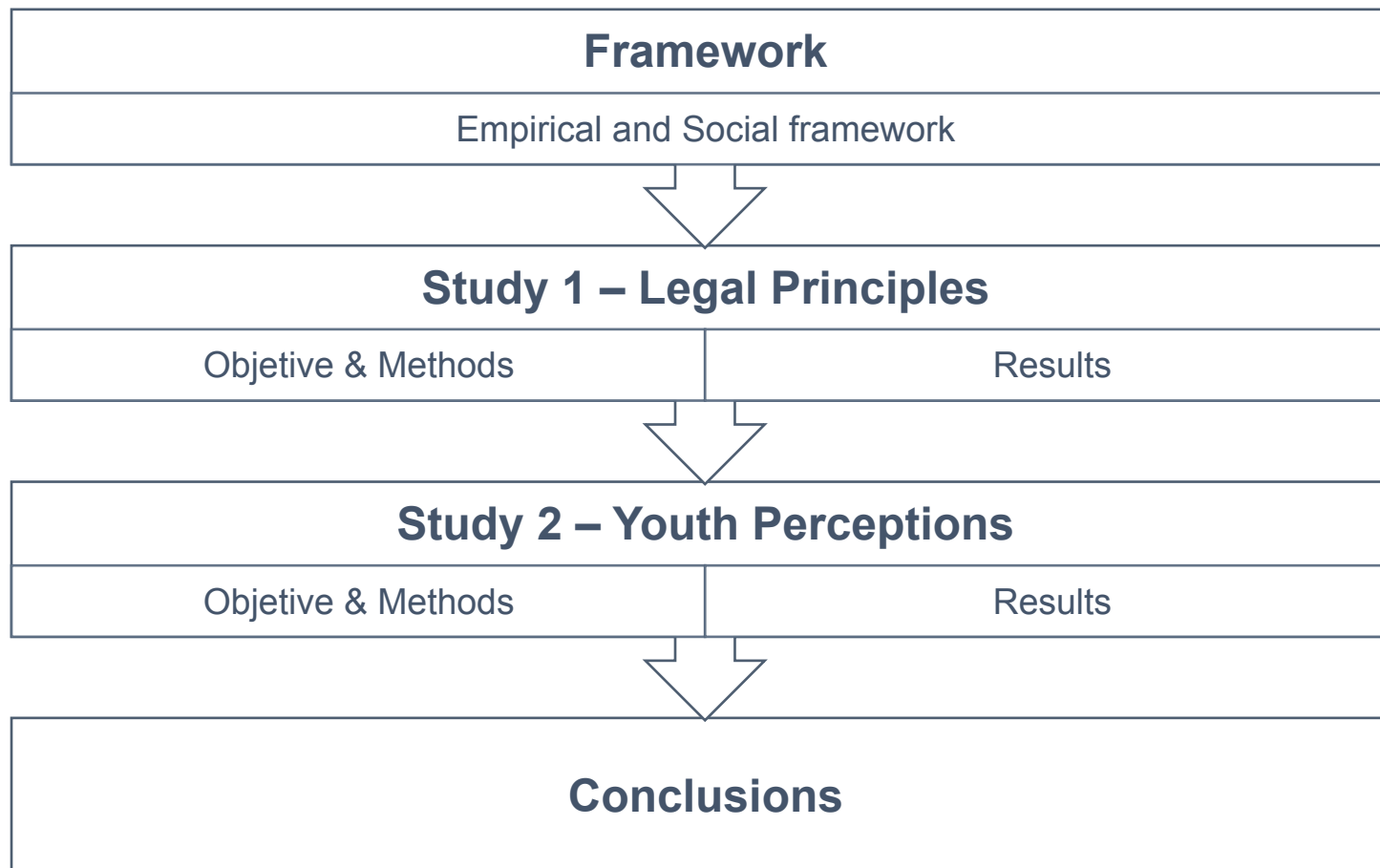


A grounded model of rights in residential care: from legal principles to the youth's perceptions

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Overview



Framework

What we know about children's
perceptions on their rights ?

