Organisational Approaches to Participation

Chapter 5

Introduction

This chapter will look in detail at how some child focussed organisations working with children in Burma have specifically aimed to increase children's participation and the extent to which they have taken into account the different factors that influence children and childhood, as outlined in the previous chapter. Three organisations will be studied: World Vision Myanmar, an international NGO, working in Burma for many years; Phaung Daw Oo, the monastic education school already discussed in some detail in the previous chapter; and the Child Focussed Network (supported by UNICEF, Save the Children and World Vision Myanmar) which sits as a hybrid between the two, part international agency and part local. While all organisations will be included, greater analysis will be made of the World Vision Myanmar Street Children's project as, out of the three organisational approaches, this illustrated the most intentional and sustained attempt to encourage participation. After a descriptive section for each program, an analysis will be made of the 'types' of participation evident in each of the organisations and from this further conclusions will be drawn, to help formulate a new framework through which participation can be understood.

A detailed analysis of these programs will achieve a number of objectives. It will add to the body of knowledge on children and childhood in Burma, explain the

genealogy of participation as it evolved in the context of a specific program, identify the impact of the different realms of influence within the context of development projects, raise questions about who benefits from participatory initiatives and why, and make observations about the impact of participatory processes upon children and the adults directly and indirectly involved.

To this point it has been argued that children's participation cannot simply be seen as a linear process; rungs on a ladder that one proceeds to climb to reach a notional ideal of full participation. While such models are extremely useful to engender discussion around participation issues (in the course of a development project for example) they present an image of participation that is simplistic, neglecting the complex factors that affect children in society, the way they are perceived, and the roles they play, both representational and practical. These models emerge from a discourse on human rights and democracy that makes certain universally applicable assumptions about the way in which people in general 'should' or 'want to' participate. Because of this, they risk undervaluing children's roles in some societies, that are participative in certain domains but not in others, for example, in citizenship and decision-making.

The challenge for development organisations working with children, therefore, is to ensure that, while encouraging citizenship and increasing the voice and role children might have, cultural, representational, and practical contributions which children already make are valued, respected, yet challenged when they cause obvious harm to children. These factors were discussed when looking at the narrative, socio-political and personal realm sections of the previous chapter.

It is also important that Western models of participation are not always held up as the first or only alternative. As argued in the previous chapter, in the case of Buddhism, as it is expressed in parts of Burma, there is a deep philosophical base and associated traditional teachings upon which society has grown, and through which relationships between adult and child are defined. Within this there is a reciprocal respect and a belief that even young children can reach a state of enlightenment and maturity. Such cultural realities should not be ignored.

If participation is not simply going to be seen as an end in itself, a number of issues require consideration. For example, organisations might want to know if participation is actually going to make a difference for the children they are tasked with assisting, not only for the direct participant children but for the broader child clientele that may not be active participants in a process. The impact of children's participation on adults within an organisation and the way in which this might be measured and processed is also a consideration. Assuming that participation will necessarily bring adults and children closer together may seem a reasonably obvious conclusion to draw, but could participation also have negative ramifications for an organisation? These and other questions will receive consideration in the following chapter.

World Vision Myanmar - working with children on the street

Background to the World Vision partnership

World Vision Myanmar is part of the World Vision Partnership, one of the largest international NGOs in the world. At the very heart of the organisation is a vision explicitly focussed on children:

Our vision for every child, life in all its fullness. Our prayer for every heart,
the will to make it so (World Vision International, 2004 p 4)

This vision also reflects the Christian roots and values of its founding father, Bob Pierce[35].

World Vision maintains that it is child focused and that children are the centre of their ministry: the reason for their assistance. This means that children's social, developmental and spiritual 'status' is put at the centre of their analysis of development issues. For example, World Vision programs would not simply seek to address the impact of HIV on a community in general but would look specifically at the impact of HIV on children and then build their analysis from considering the child's perspective. This would result in such interventions as addressing the needs of child headed households, or the economic needs of children whose parents are sick from AIDS and are unable to work. Such an approach might imply that seeking the views of children on matters that affect them (one of the major CRC principles of participation) would be a key strategy for programming and that the participation of children within the organisation might be prioritised. There have been individual World Vision country offices that have made in-roads into participatory processes and activities such as World Vision Cambodia (2004) and World Vision Myanmar (O'Shaughnessy and Dorning, 2001). However, the World

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[35] Bob Pierce, an evangelical pastor from the United States of America, founded World Vision following his experience of the Korean War. The current mission statement of World Vision states that it *is an international partnership of Christians whose mission is to follow our Lord and Saviour Jesus Christ in working with the poor and oppressed to promote human transformation, seek justice, and bear witness to the good news of the Kingdom of God. WORLD VISION INTERNATIONAL (2004) World Vision: Who we are. World Vision.*

Vision partnership does not have any united nor clearly articulated approach to the participation of children within the organisation, except nominally as expressed through their support of the Convention of the Rights of the Child:

> *While World Vision promotes active youth participation in planning and implementing its programs, there is still much to learn about doing this effectively and appropriately (International Policy and Advocacy World Vision International, 2003 p24).*

World Vision Myanmar

In Burma World Vision has had a relatively long presence compared to other INGOs; opening initially in the 1960s, withdrawing through the 1970s and 1980s due to inoperative banking systems, and reopening their office once again in 1992, soon after the SLORC took over control of the country. Post 1992 programs began in satellite townships around Rangoon, including Hlaingtharyar (referred to in Chapter Four). Programming initially centred on addressing the health needs of vulnerable communities through medical and public health interventions for women and children. Soon the program expanded to address the then rapidly increasing HIV epidemic along the border of Thailand. Growth in both government and private funding has enabled World Vision Myanmar's program to expand rapidly to other major urban and rural centres around the country.

Programs are now conducted in most states and divisions using an integrated development approach, known as Area Development Programs (ADPs) that focus on the health, education, social and economic needs of vulnerable communities. In addition, World Vision continued to conduct specific programs for particularly vulnerable groups, such as street children, and women and children who were at

risk of being trafficked. As will become clear, there was a significant difference between the ways in which children were engaged in ADPs, as opposed to the more child focussed vulnerable children's programs.

During the data collection phase of this research there were seven ADPs in the country (primarily in Rangoon and Mandalay) targeting a total population of around 550,000 people[36]. Theoretically ADPs aim to apply participative development models and build the capacity of communities to identify and address their own development needs (health, education, economic, and social). In practice there is a great divergence in approach between the respective ADPs, with some communities establishing management committees to direct the development process at one end of the spectrum (a more developmental approach) and at the other, total reliance on World Vision staff to deliver assistance to those in need (what might be defined as a welfare approach). The difference is due partly to the capacity of the World Vision Myanmar staff, particularly the ADP manager, to engender participative processes and community ownership. However, to a great extent the community control of an ADP is dependent on a host of factors, including community cohesion and the way in which government authorities allow for the operation of programs or impede their progress.

Children are seen as the primary beneficiaries of ADPs, and ADPs rely on child sponsorship[37] for funding. In general terms, the way in which sponsorship operates necessitates certain children being singled out for assistance (amongst other things, for schooling support and medical care). In an average township the

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[36] Based on the approximate size of a township being between 70,000 and 120,000 people.

[37] Individual sponsors overseas contribute money each month to a particular child in a community.

optimum number of sponsored children ranges from 2,500 to 3,000. There are numerous ethical issues related to child sponsorship approaches[38]; however, it is not the intention of this research to analyse sponsorship models, merely to identify this as one of the approaches used by World Vision Myanmar to focus development aid on children. One aspect of child sponsorship relevant to the degree of participation that might be possible is that it is often younger children (around the age of five) who are recruited as sponsored children, as it is generally easier for them to attend school. However, despite the participation of younger children being arguably more difficult to conceptualise, as Lansdown observes in her discussion about the issue, no matter what age, "if children are able to express their views, it is necessary for adults to create opportunities for children to do so" (Lansdown, 2005a p2).

In addition to the more standard community development activities (that include health, education, water and sanitation, agriculture and income generation) ADPs integrate more issue specific, usually shorter term, interventions. Again, many of these focus on children. For example, anti-trafficking programs have been established in a number of ADPs in a bid to alert children and their communities of the danger of cross border travel and exploitation. This program also provides reintegration services for women and children who have been trafficked. Children and young people have been involved as peer educators in this program.

Another example relates to HIV programming in which World Vision Myanmar has been involved for many years. With increasing numbers of people being infected

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[38] For example choosing one child for sponsorship over another in a family or community could promote favouritism and, therefore, bring division.

with HIV (UNAIDS (2007) estimated that about 350,000 adults (15 to 49 years) were infected with HIV, representing 1.3 percent of the population) there has been an ever growing need to provide care and support for orphans. This has been largely addressed through ADPs and child sponsorship within World Vision Myanmar program areas.

Finally, World Vision Myanmar operates programs for street and working children in both Rangoon and Mandalay. These programs aim primarily to reunite children living on the street with their families. However, in the majority of cases this is not possible or will only occur in the longer term, if at all. As a result, medium to long term shelter is provided along with health, education, life skills and social interventions aimed at providing care, protection and developing the potential of each child. It is this program that has shown the most intentional and practical progress toward child participation. A discussion of the Street Children's program will, therefore, form the core of this chapter.

Street Children: who are they, why study them?

'Street children' as a social concept defies modernistic classifications of children and childhood. They confront adults as they step outside the stereotype and do things children are not meant to do; smoke, take drugs, have sex, work and survive alone, speak out and disregard authority. In short, they defy the ideal of childhood innocence that was discussed in detail in Chapter Two. In many countries, street children have, at times, been seen as barely human. Brazil has been arguably the most infamous with the systematic execution of street children by the notorious death squads, usually teams of off-duty policemen, in the 1990s (Dimenstien,

1991, Human Rights Watch, 1994). Street children exist on the periphery, usually as an embarrassment or, as was the case in Brazil, a perceived threat to the moral fabric of society.

Before looking at the participatory processes that were developed at the World Vision Myanmar Street Children's program, certain terms require clarification, in particular, the phrase 'street children' itself. The term is, in fact, little used today in an academic sense (Panter-Brick, 2002), but rather absorbed into a host of other expressions such as 'Children in Especially Difficult Circumstances' (CEDC), 'Children in Need of Special Protection' (CNSP), 'vulnerable children', or 'children at risk'. In the past distinctions have been made between children 'on the street' or 'of the street', once used by UNICEF to indicate the degree to which children inhabit the street. The word 'street' should itself be seen as a metaphor indicating more a space outside the home than anything else. We do not talk so much of 'market children' nor 'garden children' nor 'railway children' but children fending for themselves exist in each of these and in many other such environments.

Panter-Brick (2002) identifies five criticisms in identifying 'street children' as a specific identity. Firstly, she suggests that as a catch all phrase it risks treating street children as a homogenous group. There are obviously many reasons for children ending up on the street and staying there. Children use the street in a variety of ways such as for work, for play, or to escape unhealthy home environments. They might see the street as their permanent abode; living, working and sleeping there. For some children, the street may be a place in which they

spend a short time before returning home. There is, therefore, a great diversity in the way in which the street is used and perceived by children.

Secondly, Panter-Brick suggests that the term gives inadequate representation to the multi-dimensional experiences of children, and that the use of the term offers no illumination into the many and varied reasons why children take to the streets in the first place. Thirdly, labelling, particularly with a term like 'street children', can be stigmatising and, therefore, a barrier to understanding why children are on the street and what might be done to assist them. Fourthly, she suggests that a limited term such as this elicits a limited response. Street children, she claims, are the most visible manifestation of child poverty but not the only one. While children living primarily on the streets need attention, this should not be at the expense of the greater number of children in many countries who are living in situations of poverty. Finally, she suggests that the 'street children' issue has become politicised and manipulated for the benefit of other agendas and interests, such as funding for welfare agencies and NGOs (Panter-Brick, 2002).

Essentially all definitions are problematic, as they fail to grasp the multiplicity of factors that keep children separated from the care and protection of a family and community. As West (2003) observes, inadequate definitions can result in inadequate statistics, so the true dimensions of the issue are difficult to measure in numeric terms. However, despite the lack of adequate terminology and statistics, the fact remains that there are children in many countries for whom the street, in its broadest sense, is the place where they spend a majority of time (Panter-Brick, 2002). For the purpose of this thesis, therefore, the term will be used, although

recognising its limitations, to refer to the wide range of children that inhabit the street in one way or another.

An in-depth understanding of World Vision Myanmar's street children's work contributes in a number of ways to this study. Firstly, many children in Burma live in poverty but they do not end up on the streets. However street children, particularly those who have experienced long term separation from family and community, exemplify what happens when all customary forms of support have deteriorated. Because they are in many ways quite different to the norm or at least the expectation of childhood, looking at the lives of street children can elicit valuable insights into concepts such as social inclusion and exclusion and, by implication, the related notion of participation.

Secondly, the World Vision Myanmar street children's program was the most 'labour intensive' child-focussed program in terms of contact hours face to face with children and, unlike other World Vision Myanmar programs, it had developed specific strategies to increase the participation of children. Because this program had the longest history of intentionally engaging the participation of children and had documented significant elements of the program specifically designed to increase participation, it provided the greatest insight into the way in which participatory methods had been applied and the results that they had elicited.

Finally, in the context of this research, the street children's program and the children within it were the only group known first hand to the author to have experienced an active longitudinal program to increase participation. By

understanding the lived experiences of children on the street and as part of World Vision Myanmar programming, it is possible to elicit further insight into participation and the factors that affect it.

Street children in Myanmar

In Myanmar, 'street children' exist in a realm characterised either with ignorance, pity, denial or, perhaps most commonly, hostility. A traditional term, 'lan pyaw kale', meaning 'children who are happy on the street' has been a part of the vernacular for some time, to refer to children living on the street. Indeed, to the casual observer, there are many happy and smiling children on the streets of Burma and, unlike some countries in South East Asia, the phenomenon of 'street children' is not an immediately apparent problem. For ease of reference the term 'lan paw kale' or LPK will be used when referring to the World Vision Myanmar Street and Working Children's program and the children who are part of it. The direct translation of this means simply, 'children on the street'. LPK[39] is, for better or worse, the term generally used by World Vision Myanmar staff and children to refer to their program.

The Myanmar Government seldom acknowledges the existence of street children. An editorial in the New Light of Myanmar commemorating World AIDS Day in 1999 (the theme of which was *Listen, Learn Live* and focussed on children and youth) stated that there were no street children in Myanmar (Pe Thet Htun, 1999). The official government report to the Committee on the Convention on the Rights of the Child (Government of the Union of Myanmar, 2003), makes two references to

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[39] Children in Burma who took part in this study did not like the term street children for many of the reasons outlined above even though they continue to use the term themselves. For reasons of expediency and recognising the conceptual inadequacies of the term, the abbreviation LPK will be used.

street children, one that acknowledges a regional workshop help in Nepal on the issue and the other referencing the opening of the World Vision Myanmar drop-in-centre in Rangoon. It is more common to read reports such as the following article on 'Burmanet News':

> *Rangoon: The Myanmar police detained over 1, 500 jobless street wanderers in Rangoon in August as part of its bid to crack down on crime makers, the local Myanmar Times reported Friday...Among the wanderers arrested, over 300 are homeless gypsies, nearly 350 are beggars and nearly 1,000 are rubbish collectors, most of whom are under 16 years old, the police were quoted as saying...Although some 800 were sent home, they returned to the street due to economic difficulties, the police said, adding that they are being transferred to the social welfare department for resettlement (Xinhua General News Service (online), 15th Sept 2006)*

Such 'projects' or *si man kyet* (as they are known in colloquial Burmese) for clearing the streets of 'undesirables' are common in Rangoon and other towns and cities around the country. This is one of the reasons why children stay away from more conspicuous areas.

World Vision Myanmar first began to work with street children during the late 1990s. At this time the issue of street children in Burma had received scant attention. A small drop-in-centre operated from the YWCA existed in downtown Rangoon for a group of around 30 children but it was closing for lack of funding at the time World Vision Myanmar began to look into the issue. An initial situation analysis and research phase conducted by World Vision Myanmar (1997) resulted in the identification of areas in Rangoon where street children congregated. It also elicited a range of information about the children, including the types of work they

pursued, information about their lifestyles, places of origin and the amount of time they spent on the street. The study identified the nature of vulnerability faced by these children, including arrest, violence and sexual assault, forced recruitment into the military, poor health and nutrition, and lack of social and emotional support. It recommended the establishment of a drop-in-centre based program to provide nutritional, educational, health and social support. Centre based programs raise issues around sustainability, cost and appropriateness. However, as the government response to the situation consisted of arrest and referral to social welfare institutions, the development of a visible centre based model seemed the most appropriate at the time (World Vision Myanmar, 1997).

Outlining the experiences of children who drift or are pushed on to the streets helps provide a context in which to reflect upon the World Vision Myanmar interventions with street children and the way in which participation has become a part. The following discussion, based on document review, interviews, observations and participatory data collection activities provides an overview of the various factors that result in children being on the street, as well as their experiences while they are there.

Taking to the streets

The story told by Nyi Nyi Naing (below) describing the reasons he ended up on the street is not an unusual one:

> When I was three years old my mother made cheroots. One day it was quite dark and my mother dropped the cheroot tray, so grandmother beat her. From that day my mother stepped down from our house. Father and mother quarrelled and they divorced. I had to live with my grandmother. When I was eight, there was nothing to eat in our house. My aunt told me to pawn some clothes. The clothes

that my aunt wanted me to pawn were not accepted. But I managed to do it. It was quite late and I dared not go back home, because it was late and I would be beaten. For that I bought some jaggary [palm sugar sweet] and donated it to a monk. I became friendly with the monk. I stayed at the monastery. I met with my aunt. I was afraid that she might take me home so I ran away and fell asleep on a train as I was so tired. Next morning I reached Rangoon. From that day I rode many trains to go back home. But I didn't make it. Then I was adopted by a street family. When the adopted father was drunk they fought. Again I ran from that family. Near Su Lay I was caught by the police and sent to Kyauk Da Ta police station. From there I was sent to Inya Road Boys Training School (Nyi Nyi Naing)

Estimates of people living below the poverty line in Burma are as high as 75% (Hável and Tutu, 2005) but, as the number of street children appears relatively small in comparison to the number of children living in harsh circumstances, poverty alone cannot be the only factor that results in taking to the streets. Indeed, many more children are poor and do not leave home. World Vision Myanmar records show that violence and abuse, particularly from a step-father, was cited by over 70% of children as a primary contributing factor for their taking to the streets (World Vision Myanmar, 1999). Nyi Nyi Naing's story above identifies a range of other issues including alcohol, step-parents (particularly step-fathers), drifting in and out of relationships with 'foster' families and relatives. They are all common themes within the stories that street children tell and both girls and boys share similar experiences:

From the time I was young my father took another wife and would not give us any money but gave us a lot of trouble. The two families lived together in a big house, my grandmother's house, but father did not look after the house. When mother was not around, he would beat me and mother would not do anything to help me. I don't know why I can't

understand...Then there were four children, now there are eight. My father taught me how to come to the market and collect fish and vegetables which I did while he was selling beetle. One day I was too tired and fell asleep and all the vegetables I had were stolen. He beat me and mother did not do anything. She just took sides with my father. (Aye Myat Thu, 15 year old girl at the drop-in-centre)

Poverty is often compounded by a lack of educational opportunity and LPK centre records indicated a clear link between the level of education and increased risk of taking to the street. This is further complicated by issues of trust in the education system, where parents choose to keep their children out of school as they question the viability of the system (as noted in the previous chapter during discussions with parents from Hlaingtharyar). For many families, low income, coupled with the ability of children to work, makes the choice between sacrificing to send children to school and having them out working and contributing to the family income a very easy one to make. Once children begin work, however, the pressure upon them is often substantial. Some children reported being the only breadwinner in the family, with fathers staying at home and buying alcohol with the money that their children provided. Boys living on the streets vastly outnumbered girls by a ratio of around 80% to 20%. In general this can be attributed to a greater expectation placed on girls to work in the family and a greater degree of freedom and encouragement to find jobs outside given to boys (Wernham, 2003).

Both boys and girls were vulnerable to violence in the home and, as the following shows, in the workplace as well:

I have parents. My father's work is not so good and mother fries snacks. Sometimes they don't have anything to invest because both of them like gambling. We cannot have regular meals. If they lose they mortgage our cooking utensils for money. During the rainy season, we

grow rice. I have seven siblings and one died. At home, I was beaten so I told them I would go to Rangoon. I had to work as a housemaid in Rangoon. My mother sent me and took all my salary. She told me that I had to stay there for one year. I could not stay there even a month. They threatened me that they would send me to the police if I stole money from them. Because of me, a TV was broken and they threw hot water over me. On that night, I ran away (Thida, 16 year old girl in the drop-in-centre)

This kind of experience is quite common, according to a UNICEF report into the experiences of domestic servants, where 17% of girls interviewed claimed that they suffered severe forms of discipline, including beating and verbal abuse (Ar Thit Consultancy Group, 2002). Violence against children is part of a complex mix of factors of a troubled home life that includes hunger, poverty, lack of education and broken relationships. It is often the final straw pushing children out of home and onto the street.

However, not all children related stories of overt violence. For some, they simply drifted on to the street when parents died and extended family members could no longer afford to nor want to provide care. Children often spoke in a matter of fact way about parents dying and the resultant impact on their lives:

I remember that when I was five I had to attend school. When I was five I told my mother, 'Mother I'd like to go to school'. Mother said, 'I don't have any money to send you'. Mother said she will borrow some money to send me to school. I felt very happy and even told my friends, 'Hey friend, now I am going to school'. They also were happy to hear that. Mother went out to borrow money and got it. When the time came for enrolment in school I reminded my mother. Mother told me, 'Please go to school next year as your father needs the money to renew his licence'. I was astonished. After a year my mother died.

Then I left the house. I stayed on the street. One boy took me to LPK. (Soe Soe, 14 year old boy)

Father worked in South Dagon. We stayed together with father at his work place. I have four siblings. One brother and two elder sisters. One day father came back late with a huge wound in his arm. When we asked him, he lied that someone mistook him and stabbed him. After that he became ill. Slowly and slowly it became worse. His employer sent him to hospital. The hospital referred him to Rangoon General Hospital. When he was hospitalised in YGH we found out that he had been bitten by a mad dog. Father died in hospital and his relatives took us to Hlaingtharyar. We did not get on with our relatives. They made my brothers and sisters work. Later one elder sister was sent to another house for adoption. Elder brother left the house. One sister was sent to a restaurant to work. I was left alone feeling sad. Later I quarrelled with my cousins and left the house. I stayed at Sanpya fish Market. Then I made friends with some boys and together with them I stole fish, gambled in all ways and became an expert. And then one of my friends took me to LPK. (Aung Naing, 15 year old boy)

Others cited particular incidents that encouraged them to leave home. Chit Oo (A fifteen year old resident of the drop-in-centre) who lived in a township just outside of Rangoon, had once been accused of stealing:

I felt 'Sei Nyit de' [frustrated] because the community thought that I was a thief. I know that because I would overhear people talking. For instance, one day a boy had lost his slippers and they accused me...One day I ran away. I did not tell my parents. I caught the train and arrived at Pun Hlaing Station and then walked around until I found the market (Thiri Mingalar). A boy I met, named Nge Maung Htwe, took me to the LPK Centre.

The stories above indicate that there is a broad range of factors, amidst the poverty, that is common to many families in Burma, that influence whether or not children end up on the street. Violence and educational status appeared as major contributing forces that led to a life on the street, however, no matter what precipitated instability within a family, once home life became unstable it seemed usual for children to oscillate between street and home for a period of time. From that peripatetic existence, only a small push was required for the street to become a permanent abode.

