

# CHILD PROTECTION BULLETIN

STATE CHILD  
PROTECTION  
SOCIETY, ASSAM

MONTHLY BULLETIN OF ACTIVITIES CONCERNING CHILD PROTECTION IN ASSAM

## EDITORIAL

The views or wishes of children should never be assumed or overlooked, and such a process will ultimately help to formulate interventions which are more responsive. Whether investigating abuse, assessing a child's needs, undertaking permanency planning, or evaluating standards of care, children's opinions must form an integral part of the decision making process. The appointment of an independent guardian is a safeguard to ensure that the child has a voice and that his or her rights are protected.

The process of encouraging participation requires skill in communicating with children. Children should not be told what to say, intimidated, or judged. An environment of safety and respect is necessary to help the child feel comfortable to express her opinions, and therefore care should be taken regarding who else is present, the physical environment, and the way information is sought.

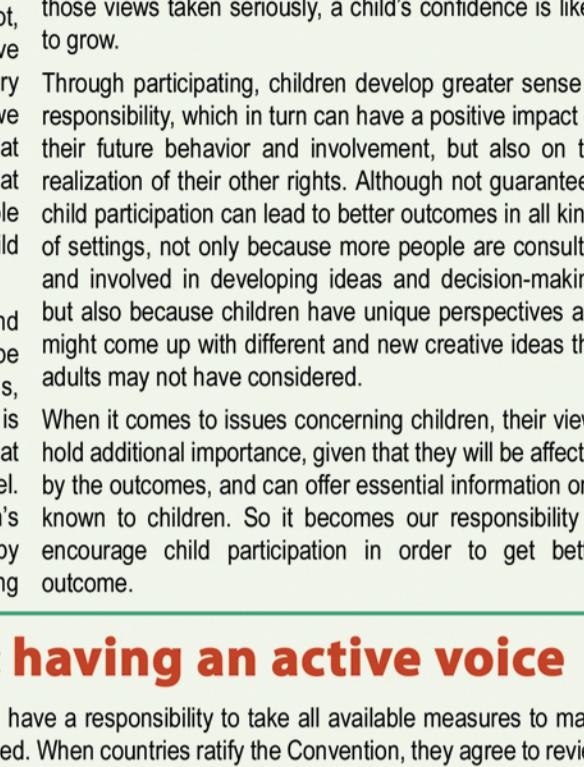
Children should be given a choice regarding participation, and where possible, parents and caretakers should be fully aware of the consultation process. Confidentiality of information is paramount and children should not be put in danger as a result of expressing their views. It is the responsibility of all professionals involved in the care of children to ensure that the process of participation is safe and that children will have support available where follow-up is necessary.

*Editorial Board,  
State Child Protection Society, Assam*

## ROLE OF ADULT IN CHILD PARTICIPATION

Child participation is defined as an ongoing process of children's expression and active involvement in decision-making at different levels in matters that concern them. It requires information-sharing and dialogue between children and adults, based on mutual respect, and full consideration of children's views in the light of their age and maturity. Children possess knowledge and opinions about their lives and experiences that may differ from those ascribed to them by adults. However, on too many occasions they are not consulted. Adults often assume that they know what children are thinking and feeling and so do not ask for their input when making decisions about matters that concern them. Adults need to listen to children in order to claim to speak on their behalf. If not, the decisions they make for children may have negative rather than positive consequence. In this regard it is very important that we should listen to our child first and we need to create a comfort zone with our children so that they can come up easily to us. But it was also seen that there are lots of ways in which a child can be vulnerable to issues like child abuse, child trafficking, and child marriage and other protection issues.

Violence against a child causes damage, pain and suffering to the child victim. A child's sanctity can be perpetuated on an equal level by parents, guardians, close family friends, or strangers. Child participation is beneficial for children themselves as well as for society at large, at local, national, regional and international level. Child participation impacts positively on children's development. It increases self-esteem and self-belief; by being given the opportunity to express views, and having



those views taken seriously, a child's confidence is likely to grow.

Through participating, children develop greater sense of responsibility, which in turn can have a positive impact on their future behavior and involvement, but also on the realization of their other rights. Although not guaranteed, child participation can lead to better outcomes in all kinds of settings, not only because more people are consulted and involved in developing ideas and decision-making, but also because children have unique perspectives and might come up with different and new creative ideas that adults may not have considered.

When it comes to issues concerning children, their views hold additional importance, given that they will be affected by the outcomes, and can offer essential information only known to children. So it becomes our responsibility to encourage child participation in order to get better outcome.

## Participation rights: having an active voice

**Article 4 (Protection of rights):** Governments have a responsibility to take all available measures to make sure children's rights are respected, protected and fulfilled. When countries ratify the Convention, they agree to review their laws relating to children. This involves assessing their social services, legal, health and educational systems, as well as levels of funding for these services. Governments are then obliged to take all necessary steps to ensure that the minimum standards set by the Convention in these areas are being met. They must help families protect children's rights and create an environment where they can grow and reach their potential. In some instances, this may involve changing existing laws or creating new ones. Such legislative changes are not imposed, but come about through the same process by which any law is created or reformed within a country. Article 41 of the Convention points out the when a country already has higher legal standards than those seen in the Convention, the higher standards always prevail.

