is drawn up. It contains short-term and long-term goals that can be modified as necessary, which is done in cooperation with parents. The Day Centre offers the following programme activities: education activities, everyday life activities, activities in the household, work activities, and socio-cultural activities. These are run daily and in groups of 4 to 10 beneficiaries, which are formed according to age and the developmental needs of the child. Apart from the daily programme activities, the Day Centre also offers some specific services of (re)habilitation: activating functional vision and the development of visual functions, enhancing communication, training for independent, safe and effective orientation and movement, physical therapy, occupational therapy,

vibroacoustic therapy, sensory integration therapy, therapeutic swimming based on the Halliwick concept, kinesiotherapy, working with the therapeutic dog, training for using adaptive-assistive technology, therapy in the Snoezelen room, art therapy activity, musicotherapy, and dance and movement therapy.

The **Education Centre** is part of the Day Centre. Its main activity focuses on the development and delivery of professional development programmes for experts working in the area of assessment, education and (re)habilitation of young children with developmental risks and developmental disabilities. The aim of the Education Centre is to develop and empower the professional competencies of experts and train them in developing and applying specific methods in working with children.

The **Programme of Early Intervention** covers (re)habilitation procedures for children with visual impairment and with additional disabilities, but also without them, which they have had since birth until the age of three. The programme of early support takes place in the child's home and in *Mali dom*, where the parents bring their children for treatment based on an assessment of the child's needs. In young groups (0-1 years of age) the focus is on supporting the family, and in older groups (ages 1 – 3) on learning with parents through experience and new situations. The programme of early intervention includes the following procedures/activities: physical therapy based on the Bobath concept, the Vojta concept and the *Osteopathic Approach*, the Kinesio Taping technique, sensory integration, therapeutic swimming, the stimulation of the development of fine motor skills, the stimulation of orofacial motor skills, the stimulation of emotional communication and interaction between the child and the parents, the stimulation of early communication.

In *Mali dom* the participation of children with multiple disabilities is implemented primarily by encouraging communication, as well as through involvement and participation in the wider community.

At *Mali dom*, children take part in all activities particularly since the activities have been adapted for them. The extent of the children's involvement and participation depends on the person who works with them and on the activity (for example, they cannot decide on things like taking their medicine or not), but they are encouraged to choose the type of activity, the kind of music they want to listen to, which game they want to play... All these activities are also encouraged for the purpose of

**We have encouraged participation with parents from the start, but also in society, in the local community. One of our groups is more focused on communicating with people in the community (this is always a problem in terms of organisation because of the specifics of their disabilities, if they are in wheelchairs, or if they require some help, then we organise volunteers, etc. We try to take every group out into the community at least twice or three times a year, and some groups go once a week (to a local cafe for a juice). Therapists also take them shopping, so that the children make a purchase, get moving, etc., and so that the community becomes aware of the presence of persons with disabilities. We try to get them to order themselves, etc. (there is an example of a girl with cerebral palsy who immediately corrects her posture and says, "A Cedevita [a brand of instant drink], please", while during the week she hardly utters a sentence in her group). People often look at therapists, expecting them to speak instead of the children, and then it is up to the therapists to say, "They will order themselves."**

*Assistant Professor Sonja Alimović, Faculty of Education and Rehabilitation Sciences, external consultant of Mali dom, consultation notes*

**In Mali dom, when you enter any room, all children turn towards the door, I never used to notice that when I was there. Now it is fascinating to me that children with severe disabilities react immediately when someone enters the room, and you have to greet them, otherwise they get cross. When you enter, they know that you are coming to them, and everyone who enters has to greet the whole group, chat to each of them, and this is how they get to feel important. You walk through the door and everyone reacts to that change; it is terrible to enter a group and all children just sit there like logs, something changes, and they do not react – there is no participation there.**

*Assistant Professor Sonja Alimović, Faculty of Education and Rehabilitation Sciences, external consultant of Mali dom, consultation notes*

**Experts and the public usually think that children with multiple disabilities are incapable, and then they do not bother to involve them, although there are institutions which are doing a great job and involve them in the community. However, people who stay in this profession for a long time get burned out; at first they are enthusiastic and want to change the world, they go to the world and into the community and they want to be inclusive, but after 10-15 years of negative experiences people give up: it is easier to sit with the children in a room, do a bit of drawing, a bit of singing. They think, why should they bother themselves, the children and everyone around them? There is very little positive feedback when you take the children outside, the only positive feedback comes from parents, but it also happens that parents ask: “But why are you taking them outside?!” The younger the children are, the more involved they are. Older children don’t get involved because the parents also do not see any point, they have had too many negative experiences, they are afraid that their children experience the same, and then they transfer that onto the therapist, and it creates a vicious circle.**

*Assistant Professor Sonja Alimović, Faculty of Education and Rehabilitation Sciences, external consultant of Mali dom, consultation notes*

developing communication, because if everything is offered to the children, there is no need to communicate. The children are encouraged to make choices and to express themselves: to choose a friend for the morning greeting circle, to choose whether they want to eat dessert. It is emphasised that children care about the little things – whether an adult notices their new T-shirt, a new haircut, but also whether the adult will make a personal comment on how they look in the new T-shirt or with the new haircut. It is important that the children get the message that they are noticed, seen, and that they are valued by someone.

The level of the children’s activity is taken as an indicator of child participation: children who participate are active, they are alert to what goes on around them, and they know that by changing their behaviour they can affect changes in the environment. They follow what goes on around them and they signal that, they

change their behaviour, some get involved through movement or verbally, by changing their vocalisation, or the rhythm of breathing, they signal that they want a change, that they want to influence you, or the activity, or what is going on.

Everything the children do is recognised and communicated at the level of the whole institution: in photographs, by using symbols, or special corners, and experts say that this is important to the children.

As problems in terms of the participation of children with multiple disabilities, the institution lists the fact that working with this population is very hard, that there is little possibility of change, and there is burn-out of both experts and parents. The participation of this group of children generally decreases as they get older due to the negative feedback from their environment.

## 6.7. The Firefly Association

The presentation of this example is based on the official information available on the website of the Firefly Association, on an interview with the president of the Association, Zoran Cipek, and two volunteers, activists of the Association, Tena and Mihael who, as children, suffered from malignant diseases.

**The Firefly Association** is an association which helps children and families faced with a malignant disease. The activities of the association are numerous: providing and organising free accommodation for families of child patients who come to Zagreb for treatment, providing technical support to parents (information centre) which includes using the telephone, fax, internet, copying, printing, and the like, organising and ensuring benefits such as subsidised parking, discounted railway tickets, free motorway tolls, free expert translation of medical documentation, support groups and individual counselling for parents faced with their child's malignant disease, assistance and support for members of the family of a child in the terminal phase, individual or group nutritionist counselling (consultations, lectures, cooking workshops), legal and other expert help for realising their social and healthcare rights, and the education of parents in terms of malignant diseases through the use of printed and video materials.

The Firefly Association tells us that they are working on having children's rights recognised and respected in the healthcare system. They point out that children's rights in the healthcare system are recognised up to the level of the right to healthcare. The need for the protection of children's rights in the healthcare system is far greater and almost totally unrecognised. The association describes the experiences of children with malignant diseases as extremely traumatic, their treatment lasts at least a year, the children are isolated, they lose contact with their native environment, they lose control over their lives in all segments, their privacy is lost during treatment, they lose physical functions and parts of their body, they see

**At least they have someone [to support them], if they can't get such support from psychologists and if the system cannot pay for all that... We can, at least from the perspective of patients who have been cured, give them information and provide support. We are here, we are well, you will be well, too, we can give these children a bright note in their treatment. Talk to the child, inform them, to the extent that we, as laypeople, are able and allowed to.**

*Tena, a volunteer of the Firefly Association, consultation notes*

other children's suffering, they are exposed to the fear of a potential injury, etc. They say that there are no protocols about how to guide children towards some surgeries, and no procedure in terms of communication with children when they are admitted to hospital or during their treatment. The association was involved in preparing an Alternative Report on the Rights of the Child, which listed all these problems, but there was no recognised reaction to it or changes in society.

Their most notable projects are:

- *Firefly Rehabilitation Camp* for children who have completed their treatment. The camp has been organised in Fužine for the last 11 years. Enjoying the natural beauty of Gorski Kotar, sports, art, drama and music workshops, and an adventure academy are some of the activities which take place in the camp and in which children form friendships. There they connect with children similar to them, and they open up to each other.
- *The Little Light of Hope* in which young people, who have themselves undergone treatment for malignant diseases, help prepare the home environment for the return of the child after treatment.
- *The Firefly Youth*, which is a group of young people who have undergone treatment for malignant diseases as children, and who now advocate positive change in society as the most credible people who can give hope to children currently in treatment.

Currently the association is engaged in the development of a mentoring programme in which successfully treated young people would mentor children who are currently in treatment, or have just returned to their home environment.

The participatory role of the young people is most visible through **Little Fireflies** and **Little Light of Hope**. These are young people aged 18 to 29 (exceptionally also 16) who have been treated for malignant diseases when they were children, and who responded to our call to share their experience and help those who are now in treatment or to contribute to topics such as: life after treatment, difficulties and opportunities. The aim is to make the period of treatment and the period after easier for children faced with a malignant disease through the continued education of the people around them on malignant diseases, and through activities led by the young people who have been treated for malignant diseases in their childhood, and who are networked institutionally, regionally and internationally. Their motto follows from all this: *To make it easier, to raise awareness and to connect!*

The young volunteers emphasise that through their involvement with the Association they are actually helping themselves to give meaning to that personal negative experience. Each of the mentioned programmes also aims to increase the volunteers' competences.

**This mentoring programme is important because during treatment you literally have no one to talk to about everything, no one to ask what you can expect. A person you can talk to about this is very important.**

*Mihael, a volunteer of the Firefly Association, consultation notes*

The young interviewees from the Firefly Association told us that their experiences in the Little Light of Hope programme, when they visit schools, are mostly positive – there are children, teachers and parents who really want to learn something new, but they say that it is not always like that. People often do not have much information on malignant diseases and are prone to react so that they deny

the existence of these diseases, or they pity the child patients.

Part of the activist work of the Firefly youth is their initiative for the possibility of allowing secondary school students, who have lost years of education due to treatment, to request the opportunity to sit for exams. However, they are not sure yet how this might be done in practice.

The Firefly Association also offers psycho-social support and education for medical staff, but they say that the response from experts is weak. They bought the rights to an educational cartoon which they say is used in hospitals ("Peter and the Dragon"), and prepared it to be used with children in order to explain malignant diseases to them and how to fight them.

**We try to prepare the classmates and schools for the return of the children, at first by providing information on what malignant diseases are, but we speak from our experiences, in layman's terms, without medical jargon, using terminology the children can understand. We use films and brochures.**

*Tena, a volunteer of the Firefly Association, consultation notes*

IVANA JEĐUD BORIĆ

## 7. THE PARTICIPATION OF CHILDREN FROM VULNERABLE GROUPS

Special attention in this analysis is given to the participation of children from vulnerable groups who are at greater risk of non-participation or lesser participation due to their personal characteristics, difficulties or living conditions which make participation harder for them. When we talk about children from vulnerable groups, we mean: children in out-of-home care, Roma children, children in conflict with the law, children who live in poverty, victims and witnesses of crime, children who live in isolated areas, children with illnesses, etc. When analysing documents, research and practice of child participation, and in consultation with experts, in each of the individual aims of the study the specifics of the participation of children from vulnerable groups have been analysed. First of all, it is important to say that none of the specific groups of children is treated any differently, either in the normative, or in the practical sense (or, in fact, in the research sense). Similarly, the impression gained in consultations is that, in public discourse and in documents, children are referred to as a single category, regardless of their specific characteristics. The general opinion is that all children should be able to exercise their rights, including the right to participation.

The situation is similar in terms of gender – everyone refers to *children*, regardless of whether they are girls or boys, and the gender aspect is not emphasised as a relevant element in terms of child participation. In this context, this question needs to be asked: is this sort of unifying of children as a group positive, because in a way this prevents formal discrimination (both negative and positive), or is it that when considering participation we still do not focus on the specific characteristics and living conditions of the children, which objectively diminish the possibility of their participation and make it harder for them to participate? It is probably a mixture of both, but this clearly shows that there is a need to further raise awareness of the expert and general public of children from vulnerable groups and living in unfavourable circumstances. In this context, it seems to be important also to note that there are children who are in an even less favourable position due to a combination of various unfavourable circumstances (e.g. children with developmental disabilities who often suffer from chronic diseases, Roma children who live in very poor conditions, children with behavioural disorders who have been separated from their parents, etc.). Bearing this in mind, it is important to advocate their participation rights even more, as well as to find ways to realise their participation.

Although there are no systematic indicators, in this part of the analysis the research, practices and notes of consultations with experts will be presented in relation to the following groups of children: Roma children, children in out-of-home care, children with developmental disabilities, children in the healthcare system (children with an illness), and children in the justice system. In terms of type, volume and method of data collection, this is all very different data, but despite that, it is possible at least partially to present the participation of the mentioned groups of children.

## 7.1. Roma children

The research conducted by Bagić et al. (2014) on Roma everyday life points to a range of problems which Roma families face – from inadequate living conditions, leaving the education system, unemployment, to low social status, etc. The authors conclude that almost all Roma children live at risk of poverty and social exclusion, which is especially relevant in today's circumstances of financial crisis. They also emphasise that Roma children are faced with peer discrimination, but also with discrimination by the school as a community, which reflects negatively on the level of their education. According to the Joint Memorandum on Social Inclusion of the Republic of Croatia of 2007, one of the sub-action points is the empowerment of Roma persons of all age groups for active participation in the education market, the labour market, and in the development of the wider society. Part of the recommendations that were the result of the mentioned research also refer to child participation, and, in connection with this, the authors note the necessity to listen to what the children say their needs are, and the strengthening of their active role in their family and community. Research on the social inclusion of Roma children *Reci +* (Šikić-Mićanović et al., 2015) points to the generally low inclusion of Roma children in the education system of the Republic of Croatia, which is connected to the poverty of Roma families, their limited access to healthcare services, and to the fact that they live in dislocated communities.