Framework

SOCIAL CONCERN

- The Convention on the Rights of the Child (United Nations, 1989)
 - A new social representation of children;
 - Children's dignity and ability to be heard;
- The European Commission study (2011)
 - A cross-cultural study (N=1445 adolescents; aged 15 -17)
 - The children's rights identified by these adolescents were:
 - Firstly provision rights (e.g., education, food and clothing, a place to live, health care)
 - But those rights on participation (e.g., freedom of speech, freedom of choice) and on equality and non-discrimination were reported too

Framework

SCIENTIFIC CONCERN

Attitudes

Focus on the extent of agreement with children's rights

• Measures:

- Statements of potential children's rights or brief vignettes

• Results:

- Higher variability in support for self-determination rights than nurturance ones

Knowledge

Focus on the children's conceptions about rights

• Measures:

- Open-ended interview questions

• Results

- Rights are defined as entitlements, privileges, rules or laws
- Children's knowledge becomes more abstract as children grows up

Reasoning

Focus on the cognitive-developmental changes on thinking

• Measures:

- Based on Piaget and Kohlberg research – vignettes and dilemmas

• Results:

- The progress on children's understanding of rights is congruent with moral and cognitive development
- The context/situation play an important role

Framework

Theoretical Problems

Children rights – general statements vs specific rights

- What about a systematization of children's rights and its dimensional organization?

Attitudes, knowledge and reasoning

- What about the rights in practice and youth routines?

Children and youth: most of them not in care

- What about the youth in residential care?

Rights perceptions and children sociodemographic data

- What about the relationship between youth perceptions and their functioning?

Study 1



Objective

The identification of underlying dimensions of the children's rights to be investigated with children and youth in residential care

Method

Data Source

- Declaration of the Rights of the Child (United Nations, 1959);
- Convention on the Rights of the Child (United Nations, 1989);
- The Portuguese Law for Protection of Children and Youth at Risk (Diário da República, 1999).

Method

Content Analysis

Data analysis An inductive process of codification

Validation of the
system of
categories

Cohen's Kappa = 0.90

Scott's Pi = 0.89

Results of reliability

Researchers 1 and 2

Cohen's Kappa = 0.80

Scott's Pi = 0.79

Researchers 1 and 3

Cohen's Kappa of 0.75

Scott's Pi = 0.75

Results

Category	Subcategory	Total		Declaration		Convention		Portuguese Law	
		F	%	F	%	F	%	F	%
Guarantee of Whole Development	Care practices of well-being	27	11.79	6	2.62	10	4.37	11	4.80
	Physical, psychological and social development	26	11.35	6	2.62	8	3.49	12	5.24
	Education	26	11.35	4	1.75	4	1.75	18	7.86
	Health	24	10.48	4	1.75	10	4.37	10	4.37
	Recreational and Leisure Activities	17	7.42	5	2.18	8	3.49	4	1.75
	Autonomy	7	3.06	0	0.00	2	0.87	5	2.18
	Subtotal	127	55.46	25	10.92	42	18.34	60	26.20
Privacy	Protection of private life	10	4.37	0	0.00	2	0.87	8	3.49
	Protection the child identity	4	1.75	0	0.00	4	1.75	0	0.00
	Subtotal	14	6.11	0	0.00	6	2.62	8	3.49
Child Participation	Freedom of Expression and Thinking	16	6.99	0	0.00	9	3.93	7	3.06
	Child right of information	13	5.68	0	0.00	8	3.49	5	2.18
	Involvement of child in decision making	6	2.62	0	0.00	2	0.87	4	1.75
	Subtotal	35	15.28	0	0.00	19	8.30	16	6.99
Parental involvement and responsibility	Regular contact with parents/family	11	4.80	0	0.00	6	2.62	5	2.18
	Protection of parental rights and duties	8	3.49	0	0.00	6	2.62	2	0.87
	Subtotal	19	8.30	0	0.00	12	5.24	7	3.06
Protection and Security	-	17	7.42	6	2.62	6	2.62	5	2.18
Normalization	-	9	3.93	2	0.87	6	2.62	1	0.44
Non-Discrimination	-	8	3.49	4	1.75	4	1.75	0	0.00
Total		229	100	37	16.16	95	41.48	97	42.36

Study 2



Objectives

- The identification of the youth's perceptions about the fulfillment of their rights in residential care
- The identification of perceived impact of non-fulfillment of rights on youth functioning

Method

Participants

N= 29

Age = from 12 to 18 years old (M=15.17; SD=1.47)

