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Voice, views and the UNCRC Articles 12 and 13

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Abstract

The voice of children aged 4 to 8 years is seldom heard in research circles, within the constraints of high-pressure academic model which is the current education system in England. Children are rarely listened to but expected to listen in the current normative societal cycle. This deficiency of active listening as an everyday occurrence impacts on children's Mental Health. This article will give reference to an original empirical study, Hear Me and Listen. This study carried out in 2018 highlights the minimalistic practice of listening to children aged 4 to 8 years in the everyday. The research method used consisted of the Mosaic Approach. This approach provides various avenues for communication aside from the verbal. Data collected were analysed through a thematic approach. Themes which came from analysis included 'This Is Me', 'Relationships', 'Environment', 'Curriculum' and 'Practitioners'. This article draws on this analysis and concludes that a change in the normative discourse of 'hearing' and not acting to one of 'active listening' and supporting is a path worth mapping.

Introduction

The United Nations Convention on the Rights of the Child (UNCRC) Articles 12 and 13 specify that children have a voice, a right to express views, a 'freedom' to express opinions and feelings. The UNCRC specifies that this should not be constrained by reliance on verbal communication alone but incorporate mediums that each individual child feels comfortable with.

Are Articles 12 and 13 of the UNCRC embedded in everyday practices in England? Thirty years on, have 'we', practitioners, parents and policy makers, ensured that these rights of children are acknowledged, present and respected? This article will focus on children aged 4–8 years and the impact or lack thereof of Articles 12 and 13 within daily educational practices.

Article 12.1 specifies,

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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.

Article 13.1 states,

The child shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of the child's choice. (UNICEF, 2003)

These articles are interconnected, an individual cannot express one's feelings, wishes and thoughts without voice. Voice is defined within this piece as any means of communication, more than just a narrow perception of vocal speech. This definition is in line with the specifications set out in Article 13, as the use of varying methods to which enable voice to be communicated. There is a positive standpoint for this requirement; through the use of varying techniques, the child and young person's view can be heard at any age or within difficult circumstances. Article 12, supports the right to be heard in any situation, specifying that these views become increasingly weighted with age and maturity. However, this could also be observed as creating a top-down power balance, adult to child (Ball, 2013 [2012]). Methods of listening are therefore imperative to ensure that it is the child's voice, their views that are heard, understood and responded to. Methods of listening to children through various means will be explored in more detail within this text. As Covey (1999) states, 'The biggest communication problem is we do not listen to understand we listen to reply'.

Not only is the voice of children under 8 years of age missing in the in the everyday but also in research circles (Mukherji and Albon, 2014). Bone et al. (2014) reiterate this statement specifying the active voice of children under 10 years of age appears to be variable between geographical locations and within text. Reports such as Wise UP: Prioritising Wellbeing in Schools by YoungMinds (2017) state the children participating and listened to are over 10 years of age. Why? Reasoning behind the lack of voice could be perceived as an adult fear, a risk that we will find out that which we would rather not know (Qvortrup, 1997). Furthermore, participation comes after protection and prevention in the scheme of legislative policies and current society morals. The Early Years Foundation Stage (EYFS; Department for Education (DfE, 2017) is one such policy, where the participation of children is tertiary to protection of and prevention for children. Without participation how do children become agents in their own lives? Without participation how do 'we' listen to children? Without listening to children in the everyday, there is no way to incorporate their needs into practice nor into policy. Research has its place in informing practice, one only needs to recall the Effective Provision of Pre-School Education (Sylva et al., 2004). However, in research, gatekeepers are approached, this being the parents, guardians and often practitioners and without the permission of these adults, no approach to the child can be made, no decision from the child as to whether they would like to participate, no agency and no opportunity for their voice to be heard (Alderson and Morrow, 2011).

