

SPRINGER BRIEFS IN RIGHTS-BASED
APPROACHES TO SOCIAL WORK

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Children's Rights and Social Work



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Foreword

Even though you and I are in different boats, you in your boat and we in our canoe, we share the same River of Life.

—Chief Oren Lyons, Onandaga Nation, USA

The rights of every man are diminished when the rights of one man are threatened.

—John F. Kennedy, Civil Rights Announcement, June 11, 1963

For over a century, social workers have worked to improve the lives and situations of individuals, families, and communities. Social workers, often acting on behalf of the state's interests, typically intervened according to what they themselves perceived to be deficits in the lives and behaviors of persons in need. This approach to working with people patronizes, stigmatizes, and too often revictimizes those we seek to assist. It is long past time to revitalize and reframe our approach to working with those we seek to serve. The books in this series reframe deficit models used by social work practitioners and instead propose a human rights perspective. Rights-based social work shifts the focus from human needs to human rights and calls on social workers and the populations they work with to actively participate in decision-making processes of the state so that the state can better serve the interests of the population. The authors in the series share their strategies for empowering the populations and individuals we, as social workers, engage with as clinicians, community workers, researchers, and policy analysts.

The roots of social work in the United States can be traced to the pioneering efforts of upperclass men and women who established church-based and secular charitable organizations that sought to address the consequences of poverty, urbanization, and immigration. These were issues that were ignored by the public sphere at the time. Little in the way of training or methods was offered to those who volunteered their resources, efforts, and time in these charitable organizations until later in the nineteenth century when concepts derived from business and industry were applied to distribution of relief efforts in what became known as “scientific charity.” This scientific approach led to the use of investigation, registration, and

supervision of applicants for charity, and in 1877, the first American Charity Organization Society (COS) was founded in Buffalo, New York. The popularity of the approach grew quickly across the country. COS leaders wanted to reform charity by including an agent's investigation of the case's "worthiness" before distributing aid because they believed that unregulated and unsupervised relief led to more calls for relief.

Around the same time, an alternative response to the impact of industrialization and immigration was introduced and tested by the settlement house movement. The first US settlement, the Neighborhood Guild in New York City, was established in 1886, and less than three years later, Jane Addams and Ellen Gates Starr founded Hull House in Chicago, which came to symbolize the settlement house movement in the United States. Unlike the individually oriented COS, the settlement house movement focused on the environmental causes of poverty, seeking economic and social reforms for the poor and providing largely immigrant and migrant populations with the skills needed to stake their claims in American society.

The settlement house movement spread rapidly in the United States and by 1910, there were more than 400 settlements (Trolander 1987; Friedman and Friedman 2006). Advocacy for rights and social justice became an important component of the settlement activities and led to the creation of national organizations like the National Consumers' League, Urban League, Women's Trade Union League, and the National Association for the Advancement of Colored People (NAACP). The leaders of the movement led major social movements of the period, including women's suffrage, peace, labor, civil rights, and temperance, and were instrumental in establishing a federal-level children's bureau in 1912, headed by Julia Lathrop from Hull House.

During this same period, the charity organization societies set to standardize the casework skills for their work with individuals. Their methods became a distinct area of practice and were formalized as a social work training program in 1898 known as the New York School of Philanthropy and eventually, the Columbia University School of Social Work. In 1908, the Chicago Commons offered a full curriculum through the Chicago School of Civics and Philanthropy (now the University of Chicago's School of Social Service Administration) based on the practices and principles of the settlement movement. By 1919, there were 17 schools of social work.

Efforts already underway to secure and strengthen pragmatically derived casework knowledge into a standardized format were accelerated following Abraham Flexner's provocative lecture in 1915 questioning whether social work was a profession because he believed it lacked specificity, technical skills, or specialized knowledge (Morris 2008). By the 1920s, casework emerged as the dominant form of professional social work in the United States and remained primarily focused on aiding impoverished children and families but was rapidly expanding to work with veterans and middle-class individuals in child guidance clinics.

As social work branched out to other populations, it increasingly focused on refining clinical treatment modalities and over time clinical work too often stood apart from community work, advocacy, and social policy. Although social work

education standards today require all students to be exposed to clinical and case-work, community practice, advocacy, research and policy, most schools do not prioritize the integrated practice of these areas in the advanced year of social work education (Austin and Ezell 2004; Knee and Folsom 2012).

Despite the development of sophisticated methods for helping others, social work practice overly relies on charity and needs-based approaches. These approaches are built on the deficit model of practice in which professionals or individuals with greater means diagnose what is “needed” in a situation and the “treatment” or services required to yield the desired outcome that has been set by the profession or other persons of advantage. Judgments of need are based on professional research, practice wisdom, and theory steeped in values (Ife 2012). These values, research, theories, and practices typically reflect the beliefs of the persons pronouncing judgment, not necessarily the values and theories of the person who is being judged. This has the effect of disempowering and diminishing control of one’s own life while privileging professionals (Ife 2012). In turn, this risks reinforcing passiveness and perpetuating the violation of rights among the marginalized populations we seek to empower and at best maintains the status quo in society.

Needs-based approaches typically arise from charitable intentions. In social welfare, charity-based efforts have led to the labeling of persons worthy and unworthy of assistance, attributing personal behaviors as the cause of marginalization, poverty, disease, and disenfranchisement, and restricted the types of aid available accordingly. Judgments are cast by elites regarding who is deserving and who is not based on criteria that serve to perpetuate existing social, economic, and political relationships in charity-based approaches. Needs-based approaches attempt to introduce greater objectivity into the process of selecting who is helped and how by using evidence to demonstrate need and introducing effective and efficient interventions to improve the lot of the needy and society as a whole. Yet the solutions of needs-based efforts like charity-based ones are laden with the values of professionals and the politically elite and do not necessarily reflect the values and choices of the persons who are the object of assistance. Needs-based approaches prioritize the achievement of professionally established goals over the process of developing the goals, and, too often, the failure of outcomes is attributed to personal attributes or behaviors of individuals or groups who receive assistance. For example, the type of services a person diagnosed with a mental disorder receives in a needs-based approach will be often decided by authorities or experts according to their determination of what is best for the person and is likely to assume that a person with a mental disorder is incapable of making choices or at least not “good” choices. Programmatic success would then be evaluated according to adherence to the treatment plan prescribed by the persons with authority in the situation and may omit consumers’ objections or own assessments of well-being.

Unlike needs-based and charity-based approaches, a rights-based approach places equal value on process and outcome. In rights-based work, goals are temporary markers that are adjusted as people perpetually re-evaluate and understand rights in new ways calling for new approaches to social issues. For example, having

nearly achieved universal access to primary education, a re-evaluation of the right to education might lead to a new goal to raise the quality of education or promote universal enrollment in secondary education among girls. Rights-based approaches are anchored in a normative framework that are based in a set of internationally agreed upon legal covenants and conventions, which in and of themselves can provide a different and potentially more powerful approach. A key aspect of this approach posits the right of all persons to participate in societal decision-making, especially those persons or groups whom are affected by the decisions. For example, Article 12 of the United Nations Convention on the Rights of the Child (UNCRC) asserts that states “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” (UNCRC 1989). Likewise, the preamble to the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) holds states responsible for “redressing the profound social disadvantage of persons with disabilities and (to) promote their participation in the civil, political, economic, social, and cultural spheres with equal opportunities” (UNCRPD 2006).

A rights-based approach requires consideration of the universally recognized principles of human rights: the equality of each individual as a human being, the inherent dignity of each person and the rights to self-determination, peace, and security. Respect for all human rights sets the foundation for all civil, political, social, and economic goals that seek to establish certain standards of well-being for all persons. Rights-based efforts remove the charity dimension by recognizing people not only as beneficiaries, but as active rights holders.

One of the areas of value added by the human rights approach is the emphasis it places on the *accountability* of policy makers and other actors whose actions have an impact on the rights of people. Unlike needs, rights imply duties, and duties demand accountability (UN OHCHR 2002: paragraph 23). Whereas needs may be met or satisfied, rights are realized and as such must be respected, protected, facilitated, and fulfilled. Human rights are indivisible and interdependent and unlike needs that can be ranked, all human rights are of equal importance. A central dynamic of a rights-based approach is thus about identifying root causes of social issues and empowering rights holders to understand and if possible claim their rights while duty bearers are enabled to meet their obligations. Under international law, the state is the principal duty bearer with respect to the human rights of the people living within its jurisdiction. However, the international community at large also has a responsibility to help realize universal human rights. Thus, monitoring and accountability procedures extend beyond states to global actors—such as the donor community, intergovernmental organizations, international non-governmental organizations (NGOs) and transnational corporations—whose actions bear upon the enjoyment of human rights in any country (UN OHCHR 2002: paragraph 230).

Table 1 summarizes the differences between charity-, needs-, and rights-based approaches.

Table 1 Comparison of charity-, needs-, and rights-based approaches to social issues

	Charity-based	Needs-based	Rights-based
Goals	Assistance to deserving and disadvantaged individuals or populations to relieve immediate suffering	Fulfilling an identified deficit in individuals or community through additional resources for marginalized and disadvantaged groups	Realization of human rights that will lead to the equitable allocation of resources and power
Motivation	Religious or moral imperative of rich or endowed to help the less fortunate who are deserving of assistance	To help those deemed in need of help so as to promote well-being of societal members	Legal obligation to entitlements
Accountability	May be accountable to private organization	Generally accountable to those who identified the need and developed the intervention	Governments and global bodies such as the donor community, intergovernmental organizations, international NGOs, and transnational corporations
Process	Philanthropic with emphasis on donor	Expert identification of need, its dimensions, and strategy for meeting need within political negotiation. Affected population is the object of interventions	Political with a focus on participatory process in which individuals and groups are empowered to claim their rights
Power relationships	Preserves status quo	Largely maintain existing structure, change might be incremental	Must change
Target population of efforts	Individuals and populations worthy of assistance	Disadvantaged individuals or populations	All members of society with an emphasis on marginalized populations
Emphasis	On donor's benevolent actions	On meeting needs	On the realization of human rights
Interventions respond to	Immediate manifestation of problems	Symptomatic deficits and may address structural causes	Fundamental structural causes while providing alleviation from symptomatic manifestations

It can be argued that rights-based practice is not strikingly different from the way many social workers practice. For example, the strengths perspective that has become a popular approach in social work practice since the 1990s focuses on strengths, abilities, and potential rather than problems, deficits, and pathologies (Chapin 1995; Early and GlenMaye 2000; Saleebey 1992a) and “interventions are directed to the uniqueness, skills, interests, hopes, and desires of each consumer, rather than a categorical litany of deficits” (Kisthardt 1992: 60–61). In the strengths-based approach, clients are usually seen as the experts on their own situation and professionals are understood as not necessarily having the “best vantage point from which to appreciate client strengths” (Saleebey 1992b, p. 7). The focus is on “collaboration and partnership between social workers and clients” (Early and GlenMaye 2000: 120).

The strengths perspective has provided a way for many social workers to engage themselves and the populations they work with in advocacy and empowerment that builds upon capabilities and more active processes of social change. Indeed, strengths-based and rights-based approaches build upon the strengths of individuals and communities and both involve a shift from a deficit approach to one that reinforces the potential of individuals and communities. Both approaches acknowledge the unique sets of strengths and challenges of individuals and communities and engage them as partners in developing and implementing interventions to improve well-being giving consideration to the complexities of environments. However, the strengths-based perspective falls short of empowering individuals to claim their rights within a universal, normative framework that goes beyond social work to cut across every professional discipline and applies to all human beings. Rights-based approaches tie social work practice into a global strategy that asserts universal entitlements as well as the accountability of governments and other actors who bear responsibility for furthering the realization of human rights.

The link between social work and human rights normative standards is an important one as history has repeatedly demonstrated. In many ways, social work has been moving toward these standards (Healy 2008) but has yet to fully embrace it. Social work has been a contradictory and perplexing profession functioning both to help and also to control the disadvantaged. At times social workers have engaged in roles that have furthered oppression (Ife 2012) and served as a “handmaiden” to those who seek to preserve the status quo (Abramovitz 1998, p. 512). Social benefits can be used to integrate marginalized populations but also be used to privilege and exclude, particularly when a charity-based approach is utilized. When conditional, benefits can also be used as a way to modify behaviors and as a means of collecting information on private individual and family matters.

This contradictory and perplexing role of social work is shown albeit, in an extreme case, by social work involvement in the social eugenics movement specifically promulgated by National Socialists leaders in the 1930s and 1940s (Johnson and Moorehead 2011). Leading up to and during World War II, social workers were used as instruments to implement Nazi policies in Europe. Though the history of social work and social work education is different in each European

country, in at least Germany, Austria, Switzerland, Czechoslovakia, and Hungary, authorities used social workers to exclude what the state considered at the time to be undesirable populations from assistance, to reward those who demonstrated loyalty and pledged to carry forth the ideology of the state, and to collect information on personal and family affairs for the state (Hauss and Schulte 2009). University-based and other forms of social work training were closed down in Germany in 1933 when the National Socialists assumed control because welfare was regarded as superfluous and a “waste for persons useless to the national community” (*Volksgemeinschaft* as quoted in Hauss and Schulte 2009, p. 9). “Inferiors” were denied support and social workers were re-educated in Nazi ideology to train mothers on how to raise children who were loyal and useful to the ambitions of the National Socialists (Kruse 2009). Similarly in Hungary, where social workers were referred to as “social sisters,” social workers were re-educated to train mothers about the value of their contributions to the state (mainly their reproductive capacity and rearing of strong children for the state) and were instrumental in the implementation of Hungary’s major welfare program that rewarded “worthy” clients with the redistribution of assets from Jewish estates (Szikra 2009). As Szikra notes, “In the 1930s social policy and social work constituted a central part of social and economic policy-making that was fueled by nationalist and anti-Semitic ideology, influenced by similar practices in Germany, Italy and Czechoslovakia” (p. 116). Following Nazi ideological inoculation based on eugenics and race hate, social workers in Austria were charged with the responsibility of collecting incriminating information regarding mental illness, venereal disease, prostitution, alcoholism, hereditary diseases, and disabilities that would then be used to deny social benefits, prohibit marriages, and even select children for Austria’s euthanasia program (Melinz 2009).

Using social workers to realize state ideology was also employed to advance the Soviet agenda beginning in 1918 (Iarskaia-Smirnova and Romanov 2009). The provision of social services was distributed across multiple disciplines among the helping professions and the term social work was not used because of its association to Western social welfare (Iarskaia-Smirnova and Romanov 2009). These professionals, often referred to as social agents (workers in nurseries and youth centers, activists in women’s organizations and trade unions, nurses, educators and domestic affairs officials), were charged with the double task of social care and control. Early on social agents contributed to the establishment of standards designating worthy and unworthy behavior and activities and practices such as censure and social exclusion designed to alienate those who did not comply with state goals (Iarskaia-Smirnova and Romanov 2009).

The use of social workers to carry out goals seemingly in contradiction of social work’s ethics can be found in many examples in the United States as well (Abramovitz 1998). In his book, *The Child Savers: The Invention of Delinquency* (1965), Anthony Platt demonstrates that despite well-intentioned efforts to protect youth, the establishment of the juvenile justice system in the United States removed youth from the adult justice systems and in doing so created a class of delinquents who were judged without due process. Platt argues that “child savers should in no

sense be considered libertarians or humanists” (Platt 1965, p. 176). The juvenile justice system that these reformers—many of who were social work pioneers—created in the United States purposefully blurred the distinction between delinquent and dependent young people. Labeling dependent children as delinquents, most of whom had committed no crime, robbed them of their opportunity to due process. The state and various religious organizations were given open reign to define delinquency as they saw fit and children who were perceived to be out of order or young women who were viewed as immoral were committed to institutions or other forms of state supervision with no means of redress.

