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# Annual update

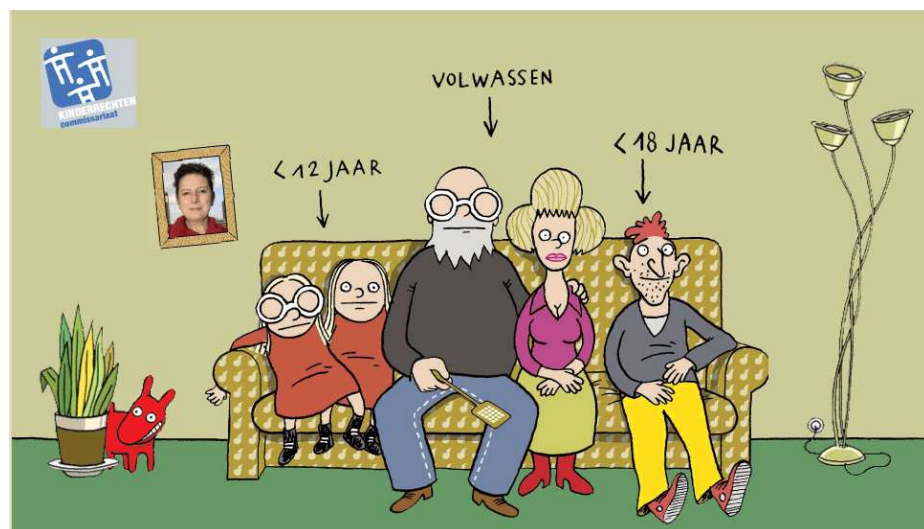
Office of the Children's Rights Commissioner 2006-2007



## 1 Information, campaigns, publications

One of the main functions of the office is to get the Convention on the Rights of the Child (as well as the office and its functions) known to people in Flanders. Several **publications** like brochures, leaflets, posters and booklets are made to that effect, aimed at different targetgroups, and distributed through different channels: schools, libraries, youth institutions etc.

There is also a website which has been revised recently to make it more userfriendly ([www.kinderrechten.be](http://www.kinderrechten.be), in Flemish, with separate parts for children, young people and adults). This has proven to be a frequently used channel for kids and young people. They can lodge a complaint through the site or order materials. Last year we counted some 15.000 unique visitors a month.

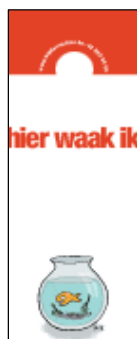


In all publications, we use the same house style with some recurrent elements, like cartoons by a famous cartoonist who is popular with both young and older children. Two (sometimes obnoxious) girls, Kinky and Cosy, are the main characters.

In the advertising towards children and young people we focus on our ombudsfunction to make it clear to them that they do have a way to deal with possible rights violations. Around nov. 20th, a large advertisement campaign on children's rights will be launched on a Flemish music TV-channel (similar to MTV) and the kid's TV channel of the public broadcasting company.

### Publications for children and young people:

- leaflet ('doorhanger' with reference to right to privacy) explaining the services of the office, focussing on our specific ombudsfunction,
- 'K-30', booklet for elementary school kids with 30 questions on children's rights,
- 'WBLFT?', brochure on children's rights for young people (new in 2006),
- 'Megafoon' school (rights in school),
- 'Megafoon' family (rights in the family),
- Annual youth Journal (a youth friendly version of the annual report).





### Publications for adults (professionals, politicians etc...):

- annual report,
- 'Oprechte deelneming' (manual for teachers on participation in school)
- Research documents like 'Children and divorce'(2005), 'Use of isolation rooms in youth facilities'(2005), 'Accessibility of youth help services'(2007) and 'Back and forth – Children's rights in asylum'(2007).



### Mass events and activities:

After some years of thematic campaigns and projects, we now focussed on the concept of 'Children's Rights villages' within several mass-events for young children throughout the summer. We aim at young children because we want their competences to be recognised and because we want to let them know and enjoy their rights for as long a period as possible: the younger they are, the longer they will be able to do something with their rights before they become adults. With the village we combine our efforts with several NGO's on the field. During existing mass-events<sup>1</sup>, geographically spread out across Flanders, we set up a 'village' where children can play while getting all possible information on children's rights. They also meet several children's rights services in a very appealing and playful manner (eg: children's rights boardgame). With the villages we reach several thousands of children and their parents.



A music-festival for kids, a big family happening of a very popular TV-series etc...





Besides that, we have recurrent advertisements and articles in several young people's magazines and some school agenda's. One magazine for pupils is distributed for free to children and young people in schools. Here we set up a cooperation both by way of monthly advertisements as by way of articles, in which we respond to particular ombud-questions of students.



All through the year the office is in close contact with several Children's Rights NGO's, administrations and other relevant organisations.

For example:

- Observer in the National Committee on Children's rights,
- member of the editorial board of the Flemish Journal on Children's Rights...
- member of the working group on equal opportunities in schools,
- partner of the Flemish Pupil's Union,
- partner of the Flemish NGO coalition on Children's Rights,
- partner of the Flemish Youth Council,...

The Children's Rights Commissioner or team members in the office took part in several conferences and steering committees of research projects in universities.