Life away from home

Once on the street, experiences of street life were quite varied. Mostly children spoke about finding odd jobs or petty theft and wandering from place to place. Commonly children would end up at some stage of their street experience within the social welfare or prison system. Most children who had been in any of the welfare or child and youth detention centres, reported extremely harsh circumstances. Nyi Nyi Naing's story above continues as a concerning illustration of what can happen to children once they are on their own:

> ...I was there [Inya Rd Boys Training School] for two and a half years and again I ran from that school. I started to stay again on the streets. It was not long before the police arrested me. I was kept in Huntharwidi police station. After five months I was referred to Kymindine police station. I wanted to go out so much. When I saw cars going on the road and trains passing I cried. Later I was sent to the court and sentenced. I was thirteen and was sent to Hnyet Aw San Children's Prison. It was hell for me with a lot of cruelty in that jail. But I tried to make myself happy. The rice was not good, the curry was so watery and on top of that there was no salt in the curry. Boiled rice for breakfast was without salt. Dead rats were in the boiled

rice. They told me to do things that I could not do for my age. I had to clean a drain 3 to 4 hundred feet long. The width was about an adults height. It was quite thick and the bushes that I had to clean up were full of termites and ants and thorns. Whether it rained or not I had to work. When it was hot I felt thirsty, when it rained I felt cold. Some children could not do the work. The group leaders beat them. The tools were not sharp enough to chop. The children got very tired. Some even died. After one and a half years I was free from that school. I felt so happy. I decided that I would never end up in that place again. After that I started to work in a construction site. I survived with my earnings. (Nyi Nyi Naing 14 year old boy at the Rangoon drop-in-centre)

Government facilities for children differ in levels of security. The children's prison was infamous amongst those who had lived there. Children had different backgrounds and those serving sentences for crimes were mixed with children picked up off the street as vagrants. Other facilities such as the Inya Road School also referred to by Nyi Nyi Naing above, is quite a different environment. Life in the training facilities was reportedly harsh but security often lax. Inya Road School is located on a major arterial some eight kilometres from central Rangoon and, within seconds of getting out of the front gate, an inmate could disappear into the crowded street. According to a principal of one training school in Rangoon, children who live on the street struggle in disciplined environments and constantly run away:

> *Although we have strict discipline, some can't cope with it. If you are too strict too, they [street children] can't follow. If you are too soft too, they won't obey you and may not change. The best thing is to be flexible (World Vision Myanmar, 1999)*

Recently, with UNICEF support, conditions have improved slightly for institutionalised children. The continuing reality however is that the vastly under-

resourced Department of Social Welfare cannot provide children with the care that they need.

Work

Most children survive on the street through money gained from odd jobs. A survey conducted with residents of the Rangoon drop-in-centre in 1999 (World Vision Myanmar, 1999) showed the following:

Job	No of respondents	%
Picking up garbage	51	43%
Selling/vending	16	13%
Carrying/collecting bricks, sand etc.	10	8%
Picking vegetables	5	4%
Picking fish	12	10%
Collecting rice	7	6%
Other	19	16%
TOTAL	120	100%

Table 8 - Type of work conducted by street children residents of the World Vision Myanmar LPK centre 1999

Often the distinction between 'work' and 'stealing' is blurred. Children who pick up fish, rice and vegetables from the markets often snatch produce that falls to the ground as it is moved or dropped by vendors and their clients. Many children had a number of jobs in order to make sufficient money for food in the day and spent anywhere from four to twelve hours each day working. Children were happy to be able to work and, to a degree, enjoyed the freedom of the street. Those who had ongoing contact with families often took money home to give to their parents. Many children worked at night, particularly those in the markets. Work appeared to play a significant role in children's self-esteem and a majority of children interviewed said that they valued the chance to work and the independence that it afforded.

Violence

The violence that was often so influential in forcing children from their homes was not something they escaped on the streets. Children were vulnerable to numerous risks and dangers. Perpetrators of violence included authority figures, usually the police or the council staff. World Vision Myanmar found that 34% of street children in Rangoon citing abuse had suffered abuse at the hands of the police (World Vision Myanmar, 1999). Street sweeps such as those reported in the Burmanet News report quoted earlier are regular occurrences, particularly around key government occasions such as Armed Forces Day. Children sleeping on the street were found to be especially vulnerable:

> *I slept at the market with an Indian boy. His legs were very long and while we were sleeping the police came around and they saw his legs. So we were arrested. (Chit Oo)*

This stroke of bad luck resulted in Chit Oo spending three years in a series of training centres before eventually being released. It is illustrative of the arbitrary nature of street life and the severe consequences that may result from something as innocuous as sleeping next to someone with long legs.

Abuse by the military has also been common. World Vision Myanmar records (World Vision Myanmar, 2003a) estimate that over 200 boys had been conscripted by the military within a three year period. Children spoke about a variety of methods of recruitment. Forcibly taking children from the streets was not unusual although more subtle forms of coercion, whereby children were promised food and shelter and money, were more likely. Reports on child soldiers in Burma (Heppner, 2002, Emmons, 2002) concur with this data. Once in the military it was extremely difficult to leave. Records show that a number of boys deserted and

sought assistance from the drop-in-centre. Other children reported being under fire and seeing friends killed or, as related in Lyn Lyn's experiences recorded in Chapter Four, being forced to take part in extremely violent acts.

Exposure to sex

World Vision Myanmar documentation suggests that street children were often exposed to sex at an early age; some as young as eight. Witnessing sexual acts, as well as sexual contact (both voluntary and involuntary) with other children and adults on the streets was not uncommon. World Vision Myanmar reported that:

> *There is a tremendous amount of exposure to both exhibitionism and sexual violence as well as some evidence of sex trafficking (World Vision Myanmar, 1999)*

A World Vision study that looked in detail at the extent of sexual encounters of children (World Vision Myanmar, 1999) found that both boys and girls were engaged in a range of sexual activity. Often this began with curiosity and the fact that life on the street exposes children to the sexual activity of adults also on the street, both of a heterosexual and homosexual nature. Children also spoke of learning about sex through pornography (shown in the video halls and parlours mentioned in Chapter Four), or 'poor man's movies' as they are known (as the characters have no clothes).

The perpetual poverty experienced by street children meant that for some, selling sex to adults was one way to make money relatively easily. Boys spoke about being propositioned by older men for sex:

> *His arse is itching he said. He said he'd give me 50...at the market a man took two friends to the park, he asked one boy to masturbate him...afterwards the man asked for anal sex and the boy obliged (World Vision Myanmar, 1999 p 119)*

Girls, on the other hand, spoke more of being physically and sexually abused, even by the police:

> On some nights the police would round us up in threes or fours and take us to dark places and accuse us of having sex (being prostitutes). Though we refused they asked us to take off our panties and lie down and would look at our private parts with a torch light and use their fingers to explore us (World Vision Myanmar, 1999 p121)

Police were said to demand sex free of charge, threatening girls with imprisonment if they did not comply. A number of girls using the drop-in-centre found that prostituting themselves enabled them to earn money more easily than working in the markets. Generally they were introduced to this by 'friends' or people in the markets. Pimps would control the girls, often forming protector relationships with them, providing them with food and shelter in return for a share of the profits.

Child soldiers were the perpetrators of sexual violence, as the following story indicates:

> When I was in the army, making a shift from Pyinmanar to Beelin at Pyinmanar railway station, while sleeping beside the station, three ladies about 25 entered our mosquito nets, persuading us to have sex with them and give them money...when we reached Bago, a woman and her daughter were sitting beside us. Our corporal said it would be easy and possible to approach that woman ...so he approached the woman and in a few minutes, he brought the woman together with her daughter. The girl was crying at that time for she didn't want to have sex but her mum forced her to do it. We all had sex with both of them.

At the very least, this early exposure to sexual activity increases the risk of infection from sexually transmitted infections. In response to this situation the LPK centre had instituted sexuality and sexual health programs as part of their non-

formal education program and the knowledge about sexually transmitted infections and the dangers of unprotected sex have become better understood. However, the ability of the LPK program to address the vulnerability of children on the street to sexual violence remained limited.

Battling perceptions

Perhaps the most difficult aspect of all for children living on the street to cope with was not so much the overt violence and danger of street life but the underlying attitudes that influenced people's perceptions and behaviour towards them. During the course of an evaluation of the LPK program (which is discussed later in this chapter) one of the key informants interviewed, a pastor from the Baptist church compound[40] in which the initial LPK centre was located, made the comment that the program was simply, 'watering poisoned plants'. He saw no future or hope of redemption for these children and viewed the World Vision Myanmar attempt to assist more in terms of aiding and abetting potential criminals. This view was shared by numerous people at varying levels of intensity. One policeman in Rangoon said:

> *We call them kids without hope. They are either orphaned or their parents have re-married. As for the kids who beg for a living, we call them 'beggars without hope.'*

This is a confronting perception and one that, on a personal level, I have struggled to understand. Such attitudes are complex and, I believe, stem from a variety of causal factors. From a Buddhist perspective, there is an overwhelming belief that people's present lives reflect the deeds of their past. Like the many neglected dogs wandering the streets of Rangoon, children living from the streets are left

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[40] This was a large area which housed some two hundred households, a theological school, a church, small market and a dusty playing field.

alone and ignored; there is a belief that it is their karma. This is not to say that Burmese people are not compassionate. There are numerous homes and projects established for disadvantaged children, older people, the sick and disabled. However, street children are viewed as somehow different to the norm: undisciplined, crude, thieves.

Some adult respondents looked beyond the individual child and these common perceptions, identifying the social, economic and political antecedents to children's vulnerability:

> *This is a social problem. Actually it is also an economic and political problem. All these are connected together like a triangle and so confusing (Training School Principal)*

Others sought solutions:

> *Their communities are mostly coolies and vendors. We should engage with businessmen, shop owners and workshops and send children to those places and follow up on them (Teacher from local school where LPK children attend).*

The children's perceptions of themselves were far more illuminating and in most cases, more hopeful. The LPK centre had given him cause to hope that the future could be different as Chit Oo relates:

> *I want to help poor people like street kids and poor families. I will study to be able to do this. I come top in my class now. Being accused of stealing has changed me the most as I did not do it and I want to prove to everyone that I am not a bad person.*

Others were not so optimistic, acknowledging the gravity of their situation, and that it would take time and energy to change, or, perhaps not change at all. More positive attitudes were expressed by younger children. Some looked at the immediate:

I will try, make bracelets, at the centre I will look after the younger children, I will work in anything apart from 'bad work' (Nyein Nyein, 14 year old girl)

Older children in particular identified the importance of structural factors that affected their vulnerability such as the lack of national registration cards (NRC):

I will help in the kitchen. I will go and ask for a painting job and continue painting (houses). I will save money. I will get my NRC if the staff help and I will do odd jobs (Naing Lin, 16 year old boy).

I will continue to go around selling household things, needles, thread, and moth balls and things. I will continue painting houses and save money. Then I will rebuild my mother's house. I have to get my NRC. Then I will live with my mother and feed her. (Naing Naing 17 year old boy)

Many children had some idea of what they wanted to do in the future and how they might achieve their goals:

When I am big, I want to work in a car workshop to fix cars and weld. (Thu Ya Aung 15 year old boy)

I want to continue my education and go to university to get a degree. I want to become a soldier. (Zaw Zaw 11 year old boy)

Now I am attending the Centre for Vocational Training (E4Y[41]) and I am trying very hard. I want to learn computer. I want to go back to school and finish up to 10th standard. I must learn about all the different places in the country and get a lot of regional knowledge so I want to travel and learn. Then I want to go to University and become

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[41] This was a vocational training program operated by a small local initiative, supported by UNICEF and World Vision.

a teacher. If not I want to work in an office. When I am 30 I want to buy a house and save money. I don't want to get married. (Si Thu 14 year old boy)

Some, younger children in particular, used to living from hand to mouth could see only the immediate:

I will sell mangoes and flowers at the pagoda (Tin Ma Myint 11 year old girl)

These stories capture the essence of the lived experience of children in Rangoon who have made the street their home. It was clear, despite their lived experience and the preconceptions that adults have about them, that street children interviewed often had a clear understanding of their circumstances and what they might do to change them.

On a daily basis World Vision Myanmar staff at the drop-in-centre dealt with the lives of these children. Initial observations of the centre suggested that there was a fragile sense of trust in this relationship as street children, based on their experiences had learned one lesson very early: that adults are not to be relied upon.

At the time of collecting data for this research World Vision Myanmar had expanded its work with street children in Rangoon, opening a similar program in Mandalay. In a bid to meet some of the longer term needs of children who were unable to return home a network of hostels had also been opened. Some provided care for children attending regular schooling and others for children learning skills and trades. In total, on any given day in both major cities, over 350 children were receiving support through the LPK program. In terms of overall numbers, more

than 1,500 registered street children had received assistance from World Vision Myanmar by the beginning of 2003 (Wernham, 2003). Many others had used the centres once or twice and had not been officially registered. Early on in their programming World Vision Myanmar (1999) identified four 'sub-categories' of street children:

Category	Description
1.	Children who lived and worked on the street (collecting rubbish or working odd jobs and sleeping in markets or other public places) with no family contact;
2.	Children who spent most of their time on the street each week with limited family contact, returning home at least once a month to visit family members and perhaps to pass money to a parent of sibling;
3.	Children who lived at home but did not attend school and made their living on the street through odd jobs, collecting rubbish or other low paid endeavours
4.	Children who lived on the street with their families.

Table 9 - Typology of Street Children used by World Vision Myanmar

Despite the arguments around terminology related at the beginning of this chapter, these groupings were purportedly useful for some specific purposes, such as planning and reporting. For example, statistics were kept on all children coming into the centre and ongoing analysis showed that if children could be encouraged to return home within three months of cutting ties with their family (sub-type one), there was an increased likelihood of them staying there.

As well as direct interventions with street children, World Vision Myanmar had also begun what they termed preventative programs in poor satellite townships, including some of their ADP communities, which aimed to develop opportunities and support for children in communities at risk of taking to the street, children who predominantly fell into category 3 in the typology above (Table 7). These programs

provided non-formal education classes, skills training and income generation opportunity to parents to older children and parents, school support and health care. At the LPK centre itself similar activities were conducted with the aim of increasing education opportunities; addressing health needs; offering a protective environment and seeking out avenues for family reunion (see Figure 15 over page). In essence, the LPK centre quickly became the permanent home for a core group of around 80 children and a floating population of at least 50 more at any given time.
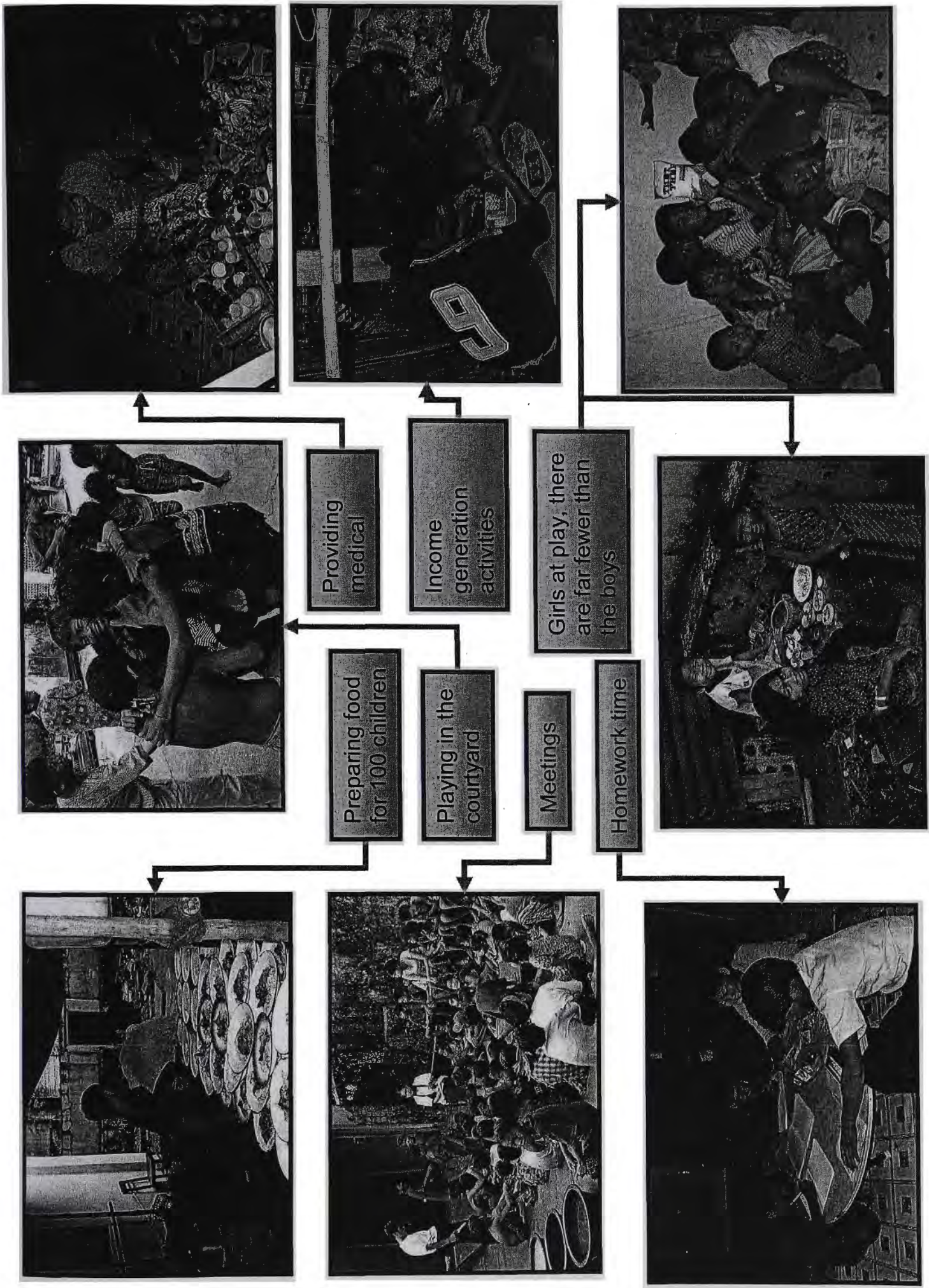
Figure 14 Activities in the LPK Centre

Providing medical

Income generation activities

Girls at play, there are far fewer than the boys

Preparing food for 100 children

Playing in the courtyard

Meetings

Homework time

Genealogy of change from Welfare to Participation

This section draws on observations and document review, as well as interviews and participatory data collection activities with children and staff from the LPK program and others in World Vision Myanmar. Observations (conducted over an eight month period) added substantially to the data from focus groups[42]. Most observations were unstructured, i.e. times when I would just drop in at the drop-in-centre, spending time observing different activities at the centre and talking with staff and children. Some observations were structured around specific activities that I was coordinating as part of my role within World Vision Myanmar.

Focus group discussions with children included a number of participatory activities (as outlined in Chapter One) and sought to unearth children's broader understandings about World Vision and why the organisation was assisting them. These included personal reasons for coming to the LPK program, aspects of child rights discourse, their feelings about the program and what it offered them and specific insights into participation and decision-making. In addition, semi-structured and unstructured interviews with supervisory staff and management, document reviews and observations were conducted at the drop-in-centre over the eight month data collection period.

First Steps – the growth of relationship

Children's participation was a notion that evolved in the course of the operation of the LPK project and in exploring its genealogy some important lessons can be learned. Staff and children were asked about the history of the program and documentation was reviewed, in order to plot a historical record of how

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[42] Observations were not intrusive; both staff and children were used to my presence as I had been a regular visitor for years.

'participation' became a part of the discourse of the LPK centre. These data, summarised in the following section, identify the key issues relating to the evolution of participation within the LPK centre, as well as some of the specific activities that brought about a realisation that children's participation was possible, even beneficial to all concerned.

The first staff members employed at the drop-in-centre (the same that conducted the initial research) were predominantly young and in their early twenties. A coordinator (an ex-teacher and mother of four) was the only member of the team with any real experience in dealing with children. As this was the first project of this scale to be implemented in Burma, none of the staff had any real idea of what the program was supposed to do, nor how it was meant to function. For all, therefore, it was a case of on-the-job learning.

As mentioned previously, a location for the centre was sought in proximity to the wholesale market where children would often go to find work or scavenge, but sufficiently away from the streets to enable the program to run without the overt attention of local authorities. Eventually, within a Karen Baptist Convention compound, no more than a kilometre from the market, an appropriate building was found. Children were invited by the staff to come to the centre to join a program of non-formal education and to receive a meal each day. Residents of the compound were quite bemused by the sudden appearance of a substantial number of ragged and often loud and quick tempered children into their once peaceful domain and staff discovered very quickly that these children were quite different to children who they had experienced before.

One of the most immediate concerns in the day to day operation of the program was the maintenance of discipline. Squabbles and fights, sometimes quite violent ones, would regularly erupt over seemingly trivial matters. Staff, quite naturally, chose to employ familiar methods for maintaining peace and control. These included physical punishment, and it was often observed that staff would conduct their activities with a stick or cane firmly clasped or somewhere close at hand. Project records (meeting minutes and reports) that were reviewed indicated numerous discussions amongst staff about the use of corporal punishment and the difficulty with both understanding and introducing alternative non-physical disciplinary strategies. Staff claimed that alternative methods would not work and that this was the way in which they were brought up and was effective for them. However the World Vision program manager insisted that corporal punishment should be banned and this, in turn, initiated discussion about disciplinary techniques that involved children having a greater feeling of ownership over the solutions to misbehaviour and, more broadly, of children taking greater responsibility over decisions that affected their lives within the centre program.

A process was put into place in an attempt to provide staff with different options for discipline. This involved working with the staff to re-envisage the project within a child rights framework; assisting them to see that a child rights approach put the onus on them to develop alternative disciplinary strategies. Disciplinary problems and the impact of the children's often violent behaviour on the surrounding community, the centre, and the children themselves, became the topic of ongoing discussion, both during staff meetings and the regular children's meetings. Staff began to ask children what they thought could be done. As might be expected, children's solutions were often to respond to breaches in discipline by physical

punishment, even more harsh that the current practices. However, gradually staff came to realise that a longer term, more holistic, solution was needed; one that addressed the need for children to begin to set longer term goals for their lives, including strategies to deal with any behavioural issues. This, in turn, led to a case-management approach that included children setting mutually agreed upon goals and working towards them, and being more intentional about increasing the possibilities for re-uniting children with family and relatives or developing other long term options for care. Along with the changes in dealing with individual children, it was decided that one way to respond to discipline problems would be to increase the children's authority within the centre. This would be achieved through the development of teams (headed by older children) that had specific responsibilities, such as cleaning and cooking, thereby providing the older children with opportunities of leadership and essentially encouraging them to 'own' the discipline problem as well.

While these changes appeared to have some effect on the day to day activities, according to those interviewed and the review of staff meeting minutes, they did not change the underlying attitudes of the majority of staff. In a similar way to participants in a Save the Children program on child rights in Vietnam (reported in Beers et al., 2006), staff were able to articulate a growing understanding of children's rights but they did not have a real commitment or belief in them.

Two things, however, were to have a substantial impact on changing this situation. The first of these was longitudinal, that is, it took place over a period of time without a recognised understanding that change was evolving. It concerned the growing trust that children began to put in their adult supervisors and the resulting affection

and respect that the adult staff began to feel towards the children. In effect, a form of social capital began to grow (according to Putnam's (1993) analysis of social capital being the growth of social networks for mutual benefit), exemplified in the growing personal interaction that developed between individual staff and children. Staff saw value in developing relationships, initially as it made their job easier but then because they began to value the relationships themselves. The children, so used to mistrusting adult authority figures, began to see that these new adults in their lives had their best interests at heart and were not about to throw them back into unworkable family situations nor into the arms of the social welfare authorities. A mutual respect formed and these relationships played a vital role in staff beginning to see possibilities in treating the children, if not as equals, as human beings worthy of respect.