More recently, Bumiller’s analysis of domestic violence in the United States rouses our consciousness of the ways in which social workers engaged with persons involved in domestic violence and/or rape may inadvertently squash rather than empower individuals and families (Bumiller 2008). Bumiller (2008) uses sexual violence to demonstrate how lawyers, medical professionals, and social workers may be contributing to passivity of social service beneficiaries and in doing so, enlarge the state’s ability to control the behaviors of its members. As Bumiller explains, our public branding of perpetrators of sexual violence as deserving of severe punishment and isolation allow us then to deem them incapable of rehabilitation, and so we offer few opportunities for perpetrators to rejoin society as functioning members. In contrast, we expend resources toward “treating” victims to turn them into successful survivors and in the process of doing so instill their dependency on the state. We do this by requiring victims who seek support and protection from the state to comply with authorities, which in many cases are social workers, and acquiesce to the invasion of state control into their lives. In return for protection and assistance, needy women and children often relinquish control of their own lives and are forced to become individuals who need constant oversight and regulation. “As women have become the subjects of a more expansive welfare state, social service agencies have viewed women and their needs in ways that have often discouraged them from resisting regulations and from being active participants in their own decisions” (Bumiller 2008). Some social workers use professional authority to support a deficit approach that allows social workers to scrutinize the parenting skills, education, housing, relationships, and psychological coping skills of those who have experienced sexual violence and then prescribe behaviors necessary to access to benefits. Those who voice complaints and resist scrutiny may be denied benefits such as disqualifying women from TANF benefits who fail to comply with work requirements or cutting off assistance to women who return to violent relationships. As key actors in this process, social workers have the opportunity to legitimize women’s voice both within social welfare institutions and within the confines of relationships rather than reinforcing dependency and in some circumstances, revictimizing the individuals by making compliance a prerequisite for assistance.

The commonality of these examples lies in the omission of a normative frame that transcends national borders. The foundation of a rights-based approach is nested in universal legal guarantees to protect individuals and groups against the actions and omissions that interfere with fundamental freedoms, entitlements, and

human dignity as first presented in the Universal Declaration of Human Rights (United Nations 1948). International human rights law is based on a series of international conventions, covenants, and treaties ratified by states as well as other non-binding instruments such as declarations, guidelines, and principles. Taken together these inalienable, interdependent, interrelated, and indivisible human rights are owned by people everywhere and responsibility to respect, protect, and fulfill these rights is primarily the obligation of the state.

Bonding social work practice to these international legal instruments obligates social workers to look beyond their own government's responses to social issues, to empower the populations they work with to have their voice heard, and to recast the neglected sovereignty of marginalized individuals and communities. It moves social workers away from being agents of the state to being change agents in keeping with the founding vision of social work. It reunites the different methods of social work practice by obligating all social workers to reflect on how public policies affect the rights of individuals and communities as well as how individual actions affect the rights of others (see Table 2). A rights-based approach compels social workers to look beyond existing methods of helping that too often exist to justify state intervention without addressing the root causes of the situation. It calls upon social workers who often act as agents of the state to acknowledge and act on their responsibility as moral duty bearers who have the obligation to respect, protect, and fulfill the rights of rights holders.

Rights-based approaches in social work have gained international acceptance in the past two decades more so outside of the United States than within. Social

Table 2 Rights-based approaches to social work practice at different levels of intervention

Individuals seeking assistance are not judged to be worthy or unworthy of assistance but rather are viewed as rights holders. Social workers assist others in claiming their rights and helping others understand how individual rights have been violated. Interventions offered are not patronizing or stigmatizing, rather methods provide assistance based on the dignity of and respect for all individuals

Example of individual-centered change: *Sexually trafficked persons are viewed as rights holders whose rights were violated rather than as criminals and are offered healing services and other benefits to restore their wholeness*

Community/group/organization efforts are redirected away from proving that they deserve or need a resource toward learning about how they can claim their entitlements to resources. Social workers facilitate human rights education among group members including knowledge of human rights instruments, principles, and methods for accessing rights

Example of group-centered change: *Groups are offered opportunities to learn about their housing rights, the change process in their community and learn skills so that they can claim their right to participation in community decisionmaking*

Society redirects its social policies and goals to facilitate the realization of human rights including addressing human needs. Macropracticing social workers affect the policy process and goals by expanding means for all members of a society to have their voices heard in the decision-making process

Example of society-centered change: *Persons with disabilities are able to participate in the policy-making process through the use of technology that allows them to participate in meetings from their homes*

workers in the United States are relatively new to human rights practice, in part because of longstanding resistance known as “American exceptionalism” which allows the United States to initiate and even demand compliance of human rights abroad while repeatedly rejecting the application of international standards for human rights in the United States (Hertel and Libal 2011). Most Americans are knowledgeable about civil and political rights, yet far fewer are as familiar with economic, social, and cultural rights. Relatively limited engagement in this area by social workers also stems from the perception that human rights activism is best led and achieved by lawyers or elite policy advocates. The books in this series are written to facilitate rights-based approaches to social work practice both in the United States and around the world and recognize that exposure to human rights multilateral treaties and applications may vary depending on where the reader was educated or trained.

A rights-based approach brings a holistic perspective with regards to civil, political, social, economic, and cultural roles we hold as human beings and a more holistic understanding of well-being that goes beyond the meeting of material needs. Our understanding of human rights is always evolving, and our methods, practices, research, interventions, and processes should evolve as our understanding deepens. The purpose of this series is to assist social work practitioners, educators, and students toward operationalizing a new approach to social work practice that is grounded in human rights. It is hoped that the books will stimulate discussion and the introduction of new methods of practice around maximizing the potential of individuals, communities, and societies. The books, like social work, reflect the wide range of practice methods, social issues, and populations while specifically addressing an essential area of social work practice. By using current issues as examples of rights-based approaches, the books facilitate the ability of social workers familiar with human rights to apply rights-based approaches in their practice. Each book in the series calls on social work practitioners in clinical, community, research, or policy-making settings to be knowledgeable about the laws in their jurisdiction but to also look beyond and hold states accountable to the international human rights laws and framework.

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References

- Abramovitz, M. (1998). Social work and social reform: An arena of struggle. *Social Work*, 43(6), 512–526.
- Austin, M. J., & Ezell, M. (2004). Educating future social work administrators. *Administration in Social Work*, 28(1), 1–3.
- Bumiller, K. (2008). *In an abusive state: How neoliberalism appropriated the feminist movement against sexual violence*. Durham: Duke University Press.

- Chapin, R. (1995). Social policy development: The strengths perspective. *Social Work, 40*(4), 506–514.
- Early, T., & GlenMaye, L. (2000). Valuing families: Social work practice with families from a strengths perspective. *Social Work, 45*(2), 118–130.
- Friedman, M., & Friedman, B. (2006). *Settlement houses: Improving the welfare of America's immigrants*. New York: Rosen Publishing.
- Hauss, G., & Schulte, D. (Eds.). (2009). *Amid social contradictions: Towards a history of social work in Europe*. Opladen, Farmington Hills, MI: Barbara Budrich Publishers.
- Healy, L. M. (2008). Exploring the history of social work as a human rights profession. *International Social Work, 51*(6), 735–746.
- Hertel, S., & Libal, K. (2011). *Human Rights in the United States: Beyond Exceptionalism*. Cambridge.
- Iarskaia-Smirnova, E., & Romanov, P. (2009). Rhetoric and practice of modernisation: Soviet social policy (1917–1930). In G. Hauss & D. Schulte (Eds.), *Amid social contradictions: Towards a history of social work in Europe*. MI: Barbara Budrich Publishers.
- Ife, J. (2012). *Human rights and social work: Towards rights-based practice*. Cambridge: Cambridge University Press.
- Johnson, S., & Moorhead, B. (2011). Social eugenics practices with children in Hitler's Nazi Germany and the role of social work: Lessons for current practice. *Journal of Social Work Values and Ethics, 8*(1). <http://www.jswve.org>
- Kisthardt, W. (1992). A strengths model of case management: The principles and functions of a helping partnership with persons with persistent mental illness. In D. Saleebey (Ed.), *The strengths perspective in social work practice*. New York: Longman.
- Knee, R. T., & Folsom, J. (2012). Bridging the crevasse between direct practice social work and management by increasing the transferability of core skills. *Administration in Social Work, 36*, 390–408.
- Kruse, E. (2009). Toward a history of social work training Germany—discourses and struggle for power at the turning points. In G. Hauss & D. Schulte (Eds.), *Amid social contradictions: Towards a history of social work in Europe*. MI: Barbara Budrich Publishers.
- Melinz, G. (2009). In the interest of children: Modes of intervention in family privacy in Austria (1914–1945). In G. Hauss & D. Schulte (Eds.), *Amid social contradictions: Towards a history of social work in Europe*. MI: Barbara Budrich Publishers.
- Morris, P. M. (2008). Reinterpreting Abraham Flexner's speech, 'Is social work a profession?' Its meaning and influence on the field's early professional development. *Social Service Review, 82* (1), 29–60.
- Platt, A. M. (1965). *The child savers: The invention of delinquency*. Chicago, IL: University of Chicago Press.
- Saleebey, D. (1992a). Introduction: Beginnings of a strengths approach to practice. In D. Saleebey (Ed.), *The strengths perspective in social work practice*. New York: Longman.
- Saleebey, D. (Ed.). (1992b). *The strengths perspective in social work practice*. New York: Longman.
- Szikra, D. (2009). Social policy and anti-semitic exclusion before and during WW II in Hungary: The case of productive social policy. In G. Hauss & D. Schulte (Eds.), *Amid social contradictions: Towards a history of social work in Europe*. MI: Barbara Budrich Publishers.
- Trolander, J. A. (1987). *Professionalism and social change: from the settlement house movement to neighborhood centers, 1886 to the present*. New York: Columbia University Press.
- United Nations. (1948, December 9). *Convention on the prevention and punishment of genocide*. Retrieved from <http://www.ohchr.org/EN/ProfessionalInterest/Pages/CrimeOfGenocide.aspx>
- United Nations. (1989, November 20). *Convention on the rights of the child*. New York: United Nations. Retrieved from <http://www2.ohchr.org/english/law/pdf/crc.pdf>

United Nations Office of the High Commissioner for Human Rights (UN OHCHR). (2002). Draft Guidelines for a Human Rights Approach to Poverty Reduction Strategies 2002.

United Nations. (2006, December 13). *Convention on the rights of persons with disabilities*. New York: United Nations. Retrieved from <http://www2.ohchr.org/english/law/pdf/disabilitiesconvention.pdf>

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Introduction

Recent years have witnessed a substantial increase in social and public commitment to the notion of children's rights. After centuries of ignoring children's rights and of children being treated as property and as objects, in the last century children gradually began to gain the status of human beings entitled to rights and dignity. The increased international awareness of children's rights is expressed in the United Nations Convention on the Rights of the Child (CRC). The principles and values of the CRC have had a remarkable impact on the status of children around the world, particularly on social policy, legislation, institutions and services for children.

The idea of children's rights has had considerable influence on professions involved with children, such as social work, and on organizations and institutions in the field of child welfare. Child welfare services have been required to adopt new approaches suitable to the new status of children in society as persons with human rights. Similarly, the social work profession now faces demands to consider children's rights in its practices, values and principles.

Social work's roots and principle combine well with the notion of human rights and, indeed, the pioneers of social work were leaders in promoting and protecting human rights (Healy 2008). Numerous national and international documents containing the definition, values and code of ethics of social work show that human rights have always been part of the social work mission. And, social workers are by definition "human rights workers", whose role is to help people realize their individual as well as collective rights.

Similarly, the connection between the social work profession and the idea of children's rights originated in the 19th century with the start of the profession. At that time social work strongly influenced the children's rights movement, with social workers at the forefront of efforts to recognize children as worthy of rights and to protect children from abuse in the workplace. The best evident for it is the involvement of social workers in the efforts leading up to the Convention on the Rights of the Child (Healy 2008). Because of this, the social work profession has an historic commitment to protect children through efforts to ensure their safety and healthy development. Thus, children are an important group of social work service

users and social workers are key players in the lives of children and their families. Today, if the social work profession wishes to fulfill its duty and responsibilities of child care and protection, it is essential that the social work profession embrace a core principle of child welfare—the notion of children’s rights.

The influence of social work on the children’s rights movement is not uni-directional, as children’s rights have also contributed greatly to the social work profession. A children’s rights-based approach provides a conceptual framework, as well as specific strategies and opportunities for social workers. They must respect and protect children’s rights at all levels of practice, from working with individual children to working with broader systems to influence public policy.

The purpose of this publication is to show how children’s rights can contribute to and influence social work. Human rights, as well as children’s rights, are most commonly seen as the concern of lawyers and those working in international bodies like the United Nations. Social work is left behind. This essay thus attempts to highlight the natural connection between social work and children’s rights. It also aims to emphasize the special role of social workers in promoting children’s rights, as well as in implementing children’s rights in their everyday practice.

After introducing the connection between social work and human rights, (Chap. 1), Chap. 2 delves into the concept of children’s rights, its history in human development and its typology and various aspects. Chapter 3 deals with the connection between social work and children’s rights, the history of social work with children and children’s rights in social work today. Chapter 4 deals directly with implications for practice, focusing on rights-based approaches for working with children and on implementing children’s rights to participation in social work practice. The final chapter discusses how the children’s rights concept can influence social work research.

At the end of each chapter is an exercise box, whose exercises aim to help students and other readers to practice and further discuss the ideas presented in each chapter.

Chapter 1

Social Work and Human Rights

The Concept of Human Rights

Children's rights theory and practice are based on a broader understanding and interpretation of general theories about human rights, therefore we first provide a general review of the concept of human rights. Human rights are considered to be a new and modern concept and one of the most powerful ideas in contemporary discourse (Ife 2012). At the most basic level, human rights are those rights that belong to all just because we are human (Healy 2008). This is based on the understanding that all people are inherently and naturally equal and deserve fundamental rights, such as social and civil rights (Ife 2012). Human rights are in essence justified claims. Having rights is meaningful only if there is someone who has the duty to fulfill them (Ladd 2002).

It is common to consider human rights as having developed in three waves or generations. According to Ife (2012), **first generation rights** are civil and political rights, like the right to vote, freedom of speech, freedom from discrimination, fair trial, etc. They are individually based and concern the fundamental freedoms seen as essential to the effective and fair organization of democracy and civil society. First generations rights are sometimes also referred to as negative rights, rights that need to be protected rather than realized, rights that people are seen as somehow possessing and the state is required to ensure that they are not threatened or violated. They are often also defined as natural rights, meaning rights human beings possess or inherit as part of the natural order (Ife 2012).

Second generation rights are economic, social, and cultural rights, like the right to health, housing, social security, education, etc. These are rights of the individual or group to receive various forms of social provision or services in order to realize their full potential as human beings. Rather than arising from 18th century liberalism, second generation rights have their intellectual origin more in the 19th and 20th century with the tradition that the collective, in the form of the state, should provide for the needs of the individual, at least at a minimal level. These rights are

referred to as positive rights because they imply a much more active and positive role for the state. Rather than simply protecting rights, the state is required to take a stronger role in actually ensuring that these rights are realized through various forms of social provision (Ife 2012).