## 7.2. Children in out-of-home care

Regarding the participation of children who are growing up in public, out-of-home care, the most recent data can be found in the research conducted by Žižak et al. (2012). The primary aim of this research was to describe the children's view of foster care, and, among other important topics, the topic of participation and decision making has also crystallised. It has been shown that children had very positive experiences of participation and making decisions related to their everyday life in foster families and to the planning of their future. They associated the feeling of their own worth and satisfaction with this type of participation. On the other hand, children reported very negative experiences of participation in making important decisions regarding the separation from their own family, regarding being insufficiently informed about further plans for their placement and about the possibility of being involved in that process. As the authors claim, the children have a "rich experience of non-participation", which they illustrate by children not being able to receive information on what will happen to them, receiving wrong information, waiting too long for key information and decisions, being treated like objects (...they put me here..., they picked me up, shoved me into a car), experts trying to persuade them to accept decisions already made in advance, and the like. It is encouraging that as their age and experience in the social welfare system grow, children become more proactive and more ready to represent themselves, and to demand that their right to participation be observed. With regard to participation and respecting the child (user/beneficiary) perspective, the authors offer some concrete recommendations:

- When preparing any documents or strategies which relate to out-of-home care, involve children, in accordance with their age, as consultants, so that they can express their views from their perspective and represent the interests of the beneficiaries.
- Encourage the founding of associations, fora, or similar organisations of beneficiaries in order to make systemic the legitimate and continuous presence of user/beneficiary (child) perspective in the system of public care of children.

**If a child is not involved in some family activities, then they will also not get involved in the community, or society. These children do not have good communication skills (they express themselves by screaming, etc.), and then when the parents want to include the child in some mundane activities, like going shopping, everyone stares, so the parents feel uncomfortable, and people stare because they don't know better. And so children participate less. Limited participation in the family means limited participation in society –society is not sufficiently sensitised to accept the participation of persons with multiple disabilities. We as experts teach the parents from the early days that the child has to participate as much as possible, they may not one day go to work and earn money, but they will be able to participate in some activities which will be lovely and meaningful to them, perhaps they will be able to make themselves a sandwich, go to a shop, take a shower.**

*Assistant Professor Sonja Alimović, Faculty of Education and Rehabilitation Sciences, external consultant of Mali dom, consultation notes*

- Create short informative material (a brochure, a CD, a web page, or something similar), containing comprehensive information on foster care, but also on other types of out-of-home care, written in child-friendly language.
- Prepare instructions and standards for the conversation between a professional and a child who is being prepared to be removed from their biological family. The standards should take into account the age and gender aspects, and define the principles of behaviour of the professionals regarding the provision of information on the child's placement, inclusion in the process of making decisions regarding placement, monitoring the course of placement, ending the placement, and preparing the transition plan.
- From the perspective of the beneficiary, it seems especially important to define guidelines and standards for the empowerment and self-representation of adolescents in out-of-home care.
- From the perspective of the child, the preparation for placement in a foster family requires active participation on the part of the child, biological family, experts, and the foster family over a period of time.

- Strengthen the implementation of the guidelines for the alternative care of children in the area relating to the provision of information to children and child participation in all phases of care by providing additional training to experts.
- Improve the existing models of selection, preparation, training, monitoring and supervision of foster families by including elements related to the child's perspective.

With regard to this group of children, there are no indicators to demonstrate the functioning of the mechanisms prescribed by law which should ensure the most direct form of participation of children, such as Beneficiary Councils and the Councils of Children in Foster Care.

## 7.3. Children with developmental disabilities

With regard to children with developmental difficulties, it seems important to say that this is a group of children with a variety of difficulties: from learning difficulties, developmental disabilities, multiple disabilities, institutionalised children, etc. In

**You encourage children by listening to them, because if we do not notice their signals and behave contrary to what they want, then you extinguish the desire for communication. Where possible, they should be given a choice, because it makes them feel important, and they get the message that their opinion matters. And then, if they are listened to, then they fight, then you light up that part of them that says: “Everyone listens to me, why not you?” Children who participate are active, they pay close attention to what is happening around them, and they know that by changing their behaviour they can effect changes in their environment.**

*Assistant Professor Sonja Alimović, Faculty of Education and Rehabilitation Sciences, external consultant of Mali dom, consultation notes*

**Contrary to the guidelines of the Convention on the Rights of the Child, we can only boast individual good examples, not well-developed practice. From around 10 years ago, since I started working in the field of individualised education programmes, we have really placed strong emphasis on student participation in the development of these programmes, so that students take part in the team sessions, for which they can be easily prepared, and then they also take part in the development of the programme. We did that with the aim of this becoming regular practice, but, unfortunately, apart from only a few examples, we experienced a lack of understanding, readiness and interest on the part of practice to change anything.**

*Professor Zrinjka Stančić, PhD*

discussion with experts in this field,<sup>23</sup> one gains the impression that in terms of this group of children, child participation is necessarily tied to inclusion, or that participation is viewed as part of a wider notion of involving the children with disabilities in society. The opinion is that communities are not sufficiently sensitised to the inclusion of children with disabilities, and their participation is less encouraged even within their own families.

The more pronounced and complex the child's difficulties are, the harder their participation is, and in this context, the issue of communication barriers is emphasised, more specifically the communication competences of some groups of children. It is noted that, more than anything, communication with children with disabilities needs to be encouraged, and they need to be encouraged to express themselves, too, which is a prerequisite for their greater participation.

In terms of the school environment, there are good examples of the inclusion of (and therefore encouraging the participation of) children with disabilities in regular primary schools, such as Trnjanska Primary School. Children with disabilities are seen as active participants in the development of individual education plans, but this has not yet fully come alive in practice.

<sup>23</sup> Professor Zrinjka Stančić, PhD, Assistant Professor Sonja Alimović, PhD, Natalija Lisak, PhD.

**How do children with disabilities perceive the world around them: to these children everything flies towards them (e.g. a trash bin), everything is given to them, and then they have no need to communicate and to get involved. It is harder for me when I have to involve them, take them to the trash bin (and not bring it to them), etc. Children without disabilities see the trash bin, and they see where it is, and that the teacher brought it, they have that whole process in their head and they anticipate what will happen next. Children with multiple disabilities do not see that, to them the trash bin flies towards them. Experiential workshops are important, so that experts are put in the children's shoes and experience some of these situations, and then they automatically perceive these children differently.**

*Assistant Professor Sonja Alimović, Faculty of Education and Rehabilitation Sciences, external consultant of Mali dom, consultation notes*

In a publication with the ominous title “The Invisible Children”, Bouillet (2014) presents the results of research on the status of children with developmental disabilities that are placed in institutions. The research was conducted by the research team of the Faculty of Education and Rehabilitation Sciences and the Social Work Study Centre, with Assistant Professor Ane Wagner Jakab, PhD, as research leader. With regard to the participatory rights of children with disabilities, the author states that it was shown that this group of children participate significantly less in the life of the local community, and in free-time activities. In this sense, she points out that there are institutions in which some children never leave their room! Bouillet (2014, p.103) concludes that “neglecting and avoiding to focus the community on improving the quality and level of the protection of the rights of children with developmental disabilities to full participation in society leads to negative consequences for the beneficiaries, but also the experts in various systems, who, considering the views of the participants of this research, fail to meet their own expectations and respond appropriately to the needs of their beneficiaries.” Furthermore, the author advocates a systematic, comprehensive and participatory approach to satisfying the needs of children with developmental disabilities, and particularly stresses the need for the more active engagement of the academic community in terms of the development of the legislation framework, and in terms of training various types of experts in promoting the inclusive model.

The experts we consulted emphasise the importance of the appropriate education of the environment and of adults. With regard to children with disabilities (especially those with multiple disabilities), it is important above all to sensitise people to the way in which these children perceive the world, so that they can better understand their needs and capacity for participation.

## **7.4. Children in the healthcare system – children with illnesses**

The National Strategy on the Rights of Children of the Republic of Croatia lists as one of its strategic goals ensuring that the services and systems are adapted

children, with special attention being paid to the healthcare system. The need was recognised to adapt the entire healthcare system and its staff to be more focused on the needs of children, as was the need for involving experts from the non-health professions in this system (psychologists, social workers, social pedagogues, peer helpers). The Strategy advocates appropriate training for health workers in the field of adolescent psychology and development. It also advocates the requirement for health workers to have developed inter-personal skills and for them to be sensitised to differences. In terms of child participation, the Strategy notes the following principle: *Children and young people have the right to information, they should be seen as active stakeholders in decision making, they should be listened to and asked for their views.* The way and the level of involvement will depend on the child's age, cognitive capacity, maturity, and on the importance of the decisions they are taking part in. Measure B.5.3 refers to child participation in a most direct way and states: *To conduct treatment by respecting the principles of child participation and the provision of information to the child or young person about the need for, and basic characteristics of, the necessary medical procedures.*

**I had a positive experience with my doctor, but I am curious by nature so I ask a lot of questions. This differs from child to child; a lot is hidden from children, they are not informed, and information is kept from them during the process of treatment. I had a roommate, little D, he was 8, he did not know anything, he thought he had a little ball in his knee. Everyone was telling me, shh-shh, don't tell him anything. I said, but why did you not tell the boy, regardless of him being 8, you can explain to him in some way what is going on? It is terribly important to be informed, I found out a lot on my own initiative because I literally tugged everyone's arms and asked: "Now please explain to me!" I think that I really got on their nerves with these questions of mine, but I felt better because – I'm the one in treatment. But then again, had I not asked, I would not have received all that information, and a lot of children do not get that information. But regardless of the child's personality, they need to know what is going on in any moment.**

*Tena, a volunteer of the Firefly Association, consultation notes*

In the context of the protection of the rights of children in the healthcare system, *For the Child's Smile in Hospital* is probably one of the more famous programmes. It is delivered by the Union of Societies Our Children Croatia, the Croatian Society for Preventive and Social Paediatrics, the Paediatric Society of the Croatian Association of Nurses, and the representatives of the Ministry of Health, the Ministry of Social Policy and Youth, and the Ministry of Science, Education and Sports. The programme has been continuously delivered in 37 hospitals in their paediatric departments. A total of 29 hospitals have achieved the status of "child-friendly hospital/department". Of the 12 criteria (requirements that the hospitals/departments need to fulfil)<sup>24</sup> to gain this status, only one of them is more explicitly related to child participation (the activities and ways of playing that the children choose and participate in), but one can expect that child participation is latent in other criteria, too.

<sup>24</sup> Twelve requirements for hospitals/departments of pediatrics: the development and publication of an annual plan for participating in this programme, admitting the child to hospital only when this is the best option for the child, reducing the length of the child's stay in hospital as far as possible, a holistic approach by doctors to the sick child, the nurses' care of the sick child – additional training for nurses, the application of modern medical standards for the child's stay in hospital, approaching each child as an individual with individual needs, enabling daily visits of the parents to their sick child, involving parents in the care and treatment of the child, pedagogical, cultural and entertainment activities for the child staying in hospital, making it possible for children to choose their activity and the way they want to play, improving the comfort and functionality of the hospital setting intended for children.

**Being informed is a huge and important topic because of the importance of the psychological effect on treatment. My doctor did not tell me I had leukaemia, she told me I had a blood disease and that I would spend a longer time in treatment, and it remained at that. Then everything was explained to my parents, and then my parents told me. I was lucky, unfortunately, that I had a friend who had had leukaemia and was treated successfully, and I clung to that.**

*Mihael, a volunteer of the Firefly Association, consultation notes*

**When a child dies, the other children in the hospital are told that the child went away: for treatment, back home, for some other tests. And then later, when they come to our camps, children wonder: “And where is M? Where did he go?”**

*Zoran Cipek, the Firefly Association, consultation notes*

In consultation with experts and with experts with personal experience (in particular the young volunteers of the Firefly Association who have themselves experienced hospitalisation due to their own malignant disease), we gained the impression, and this was confirmed, that the healthcare system is relatively rigid with regard to child participation. We noted some experiences of our interviewees which show that children are given untrue information on their medical status, the medical interventions are insufficiently explained to them, they are not told about their diagnosis, and it depends on the parent what they will share with the child. There are cases, which we were told about by our interviewees, where children (and parents) were not allowed to reject treatment, and where state services intervened almost aggressively and forced the parents and children to continue the treatment which the child did not want.

In the area of child healthcare, there is insufficient sensitisation and training of medical staff for working and communicating with children, as well as an insufficient number of non-medical staff: psychologists, social workers, social pedagogues, and others. A special problem is the fact that in four oncology departments in the country there are only three psychologists, and young people who are hospitalised have the impression that the psychologists are primarily oriented to conducting testing, and far less oriented to providing psychological support. Furthermore, after the recent changes in job classification within the healthcare system, social workers have been removed from the list of medical staff, which can be a potential threat to the realisation of the rights of patients, including the youngest ones. The Firefly Association stresses the lack of paediatric palliative care.

## 7.5. Children in the justice system

With regard to the children in the justice system, in principle we differentiate various ways in which children participate in court proceedings: as an offender, as a victim or a witness of a crime, as an interested stakeholder<sup>25</sup> in their parents' divorce

<sup>25</sup> According to the new Family Act (2015) the child becomes a party in the mentioned proceedings and has the right to separate representation.

proceedings, and in making decisions on their placement outside of their own family. Often child participation in the justice system is viewed through the “child-friendly justice” approach, which is also being advocated at the international level. The EU Fundamental Rights Agency (FRA) conducted research<sup>26</sup> in 10 EU countries, including Croatia, on the experiences of experts in terms of child participation in criminal and civil proceedings. In this context we will present only the summary recommendations related to the right of children to be heard and informed, the right to protection and privacy, the right to non-discrimination, to the protection of the child’s best interest, to the training of experts and multidisciplinary cooperation (Table 6)<sup>27</sup>:

**TABLE 6:** SUMMARY OVERVIEW OF KEY RECOMMENDATIONS

AREA	RECOMMENDATIONS
<b>The right to be heard</b>	<ul style="list-style-type: none"> <li>» <i>Establishing special courts for children</i></li> <li>» <i>Defining the level of maturity of the child for participation in proceedings</i></li> <li>» <i>Establishing procedural guarantees to ensure child participation (e.g. adapting the environment, ensuring the adequate training of experts)</i></li> <li>» <i>Ensuring free legal support, including free and easy access to legal representation</i></li> <li>» <i>Shortening the length of proceedings</i></li> <li>» <i>Ensuring rules and guidelines for experts regarding the way children are examined</i></li> <li>» <i>The use of adapted premises for examining children</i></li> </ul>
<b>The right to be informed</b>	<ul style="list-style-type: none"> <li>» <i>Compulsory procedures to establish who has to inform the child, how and when this needs to be done, and what the child needs to be informed about</i></li> <li>» <i>Availability of support services for the adequate provision of information to the child and the child’s parents</i></li> <li>» <i>Appointing the person in charge of preparing, informing and supporting the child before, during and after the court proceedings</i></li> <li>» <i>Availability of information presented in a child-friendly way</i></li> </ul>
<b>The right to protection and privacy</b>	<ul style="list-style-type: none"> <li>» <i>Systems of protection of the child ensure that children involved in court proceedings are treated as persons who require special protection, taking into account their age, degree of maturity, level of cognition and any communication difficulties they may have</i></li> <li>» <i>Establishing procedural guarantees to ensure the protection of the child</i></li> </ul>
<b>The right to non-discrimination</b>	<ul style="list-style-type: none"> <li>» <i>Ensuring the principle of equal representation for all children involved in court proceedings</i></li> </ul>
<b>The protection of the child’s best interests</b>	<ul style="list-style-type: none"> <li>» <i>Adhering to the principle of the child’s best interests</i></li> </ul>
<b>Training of experts</b>	<ul style="list-style-type: none"> <li>» <i>General and professional training for all experts who come into contact with children</i></li> </ul>
<b>Multidisciplinary cooperation</b>	<ul style="list-style-type: none"> <li>» <i>Cooperation with the aim of achieving best practice and results</i></li> </ul>

<sup>26</sup> Two members of the research team, Ivana Jeđud Borić and Anja Miroslavljević, took part in that research (as researchers), which was conducted by the Croatian Law Center on the territory of Croatia.