The importance of interpersonal relationship and respect is often ignored by models of participation but it became a vital aspect of the continuing process of changing attitudes between both staff and children. Relationships between adults and children in Burmese society, as discussed in Chapter Three, are, on the whole, hierarchical. Implicit in this is that children should always be respectful towards and defer to their seniors. Two very subtle changes occurred as a result of the growing relationships between the children and the staff. Firstly, the street children who had become used to relying on their own initiative and had learned not to trust nor respect adults began to see the staff in a different light. Secondly, the adults, most of them quite youthful themselves, saw that they did not need to rely on the accepted cultural precepts that regulated adult/child relationships. As relationships formed, the cultural restrictions succumbed, opening channels for increased understanding, mutual respect and greater potential for children to participate in a

wide range of activity and decision-making processes. At a deeper, more structural level, power relationships began to be questioned, not outwardly and openly but in a more subconscious and nuanced manner. As Gittens (1998) observes, power and power relations are crucial determinants of inequalities between men, women and children:

> At a discursive level, power relations imbue discourses which define and delineate who and what groups are entitled to what resources, who has control over others, who is represented in certain ways (ibid p 10).

It was this unspoken discourse that began to be 'deconstructed' through the development of relationships that no longer relied on culturally dictated power structures for their nourishment. However, as new children arrived they would often bring disruption to these growing relationship patterns and so, despite some relatively major breakthroughs between the staff and some of the long term 'residents' of the centre, and the changes in disciplinary policy, behavioural and disciplinary patterns remained difficult to regulate and were maintained on an individual basis, dependent on the relationships that formed between a specific staff member and a particular child.

Participatory evaluation

The second factor affecting change was the introduction of a participatory evaluation process and this event was to have a substantial and sustained change on the entire program and the individuals within it (O'Shaughnessy and Dorning, 2001). The evaluation process took place in early 2001 and included a number of distinct phases. The first was an explanatory phase, during which stakeholders in the program were introduced to the idea of children leading an evaluation process.

This took place with both the children involved in the program, as well as adult 'stakeholders' (including staff, community members, parents, public officials, and shop owners) and aimed to clarify questions as to the purpose of the evaluation and the suggested process and to allay any potential fears or threats. The explanatory phase sought to gather questions (from all stakeholders but particularly children) about the program from as broad a range of perspectives as possible and it was conducted in the form of interviews and focus group discussions around the question, 'What do you want to know about this program?' From over two hundred questions initially compiled, a shorter list of eight was distilled to guide the evaluation, forming the basis of focus group discussion guides and recommendations that followed. The questions, while worded in language accessible to children, showed that children were concerned about significant program issues including long term sustainability, motivation and how to make the program more accessible to others in need.

1. *How long will the centre remain open?*
2. *Why did we open the centre?*
3. *What do we want to have happen to the children through the centre?*
4. *What are the differences between street and centre children?*
5. *How can we help other children like us?*
6. *How far can we go?*
7. *What will happen to us if the centre closes?*
8. *Do you have a plan to open more centres?*

Figure 15 Questions addressed by World Vision Myanmar street children's participatory evaluation process

Secondly, there was a training Phase. During this an evaluation team of children was selected by their peers (other children who used the centre and hostel). Involving all children on the evaluation team was not going to be possible so it was

necessary for children to vote for representatives. This process was in itself a vital step in understanding participation. The idea of representative democracy, somewhat foreign in a military regime, was explained to children and staff who, themselves, had never really experienced mature democratic process. A set of criteria was developed for the team members that included the ability to read and write and a proportionate gender representation. Secret ballot elections were held and a team of 15 children was elected to be trained as evaluators. The training process was broad ranging, including understanding the rationale, purpose, structure and possible tools for evaluation. Due to time limitations, a number of elements of the evaluation were decided upon by the evaluation consultant, in particular the use of focus group discussions and interviews as the primary method for collecting data. Training was provided in conducting and recording focus groups and interview teams were selected.

The next phase consisted of the identification of key respondents and the development of question guidelines based on questions collected during the explanatory phase. A sample of the question guide developed for other children who used the centre appears in Appendix 5. It sought to gather extensive data around why children liked or disliked their life on the street; home and centre; ways in which the drop-in-centre program might be improved; and how to reach out to other children not aware of the LPK program. Teams of children were then formed and a data collection timetable drawn up. Children then had just over a week to collect data. The analysis phase followed, during which children brought interview records into plenary discussions with the evaluators and the staff members who

were part of the evaluation team. Findings and recommendations were jointly arrived upon.

The majority of staff had moved to other positions within World Vision, during the time of data collection for this thesis. Likewise, a number of the children had moved on but project records and key informant interviews with the few staff and children that were still in the program reflected the power of this process and its lasting legacy. Overall there was great surprise at the ability of the children to maintain their interest in the process over such an extended period but more so with their ability to learn new skills and to provide sophisticated analysis of their own situation. Staff remarked that they had never expected the children to be able to do this. One of the most significant changes brought about by the process was the way in which staff changed their attitudes to the children, particularly those involved in the evaluation. It was almost as though a 'discursive shift' had taken place and that previous cultural and social definitions and attitudes that the staff had held, had somehow been transformed. Staff found this change difficult to articulate but talked about seeing the children much more as equals than they did before. One staff member remarked how about how surprised they were to find out that children's perceptions of their own problems were quite different to their own:

> *It was observed that the problems raised by the children were far removed from the thinking of the adults. They identified issues that affected negatively their daily lives (O'Shaughnessy and Dorning, 2001 p10).*

A further significant change was noted by the children, about their view of themselves. Again, children found this difficult to articulate but they talked about

growth in confidence to speak to adults and to express opinions; increased self respect and a feeling of importance and achievement for having done something that they found difficult and challenging. However, the process and implications of this exercise did not stop at the completion of the evaluation. Most notably, the children went on to facilitate a similar process in the community based preventative aspects of the program and led much of the process, including a workshop for analysis and consensus of over 200 participants from Rangoon and Mandalay.

Sustainable change?

The evaluation was an event that took place some year and a half before data collection for this thesis began. Staff and children interviewed about the process naturally had positive memories. However, many of the staff had moved on to other jobs, while a number of the children had, for a variety or reasons, left the centre.

Two particularly significant implications can be drawn from the evaluation process and the retrospective insights of staff and children involved and interviewed for this thesis. Firstly, the evaluation was a process that officially validated the informal relationships that had grown between staff and children. Having children involved in decision-making roles sent a very strong message to other children in the drop-in-centre, as well as to the staff, that it was appropriate and expected that children should have a voice, and that there were processes through which this could now happen to all, not only to a favoured minority.

Secondly, the evaluation gave space for both adults and children to move the informal relationships that they had created into a more professional sphere of operation. This was a significant conceptual shift for both groups to make: children were required to look at themselves differently, as valued members of a team, capable of making decisions and acting upon them; adults were required to move beyond the cultural constraints that had previously affected their apparent need for control and superiority.

The evaluation process resulted in six major recommendations suggesting: the ongoing involvement of the evaluation team; the inclusion of children in child rights forums; the inclusion of children as project implementers; the development of a relationship between donors and children; the inclusion of the empowerment approach in all future funding proposals (O'Shaughnessy and Dorning, 2001). Identifying what took place as a result of the evaluation recommendations is a starting point for reflecting on sustainability and the legacy of the evaluation process, and was important in understanding the present context and 'status' of participation.

The first recommendation suggested the:

> Creation of a children's committee (of between six and 10 members) elected by the children themselves to suggest initiatives, seek feedback from other children about the program and ways to improve it. This sub-committee should sit on the Steering Committee of the project and take part in regular staff meetings (O'Shaughnessy and Dorning, 2001 p11).

While this group was initially formed and consisted of most of the children who had taken place in the evaluation, due to some children being transferred to the hostel

and the departure of some others from the drop-in-centre, the committee became difficult to maintain, in the format recommended. However, an alternative arrangement was agreed upon, whereby ad hoc committees were formed around specific issues on a time bound basis.

The response to the second recommendation has been mentioned previously:

> *Continued involvement of the 18 elected children evaluators in the monitoring of the Yangon LPK Centre and in M&E training of other project participants (in Hlaingtharyar and Mandalay) (O'Shaughnessy and Dorning, 2001 p11).*

The team of evaluators maintained their role and went on to provide assistance in the evaluation of the entire street and working children's program that included preventative work in communities and another drop-in-centre program in Mandalay. The children acted as trainers and researchers, completing the task by co-facilitating, with adult staff, a meeting to discuss results and implications of the evaluation with a group of over 200 men, women and children from Rangoon and Mandalay. Unquestionably, this was one of the most successful outcomes.

Recommendation 3, suggested the inclusion of:

> *Children's participation in all forums that focus on children's issues such as the recently formed International NGO Theme Group on the Convention on the Rights of the Child...* (O'Shaughnessy and Dorning, 2001 p11)

Even though children did not become involved in the Theme Group[43], their inclusion in other forums was considerable. Major planning meetings were held in the LPK centre on a yearly basis. Following the participatory evaluation, these

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[43] The Theme Group, facilitated by UNICEF Myanmar met infrequently and was eventually disbanded.

meetings began to include children, both elected (by the other children) and chosen (by the staff). Annual planning was a substantial exercise, often taking up to a week to complete and expanded on a project 'logframe'[44]. Observations were conducted during annual planning that took place in August and September 2003 and records of this event (see Appendix 6) show a high degree of participation by children. For example, during the first session, children were asked to draw up a list of strengths, weaknesses, opportunities and constraints (SWOC Analysis[45]) concerning the LPK program. Children noted a number of pertinent points relating to participation, identifying that learning about child rights had enabled them to think and plan more about their future. Major opportunities provided by the LPK program had included being able to take part in a range of different forums at school, as part of the centre, and as part of the CFN, and that understanding their rights had enabled them to participate more in all matters affecting them. A later planning session in September saw children and staff working together to identify specific inputs for the program to further develop children's participation and to work towards realising their rights. Meeting minutes (World Vision Myanmar Street Children Project Staff, 15th September 2003) from these sessions record that children in the boys' hostel felt that they should work together (with adults) more and that they should be more involved in discussing issues and making decisions with staff. Children in the drop-in-centre felt that they should have the right to express their feelings and thoughts more fully and the right to choose their own religion; that they should be able to participate in things that interested them; and in

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[44] A 'logframe' or 'logical framework' is a planning and monitoring tool that sets out the goals, objectives and activities of a project in a logical hierarchical sequence. It is used to create a sense of logic in a project whereby the completion of a set of activities will lead to accomplishing a certain objective; a series of objectives when completed will achieve the goal etc. The logframe is commonly used in development projects.
[45] A common tool used by NGOs for review and planning.

the organisation of major events (referring to the Child Protection Day organised by the Child Focussed Network). When asked what specific activities could further participation, the children made a number of suggestions including regular meetings, group as well as confidential individual meetings with staff where necessary and children from the drop-in-centre felt that they could organise the regular meetings themselves with assistance from the staff. Boys from the boys' hostel went into significant detail in outlining their thoughts:

> *Children's meetings will be held twice a month where everyone can participate. There will be a facilitator, note taker and snacks will be provided. At these meetings they will break into groups and talk about the food, the place, behaviour and discipline, health and personal hygiene, education and vocational training, community participation. They will all decide in groups how to deal with issues relating to these areas and bring back to the whole group (notes taken during meeting observation Monday 15th September 2003)*

Children became involved in other, non-World Vision forums, as well, particularly in the Child Focussed Network, as will be discussed further on in this chapter.

The third recommendation suggested that there should be:

> *Training of children to become project implementers, e.g. outreach street-life-skills educators; street children advocates; literacy trainers of other street children (O'Shaughnessy and Dorning, 2001 p11).*

This was found to have met with considerable success with children, particularly the older ones. A number of outreach programs were started in the LPK centre. One a general outreach program focussing on identifying other children on the street who did not know of the LPK centre and alerting them to the services of the

centre and others that were issue focussed, particularly trafficking and HIV. The process of engaging children as HIV peer outreach workers was particularly relevant as it aimed to engage children in a long term process on a paid basis. Initially, the role of peer outreach worker was advertised and children could apply as if for a job. Criteria were set, relating to age (12 to 17), literacy, availability and reference from a staff member (World Vision Myanmar, 2003b). Children were then asked to submit written applications for the positions (eight in all). Applicants were short listed, interviewed and selected following a similar process to recruitment for a normal job. Once selected, children were paid the equivalent of a daily wage to attend weekly training and development sessions. Over the course of a year, along with two local staff, they were taken through a training process by a consultant child psychologist who worked with the children, drawing on their personal experience, to develop peer education materials and strategies. Children were then responsible for trialling the materials and working with the staff again to update them. Following the completion of the program the children (only one had dropped out) presented their activities at a major forum held by World Vision Myanmar in an international hotel in Rangoon. The forum was attended by over 300 people. They also continued to provide HIV education to their peers.

The fourth recommendation regarding pen-pal relationships was the only one that did not appear to have yielded an ongoing response. The aim of the recommendation was to encourage donors (in this case the Australian Agency for International Development – AusAID, and the Department for International Development - DFID, the British Government's international aid program) and their beneficiaries (the children) to have an opportunity for direct communication, rather

than second hand, through ongoing reporting mechanisms. In this way, it was hoped that questions raised about the project, particularly those that related to

funding, might be addressed. While no written relationship developed, the LPK centre became a regular port of call for visiting delegates, from numerous donors and foreign governments, even high profile visitors such as the Australian Minister for

Picture 11 - Visit of the Australian Minister for Foreign Affairs to the LPK Drop-in-Centre in Yangon October 2003

Foreign Affairs, the Hon. Alexander Downer who visited the centre in October 2003 (Picture 3 above). During such times, the children were often asked to perform (a drama or a dance for example) or to speak with visitors about their life on the street and in the LPK centre. Such occasions fall directly into level two (young people are decoration) and three (young people are tokenised) of Hart's ladder (as described in Chapter Three). Staff of the LPK centre, when asked about the reason behind such 'participative' activities, felt that, despite their limitations, they assisted with the development of self-confidence, team work and cooperation, friendships among children and social skills, all important in enabling children's right to participate to be more fully realised.

The fifth recommendation advocated for:

Future funding proposals to reflect the 'children's empowerment philosophy' as a central theme (O'Shaughnessy and Dorning, 2001 p11).

While it was apparent that proposals for the LPK program became very focussed on rights based and empowerment theory, proposals for ADPs did not, reflecting perhaps a lack of co-ordination within the different parts of World Vision Myanmar and an inability to share valuable lessons across the organisation.

As well as observations and questions focussing on the legacy of the participatory evaluation, time was spent asking children and staff about the present status of participation within the LPK program. Children's responses ranged from the functional to the more sophisticated. At a functional level, they saw that participation included taking part in various domestic activities around the centre, such as cleaning, cooking and marketing, as well as taking part in the various programs that the LPK centre offered, for example, income generation, sports competitions, and non-formal education. Additionally they were able to identify participation at a more conceptual level, indicating that taking part in children's meetings where they could explore their feelings and were able to discuss and fulfil their needs was integral to participation within the context of the drop-in-centre. Children also saw the logical consequences of participating in different activities. For example, they talked abut learning how to cook and how these skills enabled them then to "arrange curries on their own". They saw that participation in the education program would enable them to learn and, therefore, to get better jobs when they grew up. Older children in particular saw that participation meant taking

greater responsibility around the centre in caring for younger children or imparting knowledge that they had acquired, such as in teaching their peers about HIV.

Five of the more recently employed staff (who had joined the centre in the past two years and had not been through the participatory evaluation) were asked to list the types of participation that went on in the centre. Their answers are quantified in the table below:

Number of responses	Type of participation
5	presenting (role plays, paintings, poems, sports)
4	organising and leading
4	discussing or giving suggestions at meetings
4	being involved in problem solving
3	doing, learning or studying
3	Listening
2	giving suggestions
2	Making decisions
2	recounting their experiences
2	Helping to do work

Table 10 - Types of participation according to a sample of staff at the LPK drop-in-centre

While the prioritising of 'presenting' by the staff might indicate a lingering tendency to tokenise children's input, this is balanced to by other suggestions, particularly 'organising and leading'.

The LPK program is an example of one organisations' approach to participation. In the beginning, it evolved out of a specific need, becoming an integral part of the way all things were done. Significant events such as the evaluation were catalysts for moving the participation of children into more advanced stages. Further analysis of the program will be made at the end of the chapter.

The Child Focussed Network (CFN)

The second program that will be considered is the CFN which was formally established with a grant from the Australian Government in September 2003 (Child Focussed Network, 2003). At the beginning of the chapter it was referred to as a hybrid, as it is essentially a network of local agencies established with the support of international NGOs and UNICEF. The CFN was an initiative of World Vision Myanmar, Save the Children, UNICEF and a few small local organisations, with World Vision Myanmar providing the initial impetus to begin. The aim was twofold; firstly to bring the support of international child focussed agencies to assist local organisations, working with children but without access to technical assistance and, to a lesser degree, funding. Secondly, a forum for like minded organisations to discuss issues of mutual interest and concern. In the longer term, assuming a change in regime attitude to the existence of and potential role of local NGOs, the aim was to create a peak body for children's rights in the country (Child Focussed Network, 2003 p1). Despite the ambitious nature of such a goal, by the time this research was conducted the CFN had over 20 members and has grown now to a network with over 40 partners[46] around the country, predominantly in Rangoon and Mandalay.

Initially the seeds of the CFN were sewn when World Vision Myanmar began a process of consultations with 12 local and international organisations (see Figure 16 on the following page). Those that were involved undertook to attend a series of meetings to discuss the network role and function. The only criterion set from the outset was that children and adult representatives were required from each

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[46] Numbers have fluctuated somewhat due to government pressure on some organisations to close.

participating organisation. Selection of both was left up to the organisation, with the condition that adults had a high degree of authority within the organisations and that children were able to read and write and willing to take part in the meetings and workshops and to report back to their peers. This was an organisation that planned to include children's participation right from the beginning!

3 International NGOs
2 United Nations Agencies
6 Orphanages
1 youth organisation
2 Monastic Schools

Figure 16 - Participants at the first meeting of the Child Focused Network

The opening workshop held on the 29th April 2002 at the Summit Parkview Hotel in Yangon (an international hotel often used by international organisations for meetings and workshops) was attended by 38 adults and 20 child participants. The children came from a range of different backgrounds. Those from Phoo Mooler, Karen Baptist Convention, KBTS and Htaw Mae Ba were predominantly from border areas, either sent by parents away from the conflict in Karen State or orphaned as a result of the fighting. Save the Children

Picture 12 Children's discussion during the first meeting of the CFN partners

and World Vision chose representatives from their own programs, World Vision being represented by children from the street children's program. Children from the YWCA were from the community program in Hlaingtharyar and novices represented the two monastic schools. The meeting sought to identify, through discussion and consensus, the

major issues faced by children in Burma. It aimed to look at how a 'children's network' might develop; what its aim would be, what it would do, and how it would function. The workshop consisted of group discussion, with adults and children in separate groups and the four children's groups being facilitated by adults trained in the task. This was done to enable children to be more comfortable in sharing their thoughts. The results of the meeting, obtained as part of the document review during data collection, offered a number of different perspectives on the situation of children in the country, as captured in the table below:

Children's groups	Adult's groups
Poverty was underlying most issues, relating particularly to school attendance, violence and abuse against children, parental neglect	Poverty (family)
Lack of education due to poverty, children working, lack of awareness of importance, oppressive school discipline	Poor education, lack of skills for alternative livelihood
Increasing vulnerability to risk - children identified drugs, neglect by parents, drifting on to the street and working in or being trafficked to neighbouring countries as significant risks.	Social problems (broken homes/ orphans) Physical and sexual abuse Child labour
Lack of health knowledge (parents and children), limited access to health services, danger of HIV, dengue fever, malaria, tuberculosis, as well as common curable diseases such as diarrhoea and respiratory infections, poor basic personal and environmental hygiene	Big family size (lack of family planning) Unavailability of free basic health services (nutritional deficiencies) Lack of basic health knowledge
Gambling by both adults and children, associated with poverty and lack of education, led to family breakdown.	
Misunderstanding and impatience of adults towards children	No knowledge of CRC
	Lack of religious teaching

Table 11 - Identification of children's needs by adult and child participants of the CFN

The comparison between adults' and children's views provides significant

Picture 13 - A child presenting findings to CFN members during the first meeting

justification for ensuring that children are consulted in matters that affect them. For example, there is a distinct variation in the amount of detail and analysis between the two groups, with children's reflections appearing far more authoritative. This is illustrated clearly in the identification of poverty as a key social issue. Adults simply state the problem but the children not only link poverty to its causal factors but also show a clear understanding of the results of poverty on child wellbeing, the family and the community. Of course, this may well have been due to the skill of the facilitator or the thoroughness of the note taker but according to meeting minutes, the ability of the children to articulate the issues they were facing surprised many of the adult participants; more so as the children worked in groups having met for the first time. As one of the (adult) facilitators of the children's groups remarked:

> After a slow start, the discussion picked up. Even the quietest children spoke about problems and difficulties they are faced with in their everyday life...For instance, when some of the younger children spoke about their relationship with their families or caregivers at the institutions, they expressed how they were affected by lack of love, affection, attention, understanding and caring on the part of these adults. They admitted their occasional misbehaviour but they expected more tolerance and understanding from adults. This issue of adults'

attitude towards and treatment of children came up strongly from both boys and girls. Some of the adult groups at the meeting also identified the need to develop understanding of staff and caregivers in working with children. The children were also able to see the relationships between causes and effects in the issues they identified such as reasons for children dropping out of school...On the whole, the children participated well. They all gave their opinions and views. Most of the interaction was between them and the facilitator rather than among themselves as this was the first time they met each other and they are not much used to group discussion. (Meeting minutes from first CFN meeting 29.04.2002, held at Summit Parkview Hotel)

Notwithstanding the facilitator role, children were able to identify issues and their root causes in a succinct manner, indicating that they had considerable powers of analysis. The first meeting came to an end with a commitment to the concept by those in attendance and some initial thoughts on various models for the network and ideas about how it might function. Following this initial meeting seven further meetings were held to finalise a structure for the network and to develop a proposal for funding. All meetings, apart from the proposal writing workshop, included child representatives. Finally, in response to the identified needs, the CFN developed a number of basic working principles to guide their organisation and that it should adhere to the principles as stated in Table 12 on the following page.

The initial stages of establishing the CFN met with a number of challenges. The greatest for the children (at least according to the adult participants interviewed) was the conceptual challenge of imagining what a network might be and the purpose behind it, having little experience with group processes and uncertain as

1. *Be based on the Convention on the Rights of the Child (CRC);*

2. *Be open to all organisations working with children around the country;*

3. *Actively promote the CRC through training and skills building with members and their respective communities;*

4. *Include children in all areas of planning and implementation;*

5. *Undertake further research into the area of vulnerable children in order to get a thorough countrywide understanding of types of vulnerabilities, current responses and gaps in programming;*

6. *Seek to provide technical assistance (e.g. child rights training, social work training) to groups around the country working with vulnerable children and young people*

(Child Focussed Network, 2003)

Table 12 - Principles of the CFN

to what their contributions in the meetings might lead to. However, minutes from the second meeting indicated that children could see a very clear purpose behind the network. There was arguably even too broad an agenda given the political and economic realities of the country. Discussion during this meeting focussed on confirming the need for a network and planning what it might realistically begin to do. Again children and adults were split into groups and children's groups were facilitated by adults. They voted unanimously for a network to be formed by organisations that could, 'practically implement child related matters' and that the network should focus on assisting children, where the government was unable to provide adequate support. A number of high level objectives for the network were recorded, including, 'for children's futures to be beautiful' and for the 'CRC to be disseminated all over the country'. They felt particularly that the needs of 'children in far away places' should be fulfilled by the network. Children were also asked to suggest how the network might function. They saw themselves already as decision

makers in the process suggesting that they would need ongoing meetings, 'assisted' by adults with knowledge of the CRC and that they should decide and then discuss with adults, thereby taking responsibility wherever possible (see Appendix 6 for copy of minutes from the second meeting of the CFN).