Ife broadened the conceptualization of human rights even further and suggested **third generation rights**. These rights emerged only during the last three decades of the 20th century in response to the critique of human rights as being overly individual and based on Western liberalism and therefore of less relevance to cultures with more collective norms. The third generation rights are thus collective rights. These involve rights that are only meaningful if defined at a collective level; they are the rights of a community, population, society or nation, rather than being readily applicable to an individual. Such rights include the right to economic development, the right to benefit from world trade and economic growth, the right to live in a cohesive and harmonious society, and environmental rights, such as the right to breathe unpolluted air, the right to access to clean water, etc. Third generation rights represent an important arena for the human rights struggle and a significant arena for debate (Ife 2012).

Human rights have now become a significant notion integrated into many discourses, affecting laws, political institutions, science, research, universities, bureaucracy, military strategy, schools and more. As this idea integrated into the everyday life of the individual and in the human service professions, it began to merge into social work ideas. Yet, social work originally emerged from what today are known as human rights ideas (Ife 2012). To fully understand the beginning of the social work profession let us look at the processes that led to its formation.

Human Rights and Social Work: An Historical Point of View

Human rights are most commonly seen as the concern of lawyers and those working in international bodies like the United Nations, leaving the social work profession in the shadow. Nevertheless, the strong connection between social work and human rights should not be underestimated, noting the essential role of social workers as advocates of human rights for their clients at the level of the individual, family, and community (Calma and Priday 2011). Social work was extensively involved in human rights in its formative years and can claim important areas of leadership, especially before the UN Declaration of Human Rights in 1948 (Healy 2008).

To understand the historical role of social work in the promotion of human rights we must elaborate on the social problems which emerged in the 19th century in the Western world. From approximately 1780–1830 the West experienced the Industrial Revolution which caused massive changes in society. Urbanization and industrialization changed the basis of family structure from a dependence on the

family household garden or farm to dependence on factories, paid work and the economic market. Increasing urbanization resulted in massive new problems of poor sanitary conditions and diseases that spread throughout the cities, causing families now living in large cities to struggle to survive and sustain themselves (De Vries 1984). These social changes led to “new” social problems, which increased and became more common, spreading among different groups within the society, such as extensive child labor, poor sanitation, urban epidemics, child assault and exploitation, criminality and prostitution (Hart 1991).

The social problems emerging from the Industrial Revolution in the 19th century formed the basis for social work itself. At that time in England and the US it was not called social work, rather it was considered and referred to as charity. Yet, it was a broad and diverse activity that included many areas today considered the core of social work, like advocacy, policy change and supporting individuals and groups who were excluded and weak within the general society. In the reality of the problems of the early 19th century—rapid urbanization, poorly built urban housing, poor sanitation and no regard for human rights or the people’s wellbeing—the social work profession arose as a completely new approach (Skehill 2008), in which social workers became and remained active in international and social justice issues concerning issues of human rights (Reichert 2011).

In the early 20th century the founders of the social work profession were involved in the significant human rights movements of their day (Healy 2008). These first social workers were actually volunteers, upper class women with affluent backgrounds willing to devote a portion of their lives to the service of others. Some of these women realized the difficult everyday reality only through their first encounters with impoverished working-class life. Powerful voluntary organizations emerged—Prison Discipline Society, Anti-Slavery Society, the Vice Society, and many others (Hill and Aldgate 1996). In addition, in response to social ills of the time two social movements in social welfare—the Charity Organization Societies (COSs) and the Settlements House establishments arose in the 19th century and shaped the development of the profession of social work. The COS workers, with their emphasis on the needy individual and the combination of “scientific” record-keeping and friendly visiting, were the forerunners of social caseworkers (Healy 2001).

Some of the central leaders and founders of social work were human rights’ advocates (Healy 2008). Women’s issues, world peace and the labor conditions of the early 20th century were concerns at the international level, and members of the new profession of social work were active in each of the related social movements (Healy 2001).

Jane Addams, one of the founders of modern social work, expressed human rights ideas without using the concept itself. In her work at the Settlement Houses in the USA she socialized with the poor who struggled in their everyday life. She saw the inequality and lack of opportunities and she encouraged women who had the economic and social ability to act to help those in need. She wrote many times about the basic rights of each individual in society, she shared her thoughts on welfare services and their necessity in order to provide each individual the option to

do better in his or her life. She referred to the democratic structure of the state and society and drew a direct line between that and the individual, basic rights (Freedberg 2009; Reichert 2011). The content of Addams' words is mostly identical to today's concept of human rights.

Jane Addams was at the forefront of the struggles for women's suffrage, immigrant education, health care, children's rights, housing, peace, and progressive education. She helped organize a number of national and international human rights organizations, including the American Civil Liberties Union (ACLU), the National Association for the Advancement of Colored People (NAACP) and the Women's International League for Peace and Freedom. Jane Addams is thus a symbol of the strong and initial connection between social work values and the concept of human rights.

Joining Jane Addams in these international human rights movements was **Sophonisba Breckinridge**, a US social work pioneer, who was treasurer of the Women's Peace party in 1915 and part of the women's peace delegation to The Hague in 1915. She was particularly active in international child welfare movements of the 1920s and 1930s. **Julia Lathrop and Grace Abbott** were also colleagues of Addams in the USA, who served on League of Nations human rights committees. Grace Abbott led the efforts of the League Committee on Trafficking Women and Children and served as the first US delegate to the International Labor Organization. **Alice Salomon**, championing women's rights, was founder of social work and social work education in Germany and first president of the International Association of Schools of Social Work. **Eglantyne Jebb** founded the Save the Children Fund in England. She moved from her early experiences with a charity organization to become a pioneer of children's rights. She wrote the first Declaration of the Rights of the Child in 1923, adopted by the League of Nations in 1924 as the Declaration of Geneva.

All these examples indicate that social workers were familiar with human rights concepts and used human rights language long before the UN Declaration of Human Rights in 1948 (Healy 2008; Reichert 2011). Social work also strongly influenced the children's rights movement, with social workers at the forefront of the earlier struggles to recognize children as worthy of rights and to protect them from abuse in the workplace. The efforts of social workers to protect children led to the establishment of government agencies and an array of laws and special services in most countries. Also, social work was strongly involved in the efforts leading to the Convention on the Rights of the Child (Healy 2008).

Although the social work profession began to examine human rights issues in the early 1900s, its involvement slowed or even stopped with the World War II (Reichert 2011). Active collaboration with the Nazi-controlled government in Germany is certainly the darkest episode in social work history. But, it should be noted that there were also many instance of positive, even heroic, efforts by European social workers (Healy 2008). After World War II social workers again started to play a role in the human rights movement of the time. This is clearly evident in the goals of the profession which were defined then, many of these goals stemming from human rights concepts (Reichert 2011). Over the years social work

has continued to develop and become increasingly focused on the advancement of society's excluded groups and has taken on the role of promoting rights and advocacy for those who need it. Nevertheless, it seems that this aspect of modern social work has not gained the appropriate recognition, and external recognition of the contributions of social work remains limited (Healy 2008).

In summary, social work is based on human rights ideas, its pioneers were leaders in promoting and protecting human rights and there is an ideological and historical connection between social work and human rights. Yet, today the connection between social work and human rights has become obscure, as this area is now usually considered more a legal than a social one.

Ethics and Values in Social Work

The claim that human rights is a part of the social work mission (McPherson and Abell 2012) is evident in national and international documents on the definition, the values and the code of ethics of social work. The **International Federation of Social Work (IFSW)** declared that the principles of human rights are the core of the definition of social work (Hare 2004). From the late 1980s **IFSW** adopted a strong programmatic focus on human rights; through case advocacy, policy and member education, the federation is making an impact in this important arena (Healy 2001). The **International Association of Schools of Social Work (IASSW)** claims that: "Principles of human rights and social justice are fundamental to social work" (IASSW 2004, p.1). The **National Association of Social Workers (NASW)** writes that "human rights and social work are natural allies" (NASW 2009) and that the struggle for human rights remains a vital priority for the social work profession in the twenty-first century (Reichert 2011). Moreover, the **United Nations (UN)** has identified social work as a "crucial profession" in the promotion and protection of human rights (UN, Center for Human Rights 1994, p. iii; McPherson and Abell 2012). The **Global Agenda for Social Work and Social Development** (which is a combination of IASSW, IFSW and the International Council of Social Welfare) states that social work must "... seek universal implementation of the international conventions and other instruments on social, economic, cultural and political rights for all peoples, including, among others, the rights of children, older people, women, persons with disabilities and indigenous peoples..." (Global Agenda 2012, p. 3).

Human rights are also evident in the professional codes of ethics (Ife 2012). The **IFSW Statement of Ethical Principles** states in Article 3 that social workers should take into account International Conventions: "1.3 International human rights declarations and conventions form common standards of achievement, and recognize rights that are accepted by the global community." (<http://ifsw.org/policies/statement-of-ethical-principles/>). The code of ethics of **NASW** states that "... social workers will pursue social change, particularly with and on behalf of vulnerable and oppressed individuals and groups of people. ... social workers will strive to ensure

equality of opportunity and meaningful participation in decision making for all people.” We can clearly see that in these two statements alone social work ethics are directly linked to human right values (Ife 2012). According to the code of ethics, it lies within the responsibility of each social worker to trace and advance those whose basic rights (human rights) are unfulfilled.

Although this deep moral connection between social work and human rights is clear, the social work profession is not widely regarded as a leader within the global human rights movement (Healy 2008). Healy explains that the limited visibility of social work in the global human rights movement is due to: (1) the profession’s emphasis on social and economic rights, rather than on civil and political rights that command more public attention; (2) the focus on vulnerable and socially excluded groups and not on the rights of all populations; (3) social work has a preference for the case approach rather than macro issues, which are more related to human rights; (4) the strict observance of confidentiality impeding use of cases to serve the wider cause; (5) social workers usually pay more attention to human needs than to human rights; and (6) the lack of sustained global leadership on human rights by the organizations representing the profession.

Social Work Practice and Human Rights

Nevertheless, human rights are very important for the human service profession, particularly for social workers. It has long been argued that human rights offer a normative base for social work. Ife (2001, 2012), at the forefront of connecting human rights and social work, argues that human rights provide social workers with a moral basis for their practices at all levels—individual, community-based and social policy and advocacy practices. Social workers often deal with vulnerable and marginalized populations and with those whose human rights are violated. Therefore, human rights are not only an academic or political concept for social workers; rather they are grounded in the practice of the profession (Ife 2012).

As noted in this chapter it is common to consider human rights as having developed in three waves or generations. Ife (2012) argues that this construction of human rights provides a useful framework for thinking about the place of social work practice with a human rights agenda. Social work practice can be seen as applying to all three generations. Realizing first generation rights—civil and political rights—in social work practice means advocacy either on behalf of individuals or disadvantaged groups. Some social workers play an important role in working for the protection of civil and political rights through work with advocacy groups, work with refugees, prison reform, attempting to secure adequate legal representation for people, etc.

Working to realize second generation rights—economic, social and cultural rights—involves helping clients realize their most basic rights, like the right to education, health care, housing, income, and so on. In fact, this is the main job of social workers; most, if not all, social workers are concerned with helping people

realize second generation rights. Every time a social worker helps a client obtain income support or find accommodation, or refers them to a community health centre for physical, social, or emotional support, they are engaging in a form of human rights work.

Third generation rights, collective rights, intersect perfectly with the social work practice of community development. Community development is a way of working with, rather than for, communities to increase their capacity and ability to find their own solutions to problems. This community work is a minor aspect of social work in many Western countries or it is even defined as outside the concern of social work (Calma and Priday 2011; Ife 2012).

Reichert (2011) argues that the social work profession has developed interventions that are closely tied to human rights. First, there are interventions that aim to assist individuals and to bring about change with respect to social problems. Social workers have traditionally considered the oppressed and marginalized as their core focus. They are responsible for challenging individuals and social relations that create and maintain oppression. Second, another intervention used by social workers is that of empowerment, which is related to human rights. This intervention examines circumstances contributing to differential treatment with respect to ethnicity, age, class, national origin, religion, gender and sexual orientation. Third, the strength perspective is another social work intervention closely related to human rights, which require a focus on individual or group strength in order to help and assist. This intervention acknowledges that structural injustices have isolated many individuals and groups from necessary resources.

Academics also recognize the role of social work role in advancing human rights (McPherson and Abell 2012). This is evident in many publication in the field of social work and human rights (for example, Healy 2008; Healy and Link 2012; Ife 2001, 2012; Witkin 1998; Mapp 2008; Reichert 2003, 2007). A significant accomplishment was the publication of a manual on human rights and social work in the early 1990s by the UN, in collaboration with IFSW and IASSW. The document states:

Human rights are inseparable from social work theory, values and ethics, and practice ... Advocacy of such rights must therefore be an integral part of social work, even if in countries living under authoritarian regimes such advocacy can have serious consequences for social work professionals (United Nations Center for Human Rights 1992, p. 10).

Exercise Box 1

1. It is common to refer to three generations of human rights. Look for three case studies in your country or on the international level in which human rights have been violated. Each case study should express a different generation of human rights. Explain which right in the case is being violated. Relate your answer to the typology of the three generations of rights.

2. Find the code of ethics of social work in your own country. Analyze and discuss how the human rights discourse has influenced and is expressed in this code of ethics.
3. Social work and the human rights movement have a long and strong mutual relationship. Please outline at least three contributions of the social work profession to the human rights movement and three contributions of the human rights movement to the social work profession.

Chapter 2

The History of Children's Rights

Historical Perspective

The discourse on children's rights is relatively new, even within the modern human rights discussion. Not long ago it seemed absurd to talk about children's rights; the concept of children's rights gained widespread support only in the last few decades. Not only are children's rights relatively new ideas, but the very concepts of childhood and the child are relatively recent achievements (Hart 1991). Today, children's rights are a serious social issue (Chirsholm cited in Alaimo 2002).

Like the concept of childhood, the history of children's rights has been shaped by changing economic, social, cultural and political circumstances (Alaimo 2002). It is common to address three periods in the evolution of the concepts of children's rights—the pre-industrial period, the industrial period and from the mid-20th century to the present.

The Pre-industrial Period

Prior to the 16th century there appears to have been no conception of childhood as a unique or distinct period of life. Most children beyond six years of age were considered to be small adults and were not separated from adults as a class (Aries 1962; Hart 1991). Children were considered legally and socially as the property of their parents; they were not seen as human beings with their own status and rights (Hart 1991).

Even up to the first quarter of the 19th century children were mostly still viewed as the personal property or extensions of their parents with few or no legal rights whatsoever (Stier 1978). Parents, mainly fathers, were given unlimited power and control over them and were allowed to treat them as they wished; corporal punishment was almost universal and was accepted as appropriate.

During the early period of modernization infant and child mortality was very common—one of four children died before their first birthday, making child mortality the most common cause of death (Hart 1991). Many historians argue that this high mortality was one of the causes for the emotional distance of parents from their children. They claim that parents suppressed the ability to feel empathy for their children to avoid emotional attachment to a baby with a low chance of survival (Aries 1960; deMause 1974). Adults were not expected to have close relationships to children and could be cruel and distrustful towards them. Many children were unwanted and negative parent-child relationships led to serious abuse and neglect (deMause 1974; Hart 1991; Stone 1977). Children had more duties towards their parents and society than they had rights (Alaimo 2002). They were characterized by a lack of identity and were considered expendable (Hart 1991). The poor status of children in society created a situation, in which they were neglected, abused and sold as slaves and were invisible in the eyes of society.