There is an imbalance of power in the educational policies, expectations of children to listen, to speak when allowed and on the topic that the adult has chosen. Furthermore, children's voice can be observed as being heard where evidence is required, that is, the special educational needs and disability (SEND) Code of Practice. A child's views are requested, except there is a sense of this being part of a tick list culture. A change is required to embed the UNCRC into policy and practice. Active listening could underpin practice, responding within context, building in a sense of resilience and agency.

Indeed, the children within the study evidenced the rarity of being listened to about what matters to them. One child specified 'Nobody sees me', a heartbreaking announcement from a 6 year-old. A feeling of invisibility where no one sees, hears, or acknowledges a child within the educational environment.

Methods

Holland and Leander (2004) discuss that an individual's positionality is impacted by social positions, a layering of labels. Children are positioned by age, sex, academic ability and SEND. The positioning clarifies for practitioners and parents understanding of where children are placed. Nonetheless, the lived experience of each child is often hidden from adults' perspectives, observed as a label, not via a holistic viewpoint from the child's perspective (Smith, 2011). Recalling childhood form an adult perspective is not equal to the childhood that children are experiencing within the current time frame. Children's voice is located behind systems and procedure, observed as inconsequential (Mayall, 1999). Childhood is imposed upon by adult creations of 'what is best'. Impositions placed by adults on to children within education, curriculum, free time and within the everyday may be seen as children as not quite right for them.

The method of the Mosaic Approach challenges the dominant discourse which is control over children (Smith, 2011). Within a number of educational establishments, children are controlled under the guise of health and safety or safeguarding, often observed as 'crowd control' by those looking in (Fisher, 2016). Children are not positioned as stakeholders in their own lives (Mukherji and Albon, 2014). However, the Mosaic Approach provides agency, we hear, and we listen, and children's perspectives are counted as knowledge. The Mosaic Approach (Clark, 2017) as a method is positive in the scope of listening to children. 'A multimethod polyvocal approach that brings together perceptions to create with children an image of their world' (Clark, 2017: 17). An image of their world, and their perspective of their childhood, is glimpsed through using this approach. This corresponds with the UNCRC Article 13; Enabling children to communicate in a way that they themselves are comfortable with ensures the child's meaning and voice at that given time is portrayed. In the research 'Hear Me and Listen', the Mosaic approach was used to listen to children's lived experiences of education, disability and inclusion, to offer them a voice and a platform to be heard and listened to. The research identifies several key issues in relation to practice and raises some potential changes to practice which could be implemented to enable Articles 12 and 13 to be met.

Ethics

Recruitment to the research of Hear me and Listen followed the ethical guidelines as set out by BERA. Anonymity and confidentiality as set out in ethical guidelines was adhered too. Pseudonyms have been used throughout. Informed consent was sought from gatekeepers, parents and individual children. Informed consent was sought from the gatekeepers and parents through an information sheet, a consent letter and included the offer of a question and answer time to any queries. The letters included the option to withdraw from the study at any point. The parents and gatekeepers provided consent. At this point consent of each child was sought. The Declaration of Helsinki, 1964, specifies the requirement for including children in informed consent, children have the agency to make their own informed choices (Tisdall et al., 2009). A social story was created and read with each child prior to the research and at the start of each activity, this included information about the right to refuse and stop participation. Gray (2015) created the social story approach to support children's social understanding of any given situation, to empower and children to be