<sup>27</sup> The publication which was the result of this research is available in English, with a summary in Croatian, on this link: <http://fra.europa.eu/en/publication/2015/child-friendly-justice-perspectives-and-experiences-professionals-childrens>.

With regard to these recommendations, to the guidelines of the Council of Europe for child-friendly justice, and to the measures in the National Strategy for Children, various activities are being conducted in Croatia. Probably the most intensive work is being done in terms of training for justice professionals in working with children. In this sense, we will mention the training organised by the UNICEF Office for Croatia for judges and expert associates of the court under the title “Criminal Law Protection of Child Victims and Witnesses”. The training was delivered throughout 2014, and was later transferred to the Judicial Academy. The trainers were some of the recognised Croatian experts in the field of working with children in the judiciary: Judge Lana Petö Kujundžić, Investigating Judge Ljiljana Maletić, senior state attorney advisor Helenca Pirnat Dragičević, and the psychologist and psychotherapist Prof. Gordana Buljan-Flander, PhD, director of the Child and Youth Protection Centre. The specific aim of the training was empowering professionals to provide adequate assistance to child victims or witnesses of crimes, taking into account the specificities of their experience, and the appropriate approach to children, in accordance with the level of their development and their emotional state. The training was developed in cooperation with Dr. Ingrid van Welzenis, an expert in child-friendly justice. In addition to training the professionals, the UNICEF Office for Croatia contributed to the development of child-friendly justice by equipping courts in eight cities (Zagreb, Split, Osijek, Rijeka, Bjelovar, Sisak, Varaždin and Velika Gorica) with audio-visual equipment for recording children’s testimonies.

In addition to the training mentioned above, an interdisciplinary programme of professional development in communication with children in the judiciary is available to experts in the field of justice. It is organised and delivered by the Law Faculty in Osijek, and the programme leader is Prof. Branka Rešetar, PhD. It is a six-month programme which includes lectures on theory, practical work and an examination of the acquired knowledge, by which participants earn 30 ECTS points and a university certificate of professional competence in the field of the protection of procedural rights of the child and communication with children. In 2015, 25 participants successfully completed the programme in Osijek and Zagreb. Among them were the staff of social services centres and the Ministry of Internal Affairs, special guardians, judges and attorneys-at-law, whose work and professional duties include communication with children.

## 7.6. Challenges in terms of the participation of children from vulnerable groups

An important principle in contemporary society, which UNICEF actively advocates, is the principle of equity, which says that every child has the right to live, develop and realise their full potentials without discrimination, prejudice, or favouritism. In line with this principle, every child has the right to actively participate in all domains of life. Unfortunately, there are few published and available indicators of the participation of children from vulnerable groups. There are many unknowns that have not been covered by this analysis, and in future research and analyses it would be necessary to pay special attention to children from vulnerable groups. First of all, in the available data and consultations, there is no clear recognition of the specificity and the role of the child’s gender. Questions that remain unanswered in this analysis include: *are boys and girls equally encouraged to participate, do girls from Roma families have the same opportunities for participation as Roma boys, is the participation of boys and girls the same in urban and rural area?* Such questions should therefore be both the task and aim of future research.

Because information on the participation of children from vulnerable groups is relatively incomplete, it is a challenge to actively advocate and widen the range of participation of these children so that it can reach its full breadth and true participation can be achieved. Such efforts most certainly require continued investment on the part of both adults (experts), and children themselves (peers). The space of child participation has to be widened and brought to life for all children, and in that sense focused action research is necessary, which will, in addition to collecting valuable data, simultaneously build new participatory practices.

The current situation in society in the wider context of international events, leads towards opening the space and developing the environment for the participation of migrant children. This group of children should also be viewed in terms of their specific characteristics, such as gender, health, level of education, ethnicity, religion. Considering all the numerous problems these children encounter, it is important not to forget to respect their participatory rights, as well.

Although it is important to perceive children from vulnerable groups primarily as children, it is equally important not to forget their specificities on account of which they can be (and are) disadvantaged in terms of the realisation of their participatory rights. In terms of the general population of children, the participation of children from vulnerable groups continues to be visible more on the level of “filling the quotas”, while, judging by the consultations we had with well-informed experts, participation is slightly better within specific groups. Therefore, there should be a shift towards making the participation of children from vulnerable groups a standard which will not need to be particularly questioned.

IVANA JEĐUD BORIĆ, NIVEX KOLLER-TRBOVIĆ, ANJA MIROSAVLJEVIĆ,  
SANDRA CAR, BARBARA KUŠEVIĆ AND ANA ŠIRANOVIĆ

## 8. CONCLUSIONS AND RECOMMENDATIONS

The purpose of the study is to gain insights into child participation in Croatia, and to analyse the status of child participation through four aspects: legislation, research of child participation, teaching on child participation, and the presentation of examples of child participation. Special attention in the analysis has been given to the participation of children from vulnerable groups, who are at greater risk of non-participation or lesser participation because of their personal characteristic, difficulties, and living conditions. To fulfil the purpose, we conducted desk analysis (of legislation, strategic documents, scientific studies, study programmes), field visits, and consultations with relevant experts and children. In sum, the following were analysed:

- 23 different laws, ordinances, strategic documents and recommendations. More specifically, the Constitution of the Republic of Croatia, 19 acts, 5 strategic documents, 2 ordinances, and 1 recommendation of the Ombudsperson for Children.
- 40 studies: 17 studies related to the general population, 11 studies related to the population at risk, and 12 studies related to children with disabilities.
- 47 study programmes at 19 faculties, or more specifically, 98 subjects were analysed.
- 8 visits were made to institutions which are examples of good practice in child participation.

To summarise the main findings of the study of the status of child participation in the Republic of Croatia, we can generally conclude: **that child participation is well regulated in terms of legislation and strategy, that child participation is relatively under-researched, that it is not taught in study programmes which educate future experts who will work directly with children, and that it is discreetly (but persistently) present in practice** (as illustrated in Figure 16).

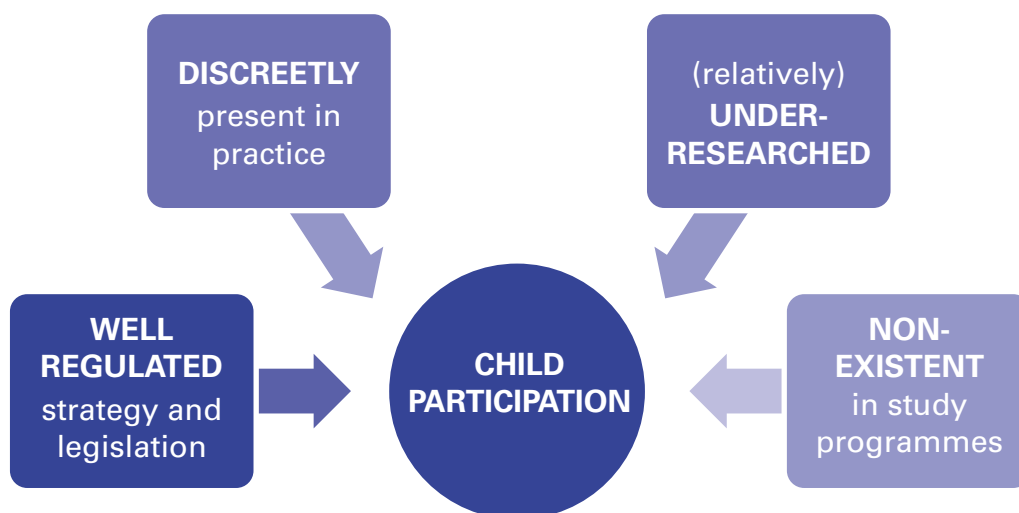


FIGURE 16: DIAGRAM OF THE CONCLUSIONS OF THE ANALYSIS

The current state of child participation will be presented here from the more positive part of the spectrum towards the spectrum of child participation which has the most (obvious) deficiencies. Child participation is fairly well regulated in legislation and strategic documents, there are a large number of goals and measures, and the attitude of decision makers is that child participation should be clearly promoted at the level of policies and legislation. Child participation models are present in practice, and we believe that the word “discreetly” describes the situation well. If we look at the dedicated work that has been done over the years by the Society Our Children Opatija, the Opatija Children’s City Council, the Mali dom institution, the Igra Association, the Network of Youth Advisors to the Ombudsperson for Children, and others which have been described (but also those that have not) in this study, we can see continuous, dedicated work with children in the context of encouraging their participation which is not publicly visible (and therefore, unfortunately, not sufficiently recognised) at the national level, but which receives recognition from foreign experts (for example, the work of SOC Opatija and the Opatija Children’s City Council). The consequence of such discretion, apart from low public visibility, is the lack of sharing positive experiences with other institutions and organisations which work with children. Furthermore, being so discreet in this field results in failing to create a different, more positive image of children in our society – an image of children as competent citizens. Child participation in terms of research can be characterised as under-researched, both in the sense of child participation as a topic, and child participation as a method and a scientific approach. In this sense, we encounter good intentions of individual researchers to study this topic, as well as good examples of involving children in research, which should certainly be the direction in which to plan further research projects. Over time, a positive trend was noted in terms of increasing the level of child participation in research (and the participation of children as subjects), as well as in terms of increasing the participation of certain groups of children (such as children at risk), with which there was more research conducted in relation to participation and in a participatory way. However, despite the positive trends, interest and intentions, there is no systematic and focused research of child participation, particularly action research, which would at the same time result in some concrete action, as well as change, in this field. Additionally, there is a lack of research in terms of children with disabilities, children who are members of ethnic minorities, child patients, etc. The fact that there is a lack of research on child participation in their families, kindergartens and schools, the three most important systems children belong to, can also be worrying. What we can be least pleased about is the fact that in the system of the formal higher education of experts, who will be working directly with children, child participation is not taught at all. When it comes to the formal education of future experts who will be working directly with children, we noted that the content and topics in the analysed study programmes have only a general focus on the rights of the child and on the perception of the child as an active participant. At the moment, there are no specific topics or subjects which cover child participation, even within the vocational study programme of Children’s Rights.

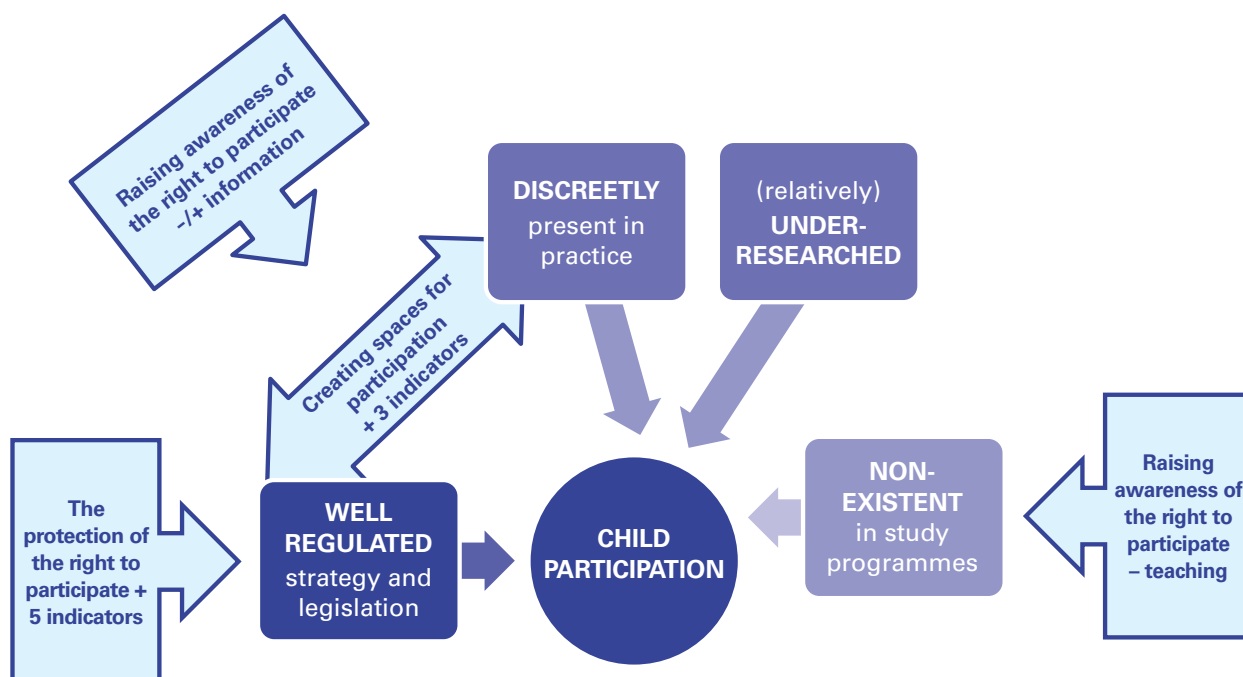
It is logical to consider the summary conclusions of the analysis in relation to the indicators which measure improvements in the implementation of the children’s right to participation, which are recommended by the Council of Europe (Child Participation Assessment Tool, 2014). In this document there are ten indicators in total, divided into three main groups:

- **the protection of the right to participation (5 indicators):** *the legal protection of the child’s right to participate is visible in the constitution and in legislation; child participation is explicitly stated in the national strategy for the protection of children’s rights; there is an independent institution which protects children’s*

*rights; there are mechanisms which enable children and young people to exercise their rights to participation in court and administrative proceedings in a safe way; there are individual procedures of filing complaints available in child-friendly formats.*

- **raising awareness of the right to participation (2 indicators):** *child participation is built into the programmes of education of experts who work with, and for children; children have access to information on their right to participation.*
- **creating space for participation (3 indicators):** *children and young people have their own organisations and representatives at local, regional and national levels; it is possible for children to give feedback on the work of public services; children and young people are given the opportunity to participate in the development of an alternative report on the implementation of the Convention on the Rights of the Child according to the Committee on the Rights of the Child and other relevant instruments and conventions of the Council of Europe.*

It is important to note that the intention is not to assess child participation in terms of the listed indicators, which is a separate and very demanding task which surpasses the purpose of this study. The intention is to compare the conclusions of the study with the recent tools used in the implementation and monitoring of the children's right to participate (Figure 17). This analysis documents the existence of some indicators of child participation, but almost nowhere can we comment on its quality or implementation. This is, therefore, more at the level of a declarative comparison which could be the starting point for further analysis.