Sex = 15 males and 14 females

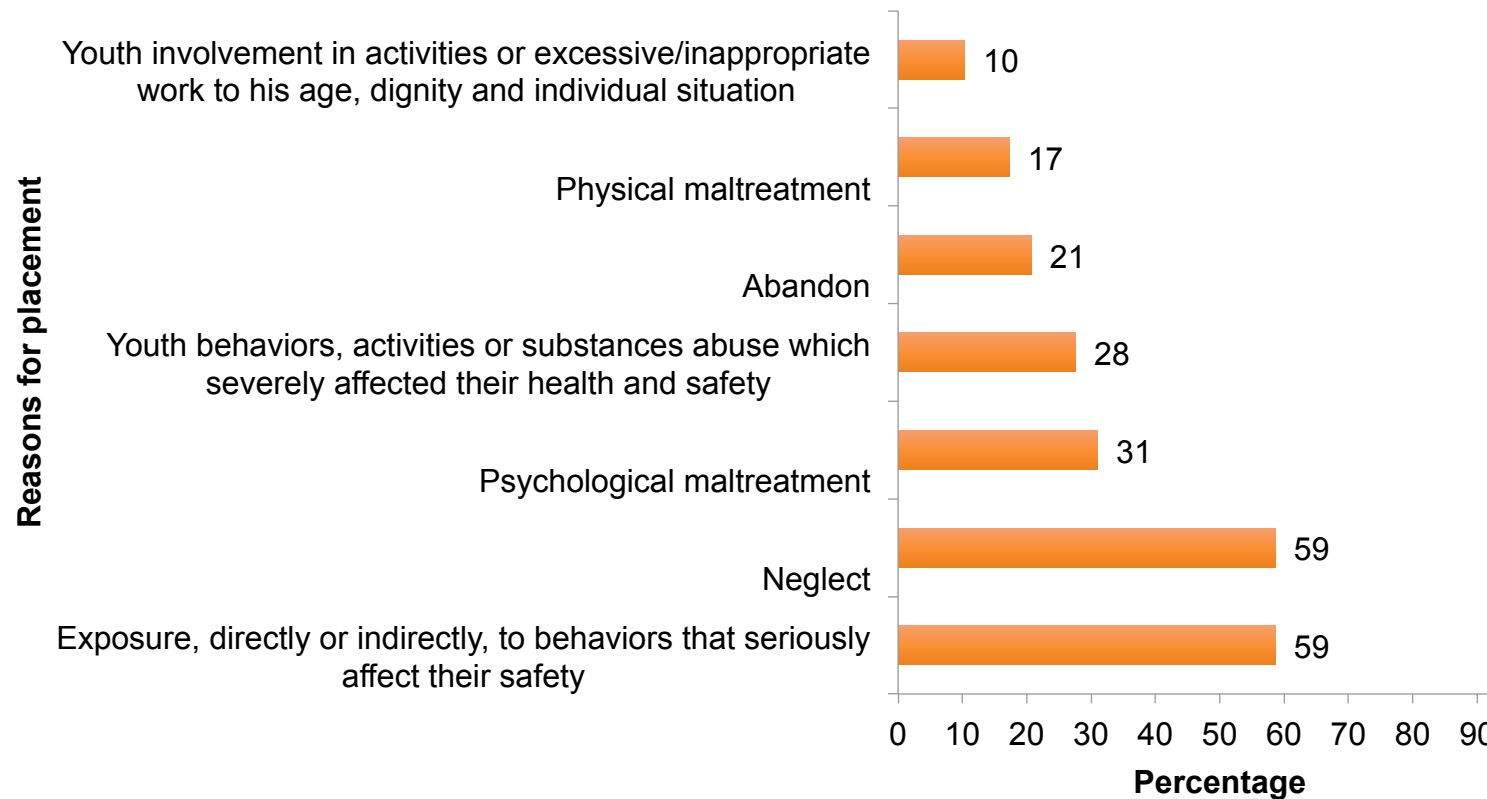
Time of placement = Mean of 30 months (range from 7 months and years)

Institutions

6 residential settings (six districts)

Number of children and youth: M= 30 (ranging from 15 to 43)

Number of professionals: M= 4 social workers and M= 9 educators



Method

Data collection

- Focus Groups Guide
 - 1st Part:
 - What does rights and duties mean?
 - What rights do you think children and youth have?
 - What rights do you think children and youth should have?
 - What rights do you think that are the most important in your life?
 - What do you think that youth who are not at residential care consider about this issue?
 - 2nd Part:
 - In what way do you think this right is respected in your daily routine?
 - Do you feel that you have this right?
 - How do you feel when this right is not respected or fulfilled?
 - Final general perceptions
- Participants Sheet-form
 - Socio-demographic data
 - Placement history (time, number, reasons)
 - Contact with relatives
- Institutions Sheet-form
 - Dimension and professionals teams structure

Method

Procedures and ethical issues

- Permission request to the director of the institution;
- Informed consent from youth:
 - Information about the extent of the focus group,
 - The need for audio recording the interview for future content analysis
 - The voluntarism of participation
 - The need to respect the privacy of other peers in the focus group
 - The confidentiality of the information
 - The possibility of abandoning the focus if they want