Child labor was a widespread phenomenon in the pre-industrial period and children were a significant part of the economic system all over the world (Hart 1991). Until and during the 19th century children over six years old were perceived as young adults and were therefore required to contribute to society according to their abilities. From about the age of 7 they began a slow initiation into the world of work, a world inhabited by both adults and children. Children as young as four and five could already be working in the factories, and at least some of the child laborers did not work with their families (Alaimo 2002). The concepts of education, schools, protection against hazards and special rights were rare or non-existent (Hart 1991).

The Industrial Period (the 19th Century up to the Mid-20th Century)

The technological and socioeconomic changes of the early 20th century resulted in a change in the conceptualization of childhood. Children were considered to be endangered by conditions of immigration, industrialization and urbanization in ways that would create undesirable behavior and threaten society (Hart 1991). This brought about a new agenda in regard to children's status and led to the emergence of the idea of protecting children and providing them rights.

The main development in children's rights arose in connection with industrial child labor (Alaimo 2002). Child labor began to be perceived as a social problem due to the fact that children were now recognized as a vulnerable group all over the Western world. They were working under hazardous conditions and were at risk, not only physical and life threatening risk, but also of moral damage (Hart 1991). Factory work was physically exhausting for children as young as seven years old, who worked sixteen hours a day in a damp, poorly ventilated workplace and corporal punishment was common. Foremen used harsh method to keep exhausted children awake. In addition, working in a factory, unlike at the family farm or craft

shop, exposed the children to large numbers of strangers who might molest and corrupt them (Alaimo 2002).

The child labor reform movement, based on the view of child laborers as defenseless victims of industrialization, launched an eventually successful campaign to regulate and ultimately eliminate industrial child labor. The 19th century movement against child labor and in favor of child schooling was a significant shift in thinking, helping to bring about a key transformation in the conception of childhood and in the formulation of children's rights. The child labor reform movement opened a public discussion about the social meaning of childhood, specifically opening the door to the radical reform that perhaps children should not work at all and that they have the right to different childhood—one of physical, moral, intellectual and social development (Alaimo 2002).

Schooling became an alternative model of social existence for children, when the protection rights—laws against industrial child labor—were joined to provision rights—entitlement to education (Alaimo 2002). Life in cities brought crime, poor conditions of hygiene that led to the spreading of diseases, and the development of social alienation. Schools were considered a way of isolating children from all of these issues. It was further feared that working children would become adults lacking necessary education and who would be intellectually and morally hampered (Archard 1993).

Laws controlling child labor and the introduction of universal education in the 19th century recognized the need for children's protection and acknowledged that they had rights. As school gradually took the place of work, and regular schooling became compulsory (around 1900 in Europe), the attitudes toward the place and role of children also changed. Childhood could last longer and children could be seen as more dependent (Hill and Aldgate 1996).

The 19th century is considered the "child-saving" era. Particularly in the half-century from 1870 to 1920 the rights of children in relation to parents, employers and others expanded in the form of rights to protection and services that presupposed a vision of childhood as a distinctive phase under the patronage of the state (Alaimo 2002). Gradually, children began to be perceived as a separate class and not as property. The perception that children have no more than economic value began to change and be replaced by the concept that children are a unique group that society has the responsibility to maintain and protect from various dangers to which this group is exposed (Hart 1991).

Another change in this period is the protection of children from abuse and neglect by their parents. Parental neglect and abuse were subjected to intense scrutiny and challenged, not only by private philanthropies, but increasingly by government authorities. The state also increasingly challenged parental authority and autonomy in child rearing. In 1889 both France and Great Britain passed laws against child endangerment, including that caused by their parents (Alaimo 2002). The state with its professionals became the guarantor of children's rights. The child's right to protection led to the child's rights to provision of various sorts, with the state responsible for providing services. Health, care, acceptable housing,

playgrounds, together with freedom from work and access to public schooling emerged as elements of children's rights (Alaimo 2002).

The 20th century became the period when legislation concerning children was introduced in many countries. This was frequently introduced in connection with child labor and education, but also to acknowledge a public responsibility toward orphans and other destitute children. By the end of the 19th century, life for most children was more than just a mere struggle for survival. Hence, the 20th century was characterized by concern and efforts to establish and formulate children's right to nurturance. After centuries of being dismissed, ignored, manipulated and looked upon as "objects", children were finally granted legal recognition as "persons" (Cohen 2002).

However, despite the worldwide recognition of children's rights, this approval of children's rights was based on the view of children either as passive, weak, and vulnerable creatures, and therefore in need of protection, or as unruly and threatening and therefore in need of control (Hallett and Prout 2003). Children were perceived as "becoming human" and were not yet recognized as full human beings with freedoms (Alaimo 2002).

Society was mostly concerned with children's protection and provision rights. Much attention was paid to children's physical survival and basic needs, focusing often on threats to children's survival. Such social perceptions spurred programs to save children's lives or supply their basic needs. Infant and child mortality, school enrollment and dropout rates, immunizations, and childhood disease are examples of areas in which these programs arose (Archard 1993; Brandon et al. 1998). Safeguarding and protecting children gave rise to a dependent childhood, highly regulated by adult guardians and characterized by children's loss of autonomous action. While these policies were important for saving children, they deprived children of the rights of self-determination.

Society adopted the concept of "saving children" and this idea continued to grow well into the 20th century. This concept became even more meaningful as children began to be perceived as the resources of the future. Society understood that, in their adulthood, today's children will determine the future of the world. Thus, not only are adults responsible for saving and protecting the child from a variety of hazards, but they are also required to take care of the positive aspects of the child's life for the sake of future generations. These ideas and changes created the new perception of a "person in the making" (Ben-Arieh et al. 2014).

It was only in the second half of the 20th century that the child's existing status, rather than the potential person, received concrete support. The emerging person status of children provided justification for rights to protection and for the first time also for self-determination.

Liberalism and Romanticism

Changes in the status of children cannot be attributed solely to the social and economic changes in the 19th century. Some streams of philosophical thinking

emerging in the 17th and the 18th century also contributed to generating the notion of children's rights. From the 17th–19th century numerous Enlightenment thinkers focused on childhood education and how children learn. Indeed, the 18th century showed the emergence of a pronounced sensitivity to childhood, with a clear articulation of childhood as a distinct stage of life with its own ethos and in need of its own institutions. The Enlightenment's attention to the development of the individual child was an important milestone leading to the 20th century concept of the rights of the child (Ladd 2002).

John Locke (1632–1704), the founding philosopher of English liberalism, published his famous book "*Some Thoughts Concerning Education*" in 1663. This had a significant influence on how children were conceptualized in the 17th century. One of his core ideas was that the child is born a "blank slate" without innate ideas and that all knowledge comes from experience. Based on this idea, he argued that education is a powerful tool to shape the child. This was a groundbreaking way of thinking and it contributed to the idea and to the importance of children's right to education. Locke appeared to recognize the individuality of each child, arguing that parents and educators need to treat children as rational creatures. He rejected corporal punishment as inappropriate to the raising of a wise and good child.

Locke's thinking marks an important shift in the conceptualization of childhood in the West (Alaimo 2002). In spite of this great contribution, we should bear in mind that Locke's viewpoint was limited; he was primarily concerned with the adult in the future and not with the child in the present.

Another important philosopher on the path to children's rights was Jean-Jacques Rousseau (1712–1778), who, particularly in "*Emile*" (1762), associated children with nature and natural goodness. He implied that children have a right to a happy childhood, characterized by freedom and closeness to nature and saw childhood as an innocent, carefree and happy period of life. Reacting to Lock's assertion that the child is a rational creature, Rousseau stressed that children should be children before they are adults and that childhood has its own methods of seeing, thinking and feeling. He was genuinely concerned with the process of growing up.

Rousseau's ideas, which are considered pre-romantic, were later endorsed by the Romantic Movement, which took up this theme of children's original innocence. The Romantics proclaimed childhood as the best part of life and attributed qualities of purity and innocence to the child. The British Romantic poets, such as Wordsworth and Coleridge, saw children as innocents gradually corrupted by society (Cunningham 1995). Ironically, this idealization of childhood coincided with the emergence of the first industrial societies which encouraged the exploitation of children. Nevertheless, the Romantic conception of childhood, derived from Rousseau, greatly contributed to the nation of children's rights (Alaimo 2002).

The Middle of the 20th Century to the Present

Throughout the first half of the 20th century the concept of children's rights still embodied the idea of a child's right to protection against harm and access to certain basic entitlements, such as schooling and health care. A noticeable change in the thinking on children's rights occurred in the second half of the 20th century, with a shift from issues dealing solely with children's protection or nurturance rights to those dealing with children's right to self-determination or self-expression. Increasing awareness of children's rights to participation (Ruck and Horn 2008) have led to a global move toward giving children and adolescents a greater degree of autonomy in the decisions affecting their own lives and development (Cherny and Shing 2008). This new approach is based on the assertion that children are not property of their parents or the state, but are legal persons entitled to many of the same rights as adults (Peterson-Badali et al. 2004; Peterson-Badali and Ruck 2008). Worldwide focus shifted to struggles over how to develop a framework that would allow active child participation in civil society (Cohen 2002).

In a landmark decision for children (in re Gault 1967) the U.S. Supreme Court noted that, "...neither the Fourteenth Amendment nor the Bill of Rights is for adults alone" (p. 13). Two years later the court noted that "children are 'persons' under the Constitution (Tinker v. des Moines Independent Community School District 1969), and almost a decade later, the Supreme Court stated, "Constitutional rights do not mature and come into being magically only when one attains the state defined age of majority" (Planned Parenthood v. Danforth 1976, p. 5204). Thus, after centuries of being dismissed, ignored, manipulated, and looked upon as "objects", children were finally granted legal recognition as "persons".

Today the status of children (globally and in the Western world) is better than ever, their rights are detailed and implemented by governments in various countries, allowing children a childhood that is protected and separated from the adult world. Note that most of the rights are still related to child protection; children are still not fully accepted as active participants in their own lives.

The various rights and limited freedoms given to children clearly do not exactly correspond to the myriad of rights given to adults (Hart 1991). Even if children are considered 'equal', they may still not receive the attention or the respect for their dignity and integrity which are accorded to adults. Hitting a child is legal in most countries, while hitting an adult may lead the offender to prison. Working conditions for adults are secured by law—not so for children. Even in schools, where the children vastly outnumber the adults, there are rarely rules applying to the "working conditions" of the pupils. As a general rule, when children do have legalized rights, these are indirect, in the sense that others (most often the parents/guardians) have rights on behalf of the child, and even explicit rights are conditional or controlled by others.

International Treaties and Conventions on the Rights of the Child

In the aftermath of the First World War the protection-provision view of children's rights expanded into the international arena. In 1924, Eglantyne Jebb, founder of Save the Children International, persuaded the League of Nations to adopt **the Declaration of Geneva on Children's Rights**. This declaration is short, containing only 5 statements but these provide a concise list of what society "owed the child" and established the notion that children should have certain types of "rights". They were not rights to "do" or to "act" independently as individuals. Instead they were rights to "receive" in the form of things that should be done for the child.

The Second World War brought a new wave of interest in children's well-being. In 1959 the United Nations General Assembly accepted the **Declaration of the Rights of the Child**, asserting that each child has a right to a "happy childhood". This declaration is also still characterized by the provision-protection view of children's rights based on the assumption of childhood dependency and vulnerability. Its language reflects the then prevailing concept of children as "objects" in need of "services"; in other words, it did not mention or support the child's individual rights to participation (Cohen 2002).

In 1979 the UN designated the International Year of the Child to celebrate the twentieth anniversary of the 1959 declaration. As part of the celebration writing a new treaty for children's rights was proposed. Although drafting was begun that year, the convention was not completed until ten years later in 1989. The UN General Assembly adopted the **Convention on the Rights of the Child (CRC)** on November 1989. The text is reprinted in Appendix.

The CRC was adopted unanimously. In spite of possible negative reactions, a large majority of the nations of the world have now ratified the CRC, signifying that they subscribe to and will defend the rights of the child (Hart 1991). Outlining children's political, civil, social, and economic rights (Ruck and Horn 2008), the CRC is the most comprehensive international convention, and addresses a full range of rights for children (Ben-Arieh 2005). It particularly emphasizes children's rights in relation to decision-making processes that concern their lives (Kirk 2007; Melton 2005; Munro et al. 2005).

The CRC has been a record breaker in every sense of the word. Cohen (2002) noted its unique aspects: first, on the day of its signing ceremony in 1990, the Convention was signed by the greatest number of signatories to ever sign a human rights convention. Second, the convention went into force faster than any previous human rights treaty. Third, it achieved universal ratification by 1997, making it the most ratified of all human rights treaties. Finally, it is the only human rights treaty to combine civil/political, economic, social, cultural and humanitarian rights in a single instrument.

The CRC affirms not only the child's right to protection from harm and abuse, but also the right to childhood, to develop into an autonomous adult, and to have a voice in matters affecting and concerning the individual child (Alaimo 2002).

The CRC highlights that the child is a human being with the right to be respected as a unique individual with his/her own perspective and personal intentions by fellow human beings and also by the state, its institutions and other organizations (Krappmann 2010).

Typologies of Children's Rights

Because there are so many substantive articles covering so many types of rights, there have been numerous efforts over the years to cluster the articles and categorize them (Cohen 2002). Contemporary literature on children's rights identifies several categories and typologies of children's rights. One of the most popular children's right typologies discusses four categories or principles derived from the 54 articles of the CRC: non-discrimination; the best interests of the child; the right to life, survival and development; and participation rights.

The right to life, survival and development—children have the inherent right to live, and the state has an obligation to ensure the child's survival and development. This group of rights deals with rights to health, education, social security, as well as the right to a standard of living. It also includes the right to be protected from abuse, neglect and any form of exploitation;

Non-discrimination rights—This principle asserts the state's obligation to protect children from any form of discrimination and to take positive action to promote their rights, meaning that all rights apply to all children without exception;

The best interests of the child—according to this principle all actions concerning the child should take full account of his/her best interests;

Participation rights—Nearly a quarter of the substantive articles deal with participation and self-determination rights, assuring access to information, freedom of movement, association, belief and expression, privacy, liberty and development toward independence.

Another popular typology found in the contemporary literature of children's rights is known as the "**three Ps**": Protection, Provision and Participation rights (Lansdown 1994; Troope 1996).

Provision rights—The CRC includes articles outlining young people's right to the adequate provision of services and resources to enable children to develop their abilities (Ruck and Horn 2008). The CRC calls for fullest provision, which refers to rights to necessary goods, services and resources, including standard care, health, care review when looked after, the right to an adequate standard of living, to education and childcare, to cultural life and to the arts, and to know about the CRC;

Protection rights—This category includes the right to be protected from neglect, abuse, exploitation, violence, cruel and degrading treatment, discrimination, invasion of privacy, exploitation and hazardous work, armed conflict, invasive research and ecological changes.

Participation rights—This principle, as noted above, refers to the right of children to be respected as active members of and contributors to the family, community, and society from their first years (Alderson 2008).