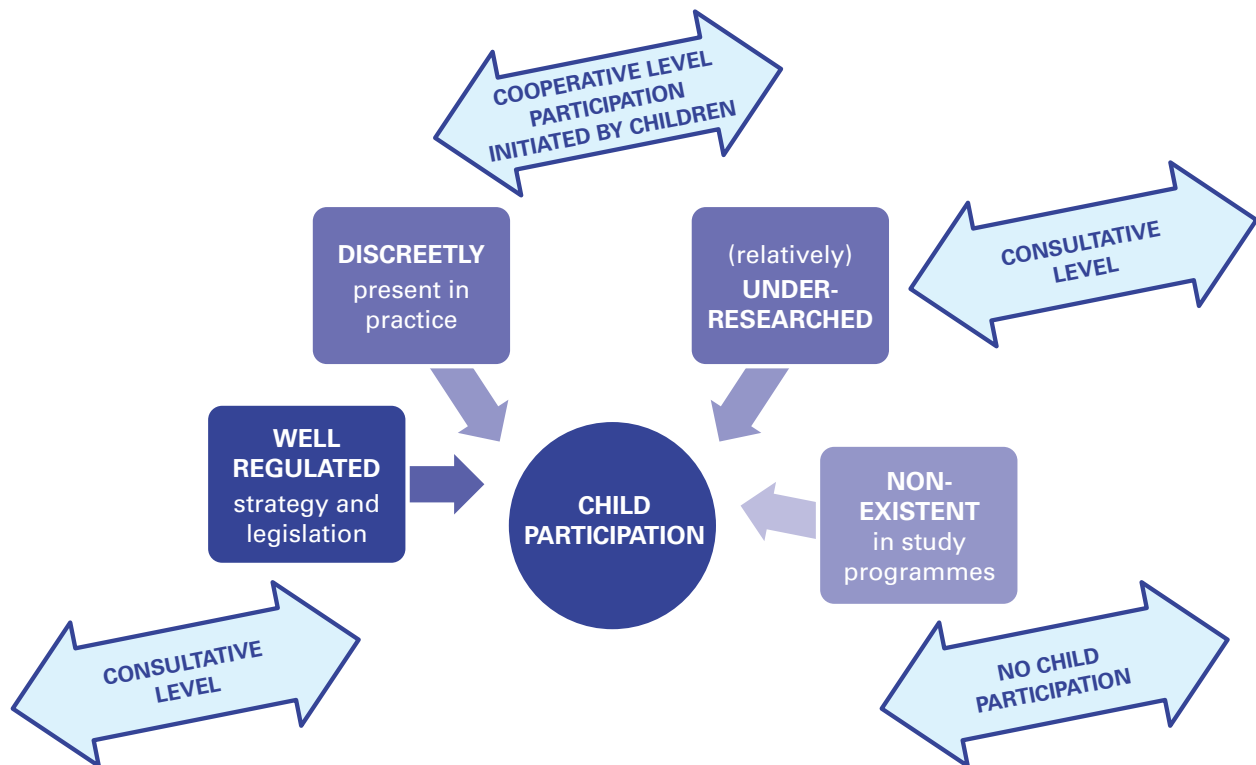


**FIGURE 17:** A GENERAL COMPARISON OF THE FINDINGS OF THE STUDY AND THE COUNCIL OF EUROPE INDICATORS FOR CHILD PARTICIPATION (2014).

In principle, we can say that, formally, the criteria relating to the protection of the right to participate are met, which is entirely related to the legislation of this area, which this study has established as satisfactory. In terms of creating space for participation, in principle all three criteria are met, as is one criterion from the area of raising awareness of the right to participate (information on the right to participate).

The only criterion which is not even formally met (which this study has also shown) is the one relating to the education of future experts in child participation.

If we consider child participation in terms of the Gerison Lansdown (2010) model, the analysis shows that child participation in Croatia is still largely at the consultative level (in the area of legislation and research). The highest level achieved is at the level of microsystems in the examples of child participation, where we encounter participation which is initiated by children, while at the level of education on child participation children are not involved (Figure 18).



**FIGURE 18:** A PRESENTATION OF THE CONCLUSIONS OF THE ANALYSIS IN TERMS OF THE LEVEL OF CHILD PARTICIPATION ACCORDING TO LANSDOWN (2010)

The recommendations resulting from the analysis conducted are based on two key approaches, which are: the affirmative approach, and the approach based on the key principles of the theory of change, which was presented in UNICEF's strategic document for the period 2014 – 2017.

**The affirmative participatory approach** reflects the attitudes and values shared by members of the research team, and is congruent with the topic and the area of the analysis. Despite the fact that, through the set research aims, the analysis has identified certain deficiencies (and non-participation), the intention of our recommendations is to advocate a positive approach to the promotion of participation which places strong emphasis on the formal and informal recognition of good practice, and on motivation for the development of new practices. The participatory approach is the basis on which we believe all practices must be developed (regulatory, research and educational) in all segments of the life of individuals and society. Therefore, as a minimum, children should be asked for their views on all of the mentioned topics, they should be involved in decision making, and be allowed to take(over) leadership in those segments which they show interest in and for which they also show initiative. Child participation is a two-way educational process for both children and adults, through mutual respect and cooperation.

**The principles of the theory of change** which will be the basis for the recommendations refer specifically to those laws, policies and practices which are followed by applicable, sustainable and effective practical solutions. In this sense, we will try to connect the recommendations based on this analysis with the aims and measures of the National Strategy on the Rights of Children (2014 – 2020), as well as with the existing institutions, networks and practices that are already active and present in our society. Guided by the principle of feasibility, sustainability and efficiency, a smaller number of recommendations will be proposed in order to avoid approaching the recommendations as if they were a “wish list”, and instead the recommendations will have a clear aim for the proposed activity. We are aware that on the basis of the analysis we could make many more recommendations, but we believe that it is better to start with a smaller number, and then by completing the actions gain the necessary motivation, support and inspiration for further recommendations.

The recommendations are divided in five groups: *general recommendations, recommendations in terms of legislation and policy, recommendations in terms of research, recommendations in terms of teaching child participation in the system of higher education, and recommendations related to the examples of child participation.*

## 8.1. General recommendations

From all segments of the analysis, as well as from the consultations with experts, it can be concluded that there is a need to clarify what the term “child participation” means.

**Joint work, thinking and acting together with children. There are differences in terms of age, age alignment, so we can talk about the Hart’s ladder, or be aware of it. So, participation is not “a single story”, it depends on the participants, topic, age. It is a multi-level process which has to be aligned with children. So, it’s not uniform, and that is why in each specific situation you need to define together with children what the participatory element will be and what you mean by the term participation. Here research and professional work come very close – action research.**

*Professor Antonija Žižak, PhD, Faculty of Education and Rehabilitation Sciences, consultation notes*

**What we mean when we talk about child participation is still not clear, as in the saying: “You eat cabbage, but you see beans.” The question of participation is also a question of responsibility, so we can also ask what is the role of adults, and what is the role of children? When it comes to children with disabilities, in accordance with their rights, they get to actively participate, but decisions about them are still made by experts. Greater involvement of these children in the life of the community is a form of participation. The concept of education inclusion and the inclusive school are based on the concept of participation and empowerment.**

*Natalija Lisak, PhD, Faculty of Education and Rehabilitation Sciences, consultation notes*

There seems to be great variance in understanding and in assumptions in this sense, which can lead to a distorted picture of the level of child participation and of the range of different opportunities for participation. Therefore we would like to note the following:

- Expert discussions on the understanding of the term “child participation” need to be organised through interdisciplinary and inter-sectoral cooperation. This can be done largely as part of the regular gatherings of experts at the national and regional level (e.g. through the regular meetings of expert staff and teachers in schools, through expert associations, the coordination of associations, the national network of students, and the Ombudsperson’s advisors, through national bodies which deal with child protection, etc.), but also as separate expert discussions at the level of individual communities (academic community, local community). It is recommended that for conducting such discussions there be discussion protocols prepared in advance. Individuals and organisations should become involved through public calls to participate, through the relevant bodies and expert associations. It is particularly important, where possible, to involve children as equal participants, provided they are adequately prepared for participation in the discussions, and to respect their choice of the way they want to participate in the discussion.
- Discussions should **provide a broad framework for the understanding of what child participation is in the context of our society, and of the forms of participation that have been recognised in practice.** Such a framework should be available to all interested stakeholders, and it should be open to additions and improvements. In this context, it is possible to build on the work of the working group which participates in the development of the national indicators of child welfare, where one of the areas is also child participation.
- **Stronger advocacy and focus on the realisation of the participatory rights of children from vulnerable groups** (children with disabilities, children with illnesses, children in poverty, children in out-of-home care, children of ethnic minorities) because it is evident that in legislation these groups of children are seldom particularly noted in terms of participation,<sup>28</sup> they are also neglected in terms of research<sup>29</sup> and practice, and at the level of academic teaching. In this sense it is recommended that research and good working models be particularly encouraged (rewarded) and disseminated so that they are publicly available. It is especially important that the voice of children from vulnerable groups be heard, and that their full involvement and participation in society be encouraged. The principle of participation and the participatory approach to children from

**The problem with the participatory rights of children (and participatory research) is that they are not understood by educators, teachers or parents. Usually the right to participate is connected to the right of children to express their opinions, but the demand to take that opinion into account whenever possible is neglected, as is the fact that this includes the child’s participation in decision making. Unfortunately, adults still do not easily involve children in the decision-making process, even when it is about matters which directly affect them.**

*Professor Dubravka Maleš, PhD, Faculty of Humanities and Social Sciences, consultation notes*

<sup>28</sup> Legislation covers all children and does not mention particular groups of children.

<sup>29</sup> Except for children at risk, which can be explained by the fact that the principal researchers in this field are also persons who extensively deal with child participation in their scientific and practical work.

In the last few years there has been a lot of talk about this, but the process of participation is taken lightly. In practice, activities of the lower levels of the participation ladder are usually carried out. Children are asked for their opinions, but their opinions are ultimately not taken into account. Co-deciding and self-initiative happen very rarely. It has become trendy to invite children to all kinds of events, as if to put them on display, but there is an absence of deeper thinking about this process, and about how they feel, and then there is also no adequate preparation of the child and of other stakeholders for this process.

*Sunčana Kusturin, university specialist of supervision of psycho-social work, the Igra Association, consultation notes*

Children who have spent many years in an institution are not ready for participation, it is very hard for them to make decisions, they need a lot of encouragement, they are unsure of their decisions, they prefer decisions to be made by someone else. We have brainwashed them. For example, which school would you like to attend? I don't know, I will do as auntie V. [educator] says. The same applies to behavioural disorders. Expert staff say: Ah, why should I ask him when he is like this or like that. They do not look at the function of him behaving that way. Children communicate through their behaviour. Whatever the behaviour, the child is trying to say something. Even trying to get involved, in the way they know how to.

*Hana Rižovski Delogu, psychologist, Centre for Community-based Services Izvor, Selce; consultation notes*

The more severe the disability, the less the children are involved, beginning with their family. It's as if the parents lose faith in that intuitive parenting of theirs, and then they no longer do the activities they used to do with their child... They no longer take the child to the shop with them, they no longer know how to communicate with them.

*Assistant Professor Sonja Alimović, Faculty of Education and Rehabilitation Sciences, external consultant of Mali dom, consultation notes*

vulnerable groups must become an imperative, not only in relation to a particular group (to participation within a specific group), but also in relation to the whole of society.<sup>30</sup>

- Following the affirmative participatory approach, one of the general recommendations is to **encourage, reward and promote (publicly and locally) examples of good practice of child participation in all segments**: from legislation, research, teaching, to concrete practice. In this way, child participation will become recognisable and recognised as part of the culture of living.

<sup>30</sup> The Council of Europe Strategy for the Rights of the Child 2016 – 2021 particularly emphasises the participation of all children.

When a child enters the social welfare system, the child is “vulnerable”. Because of the expert staff that work there and who think – there is nothing for you as a beneficiary to decide on or think about. Once when the system is significantly refreshed with people who think differently, then maybe things will change. We still don’t like those who are different, BDs<sup>31</sup> are the different ones. The problem is entirely in the experts, not in the children, and in the concept of social welfare and that system. We are waiting for experts who understand that it is terribly important to involve children, who believe in the transformation of institutions, in opening towards the community. I claim this as a social pedagogue.

*Nikica Sečen, director, Centre for Community-based Services Izvor, Selce; consultation notes*

- **Ensuring the continuous assessment of the implementation of the participatory rights** of children through the use of the Council of Europe instruments – Child Participation Assessment Tool in relation to all three groups of indicators: protection of the right to participate, raising awareness of the right to participate, and creating spaces for child participation.

## 8.2. Recommendations in terms of legislation and policies

Although it has already been stated several times that child participation is well regulated in Croatia through legislation and strategies, we would like to recommend some practical improvements in terms of monitoring the implementation of legislation and strategies, and in terms of the availability of information on the right to participate for children themselves.

- **Coordinating and monitoring the implementation of national documents and regulations** in the area of the protection and realisation of children’s rights (vertical and horizontal). **This recommendation partially corresponds to aim K.2** of the National Strategy on the Rights of Children: *to realise the general principle of child participation in the development of policies and programmes for children.*
- **Developing child-friendly materials with information about the opportunities for child participation, which primarily refer to legislation and strategies.** In this sense, the materials need to be adapted to all children and their specific characteristics, but also to their ways of communication, which means using electronic media and social networks more extensively. In the current practice we encounter examples which can serve as inspiration: e.g. the video-material for children with information on their rights in the justice system (<https://www.youtube.com/watch?v=nACZ5YBxm7E&index=4&list=PLZMjtrRo5niNdAHuDdiq42U1oGTN14dj8>), and the promotional videos which are part of the campaign of the GOOD initiative – for the systematic introduction of high quality civil education for human rights and democratic citizenship into the education system (*Let’s*

<sup>31</sup> BD – an acronym used in expert jargon referring to children and young people with behavioural disorders.