After some time a proposal was funded by the Australian government and the CFN was formally established in September 2003. Upon funding, the entire membership, including both adult and child representatives of the fledgling CFN, elected a committee of management that included both local and international organisations. A further aim was to then establish a series of technical committees that would be responsible for the specific areas of focus of the CFN. These focussed on child abuse and neglect, health, education and the CRC and legal issues. Diagrammatically, the structure of the organisation took the following form:
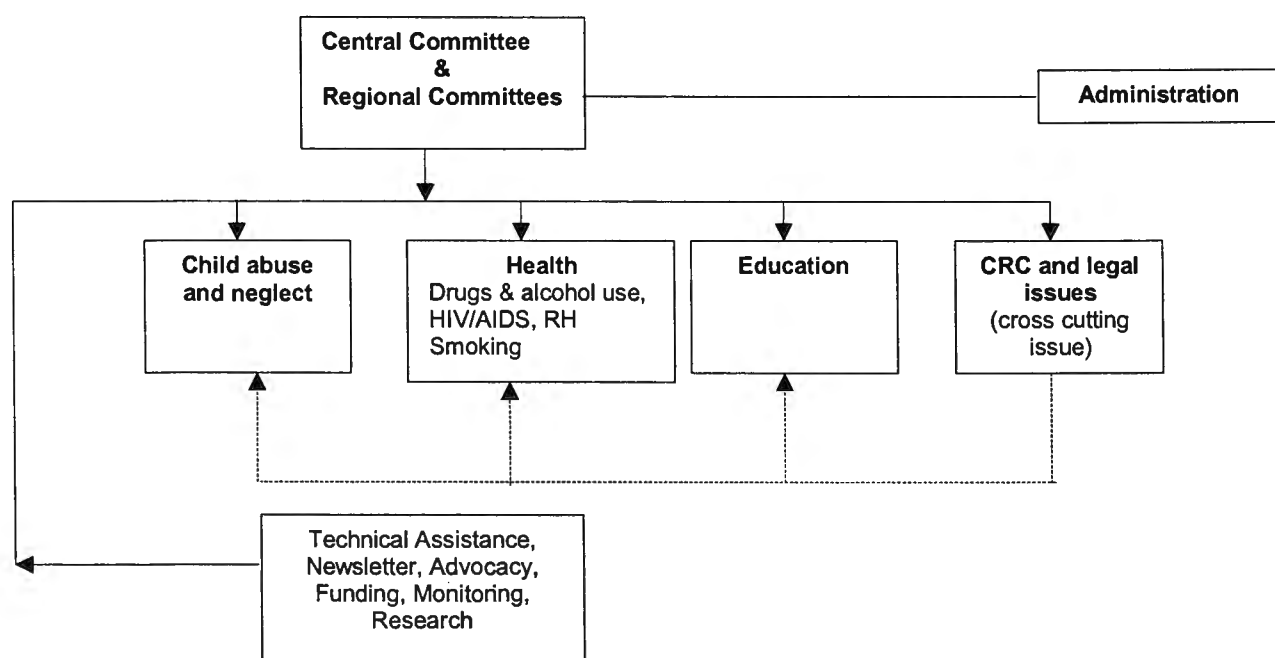

Figure 17 - Suggested structure of the CFN according to project design

The first task of the committee was to appoint a co-ordinator. This process, conducted by a team of three children and three adults, involved advertising, short listing and interviewing prospective candidates. May Ohn, a senior staff member from an INGO and member of the CFN, related how the children took their role very seriously:

> *In CFN children were on an equal footing and that even when we are recruiting staff we have a panel including children and they are tougher than us! They are not afraid to raise the questions. They were really good, for example, 'if you found a child abandoned in front of your house what would you do?' That kind of question. 'Are you genuinely interested in children, can you tell me why?' And actually people being interviewed really took the questions of the kids very seriously (May Ohn, adult committee member)*

When data was collected for this research, the CFN was still in its early formative stages. During the first six months of operation most of the energy of the CFN was directed towards establishing its office, formalising its membership structure and organising a major event, the child protection day that brought all members together for various competitions, games and presentations around the theme of child rights.

The committee has not been as active as envisaged when the CFN was originally established. Time, availability of children (over and above their other duties and interests), distance to travel to meetings and the commitment of network members have all influenced the ability of participants to take part in activities. The length of time between meetings has resulted in a loss of momentum between meetings and varying degrees of ownership from partners.

The separate sub-committees originally planned had, at the time data was collected (and up to the present day), never been established. The CFN has maintained its focus on child rights and has established a code of conduct and membership of the CFN is contingent upon signing. This requires certain standards of child protection and participation in accordance with the CRC. However, there is limited ability for the CFN to actually monitor organisational implementation of these standards or to hold organisations accountable.

CFN programs have focussed on training for network members in the CRC and child protection. They have also worked with UNICEF each year for the celebration of CRC day in November. Increasingly, they have been brought into discussions with international NGOs and UNICEF's government counterparts, to represent the views of children and local organisations. Children have become participants in CFN activities to varying degrees and their involvement has increased over time as they have gained confidence and adults have gained confidence in them. Now they represent the CFN in meetings with government as well:

> So child participation can happen but at one time when we had the meeting at UNCIEF for CRC day, U Myint Thein [Deputy Director for the Department of Social Welfare, he was monopolising the meeting and our kids from the CFN were getting very frustrated so I had to ask him, 'Can you listen please' and then he had to listen. They said that he was not listening to us and they were very frustrated and they started to dislike him and even wanted to leave the room (May Ohn, CFN executive committee member, Save the Children)

Thiha Sane, the CFN coordinator, thinks the children have come a long way since the network first began:

CFN promotes child participation. Children can participate in their own processes. In the beginning of the CFN children were asked to participate, they just did what they were told. Now children can participate and understand that they have a right to do so. They have been involved in producing materials, gathering information, research etc. They can express their feelings and have found that adults are concerned about their feelings.

He notes a number of times when children's participation has been the most beneficial and effective: the start up phase in which the CFN was being planned; during staff recruitment where children were involved in the interview panels; and implementing activities where they can participate in decision-making. He noted that one of the most effective instances of child participation had been a 'child only' planning meeting, during which time the children discussed the theme for the upcoming Child Rights day and submitted their ideas to the Steering Committee and UNICEF. Thiha recalls that the initial intention for children to be part of the steering committee had not been realised but that this was due more to the fact that children were busy with school and other activities, rather than lack of capacity of the children or a reluctance of the adult members to involve them.

While the steering committee essentially decides on CFN activities according to Thiha, children's input is always gathered. Usually this happens during the meetings that are held, where children and adults work in separate groups to discuss ongoing programming. The CFN has maintained this practice of separating groups for discussion, as they still believe that children feel more comfortable discussing issues amongst themselves. Thiha notes how assertive the children have become because of this:

Sometimes children can not think in such a detailed way, they don't know the consequences so adults explain to them until consensus is reached. For example in the planning for Child Protection Day at UNICEF, the children wanted to call the day CRC Day as they felt that protection was only one component of the CRC and wanted a title that encompassed the whole of the CRC. The UNICEF staff didn't want this. The meeting was attended by the DG of Social Welfare and he said that if they wanted to use CRC they would have to inform the CRC Committee. The children still wanted to go ahead with the name change and in the end settled for CRC/Child Protection Day.

Informing the CRC committee meant that government (military and township) authorities would need to become involved, the implications of which Thiha did not think the children fully understood. However, the name change went ahead. Thiha did not know whether or not UNICEF informed the CRC committee but he assumed they did:

The day was very good for the CFN and DSW provided a lot of assistance in identifying the location. First they contacted the sports minister to see if they could get Thu Wa Na Stadium, then Aung Sang Stadium but finally had to settle for La Tha High School. The Deputy Minister for Education attended the day to encourage them.

Thiha suggested that the optimum participation for children would be that they begin to initiate activities and issues, rather than the adults that were involved in the network. He still felt that there was a degree of tokenism in the way in which children participated but he saw a certain process for participation developing, whereby the children would initiate an issue that would then be passed on to the steering committee which, in turn, would result in adults working with children to facilitate the activity. He felt that the children had changed substantially as a result in their involvement with the CFN:

They feel proud of the CFN and that they are a part of a broader network. Some children in orphanages are very isolated, they feel that they are just orphans with nothing and that they have no relation with other children. One child attending the CRC day said in his speech that he felt that the CRC day encouraged him as he discovered that there were lots of other children like him and that he was encouraged in discovering that he had rights...At first they [the children] had no confidence, they were not sure of their roles and responsibilities. They knew they were representing their organisation but not sure why and just listened to the adults. They seemed to agree with everything. Then they started to mention their feelings and ideas but they still seemed to agree with decisions made [by adults]. Now it is different, a little bit changed; children can present their ideas after separate (all children) discussions. Even though not all can express themselves in front of adults some of them are able to present their ideas and decisions.

As for member organisations, Thiha was not conclusive about the changes that had taken place as a result of their membership with the CFN. He felt that some of the smaller organisations were more open to change but that the more established and larger ones were reluctant to give children a greater voice in the way things were run.

Despite its youth, the CFN had taken some major steps towards including children's participation as an underlying operational principle. This had resulted in children being a part of each step of the planning process; from the identification of needs, to the design of the network and funding proposal. Apart from input from the CFN coordinator, data was not gathered relating to the impact of the network on the individual agencies and the children and staff within them. However, as the CFN was only six months old during the research, a fair evaluation of this could not

be made. Observations of the LPK centre indicated that children who were members of the CFN committee, formed for the celebration of Child Protection Day took part with interest and commitment. Child participation within the CFN was not without its challenges however. The committees which were envisaged (depicted in the organisational structure Figure 17) had not materialised. This was primarily due to time constraints on children who had to study and had other responsibilities. Children had yet to take on roles of significant responsibility within the CFN, apart from in the ad hoc committees formed for special events or for interviewing prospective staff and it was not clear as to how this was going to happen. The most significant challenge was one that was beyond the control of the CFN and its members; the difficulty in registration of a rights-based entity within a military regime. Further reflection on these issues will be made in the final chapter.

Phaung Daw Oo Monastic Education School

Phaung Daw Oo Monastic Education School and its small sub-branch in Rangoon is a very different organisation to either World Vision Myanmar or the CFN. The previous chapter already outlined much about the school and this section of the thesis will only focus on those elements of the school which are directly relevant to aspects of children's participation. Reading from the school's website[47] the mission statement clearly articulates its focus on children:

> *Phaung Daw Oo is dedicated to providing quality, free education to the under-privileged children of Mandalay. We will not close our doors to any child in need. We are committed to providing the highest quality of*

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[47] The military regime closely monitors access to the internet and the school's website has been constructed outside of the country through a Buddhist organisation and is, in fact, quite difficult to find. While there is nothing critical of the regime on the website and intelligence sources will be aware of its existence, it has managed to continue though is difficult to update.

standards in our curriculum. To this end, our teaching staff must meet the highest expectation of our program. We believe that all children can succeed in life and find the path to which they may find happiness (U Nayaka)

The school is based on the founders' passion for education and their commitment to achieve their goal against often overwhelming odds, including limited funding and an adverse political environment. The growth of the school was largely possible due to a carefully constructed relationship with the previous Prime Minister, Khin Nyunt, who ensured that registration for the high school was possible (Chapter Seven elaborates further on this). When the research for this thesis was conducted the school was in a period of sustained growth, with support from a number of large donor bodies and individuals and increasing numbers of international teachers and organisations.

A vibrant network of committed groups and individuals has contributed significantly to the rapid growth that has taken place over the past 10 to 15 years. They are not only Burmese, as funding for the school has come principally from foreign donors, both individuals and government. It is illustrative of a model of social capital which will be explored later in this section. Fuelling it firstly is the strength and leadership provided by U Nayaka. The Buddhist principle of 'free thought' (discussed in Chapter Three), which the principal seeks to infuse, provides a solid basis for the inclusion of children in decision-making processes. Working against this, however, is the sheer scale of the school and the overwhelming number of children passing through its gates each day.

Chapter Five looked in some detail at U Nayaka's ideas on childhood and free thought; what he considers to be the central tenet of Buddhism. However, despite various interpretations of what constitutes 'a child', U Nayaka maintains that Buddhist teaching defines maturity as the attainment of higher knowledge, which can happen at any age. This is a promising basis from which participation can grow, however, along with the positive manifestations of free thought and higher knowledge, there are a number of a number of challenges. The first of these is the sheer size of the school. With around 130 staff and over 100 children in a class, participatory processes of any form are difficult. As already noted, this generally requires a focus on discipline and extremely didactic teaching which, given the excessive class numbers, is hardly surprising. Physical punishment of children, however, is not allowed. In addition to direct teaching staff there is an administrative body of around 30. The clinic program, an integral component of the school, is staffed by volunteer doctors and 4 school graduates who have been trained in basic nursing care. The management structure appears in Figure 18 and illustrates how, for management issues, staff refer to U Nayaka for many decisions. This deference is reinforced by the culturally ascribed high esteem in which senior religious leaders are held. This is especially true of the children at the school who have been brought up to revere monks. Thus, despite his protestations and urging staff and students to use their own initiative and rely on 'free thought', on a daily basis, this translates into many people seeking out U Nayaka's advice or approval for even the most straightforward of decisions. Participation is therefore hampered by a 'disconnect' between the cultural authority of monks along with the traditional management hierarchy of the school, and its underlying progressive liberal

philosophy that requires people to take responsibility for their own actions and to utilise their own freedom of thought.
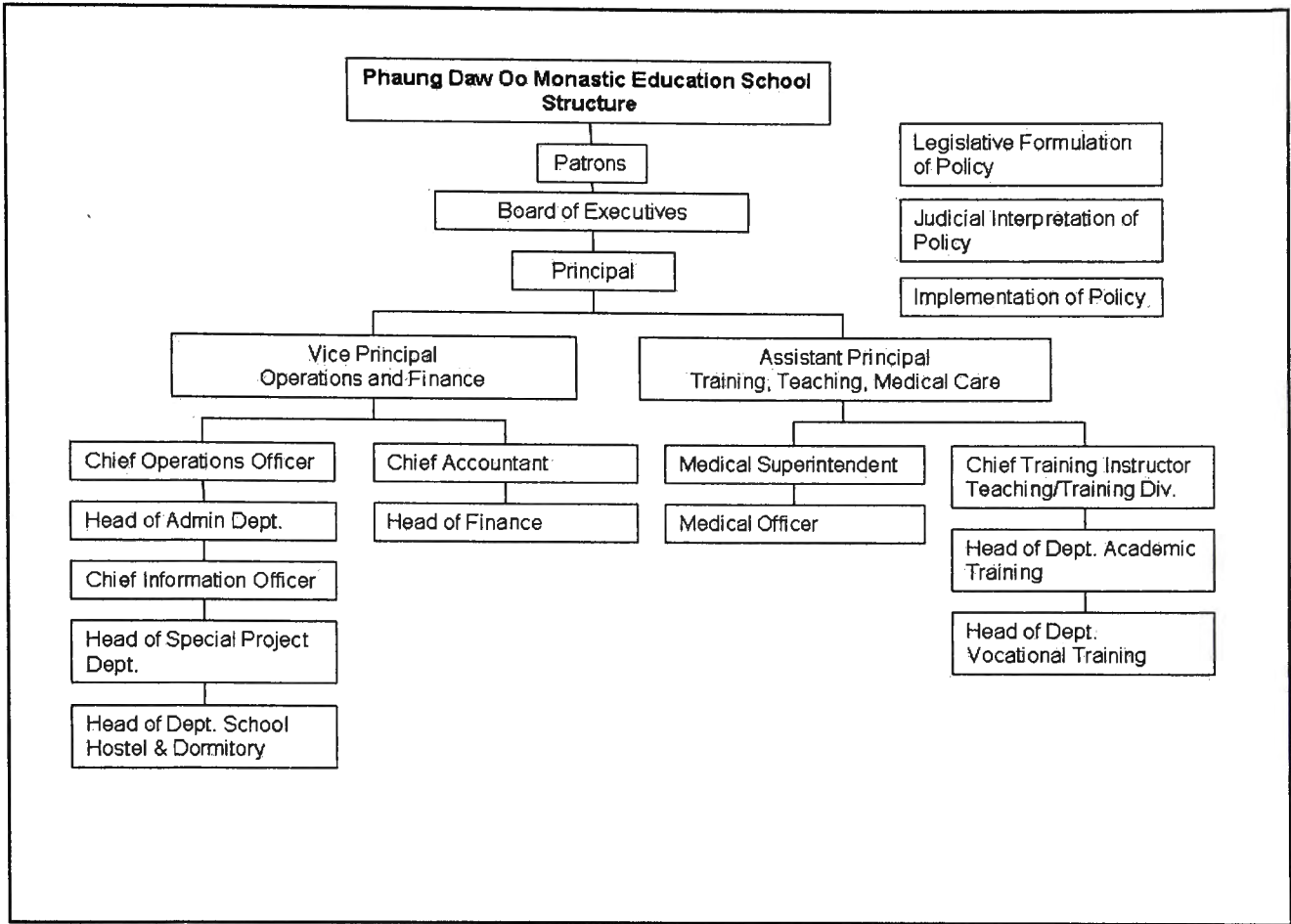

Figure 18 - Structure of Phaung Daw Oo

The second challenge to participation lies in the political environment in which the school operates. Simply because the school is registered, has substantial infrastructure and is highly successful on many levels, does not guarantee that it will not be closed at any time by the authorities. In fact, U Nayaka suggests that this is a constant risk. He revealed to me that the success of his school has resulted in many parents withdrawing their children from nearby government schools and sending them to PDO to get a better education. This has raised the ire, suspicion and jealousy of the Ministry of Education and, in turn, the Divisional

Commander of Mandalay (himself very senior in the regime hierarchy). However, the patronage of a senior government official (Khin Nyunt) allows the school to operate unhindered by other government bodies[48]. The impact of this situation on the ability of the school to implement participative processes is not immediately evident. However, as the school is under the watchful eye of the authorities, any aspect that stands out from the norm raises suspicion. Chapter Three referred to the active role of students in the political movements of the past, as well as the contemporary government policies of moving university campuses away from key strategic cities. The regime is wary of students and any move to empower them or to encourage their independent thought could be seen as a threat.

Despite these deep-seated impediments, U Nayaka has attempted to develop systems through which his staff and teachers can begin to take greater responsibility for their own actions and to participate more fully. U Nayaka sees education as a life long process, both in terms of ongoing learning, as well as ongoing involvement within his school 'family'. He begins to nurture future leaders from a young age. This is evident in a number of ways. Firstly, it can be seen in the development of what U Nayaka calls 'special classes'. One of the more innovative aspects of the school has been the selection of more gifted students to study entirely in English (apart from regular Myanmar lessons) with small classes of between 20 and 30 children. These children (totalling about 150 in all, in standards one to four) not only have access to modern learning facilities (such as a language laboratory and English library[49]) but also to foreign teachers who

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[48] Reference has already been made to the downfall of Khin Nyunt which took place after data was collected for the thesis. The result of Khin Nyunt's fall on the school are documented Chapter 7.
[49] Constructed through donations from foreign donors.

volunteer their time on a regular basis[50]. These students have already been earmarked as leaders of the future and are encouraged to be more outspoken and to participate more in both their own learning as well as the day to day decision-making of school life.

The second way in which U Nayaka seeks to nurture young leaders is with students who have recently completed their high school examinations. Promising leaders are encouraged to take on roles within the school, either in administration or in tuition or teaching. Opportunities are then given for these children to continue their study in English, computer or other fields of interest to them and the school while simultaneously maintaining their volunteer role at the school. This reflects an 'enclosed social network', relying on young leaders to be identified in their early years and to be groomed gradually to take a role in the school when they complete their studies. Often this means they are still only 16 or 17 years old. Hazalit and Ko U were both only 16 when they moved to Rangoon to look after the tutoring of the novices in the monastery, at the same time as furthering their own education at the local British Council. These two boys took on much of the responsibility for the discipline, extra curricular activities and tutoring of the novices who were only a few years younger then they were.

U Nayaka's approach to the participation of children was neither an intentional strategy for children's involvement in decision-making as was the case in the CFN, nor was it a means for children to become more influential within the management of a particular program, as was the case in the LPK Centre. Rather, it reflected the

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[50] There are generally at least 10 foreign teachers in the school at any given time. However, following Khin Nyunt's demise the situation for these teachers changed substantially. This will be further elaborated upon in the final chapter.

particular Buddhist philosophy that underpinned the entire school and echoed respect, responsibility, free thought and wisdom. The sheer size and nature of the school program made options for the participation of all children very difficult to orchestrate, indeed this did not appear to be U Nayaka's aim. Rather the school environment allowed for children to take initiative if they so desired, and children who showed interest and potential for leadership were identified to take on more responsible roles progressively within the school hierarchy, as time, interest and encouragement dictated. This approach raises questions about the extent to which organisations can allow for participative inclusion of all children and the degree to which participative strategies are either selective or universal. These issues will be discussed further in the following section.

Implications and discussion

The previous chapter indicated that children play numerous roles within Burmese society. Unlike most Western countries, many children in Burma do not spend an extended period at school. They often work from a young age and carry a considerable amount of responsibility for the family. Because of this, they appear to be far more integrated into the day to day events of Burmese society, if for no other reason than that they are not invisible (isolated within a school building for long hours) but at work, in the streets, in shops, in farms and fields, often working side by side with adults. However, involving children in the decision-making processes of an organisation or a community and society is quite a different phenomenon. Chapter Six has described the way in which three organisations seek to involve children, in a variety of ways, in their respective programs. In turn, a number of conceptual and practical implications arise.

Time and praxis

Time is imperative and must be allowed for ideas of participation to be understood and implemented. Both children and adults needed the space to overcome the often culturally based, preconceived notions of inter-generational communication. World Vision Myanmar's street children project needed substantial time for adults involved in the program to see that there were alternative ways in which they could relate to children. Children needed time to overcome their mistrust and suspicion of adults and to gain confidence in their own ability to voice their opinions. In a similar way, children and adults involved in the CFN needed time to understand new concepts and to learn to work together. Time was needed in PDO for cultural constraints in communication to be overcome.

There was a fundamental difference between the CFN and the other two organisations, in relation to the role that time played in the development of participatory processes. For PDO and, in particular, the World Vision Myanmar LPK program, time allowed for the 'evolution' of participatory ideas. For the CFN, however, time was programmed for specific participatory activities to take place. Unstructured time, as was the case in the World Vision Myanmar LPK Centre, can allow for interpersonal relationships to grow. If children are to feel comfortable in participating, there is a need for trust and understanding that can only come about through allowing less structured opportunities for interaction between children and adults, during which traditional hierarchies or culturally ascribed roles can be put aside. As was the case with the LPK program, however, new participants have the potential to disrupt participatory processes and participatory frameworks and strategies need to be developed to incorporate this possibility.

Developing participatory processes does not always need the significant time that was the case in the LPK centre. As the CFN meetings showed, given good facilitation and structured events, in which children are allowed the space to voice opinions on their own terms and in the absence of adults, participation can occur with relative speed. Given the time bound nature of most development projects, structuring interaction between adults and children under the guidance of a skilled facilitator is the most likely course of action for the development of participatory processes. However, the principles of allowing space for children and adults to process ways of relating, that can often be at significant odds with their own cultural preconceptions, remains a vital consideration.

Leadership

Leadership was shown to be a vital element in the development of participatory processes from two perspectives. Firstly, organisational leadership has a significant impact on the way in which children's participation is integrated within a development program. It is an important aspect of any organisation, as leaders can intentionally plan to take on the structural changes that child participation might demand. Leaders can provide a clear vision for participatory processes and the inclusion of children. The strongest leadership in this regard was found in PDO where U Nayaka led by example and, despite cultural expectations placed on him by both adults and children, always maintained that children should make their own decisions and exercise their own 'free thought'. The leadership of the CFN, and the intentional planning for participation that this resulted in, was also a key factor in pushing forward the participation agenda. In the LPK centre, creative leadership

identified strategies (such as the evaluation) to help both staff and children see the benefits of collaboration and participation.