Another accepted typology is **nurturance rights versus self-determination rights**. The nurturance orientation entails the provision and protection by society of rights that are beneficial to children (e.g., right to education). In contrast, the self-determination orientation focuses on children's right to have some measure of control over their own lives (e.g., the right to choose their own religion) (Horn and Ruck 2008).

The nurturance orientation is based on the paternalistic assumption that society or the state ascertains what is in the best interest of the child. In contrast, the self-determination orientation is based on the child's decision of what is or is not in the child's own best interest or within its own personal prerogative (Rogers and Wrightsman 1978; Walker et al. 1999). This distinction underscores some of the tensions inherent in children's rights. For example, if adults take responsibility for protecting children, does this not potentially limit the children's freedom? (Alaimo 2002). Provision and protection rights enjoy wide support, but participation rights are more controversial.

More marginal approaches to children's rights relating to the two orientations are the **protective approach** and the **liberal approach**. The protective approach is based on the assumption that children require care and need to be protected from abuse and exploitation. That is, this approach is based on views of children as innocent and immature and is often regarded as a paternalistic model. By alleging that children are not rational, not capable of making their own decisions, liable to make mistakes and vulnerable, it justifies adult control and interference in children's lives (Archard 1993; Barnes 2009; Clifton and Hodgson 1997). The protectionist model denies children any voice in their lives and deprives them of their self-determination and participation rights (Barnes 2009).

The liberal approach to children's rights challenges the protectionist perspective, advocating an extreme position on children's rights. In line with other marginalized or minority groups championed in the 1970s, such as women and black people, children are regarded as an oppressed group. Farson (1974) and Holt (1975) advocated that children should have the same rights, privileges and responsibilities as adults if they so wish. This includes the right to vote, to live away from home and to manage their own education at whatever age. They argued that the segregated world of children and adults is discriminatory.

Exercise Box 2

1. Choose a book or a movie recounting children's lives during a historical period (e.g., a classic, like Charles Dickens' books, or a more modern work). Analyze the concept and status of the child that emerges from the work you have chosen, and discuss the rights that are given or withdrawn from children.

2. Look for an article in current newspapers dealing with the case of a child or children. Analyze the concept and status of the child that emerges from it, and discuss the rights that are given or withdrawn from children in the article.
3. Read the Convention of the Rights of the Child (Appendix). Choose three rights from the Convention: (1) The right that, in your opinion, is the most important for children's lives and well-being. Explain your choice. (2) A right that is most frequently withdrawn from children in your county. Support your answer with data and other sources. (3) A right that, in your opinion, is missing from the CRC. Explain your answer.
4. The Convention has four core principles. Please note an example for a violation of a right in regard to each principle that is relevant to your country. Please explain your answer and demonstrate your claims.

Chapter 3

Social Work and Children's Rights: A Theoretical and Ethical View

The History of Social Work with Children

From its beginnings as a profession in the early 20th century, social work has been strongly involved with children and families (Petr 2004). Children have remained an important group of social work service users and social workers are key players in their lives and those of their families.

The social work profession has an historic commitment to protecting children through its comprehensive efforts to ensure their safety and protect them from abuse in various practice settings, as well working to ensure their healthy development (Reichert 2011; Tilbury 2013). For many years the social work profession has focused on children's welfare, offering them protection and provision, while almost ignoring them as independent human beings and ignoring their participation rights. Today the social work profession is undergoing a rapid change, as social workers are required to take the status of children into account as subjects and as active agents. This means that social workers should view children as human beings in the present and not as becoming human in the future. The intervention of social workers with children, therefore, not only aims to ensure that children have a better future as adults but that children have a better life in the present. This brings complex challenges to a profession which has mainly focused on an agenda of protection and provision. The evolution of practice and policy for working with children in social work is discussed below.

Protection and Provision

Throughout its history, social work has clearly viewed children's rights as related to protection and provision. The dominant concern of social work organizations was originally to 'save' children so that they could enjoy a childhood. All the voluntary

societies in the profession's early days operated to keep children out of bad environments, away from potentially harmful parents and other adult influences and to provide them with a good or new start where they could become children (Brandon et al. 1998).

During the 19th century, societal efforts on behalf of children and families focused on dependent and neglected children (Petr and Spano 1990). The period from the last third of the 19th century to the outbreak of the First World War was characterized by the forming of a large number of voluntary organizations and child rescue organizations working in parallel to cope with the abandoned, orphaned or deserted children of the urban working class or those with 'unfit' parents. There was also a large but uncoordinated sector of voluntary charities dedicated to child welfare (Brandon et al. 1998). All these organizations shared elements of the child rescue mission, most were founded by social activists (Skehill 2008). Thus, in its early days social work took upon itself to protect and defend children as a vulnerable group and represent them in the social structure (Ife 2001).

Until the 19th century Western world the family was regarded as the responsibility of the parents, thus there was minimal intervention in the family. It was only toward the end of the 19th century that laws across the Western world began to place the child's welfare before the conduct and wishes of its parents (Brandon et al. 1998). Between approximately 1870 and 1940 important markers were laid down in statute and in practice indicating a greater involvement of the state in the lives of disadvantaged or neglected children. The capacity of the state to remove a child from unfit parents was established, as was the state's power to regulate adoption activities (Skehill 2008).

Public attitudes towards child abuse changed, with concern growing, not just about infanticide, but also about the practices of neglectful families and the need to ensure that working-class children were raised as responsible citizens. A major example of this change were the laws empowering courts to issue warrants for any person to enter premises to search for a child, if that child was likely to be suffering unnecessarily, and to take the child to a 'place of safety'. These Acts also empowered courts to give custody of a child to a relation or other 'fit person' (Hill and Aldgate 1996). As it was thought that parents should build their children's characters, it followed that the parents of children with character flaws were unworthy parents who had no moral right to rear their children. By the 1920s, social work with children and families rested on this strong moral foundation that criticized and blamed parents for the maladies of their children (Petr 2004). It was assumed that the best interests of the child could be assured only by professional experts whose scientific training in emerging personality theories and child development qualified them to choose and monitor the type and quality of care for the child. Even today many professionals see themselves as the experts who best know what is in the best interests of the child and many professionals refuse to consider the strengths and competencies of the child itself (Petr 2004).

The response to dependent and needy children was thus to target the children themselves. Social work offered children and youth rehabilitation based on discipline and structure that were provided in institutions. These separated the child from

the negative influences of its family and larger environment (Ehrenreich 2014). This approach led to the proliferation of large institutions whose purposes were to discipline, control, and reform troubled youth (Petr 2004).

In summary, since its beginnings, the social work profession took upon itself to ensure children's welfare by adopting a 'child rescue' model (Ehrenreich 2014). Although such interventions clearly promoted the children's rights, these efforts were mostly directed towards rescuing and protecting children and not at ensuring their rights. Throughout the history of the social work profession children were regarded as powerless victims of abuse and neglect or as objects that must be removed from their potentially harmful parents, and professionals were seen as the experts in the child's best interest. This mission of safeguarding children was intensively developed and became a dominant aspect of social work practice with children.

Social work was further characterized by supervision with a strongly authoritarian aspect. The child was seen as a passive, weak creature lacking any life-capabilities and therefore in need of maximum protection. There was a tendency to compare children at risk to animals in danger, revealing a one-dimensional and limited conception of the child. Social workers, who took upon themselves to protect weak and needy children, treat children in a very protective and paternalistic fashion, ironically excluding them from their own life decisions (Brandon et al. 1998; Hart 1991).

The profession clearly did not consider the children as subjects, as individuals with self-determination rights. Only towards the end of the 20th century did the idea of children's participation rights begin to be expressed in social work practice and policy.

Every Child Matters

Social work as a profession has never experienced so many changes or seen so many new and rapid developments in policy and practice as in the last decades. These changes have been particularly important in the field of child and family welfare. The renaissance in child care policy and practice has been dictated by political factors, societal pressures and general dissatisfaction with how cases of presumed child abuse were dealt with. A fundamental review was required to strike a balance between protection and prevention, to address a lack of involvement by parents in decision making about their children, and to ascertain why a growing number of children were entering the care system (Iwaniec and Hill 2000).

During the second half of the 20th century new theories appeared, especially theories of child development, such as Bowlby's attachment theory and Anna Freud's stages theory. This research hugely influenced social work practice with children, particularly affecting assessments of child-parent relationships and decisions on whether children should be placed in long-term fostering or adoption.

The understanding that the child has special and different needs from those of adults now became the basic concept of the social work profession and the number of social workers focusing on children's care greatly increased. Social work was no longer concerned only with removing children from their environment or viewing reception into care as an irrevocable step after which a permanent substitute home had to be found, as in the past. Now it became clear that children needed to maintain some link with their natural parents. Helping parents visit children placed some distance from their home became one of the social worker's chief tasks (Ben Arieh 2010).

Children and childhood have now become the target of massive interventions, with whole armies of health and social workers working to modify childhood. The concept of children's needs—derived from professionals' concepts, assumptions, priorities and goals—justifies interventions, including the education of mothers, health promotion and social work practice (Woodhead 1997). Yet, even these new directions and theories of childhood have predominantly conceptualized children as passive recipients of care, placed in the private sphere. Models of childhood still tended to take parental attitudes and adult ideals as their starting point (Hinton 2008).

The Late 20th Century to the Present—Children as Autonomous Persons

During the last two decades the focus of social work with children has shifted from children's need for protection to children's right to participation and their wishes for independence and legal autonomy. Basically, children are now eligible to more rights, rights that used to belong only to adults. The protective approach to child-based practice has been supplemented with the promotion of the rights of children to participate in decisions affecting their lives. There has been a move towards treating children as people and not as objects of concern (Brandon et al. 1998).

Recent years have further brought into focus the rights of children to self-determination, self-expression and participation (Peterson-Badali and Ruck 2008). The CRC emphasizes the importance of enabling children to express their opinions on important matters, particularly to express their opinions and to be actively involved in decision-making processes that affect their lives and in all matters concerning them, including in the social services arena (Sofer and Ben-Arieh 2014; Alderson 2008; Ruck and Horn 2008).

In the social services in the Western world, children are now recognized as independent beings with their own interests that need representation and also consultation. Realizing children's participation rights requires different principles and tools from the social worker than does realization of children's protection and provision rights. Practice methods have been developed to encourage social

workers to take a much more active role in helping children express their inner feelings (Brandon et al. 1998; Iwaniec and Hill 2000).

Theoretical approaches have also influenced this shift in focus, mainly through the development of theories on childhood based on the children's perspective and on perceiving young people as independent 'social actors', beings who, like adults, should be regarded as autonomous (Dalrymple 2005).

One of the most deeply influential theoretical developments on how children are viewed is the "new sociology of childhood" or the "new social studies of childhood". Changing the definition of childhood, which for many years was dominated by socialization theory and developmental psychology (Hogan 2005), the sociology of childhood sees childhood as a social construction, as a specific structural and cultural component of society. The new sociology of childhood focuses on children as active social agents in their present lives and disagrees with the view of childhood as a phase towards reaching adulthood. Challenging the focus on children exclusively as "future adults" or members of the "next generation", it calls for a shift towards the idea of a child "being a child" (Qvortrup 1994). The new sociologists of childhood argue for the perspective emphasizing the current value for children of their lives and relationships (James and Prout 1990, 1997). That is, childhood is seen as a part of society not prior to it (Christensen and Prout 2005). Proponents of these theories, such as Prout and James (1997) argue that the binary divisions of child and adult, maturity and immaturity, are used arbitrarily to prevent children and young people from accessing their rights and from gaining equal treatment with adults (Barnes 2012; James et al. 1998; Prout and James 1997).

A second key feature of the new sociology of childhood is that children are, and must be seen as, active in the construction and determination of their own social lives. Children are not just passive subjects of social structures and processes. Children are seen as possessing different experiences and knowledge from adults and as being competent social actors, actively involved in responding to and shaping their social worlds (Waksler 1991; James and Prout 1997; Christensen and James 2000; Hutchby 2005). According to this perspective, children are active participants in the construction and determination of their experiences (James et al. 1998).

Taking children seriously as people leads to shifts in thinking. Children have moved from being seen as objects of adult work to being seen as competent, contributing social actors. The idea that adult views are sufficient for defining children's needs has had to give way to the understanding that children's own wishes and expressed needs are relevant to the construction and implementation of social policies and practices (Mayall 2000). The new paradigm of sociology and new trends in the children's rights discourse have brought the principle of children as persons to the forefront of the discourse on children's well-being. This especially highlights children's need to be involved in decision making that affects their lives, which must be now taken into account by the social work, health, and education professions.

Why Should the Social Work Profession Be Involved in Children's Rights Practice?

As shown above, social work has long been based on child welfare and children's need of protection and provision, but these concepts are being challenged with new approaches and ideas of children's rights. Even though social work shares some common principles and values with the idea of children's participation rights, the strong linkage between social work and the idea of children's rights, particularly children's participation rights, has not received sufficient attention. While social work already adheres to the concept of children's provision and protection rights, it cannot afford to be leave children's participation and self-determination rights behind. We believe that a children's rights agenda is fundamental to the theory, values and the practice of social work profession. We now give three main reasons why social work should be involved with the children's rights agenda.

Participation as a Value in Social Work

The social work profession is guided by a set of values defining the core principles of the profession. One of the most prominent core principles is the idea of participation, which is a basic aspect of social work. This is best expressed in the various codes of ethics of the profession throughout the world, which, in spite of some differences, all share the basic value of client participation.

The new NASW Code of Ethics, adopted in 1996, embodies current social work practice standards and can be seen as an important window onto the state of the social work profession (Brill 2001). It summarizes broad ethical principles that reflect the profession's core values and establishes a set of specific ethical standards that should be used to guide social work practice (NASW 2009). Article 1.02 states: "Self-Determination: **Social workers respect and promote the right of clients to self-determination and assist clients in their efforts to identify and clarify their goals**". Article 6.02 points out that: "Social workers should facilitate informed participation by the public in shaping social policies and institutions".

The International Federation of Social Work's (IFSW) Statement of Ethical Principles also notes in Article 4.1.1 that "Respecting the right to self-determination—**Social workers should respect and promote people's right to make their own choices and decisions, irrespective of their values and life choices**, provided this does not threaten the rights and legitimate interests of others". And Article 4.1.2 states: "Promoting the right to participation—**Social workers should promote the full involvement and participation of people using their services** in ways that enable them to be empowered in all aspects of decisions and actions affecting their lives".

The social work profession is now clearly directed towards empowerment, independence and personal choice of its clients, being obliged to advance clients'

participation is shaping their lives. The concept of self-determination in social work typically entails the right of clients to chart a life path and act according to their own goals, desires and wishes. Social work thus recognizes clients' right to freedom in making their own choices and decisions in the casework process, and caseworkers are obliged to respect these rights, recognize the need for and help activate the potential for self-direction of the client (Reamer 1998).

Although the codes of ethics do not specifically refer to children, it can be argued that it is even more important to implement the principles of self-determination in the case of children. One cannot ignore the fact that children are powerless members of society, they are a marginal and deprived group in our society, mainly controlled by adults and the state. As social workers have a special obligation towards advancing deprived groups in society, it is only natural that their duty lies toward prompting children's participation and self-determination. Article 4.2.1 of the IFSW Statement of Ethical Principles states: "Social workers have a responsibility to challenge negative discrimination on the basis of characteristics such as ability, age, culture, gender or sex, marital status, socio-economic status...". This highlights the importance of not excluding any group and of treating all clients with equal respect. Children, just as adults, should be treated with respect for their rights to self-determination and participation.