active participants in their own lives. Following informed consent, each child participated individually in the Mosaic Approach. To keep in line with the Mosaic Approach and Articles of the UNCRC consent did not have to be verbal; for each activity, a paper was provided with a smiley face or a sad face, smiley for yes, sad for no, the child could colour the face in to specify whether they would like to contribute at that time. This article was available throughout the activity, providing opportunity for the child to stop and withdraw. This did occur in one instance, Jaime specified, 'I had enough now, I go back to class' and he coloured in the sad face. This was respected and Jaime returned to class. Within the research, the process of continual checking for informed consent and choice to participate was embedded. A reflection of the communicated views of the children was completed at the end of each individual Mosaic Approach to ensure that the voice of the child had been heard and understood. Trustworthiness is supported by upholding the participants voice (Crotty, 1998). This is of utmost importance when researching with children, to check that what has been listening to is indeed understood. The balance of power was observed to ensure power and agency was always firmly with the children during the process. This is evidenced through the use of the Mosaic Approach, where children are observed as the skillful and experienced, the owners of their own perceptions. This balance was also supported through my experience of research, and experience through practice; my working life has transpired as supporting children and young people for more than two decades. Throughout the research I remained unbiased: therefore, subjectivity was drawn from experience in early years education and qualifications within this field (Kumar, 2014).

Participants

This was a small-scale research project. Participants are all local to the geographical area of the South West of England and attend the same educational establishment. I am known to each of the participants; a relationship has been established through my role as practitioner within the educational establishment attended by the children. Six participants were approached, of these, three parents provided consent for their children to participate. Each child gave consent for overall participation and for each activity. Three of the children were aged between 6 years and 9 years.

The Mosaic Approach took place within the educational establishment. The Mosaic Approach included six separate activities, six separate sessions of up to 30 minutes, these were carried out on a one to one basis over 4 weeks. The one to one basis supported the ethics of anonymity, confidentiality and provided space for each child's voice to be heard and listened to. The activities included were, map making, a photo tour, child conference, helping hands, family tree and review. The review collated the information gained from the other five activities and provided the children and researcher with opportunity to ensure understanding of previous communication:

Map Making: an activity which provided knowledge of wider, local and familiar environments.

Photo Tour: each child used a digital camera, taking pictures of areas, people within the school, any comments were noted by the researcher.

Child Conference: discussion based on Clark's (2017) questions, around the roles of peers and practitioners.

Helping Hands: an art activity, each child drew around their hand and drew a person on each finger, the people drawn were those the child is helped by, trusts.

Family Tree: the child has agency to draw any type of tree, of any size and colour, the tree portrays a safe place in which the child decides who is allowed to sit in the tree with them and in what proximity.

Review: collated information from the activities, feedback and discussion with each child to ensure that the researcher had understood what had been communicated.

Data analysis

I undertook all data collection and analysis. A thematic approach was used to analyse the collection of data from the Mosaic Approach. Within this research, the thematic approach falls into an interpretive, qualitative paradigm. This is supported by Bryman (2012) who states, 'understanding of the social world through an examination of the interpretation of that world by its participants' (p. 380). This statement holds true for working with the Mosaic Approach and for listening to children, it holds us as researchers to Article 12 and 13 of the UNCRC, children have a voice.

Through using a thematic approach, the themes that emerged within children's voice were, This is Me, Curriculum, Relationships, Practitioners and Environment. This is ME included awareness of feelings, emotions, likes and dislikes, and how as individuals the children view their own participation in daily life.

Findings

This is ME

'I want more help, I don't know what with, just more' (Elsa, age 7). A child asking for support, not for maths or literacy but for that 'something' the child cannot yet verbalise. A need is shown for Article 13 to be used in this instance, communication though differing methods. Children communicate every day, nuances in body language and facial expression which request fluctuation and differentiation in support offered between the day, the time and the emotional state of the child. However, there appears to be an invisible barrier to this, the reading of these nuances and provision of support. Elsa's request of more help goes unnoticed, and Rose, age 5, whispers, 'Nobody sees me'. The EYFS states 'every child is included and supported' (DfE, 2017: 5), but for Rose, from her perspective, this is certainly not the case. She feels excluded and invisible. The expectation is to attain the Early Learning Goals of the EYFS (DfE, 2017), to achieve the required mark within phonics testing and perform well in the Year 2 SATS. As for Elsa, who is situated under the National Curriculum, she states, 'I can't tell you why, I'm just cross'. Elsa identifies a feeling, an underexplored feeling, one which has been internalised for several years. If no one is listening, managing feelings becomes concealment of feelings (O'Hagen, 2006); this is not an advantage for current society or for the future. There is a discourse within England that the National Curriculum and the specific targets required within this far outbalance any type of realisation that children need to be heard, children need to be able to express themselves. Tan (2011) reiterates that the UNCRC Article 12 is not embedded into practice. The implications of the lack of a listening culture include but are not confined to impacting on the child's self-esteem and mental health. If children are repeatedly ignored or silenced, there is little point in continuing with the effort to try to be heard. Mukherji and Albon (2014) highlight the there is a need to listen to children who are rarely heard. The children who are silenced, who have learnt that nobody will listen when they have something to say. The present time observes children as young as 3 years self-harming, children as young as 5 years committing suicide (Crowley, 2017; Public Health England, 2016), and this is not acceptable. If as