Secondly, the opportunity for children to develop their own skills and to take positions of leadership within programs had a significant influence over the manner in which participation progressed. Each organisation displayed different strategies to develop child leaders. Phaung Daw Oo, as mentioned previously, identified promising students as they made their way through the school system. This began in the early years where a small percentage of students were selected for the 'special (English language) stream'. Even though positions of leadership within the school for these younger students were some years away, it was clear that they were being groomed to take such responsibility. Older children, in the senior grades of the school took a number of different roles, including mentoring other students, office and administrative work and peer leadership roles. These children were generally selected by teaching staff and the schools' leaders, including U Nayaka. There was no single way in which children were identified for leadership. Often it was because their elder sibling had taken such a role, sometimes a student volunteered or stood out from their peers and was chosen by a teacher for some purpose.

Child members of the CFN were selected by their own organisations using criteria set by the CFN, that children had to be literate and already holding some kind of authority within their respective organisations. Most organisations called for volunteers to come along to meetings. Some appointed children based on the criteria. In the course of CFN activities, children often volunteered for specific

tasks, such as being part of the interview panel for staff or for the organising committee for the child protection day.

The LPK Centre was the only program in which children were elected by their constituents, although this strategy was not sustainable in the long term. The team of children elected for the evaluation, which was recommended to maintain its leadership role, was disbanded as some children moved from the LPK Centre to the hostels and others left the program. Ongoing elections to replace children who had left were problematic, as the nature of the centre meant that children came and went as they pleased, and there were always new children arriving and existing children moving on. Thus, constantly explaining the rationale behind elections and the importance of having children in positions of leadership became onerous. The more formal system of elections was replaced by a system, similar to PDO, in which children were identified by staff for their leadership potential and given positions of responsibility. The LPK Centre was also the only program to experiment with the idea of children applying for peer leadership roles (in the HIV peer education program) as though for a job. This strategy, while it was for a specific purpose, proved highly successful, at least for the duration of the peer outreach program.

All three organisations found it challenging to enable all children to participate. Each organisation managed this situation in a different way, identifying leaders to represent their peers; through election, through selection by an adult staff member or through self-selection. The dilemma in each of these scenarios is how to ensure that the selection of child leaders (no matter how it takes place) becomes an

equitable process. There is no single solution to this and perhaps the best that organisations can do is to be constantly aware of the repercussions of choosing one child over another and to discuss processes with children and gain consensus with them about the best way forward.

A second challenge to developing leadership amongst children, emanating from this analysis, is the degree to which adults themselves become involved in children's participation. Again, all three organisations had different approaches to this, although it was unclear as to whether or not this issue was ever openly discussed in any of them. Obviously none of the organisations bore much resemblance to the Child Clubs of Nepal (discussed in Chapter Two) which, from their inception, sought to be child led. Nor did any of them set out to place *'children in charge'* where, *'children decide what to do and adults get involved only if children ask for their help'* as with the upper level of Franklin's (1998) model of participation (also discussed in Chapter Two). However, this does not necessarily make them any 'less participative' in nature. Rather than being prescriptive about the manner and degree to which adults might become involved with child participatory process, some general principles for the involvement of adults arise from the examples above. Firstly, a consistent dialogue with children must be maintained. Data collected from all three programs suggested that children are able to understand sophisticated dilemmas and to make rational decisions. They can help guide adults in understanding when their input is needed and when it is not. Secondly, processes that allow children to take on the level of responsibility with which they feel comfortable, need to be established. The LPK program found some creative ways through which to do this, through the election process they

developed and, subsequently through allowing children to volunteer their time on ad hoc committees. There are many simple and non-threatening tools that could be used to communicate with children, allowing them to make their own decision as to the degree they feel ready to participate. Notice boards, regular meetings and news letters are strategies that are easy to use and are accessible to all. Finally, adults within programs must constantly remind themselves and each other of the need to engage children about all issues. Consultation is a basic principle of good development and one that is equally applicable to children.

Organisational structures

Leadership is integral to organisational structure and it also plays a vital role in integrating children's participation into programming. Structure refers to both the

Figure 19 - World Vision Myanmar Organisational Structure

staffing hierarchy as well as the type of programs being implemented. Figure 19 below shows World Vision Myanmar's organisational structure, the structure of the other two organisations has already been considered. As the primary focus of all three organisations is on children, it is necessary to reflect on how these structures assist or impede children's participation. PDO's structure (see Figure 18) reinforces the cultural values that place the abbot at the top of the school's hierarchy. In many instances, this directly contradicts the abbot's wishes that staff and students take more responsibility and make their own decisions. In the same way, the structure of World Vision Myanmar, while somewhat less hierarchical, does not include children or any other program 'beneficiaries' within the structure of a project. The only organisation to do this was the CFN (see Figure 17) and it has had considerable success in encouraging the direct participation of children in a broad range of organisational functions. Structure is a vital component of the way in which organisations can either open themselves up to or remain closed to the participation of children. Organisations wanting to encourage participation need a structure that intentionally allows for decision-making to be decentralised and through which children are able to take on positions of responsibility. In each of the organisations discussed above, this has happened in different ways. CFN has intentionally set out to include children in positions of management and decision-making. However, they face difficulties in the individual partner organisations, fully understanding the concept and then allowing time for the children to take on these roles. Children themselves had difficulty in finding the time necessary for ongoing participation. World Vision Myanmar is large and diverse and children participated to varying degrees in some programs but not in others. This was largely dependent on the age of the children, the commitment and understanding of the

staff and the capacity of the children to take on such roles. In the World Vision Myanmar program it was more likely for children without familial responsibilities (i.e. street children and orphans totally dependent on World Vision) to take on roles within the organisation.

The importance of patient and supportive leadership and opportunities for children to take on roles when they feel ready should not be underestimated. As with so many aspects of organisational change, a 'champion' for children's participation in a position of leadership, can have a formidable impact on policy and decision-making. However, a champion is not always sufficient, as illustrated within the PDO school where even the abbot, who champions the cause for children's rights, struggles against the deeply engrained structural impediments within his school.

Organisational history and values

The organisational history and the way in which this influences people's concepts of children and childhood can affect the way in which participation is conceptualised within an organisation. The historical roots of an organisation relate to its institutional norms and values which, in turn, help shape the way in which staff in a development project might treat children. Furthermore, they may have an influence over the way in which children are perceived, for example, whether from a welfare or a religious point of view. This was illustrated in the difference in World Vision Myanmar LPK staff who had worked from a rights based perspective and who showed a far more empowering attitude towards children, when compared with their ADP counterparts who saw children primarily as objects of charity. In PDO, U Nayaka reflected the Buddhist principle of free thought which had a substantial impact on the manner in which children were treated within the

school system. The CFN, taking a rights based approach, intentionally included the participation of children as a prerequisite for organisations wishing to be involved, hence sending a very clear message that children and the views that they expressed were of value.

Organisational values are not static, as they are also influenced by the individuals within an organisation. Even organisations that have a pro-participation ethos must recognise that staff bring with them their own experience and understanding of childhood which will affect the way in which participation is integrated within a development project. Out of the three organisations reviewed, the CFN was probably the only organisation to begin to structurally address this from the outset, ensuring that all new staff were interviewed by children and found to be supportive of a participation agenda.

Good development practice and principles

Good development practices and principles are equally applicable to children and adults. As Chapter Two emphasised, good development, engages those who might benefit from a development initiative in the entire 'project cycle', from its inception through to an analysis of need for planning, implementing, monitoring and evaluation. The first step of any development programming should include the collection of data that identifies the problem or development issue to be addressed. This should include prospective 'beneficiaries' in the collecting and analysing data, as was the case with the LPK drop-in-centre program and with the start up phase of the CFN. As Chapter Two noted, involving children in research raises ethical issues and these must be taken into account. Extensive thought has been put into

how children's rights might be upheld in the research process (see Kirby, 2004, Ennew and Plateau, 2004).

Good development practice will ensure that programming for participation takes place from the beginning of a program, as was apparent in the CFN. The World Vision Myanmar Street Children's Program, while it gradually moved towards sound participatory processes, raises the hypothetical question as to whether it would have experienced fewer problems relating to discipline, had it incorporated good participatory development and engaged children in the planning and implementation from the very beginning.

At a micro-level, good development requires the effective facilitation of development processes. As CFN meetings illustrated, when adults and children are thrust together, there is sometimes a need for age based discussions if children are to feel the necessary freedom to voice an opinion. Sometimes children require the assistance of an empathetic adult to facilitate or to be a conduit for communicating their thoughts to others. Children's participation should not necessarily mean that children do everything themselves: just as in a representative democracy, politicians are tasked to voice the opinion of their constituents, so too will adults and more confident children need to represent the opinions of others.

This, in turn, raises issues of representation and it is necessary that processes and procedures are put in place to ensure that all children involved in a particular development project or program have the opportunity for their voice to be heard. The onus must fall on organisations implementing programs for children to be more

inclusive of children's points of view in every aspect of operation. A clear example of representation was found in the evaluation process for the World Vision Myanmar LPK program. This illustrated the fact that even in the most autocratic of societies it is possible to introduce ideas of representational democracy. For a small project, the issue of representation does not appear too daunting. However, for other World Vision Myanmar programs, such as the ADPs, with thousands of children, the incorporation of representational decision-making is considerably more complex. Exploring how this might be possible was beyond the scope of the present research. However, as Chapter Two noted, on an even larger (national) scale, some experts in the United Kingdom are advocating for the lowering of the voting age to 14 (Thomas and Hocking, 2003).

Good development practice does not force people to participate, and ensures that what might be considered new and challenging ways of thinking are introduced in a culturally appropriate way, not simply accepting existing barriers but building on cultural potential to increase the opportunity for participation. U Nayaka's underlying Buddhist philosophy of free thought was a clear illustration of this. Good development practice also allows space for children who do not want to participate and ensures that participatory processes do not themselves become a means through which children might be put at risk.

Social capital

Participation should logically encourage the development of social networks and situations in which children and adults can engage with each other about areas of common concern. This, in turn, is likely to bring about the development of social capital for children, as was the case in the LPK centre when trust, norms and

networks developed which facilitated co-operation for mutual benefit (as per Putnam, 1993). The data collected indicated that social capital is an important element of participation but one that has not yet been fully explored. Participation should not be an activity that is 'done' in a project but an approach that underlies the development of relationships and activity. As mentioned in Chapter Two, Thomas and Hocking (2003) identify that in Western societies (and in particular the UK) there has been a trend towards individualisation, resulting in decreasing responsibility for the care and nurture of children by anyone but the child's immediate family. This is concomitant with early theoretical model of 'gemeinschaft' and 'gesellschaft' and community development and urbanisation as posited by Tonnies (also discussed in Chapter Two). The situation of children in Burma is, obviously, different to that of children in the East End of London. However, this study has uncovered relevant insights into the role of social capital as it relates to participation. Data collected from both adult and child respondents would suggest that children are able to generate quite complex social networks through work, family, cultural and religious interactions. Arguably, such interactions are scarce for children in western societies where individualisation is becoming increasingly pronounced due to a multitude of factors, and the ability of children to move outside of the immediate family circle to engage with others, particularly adults, through their own volition, more and more difficult.

Participation must be kept in balance with child protection but not overridden by it. As Sachs and Mellor (2005) suggest, the issue of child protection in Australia has become one of the most significant issues of our times, resulting in a good deal of fear and panic generated as a result of, amongst other things, the media, specific enquiries, and the evidence of abuse of children within a variety of public and

private institutions. The commonly accepted discourse of child protection would have adults encourage children not to trust or talk to strangers ('stranger danger') and be watchful and vigilant over their children's every move. Logically then, adults will be more likely to discourage children from creating their own social networks and social capital, making them, by inference, less able to participate in the world around them. A country like Burma, with comparatively lax formal and legal child protection measures, may act conversely, being, ironically, somewhat more supportive of children developing their own social networks and social capital and, by inference, more likely to participate in the world around them. Empirical research, as discussed in the previous chapter, would suggest that this is the case, despite the hierarchical nature of society in which adults generally have the final say. As children become part of a social network, they begin to create relationships and therefore able to exert influence. As a result the extent to which children are able to participate changes. Culturally sanctioned norms of behaviour and traditional forms of hierarchy can give way to new ideas and opportunities as was the case with the LPK program.

Conclusion

Emerging from this analysis is the need for a more nuanced theoretical framework for participation. A framework is required that is not as hierarchical as previous models and broad enough to allow for the various realms of influence, described in the previous chapter, to be taken into account. That is, it should acknowledge the participatory roles that children play as a result of the narrative, socio-political and individual influences of which children are integral parts. The following chapter proposes such a framework, suggesting three levels of participation (scripted,

implicit, and explicit) that are influenced by the different realms discussed in Chapter Four. Each level should not be seen in terms of one being more or less 'participative' than the other, even though there is an obvious progression. Rather, the levels seek to capture the environment within which different kinds of participation become more or less possible.

Participation: A New Framework for Analysis

Introduction

The previous chapters have suggested a number of steps towards identifying a new paradigm for the analysis of children's participation. Firstly, it is clear that participation, now seen as a vital element of community development programs, has complex antecedents relating to a variety of other discourses, including those on human rights and gender. The child participation discourse is becoming increasingly recognised in the development world, particularly amongst some of the larger child focussed organisations such as UNICEF, World Vision and Save the Children. In relation to children, understanding participation demands a sociological re-examination of the meaning of childhood. However, literature relating to children and participation is very much 'rights based' in its conceptual and theoretical foundations.

Secondly, literature looking specifically at the conditions of childhood in Burma has been analysed to show that Burmese children live in a country that is economically destitute, lacks basic health and educational infrastructure, and holds scant opportunity for children and young people wishing to fulfil their potential. Despite this, children and families continue to survive and in some cases even progress. It is suggested that this may be due in part to some of the social networks (and social capital) that have developed in the country. Social capital, while related to

community development has not been well represented in the participation discourse, and there is scant analysis of social capital in relation to children.

At a macro level the ethical dilemma with children's participation lies in defining how and to what extent children should be involved in the totality of the human experience. This can be analysed from different perspectives. A human rights perspective suggests that children are human and therefore have inherent universal rights, including the right to participate. A psychological developmental perspective suggests that children 'evolve' through certain stages of growth which result in particular capacities and end in a mature adult. The capacity to participate is therefore dependent upon a range of psychological, emotional and physical antecedents. A sociological perspective begins to bring rights and psychology together, asserting that children should be seen as social beings in their own right, capable of making their own social networks, and having their own world view.

Overshadowing these different perspectives as a discursive 'umbrella' as it were, are the numerous filters through which adults and children understand the phenomenon of childhood itself. Culture is a particularly important filter and implies that childhood is not the same universal experience. Each culture has developed its own perspective on age and responsibility, familial and community hierarchy and rites of passage. These understandings are reinforced through bodies of literature, religion and changing social values. 'Globalisation' is a more recent filter that acts as a vehicle for the promotion of certain ideals and ideas about childhood that may concur or clash with existing cultural understandings.

Of course none of these perspectives exist in isolation from the other and to a degree they all have some merit. They are also dynamic in that they change as a result of their interaction with each other. For example, cultural norms around childhood can be influenced by globalisation. If we are to believe that participation is inherently good, a comprehensive framework for understanding participation must take all of these different perspectives into account.

Based on the theoretical discussion in Chapters Two and Three, and reflection on the empirical data of Chapters Four and Five, the possibility for a new framework for the analysis of children's participation emerges. This is part of the new contribution that this thesis makes in relation to children and development. The framework delineates three interrelated realms that help describe the way in which society embodies childhood: the personal; the socio-political and the narrative. It also identifies a more nuanced way to look at participation programs for children being implemented through development organisations.

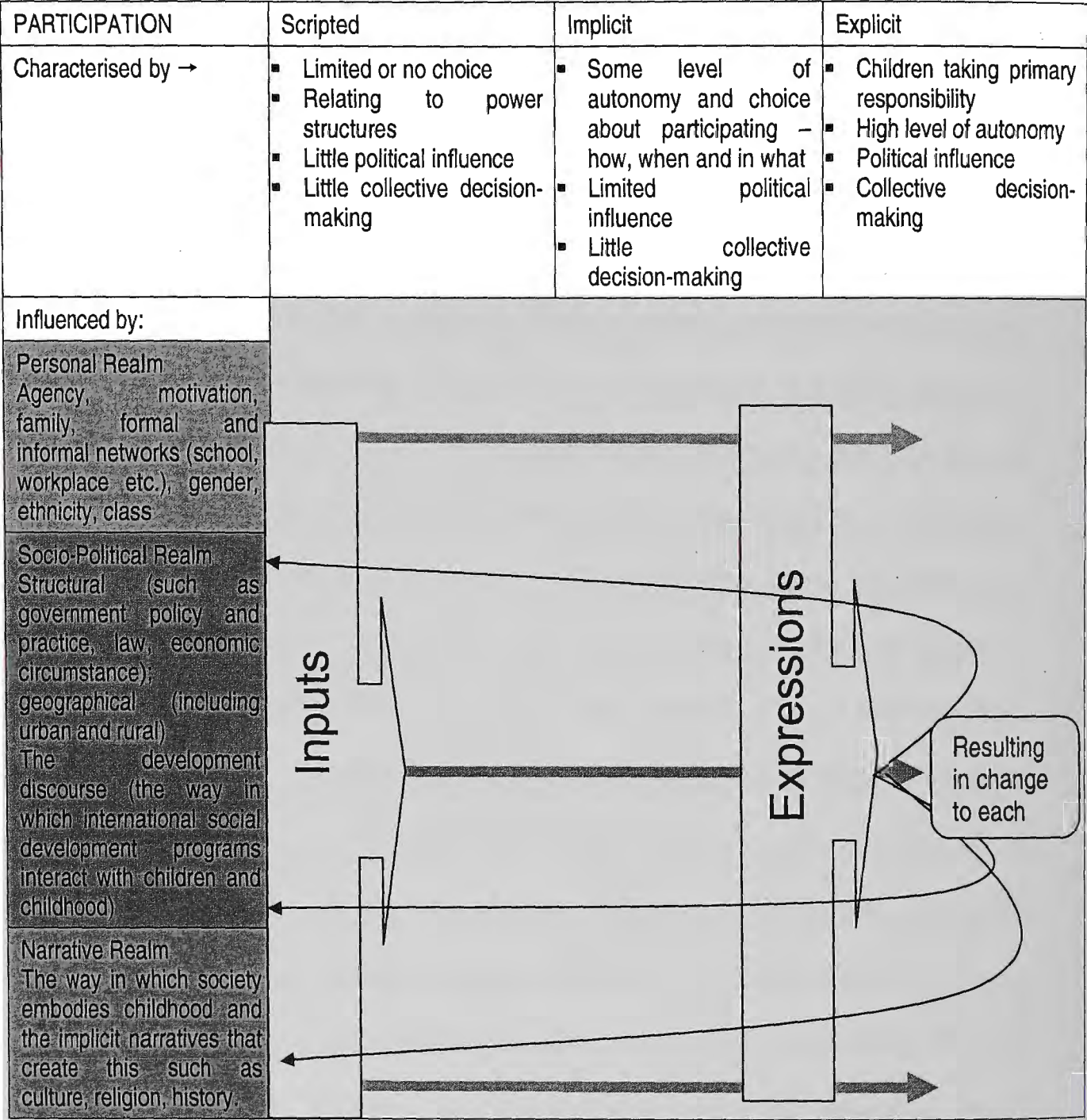# A new framework for understanding child participation

PARTICIPATION	Scripted	Implicit	Explicit
Characterised by →	▪ Limited or no choice ▪ Relating to power structures ▪ Little political influence ▪ Little collective decision-making	▪ Some level of autonomy and choice about participating – how, when and in what ▪ Limited political influence ▪ Little collective decision-making	▪ Children taking primary responsibility ▪ High level of autonomy ▪ Political influence ▪ Collective decision-making
Influenced by:			

Figure 20 - A multi-dimensional framework for children's participation

This is a multidimensional framework that suggests a progression in participation

from scripted to explicit along the horizontal axis and recognises a number of

realms of influence over the way in which participation might be seen and interpreted that form the vertical axis.

Basic principles of the framework

This framework is underpinned by a number of basic principles. Acknowledging that participation is complex and difficult to define, the framework broadly adheres to the definition suggested in Chapter Two that participation is a process whereby participants take control over outcomes through a process of consensual decision-making that benefit the whole (as opposed to individuals within the group). Participation also incorporates the development of skills that enable the act of consensus and necessarily involves the opinions of all involved to be taken into account resulting in an equitable sharing of resources and outcomes of any particular endeavour.

Acknowledging that participation and the ability to participate is in most cases a gradual process through which people learn skills to enable meaningful participation, the framework does not assume evolution in a hierarchical manner or that the ultimate aim of children's participation should be to have children in control. Children participate in many forms which at times may be enforced; however most forms of participation should be acknowledged as that, and interpreted within the broader context of the child's family, community and socio-political circumstances.

The notion of 'community' outlined in the framework refers to the broadest sense of the term and could include physical community such as family or school; a

geographic community such as the neighbourhood in which one resides; a club or a network to which one belongs either formally or informally. The framework sees participation not simply as the act of taking part but also as a mental and emotional perception reflective of the belief that someone else's perspective is of value; that is the value of participation is internalised and seen as of intrinsic value.

The three major categories of participation do imply some form of progression in terms of the child's autonomy in deciding whether to participate or not. They also identify that this progression is based on a complex web of personal, social and political factors that may operate differently in different situations and for different children in similar situations.

The framework recognises the fact that children cannot all be looked at in the same way: an individual child's ability to participate is influenced by a multitude of factors and each child may be affected quite differently by the same factors. There is interdependence within each realm as there is between realms. For example a child may be encouraged by parents to take part in decision-making processes in the home; a decision that has, in part been made as a result of factors from both the socio-economic realm (e.g. parents having had access to educational thought encouraging participation) and the narrative realm (such as a particular religious belief that children's views should be respected). In turn, children given the opportunity to participate will develop greater self confidence and influence and the ability to participate to a greater extent in the future.

Types of participation

There are three categories of participation that form the horizontal plane of the framework:

Scripted participation

It is suggested that there is a societal 'script' (based on culture and social norms) that informs how and when children are encouraged to participate and that children are expected to conform to this. Different communities may have different 'scripts' and therefore different expectations although overall, scripted participation is defined by a lack of real choice for the child. This should not be interpreted as a necessarily bad thing, rather it acknowledges that there are societal and parental hopes and expectations for children that reflect culture and traditions (such as Shin Pyu – novitiation - or baptism) and that these are an integral part of the way in which children are raised and brought to maturity. By participating in them, children learn skills that they will need in later life and at the same time participate in a representational sense.

Scripted participation assumes that there are certain decision-making processes within society that have an influence over what children are permitted to do even though they may be capable of more and that children do not have a great deal of access to them. For example, in most families children are expected to undertake certain chores or duties. Their participation should be no less valued or acknowledged because of this.

Scripted participation assumes that there are certain established power structures in society and children fit into this hierarchy although they are not powerless within

them. One such structure is the family and while it is generally accepted that parental authority is primary within the family, children develop a variety of skills and techniques to have their voices heard.

Scripted participation, therefore, is characterised by little personal choice on the part of the child over whether to participate keeping in mind the fact that we are all expected to do certain things regardless of age and that choice and responsibility go hand in hand. Scripted participation is a part of a learning process to understand and respect the rights and responsibilities of others with little political influence in regards to its impact on structures of power and hierarchy and within that little collective decision-making power (i.e. children are not recognised as an active constituency).

Implicit participation

Implicit participation differs from scripted participation in that family and community show recognition of the inherent value of the child's contribution. This may be in an economic sense or with a child contributing in some way to the running or the home, caring for siblings for example, or in a consultative sense whereby those close to the child consult as they see value in the child's perspective. Implicit participation displays some level of autonomy and choice about participating. The degree, time and nature of participation is characterised by limited political influence. That is, it may have an impact on power structures within the family and community although children as a group will have little collective decision-making ability within the community, despite the recognition that their perspectives should be listened to and understood.

At this point there is a realisation that the child's point of view has inherent value and should be sought out. Implicit participation maintains the status quo, upholding existing values and social norms around childhood.