Participation as Basic Practice in Social Work

Since the 1970s civic participation as a social concept has become a dominant idea in the political, social and public discourse. The emergence of participation as an issue among academics and policy makers is related to the move from centralized top-down policy-making to a decentralized, less hierarchical policy-making process with a wider array of partnerships and partners (Stoker 2006; Tisdall 2008). Participation has also deeply influenced social work practice, with social work for a long time playing a dominant role in promoting citizen participation, especially among deprived groups in the society. Scholars have long regarded participation as a basic skill unique to social work practice. In the 1960s and early 1970s, social workers directed considerable attention toward matters of social justice, social reform, and civil rights (Reamer 1998). This led to development of a new set of intervention tools, including participatory practice. This practice should not be confined only to parts of the population but should be also implemented with children, as individuals and as a group.

Social Work as a Profession of Authority and Supervision

Social work professionals are legally and socially empowered to supervise their clients, especially children. Thus, it can be said that social work comprises an

element of paternalism (see Reamer 1998). The supervision and control that social workers impose upon children are not a goal in themselves but rather a means to protect and advance the well-being of children at risk and of helping families. This power and control must be used carefully. Adopting the principle of children's rights can help social workers use their power over children with dignity and direct them to respect children's self-determination rights. We argue that, because children are a target of supervision and protection by social workers, it is especially important to respect their self-determination rights and give them the opportunity to express their views and wishes in a process they do not always control.

In this regard it is interesting to note that the NASW ethical code Article 1.02 **stresses that** "Social workers may limit clients' right to self-determination when, in the social workers' professional judgment, clients' actions or potential actions pose a serious, foreseeable, and imminent risk to themselves or others". Given the fact that social workers seldom judge children as able or capable of making their own choices, it can be understood why children seldom receive the opportunity to participate in the process of intervention.

Participation is a core value of practice in social work and is crucial for keeping a balance of power between the social-worker and the child. Yet, the concept of children's right is a great challenge to social work practice based on an ethic of care and welfare. In the ethics of care approach social workers should work in the best interests of young people, whereas working from the rights approach they are expected to 'voice' young people's wishes and feelings, but not attempt to judge or act on what they believe to be in a young person's best interests.

Few theorists have considered how an ethic of care may be applied to children and their rights (Barne 2009). Arneil (2002) and Smart et al. (2001) point out the limitation of a rights model for children that portrays them as a set of individuals with separate interests and, therefore, separate rights. Drawing on the above arguments, a model for children's rights that incorporates an ethic of care would continue to place children and young people at the center of their worlds but would not assume they are autonomous individuals. This model would attach weight to relationality: children's relationships, especially with family and other care givers are vitally important to them, although it must be taken into account that some of these relationships are not positive and could be abusive. This means highlighting these activities as an important public duty, not restricting them to the private and personal sphere. This entails seeing children as individuals who are also part of a whole.

Exercise Box 3

1. Social work with children has passed through three key phases: provision and protection, "every child matters" and participation. In each of these phases social work was concerned with a different sort of children's rights. Present at least one right which is relevant for each of the phases. Explain your answer.

2. There are several reasons why social work should be involved with children's rights-based practice. Nevertheless, social workers today are reluctant to use rights-based practice, and most children's rights advocacy is by professionals from the legal discipline. Please discuss at least three possible reasons why social workers refrain from using a children's rights perspective to frame their practice.

Chapter 4

Social Work and Children's Rights: Implications for Practice

Rights-Based Approach for Working with Children

According to the BASW (2015), a human rights-based approach is directed to empower people to know and claim their rights, as well as to increase the ability and accountability of individuals and institutions responsible for respecting, protecting and fulfilling rights. This includes giving people the power and opportunity to participate in decisions that affect their lives and human rights. According to UNICEF (2009) a rights-based approach is a conceptual framework for the process of human development that is normatively based on international human rights standards and operationally directed to promoting and protecting human rights.

Embracing a rights-based approach means that human rights become the targets of intervention. The rights provide a framework, a set of priorities, and new objectives to guide programs and activities. Rights-based approaches have shifted the focus of practice from fulfilling needs to empowering and building the capacity of individuals and communities (BASW 2015).

A rights-based approach has emerged and been used over the years in international development work. Early international development assistance was often based on the assumption that improving economies and personal wealth alone would improve the lives of individuals. This work mainly used a needs-based approach, which looks at the needs of the poor and relies on generosity and benevolence. In the late 20th century criticism of this approach arose, claiming that it maintained the relationship of the generous giver and the needy recipient and that it placed little or no responsibility on the primary duty-bearers (Save the Children 2005).

More recently a trend to more 'people-centred', empowering, and participatory approaches has emerged—the rights-based approach. Today, development work around the world is guided by the imperative to achieve people's rights, and rights-based approaches have now become an important means by which agencies and organizations "do" development. There are many rights-based programs around

the world which support rights holders—especially the poor, powerless and discriminated against—to claim their rights. These programs aim to increase impact and strengthen sustainability by addressing the underlying causes of violations of rights, bringing about policy and practice changes to make a sustained difference to the lives of individuals (Save the Children 2005). The underlying principles which are of fundamental importance in applying a human rights-based approach in practice are participation, accountability, non-discrimination and equality, empowerment and legality (UNICEF 2009).

A children's rights-based approach applies specifically to working to realize the rights of children in order to consider their special needs and vulnerabilities. Using a children's rights-based approach means using human rights principles and standards in work with children, their families, carers and communities. This approach aims to improve the position of children so that can fully enjoy their rights and can live in societies that acknowledge and respect children's rights (Save the Children 2005).

There are two main reasons for using a children rights-based approach when working with children: (a) a moral or legal reason—the intrinsic rationale, acknowledging that a human rights-based approach is the right thing to do, morally or legally; and (b) an instrumental reason—recognizing that a human rights-based approach leads to better and more sustainable human development outcomes. In practice, the reason for pursuing a human rights-based approach is usually a blend of both (UNICEF 2009).

According to Save the Children (2005) some key principles of a children's rights-based approach are:

1. A clear focus on children, their rights and their role as social actors.
2. A holistic view of children: considering all aspects of a child while making strategic choices and setting priorities.
3. A strong emphasis on accountability for promoting, protecting and fulfilling children's rights across a range of duty-bearers from the primary duty bearer—the state (e.g., local and central government) to the private sector, the media, child-care professionals, and other individuals with direct contact with children.
4. Supporting duty bearers: consideration of how duty bearers could be helped to meet their obligations through technical assistance, budget support and other forms of partnership.
5. Advocacy: the importance of advocacy, public education and awareness raising as programming tools to ensure that duty bearers are held accountable.
6. Participation: the promotion of children's effective participation in programming (and beyond), according to children's developing capacities.
7. Non-discrimination: a commitment to the inclusion of the most marginalized children and to challenging discrimination on grounds such as gender, class, ethnicity, (dis)ability, etc.
8. The best interests of children: consideration (with children) of the impact on children of all program choices.

9. Survival and development: a focus on the immediate survival of children as well as a commitment to ensuring the development of their full potential.
10. Children as part of a community: an understanding of children's place in their families, communities and societies and the role that their parents and other carers have in defending their rights and guiding children's development.
11. Root causes and broad issues: a focus on the underlying causes as well as immediate violations.
12. Partnerships: building partnerships and alliances for the promotion, protection and fulfilment of children's rights.
13. Information and knowledge: Facilitating access to and understanding of children's rights for children themselves, their communities and key duty bearers, including government.

The Relevance of a Rights-Based Approach to Social Work

Although a rights-based approach is mainly used in international development, its principle and values can guide us in how to implement children's rights in social work practice. Using a children's rights-based approach in social work practice means viewing children's rights, norms and standards as the primary frame of reference for every intervention at the macro or the micro level (BASW 2015). The AASW (2013) deals specifically with how to adopt a rights-based approach consistent with the CRC in social work. It suggests that social workers be committed to ensuring that: (1) the best interests of children be the primary concern; (2) all children be heard, consulted with, and take part in making decisions affecting their life in consideration of the child's age or ability to understand; (3) all children have the right to be given information about decisions and plans concerning their future with regard to the child's age or ability to understand; and (4) these rights be afforded to all children, regardless of their race, religion, abilities, gender, beliefs or any other factor.

Save the Children (2005) suggests using the four general principles of the CRC as guidelines for intervention with children. Although they are not directed specifically to social work, these guidelines can be used to better understand how social work practice should adopt the values of children's rights.

Non-discrimination. Non-discrimination is a core principle of the CRC best expressed in Article 2, which determines that all member parties to the CRC are obliged to provide equal rights and opportunities to all children. This means eliminating discrimination of individual children, specific groups of children (e.g., children with disabilities), and of the child population as a whole (e.g., stopping children from being treated worse than adults (e.g., in terms of the level of violence that society allows to be used against them) (Save the Children 2005).

Based on this principle, all welfare agencies working with children should ensure that their interventions and programs do not discriminate children. They

should, for example, identify which groups of children are being excluded from or included within a particular program and why. Children's rights practice requires a particular focus on the most marginalized children in society (Save the Children 2005).

Although social workers intervene every day with marginalized groups of children, like poor children or children with disabilities, most social work practice is direct towards helping such children develop well and improve their well-being. A rights-based practice in social work would emphasize that social workers should also be involved with non-discrimination practices with these groups and individual children to better realize their rights. This can be a challenging task, as many social workers represent the state, while this kind of work can demand of them to act on behalf of the child's right against state authorities. Furthermore, this principle implies that social workers should be devoted not just to marginalized groups of children, but to all children in society, as children are a vulnerable group compared to adults.

The best interests of the child. The principle of the best interest of the child is connected to every aspect of a child's life. This principle implies that whenever decisions are taken that affect children's lives, the impact of that decision must be assessed. This means that the interests of others—such as parents, the community or the state—should not be an overriding concern, although they may influence the final outcome of a decision.

Acting in the child's best interest should be directed towards the realization of its rights and take serious account of the child's own views. This involves, for example, ensuring that children's opinions are sought and listened to in decisions affecting them, or making sure that a wide range of opinions are sought and listened to, including those of carers, community members, and professionals (Save the Children 2005).

The implementation of this principle in social work practice can be complex, as much of the work of the welfare services focuses on the idea that the best interest of the child is best evaluated and determined by adult professionals. Integrating children's rights practice into social work means viewing the child's best interest from a perspective which takes the child's views into account.

Survival and development. Children's right to survive and develop is fundamental. CRC states that children have an inherent right to life, thus members should maximally ensure the survival and development of the child, so that children can contribute to a peaceful, tolerant society. The right to survival and development includes a wide range of aspects—physical, mental, cultural, spiritual, moral and social development. It assumes that children carry within them the potential for their own development, yet they must live in the appropriate protective, caring and stimulating environment to realize their potential (Save the Children 2005). The duty of the welfare services here is to ensure that children's rights to development are met.

To do this, social work practice must, for example, recognize the holistic nature of children and that their development, more than physical growth and health, includes moral and spiritual growth. Social work practice should also recognize that

children develop and undergo change as they move towards greater autonomy and maturity (i.e., they have “evolving capacities”). It should also recognize that the world is changing and that child development needs to keep pace with the changing environments that children will have to contend with as adults (Save the Children 2005).

Participation. The CRC is the first human rights treaty to explicitly assert children’s civil rights. Every child has the right to information, has the right to the opportunity to express his or her views, to have these views heard in decision making affecting him or her, and to form or join associations. This principle will be discussed in more detail below.

Children’s Rights Practice in Social Work

Having presented the ideas and principles of using a rights-based approach while working with children, we now present more practical tools for using the idea of children’s rights in social work practice. Firstly, the idea of children’s rights calls for advocacy work in social work. One may wrongly assume that this is the work or the responsibility of the legal sphere. We argue that social work should and must be involved in child advocacy work. Secondly, children’s rights practices in social work can also be expressed in participatory practice with children expressed as participation with the individual child and participation with children as a group. We now discuss these three paths for implementing children’s rights in social work practice.

Social Work and Children’s Right at the Macro Level: Child Advocacy

Since the beginning of social work as a profession, social workers throughout the Western world have influenced social policy in a variety of ways. On the one hand, social work practice consists of therapeutic-individual care with families and individuals to assist them in their private lives. On the other hand, ‘policy practice’ is practice on the macro level focusing on changing policy and influencing the system to the benefit of social welfare (Weiss-Gal and Gal 2011). These are the two poles of social work practice and many kinds of practice lie between them.

One model of policy practice with children is child advocacy, which is relatively a recent phenomenon (Dalrymple 2003). After the Second World War, social work was grounded in a psychoanalytical model in which relationships were seen as central (Biestek 1961; Hollis 1964), and this model has continued to play a large role in both training and practice. Nevertheless, recent decades have brought greater emphasis on the practice of child advocacy in social work. Advocacy services have

developed over the past few decades, focusing primarily on adults or older people. More recently it has been acknowledged that advocacy can play a role for children and young people, particularly those in care in the public care system (Boylan and Boylan 1998; Boylan and Ing 2005; Utting 1997).

Advocacy is often described in terms of 'voice'—'to advocate' meaning 'to give voice to' (Bateman 1995). Advocacy work is based on the assumption that children and young people, a marginal and socially silenced group in society, need opportunities to give voice to their experiences, needs and perceptions (Dalrymple 2003).

There are two main modes of advocacy, individual case-based and cause-based, the former more engaged with concerns raised by individuals, the latter seeking to generate systemic change but often informed by case-based issues. Advocacy for children can also combine these two modes.

How can we practice advocacy for children in social work? We illustrate the practice by introducing the most popular model of advocacy for children—the institution of a **children's ombudsman**.

An ombudsman for children is an official representative or organization charged with improving the life conditions of children as a group. Today, in Europe and in the United States ombudsmen act under the Children's Rights Convention as independent public authorities devoted to the realization of children's rights (Solomon 2006). The creation of the institution of ombudsman has three main goals; supervision and monitoring of the implementation of the children's and youth rights, promoting children's rights and the protection of those rights. To achieve these three goals the institution of the ombudsman holds four main function rights (Solomon 2006).

The first is to influence decision-makers and policy-makers to consider the rights of children. The ombudsman is thus responsible for exposing policy failures and violations of children's rights and must act to initiate bills related to the advancement of children's rights.

The ombudsman's second role is to promote an attitude which respects the views and participation of children in society. The ombudsman must ensure that the views of children are heard by the policy makers and will be reflected in the legislative processes of laws relating to children. The ombudsman should also see that children have the best tools and procedures for expressing their views to the various parties.

The third mission of the ombudsman is to raise awareness regarding children's rights among both children and adults. To fulfill this commitment, the institution of the ombudsman must produce and make information about rights accessible to children. It must process and analyze existing data on children and collect new data about them. In addition, it must train professionals who may contact children regarding their rights and it must hold events of various kinds to increase awareness.

Finally, the ombudsman should act to establish effective mechanisms through which children can complain about violation of their rights and ensure that children have easy access to these mechanisms. These may be concrete mechanisms for handling complaints from individual children or cases regarding children, or mechanisms acting on behalf of the children's group.