*Learn to be Adults* campaign – <http://naucimobitiveliki.goo.hr/>; *I Know, Think, Participate* campaign – <http://goo.hr/promo-spotovi/>).

**This recommendation corresponds to aim K.1** of the National Strategy on the Rights of Children: *to raise children's level of knowledge of the rights of children, of the existing strategic documents at the level of the UN, the Council of Europe, and the European Union, and of the various recommendations of international bodies.*

### 8.3. Recommendations in terms of research

With regard to the field of research, there is really a broad range of research topics, target groups and research questions related to participation which can be focused on. Scientists who were consulted also note some of the difficulties when it comes to participatory research.

In terms of recommendations we will point out three which could subsequently start a range of other actions in this area.

- **to organise study groups of interested researchers who work with children as participants and as subjects of their studies.** In this sense, as a starting point, the names obtained through our analysis of research and studies can be used. The study groups could discuss topics such as the participation of children in research, the specificities of their perspective and the specificities of research with children, especially of research which takes participation as a topic and/or approach.

Experts often use child participation in research as a mere decoration, without thinking it through, and only formally. Research where children are involved in its development or interpretation has an empowering effect on them. Children happily participate and express their views, but it is very important that they do not feel even the slightest hint of pressure that they have to participate (even the form teacher's look can have an influence), and that they can make their own independent decisions. They need to be informed and given the opportunity to make independent decisions.

I suggest founding an Institute for Research of Children, with Children, which would ensure the conduct of longitudinal research, panel discussions. This would make it possible to plan and conduct such comprehensive and long-term research. As researchers we often do not have the influence to secure funding for such research, and in such a research institute this could be achieved (it would be a research-lobbying approach). As for the participation of children as co-creators and partners in various phases of research, it would be important to get the children to register themselves and be willing to participate. For this we could use, with careful ethical consideration, modern technology that children use, e.g. interactive websites, and the like.

*Professor Marina Ajduković, PhD, Social Work Study Centre, Faculty of Law, Zagreb, consultation notes*

The disadvantage is the lack of time, which is crucial for such an approach, and this should be done thoroughly. To us researchers, time is the key problem, and in such research it is necessary for researchers to adjust their pace to the children, their obligations and capabilities, to truly adapt to them and together with them set the tasks which they will be able to achieve and overcome.

*Professor Marina Ajduković, PhD, Social Work Study Centre, the Faculty of Law, Zagreb, consultation notes*

The system, unfortunately, does not recognise the need for the child to participate, for things to be explained to the child and parents, and not only once, because once is far from sufficient. For things to be explained and for them to be helped to cope with the situation. The difference between declarative rights and practice is unbelievable... After years of lobbying and talking to various ministers, assistants, directors of the Croatian Health Insurance Fund, we have not succeeded in getting them to establish a protocol for communication in difficult situations, which would help the doctors most, because it would give them instructions on what to do and how, it would remove the burden of responsibility.

*Zoran Cipek, the Firefly Association, consultation notes*

- **to develop guidelines for the participation of children in research** on the basis of discussions and the presentations of research practices. In this context, too, it would be good to at least consult children who have already taken part in some research.  
**This recommendation corresponds to aim K.6** aim of the National Strategy on the Rights of Children: *to revise the Ethical Code for Research with Children with the aim of better ensuring the right of children to participate and to express their opinions in research.*
- **to consider once again publishing the magazine *The Child and Society*, or some similar magazine** which would cover (and therefore promote) topics from the area of children's rights in general and participatory rights in particular. Through the magazine, publishing children's work should certainly be encouraged.
- **to dare<sup>32</sup> conduct participatory action research on child participation** with the compulsory active participation of children from the very beginning of the research planning. As valuable, but also, in terms of research participation, tried and tested partners,<sup>33</sup> we see the members of the Network of Youth Advisors to the Ombudsperson for Children, members of the National Student Council, children involved in children's fora and the kindergartens of the Union of Societies Our Children (especially the children in SOC Opatija,

<sup>32</sup> We consciously use this verb, as action research is very demanding in terms of time and organisation, and is conducted (too) rarely or not at all, and it is our view that researchers often become discouraged in planning such research, which is something we can confirm on the basis of our own experience.

<sup>33</sup> The children of SOC Opatija participated as researchers in the evaluation study of the legislation, policies and practices of the participation of children in the European Union (Day et al., 2015).

but also elsewhere), young people in alternative care involved in the Igra Association, etc. In this context, as an example of good practice which also clearly shows that research does not need to be of a very wide scope, we would like to mention the action research which is underway, and which studies how children perceive their own participation at school. The research is titled *What do Children Tell Us about Their Own Participation at School?* and is led by Prof. Nivex Koller-Trbović, PhD, from the Faculty of Education and Rehabilitation Sciences, as part of the programme of support for research projects of the University of Zagreb. The project is a participatory action project, and children are involved from the very beginning of the field research<sup>34</sup> as active stakeholders. The first phase of research refers to interviewing the children about what they perceive as participation at school, what it means for them, and how they would research it themselves: using which methods, asking which questions, and the like. Adult researchers have the role of mentors to the children, for which they will receive help from students of social pedagogy.

- **to conduct more comprehensive research which will thoroughly examine the individual areas of the life of children and of their experiences, as well as of vulnerable groups of children.** In this sense, we think that what should primarily be researched are those systems/areas of children's lives which we know least about (both in terms of research, and practice), and in which the children are the most vulnerable, which is primarily the health system, and then the system of out-of-home care. Furthermore, the area of the school, more specifically the participation of children in the life of the school and in the student councils, is still an unknown, but also, as can be seen from some publications and research,<sup>35</sup> an area of great dissatisfaction of children. In terms of research, the area of the family is also interesting and important. There, children (as some research shows) exercise their participation rights well, but there is also no concrete knowledge of how they participate, and in which decisions. With regard to the scope of the areas we mentioned above and their undoubted importance, we actively advocate research in the area of healthcare, as at the moment there is no known research in this area, and the system itself is considered to be relatively rigid in terms of child participation opportunities.

## 8.4. Recommendations in terms of teaching child participation in the system of higher education

In the analysis, as in consultation with experts, it was established that the area of teaching future experts about child participation is the most deficient.

- **to promote the inclusion of topics explicitly related to child participation in the study programmes for all professions** which work with children. Additionally, we believe that the topics of child participation should be part of compulsory subjects (in addition to optional ones).

<sup>34</sup> Children did not take part in the concept meeting or during the project elaboration.

<sup>35</sup> E.g. Horvat (2010), Žnidarec Čučković (2013).

**Continuous professional development of all stakeholders involved in working with, and caring for children is needed. The reason for insufficient child participation is the fact that adult stakeholders or the target group themselves have only a partial or insufficient amount of information.**

*Duška Bogdanović, employee of the Ministry of Social Policy and Youth, consultation notes*

**The public does not concern itself with this, and everyone, children included, needs to be educated. In this respect, we are at the beginning. This is an elitist topic and very few people understand it. Just like children's rights in general, this is not understood and it is made banal. The obstacles in participation are part of our culture, our attitude that children are not yet grown up, mature. There is a lack of education and connection with civil education. Human rights are the origin, the principle that we all have rights, and these are then specific rights.**

*Professor Antonija Žižak, PhD, Faculty of Education and Rehabilitation Sciences, consultation notes*

**There is still a lot of work to be done, there is no training for adults, more systematic work on education is needed, work needs to be done in the local community, local leaders need to be involved. The education of adults through faculties, associations, campaigns has to be continuous.**

*Sanja Škorić, director of the Society Our Children Opatija, consultation notes*

- **to develop basic guidelines (which would also contain the available material) on what can be taught within the framework of the topic of child participation and how it can be taught. The guidelines should be applicable to various professions and programmes of education.** In terms of methodology, the focus should particularly be on practical work and on the critical thinking of the students.
- **to offer optional subjects at the level of individual universities, which would exclusively deal with participatory rights and child participation.** With regard to this, in the analysis there is a list of course leaders for courses which touch on children's rights and some aspects of child participation, and we think that this is the starting point for potential stakeholders interested in developing, leading and delivering such a course. One option is also to offer this course as an e-learning module, which would make it more accessible.
- **to ensure continued professional development training in the form of lifelong learning for experts who work with children in all sectors.** A good example of such education can be seen in the programmes in the justice system, so this is one of the models that should be encouraged in other systems, too, especially the healthcare system, or wherever experts are not specially trained in their formal education for working with children.

And the people who are supposed to work with children are not sufficiently trained. The question is, how are these people educated and in which university courses, and how are children's rights covered, and how to enable the children to realise them?

*Nikica Sečen and Hana Rižovski Delogu, Centre for Community-based Services Izvor, Selce; consultation notes*

The systematic education of adults is crucial. Even in basic vocational education there is a lack of education on children's rights and on communication with people you are going to be working with. How to align vocational knowledge with the part on communication – both are important. Continuous development is important, continuous and basic training. Training is always attended by the same people, but those who need it most, they never come. A system that is not compulsory, but motivating, needs to be developed, there has to be a visible benefit from professional development.

*Ivana Milas Klarić, PhD, Ombudsperson for Children, consultation notes*

## 8.5. Recommendations in terms of examples of good practice of child participation

As we have already emphasised, there are certainly more examples of good practice than are covered in this analysis. The research aim of this document was not to single out the best, or to list all of them, but to provide an initial insight into the various forms of child participation. These recommendations for the enhancement of the practice of child participation follow from this:

- **to develop a publicly (and easily) accessible database of practices of child participation to serve as a forum for the exchange of experience and models of child participation.** In this sense, we should use the potential of social networking and electronic media, where there are already successful communities for sharing good practice (e.g. the Network of Learning Communities – <http://mzu.hr/tag/udruga>, Jump into Life web site – <http://www.skokuzivot.hr/>, various Facebook groups, such as the group of preschool teachers led by Prof. Slunjski). The potential of the already published materials should also be used, such as the collected papers of the reviews of the civil education projects, the publication of the Forum for Freedom in Education *The Book of Good Ideas* (2015), etc. We suggest that the administration of such a forum be entrusted to associations which already have long-standing experience in the area of child participation, such as the Society Our Children Opatija. The aim of such a forum would be to share experiences, mediating work techniques, but also to motivate and empower adults and children.
- **to implement the existing examples of good practice of child participation in other environments and similar organisations on the basis of the education**

**and mentoring model.** For this purpose, the existing networks and organisations, such as the Union of Societies Our Children, the Coordination of Associations for Children, the National Student Council, the Network of Young Advisors to the Ombudsperson for Children, etc., should be used more systematically. In addition to adults, children should by all means be involved in the dissemination of good practice. We also recommend that attention be paid to the review and alignment of the work of kindergartens and children's fora

which are being developed within the Union of Societies Our Children. It is evident that some of these societies (like the Opatija one) develop very advanced models of child participation, which should certainly be disseminated as a model, while this organisation should have the status of "mentor organisation".

- through an inter-sectoral and participatory approach, **develop the criteria and quality standards for the good practice of child participation** which could potentially be used as one of the additional criteria in the process of applying for the funding of projects focusing on children's rights, especially the right to participate.
- within the scope of work on improving the methodology of the action titled *Cities/Municipalities – Friends of the Children*, led by the Union of Societies Our Children, to **suggest a set of criteria for the assessment of meaningful child participation in towns and municipalities which have (or seek to have) the status of the town/municipality – friend of the children.**
- **to reconsider re-starting projects which focused on the participation of children in out-of-home care**, such as the project *The Participation of Children in Children's Homes*,<sup>36</sup> and to build on them in line with the current processes of transformation and de-institutionalisation.

**This recommendation partially corresponds with aim K.4** of the National Strategy on the Rights of Children: *to ensure the prerequisites for the active and purposeful involvement of children in developing the strategies/action plans for children at the local level, and to continually develop mechanisms for child participation in local communities according to their abilities.*

**At the micro-level there is increased sensitivity for the topic of child participation, especially for children with developmental disabilities, but this sensitivity should be followed by thorough preparation and the creation of optimal conditions for participation and inclusion in practice itself, which is often not the case.**

*Professor Mirjana Šagud, PhD, Faculty of Humanities and Social Sciences, consultation notes*

## 8.6. The child participation experts' perspective and feedback on the recommendations

The conclusions and recommendations were discussed in the working group of the so-called critical friends, or experts who work in the field of children's rights and advocate child participation. The intention of this discussion was to present

<sup>36</sup> The project was delivered by the Association for Initiatives in Social Politics, in the period between 2001 and 2003. For more on this, see: <http://www.uisp.hr/djecijedomovi.htm>

the preliminary results of the study and on the basis of their comments enhance the quality of the study and the recommendations that follow from it. Experts from the following sectors were invited to take part in this working group: public administration, local administration, the Office of the Ombudsperson for Children, education, healthcare, the judiciary, the civil sector and the academic community. Of the 11 invited experts, 8 decided to take part. Below are the summaries of some messages from the circle of critical friends, which partially agree with the conclusions and recommendations of the study, and emphasise some other issues:

- The study on child participation in Croatia was assessed to be useful and valuable, as was the gathering, discussion and the exchange of experiences of experts.
- The affirmative approach to recommendations was generally perceived as positive, but the need to make stricter demands for the implementation of child participation, especially in the work of public services and employees, was also emphasised.
- The systems of education and healthcare have been recognised as the sectors with most significant problems in terms of child participation. In terms of the education system, the experts recognised the good practices of preschool institutions which perceive children as active co-creators of the education process. On the other hand, the systems of primary and, to a lesser extent, secondary education have been recognised as deficient in terms of not implementing or, rather, not understanding child participation. Children empowered by their experiences from their preschool education come to primary schools where they can no longer participate in the same way, in an active way – so children are sometimes perceived as impertinent, and not as aware and ready to express their opinion. It seems that, when it comes to preschool and school education, two paradigms exist in the system: the paradigm of responsibility in the preschool institutions, and the paradigm of obedience in the school system, which can confuse both the children and experts. There was criticism of the work of student councils, which are often only formal bodies. The experts claim that there is a lack of active adult support for the student councils; the adults have the task to help children organise and start their work, which is connected to the fact that adults in general do not understand what child participation is. Another system that was noted as problematic is the healthcare system, which was recognised as the least open and where the issue of child participation is yet to be encouraged. The experts pointed out that the medical workers are focused on providing treatment (in this aspect even the adult patients are approached in a non-participatory manner), while there are not enough non-medical workers who would then provide care for children's other needs. What was deemed especially problematic was the so-called indirect participation through parents, and the situations where parents are not present and therefore cannot represent the interests of the child.
- Children in out-of-home care participate very little, and the work of the Beneficiary Council and the Council of Children in Foster Care needs to be reviewed.
- The experts emphasised the importance of the suitable and continuous professional development of professionals working with children related to the subject of children's rights in general, and participatory rights in particular. The topics related to child participation should be made compulsory in the education of future experts, as it should in their additional training throughout employment.
- A separate coordinating body at the national level should be set up. It would deal only with issues related to children (e.g. an office for children, an administration for children), which would ensure greater focus and a continuity of efforts on the protection and promotion of children's rights. An office of this

type could also monitor and evaluate the implementation of legislation. In this context, the participants criticised the work of the Children's Council, which they thought was too large and relatively non-functional.