Explicit participation

Explicit participation is characterised by children taking primary responsibility although not necessarily being in command of matters affecting them. Children are perceived by themselves and others to possess a high level of autonomy and accompanying responsibility and their actions individually and collectively have potential for political influence and affecting power structures. Explicit participation acknowledges that children have their own sociological integrity that is valuable in and of itself. Children within the drop-in-centre, who took on positions of leadership and expressed their views and the views of others in planning sessions, demonstrated explicit participation.

Realms of influence

The framework includes a number of important contextual factors that have a direct influence over the way in which childhood is constructed within society. These factors have been grouped under various realms in the vertical plane of the framework. The realms are overlapping and interrelated:

The personal realm

The personal realm recognises a child's agency. That is the ability or potential of the child to act upon circumstances that affect him/her. This depends on aspects of the child's personality (such as intellect, status, gender) and immediate environment which have a direct influence on behaviour and the ability of the child to exert influence over a given situation. The personal realm includes social

networks that the child has developed and accords the child has status as a sociological entity in his/her own right. Social capital that a child has built is a vital part of the personal realm and recognises the ability of children to develop social capital both within the family context as well as the context external to the immediate family environment – in school, work. Social capital also relates to the way in which the child might assist in linking different external contexts both for him/herself as well as for family members or members of other social networks.

The socio-political realm

There are many factors that are beyond the immediate control of the child (and in most cases the family) that have an impact on the extent to which children can take part in community in the broadest sense. These make up the socio-political realm of influence. Aspects of this realm are contemporary, economic and political. They create an environment which either enables or works against participation or perhaps does both simultaneously. The socio-political realm is about structures of power within society generally beyond the immediate control of the individual. Legal systems for example, are part of this realm: they are decided upon by the state and set limits to behaviour. This realm includes issues such as geographic identity and its impact on childhood, such as the difference between urban and rural lifestyles. The socio-political realm also includes, in the case of Burma, the way in which the country relates to the international political and development arena.

The narrative realm

This refers to the way in which society constructs and articulates its perception of childhood and children. People are conditioned through education, cultural, historical and religious expectations to believe that understandings and concepts of childhood were always looked upon in the way they are at the present time. The narrative realm is not static, however, and subtle changes often occur as new as new influential factors are introduced. This realm is often unspoken and seldom analysed in any depth because people believe it was always like that.

This framework can be used to analyse children as 'individual participants' in the world around them as well as organisations and structures that constitute society and the way in which they either promote or detract from children's capacity to participate. The primary difference between this and linear participation models such as Hart and Arnstein is that this framework does not simply accept the dominant rights perspective that seems to be pushing the participation agenda at present. While rights are definitely a part of the socio-political realm and have an impact on children's agency and the legal and policy environment, they are not the only factor that should be taken into account when addressing issues of participation. In addition, the framework allows for the possible identification of examples of children's lived experience that do not always sit neatly in one category or the other as implied by Hart's ladder. Rather, as is arguably the case with most adults, forms of participation cut across and move between categories. The following page shows some examples of how the framework was used to develop the analysis in Chapters Four and Five.

PARTICIPATION	Scripted	Implicit	Explicit
Characterised by →	• Limited or no choice • Relating to power structures • Little political influence • Little collective decision-making	• Some level of autonomy and choice about participating – how, when and in what • Limited political influence • Little collective decision-making	• Children taking primary responsibility • High level of autonomy • Political influence • Collective decision-making
Influenced by: Personal Realm: Agency, motivation, family, formal and informal networks (school, workplace etc.), gender, ethnicity, class	▫ Cultural expectation on girls to stay in the home and to be submissive ▫ Younger children have responsibility ▫ Children need to learn how to participate and to develop the necessary skills and attributes for increased participation	▫ Expectations placed on girls to stay at home leads to greater responsibility in the home for decision-making ▫ Expectations on boys to play active economic role leads to growing independence and contribution to family wellbeing ▫ Children need to learn how to participate and are developing some skills and attributes for increased participation	▫ Opportunity for leadership within community environment (such as the drop-in-centre or the CFN or PDO) enables children to participate with high level of autonomy and influence ▫ Children and adults given space to form relationships encourages participation ▫ Children continue to learn how to participate and to develop the necessary skills and attributes for increased participation
Influenced by: Socio-Political Realm: Structural (such as government policy and practice, law, economic circumstance), geographical (including urban and rural). The development discourse (the way in which international social development programs interact with children and childhood)	▫ Military regime promotes a climate of fear and mistrust → people have very few life choices in general, there are generally no democratic processes at all and, therefore, children have nothing on which to model behaviour ▫ Military is 'colonising' existing religious structures such as the sangha and using Buddhist systems to maintain control	▫ Children's work and economic necessity → encourages children's independence from an early age ▫ Protecting children → can encourage parents or policy makers to allow limited participation ▫ Children involved in different NGO & community projects have opportunity to participate in various activities	▫ Children as bearers of rights → encourages children and community to allow children a voice ▫ Social capital – such as in PDO can encourage children to take their own initiative, contribute to different social networks

PARTICIPATION	Scripted	Implicit	Explicit
Influenced by: Narrative Realm The way in which society embodies childhood and the implicit narratives that create this such as culture, religion, history.	▫ Hierarchical society gives deference to ages and positions ▫ Different stages of growth from child → youth → adult dependent upon many factors. Children are considered dependent before puberty. ▫ Existing cultural attitudes → children are children until the leave home and start their own family	▫ Customary law sees children only up to the age of 13. Following that expectations change but still not fully accepted as adult ▫ Once young people leave the dependency of early childhood, they become increasingly responsible e.g. contributing to family income, care for elderly parents or grandparents.	▫ Buddhist narrative of free thought and enlightenment ▫ Working children often take 'adult-like' responsibility for the household ▫ Once children complete school (for those with sufficient resources to do so), they are also put in positions of responsibility for the family.

Figure 21 - Participation Framework showing some examples

Chapter 7

New Horizons for Participation

Participation, seen from the different perspectives explored in this thesis, raise significant implications for theory, policy and practice. Furthermore, implications for the situation of children in Burma also arise through the findings and analysis of the empirical data collected for the thesis. This chapter will highlight these implications and the contribution to knowledge made by the thesis and make recommendations for areas of further research and exploration.

Implications for theoretical frameworks

While it would be helpful in some respects if children's participation could be categorised or fit into some scale such as the rungs of Hart's ladder (1997), all such models have inadequacies when trying to analyse the role or nature of children's participation, as they fail to capture the complexity of this outwardly simple concept. Non-linear models such as Abrioux (1998) make certain progress towards a more complex conceptualisation of what it means for children to participate and how that might be measured but they are still lacking.

To date, the participation discourse has been dominated by rights-based perspectives. However; this thesis illuminates the need to take other perspectives into account. Thomas and Hocking (2003) (see Chapter Two) contend that a 'quality of life' approach is a useful tool for developing a policy framework for children in the U.K. This framework builds on children's rights but suggests that

rights should not be the only perspective from which to generate policy and practice for children.

My own research makes similar claims for a number of reasons. Firstly, there is an ontological imperative, in other words, a need to recognise that children 'are', therefore they think and act and constantly, make decisions to help, to intervene, to remain silent and to be compliant. Many of the decisions children make about how and when to participate in something, even when it seems forced upon them and there seems little choice, are not validated in the current models of participation. These models, despite developments since Hart's ladder, are based on a scale culminating ultimately in the ability to participate at a political and decision-making level. Rights-based models of participation are associated strongly with Western democratic models of governance and risk ignoring children's ontological contribution to the family and community.

Secondly, in Burma it has been observed that children have their own social networks, both with other children as well as with the adult world. While membership of such networks is not always voluntary, neither is it with adults. Within such networks, children develop their own abilities to function, and to participate, often on their own terms. By virtue of their being children, and sometimes by their own intent, children develop social and emotional capital which they use, often to great effect. This was illustrated very clearly by the novices at Thoun Htat Kyaung. The ability to create this social and emotional capital is a vital element of their participation and again, is not sufficiently captured in existing models.

In Burma, children are far more visible as many of them take part in work, family and community life in much the same way as adults. This is unlike many industrialised countries where life, in particular urban life, has become more individualistic in the way that Tonnies observed many years ago (see discussion in Chapter Two). As a result children have been partitioned from the rest of society; in school, being prepared for adulthood and protected from aspects of society that adults feel they are not yet ready for. Societies with more sophisticated legal systems reflect this in complex law and policy. One result has been the rising paranoia over child protection issues, as outlined by Judyth Sachs and Lise Mellor (2005), and the potential to further separate children from interaction with adults for fear of abuse. The Convention on the Rights of the Child seeks to overcome the dichotomy between protection and participation, through its underlying principle of the 'best interests of the child'. However, the best interest principle rests ultimate power in the hands of adults.

Thirdly, children's participation in development programs is not something that can be done 'to', 'for' or even 'with' children. It cannot simply be 'programmed', as might be the digging of a well or the establishment of a loan fund. Participation requires a fundamental shift in relationship, as was shown in the staff and the children in the World Vision Myanmar LPK program. While such 'relational shift' is arguably the spirit of rights-based approaches, often the very use of the word 'rights' provokes defensiveness and confrontation. In Burma it was found that there could be other ways to build upon more culturally accepted notions, particularly those espoused in Buddhist teaching, to promote the rights and

responsibilities of children. U Nayaka's description of 'free thought' is illustrative of this. Buddhist approaches to rights have received some attention through the work of scholars such as Vo Van Ai (2000) which open up new avenues for exploring cultural aspects of children's participation.

Children are, in a social theoretical sense, part of a 'meta-narrative' or, 'an attempt to make sense of the totality of human history' (Callinicos, 2000, p2). Adults 'project' their ideals of childhood onto society, not in the negative sense of the word[51], but in a positive way; in the hope of a better future for their children. This enables children to participate at a subliminal level, within the collective psyche of the family, the community and the nation, even, of late, in a global sense. Children participate by the fact that they are there as a collective entity and through what they embody. This varies from culture to culture but usually centres on some aspect of their being 'the future'. By virtue of this, society constructs itself in different ways (given economic, social and political realities), to enable children to become what it hopes that they might be. Although the concept of rights, at its most fundamental level, is an attempt to alter that meta-narrative (i.e. children seen for what they are rather than what they will become), child rights-based approaches are predominantly focussed at a micro-level in which children 'learn' to participate by being involved in a project rather than seeing how they participate in every day life. This ignores the fact that children make important decisions for themselves and their families (and communities) every day.

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[51] A psychoanalytical concept 'whereby emotions, vices and qualities which an individual either rejects or refuses to recognise in himself are expelled from the self and relocated in another person or persons DAVENPORT-HINES, R. (1990) *Sex Death and Punishment: Attitudes to Sex and Sexuality in Britain since the Renaissance*, London, William Collins Sons & Co. Ltd.

Rights-based frameworks espouse the notion of individual rights and responsibilities and, in that way, are reflective of values of Western liberal democracy, which are not wholly applicable for many parts of the world. They are based on historical processes that continue to develop and change. Simply extracting a part (rights to participation or child rights more generally), ignores the fact that all societies have their own frameworks into which new ideas must be processed and developed. Increasingly authors are stressing the euro-centric bias of participatory approaches (Adefila, 2006). The development of the present system of Western democracy took hundreds of years and while developing countries might learn from the mistakes of the West, participation, if we are to be true to its underlying ethos, demands that societies are given the opportunity to develop indigenous solutions to such complex ideas. Children's participation is presently being advanced through a rights-based framework and this, at times, makes it more difficult for communities or individuals within them (children, youth and adults) to develop culturally specific and appropriate analysis and understanding. For example, the Ubuntu ethic in sub-Saharan Africa ('I am because we are'), or the notion of responsibilities enshrined in Buddhist teachings, are both culturally significant traditions with which rights-based models have synergy and through which more Western notions of participation can be examined.

The framework presented in the previous chapter is an attempt to address the shortcomings of our understandings of children's participation, as portrayed in current rights-based approaches. It does not refute the efficacy of rights, but allows for the understanding of the different realms that influence perceptions of childhood to be taken into account. Participation cannot simply be seen as an

element of a project, nor in isolation from the broad range of factors that influence the way in which children perceive and are perceived by the world around them. A project implemented by an NGO aimed at increasing children's participation must, therefore, look at the complete environment in which children live, not simply at the limited reach of the project's goal and objectives.

Implications for international and local child-focussed organisations in Burma

It is very difficult to speculate about the future of Burma. If there is one lesson to be learned from recent history, it is that there is a sense of unpredictability about the country. Conditions in Burma have continued to deteriorate since the collection of data for this research. I have watched the continuing downward momentum of the country with sadness and with a sense of diminished hope that things might change. As I write this, Aung San Suu Kyi remains locked in her home which has become her prison, unable to make contact with the outside world. She remains an icon of hope for many but her political influence is becoming increasingly uncertain, even irrelevant:

> *Since the purge of Khin Nyunt in late 2004, however, the military leadership has taken a more uncompromising, nationalistic line. There are today no meaningful contacts with the opposition, whose leader, Aung San Suu Kyi, remains under house arrest. (International Crisis Group, 2006 p5).*

Children continue to suffer as a result of the limited educational opportunities and general poverty in the country. UNICEF recently conducted a survey on vulnerable children with the Department of Social Welfare but, according to personal sources in Rangoon, the report was not released, due to government sensitivity, indicating that children's issues are still easy to ignore. In addition, local organisations are

coming under increasing scrutiny from the authorities. Recently a law (Union of Myanmar, 2006) was enacted requiring all organisations to be registered officially with the Ministry of Home Affairs and the respective sectoral ministry (health or social welfare for example). Agencies see this as a tightening of controls and early signs bear out this concern, as many local agencies have been forced to stop their activities.

Despite these more recent events, the findings of this research have some significant implications for the NGOs studied and for other child-focussed organisations more broadly. Firstly, there is an urgency to invest in children. The health and education systems are severely lacking and the 'lost generation' that respondents referred to is soon to gain another generation. To influence structural reform is no easy task. A number of key donor governments now acknowledge the need to engage with the regime but only at a local level. This is reflected in recent guidelines for the so called 'Three Diseases Fund'[52] and more recently in a tender for HIV programming by AusAID, as part of their regional HIV initiative. Working with government at a local level will not affect policy change, however, as this takes place within the leadership of the regime, and local decision makers rarely allow significant deviance from the status quo. As much as foreign governments would like to see change in Burma, the present regime does not appear to be losing its grip on power. If anything they are managing to consolidate it, relying on cash from the sale of natural resources, and through reliance on the generosity and political agendas of their two largest neighbours, India and China. True and lasting change

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[52] The Three Diseases Fund is a joint donor mechanism that includes the UK, Australia and a number of European Governments. It was established after the withdrawal of the Global Fund to fight TB, Malaria and HIV.

can only come from within. I recall hearing the words of Aung San Suu Kyi[53], 'democracy will only come to the Burmese people when they want it', and in the end, if sustainable development practice has taught us any lesson it is that those affected by a problem must be part of its solution. Hence, investing in local organisations and individuals that see themselves as part of the solution is imperative. Phaung Daw Oo and the Child Focussed Network are two examples. They have great potential to lay the ground work for new ideas that will, in the long run, lead to change. PDO, in particular, has a long term vision for change that has proved its value already, providing free education to thousands of children and encouraging its philosophy of free thought. There is potential for PDO to influence other monastic schools, to spread its philosophy and its belief in the power of education. Likewise the CFN has potential to continue to expand the influence of its network, continuing to educate others about child rights and seeking to draw children into opportunities for their voices to become more prominent. In part, the development of local organisations requires financial resources but of equal importance, they require technical assistance and support for institutional capacity development. Strengthening the capacity of such organisations to respond to education and health needs will also contribute to the development of good governance, transparency, participation and accountability, all vital for civil society growth. The CFN in particular has potential to encourage the growth of civil society, as its primary purpose is to bring together groups and individuals with the shared agenda of improving the quality of life for children. As such groups become more established, they have the potential to increase the participation of children.

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[53] Reported to me by one of my Burmese friends after he attended one of the rallies outside of Aung San Suu Kyi's home early in 1996.

From a programmatic point of view, participation must be well planned and facilitated. Planning must include a detailed analysis of the factors that affect the way in which children are embodied within society and assess the socio-political, economic, cultural and narrative influences upon childhood and children. This will require time to understand the way in which communities operate and the specific factors that might enhance or inhibit participation, as they will not always be the same in each community or in each organisation.

The work of the CFN shows that good facilitation can lead very quickly to empowered children, capable of voicing their opinions, even in forums with government. Having structured children's participation from the beginning, the challenge for the CFN now is to maintain their involvement. Children become adults, they lose their interest and they move on to other places. Organisations must, therefore, ensure that a culture of participation is encouraged and not simply pay lip service to the idea, so that new generations will be able to continue where their predecessors left off. This is not particularly difficult. It involves asking children their opinion and developing ways in which to institutionalise children's input in a way that is respectful to children and adults alike. Like any good development process, this should involve clearly articulated goals and objectives that are monitored and evaluated accordingly. Organisational structures, policies, and management mechanisms must reflect a belief in children's participation if lasting change is to be maintained. This may include children becoming part of management teams or advisory boards. This is not to suggest that children should become full-time employees of organisations, simply that organisations should seek culturally appropriate mechanisms to genuinely involve children in decision-

making capacities, at the same time being respectful to the other demands that are placed on children's lives.

UNICEF has a valuable role to play in Burma in promoting the rights of children and particularly the right of children to participate in matters that affect them. As a UN agency, UNICEF has a greater potential than INGOs or NGOs to engage government on matters of policy and advocacy. The government's recent move to *Nay Pyi Daw* and the new guidelines for international organisations will no doubt make their ability to operate more difficult. However, they must show a greater commitment to the growth of local capacity, both government and non-government, to respond to the needs of children. Myanmar is a signatory to the CRC and took part in the last Special Session for Children. At a township level, there are CRC committees that, although largely inactive, could become local level mechanisms for the inclusion of children's perspectives. A strategy such as this would have numerous problems, including the risk of 'GONGOs', such as the USDA, subverting any such initiative to meet their own ends, but would not be impossible. A focus on children's participation could see a number of townships selected (those that are more advanced and where success would be more likely) to pilot participatory processes. Recently UNICEF has placed field staff in selected townships to assist in the roll out of their programs in health, education and child protection. These field staff could be given responsibility for developing processes for children's participation, in a similar way to the strategy used in the initial stages of developing the CFN; inclusive of child focussed organisations, such as schools, orphanages, monasteries in identifying priorities for children and putting in place programs to address them. In a similar way, UNICEF's involvement with the

Department of Social Welfare's institutional programs could include advocating for child participation within the welfare system. On a national level UNICEF could advocate for children's representative participation in the development of the National Plans for Action which the government has agreed to develop, following the UN General Assembly Special Session (UNGASS) on children in May 2002. In addition, UNICEF can also play a valuable role in advocating on behalf of local organisations such as the CFN, to ensure that appropriate and well-run local organisations are growing and playing their part in the development of civil society. Civil society growth must be seen as a key strategy for the long term future of the country, no matter what political events overtake it. If the present government retains power, civil society must grow to counter it. If they step down or lose power (as unlikely as that looks at the present time) civil society must be ready to play its part in the country's reconstruction. In the more likely event that the present National Convention process results in some kind of elections, civil society must be ready to slowly chip away at the legacy that years of military rule has left on the people of Burma.

Programs such as the World Vision Myanmar Street Children's Program, Phaung Daw Oo and those organisations associated with the CFN that I have had dealings with, are giving a voice to children. They have begun a movement for change but are in continual need of financial and technical support. Yet there are small signs of the efficacy of the participation of children, both at an organisational level, and, more widely, within a few specific government sponsored events, such as the participative research that was conducted to inform the Committee on the

Convention on the Rights of the Child following the questions raised by the committee over the Myanmar report.

Principles of engagement

The final section of Chapter Five raises a number of implications regarding the participation of children at an organisational level. In addition, a number of other issues have surfaced in relation to children and the organisations that work with them. The situation facing children in Burma today is dire. From a child rights point of view, all the primary rights afforded to children are being abused. Health and education services are grossly inadequate, threatening the most basic rights of survival and to universal primary education. The right of many children to a national identity is undermined through poor birth and family registration. Thousands of children serve in armies around the country and many more are lured or trafficked into prostitution, contravening international labour laws on the worst forms of child labour. Those children fortunate enough to be touched by an organisation such as the ones discussed in this thesis are few, in comparison to the total population in need.

How then can such programs be scaled up for greater coverage and, at a policy level, what can be done to address the structural impediments to children's well being? Experience would suggest that senior levels of government will not be drawn into substantial dialogue over the situation facing children either within the country, through interaction with the UN, or externally through (for example) regional dialogue with ASEAN. A pragmatic approach to dealing with issues would, therefore, not rely on substantial policy change at any time in the near future. Of course, there is always the possibility of change within the regime, and

media observers are already predicting Senior General Than Shwe's worsening health will result in a change of leadership, sooner rather than later. However, it is not yet clear who will take his place and what impact that might have on internal politics. Designing a specific set of activities to address the situation of children in Burma is, therefore, extremely challenging. However, from the findings of this thesis four broad principles have emerged that might contribute to the increased well being of children on a more substantive scale.

The first of these principles is to **increase support to local child focussed networks and organisations**. It is difficult to estimate the total number of orphanages, monasteries, religious programs that focus on children around the country however, it would appear to be substantial. Most of these organisations struggle to find funding and most do not adhere to any set of standards for care or child protection. The long term goal of the CFN, to become a peak child rights body, has increasing merit as the number of these organisations, if anything, appears to be increasing. The CFN itself could begin to reassess its role and build its own capacity to provide technical support for its constituents in a range of areas including education, child participation and child health. Funding could also be channelled through the CFN to provide for its members, contingent on reaching certain standards. Presently the CFN has offices in Yangon and Mandalay however, establishing a presence in other regional centres would not require too much work. Supporting the development of a national body has merit for a number of reasons. Firstly, it increases the chances of long term sustainability. Secondly, it adds to the growth of civil society that is a nascent but vital means through which long term political change might be achieved in the country.

The second broad principle is the need for **greater inter-agency coordination**. At the present time, organisations are acting according to their own mandates and based on their own donor priorities, with little opportunity or inclination to explore ways in which to work more effectively together. The relatively small number of international child focussed agencies means that, despite the almost overwhelming need, there are fewer barriers to joint needs identification, planning and implementation. UNICEF, as the lead UN agency for children, is best placed to bring international and local implementing partners together and to include relevant government departments in formulating national plans of action for children. A process such as this would take vision and commitment but it would not be impossible. The national response to HIV and the recent development of a National Strategic Plan that involved local NGOs, government and the international community has set a precedent in this regard.

The national response to HIV echoes the third broad principle: to **put child well-being on the agenda,** as was the case with HIV in the 1990s. A number of factors coincided to increase the prominence of HIV, including donor priorities, the actions of the Ministry of Health and the driving force of the then Secretary Number One, General Khin Nyunt. On the surface, the situation of children would seem a far less sensitive issue than HIV and the regime has already publicly stated its commitment to the well-being of children through the UNGASS process. However, there does not seem to be a 'champion' for children's rights within the regime hierarchy, at least not one with any significant influence. UNICEF, once again, is

the best placed of the international organisations, to identify such a personality, just as UNAIDS did in their advocacy with Khin Nyunt some years ago.

The final principle is to **engage with children.** If this research has revealed anything, it is that children in a variety of different circumstance in Burma have shown an ability to identify their own needs and to articulate creative solutions to their own problems. Children are present in many areas of Burmese society and active contributors, both economically and in an ontological sense. Despite the apparent cultural impediments of deference to age and authority, Burmese adults from a variety of backgrounds, who were interviewed as part of this thesis, illustrate that they are willing to see children in a different light, if given the right stimulus, as was the case with the staff from the LPK centre. This and the previous principle suggest a number of implications for development organisations, whether or not they are child-focussed.

Firstly, children should not be excluded from the social and economic analysis of community processes. In many instances recorded in this research, children played an active, if not prominent, economic role within the family, through formal employment or by supporting the family through chores and caring for siblings and the elderly. This needs to be acknowledged as a formal contribution to the economic and social well being of the family and community.