a society we continue to expect children to refrain from expressing themselves, then we position these children into silence.

Relationships

> I really hate him . . .. Mum comes, she smacks, and says swear words. I really want him to stop (Jaime, age 6).

Jaime's quote illustrates his relationship with a sibling, he attributes blame for consequences to his brother, he attributes Mum's actions as repercussions of his brother's deed. The complexity of Jaime's relationship with his sibling is evidenced throughout his Mosaic Approach, he has voiced that there is a distance between his sibling and him. Elsa and Rose also communicate feelings towards siblings, Elsa's sister is mean to her, Rose has a brother who is 'always naughty', Rose feels happy when he is shouted at. Holland and Leander (2004) specify that sibling relationships impact on an individual's self-perception and indeed the position one conforms to within the family. Through listening to children's voice and their acknowledgement of sibling relationships, it is not so farfetched to request support in sustaining relationships (DoH and NHS England, 2015; Adams, 2013).

'I have one friend, just one, no others, it makes me sad', Rose. Children as young as 5 years exclude peers who are not the correct 'fit', not wearing the right clothes, or having a cool hairstyle. Rose is aware that she does not correspond with the peer expectations within her class, she sits outside the 'norm' of social friendships (Holland and Leander, 2004). Rose does not wear 'pretty bows' and shared her worry about non-uniform days, about wearing her clothes because they 'won't be the right ones'. This exclusion can last the academic year, or this can be prolonged throughout a child's educational life (Blair et al., 2016). The longevity of this turmoil, this non-acceptance is an additional motive for these young children to close in on themselves. Through actively listening to children's voice, validating feelings and promoting emotional literacy a positive discourse for the future can be fostered (Forster, 2015; Goleman, 2006). There are approaches that can be embedded into the school day which create an ethos of listening (such as circle time), a changing discourse, however, within educational schemes, focus is placed on traditional subjects (Hattie, 2017). Personal, Social, Health and Economic education has existed as guidance only, with schools choosing whether to implement, nonetheless this will change from 2020. From this time all schools must provide education to support relationships (PSHE Association, 2017). It is yet to be seen how this will be implemented, or how extensive the child's voice will be, within this formation. As Article 12 states, children have the 'right to express those views freely in all matters affecting the child'.

Environment

'School is bad, mmm sometimes a lot', Rose. Children have little to no choice in the educational setting they attend, the decision rests with the parents, the guardians and/ or the local authority (O'Reilly et al., 2013; Sinclair Taylor, 2000). Considering the vast percentage of time per day, per week, a child attends the educational setting, often a higher percentage than that which is spent at home, the fact that children have no voice in this choice is severe. 'It's like what's the point in expressing all your views if they don't even do anything about it?' (Davey et al., 2010: 14). Adults who wish to change workplace hold the agency, the ownership to ensure their movement from one environment to another. Children have no such opportunity. Ang (2014) specifies the didactic curriculum ensures a child's silence. There is no opportunity for the child's voice, no opportunity for

the child to reflect and express how they feel, how they perceive the environment, friendships and personal growth. Furthermore, tokenistic practices can be observed within schools, those which imply that child's voice and views have been heard. Heard but not necessary acted upon within a culture of check lists, the evidence required that an activity has been completed. Bennet (2012) discusses the role of school councils as tokenistic. A 'service' placed within the setting to be observed as best practice, however, in reality, the children feel as though they are not listened to, 'nothing changes'.