Some of the ombudsmen for children are general, meaning they direct their assistance to all children, while others focus on a specific group of children, for example children with disabilities. One of the important models of ombudsman for a specific group of children is the ombudsman for children in care, children in out-of-home placement. These children are under the supervision of the welfare system, they live far from their homes, their parents mostly cannot take care of them and therefore cannot represent their interests. Moreover, these children are exposed to many adults and professionals responsible for their safety. This vulnerability places them at risk of violation of their rights. For these reasons, children in residential care need a special instance to which they can complain about matters of concern to them.

Filing a complaint is an aspect of children's right to participation. The right to file a complaint allows children to better realize their rights and to improve the services and care provided to them. It assumes that their point of view is required to maintain or modify the out-of-home placement system. The right to file a complaint provides a means for children to express their opinions, their hardships and their problems in matters relating to their lives. This allows them to experience themselves and initiate a process to improve their situation. The resulting investigative procedures affect not only the life of the child who filed the complaint, but also the lives of a group or groups of children complaining about the same problem, either directly or indirectly (Benbenishty and Peled-Amir 2007).

Child Participation as a Practice in Social Work

Children's right to participation is the core of the 20th century children's right movement. There is growing recognition that children should participate in forming their lives in various aspect and contexts, including in recent years children's participation in the decision processes regarding their care and welfare. There is now a wide range of literature on this issue (e.g., Kirby and Bryson 2002; McNeish and Newman 2002; O'Quigley 2000; Shier 2001), including practical guides. Before discussing how social workers can implement children's rights to participate in practice, we first define children's participation and discuss the contribution of this idea to children's well-being.

What Is Child Participation?

The principle of the child's rights to participate in decision making is stated in Article 12 of the CRC:

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 a due weight in accordance with the age and maturity of the child.

Article 12 has been identified as one of the most radical and far reaching aspects of the convention. It is also one of the provisions most widely violated and disregarded in almost every sphere of children's lives (Sheir 2001).

The right to participation is not only a technical procedure that must be followed in decision-making processes, it is a privilege that requires a change in thinking. It is a principle that should shape the child's environment in everyday life—in the family, at school and in the community. The premise is that if a child's voice is heard it could change outcomes, not only for the child, but also for adults. However, Article 12 does not give the child the right to decide or the right that his or her opinion will determine all matters. The final resolution is not imposed on the children and they are not responsible for the decision, but it requires their participation in the process of acceptance—they should be heard and taken seriously (Cherney and Shing 2008; Pecora et al. 2012).

Another idea important for the implementation of children's participation is the principle of the "evolving capacity of the child". Article 12 states that children's view should be given due weight according to the child's age and maturity. This means that participation depends on the capacities and capabilities of the individual child. It also means that the level of children's participation will vary depending on the decisions involved and the capability and choice of the child.

Why Should We Let the Child Participate?

The purposes of children's participation have been variously identified. Sinclair and Franklin (2000, cited in Sinclair 2004) offer the following contributions of children's participation:

- to uphold children's rights;
- to fulfil legal responsibilities;
- to improve services;
- to improve decision making;
- to enhance democracy;
- to promote child protection;
- to enhance children's skills;
- to empower and enhance self-esteem.

Matthews (2003) distinguishes three arguments for child participation; education for citizenship, fitting young people into society, and strengthening young people's status in relation to adults. In each case, he suggests, it is accepted that 'participation is an essential and moral ingredient of any democratic society, enhancing

quality of life, enabling empowerment, encouraging psycho-social well-being, and providing a sense of inclusiveness' (p. 270).

It has long been recognized that participation contributes to child well-being. Children who experience participation will understand that their message was important and can develop a sense of self-value and efficacy. Participation enables them to acquire proper tools for learning actively, rather than passively. They also acquire the knowledge and tools to understand how decisions are made and how to act in a democratic society, knowledge which will help children to function as adults in the community (Flekkoy and Kaufman 1997). As children gain more experience by making decisions in ambiguous situations, they will develop a sense of control, their judgment will be strengthened and they will make more mature and better quality life choices (Flekkoy and Kaufman 1997). Significant participation also develops the ability to resolve conflicts, as well as developing negotiation skills and critical thinking. A child who learned from experience that she can influence the course of her life will feel more responsibility and control. Such a person will develop greater motivation to endure, persist, and believe in her abilities.

Participation also contributes to the community and society as a whole. Participating children grow up to be participating adults, believing in their ability to change their reality. Once children are allowed to express their views and participate in making daily decisions at home, in the community and at school, they will naturally want to become involved in legal proceedings or in education, medicine and policy decision making. This creates a democratic society based on proactive and caring citizens. Adults who have experienced childhood participation and active citizenship may be the adults who will spread the knowledge, skills and values necessary for strengthening and preserving democracy (Flekkoy and Kaufman 1997).

Finally, participation contributes to children's dignity and status. Participation carries with it a message to adults and through them to the whole community, that children have value and that society cares for them and their rights (Flekkoy and Kaufman 1997).

Models for Children's Participation

Article 12 is quite vague, thus over the years scholars have expended considerable effort to translate it into practical tools for children's participation and have developed a number of typologies of children's participation (Franklin 1997; Hart 1992; Matthews 2003; Shier 2001; Thoburn et al. 1995; Treseder 1997; West 2004). One of the most popular models is Hart's "ladder of participation". This is based on Arnstein's (1969) "eight rungs in the ladder of citizen participation". Like Arnstein, Hart's ladder contains a number of degrees of participation and non-participation, arranged linearly in eight levels. The lowest level is non-participating ('manipulation', 'decoration' and 'tokenism'), where adults have the initiative and control and children obey them. Intermediate stages are

'adult-initiated, shared decisions with children' and 'child-initiated and directed', while the top level is 'child-initiated, shared decisions with adults', where children are attached to decision-maker forums and are asked for their opinions. The highest stage is achieved when children are the initiators of the projects. This model has come to dominate discussion and thinking about children's participation, particularly among practitioners, to an extent that the author could never have intended.

Treseder's (1997) model with five aspects of participation skips over the three 'non-participation' rungs of Hart's ladder and removes the hierarchical element. His model is based on five types or degrees of participation in a circular layout: 'child-initiated, shared decisions with adults'; 'consulted and informed'; 'assigned but informed'; 'adult-initiated, shared decisions with children'; 'child-initiated and directed'. The rationale behind this model is that different kinds of participatory activities and relationships are appropriate to different settings and circumstances. In his opinion the lower degrees of power or engagement are not necessarily worth less than the highest levels of participation. There is no "better" way of participating and all means are legitimate. Treseder suggests that the child and the adults should choose the most suitable degree for the specific situation. Each situation has its own characteristics and the participation of the child should be adjusted to each child and each case individually. However, Treseder feels that children should not be participating at the highest level and sometimes not even at the intermediate levels.

Sheir's (2001) model is based on four levels of participation:

1. Children are listened to
2. Children are supported in expressing their views
3. Children's view are taken into account
4. Children share power and responsibility for decision-making.

At each level of participation individuals and organizations may have different degrees of commitment to the process of empowerment. This model seeks to clarify this by identifying three degrees of commitment at each level: opening, opportunities and obligations.

In spite of differences among the various models, they all cover a continuum of involvement in decision making. Participation is a range of possibilities, from non-participation to active initiation that can be implemented differently in diverse situations and times.

Note that participation is not the right to make the decisions or determine the outcomes, rather it is the right to be heard and having one's views taken seriously and treated with respect (Cashmore 2002).

Children's Participation as Individuals in the Child Welfare System

Children's and young people's participation in child welfare and protection services has been the focus of research, policy development and legislation and scholars

have presented models for children's participation in the welfare system (van Bijleveld et al. 2013). Cashmore (2002) introduced a model for participation that includes: the opportunity and choice of means to participate; access to relevant information; a trusted advocate or mentor; policy and legislation that require children and young people to be consulted and informed; means to complain; means for services to evaluate their performance and how they encourage the involvement of children and young people.

Implementing children's participation in the child welfare or protection system is a complex and challenging mission, especially in regard to the child protection system. Child protection workers must operate within a context of tensions involving the rights of parents and of children and of the state to intervene in family life, when serious concerns are raised about a child's welfare (Fox Harding 1991).

It is highly important to enable children in care to participate in decision making that affects their life in the welfare system. Particularly for children and young people in care, participation has the potential to accord children recognition as well as protection. Participation is important for children in care for several further reasons (Cashmore 2002):

First, within the triad of social worker, parents and child, the child arguably occupies the least powerful position. The social worker can easily become absorbed in the parents' issues and lose sight of the child (Cossar et al. 2013).

Second, whereas decisions for children living at home are generally made by one or two adults with whom the child is in daily contact, decisions for children in care are often made by a number of adults—parents, carers, and workers from one or more agencies, judges, magistrates and lawyers. Some of these may not have even met the child or understand what is important to him/her (Cashmore 2002; Thomas and O'Kane 1999).

Third, not involving maltreated children may compound or reactivate feelings of powerlessness (Bell 2002). They can easily feel alienated from the process and merely an object of concern. Schofield and Thoburn (1996) argue that the effective participation of children and young people in child protection work can be an important part of the healing process. Participation may give abused or neglected children and young people some sense of being active agents in relation to their own care, rather than being powerless victims of the whims of adults. Children wish for more involvement in decisions related to their own welfare and, when they are excluded, they experience more harmful feelings (Boylan and Wyllie 1999; Butler and Williamson 1994; Cashmore 2002; Marshall 1997; Shemmings 2000). Participation is associated with an increased feeling of mastery and control (Bell 2002; Leeson 2007; McLeod 2007; Munro 2001). Children and young people reported that, when social workers valued their views, took their concerns seriously and provided realistic options, they felt good about themselves and felt valued (Bessell 2011; Leeson 2007). In contrast, the absence of participation created a sense of being ignored or overlooked, leading to a decrease in self-esteem and self-worth (Leeson 2007).

Fourth, participation correlates with high satisfaction with the decision made and shows good outcomes. Participating in decision making about their lives helps

children feel connected and committed to the decisions taken (Woolfsen et al. 2010). For example, there is some evidence that when children and young people in care have some choice about their placement, the placement tends to be more stable (Lindsay 1995). Planning and decision-making which consider the children's views are likely to be both more appropriate and more acceptable to the child (Cashmore 2002). Many children, like adults, feel resentful about having decisions imposed upon them, and children placed in out-of-home placements against their will may be so resistant as to cause the placement to break down (Aldgate and Statham 2001; Cashmore 2002). Taking children's views, wishes and expectations into account may make interventions more responsive and therefore more effective (McLeod 2007; Barnes 2012).

Finally, children in care are required to make the transition to independent living at a much younger age than their counterparts living with their families of origin. Participation is important for these children because it prepares them for future independence and for the autonomous decision making they will be required to deal with when they leave care (Cashmore 2002).

In spite of the importance of children's participation in the welfare system for their well-being and for social work practice, it is barely implemented. Most children and young people think they have had limited opportunities to be involved in how important decisions were made, such as where they lived, and when and how often they saw their parents. Some were not even well informed about why they had entered care (Cashmore 2002; Gilligan 2000). All studies show that although there is an intention to involve children, social workers express ambiguities and reservations about doing so (Archard and Skivenes 2009; van Bijleveld et al. 2013).

Even when children have been involved in their care process, their experience has not always been positive. Although consulted, children and young people found that they had insufficient or inconsistent opportunities to express their views on matters affecting them while in care. Some did not feel that their views were necessarily valued or acted upon. (Bell 2002; Bessell 2011). Children further reported that they were allowed to influence trivial decisions, but that the professionals did not let them participate in the decisions they considered important, such as where they lived, contact with their parents and siblings, and choice of school (Bessell 2011; Cashmore 2002; Leeson 2007; Munro 2001). Formal decisions about the lives of children and young people are commonly made at case conferences, review meetings and family group conferences (Cashmore 2002; van Bijleveld et al. 2013). Although a number of children and young people did attend such meetings, they were often only observing rather than actually participating (Leeson 2007).

Van Bijleveld and colleagues (2013) explain that there are a number of challenges to children's participation in child protection services, which are inherent in how the social work and case management systems are organized within statutory practice. Social workers and case managers need to determine what is in the child's best interests in a context where different stakeholders have their conflicting interests, rights and needs (Archard and Skivenes 2009; Barnes 2012; Bell 2002;

Pinkney 2011; Sanders and Mace 2006). Also, the tensions between children's rights to protection and their rights to participation limit implementation of children's participation. The view of children as social actors, as autonomous and as active agents constructing their lives, challenges the view of the child as inherently vulnerable and in need of protection, stemming from developmental psychology as well as social work practice (Cossar et al. 2013; Such and Walker 2005). Sanders and Mace (2006) explain that conflicts arise between the government's guidance to implement the child's right to have a voice in decision-making with its duty to protect the child from significant harm. It is a conflict between the CRC principle of participation and the welfare culture typical of child protection services (Vis et al. 2012). The professionals must maintain a balance (van Bijleveld et al. 2013). However, these views are challenged today by the fact that participation can actually be protective for vulnerable children, leading to increased confidence, self-efficacy and self-worth (Cossar et al. 2013; Limber and Kaufman 2002; Schofield 2005).

Concerns have also been expressed that involving children in social work processes may be potentially harmful, for instance, by exposing them to hostility during meetings (Cossar et al. 2014; Healy and Darlington 2009). Professionals also worry about exposing children to inappropriate information and responsibilities. Professionals are concerned that children may be present at child protection conferences where the behavior of their parents is being scrutinized. In a child protection context, this may be a burden, depriving the child of what is perceived as a proper childhood. The presence of parents in conferences in the welfare system may also challenge children's participation (Sanders and Mace 2006).

Examples from Around the World

In the last two decades there have been increasing efforts to establish children's participation in care and protection processes, mainly in legislation and policy guidelines, as a means of promoting acceptance of the principle of children's participation. The legislation in some countries includes the requirement that children and young people be able to express their views on matters affecting them, especially their care, and that these views be taken seriously when decisions are made. This does not necessarily guarantee that the child's views will be heard (Cashmore 2002), but it is important to note these models.

Examples of such legislation can be found in **England and Wales**: the Children Act 1989 incorporated principles requiring participation by children and young people. The law requires local authorities and courts to take into account the wishes and feelings of children and young people when making decisions concerning their welfare, to provide them with information and legal representation, and to establish complaints procedures for "looked after" children (Cashmore 2002).

In **Finland** the newest Child Welfare Act (2007) strongly emphasizes the principle of participation along with protection, devoting a whole chapter to this. The Act contains new sections concerning how a child should be heard in child-protection procedures and how the child needs to be allowed to influence matters concerning her or his own life (Polkki et al. 2012; Sinko 2008). Other examples can be found in **Norway, France, New Zealand**, and various states and provinces in **Australia** and **Canada**.

Children's Participation in the Public Context—How Is This Relevant for Social Workers?

The wording of Article 12 of the CRC seems to indicate that the right to be heard is a right of the individual child. However, Krappman (2010) argues that the use of the expression "the child" does not necessarily mean that an individual child only can exercise the right. This right does not only belong to the individual child, but also to groups of children, the children of a classroom, the children of a neighborhood, the children of a city, all children can be heard, when matters affect them collectively. In its General Comment the CRC Committee explains that children, who as individuals are indubitably regarded as capable of forming a view, cannot be denied the right to be heard, when they decide to express a concern as a group (Krappman 2010).