Secondly, all development organisations should seek out ways in which to listen more to children. Children's forums could be included in start up and needs analysis activities. Children can be consulted as a key constituency in the course

of reviews and evaluations. Children could even be given membership to community development committees, such as those established by World Vision Myanmar in its ADPs.

Thirdly, many donors require a battery of analysis tools to be applied to project designs, including gender analysis and environmental impact statements. A similar requirement could be made regarding the impact of development programs on children, whether they are large scale infrastructure development or small scale community development activities. The participation framework could form a part of any such analysis.

Areas for further research and exploration

This study complements a growing body of knowledge relating to children and their participation in community development programs in developing countries. It also adds significantly to the limited academic writing concerning children and childhood in Burma. In pursuing this study, other research needs have become apparent that would continue to add to the body of knowledge in each of these domains. They include:

Children's Participation and Social Capital. Chapter Two introduced the notion of social capital and children and noted that there had been very little research concerning this. Chapter Five observed a number of examples of how social capital and social networks of which children are a part, assist in increasing opportunities for their meaningful participation. Research is necessary to further explore these complex notions and their correlation. In addition, research into

ways of measuring social capital and children would assist in a better understanding of the role children can and do play in social networks and illustrate the 'social value' they have, as they participate in the world around them. A further area of 'Burma specific' research could seek to further understand the impact of aspects of social capital and the monastic system, as illustrated by the support given to many of the novices in Thoun Htat Kyaung .

Buddhism and Children's Participation. Chapters Four and Five in particular suggested that there were alternative and, arguably, more culturally attuned ways of developing 'rights-based approaches', than through the use of the CRC. Buddhism has the potential in Burma and in other Buddhist countries to provide such a vehicle. Further research is necessary, however, to see whether or not this is a truly feasible premise; identifying how Buddhist philosophy might become more 'child-focussed' in its practice and application.

The ongoing political situation and the impact on children in Burma. The political situation in Burma shows no sign of abating. What will be both the short and long-term impact of this situation on children? The limited statistical evidence suggests that in areas of health and education Burmese children are being severely deprived. There is a need for research to assist NGOs and UN organisations to develop programs that might address this situation more comprehensively. More importantly, however, there is the question of how such research could be conducted and the results conferred in such a manner that the Burmese authorities might sincerely respond to the situation. Specific research tasks into the situation of children in Burma, apart from those relating to health and education, could

include: a greater analysis of the reasons for and type of work children do and the role of their economic contribution to the family and the informal economy, as well as a more personal reflection on the role that work plays in the child's social and emotional development; the situation of child soldiers and children who have been trafficked and how they might be better reintegrated into society.

Involving children in the research process might be a positive way in which to address specific problems, for example, as Hart (1997) suggested a decade ago, children can play a vital role in responding to environmental problems. In Burma there is an increasing awareness of environmental difficulties and it would be possible to encourage children's research into this area without raising too much sensitivity or concern by the authorities. Such research could also become a catalyst for sensitising those in authority to the value of listening to the voices of children.

Applicability of the discourse of the sociology of children to non-Eurocentric cultures and situations. Chapter Two indicated the growing prominence of the discourse on the social construction of childhood (James and Prout, 1997). However, there has been little research into the applicability on this discourse to non-Eurocentric settings. Bissell (2003) is one example of where this has happened but there are few others. There is a need for further research to explore the efficacy of social construction models in different cultural settings.

Institutionalising participation. A number of models of participation were studied in their respective settings in Burma. The three were quite different and had both

advantages and disadvantages. The question arises as to how participatory models can best be institutionalised within a given organisational setting. This would imply the need for better understanding about the impact of participation on children, the impact of children's participation on the organisation and beyond, and further exploration around issues of representation. Research is needed to look in greater detail into these issues within different organisational settings, both in developing and developed countries.

Child participation vs. child protection. Observations were made in the course of this thesis about the existing and potential conflict between two of the underlying principles of the CRC; participation and protection. A number of commentators (Thomas and Hocking, 2003, Sachs and Mellor, 2005) have observed that the over-emphasis on children's protection is leading to their isolation from the rest of society and has the potential to create severe social problems. Further research into this conflict would help in the development of policies that assure the protection of children but that do not simultaneously cut them off from interaction with the adult world. Such research would lend itself to cross-cultural comparisons.

Conclusion

This thesis has shown that children's participation is a complex yet valuable concept. There is no single way to encourage children's participation, though a number of principles have been suggested that are applicable to all situations in which children might participate. Perhaps the most important of these is to listen to children. In order to do that, however, children need to feel valued and respected and in a situation in which they know they are safe and that talking will not bring

negative or harmful repercussions. Adults also need the space to interact with children, their own and other peoples, so that children do not become further isolated from a sense of community.

Children are a part of our everyday lives but it is timely that we are reminded of their importance, not only to the future and what they will become, but to what they are now. In the western world particularly, childhood has become an ideal of innocence. But in our zeal to protect children from some of the harsher realities of life, we may also have disempowered them. In non-industrialised countries, is the situation of children and 'childhood' any better? Child soldiers, child sex slaves, child labourers, these are the images that we are faced with each day in the media. But solutions to the situation of children both in the developed and the developing world are not simple. We are challenged by the need to reconstruct our understanding of childhood and, with children themselves, to seek avenues that will not only allow their voices to be heard but that will allow them the space and the security to become social actors in their own right.

Epilogue

The situation in Burma continues to deteriorate. The military government maintains its tight hold on the reigns of power. More than a year ago, the regime relocated to a new capital, some 400 kilometres northwest of Rangoon. Despite knowledge that the regime was planning this, the move took everyone by surprise. Friends working in Rangoon at the time related to me that government servants were told one morning that they would be relocating that night. They had no time to pack, inform relatives or attend to business matters at all. Public servants were bussed from their homes in Rangoon, in their thousands, to take up residence in the new capital city that had been carved out of the forest and still lacking in some of the most basic infrastructure. A contact within the British Embassy related to me how embassies were called to a meeting and the move was simply announced without any opportunity for question. She told me that the ASEAN members were furious, as not even they had been given prior warning. For them, it was a great loss of face. There was much speculation as to why the move was made so suddenly. Some said it was due to an astrologer, others out of fear of invasion from the United States. No matter what, the result has been a sense of increasing isolation by the regime from external influences. For the UN, INGO and growing civil society, this has meant increasing suspicion about their motives and increasing governmental surveillance on their activities.

Nay Pyi Daw ('place of the king'), the new capital, has been built rapidly and at great expense. The International Monetary Fund was recently reported to have produced an internal report, estimating that between 1 and 2 % of GDP had been spent on the building of the new capital over the past few years (AFP, 2007). At

the same time, friends and colleagues living in Rangoon, the previous capital, report increasing power shortages, rising prices and escalating poverty. In the press recently there have been a number of reports of protests over the economic situation of the country and the lack of access to basic health services. The latest of these resulted in the arrest of an HIV positive man, protesting his right to receive antiretroviral treatment (Democratic Voice of Burma, 2007).

The organisations that were part of this study continue, but not without difficulty. With Khin Nyunt's fall from grace, arrest, and imprisonment on 19th October 2004, the Phaung Daw Oo School, along with most business, industry and community initiatives connected with him, quickly became a target of the 'new' regime. This is the nature of change under authoritarian rule in Burma. U Nayaka had relied on the patronage of Khin Nyunt to offer protection for him and his plans. However Phaung Daw Oo has been able to survive and despite initial pressure from senior members of the regime and the education department (long jealous of the school's success) it has remained open, even grown. Largely, this has been possible as the abbot has ensured that he has created political networks on all sides. Some might criticize this strategy but it has yet to compromise the fundamental goal and vision of the school.

World Vision Myanmar remains one of the largest NGOs in the country, expanding each year with ADP programs. The LPK centre remains open in Yangon. Two years ago, however, the Mandalay Centre was closed down. According to staff from the centre, they were accused by the divisional commander of 'breeding terrorists'. The real reason, as far as the World Vision Myanmar director could

surmise, was that he had received a more prominent profile in a media report than the wife of the divisional commander who, by chance, on the same day gave donations to local Mandalay communities for educational support to school children. There had been a long standing dispute between World Vision's Mandalay program and the commander's wife over members of the Maternal and Child Welfare Association[54], many of whom preferred to volunteer their services to World Vision, as they were better treated. The report in the media was apparently the last straw and the commander's wife went to her husband demanding action. The LPK centre, long a concern for the authorities was an easy target. Only in the past two months, has permission been given for the centre to open again. However, revised Department of Social Welfare regulations that prohibit NGOs opening long term care services for children raise a new challenge for the network of hostels that they have developed for children who have no home.

The CFN continues, as an unregistered organisation, to provide limited support to its partners. This includes workshops focussing on child rights and child protection. Members of the CFN undertake to adhere to the principles of the CRC. The structure envisaged for the organisation by the founding adult and child members remains illusive, not for want of trying but due to a lack of resources, management difficulties and a waning interest on the part of the international organisations that provided initial support.

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[54] The regime's woman's organisation.

I no longer live in Rangoon but travel there frequently, being employed by another NGO with a focus on public health and HIV. I am in Rangoon now, completing this chapter in my hotel room looking down over the railway line that runs through the centre of town. Last night when I arrived, I ventured out into the streets to buy a few things. The market next door had closed and there just a few money changers still wandering around, looking for business. I spoke to them briefly then turned my attention to three children who had appeared, wanting to sell me postcards. They were initially surprised that I spoke with them in Burmese but then continued as though it were normal. Children often have a way of accepting something unusual without too many questions. They told me that they were Muslim, that they had poor families and spent a lot of time on the streets. One, the eldest, told me he had no parents and that he lived with one of the others or slept in the market across the road. They told me that they could not afford to go to school, that they were watchful of the police each day, that they could be beaten if they did not bring home enough money, that they were constantly hungry. I knew that they were, in part, exaggerating, hoping that I might feel sorry enough for them to buy them a meal. Theirs were common stories that I had heard so many times before. Suddenly a strong wind sprung up, blowing dust and debris around the street. We stood there watching the storm approach. 'It's going to rain', said one of the boys and we all agreed. The clouds rumbled and lightening cracked the sky. The boys flinched, 'it's bad to swear at your mother', said one, 'if you swear at your mother the lightening will strike you'. The gentle thud of rain drops hitting the concrete sidewalk began and, within seconds, built to a deafening crescendo as the skies opened up. We ran for shelter under the eave of a nearby shop. One of the boys stayed out in the downpour. Revelling in the delight of the moment he looked

skyward, the rain drops falling into his open mouth.   For a single moment in time he was free, and he danced; transported far from the drudgery and pain of each day, lost in the cool wetness of the rain.

Appendices

Appendix 1 – Cited Articles in Sections from Human Rights Treaties

A. The Universal Declaration of Human Rights

Article 1

All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.

Article 19

Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.

Article 25, section 2

Motherhood and childhood are entitled to special care and assistance. All children, whether born in or out of wedlock, shall enjoy the same social protection

Article 26, section 1:

Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit.

Section 2:

Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace.

Section 3:

Parents have a prior right to choose the kind of education that shall be given to their children.

B. The International Covenant on Civil and Political Rights
Article 14

.....but any judgement rendered in a criminal case or in a suit at law shall be made public except where the interest of juvenile persons otherwise requires or the proceedings concern matrimonial disputes or the guardianship of children

Article 18

....The States Parties to the present Covenant undertake to have respect for the liberty of parents and, when applicable, legal guardians to ensure the religious and moral education of their children in conformity with their own convictions

Article 23

.... In the case of dissolution, provision shall be made for the necessary protection of any children

Article 24

1. Every child shall have, without any discrimination as to race, colour, sex, language, religion, national or social origin, property or birth, the right to such measures of protection as are required by his status as a minor, on the part of his family, society and the State.

2. Every child shall be registered immediately after birth and shall have a name.

3. Every child has the right to acquire a nationality.

C.   The Convention of the Rights of the Child

Article 12:

State 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

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, wither orally in writing or in print, in the form of art, or through any other media of the child's choice

Article 14

States Parties shall respect the right of the child to freedom of thought, conscience and religion.

Article 15

States Parties recognise the rights of the child to freedom of association and to freedom of peaceful assembly

Article 23

States Parties recognise that a mentally or physically disabled child should enjoy a full and decent life, in conditions which ensure dignity, promote self-reliance and facilitate the child's active participation in the community.

Article 29

States Parties agree that the education of the child shall be directed to....the preparation of the child for responsible life ...

Article 31

States Parties recognise the right of the child to rest and leisure, to engage in play and recreational activities appropriate to the age of the child and to participate freely in cultural life and the arts.

Appendix 2 – The 12 Objectives of the State

FOUR POLITICAL OBJECTIVES

1. *Stability of the State, community peace and tranquillity, prevalence of law and order*

2. *National reconsolidation*

3. *Emergence of a new enduring State Constitution*

4. *Building of a new modern developed nation in accord with the new State Constitution*

FOUR ECONOMIC OBJECTIVES

1. *Development of agriculture as the base and all-round development of other sectors of the economy as well*

2. *Proper evolution of the market-oriented economic system*

3. *Development of the economy inviting participation in terms of technical know-how and investments from sources inside the country and abroad*

4. *The initiative to shape the national economy must be kept in the hands of the State and the national peoples*

FOUR SOCIAL OBJECTIVES

1. *Uplift of the morale and morality of the entire nation*

2. *Uplift of national prestige and integrity and preservation and safeguarding of cultural heritage and national character*

3. *Uplift of dynamism of patriotic spirit*

4. *Uplift of health, fitness and education standards of the entire nation*

Appendix 3 – Myanmar Child Law

ပြည်ထောင်စုမြန်မာနိုင်ငံတော်

နိုင်ငံတော်ငြိမ်ဝပ်ပိပြားမှုတည်ဆောက်ရေးအဖွဲ့

THE UNION OF MYANMAR

THE STATE LAW AND ORDER RESTORATION COUNCIL

ကလေးသူငယ် ဥပဒေ

THE CHILD LAW

၁၉၉၃ ခုနှစ်၊ ပထမဝါဆိုလပြည့်ကျော် ၁၁ ရက်

(14th July, 1993)

The State Law and Order Restoration Council
The Child Law
(The State Law and Order Restoration Council Law No. 9/93)
The 11ᵗʰ Waning Day of 1ˢᵗ Waso, 1355 ME
(14 July, 1993)
The State law and Order Restoration council hereby enacts the following Law: -

Chapter I
Title and Definition

1.   This Law shall be called the Child Law.

2.   The following expressions contained in this Law shall have the meanings given hereunder: -
(a) **Child** means a person who has not attained the age of 16 years;

(b) **Youth** means a person who has attained the age of 16 years but has not attained the age of 18 years;

(c) **Committee** means the National Committee on the Rights of the Child formed under this Law;

(d) **Child in need of Protection and Care** means a child mentioned in section 32;

(e) **Juvenile offence** means an offence under any existing law, for which a child is sent up for prosecution to a juvenile court;

(f) **Juvenile Court** means a court where the sittings of a judge on whom power to try juvenile offences is conferred, are held;

(g) **Guardian** means a person who takes custody of a child under a law or social obligation;

(h) **Custodian** means a person undertaking responsibility for the custody and care of a child in need of protection and care in accordance with this law;

(i) **Training School** means a training school established by the Social Welfare Department, to which a child in need of protection and care or a child who has committed an offence is sent for custody and care under this Law. This expression also includes a home recognized as a training school by the Social Welfare Department;

1

(j) **Home** means premises, school, centre or department established by a voluntary social worker or non-governmental organization with the objective of taking custody and care of a child in need of protection and care;

(k) **Temporary Care Station** means a temporary care station established by the Social Welfare Department for temporary custody and care of a child accused of having committed a crime, during the trial of the case. This expression also includes a home recognized by the Social Welfare Department as a temporary care station;

(l) **Probation Officer** means a person assigned responsibility under this Law as a Probation Officer;

(m) **Ministry** means the Ministry of Social Welfare, Relief and RE-settlement;

(n) **Director-General** means the Director-General of the Social Welfare Department;

(p) **Social Welfare Officer** means an officer of the Social Welfare Department who has been assigned duties of a Social Welfare Officer under this Law or a person who has been assigned duties under section 60.

Chapter II
Aims

3. The Aims of this Law are as follows: -
(a) to implement the rights of the child recognized in the United Nations Convention on the Rights of the Child;

(b) to protect the rights of the child;

(c) to protect in order that children may enjoy fully their rights in accordance with Law;

(d) to carry out measures for the best interests of the child depending upon the financial resources of the State;

(e) to enable custody and care of children in need of protection and care by the State or voluntary social workers or non-governmental organizations;

(f) to enable a separate trial of a juvenile offence and to carry out measures with the objective of reforming the character of the child who has committed an offence.

2

Chapter III
Formation of the Committee

4. The Government: -

(a) shall form the National committee on the Rights of the Child consisting of the following persons, in order to implement effectively and successfully the provisions of this Law: -

(i)	Minister, the Ministry of Social Welfare, Relief and Re-settlement.	Chairman
(ii)	Heads of relevant Government departments and organizations.	Members
(iii)	Representatives from non-governmental organizations who are carrying out work in the interests of children.	Members
(iv)	Voluntary social workers who are interested in the affairs of children.	Members
(v)	A person assigned responsibility by the Chairman.	Secretary

(b) may determine the Deputy Chairman and Joint Secretary as may be necessary in forming the Committee;

(c) may determine the tenure of the Committee.

Chapter IV
Duties and powers of the Committee

5. The duties and powers of the Committee are as follows: -

(a) protecting and safeguarding the rights of the child;

(b) giving guidance as may be necessary in order that the relevant Government departments and organizations may implement effectively and successfully the provisions of this Law;

(c) co-operating and co-ordinating as may be necessary activities of government departments and organizations, voluntary social workers and non-governmental organizations relating to a child; reviewing from time to time the progress made;

(d) obtaining assistance and co-operation of the United Nations Organizations, international organizations, voluntary social workers or non-governmental organizations for the interests of the child;

3

(e) giving guidance and supervision in obtaining donations and property from local and foreign voluntary donors and to enable effective utilization of such donations and property in the interests of children;

(f) laying down and carrying out work programmes in order to take preventive measures against occurrence of juvenile crimes;

(g) collecting from relevant government departments and organizations and compiling the required reports and statistics;

(h) reporting to the government from time to time on the activities of the Committee;

(i) carrying out functions and duties in respect of the child, as are assigned by the Government.

6.   The Committee may: -

(a) form the State, Divisional, District or Township committees on the Rights of the child and determine the functions and duties thereof;

(b) supervise, guide and assist in the activities of the committees on the Rights of the Child formed under sub-section (a).

7.   (a) The office work of the Committee shall be undertaken by the Social Welfare Department;

(b) The expenditures of the Committee shall be borne out of the budget of the Social Welfare Department.

Chapter V
Rights of the Child

8.   The State recognizes that every child has the right to survival, development, protection and care and to achieve active participation within the community.

9.   (a) Every child has the inherent right to life;

(b) The parents or guardian shall register the birth of the child in accordance with law.

10. Every child shall have the right to citizenship in accordance with the provisions of the existing law.

11. (a) Maintenance, custody and care of children, cultivating and promoting the all-round physical, intellectual and moral development of the child shall be the primary responsibility of parents of guardian;

12. Every child: -

(a) shall have the rights to live with and be brought up by both parents or any one parent if they are alive;

(b) shall not be separated forcibly from his or her parents, except in a case where in accordance with law, separation is necessary for the best interests of the child;

4

(c) shall have the right to maintain contact on a regular basis with parents lawfully separated, if it is not prejudicial to the interests of child;

(d) has the right to guardianship in accordance with law, in respect of his person or property.

13. (a) Every child who is capable of expressing his or her own views in accordance with his age and maturity has the right to express his own views in matters concerning children;

(b) The views of the child shall be given due weight in accordance with his age and maturity, by those concerned;

(c) The child shall be given the opportunity of making a complaint, being heard and defended in the relevant Government department, organization or court either personally or through a representative in accordance with law, in respect of his rights.

14. Every child shall, irrespective of race, religion, status, culture, birth or sex: -

(a) be equal before the law;

(b) be given equal opportunities.

15. Every child: -

(a) has the right to freedom of speech and expression in accordance with law;

(b) has the right to freedom of thought and conscience and to feely profess any religion;

(c) has the right of participate in organizations relating to the child, social organizations or religious organizations permitted under the law.

16. (a) In order that every child shall not be subjected to arbitrary infringement of his honour, personal freedom and security, relevant Government departments and organizations shall provide protection and care in accordance with law;

(b) Security of the property of every child shall be protected by law.

17. (a) Every child shall have the right to be adopted in accordance with law;

(b) The adoption shall be in the interests of the child;

(c) The adoptive parents shall be responsible for the care and custody of the child to ensure that there is no abduction to a foreign country, sale or trafficking, unlawful exploitation, unlawful exploitation, unlawful employment, maltreatment, pernicious deeds and illegal acts.

18. (a) A mentally or physically disabled child: -

5

(i) has the right to acquire basic education (primary level) or vocational education at the special schools established by the Social Welfare Department or by a voluntary social worker or by a non-governmental organization;

(ii) has the right to obtain special care and assistance from the State.

(b) The Social Welfare Department shall lay down and carry cut measures as may be necessary in order that mentally or physically disabled children may participate with dignity in the community, stand or their own feet and promote self-reliance.

19.   (a) Every child has the right to enjoy health facilities provided by the State;

(b) The Ministry of Health shall: -
    (i) law down and carry out measures for the survival of the child, immunization of child, breast-feeding of the child, family planning, adequate nutrition for the child, elimination of iodine deficiency disease, school health and family health;

(ii) Lay down and carry out appropriate measures for the gradual abolition of traditional practices prejudicial to the health of the child;

(iii) carry out measures to minimize the child mortality rate and to maximize the population of healthy children.

20.   (a) Every child shall: -
    (i) have opportunities of acquiring education;
    (ii) have the right to acquire free basic education (primary level) at schools opened by the State;

(b)The Ministry of Education shall: -
    (i) have an objective of implementing the system of free and compulsory primary education;
    (ii) lay down and carry out measures as may be necessary for regular attendance at schools and the reduction of untimely drop-out rates;
    (iii) make arrangements for literacy of children who are unable for various reasons to attend schools opened by State.

21.   Every child shall have the right to maintain his or her own cherished language, literature and culture, to profess his or her own religion and to follow his or her own traditions and customs.

22.   (a) Every child shall have the right of access to literature contributory to his or her all-round development and to acquire knowledge;

(b) The Ministry of Information shall: -

6

(i) produce and disseminate children's books which are of cultural benefit to children, which promote and keep alive patriotism and which are aimed at the promotion of the children's moral well- being; encourage the production and dissemination of children's books by non-governmental organizations and private publishers; collect and maintain by special arrangement children's books at the libraries established by the information and public Relations Department;

(ii) education and disseminate by mass media to ensure that children and their parents or guardians are made familiar with the rights and ethics of the child and that children have access to national and international news and information concerning them.

23. Every child has the right to: -

(a) rest and leisure and to engage in play;
(b) participate in sported activities appropriate to his age;
(c) participate in cultural and artistic activities.

24. (a) Every child has: -
    (i) the right to engage in work in accordance with law and of his own volition;

    (ii) the right to hours of employment, rest and leisure and other reliefs prescribed by law;

(b) The Ministry of Labour shall protect and safeguard in accordance with law to ensure safety of children employees at the place of work and prevention of infringement and loss of their rights.

25. Every child has, in accordance with law: -
    (a) the right of inheritance;
    (b) the right of possession and holding property;
    (c) the right to sue and be sued.

26. In order that every child may enjoy fully the rights mentioned in this law: -
    (a) the Government departments and organizations shall perform their respective functions as far as possible;
    (b) voluntary social workers or non-governmental organizations also may carry out measures as for as possible, in accordance with law.

27. Persons having responsibility in respect of the affairs of children shall have as their objective the best interests of children under the principle "First Call for Children" regarding protection and care of every child by the community.