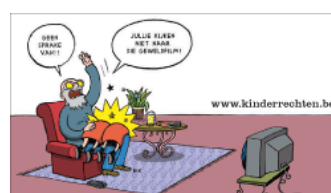
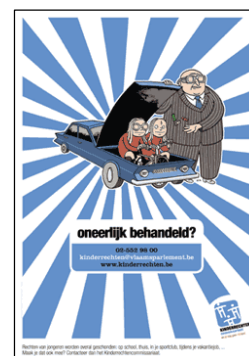
## 2 Ombudwork

Last year we received 1188 questions and complaints. A little less than 50% from children and young people. We also received about a 150 demands for schoolwork: homework assignments on children's rights, documentation, presentation materials etc. . .

On the issues we do not see much difference with the former years, given the fact that most cases deal with trouble at home: divorce, custody, abuse, parent-teenconflicts. . .

Still increasing are the cases of people with illegal residence status: problems with schooling, detention of families awaiting their deportation. . .

We also had some very peculiar cases again on school discipline and sanctions (e.g.: 'get a haircut or you'll be thrown out!'). Legal work seems to be necessary there to limit the discretionary powers of schools.



## Accessibility of youth help services

In 2006 we rounded up a research on accessibility of the youth help services in Flanders. Several actors on that field (juvenile care, mental health services, Student Counselling, Youth Advice Centres...) have been subject of a major reorganisation (and 'rationalisation'!) and we were wondering how this affected the overall accessibility of youth services and helplines. What are the hindering and stimulating factors for children to go look for help? The research consisted of a qualitative part with interviews with young people on their experiences and need for services: Where do you turn to for help? Who would you trust? What do you expect? How could professionals work better for you?...

Based on this qualitative research and the points of interest that resulted from that, a questionnaire was developed and a survey was done among a representative group of 3000 young people.

A brief overlook of the results:

- Although many children and young people know about the existence of some help services they do not always use it when they might need it. Many of them, esp. the younger ones, keep their problems to themselves or look for help in their informal circle of friends and family.
- They really want to be taken seriously and demand respect for their privacy, which they sometimes doubt they will be guaranteed.
- Although some services like Student Counselling and Youth Advice Centres try to avoid any thresholds, the potential 'clients' still seem reluctant to turn to them in case of problems. They are a bit sceptical and think that they can deal with it on their own or with parents and friends or other adults that they trust. Others do not really trust them or they are unaware of what kind of help would be offered.
- The few young people who do contact professionals seem rather happy with the advice or

help that they received.

### Children's rights in asylum

Last year we finished a dossier on the complete asylum-process from a children's perspective: arrival, getting a residence permit, living conditions during the procedure, access to school and other services (social, medical...), expulsion, detention... We also went into the different rules and practices for children entering the country with or without parents. We gathered information from our own ombudswork, from relevant NGO's and other partners in the field, from academics and from interviews with children in closed centres.

The main issue is the constant threat of not getting asylum or some other kind of residence permit. This puts a lot of pressure and continuous stress on the children. It is also very clear that the children's own stories and experiences are seldom taken into account. They are like accessories of the parents.

Children in asylum procedure or with an illegal status can attend school. Education and access to school is subsidised by government too. Although their right to education is guaranteed in this way, the constant threat of being extradited makes some of these kids to drop out early or go to school very irregularly.

Awaiting expulsion from the territory, families without a legal status are more and more often arrested and detained in closed centres. We state that this is a major violation of their right to freedom and it is also against their best interest. It is clear that many of these children suffer from different diseases, both mentally and physically.

## 4 Policy recommendations

Recommendations were drafted on several policy-issues dealing with the rights or the interests of children. Some issues return year after year, either because we haven't achieved any change yet, either because the changes were not good enough or the circumstances have changed again...

Many recommendations are welcomed by some parliamentarians but mostly not much is done with it. We notice a slight increase in references made to children's rights and our recommendations, but in general we must admit that the impact on policy-making level remains very small after all.

Particularly in major areas such as the legal status of minors, corporal punishment, rights of children in asylum context. We also witnessed an bad law review on juvenile delinquency where the federal parliament went against all recommendations of our office and many NGO's. The problem is also that we are a Flemish institution and many of these issues are dealt with on the federal level where there is no IHRI for children established.

Last year we formulated recommendations on:

- privacy protection in citizen's request procedures for the Flemish parliament
- a law reform on juvenile aid systems
- social housing for young people living on their own
- protection against advertisement on TV around children's programmes and consequences of the EU TV-guidelines
- education towards more inclusion,
- the UN-study on violence and corporal punishment (again!)

- educational support programming for parents with respect for children's rights
- a stronger legal status for minors (improved right to be heard, youth lawyers and a autonomous access to court proceedings)
- divorce and custody law and practice with respect for the children's perspective (again!)
- a humane and CRC-minded asylum policy with no detention of minors
- the need for professionally trained staff in daycare

Given the federal elections we had in June 2007 we also drafted a memorandum for the new government and parliament, 'Mirror your policies to children's rights'. In this memorandum we focussed on the legal status of children, their position in divorce settings and in the asylum policy.