Practitioners

The child conference provided opportunity for the children to share their thoughts on what it is practitioners do.

> Plan for us . . . (Elsa)
>
> Love me. (Jaime)
>
> Or what they should do.
>
> Help children, they don't help me, I get sad. (Rose)

Rose's comment links with Elsa's thoughts about wanting help but being unsure of what that would be or would look like. Time within a school day is limited, available staffing is limited, and the availability for help becomes challenging (Values-Based Child and Adolescent Mental Health System Commission, 2016). A change is required to the listening ethos within the educational system, a change which would see the views of children as valued (Clark, 2017). In the everyday, the child's active voice is constrained again by policy and procedures, there is no mention of the child's right to be listened to in either the EYFS framework (DfE, 2017) or the National Curriculum (DfE, 2014). In fact, both the EYFS and the National Curriculum policies specify expectations of the child to listen to the practitioner, a one-way street. The positionality of practitioners is to ensure children academically achieve, therefore in this environment, it can be argued in everyday practice active listening to each individual child is insignificant (Tan, 2011).

Curriculum

'I hate golden time, I hate puppet shows, the worst ever . . . wish I wasn't going . . .. I want to stay here . . .' (Jaime). Jaime is voicing his dislike of removal of golden time, an afternoon of free play to instead an afternoon of a puppet show, a literacy link for the school. Each child's voice is absent in the formation of learning and teaching plans, 'more acting and singing', requests Elsa (Bradwell, 2018). Except focus is placed on the traditional subjects, a detriment to the creative subjects and a detriment for each child as these artistic subject's support agency and confidence (Hattie, 2017). All the children within the research spoke of Maths and Literacy, the former being the easier for each of the children. It is important to note that these subjects, given utmost importance in the National Curriculum are also the topics acknowledged easily and readily by the children.

Future implications

There is currently a downwards push of National Curriculum standards, where a contorted EYFS framework is being piloted. If the pilot is 'successful', the revised EYFS framework will be national in 2020. The adaptions to the Early Learning Goals further constrain child's expression

and voice, there is no longer the identification of imagination within expressive arts and design. Children are also expected to 'regulate their behaviour accordingly . . .. Pay attention to their teacher . . . know right from wrong' (DfE, 2018: 11). In an era where other legislation, such as the SEND Code of Practice, is moving away from the perspective that behavior is to be constrained and contained, where the underlying causes are to be sought, these changes to the EYFS are a step backwards. The power balance is being firmly placed in the practitioner's field. There will be no thoughts of listening to underlying causes or embedded support for these young children. As Kennedy (2015) states, 'there is little point in hearing a child's voice if there is no intention or capacity to respond' (p. 367).

This includes listening and responding appropriately to all feelings, from happiness to sadness, excitement to anger. Responding appropriately is open to interpretation, the practitioner's own ethos, the settings ethos and position, and even policy. At the microlevel in everyday occurrences, the response of the practitioner is the experience that a child will remember and endure. Jaime's identification of the role of practitioner to 'love him' comes from these everyday occurrences. Practitioners responses to anger vary, I has witnessed children being shut down, internalising the anger because a practitioner has viewed the emotion as naughty. Rose specifies, practitioners do not listen 'Not when I'm angry, I walk away . . ..' a child dismissed when calling for help, for support, when expressing feelings, again within the workforce Article 13 is ignored. Anger is not naughty is a natural expression, it is what one does with the anger that requires assistance. Sadness is an emotion again that is often internalised, children close in on themselves when told 'we don't have sad faces here'. Where else should the child go? This language is expressing the child is not wanted. Elsa states, 'When I'm sad I want to be with Nanny, not all grownups listen'. Practitioners are well placed to support children through these moments in a calm accepting way, regardless of the current social confining norms. Acknowledgement of emotion's is imperative, creating a life-long skill of self-awareness and incorporates the imperative stance of the UNCRC Article 13.