7

Chapter VI
Exemption from Penal Action

28. (a) Nothing is an offence which is done by a child under 7 years of age;
     (b) Nothing is an offence which is done by a child above 7 years of age and under 12 who has not attained sufficient maturity of understanding to judge of the nature and consequences of his conduct on that occasion.

29. No action shall be taken under any Criminal Law against any child who ahs escaped from a training school, temporary care station or a custodian.

Chapter VII
Ethics and Discipline of a Child

30. Every child shall abide by the following ethics and discipline, according to his age: -

     (a) upholding and abiding by the law;
     (b) obeying the advice and instruction of parents or guardian;
     (c) obeying the instruction of teachers and pursuing education peacefully;
     (d) abiding by the school discipline, work discipline and community discipline;
     (e) cherishing and preserving the race, language, religion, culture, customs and traditions concerned with him;
     (f) abstaining from taking alcohol, smoking, using narcotic drugs or psychotropic substances, gambling and other acts which tend to affect the moral character.

31. Parents, teachers and guardians shall give guidance to ensure that the practice of abiding by the ethics and discipline mentioned in section 30 is infused into the children.

Chapter VIII
Child in need of Protection and Care

32. The following child is a child in need of protection and care: -

     (a) one who has no parents or guardian;
     (b) one who earns his living by begging;
     (c) one who is of so depraved a character that he is uncontrollable by his parents or guardian;
     (d) one who is in the custody of a cruel or wicked parents or guardian;
     (e) one who is of unsound mind;
     (f) one who is afflicted with a contagious disease;
     (g) one who uses a narcotic drug or a psychotropic substance;

8

(h) one who is determined as such from time to time by the Social Welfare Department.

33. (a) Whoever is of the opinion that any child mentioned in section 32 should be protected and cared by the State may intimate the relevant Social Welfare Officer stating the facts of the case;

(b) The social Welfare Officer shall, on receipt of the intimation under sub-section (a) or if he has personally received information in any manner make investigations in the manner prescribed to determine whether of not the child needs the protection and care of the State and submit his findings together with his opinion to the Director General;

(c) The Social Welfare Officer has the following powers in respect of the investigation under sub-section (b): -

(i) informing the parents, guardian or police officer and causing the child to be brought before him;

(ii) entrusting the child to the parents or guardian on execution of a bond or sending the child to a temporary care station. before receiving the decision of the Director General;

(iii) calling and examining necessary witnesses;

(iv) hearing the explanation of the parents, guardian or the child, if necessary.

34. The Director General shall lay down and carry out any of the following arrangements if he finds, on scrutiny that the child needs the protection and care of the State according to the report submitted by the Social Welfare Officer: -

(a) in the case of a child whose character needs to be reformed, sending the child to any training school till he attains the age of 18 years as a maximum period;

(b) in the case of a child in need of custody and care, entrusting the child to a home or to a custodian till he attains the age of 18 years as a maximum period;

(c) in the case of a child needing supervision, causing the child to be supervised by a probation Officer for a period not exceeding 3 years;

(d) in the case of a child of unsound mind, sending the child to the Mental Hospital and making arrangements for medical treatment;

(e) in the case of a child who is afflicted with a contagious disease, sending the child to the relevant hospital and making arrangements for medical treatment.

35. The Director General may direct the relevant Social Welfare Officer: -

(a) to implement the arrangement laid down under section 34 in the manner prescribed;

(b) to entrust the child to the care of the parents or guardian on execution of a bond to the effect that they will take good care of a child who has parents or guardian and who is found, on scrutiny-to need only the custody and care of such parents or guardian;

9

(c) to entrust the child to the care of the parents or guardian, with or without execution of a bond, in the case of a child who is found, on scrutiny to have complied with the arrangement laid down under section 34, sub-section (a) or sub-section (c) for at least one year and whose moral character has improved.

36.   The Director General may: -
(a) exercise the power mentioned in section 35 sub-section (c) at his discretion or on the sub-mission of the Principal of the relevant training school or Probation Officer or the parents or guardian;
(b) alter as may be necessary any arrangement laid down under section 34 sub-section 9b0, sub-section (d) or sub-section (e), if there is sufficient reason to do so;
(c) transfer a child committed to one training school to another training school, if there is sufficient reason to do so;
(d) grant the following rights in the manner prescribed to a child committed to a training school: -
    (i) right to leave a training school as a temporary arrangement to be placed under the management and supervision of a home or a custodian;
    (ii) right to travel on an emergency parole licence for the period required to visit his parents, guardian or near relative who is seriously ill;
    (iii) right to live out on a parole licence;
    (iv) right to live outside the training school with any suitable person, under the management and supervision of the training school.
(e) delegate the powers conferred on him under this section to a Social Welfare Officer or Principal of a training school.

Chapter IX
Taking Action against a Child for an Offence

37.   A Police Officer or a person authorized to take cognizance shall abide by the following when arresting a child accused of having committed an offence: -
(a) shall not handcuff the child or tie with a rope;
(b) shall not keep the child together with adult prisoners; if it is a girl, keep her with a woman guard;
(c) shall not maltreat or threaten the child;
(d) shall not send the child together with adult prisoners from one place to another; if it is a girl, shall send her with a woman guard;
(e) shall inform the parents or guardian concerned as soon as possible;
(f) shall send up the arrested child to the relevant juvenile court as soon as possible;
(g) shall release the child on execution of a bond, if the child cannot be sent up as soon as possible to he juvenile court under sub-section (f);
(h) shall send the child to a temporary care station or to another appropriate place, if the child is not released on a bond under sub-section (g).

38.   A Police Officer or a person authorized to take cognizance: -

10

(a) shall send up the juvenile case for prosecution to the relevant juvenile court;

(b) in a case of joint commission of offence by a child and an adult, shall send up the child for prosecution to the relevant juvenile court and the adult to the relevant court;

(c) in sending up a child for prosecution, supporting evidence in respect of his age shall be sent together.

39. A Police Officer or a person who is authorized to take cognizance, in respect of a child who has escaped from a training school, home, temporary care station or a custodian: -

(a) may arrest him without a warrant;

(b) shall, after arrest, commit him back to the custody of the training school, home, temporary care station or custodian;

(c) may commit him to the custody of any other appropriate place, before being able to commit the child back to the custody of a training school, home, temporary care station or a custodian under sub-section (b).

Chapter X
Trial of Juvenile Cases

40. The Supreme Court may: -

(a) establish juvenile courts in appropriate local areas and appoint juvenile judges;

(b) in local where juvenile courts under sub-section (a) have not been established confer powers of a juvenile judge on a Township Judge.

41. The Juvenile Court: -

(a) on receiving a juvenile case, first and foremost scrutinize the supporting evidence in respect of the age of the child, contained in the proceedings. It shall determine whether the offender is a child or not from the birth certificate, citizenship scrutiny card, foreigner's registration certificate, true copy of an extract of school admission register, doctor's medical certificate or other valid supporting evidence contained in the proceedings;

(b) have jurisdiction only in respect of a child who has not attained the age of 16 years at the time of committing the offence. It shall place on record the decision that the offender is a child, before proceeding with the trial of a juvenile case;

(c) during trial release the child sent up for prosecution, on the execution of a bond, entrust to the care of parents or guardian subject to conditions, commit to the custody of a temporary care station or other appropriate place subject to conditions. Under no circumstances shall an order for detention be passed;

(d) notwithstanding that a child has attained the age of 16 years during trial, continue to try the case, as if the accused were a child and pass a sentence in accordance with this law;

(e) try juvenile offences punishable with death, transportation for life or imprisonment for a term exceeding 3 years, in the manner in which a warrant case is tried;

11

(f) try all juvenile offences other than the type of offences mentioned in sub-section (e), in the manner in which a summons case is tried.

42. The juvenile court shall abide by the following in trying juvenile cases: -
(a) shall try the case in a separate court or a separate building or if there is no separate court or building, in a building or room other than that in which the ordinary sittings of the court are held;
(b) no person other than the parents, guardians staff of the court, Law Officers, members of the People's Police Force on duty and not in uniform, persons who have been granted permission by the juvenile court shall be present at the place of trial;
(c) if the child or his parents or guardian cannot or do not wish to engage a lawyer and makes and application to be defended with the assistance of any appropriate person, shall grant permission to do so;
(d) shall arrange to make available and interpreter, if necessary;
(e) shall dispose of the case speedily.

43. The Juvenile Court has the following powers in respect of the trial of juvenile cases: -
(a) may direct anyone who is present at the place of trial, including the child to leave the court at any time during the trial of the case, if it is considered to be necessary in the interests of the child. If necessary, it may cause force to be used in so directing to leave the court;
(b) may continue to try the case in the absence of the child, notwithstanding the stage of inquiry or trial of the case, if it is considered that the presence in the court of the accused child is not necessary;
(c) may direct the parents or guardian in whose custody and care the child is at present, to attend every day on which the sittings of the court are held;
(d) may allow inserting and announcing of information revealing the identity of a child who is accused of having committed an offence or a child who is participating as a witness in any case, in the radia, television, newspapers, magazines, journals and publications and displaying and making use of the photograph of the child, if it is believed to be of benefit to the child;
(e) may direct the relevant Probation Officer to make inquires and to submit a report of the personal history, character, conduct, behaviour and environmental circumstances of the child and his parents or guardian;
(f) may, if it is considered appropriate inform the child or his parents or guardian of a gist of the report submitted by the Probation Officer under sub-section (e) and allow the submission of evidence to the contrary.

44. The juvenile Court shall, before passing an order on a child who is found guilty, take into consideration the following and pass an order which is reformative and which will be beneficial to the child: -
(a) the age and character of the child;
(b) the environmental circumstance of the child;
(c) the cause of committing the offence;

12

(d) the report submitted by the probation Officer;

(e) other circumstances which are required to be taken into consideration in the interests of the child.

45. Notwithstanding anything contained in any existing law, a death sentence, transportation for life or a sentence of whipping shall not be passed on any child.

46. A child shall not ordinarily be sentenced to imprisonment. Only if the Juvenile Court is satisfied that the child has committed and offence which is punishable with death or transportation for life under any existing law or that the child is of so unruly or depraved a character or absolutely uncontrollable, he shall be sentenced to imprisonment. Such sentence of imprisonment shall not exceed a term of 7 years.

47. The Juvenile Court may pass any of the following orders is respect of a child who should not be sentenced to imprisonment: -

(a) if the offence committed is not serious and the character of the child is not yet perverted; -

(i) may release him after due admonition;

(ii) may impose a fine, if he has attained the age of 14 years and has an income, a fine may be imposed on the parents or guardian;

(b) whether the offence committed is serious or not, if the character of the child is not yet perverted and in order to deter further commission of offence, such child shall be entrusted to the custody of his parents or guardian on execution of a bond for good behaviour according to the conditions of the bond for a period not exceeding 3 years;

(c) may cause the child to submit to the supervision and management of the Probation Officer during a period not exceeding 3 years;

(d) whether the offence is serious or not, if the child is of a perverted character or if the child is not yet perverted but has parents or guardian or if the child has parents or guardian but cannot be admonished and is in no circumstances for custody and care, may commit such child to the custody of any training school for a minimum term of 2 years or till he attains the age of 18 years as a maximum term.

48. The Juvenile court may: -

(a) in addition to the sentence of imprisonment passed under section 46 or any order passed under section 47 also pass an order directing the parents or guardian to pay compensation for injury, loss or damage caused to any person by the act of the child;

(b) if in conformity with the following conditions, pass an amending order to entrust a child who has complied with the order passed under section 47 sub-section (c) or sub-section (d) for at least one year, to the custody of the parents or guardian concerned, with or without abond: -

(i) improvement in the moral character of the child;

(ii) being a child who has parents or guardian;

13

(iii) not being an offence of violation of the Narcotic Drugs and Psychotropic Substances Law;

(c) exercise the powers mentioned in sub-section (b) on the application of the Principal of the relevant training school, Probation Officer or parents or guardian.

49.　(a) There shall be right of appeal or right of revision in accordance with the provisions of the Code of Criminal Procedure against the order of decision passed under this Law by the Juvenile Court;

(b) If a sentence of imprisonment is passed on the child by a Juvenile Court, or Appellate Court or Court of Revision, a copy of the sentence shall be sent to the Ministry.

Chapter XI
Safeguarding Children Against Dangers

50.　The Police Officer: -

(a) shall, in order to safeguard a child who is likely to be exposed to danger send up such child as soon as possible to the relevant Juvenile Court;

(b) may commit the child to the custody of a temporary care station or other appropriate place before being able to send up the child under sub-section (a).

51.　The Juvenile Court: -

(a) may, if it believes on information or on personal knowledge that a child is in danger or that if immediate action is not taken, there is likelihood of danger befalling the child direct the Police Officer to search for the child and send him up before it and to commit the child to the custody of a temporary care station before being able to send him up;

(b) shall protect a child sent up under sub-section 9a) or under section 50 sub-section (a) in any of the following manner: -

(i) committing the child to the custody of parents of guardian or custodian who agrees to accept and take custody and care of the child.

(ii) sending the child to a temporary care station to be taken care of until he is free from danger;

(c) may, if reliable information in received that a child is abducted for any unlawful purpose or that the child is being unlawfully detained direct the relevant Police Officer to take necessary action for restoration of liberty to such child or for entrusting the child as soon as possible to the custody of his parents or guardian.

Chapter XII
Custody and Care of Children and Youths in Prisons

14

52. The Officer in charge of a prison shall, in respect of a child or youth who has been sentenced to imprisonment: -
  (a) not keep him together with adult prisoners until he attains the age of 18 years;
  (b) keep him in a separate ward or room to which adult prisoners cannot have access;
  (c) grant him the right to meet parents, guardians, relatives and friends concerned and the right to be sent food and prescribed articles in a accordance with the existing regulations and bye-laws;
  (d) not employ him in rigorous labour;
  (e) provide medical check-up regularly for him;
  (f) train and give him education which will reform his character and vocational education;
  (g) grant him the right to enjoy remission period in accordance with the existing regulations and bye-laws.

53. The Officer in charge of a prison: -
  (a) shall allow the child of a female prisoner to stay together with his mother in prison till he attains the age of 4 years if there is no one outside to take custody and care of him or if his mother so desires;
  (b) may allow the child mentioned in sub-section (a) to continue to stay together with is mother in prison till he attains the age of 6 years if his mother so desires;
  (c) shall be responsible for providing food, clothing and shelter and health care of the child who stays together with his mother in prison;
  (d) shall inform the Director general of the social Welfare Department as soon as possible, in order to make arrangements for the care and custody of any child left after a female prisoner dies in prison or if the child staying together with the female prisoner attains the age of 6 years.

54. The Director General of the Social Welfare Department may commit a child mentioned in section 53 sub-section (d) to the custody of relatives who will take custody and care of him or if there are no such relatives he may be entrusted to an appropriate training school or to a custodian.

Chapter XIII
Training school, Temporary care station, Home, Residential Nursery

55. The Director General shall establish the following with the approval of the Minister: -
  (a) training schools required for the custody and care of a child in need of protection and care or a child who has committed and offence, who is entrusted under this Law;
  (b) temporary care stations required for the temporary custody and care during the period of trial of a child who is accused of having committed an offence.

15

56. If the Director General believes that a home established by a voluntary social worker or a non-governmental organization with the intention of taking custody and care of a child in need of protection and care: -

(a) is appropriate for the custody and care of children sent under this law, such home may be recognized as being a training school for the purpose of this Law;

(b) is appropriate for the temporary custody and care during the trial of a child who is accused of having committed and offence, such home may be recognized as being a temporary care station for the purpose of this Law.

57. The Director General may establish local residential nurseries required for nursing and care of children who have not attained the age of 5 years.

58. The Director General may exercise the following powers: -

(a) supervising, inspecting, giving guidance, rendering expertise and giving support as may be necessary to day nurseries and pre-primary schools established on self-help system;

(b) supervising, inspecting, giving guidance, rendering expertise and giving support as may be necessary to homes established by a voluntary social worker or by a non-governmental organization;

(c) supervising, inspecting, giving guidance and rendering expertise to private day nurseries and per-primary schools established on payment of fees;

(d) inspecting or causing to be inspected by a suitable person or any committee training schools and temporary care stations established or recognized under this Law.

Chapter XIV
Power of the Minister

59. The Minister: -

(a) may , at anytime pass an order to release either absolutely or subject to conditions a child committed to the custody of a training school or a custodian under this Law;

(b) may pass an order to transfer a child undergoing imprisonment ot a training school or to a custodian till the day he attains the age of 18 years, if it is considered beneficial for the child;

(c) may pass an order so that the remainder of the term of imprisonment of a child who has been transferred under sub-section (b) and who is behaving well shall not have effect;

(d) may cause to have effect the remainder of the term of imprisonment of a child who has been transferred under sub-section (b) and who does not behave well. In so causing to have effect, the period of stay of the child at the training school or with the custodian shall be reckoned as the term of imprisonment undergone.

16

60. The Minister: -
   (a) may assign responsibility to a Government employee or to a suitable citizen who is not a Government employee as a Social Welfare Officer, in order to carry out the functions and duties of the Social Welfare Officer under this Law in local areas where an office of the Social Welfare Department has not been opened as yet;
   (b) shall make prior consultation with the relevant Government department or organization for assigning responsibility to a Government employee as a Social Welfare Officer.

Chapter XV
Probation Officer

61. The Director General may assign responsibility as Probation Officer to an employee of the Social Welfare Department or to a suitable citizen who is not a Government employee.

62. The duties and powers of a probation Officer are as follows: -
   (a) making necessary investigations and submitting a report, when assigned responsibility in respect of the child by the Juvenile Court;
   (b) managing and supervising a child who is ordered to submit to his management ad supervision, in the manner prescribed;
   (c) reporting to the relevant Social Welfare Officer, if it is found that a child is in need of protection and care under this Law;
   (d) informing the relevant police officer or the Juvenile Court, if it is found that there is likelihood of danger befalling any child or that a child is in danger;
   (e) arresting the child without a warrant and hading him over to a police officer, if a child who has escaped from a training school, home, temporary care station or a custodian is found;
   (f) co-ordinating and co-operating with the parents or guardians concerned, local elders and persons from social organization for the benefit of children;
   (g) carrying out duties relating to the child, which are assigned by the Social Welfare Department.

Chapter XVI
Homes Established by a Voluntary Social Worker or a Non-Governmental Organization

63. (a) A voluntary social worker or a non-governmental organization may establish homes for custody and care of children in need of protection and care, on their own arrangements;
   (b) A Home established under sub-section (a) shall be registered with the Social Welfare Department, as may be prescribed;
   (c) A Home which has been granted registration: -
       (i) shall operate only in the interests of children;

17

(ii) shall submit to the supervision, inspection and guidance of the Social Welfare Department;

(iii) may obtain the support and expertise of the Social Welfare Department.

64.   If a home established under section 63 is recognized by the Social Welfare Department as a training School under section 56 sub-section (a) or as a temporary care station under section 56 sub-section (b), such home shall also accept and take custody and care of children sent under this Law.

Chapter XVII
Offence and Penalties

65.   Whoever commits any of the following acts shall, on conviction be punished with imprisonment for a term which may extend to 6 months or with fine which may extend to kyats 1000 or with both: -

(a)   employing a permitting a child to perform work which is hazardous to the life of the child or which may cause disease to the child or which is harmful to the child's moral character;

(b)   taking a child to or allowing him to enter a place where only alcohol is sold; sending the child to buy alcohol, selling school to the child, permitting the child to take alcohol, employing or permitting the child to work in the business which trades in alcohol;

(c)   urging, inducing or abetting the child to gamble;

(d)   accepting as pledge any property from the child or abetting the child in any manner to pledge property;

(e)   purchasing any property sold by a child, with the exception of purchasing property from a child who earns a livelihood by selling;

(f)   inducing a child to escape from a training school, home, temporary care station or custodian; abetting the run away; harbouring, concealing or preventing the child from going back to the original place, knowing that the child has escaped.

66.   Whoever commits any of the following acts shall, on conviction be punished with imprisonment for a term which may extend to 2 years or with fine which may extend to kyats 10,000 or with both: -

(a)   neglecting knowingly that a girl under his guardianship, who has not attained the age of 16 is earning a livelihood by prostitution;

(b)   permitting a child under his guardianship to live together or to consort with a person who earns a livelihood by prostitution;

(c)   employing a child to beg for his personal benefic; falling to prevent a child under his guardianship from begging; making use of the child in any manner in his livelihood of begging;

18

(d) wilfully maltreating a child, with the exception of the type of admonition by a parent, teacher or a person having the right to control the child, which is for the benefit of the child;

(e) inserting and announcing information revealing the identity of a child who is accused of having committed an offence or who is participating as a witness in any case, in the radio, cinema, television, newspapers, magazines, journals or publications and displaying or making use of the photograph of he child without the prior consent of the relevant juvenile court;

(f) using the child in pornographic cinema, video, television or photography.

Chapter XVIII

Youth who has committed an offence

67. A youth, who at the time of committing the offence has attained the age of 16 years, but has not attained the age of 18 years shall be sent up for prosecution to the Court which has jurisdiction, in respect of the offence. In sending up for prosecution such case of the youth, it shall be accompanied by supporting evidence in respect or the age of the youth.

68. The relevant Court shall, before commencement of the trial of the offence with which a youth is charged decide whether or not the accused is a youth from the birth certificate, Citizenship Scrutiny Card, Foreigner's Registration Certificate, true copy of an extract of the school admission register, Doctors' medical certificate of other valid supporting evidence included in the proceedings and record such decision.

69. Notwithstanding that the youth has attained the age of 18 years on the day of passing of the sentence, the Court shall deem as if such person were a youth and pass order accordingly.

70. The Court shall take into consideration the following before passing an order on the youth who is found guilty of the offence:-

(a) the age and character of the youth;
(b) the environmental circumstance of the youth's residence;
(c) the physical and mental condition of the youth;
(d) the cause of committing the offence

71. Notwithstanding anything contained in any exiting law:-

19

(a) a sentence of death or transportation for life shall not be passed on the youth;

(b) if a sentence of imprisonment is passed on the youth, the maximum term of imprisonment shall not exceed ten years.

Chapter XIX
Miscellaneous

72. If there are no specific provisions in this Law, the provisions of the Code of Criminal Procedure shall be complied with.

73. Under Children Act, 1955:-

(a) the Training Schools established by the Social Welfare Department shall be deemed to be training schools established by the Social Welfare Department under this Law;

(b) the Homes recognized by the Social Welfare Department as a Training School or a Remand Home shall apply for registration during the period and in the manner prescribed by the Social Welfare Department;

(c) the notifications and directives issued may be applied in so far as they are not inconsistent with the provision of this Law.

74. For the purpose of carrying out the provisions of this Law:-
(a) the Ministry may , with the approval of the Government issue such rules and procedures as may be necessary;
(b) the National Committee relating to the Rights of the Child, the Supreme Court, relevant Ministry, Government department, Government organizations may issue such orders and directives as may be necessary.

75. The following laws are hereby repealed:-
(a) The Young Offenders Act, 1930;
(b) The Children Act, 1955.

(Sd) Than Shwe
Senior General
Chairman
The State Law and Order Restoration Council

20

Appendix 4– Question Guide Example from World Vision Myanmar Street Children Participatory Evaluations

These Questions, based on the 8 overarching questions on pXX were developed for data collection for children at the drop-in-centre:

1. What do you like about living on the street?

2. What do you dislike about living on the street?

3. What do you like about living in the LPK?

4. What do you dislike about living in the LPK?

5. Where are you happier, in LPK or on the street?

6. Do you think that your situation is getting better since you have been in LPK?

7. What can the children do to have a better programme?

8. What can the staff do to have a better programme?

9. Is there anything else the LPK scheme can do to help you?

10. What other programmes are LPK doing apart from the centre and hostel?

11. How can you help other children facing the same situation as yours?

12. What do the children from the centre want to do when they grow up?

13. What will happen to the children when the centre is closed?

14. What is the purpose of opening this centre?

15. Do you have home?

16. What do you dislike at your home?

17. What do you like at your home?

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