Method

Data analysis – Grounded Theory

Process of analysis (Strauss & Corbin, 1990; Charmaz, 2006):

- 1) Initial coding (557 initial codes);
- 2) Focused coding (127 categories)
- 3) Axial coding (the phenomenon identification)
- 4) Selective coding (story line definition)

• Trustworthiness Criteria (Strauss & Corbin, 1990; Charmaz, 2006)

- 1) Audio-recording and "verbatim" transcript of the data;
- 2) A co-moderator was in focus groups;
- 3) Peer discussion;
- 4) Reflexive process of analysis;

Results

Youth's conceptions about
rights

Rights

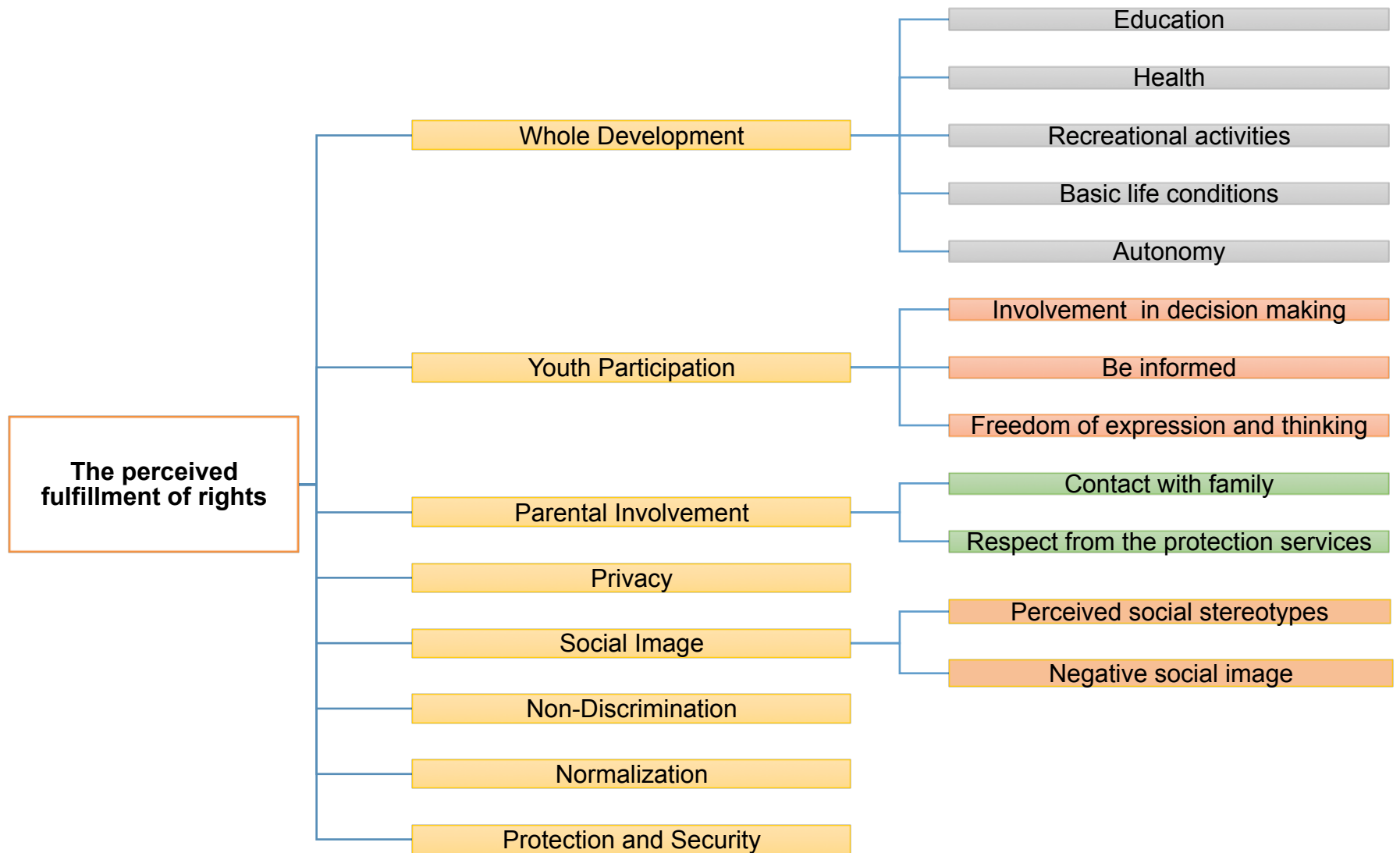
"Anything we can do without asking"

"It may have something"