*"Children are not things to be molded, but are people to be unfolded."*

— Jess Lair, author

**Article 12 (Respect for the views of the child):** When adults are making decisions that affect children, children have the right to say what they think should happen and have their opinions taken into account.

**Article 13 (Freedom of expression):** Children have the right to get and share information, as long as the information is not damaging to them or others. In exercising the right to freedom of expression, children have the responsibility to also respect the rights, freedoms and reputations of others. The freedom of expression includes the right to share information in any way they choose, including by talking, drawing or writing.

**Article 14 (Freedom of thought, conscience and religion):** Children have the right to think and believe what they want and to practice their religion, as long as they are not stopping other people from enjoying their rights. Parents should help guide their children in these matters. The Convention respects the rights and duties of parents in providing religious and moral guidance to their children. Religious groups around the world have expressed support for the Convention, which indicates that it in no way prevents parents from bringing their children up within a religious tradition.

At the same time, the Convention recognizes that as children mature and are able to form their own views, some may question certain religious practices or cultural traditions. The Convention supports children's right to examine their beliefs, but it also states that their right to express their beliefs implies respect for the rights and freedoms of others.

**Article 15 (Freedom of association):** Children have the right to meet together and to join groups and organizations, as long as it does not stop other people from enjoying their rights. In exercising their rights, children have the responsibility to respect the rights, freedoms and reputations of others.

**Article 16 (Right to privacy):** Children have a right to privacy. The law should protect them from attacks against their way of life, their good name, their families and their homes.

**Article 17 (Access to information; mass media):** Children have the right to get information that is important to their health and well-being. Governments should encourage mass media – radio, television, newspapers and Internet content sources – to provide information that children can understand and to not promote materials that could harm children. Mass media should particularly be encouraged to supply information in languages that majority and indigenous children can understand. Children should also have access to children's books.

### Backward Commission for reservation to orphans under OBC quota



Destitute orphaned children from general categories should get 27 per cent reservation along with OBCs for admission in government schools and jobs, according to a resolution passed by National Commission for Backward Classes (NCBC).

"The resolution was passed by the commission last week stating that those children who have lost their both parents and are below the age of 10 should be included in the OBC list and are eligible for reservation at par with all OBC castes," NCBC member Ashok Saini told PTI.

Saini said this comes with a condition that there is no guardian to take care of these destitute orphan children and they are admitted to either government or government-aided orphanages and schools.

The copy of the resolution has been sent to the Social Justice Ministry, Saini said.

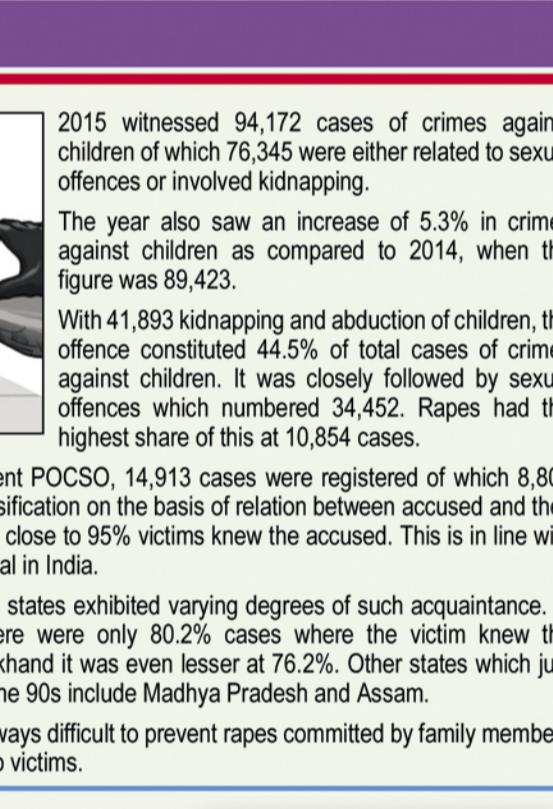
According to sources, the NCBC proposal will be considered at the top-most political authority level and it may require a Cabinet approval.

Tamil Nadu, which has already been giving reservation to the destitute orphaned children under the state OBC list for the last three years, has also requested the Centre to include orphans in the central OBC list.

Besides Tamil Nadu, Telangana and Rajasthan are two states which have included orphans and destitute children in the central OBC list.

In a similar move, the NCBC had earlier recommended for reservation to the transgender under the existing 27 per cent quota meant for OBCs.

But, the ministry dropped the provision after protests from OBC groups, and there was no mention of reservation for transgender in the Transgender Persons (Protection of Rights) Bill which was introduced in the Lok Sabha last month.



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