Lambie and Lindberg (2016) discus the requirement for emotional validation, active listening is key. However, active listening in the everyday is often absent; Fisher (2016) specifies that listening is incorporated by those practitioners who are interested in the holistic child, those who are interested in the history, present and future of the individual child. As Elsa specifies, 'I haven't spoken to all of them', a choice a decision of a child in selecting who to talk to, an awareness of who may listen. There are practitioners who are responsive to needs and sustain supportive and positive relationships, however, there are also practitioners who refrain from this type of participation. These practitioners do not 'interact' but 'interfere' or ignore completely (Fisher, 2016). I have heard qualified teachers specify,

> I became a teacher to teach, not to be a social worker, or a hairdresser, a nurse, a confidant of parents, I don't want to know what goes on at home, I want the children to sit and listen and remember what I say.

How does this occur? With practitioners who have this personal ethos is there any surprise that the UNCRC Articles 12 and 13 are not embedded into daily practice. The expectations of children to listen to adults always outweighs the right of the child under Article 12. The child has no voice.

Conclusion

'I think it's important for them to be listened to at a young age . . . they know what they like, and they don't like' (Street et al., 2016: 8). England is highlighted as one of the countries for not

embedding the UNCRC (Payne, 2017). Article 12 specifically specifies the need to listen to children, the need for children to have a voice (UNICEF, 2003). There is no specification to use various methods as specified in Article 13 to hear the views and wishes of the individual child. Rose stated, 'Help us, help children . . .', a request from a child to practitioners for support, for a chance to be heard. There needs to be opportunity of voice, for all children, a chance to be listened to.

I suggest that there are different methods for listening to the child's feelings and wishes, different ways of gathering information required, daily practices that incorporate the articles of the UNCRC. Both the EYFS and the National Curriculum should explicitly link with the UNCRC, signposting and highlighting practitioners to embed the framework into everyday practice. Include specified support for the explicit teaching and learning of emotions and exploration of feelings, including the impact these have on oneself and those around us (Mawn et al., 2015; Ravet, 2007). Facilitate in practice the verbalisation, the communication of feelings through various methods.

The methods used within the Mosaic approach are varied and positive, providing opportunities for all ages of children to communicate voice. The right of children's voice requires a change in the normative discourse of repression of feelings (Urwin, 2016). Practitioners must be willing, trained and experienced for amalgamating policy and practice (Imray and Colley, 2017). There is scope for active listening training to be incorporated as a mandatory part of qualification programmes for practitioners. This can only occur if society has a culture shift, if practice adapts, if practitioners evolve, if funding is available. Regardless of the ifs and buts and the excuses that may be placed by the hierarchical powers within this system there is a call for change. To facilitate this in practice, practitioners are required to embed an ethos of active listening, of responding appropriately (Fisher, 2010). The reforms that are currently being piloted for the EYFS need negating. Instead a return to the ethos of the 2008 edition where the needs and well-being of the individual child are of the utmost importance would be welcomed. As noted and repeated by Fisher (2010) and Alexander (2010), the EYFS should be extended. Instead the National Curriculum with all its restraints and narrow remits is being pushed on to the youngest of our population. Listen through active listening do not just hear the words but listen to the nonverbal, listen to the children.

In the constraints of the current system, if we do not listen, then no problems can be perceived, if we do not listen, 'we' have less work to do, less to deal with in the fast-packed everyday situations. It is time to truly incorporate the UNCRC into daily practice, across settings, the wait of 30 years for this to occur is absurd. Will another 30 years pass before policy and practice together embed Articles 12 and 13?

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