- The starting point in the promotion and implementation of child participation is the education of both children and adults, so liaising with the working group which is working on curricular reform was suggested. Civil education is seen as an opportunity to strengthen child participation, but also to change the way schools are organised. It was also pointed out that this also required a change in the teachers' way of thinking and working.
- Amending the Ethical Code for Research with Children is necessary, especially in terms of the age of consent for participating in research.
- It is always important to ask children for their opinion, to enable them to participate, and to take responsibility for providing them with feedback on what happens after they express their view or suggest something. Encouraging and implementing child participation is a true mission, and not some work you do on the side, and it requires time and attention.
- The networking of individuals, institutions and activities in this field was emphasised, as was the sharing of experiences and good practice so that child participation and the values it represents can be sustained in everyday life.
- Recognising examples of good practice in the field of child participation, and investing continuously in them, was also emphasised. This was considered preferable to partial investment in a large number of smaller programmes which perhaps do not have a long tradition or a clear focus on child participation.

## 9. THE PERSPECTIVE OF THE MEMBERS OF THE NETWORK OF YOUNG ADVISORS TO THE OMBUDSPERSON FOR CHILDREN

In line with the topic of this analysis and the belief of the authors and of the UNICEF Office for Croatia that children need to be appropriately involved in issues that affect them, it was agreed that the findings of the study, as well as the recommendations that follow from it, will be presented to the Young Advisors to the Ombudsperson for Children. As this is a formal network with members from all over Croatia who wish to deal with child participation, they seemed to be the logical partners. Therefore, in agreement with the Office of the Ombudsperson for Children, a presentation and discussion of the key results of the analysis and recommendations was organised.<sup>37</sup> We perceive the young advisors' positive feedback on the importance of the topic we researched, as well as their (experiential) confirmation of the findings and recommendations, as special proof that we are on the right track – as researchers, experts, teachers and advocates of children's rights.

Below we list the key messages received from the young advisors in connection with the study and the report, but also in the wider terms of child participation:

- Participation is in the joint interest of both children and adults, and that is why it is important. Children want to participate, especially in the following aspects of their lives: family, school, community, the media. Young people think that it is exceptionally important to involve children and young people because adults do not have the experience “*of being a child at this moment*”, they remember their own childhood which belongs to another time. Children would like to participate more in issues concerning their education and the school they attend (school rules, the way they are being taught, the relationship between teachers and students).
- They see parents as key advocates of child participation, mostly by involving children in the life of the family. The children give examples of being given responsibilities for performing chores, of being involved in decision making, of being given information on the important issues of family life.
- From the young people's perspective, time is an exceptionally important factor for participation, and they say they do not have enough time, and neither do

---

<sup>37</sup> We would like to extend special thanks to the young advisors for their active contribution, enthusiasm and cheerfulness. We also thank the Ombudsperson for Children, Ivana Milas Klarić, PhD, the Advisor to the Ombudsperson, Davorka Osmak Franjić, MSc, and all other advisors and employees of the Office for their friendliness and support in organising the meeting and interviews with children.

their friends. They claim that many other children would want to get involved, but various reasons prevent them, such as fear, shame, low self-esteem, not having enough information.

- Child participation could be made easier by the following means: more outgoing persons can encourage their more introverted friends to become involved; proximity (e.g. your school is close to you so it is easier for you to participate in it); public advertising of the opportunities for participation (for some projects there is no way of knowing that they even exist, they are not advertised well).
- Children expect teachers to learn extensively about child participation in their education, not just at the level of knowledge, but also at the level of skills, and to learn how to encourage and enable child participation. The young advisors were especially surprised by the fact that their teachers learn so little about child participation throughout their studies. They think the teachers are afraid of child participation because in that case they would need to share their power with the children.
- The young advisors stressed several times their dissatisfaction with the school system, with the way teaching is organised, with the curriculum, etc. They think that in today's education system there is too much emphasis on "*learning facts by heart*", and that the interaction between teachers and students is bad. They especially dislike the fact that school does not teach them to speak and think, which they think is contrary to the idea of participation, which they see as something very practical and applicable. They commented on the relationship with teachers, they think that a "*human*" relationship, not a friendly one, is important between teachers and children. They blame some of their teachers for being rigid and indifferent. With regard to lessons, the young advisors think that discussion between the teacher and students is very important, as is teaching in a workshop style.
- The key topic and the key source of dissatisfaction were the student councils. They say that SCs are exceptionally important, but that they are an "*underused potential*". SCs are important because this is an institution where the students' voice can be heard, and students do not have to step forward individually. The young advisors say that SCs usually exist only formally, they meet very rarely, and they do not discuss issues which are important to students. They think that many of their peers perceive participation in an SC as "*two free periods*". They point out that the SCs should be led by children, while adults should only guide them. The election of students to a SC has also proven to be an issue (e.g. the students with the best marks are elected to the councils as chosen by teachers, or students with the worst marks and behaviour are allowed to be elected to the council – which showed, the young advisors said, that student elections to SCs were clearly taken very lightly by the teachers, without understanding the process, which then gets transferred to the students). Another issue was the way the teachers led the SCs (leading without encouraging greater participation on the part of the children). Part of the young people's dissatisfaction is related to the fact that the representatives in the SC do not share information with other students. They were also critical of the work of the National Student Council.
- It is important that laws and legal frameworks are adapted to children. The young advisors also expressed their dissatisfaction with the fact that there are no consequences for breaking certain laws. They think that laws where there are no consequences when they are broken are not good; they say it is like "*an endless law*", which is especially relevant to them in terms of the (non) functioning of the school system.

- The young advisors emphasised that children participate in the media very rarely. On public television there is almost no programme for children and young people. Their view is that the media does not have any understanding of children and young people in general, or for child participation. They suggested that a separate, specialised TV-channel should be created just for children.
- The young advisors are interested in being more actively involved in the research of child participation, but also of other important topics in the lives of children and young people.
- They think that there should be an award for models of good practice of child participation, something similar to the Luka Ritz annual award for non-violence. The examples of good practice should be presented in the media which are accessible to young people (e.g. Facebook and other social networks), and this page could be maintained by young people in cooperation with adults. The young advisors think that such pages would be interesting to both children and adults.

In conclusion, it seems important to stress the satisfaction of all participants with this method of working: the young advisors expressed their satisfaction with having been given an opportunity to share their views on this study; they said they especially liked the joint discussion, but also the way the researchers approached them (and we tried to be open, respectful and show true interest). The young advisors said that they would like to be involved in the same way in other issues which are important to them.



# 10. REFERENCES

- Access of Young People to Culture – Final Report (2008): InterArts, Barcelona.
- Act on the Adoption of the Convention on Contact concerning Children (Official Gazette 7/08).
- Act on the Execution of Sanctions Pronounced to Minors for Crimes and Misdemeanours (Official Gazette 133/12).
- Act on Games of Chance (Official Gazette 87/09, 35/13, 158/13, 41/14, 143/14).
- Act on Juvenile Courts (Official Gazette 84/11, 143/12, 148/13, 56/15).
- Act on the Protection of Patients' Rights (Official Gazette 169/04, 37/08).
- Ajduković, M (2003): Sudjelovanje mladih i mogućnosti grupa za socijalnu akciju u prevenciji poremećaja u ponašanju djece i mladih u lokalnoj zajednici [Youth Participation and the Capabilities of Groups for Social Action in the Prevention of Behavioural Disorders in Children and Youth in the Local Community]. In: Bašić, J. , Janković, J. (eds): Lokalna zajednica – izvoriste nacionalne strategije prevencije poremećaja u ponašanju djece i mladih [Local Community – the Source of the National Strategy for the Prevention of Behavioural Disorders in Children and Youth]. State Institute for the Protection of Family, Motherhood, and Youth, Croatian Government's Committee for the Prevention of Behavioural Disorders in Children and Youth, Zagreb. 31-42.
- Ajduković, M (2012): Pravo djece s problemima u ponašanju i njihovih roditelja na sudjelovanje u procesu procjene potreba i planiranja intervencija [The Rights of Children with Behavioural Disorders and their Parents to Participate in the Needs Analysis and Intervention Planning Process]. In: Vladović, S. (eds): Zaštita prava i interesa djece s problemima u ponašanju [The Protection of the Rights and Interests of Children with Behavioural Disorders]. The Republic of Croatia, Ombudsperson for Children. Zagreb. 95-111.
- Alternative Report on the Implementation of the Convention on the Rights of the Child and the Conclusions of the UN Committee on the Rights of the Child in the Republic of Croatia, 2004 – 2010.
- Associations Act (Official Gazette 74/14).
- Baban, P, Galić, Ž, Marin, G (2010): Što je za nas slobodno vrijeme i kakve sadržaje trebamo [What is Free Time to Us and What Kind of Content Do We Need?]. In: Dječja prava i slobodno vrijeme [Children's Rights and Free Time] Ombudsperson for Children. Zagreb. 17-21.
- Babić, N (2014): Suvremeno djetinjstvo – teorijski pristupi, prakse i istraživanja [Contemporary Childhood – Theoretical Approaches, Practices and Research]. Osijek University, Faculty of Humanities and Social Sciences, Department of Pedagogy, Osijek.
- Bagić, D, Burić, I, Dobrotić, I, Potočnik, D, Zrinščak, S (2014): Romska svakodnevica u Hrvatskoj: prepreke i mogućnosti za promjenu [The Everyday Roma Life in Croatia: Obstacles and Opportunities for Change]. UNDP, UNICEF, UNHCR.
- Bašić, S (2009): Dijete (učenik) kao partner u odgoju: kritičko razmatranje [The Child (student) as a Partner in Education: A Critical Study]. Odgojne znanosti [Educational Sciences]. 11(2), 27-44.
- Bašić, S (2011): (Nova) slika djeteta u pedagogiji djetinjstva [The (New) Image of the Child in Childhood Pedagogy]. In: Maleš, D (ed): Nove paradigme ranoga odgoja [New Paradigms of Early Education]. Zagreb University, Faculty of Philosophy and Social Sciences, Department of Pedagogy, Zagreb. 19-37.
- Bessell, S (2011): Participation in decision-making in out-of-home care in Australia: What do young people say? Children and Youth Services Review. 33. 496-501.
- Bouillet, D (1999): Procjena primjerenosti institucionalnog tretmana u Republici Hrvatskoj [The Assessment of the Appropriacy of Institutionalised Treatment in the Republic of Croatia]. In: Odgoj u domovima – kako dalje [Education in Residential Care Homes – the Next Steps]. The Ministry of Work and Social Welfare, the Republic of Croatia, Zagreb. 73-84.
- Bouillet, D (2014): Nevidljiva djeca – od prepoznavanja do inkluzije [The Invisible Children – From Recognition to Inclusion]. UNICEF, Zagreb.
- Brajša Žganec, A, Franc, R, Merkaš, M., Radačić, I, Šerić, M, Šikić Mićanović, L (2012): Analiza stanja prava djece i žena u Hrvatskoj [The Analysis of the Status of the Children's and Women's Rights in Croatia], UNICEF, Zagreb.
- Child and youth participation in Finland: A Council of Europe policy review (2011): Council of Europe, Strasbourg.