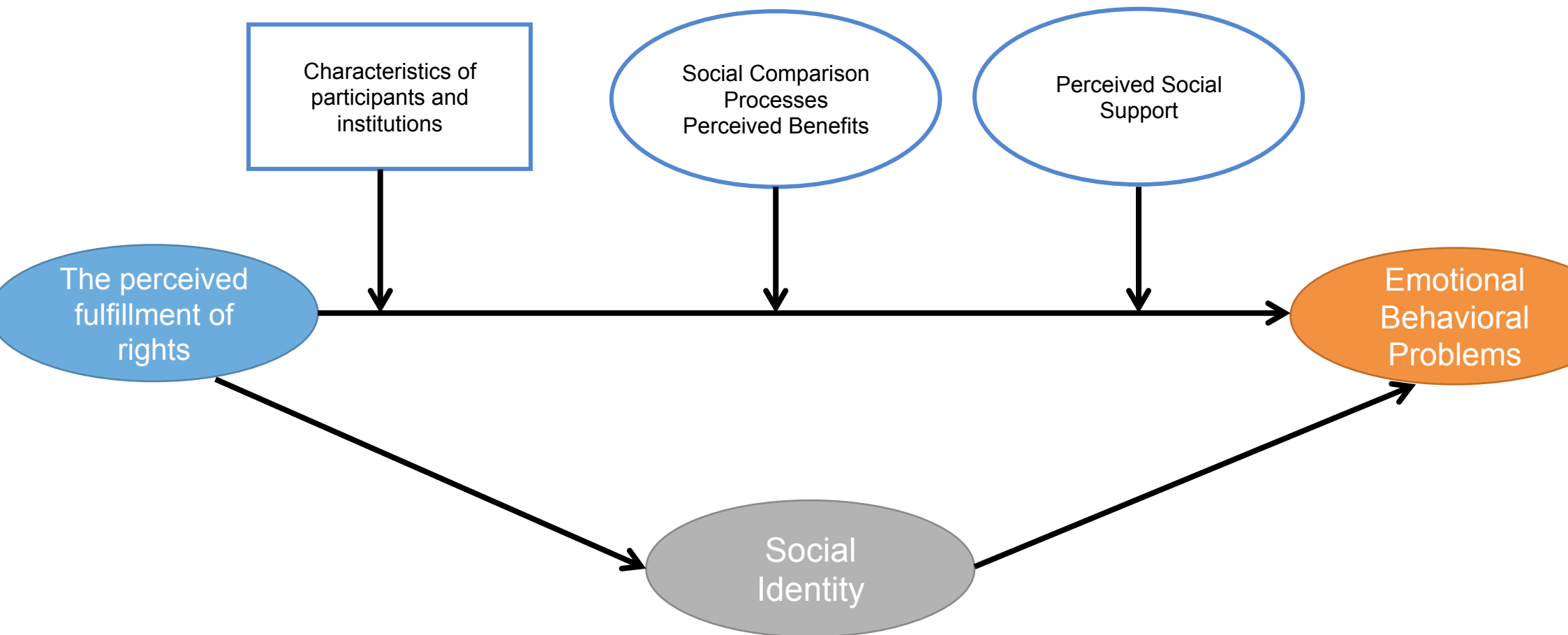
Results

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Results

The Grounded Model



Conclusions

1st PROBLEM

What about a systematization of children's rights and the underlying dimensions?

- A systematization of rights was obtained from the documental analysis with an integration of international and national legal principles
- The results from the analysis reflected the historical progress about children' rights, since the paradigm of nurturance in the Declaration to the self-determination paradigm in the Convention;
- The Portuguese law advises for the relevance of privacy regarding children and families on the protection system and the Convention is more focused on the child participation and the caregivers responsibility.

Conclusions

2nd PROBLEM

What about the youth in residential care?

- The results about rights conceptions are congruent with studies including youth who are not in care – rights as entitlements
- The rights identification included mostly provision and nurturance rights, but comprised civil liberties and self-determination rights too.

(e.g., Cherney & Perry, 1996; Khoury-Kassabri, Haj-Yahia, & Ben-Arieh, 2006; Melton, 1980; Sherrod, 2008; Peterson-Badali & Ruck, 2008)

Conclusions

What about the rights in practice and youth routines?

3rd PROBLEM

What about the relationship between youth perceptions and their functioning?

- The grounded analysis suggests that the impact of non-fulfillment of rights on youth functioning is specifically in terms of emotional and behavioral functioning.
- The social processes were identified by youth in residential care as particularly important conditions and mechanisms regarding their functioning:
 - Social comparisons
 - Social identity
 - Social support

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