- Child Participation Assessment Tool (2014): Council of Europe Children's Rights Division and Youth Department.
- Child-friendly Justice – Perspectives and Experiences of Professionals on Children's Participation in Civil and Criminal Judicial Proceedings in 10 EU Member States (2015): European Union Agency for Fundamental Rights.
- Children's Ombudsperson Act (Official Gazette 96/03).
- Ciboci, L, Kanižaj, I, Labaš, D (2011): Djeca medija: od marginalizacije do senzacije [The Children of the Media: From Marginalisation to Sensation]. Matica hrvatska, Zagreb.
- Concluding Observations of the UN Committee on the Rights of Persons with Disabilities on the Initial Report of the Republic of Croatia (2015): The UN Committee on the Rights of Persons with Disabilities.
- Concluding Observations to Croatia's Third and Fourth Periodic Report on the Rights of the Child (2014): The UN Committee on the Rights of the Child.
- Constitution of the Republic of Croatia (Official Gazette 56/90, 135/97, 8/98, 113/00, 124/00, 28/01, 41/01, 55/01, 76/10, 85/10, 05/14 Official Gazette 56/90, 135/97, 8/98, 113/00, 124/00, 28/01, 41/01, 55/01, 76/10, 85/10, 05/14).
- Convention on the Rights of the Child (1989): Retrieved from: [http://www.dijete.hr/index.php?option=com\\_content&view=article&id=107&Itemid=136&lang=hr](http://www.dijete.hr/index.php?option=com_content&view=article&id=107&Itemid=136&lang=hr). August 2010.
- Council of Europe Strategy for the Rights of the Child 2012 – 2015.
- Council of Europe Strategy for the Rights of the Child 2016 – 2021.
- Criminal Code (Official Gazette 125/11, 144/12, 56/15, 61/15).
- Criminal Procedure Act (Official Gazette 152/08, 76/09, 80/11, 121/11, 91/12, 143/12, 56/13, 145/13, 152/14).
- Croatian Youth Network (2009): Sudjelovanje mladih u razvoju politika za mlade. Studij o mladima i za mlade [Youth Participation in the Development of Youth Policies. A Study of Youth for Youth].
- Croatian Youth Network: Učenička vijeća. Sudjelovanje učenika u procesima donošenja odluka [Student Councils. The Participation of Students in the Processes of Decision Making]. ACT, Printlab, Čakovec.
- Davey, C, Burke, T, Shaw, C (2010): Children's participation in decision-making: A Children's Views Report. Children's Rights Alliance for England. Participation Works.
- Day, L, Percy-Smith, B, Ruxton, S, McKenna, K, Redgrave, K, Ronicle, J, Young, T (2015): Evaluation of legislation, policy and practice on child participation in the European Union (EU). Final Report. European Comision. Luxembourg: Publications Office of the European Union.
- Family Act (Official Gazette 103/15).
- Fielding, M (2001): Beyond the Rhetoric of Student Voice: New Departures or New Constraints in Twenty-First Century Schooling? Forum For Promoting Comprehensive Education, 43 (2), 3-19.
- Filipušić, I, Opić, S, Krešić, V (2015): Neke specifičnosti zadovoljstva učenika školom u bolnici [Some Specificities of Student Satisfaction with Schooling in the Hospital]. Croatian Education Journal [Croatian Journal for Education]. 17 (sp.ed.1). 97-111.
- Foster Care Act (Official Gazette 90/11, 78/12).
- Franklin, A and Sloper, P (2005): Listening and responding? Children's participation in health care within England. International Journal of Children's Rights. 13 (1/2). 11-29.
- Hart, R (1992): Children's Participation: From Tokenism to Citizenship. Innocenti Essays No.4. New York: UNICEF.
- Horvat, M (2010): Uloga Vijeća učenika u razvoju demokracije u školama [The Role of the Student Council in the Development of Democracy in Schools]. In: Buković, N. (.): Učenička vijeća – Sudjelovanje učenika/ica u procesima donošenja odluka [Student Councils – the Participation of Students in the Decision-making Process]. Croatian Youth Network, The City of Zagreb, Office for Education, Culture and Sport, Zagreb.
- Hrabar, D, Vizek Vidović, V, Žižak (2001): Mentoriranje prava djeteta na slobodno izražavanje vlastitog mišljenja [Mentoring the Child's Right to Free Expression of Their Views]. The Association for Initiative in Social Welfare, Zagreb.
- Ilišin, V, Spajić Vrkaš, V (2015): Potrebe, problemi i potencijali mladih u Hrvatskoj. Istraživački izvještaj [The Needs, Problems and Potentials of Youth in Croatia. A Research Report]. [http://www.mspm.hr/djelokrug\\_aktivnosti/mladi/potrebe\\_problemi\\_i\\_potencijali\\_mladih\\_u\\_hrvatskoj\\_istrasivacki\\_izvjestaj](http://www.mspm.hr/djelokrug_aktivnosti/mladi/potrebe_problemi_i_potencijali_mladih_u_hrvatskoj_istrasivacki_izvjestaj).
- Investing in children: Breaking the Cycle of Disadvantage (2013). European Commission.
- Jedud Borić, I, Miroslavljević, A (2014): Participatory Research in the Field of Social Pedagogy in Croatia. In: Rauch, F, Schuster, A, Stern, T, Pribila, M, Townsend, A (eds): Promoting Change through Action Research. Sense Publishers, Rotterdam. 173-192.

Jeđud, I (2007): Percepcija djece i mladih rizičnog ponašanja o značaju vršnjaka – kvalitativni pristup [The Perception of Children and Youth with Risk Behaviour of the Significance of Peers – A Qualitative Approach]. *Criminology and Social Integration*. 14 (2). 51-65.

Jeđud, I (2011): Doprinos perspektive korisnica Odgojnog doma Bedekovčina razumijevanju rizičnosti kod djevojaka. Disertacija [The Contribution of the Beneficiaries of the Bedekovčina Residential Care Home to the Understanding of Risk Behaviour in Girls. A Dissertation]. University of Zagreb, Faculty of Education and Rehabilitation Sciences, Zagreb.

Jeđud, I (2012): Modeli participacije i njihova refleksija u hrvatskoj praksi [The Models of Participation and Their Reflection in the Croatian Practice], *The Child and Society*, 13 (1/2), 31-43.

Jeđud, I, Marušić, D (2005): Način života u obitelji – perspektiva djece i mladih [The Way of Life in the Family – The Perspective of Children and Youth]. *Croatian Review for Rehabilitation Research*. 41 (2). 71-85.

Jeđud, I, Novak, T (2006): Provođenje slobodnog vremena djece i mladih s poremećajima u ponašanju – kvalitativna metoda [How Children and Young People with Behavioural Disorders Spend their Free Time – Qualitative Method]. *Sociology Review*. 1 (1-2). 77-90.

Johnson, K, Clark, S (2015): Uključivanje djece i mladih u istraživanja obrazovanja [Involving Children and Young People in Education Research]. In: Igrić, Lj (eds): Osnove edukacijskog uključivanja – škola po mjeri svakog djeteta je moguća [The Basics of Education Inclusion – School for Every Child is Possible]. Školska knjiga, Zagreb.

Joint Memorandum on Social Inclusion of the Republic of Croatia (2007): Government of the Republic of Croatia.

KidsRightsIndex 2015. KidsRights Foundation.

Klinec, M (2011): Stavovi i ponašanja učenika srednjih škola u području prava djeteta na odmor i slobodno vrijeme. Magistarski rad [The Attitudes and Behaviours of Secondary School Students in the Area of Children's Right to Rest and Free Time. Master's Thesis]. Faculty of Teacher Education, Zagreb University, postgraduate vocational study programme Contemporary Primary School.

Koller-Trbović, N, Žižak, A, Novak, T (2003): Kvalitativna analiza u socijalnopedagoškom dijagnosticanju [The Qualitative Analysis in the Social-pedagogic Diagnostics]. *Croatian Review for Rehabilitation Research*. 39 (2). 189-202.

Koller-Trbović, N (2001): Prava i potrebe djece iz perspektive djece i odraslih [The Rights and Needs of Children from the Perspectives of Children and Adults]. In: Žižak, A., Koller-Trbović, N., Lebedina-Manzoni, M.: Od rizika do intervencije [From Risk to Intervention]. Faculty of Education and Rehabilitation Sciences, Zagreb University. Zagreb. 97-117.

Koller-Trbović, N (2005) Participacija korisnika u procesu procjene potreba i planiranja intervencija [The Participation of Beneficiaries in the Needs Analysis and Intervention Planning Process]. In: Koller-Trbović, N, Žižak, A. (eds): Participacija korisnika u procesu procjene potreba i planiranja intervencija: socijalnopedagoški pristup [The Participation of the Beneficiaries in the Process of Needs Analysis and Intervention Planning], Zagreb: Faculty of Education and Rehabilitation Sciences, Zagreb University.

Koller-Trbović, N (2009): Nezaposlenost u doživljaju i iskustvu nezaposlenih mladih u Hrvatskoj [The Perception and Experience of Unemployment of the Unemployed Young People in Croatia]. *Social Work Chronicle*. 16 (1). 91-111. and Koller-Trbović, N, Žižak, A, Jeđud, I (2009): Nezaposlenost i socijalna isključenost mladih u Hrvatskoj: perspektiva nezaposlenih mladih u riziku ili s poremećajima u ponašanju [Unemployment and Social Exclusion of Young Adults in Croatia: the Perspective of Unemployed Young People at Risk or with Behavioural Disorders]. *Criminology and Social Integration*. 17 (2). 87-105.

Koller-Trbović, N (2012): Sudjelovanje djece u procesu procjene potreba i planiranja intervencija: socijalnopedagoški pristup [Child Participation in the Process of Needs Analysis and Intervention Planning: the Social-pedagogical Approach]. In: Vladović, S. (eds): Zaštita prava i interesa djece s problemima u ponašanju [The Protection of the Rights and Interests of Children with Behavioural Disorders]. The Republic of Croatia, Ombudsperson for Children. Zagreb. 63-79.

Koller-Trbović, N, Žižak, A (eds) (2005): Participacija korisnika u procesu procjene potreba i planiranja intervencija: socijalnopedagoški pristup [The Participation of Beneficiaries in the Process of Needs Analysis and Intervention Planning: the Social-pedagogical Approach]. Faculty of Education and Rehabilitation Sciences, Zagreb University, Zagreb. 184s.

Koller-Trbović, N, Kalčić-Galeković, L (2005): Pogled na vlastito djetinjstvo djece i mladih s poremećajima u ponašanju ili u riziku na razvoj poremećaja [The View of Own Childhood of the Children and Youth with Behavioral Disorders or at Risk of Developing Disorders]. *Croatian Review for Rehabilitation Research*. 41 (1). 3-17.

Koller-Trbović, N, Žižak, A (1997): Perception and Exercise of Children's Rights by Educators in Residential Institutions. In: Rehabilitation and Inclusion Proceedings of the 5th Scientific Conference of Faculty of Special Education and Rehabilitation, University of Zagreb, Zagreb, Croatia, September 23-26 1997. 185-195.

- Koller-Trbović, N, Žižak, A (1997): Prava djeteta – kako ih vide djeca u odgojnim ustanovama [The Rights of the Child – How are They Perceived by the Children in Residential Care Institutions]. *Croatian Review for Rehabilitation Research*. 33 (1). 91-104.
- Koller-Trbović, N, Žižak, A (1999): Prava djeteta – kako ih vide djeca i njihovi odgojitelji u odgojnim ustanovama [The Rights of the Child – How are They Perceived by the Children in Residential Care Institutions and Their Educators]. In: *Odgoj u domovima – kako dalje* [Education in Residential Care Homes: the Next Steps]. Collected papers. The Ministry of Work and Social Welfare, The Republic of Croatia. 91-101.
- Koller-Trbović, N, Žižak, A (2006): Samoiskaz djece i mladih s rizikom u obitelji i/ili ponašanju o doživljaju društvenih intervencija [The Self-report of Children and Young People at Risk in Their Family or Behaviour on the Perception of Societal Interventions]. *Social Work Study Centre Chronicle*. 13 (2). 231-271.
- Koller-Trbović, N, Žižak, A (2012): Problemi u ponašanju djece i mladih: višestruke perspektive [Problems in the Behaviour of Children and Youth: Multiple Perspectives]. *Criminology and Social Integration*. 20 (1).
- Kregar Orešković, K, Rajhvajn, L (2007): Obilježja života i psihosocijalne potrebe djece i mladih u udomiteljskim obiteljima [The Characteristics of Life and Psychosocial Needs of Children and Youth in Foster Care]. *The Child and Society*. 9 (1). 63-88.
- Kregar, K (2004): Socijalna podrška djece smještene u dječjim domovima i udomiteljskim obiteljima [Social Support to Children in Children's Homes and Foster Care]. *Social Work Chronicle*. 11 (2). 229-248.
- Kušević, B (2010): (Ne)uvažavanje participativnih prava djeteta: suvremeni obiteljski odgoj između poslušnosti i odgovornosti [The (Non)observance of the Participatory Rights of the Child: the Contemporary Family Upbringing between Obedience and Responsibility]. *The Child and Society*, 12 (1-2), 105-116.
- Labour Act (Official Gazette 93/14).
- Laklija, M, Pečnik, N, Sarić, R (2005): Zaštita najboljeg interesa djeteta u postupku razvoda braka roditelja [The Protection of the Child's Best Interests in the Process of Divorce of Parents]. *Social Work Chronicle*. 12 (1). 7-38.
- Lansdown, G. (2010): The Realisation of Children's Participation Rights: Critical Reflections. In Percy-Smith, B, Thomas, N (eds): *A Handbook of Children and Young People's Participation – Perspectives from Theory and Practice*. Routledge. 11-23.
- Lardner, C (2001): *Youth Participation – A New Model*. Youth Social Inclusion Partnership. Edinburgh.
- Lebedina Manzoni, M, Novak, T, Jedud, I (2006): Doživljaj sebe u obitelji [The Perception of Self in the Family]. *Criminology and Social Integration*. 15 (2). 25-36.
- Lebedina-Manzoni, M, Jedud, I (2008): Predstava o sebi pri otrocima u mladostnikov z motnjami vedenja v procesu ocenjevanja potreb in pripravi obravnave. [The Self-perception of Children and Young People with Behavioural Disorders in the Process of Needs Analysis and Intervention Planning]. *Social Pedagogy*. 12 (4). 361-388. Access of Young people to Culture- Final Report (2008): InterArts, Barcelona.
- Liebel, M, Sadi, I (2010): Commentary 3 – Participation in the Traps of Cultural Diversity. In: Percy-Smith, B, Thomas, N (eds): *A Handbook of Children and Young People's Participation- Perspectives from Theory and Practice*. Routledge. 150-153.
- Lundy, L (2007): Voice is not enough: Conceptualizing Article 12 of the UNCRC, *British Educational Research Journal*. 33 (6). 927-42.
- Maleš, D (2003): Redefiniranje uloge učenika u svjetlu Konvencije o pravima djeteta [Redefining the Role of the Student in the Light of the Convention on the Rights of the Child]. In: Vrgoč, H (ed) *Odgoj, obrazovanje i pedagogija u razvitku hrvatskog društva* [Education and Pedagogy in the Development of the Croatian Society]. Croatian Pedagogical and Literary Assembly, Zagreb. 209-216.
- Maleš, D, Kušević, B (2008): Kako djeca doživljavaju kažnjavanje u obitelji? [How Do Children Perceive Punishment in the Family?] *The Child and Society*, 10 (1/2). 49-71.
- Maleš, D, Kušević, B, Širanović, A (2014): Child participation in family-school cooperation, *CEPS Journal* 4 (1), 121-136.
- Markovinović, A (2010): Participativna prava djeteta u sustavu odgoja i obrazovanja [The Participatory Rights of the Child in the Education System]. *The Child and Society*, 12 (1-2), 117- 127.
- Markovinović, A, Maleš, D (2011): Pravo djeteta na sudjelovanje u procesu suradnje obitelji i odgojno-obrazovne ustanove [The Right of the Child to Participate in the Process of the Cooperation of the Family and the Educational Institution]. In: Vantić-Tanjić, M, Nikolić, M, Huremović, A, Dizdarević, A (ed): *Unapređenje kvalitete života djece i mladih. Udruženje za podršku i kreativni razvoj djece i mladih* [Improving the Quality of Life of Children and Youth], Tuzla. 123-133.
- Miharija M, Kuridža B (2011): Mišljenja i stavovi djece i mladih u Hrvatskoj. Istraživanje o dječjim pravima među djecom osnovnoškolskog uzrasta – rezultati [The Opinions and Attitudes of Children and Young People in Croatia. Research on Children's Rights among Children of Primary School Age – The Results]. Zagreb. UNICEF.

Mirosavljević, A (2015): Izvansudska nagodba – perspektiva oštećenika i mladih u sukobu sa zakonom. Disertacija [Out of Court Settlement – the Perspective of the Injured Party and the Young People in Conflict with the Law. Dissertation] Zagreb University, Law Faculty, Social Work Study Centre, Zagreb.

Misdemeanour Act (Official Gazette 107/07, 39/13, 157/13, 110/15).

Mishna, F, Antle, BJ, Regehr, C (2004): Tapping the Perspectives of Children-Emerging Ethical Issues in Qualitative Research. *Qualitative Social Work*, 3 (4), 449-468.

Nacionalna strategija za prava djece u Republici Hrvatskoj za razdoblje od 2014. do 2020. godine (2014) [National Strategy for Children's Rights in the Republic of Croatia for the Period 2014 – 2020 (2014)]. The Republic of Croatia: the Ministry of Social Policy and Youth.

Nacionalni okvirni kurikulum za predškolski odgoj i obrazovanje te opće obvezno i srednjoškolsko obrazovanje (2011): [National Framework Curriculum for Pre-School Education and the General Compulsory Secondary School Education (2011)]. The Republic of Croatia: Ministry of Science, Education and Sport. Available at <http://public.mzos.hr/Default.aspx?sec=2685>.

National Action Plan for the Rights and Interests of Children 2006 – 2012.

National Programme for Youth 2014 – 2017.

National Programme of Activity for the Children in the Republic of Croatia 1999 – 2005.

Novak, J (2010): Demokracija i ljudska prava u osnovnim školama: teorija i praksa [Democracy and Human Rights in Primary Schools: Theory and Practice], Zagreb, Human Rights Centre.

O'Kane, C (2007): Do We Meet Your Standards? National Children and Young People's Participation Standards Self-Assessment Pack.

Ombudsperson for Children Report (2014): The Office of the Ombudsperson for Children, the Republic of Croatia, Zagreb.

Opačak, T (2010): Slušajući djecu i uvažavajući njihovo mišljenje najbolje promičemo njihova prava [By Listening to Children and Taking their Opinions into Account We Are Promoting their Rights in the Best Way]. *The Child and Society: the Journal for the Promotion of the Rights of the Child*. 12 (1/2). 161-170.

Ordinance on the Election of Student Representatives (2013): The Republic of Croatia: the Ministry of Science, Education and Sport and the National Student Council of the Republic of Croatia. Available at: <http://nvuthe Republic of Croatia.skole.hr/dokumenti>.

Ordinance on the Method of Obtaining the Opinions of the Child (Official Gazette, 103/15).

Ordinance on the Obligatory Content of the Joint Parental Custody Plan Form (Official Gazette, 123/15).

Ordinance on the Quality Standards of Social Services (Official Gazette 143/14).

Participation Models: Citizens, Youth, Online – A chase through the maze (2012): Creative Commons. Version 2.

Pavlović, V, Karlović, A, Morić, D (2015): Knjiga dobrih ideja – školski projekti za razvoj kulture mira, suradnje i zajedništva. [The Book of Good Ideas – a School Project for the Development of the Culture of Peace, Cooperation and Togetherness]. Forum for Freedom in Education, Zagreb.

Pećnik, N (2008): Suvremeni pogledi na dijete, roditeljstvo i socijalizaciju [The Contemporary Views on Children, Parenthood and Socialisation]. *The Child and Society*, 10 (1-2), 99-117.

Percy-Smith, B., Thomas, N. (2010): A Handbook of Children and Young People's Participation- Perspectives from theory and practice. Routledge.

Personal Names Act (Official Gazette 118/12).

Petö Kujundžić, L (2004): Dijete kao svjedok [The Child as Witness], *Croatian Chronicle of Criminal Law and Practice*. 11, 1, 111-118.

Police Affairs and Authority Act (Official Gazette 76/09, 92/14).

Primary and Secondary School Education Act (Official Gazette 87/08, 86/09, 92/10, 105/10, 90/11, 5/12, 16/12, 86/12, 126/12, 94/13, 152/14).

Priority Activity for the Well-being of Children 2003 – 2005.

Radočaj, T (2001): Značaj sudjelovanja [The Significance of Participation]. *The Child and Society*. 3 (4). 499-505.

Rakić, V (2010): Utjecaj treninga asertivnosti na socijalnu kompetenciju i samopoimanje učenika s teškoćama. Doktorska disertacija [The Effect of the Assertiveness Training on Social Competencies and Self-perception of Students with Disabilities. Doctoral dissertation]. Zagreb University, Faculty of Education and Rehabilitation Sciences.

- Ray, P (2010): The Participation of Children Living in the Poorest and Most Difficult Situations. In: Percy-Smith, B, Thomas, N (eds): *A Handbook of Children and Young People's Participation – Perspectives from Theory and Practice*. Routledge. 63-72.
- Recommendation on the Protection of the Rights of Children in the Residential Care Institutions (for 2014/2015). Available at: [http://www.dijete.hr/hr/preporuke-ombudsperson-mainmenu-81/cat\\_view/910-preporuke-ombudsperson/911-odgoj-i-obrazovanje.html](http://www.dijete.hr/hr/preporuke-ombudsperson-mainmenu-81/cat_view/910-preporuke-ombudsperson/911-odgoj-i-obrazovanje.html).
- Rengel, K (2013): Gledišta predškolskih odgojitelja o dječjoj igri (neobjavljeno predavanje) [Pre-school Teachers' Perspectives on Child Play (unpublished lecture)]. Link: <http://bib.irb.hr/prikazirad?lang=en&rad=687629>.
- Rengel, Katarina (2014): Stavovi predškolskih odgojiteljica o igri [Pre-school Teachers' Views on Play]. *Croatian Education Journal*, 16 (1), 113-125.
- Siedel, M, Saadi, I (2010): Participation in the Traps of Cultural Diversity. Commentery 3. In: Percy-Smith, B, Thomas, N (eds): *A Handbook of Children and Young People's Participation – Perspectives from theory and practice*. Routledge. 150-153.
- Šikić Mićanović, L, Ivatts, AR, Vojak, D, Geiger Zeman, M (2015): Socijalno uključivanje djece Roma (RECI+). Izvještaj za Hrvatsku [Social Inclusion of Roma Childre (RECI+). The Report for Croatia]. Open University Korak po Korak, Zagreb.
- Širanović, A (2012): Dijalog s učenicima: temeljna odrednica interkulturno osjetljive škole [Dialogue with Students: the Basic Characteristic of an Interculturally Aware School]. *Research in Pedagogy*, 9 (1/2), 191-204.
- Širanović, A (2013): Dijalog – zrcalo kulture zajednice učenika i učitelja [Dialogue – the Mirror of the Culture of the Community of Students and Teachers]. In: Ljubetić, M., Zrilić, S. (editors): *Pedagogija i kultura. Znanstvena monografija. Kultura kao polje pedagoške akcije: odgoj, obrazovanje, kurikulum* [Pedagogy and Culture. A scientific monograph. Culture as the Field of Pedagogical Action: Education, Curriculum]. Croatian Pedagogical Society, Zagreb. 294-301.
- Social Welfare Act (Official Gazette 157/13, 152/14).
- Stephenson, P, Gourley, S, Miles, G (2004): Introduction to Child Participation. In Blackman, R (ed): *Child Participation*. ROOTS. Tearfund.
- Strategic Plan of the Ministry of Social Policy and Youth 2015 – 2017.
- Strategy for the Development of the Social Welfare System in the Republic of Croatia 2011 – 2016.
- Supplementary Programme Note on the Theory of Change UNICEF Strategic Plan, 2014. – 2017.
- Sustainable Development Goals (2015.): Transforming our World: the 2030 Agenda for Sustainable Development. UN General Assembly.
- Union of Societies Our Children Croatia: Dječja participacija. Aktivno sudjelovanje djece [Child Participation. Active Child Participation].
- UPR – NHRI. Shadow Report, 2nd cycle (2014): Office of the Ombudsperson for Children.
- Vejmelka, L (2006): Kvalitativna analiza intervju s djecom u dječjim domovima. Diplomski rad [A Qualitative Analysis of the Interviews with Children in Children's Homes. Diploma thesis]. Zagreb University, Law Faculty, Social Work Study Centre.
- Volunteering Act (Official Gazette 58/07, 22/13).
- Withmore, E (2001): People Listened What We Had to Say – Reflections on an Emancipatory Qualitative Evaluation. In Shaw, I, Gould, N, (eds): *Qualitative Research in Social Work*, Sage Publications, London, Thousand Oaks, New Delhi.
- Youth Councils Act (Official Gazette 41/14).
- Zaviršek, D, Videmšek, P (2009): Uključivanje korisnika usluga u istraživanje i poučavanje: Ima li tome mjesta u istočnoeuropskom socijalnom radu [The Involvement of Beneficiaries in Research and Teaching: Is There a Place for This in the East European Social Work]. *Social Work Chronicle*. 16 (2). 189-205.
- Žižak, A (2005): Etička pitanja socijalnopedagoške dijagnostike [Ethical Issues of Social-pedagogical Diagnostics]. In: Koller-Trbović-Žižak (eds): *The Participation of Beneficiaries in the Needs Analysis and Intervention Planning Process: the Social-pedagogical Approach*. Faculty of Education and Rehabilitation Sciences, Zagreb University, Zagreb.
- Žižak, A (2006): Normativne orijentacije adolescenata u riziku iskazane kroz samoprezentaciju. [The Normative Orientation of Adolescents at Risk Presented through Self-presentation], *Croatian Review for Rehabilitation Research*. 42 (1). 39–54.
- Žižak, A (2010): Research consultations, Zagreb.

Žižak, A, Koller-Trbović, N (1998): Child s Participation – Rights in the Institutional Care: The Research Results. European Training on the UN Convention on the Rights of the Child. Final Report. Raedda Barnen Swedish Save the Children, Centre for Social Policy Initiatives, Zagreb, Croatia.29-43.

Žižak, A, Koller-Trbović, N (2003): Sudjelovanje djeteta u procesu procjene potreba i planiranja intervencija [The Participation of the Child in the Process of Needs Analysis and Intervention Planning]. The Child and Society. 5 (1). 119-139.

Žižak, A, Koller-Trbović, N (2007): Obitelj u doživljaju djece: od prošlosti do budućnosti [The Child's Perception of Family: Past to Future]. Criminology and Social Integration. 15 (2). 13-25.

Žižak, A, Koller-Trbović, N (2007): Temna stran društinskog življenja v doživljanju otrok in mladostnikov [The Perception of Children and Young People of the Dark Side of Family Life]. Social Pedagogy. 11 (2). 147-171.

Žižak, A, Koller-Trbović, N, Jeđud Borić, I, Maurović, I, Miroslavljević, A, Ratkajec Gašević, G (2012): Što nam djeca govore o udomiteljstvu – istraživanje dječje perspektive udomiteljstva s preporukama za unapređenje [What Are Children Telling Us about Foster Care – the Research of the Children's Perspective of Foster Care with Recommendations for Improvements], Zagreb: UNICEF.

Žižak, A, Koller-Trbović, N, Jeđud, I (2004): Poremećaji u ponašanju djece i mladih: perspektiva stručnjaka i perspektiva djece i mladih [Behavioural Disorders in Children and Young People: the Perspective of Experts and the Perspective of Children and Young People]. In: Bašić, J, Koller-Trbović, N, Uzelac, S (eds): Poremećaji u ponašanju i rizična ponašanja: pristupi i pojmovna određenja [Behavioural Disorders and Risk Behaviour: Approaches and Definition]. Faculty of Education and Rehabilitation Sciences, Zagreb University, Zagreb. 119-139.

Žižak, A, Koller-Trbović, N, Jeđud, I (2005): Samoiskaz djece i mladeži u riziku i/ili s poremećajima u ponašanju o budućnosti [The Self-report on the Future of Children and Young People at Risk and/or with Behavioural Disorders]. The Child and Society. 7 (1). 117-138.

Žižak, A, Nikolić, B, Koller-Trbović, N (2001): Procjena poštivanja prava djeteta u obitelji [The Assessment of the Observance of Children's Rights in the Family]. Croatian Review for Rehabilitation Research. 37 (2). 127-143.

Žižak, A, Vizek Vidović, V (2004): Participacija djece u procesu odgoja – ostvarivanje prava djece smještene u domovima za djecu u Republici Hrvatskoj [Child Participation in the Education Process – the Realisation of the Rights of Children in Children's Homes in the Republic of Croatia], Zagreb: The Association for Initiative in Social Politics.

Žižak, A, Vučinić Knežević, M (2004): Značaj djetetovog doživljaja i opisa roditelja u socijalnopedagoškom dijagnosticiranju [The Significance of the Child's Perception and Description of Parents in the Social-pedagogical Diagnostics]. Social Work Study Centre Chronicle. 11 (2). 191-215.

Žnidarec Čučković, A (2013): Da sam ja netko: Istraživanje o stavovima djece i mladih u Hrvatskoj: interesi, potrebe, problemi, rješenja [If I Were Someone: The Research of the Attitudes of Children and Young People in Croatia: Interests, Needs, Problems, Solutions]. Forum for Freedom in Education, Zagreb.

#### WEBSITES:

<http://nvuthe Republic of Croatia.skole.hr/nvuthe Republic of Croatia>

<http://www.savez-dnd.hr>

<http://www.dijete.hr/>

[http://kids.nsw.gov.au/uploads/documents/tps\\_resources.pdf](http://kids.nsw.gov.au/uploads/documents/tps_resources.pdf)

<http://mzu.hr/tag/udruga>

<http://www.skokuzivot.hr/>

<https://www.youtube.com/watch?v=nACZ5YBxm7E&index=4&list=PLZMjtrRo5niNdAHuDdiq42U1oGTN14dj8>

<http://naucimobitiveliki.goo.hr/>

<http://goo.hr/promo-spotovi/>

<http://www.krijesnica.hr/>

<http://www.malidom.hr/>

<http://nvuthe Republic of Croatia.skole.hr/nvuthe Republic of Croatia>

<http://fra.europa.eu/en/publication/2015/child-friendly-justice-perspectives-and-experiences-professionals-childrens>

<http://azanas.dijete.hr/tko-smo-mi.html>

<http://www.djecja-igra.hr/default.aspx?id=6>

UNICEF Office for Croatia  
Radnička cesta 41/7  
10000 Zagreb  
Croatia

Phone 385 1 2442 660  
385 1 2442 661  
Fax 385 1 2442 662  
[www.unicef.hr](http://www.unicef.hr)