Nonetheless, children's participation has been implemented mainly in individual contexts concerning the private life of the child, mainly in health issues, divorce of the parents and child protection process. Children's participation in the broader social context has been neglected. Historically, national and local social policies have developed with children and young people being 'objects of concern' rather than persons with views to be taken seriously. Children and young people have tended to be regarded either as vulnerable and in need of protection or as unruly and threatening and in need of control (Partidge 2005). Children are still enmeshed in policy as passive recipients and arguably oppressed by certain policies. Their voices remain generally excluded from social policy design at the national and local levels and from the institutions they attend, for example, schools, voluntary organization, residential institutions, and so on. When heard in local government settings and national government processes, children's views are frequently disregarded (Hill et al. 2004).

Why Is It Important to Promote Children's Participation as a Group in the Public Context?

Children are one of the groups most governed by both the state and civic society, and they are some of the highest users of state services—health, education, and social security—and thus a primary focus of state intervention (Hill et al. 2004).

Many social policies are directed at young children, yet their voice is rarely heard in shaping these policies. It is important to give them the opportunity and power to influence the policies concerning them and the institutions they will be part of. This can be achieved through the practice of children's participation.

Children have their own perspectives and views about what they need, which mostly differ from adults' perceptions (Ben-Arieh 2005). Yet, most of the social policy for children is designed, delivered and evaluated by adults, who are not familiar with what is important to children. Social policy for children in the welfare sphere is concerned with promoting children's welfare and reducing their exposure to the many risks associated with material disadvantage. They are intended to be protective towards children, but often leave adult-child power relations untouched (Hill et al. 2004). For example, Ridge (2002) found that children living in poverty define their poverty in terms of the 'normal' things that they cannot afford but which their peers and their families can pay for, e.g., not being able to share activities with friends, not being able to reciprocate, not being able to go on school trips, not having the right clothes. Performance indicators of importance to adults often do not incorporate indicators important to children, which range from clean and private toilets to adequate play space.

Child participation in social policy design includes discussing with children what is important to them and what they think about social issues concerning them. Their participation helps policy makers better understand the lives of children and young people (Cockburn 2005; Hill et al. 2004). Children's participation can reform and direct social policy to be responsive to children's needs, rather than adults wishes. Child participation in forming social policy thus improves policy by making it more sensitive to social needs and more likely to succeed.

Children's participation in the public sphere improves their well-being. Participating in policy-making brings children and young people benefits, such as increased confidence and self-esteem, new knowledge and skills, improved achievement at school and lower rates of exclusion (Hannam 2000; Partridge 2005).

Nonetheless, from the limited evidence available it appears that where children are involved in public decision-making, they have a relatively minimal impact on that decision making (Partridge 2005). Frequently children's views, even if sought, are still disregarded within everyday institutions (e.g., schools), local government settings (e.g., social service departments) and national government processes (Hill et al. 2004). Surveying 146 organizations engaged in participation activity with children and young people, Kirby and colleagues (2003) found that most participation was on the local level in small organizations or agencies, the most common age group being 12–16 year olds, and most participation focused on service development or delivery. They concluded that young people were having little impact on public decision-making.

The role or significance of the social worker in the process of involving children in designing social policy has not yet been clarified. We argue that social workers, as advocates for children's rights, should take part in the participatory practice of children in the public context. As noted above, social workers have been advocates for children as a group since the beginning of the profession and promoting

excluded groups is embedded in the ethical code of social work. Thus, social work as a discipline must lead in bringing children to participate in the public arena. This includes involving children in welfare policy design at the national and the local level, in the design of social and welfare services and especially in the forming of institutions for children in care. Social worker as promoters of children's rights, particularly children's right to participation, should lead the initiative for children's participation in these arenas. Social workers should help bring children's voices, views, desire and interests into the public sphere and advocate for the importance of involving children in design of policy and services.

Exercise Box 4

1. Discuss the benefits and advantages of using a rights-based approach in social work practice with children. Explain the benefits of rights-based interventions for society as a whole, as well as for children.
2. Advocacy is a means of implementing children's rights to participation. Present an example of advocacy work on behalf of children in your country. Describe the role of social workers in it. Also, discuss how this advocacy work improves children's well-being.
3. Present an example of children's participation in social work practice in your country. Describe the level of children's participation, the benefits for children and the benefits for practice. Also discuss whether the principles of children's rights can conflict with one another, for example, the best interest of the child and child participation.
4. Children's participation can also take place in the public sphere. Give two examples in which social workers can facilitate children's participation in the public sphere. For each example, explain why social workers should be involved in it.

Chapter 5

Social Work and Children's Rights: Implications for Research

Introduction

The empirical study of issues related to children's rights has grown considerably since its beginnings in the late 1980s (Peterson-Badial and Ruck 2008). The adoption of the CRC was followed by an increase in publications in the early 1990s, and their number has increased ever since. Fifty-nine articles were published over the five year period 1990–1994, while 463 articles were published in the period 2005–2009. Now children's rights research is an established and legitimate field of study. However, despite this growth, research in children's rights is still very limited in volume and scope (Quennerstedt 2013).

The research conducted over the past 20 years has enlarged our knowledge of what rights for children are, has identified important questions and opened up new areas for study. Children's rights research has been a driving force in upgrading the status of children in society, and strengthening the claim that children are 'people in their own right' (Quennerstedt 2013).

Studies on children's rights have focused on four main domains. The first is an evolving body of empirical research on the perception and attitudes of children and adults towards the concept of children's rights. In the early 1980s researchers began to examine children's own thinking about children's rights issues (Melton 1908, 1983; Melton and Limber 1992; Helwig 1995a, b; Ruck et al. 1998), as well as how adults perceive this concept (Bohrnstedt Freedman and Smith 1981; Morton et al. 1982; Peterson-Badali et al. 2004; Rogers and Wrightsman 1978).

A second domain is a focus on children's participation rights (Reynaert et al. 2009). Studies have examined children's participation in the community, in civic society, and in the political arena (e.g., Browning et al. 2004; Chavis and Wandersman 1990; Delhey and Newton 2002; Finn and Checkoway 1998; Fogel 2004; Glaeser et al. 2000; Kelly 2009; Kwak et al. 2004; Lichter et al. 1999; Newton 2001; Newton and Pippa 2000; O'Toole et al. 2003; Torney-Purta et al. 2008; Rasinski et al. 1993).

Another body of studies, discussed above, is that examining children's participation in child protection processes in the welfare system. These studies have examined social workers' attitudes towards the idea of children's rights (Polkki et al. 2012; Shemmings 2000; van Bijleveld et al. 2013; Vis et al. 2012; Vis and Thomas 2009), the scope and nature of children's participation in the welfare system (Bell 2002; Sinclair and Boushel 1998; Thomas 2005; Thomas and O'Kane 1999; Vis and Thomas 2009), and the obstacles to children's participation (Alderson 2008; Sanders and Mace 2006; Vis et al. 2012).

A fourth domain of implementation research is investigating how the rights recognized in the Convention have been realized in practice in the various areas of society (Reynaert et al. 2009). The Convention is viewed as a standard-setting instrument and has formed the basis of a vast amount of implementation research (Quennerstedt 2013).

Children's Right to Participation—Implications for Social Work Research

Children's right to have due weight given their views extends "to all matters affecting the child" and thus necessarily applies in the context of research projects relating to children. The Committee of the CRC asserted that the right to express views should be "anchored in the child's daily life... including through research and consultation" (Lundy and 2011). Thus, the most important implication of the idea of children's rights for social work research is the concept of children's participation. Social work research itself should adhere to the recognition of children's rights of participation and should involve children directly. Cousins and Milner (2007) argue that incorporating the value of children's participation into social work research is an invaluable means of enabling children and young people to express their views and to have these views taken seriously without discrimination.

Although there is a rich tradition of children's studies in social work, studies on children's worlds have been largely about children rather than with them, treating them as object of study and not as subjects (Hill 1997). Also, over the years children's lives have been explored through the views and understandings of their adult caretakers or their views have been included within research on the family (Christensen and James 2000). Until recently much research on children's lives was focused on efforts at objective description, treating children as passive objects that are acted upon by the adult world (Ben-Arieh 2005). This approach is based on the belief that children lack the verbal skills, conceptual abilities and competence to convey their experiences and to express their opinion and thoughts. Therefore, parents, caregivers, and other adults have typically been the informants in research focused on children (Faux et al. 1988).

In contrast, over the last two decades there has been a change in how research treats children. Now it increasingly involves children and young people directly in

research and this has become the dominant trend in studying children. This new trend in children's studies is deeply influenced by the concept that children's right to participation and the new sociology of childhood must be integrated into social work research.

Today studying children as subjects of concern and asking them directly about their lives, experiences, feelings and thoughts is both more acceptable and common (Kirk 2007), and children's perspectives have become an important focus for research (Christensen and James 2000; Lewis and Lindsay 2000). We can see that more and more researchers value children's perspectives, wish to understand their lived experience, and are motivated to find out more about how children understand and interpret, negotiate and feel about their daily lives (Greene and Hill 2005).

Recent years have brought a growing body of research developing new ways of undertaking research with children. Drawing upon the increasingly important children's rights movement, researchers have been developing inclusive and participatory children-centered methodologies, which place the voices of children, as social actors, at the center of the research process (Ben-Arieh 2005).

Children's Participation in Social Work Research

Children's participation in social work research can be expressed in several ways: first, by hearing *children's perspective on any subject of study concerning their lives*. It seems obvious that the best source of information for studying children's lives and well-being is the children themselves. Ben-Arieh (2005) argues that, while the legal and public systems may very well accept children as persons, the scientific community is still reluctant. He explains that many of the major studies examining children's well-being or quality of life have too easily given up on children's subjective perceptions. Until recently much research on children's lives has been focused on efforts at objective description, treating children as passive objects that are acted upon by the adult world. To gain accurate measures and achieve meaningful monitoring of children's well-being, we need to develop means of gathering children's subjective perceptions of their world and insights into their experiences

Second, *children can be the data collectors*. Children's active role in data collection can be achieved through participatory research and specifically through their direct involvement in data collection (Ben-Arieh 2005). Third, *children can be part of the data analysis*: designing a study, identifying the sources of information and collecting the data are all worthless without the phase of data analysis and its interpretation. In any study, all perspectives require interpretation. Information is part of a context and is directed towards a cultural and social framework. Understanding the context requires the help of children in interpreting it (Ben-Arieh 2005). Thomas and O'Kane (1998) present several ways in which they tried to create opportunities for children to participate in the interpretation and analysis of their research data.

Exercise Box

Please find an article presenting a study in the field of social work focusing on the subject of children. Based on the article, discuss the following points:

1. What is the subject of the research?
2. Which research method has been used (sample, data collection, research design etc.)?
3. What is the status of children in the study design?
4. Discuss the paradigm of the study as you understand it: is it a conservative study in which children are the object of study or is it a new paradigm-based study in which children are the subject in the research process?
5. If the study has involved children, please discuss the advantages and disadvantage of this for the study. If the study did not involve children, please discuss the advantages and disadvantage of this for the study.

Appendix

Convention on the Rights of the Child

Preamble

The States Parties to the present Convention,

Considering that, in accordance with the principles proclaimed in the Charter of the United Nations, recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world,

Bearing in mind that the peoples of the United Nations have, in the Charter, reaffirmed their faith in fundamental human rights and in the dignity and worth of the human person, and have determined to promote social progress and better standards of life in larger freedom,

Recognizing that the United Nations has, in the Universal Declaration of Human Rights and in the International Covenants on Human Rights, proclaimed and agreed that everyone is entitled to all the rights and freedoms set forth therein, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status,

Recalling that, in the Universal Declaration of Human Rights, the United Nations has proclaimed that childhood is entitled to special care and assistance,

Convinced that the family, as the fundamental group of society and the natural environment for the growth and well-being of all its members and particularly children, should be afforded the necessary protection and assistance so that it can fully assume its responsibilities within the community,

Recognizing that the child, for the full and harmonious development of his or her personality, should grow up in a family environment, in an atmosphere of happiness, love and understanding,

Considering that the child should be fully prepared to live an individual life in society, and brought up in the spirit of the ideals proclaimed in the Charter of the United Nations, and in particular in the spirit of peace, dignity, tolerance, freedom, equality and solidarity,

Bearing in mind that the need to extend particular care to the child has been stated in the Geneva Declaration of the Rights of the Child of 1924 and in the

Declaration of the Rights of the Child adopted by the General Assembly on 20 November 1959 and recognized in the Universal Declaration of Human Rights, in the International Covenant on Civil and Political Rights (in particular in articles 23 and 24), in the International Covenant on Economic, Social and Cultural Rights (in particular in article 10) and in the statutes and relevant instruments of specialized agencies and international organizations concerned with the welfare of children,

Bearing in mind that, as indicated in the Declaration of the Rights of the Child, “the child, by reason of his physical and mental immaturity, needs special safeguards and care, including appropriate legal protection, before as well as after birth”,

Recalling the provisions of the Declaration on Social and Legal Principles relating to the Protection and Welfare of Children, with Special Reference to Foster Placement and Adoption Nationally and Internationally; the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (The Beijing Rules); and the Declaration on the Protection of Women and Children in Emergency and Armed Conflict, Recognizing that, in all countries in the world, there are children living in exceptionally difficult conditions, and that such children need special consideration,

Taking due account of the importance of the traditions and cultural values of each people for the protection and harmonious development of the child, Recognizing the importance of international co-operation for improving the living conditions of children in every country, in particular in the developing countries,

Have agreed as follows:

Part I

Article 1

For the purposes of the present Convention, a child means every human being below the age of eighteen years unless under the law applicable to the child, majority is attained earlier.

Article 2

1. States Parties shall respect and ensure the rights set forth in the present Convention to each child within their jurisdiction without discrimination of any kind, irrespective of the child’s or his or her parent’s or legal guardian’s race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.
2. States Parties shall take all appropriate measures to ensure that the child is protected against all forms of discrimination or punishment on the basis of the

status, activities, expressed opinions, or beliefs of the child's parents, legal guardians, or family members.

Article 3

1. In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration.
2. States Parties undertake to ensure the child such protection and care as is necessary for his or her well-being, taking into account the rights and duties of his or her parents, legal guardians, or other individuals legally responsible for him or her, and, to this end, shall take all appropriate legislative and administrative measures.
3. States Parties shall ensure that the institutions, services and facilities responsible for the care or protection of children shall conform with the standards established by competent authorities, particularly in the areas of safety, health, in the number and suitability of their staff, as well as competent supervision.

Article 4

States Parties shall undertake all appropriate legislative, administrative, and other measures for the implementation of the rights recognized in the present Convention. With regard to economic, social and cultural rights, States Parties shall undertake such measures to the maximum extent of their available resources and, where needed, within the framework of international co-operation.

Article 5

States Parties shall respect the responsibilities, rights and duties of parents or, where applicable, the members of the extended family or community as provided for by local custom, legal guardians or other persons legally responsible for the child, to provide, in a manner consistent with the evolving capacities of the child, appropriate direction and guidance in the exercise by the child of the rights recognized in the present Convention.

Article 6

1. States Parties recognize that every child has the inherent right to life.
2. States Parties shall ensure to the maximum extent possible the survival and development of the child.

Article 7

1. The child shall be registered immediately after birth and shall have the right from birth to a name, the right to acquire a nationality and, as far as possible, the right to know and be cared for by his or her parents.
2. States Parties shall ensure the implementation of these rights in accordance with their national law and their obligations under the relevant international instruments in this field, in particular where the child would otherwise be stateless.

Article 8

1. States Parties undertake to respect the right of the child to preserve his or her identity, including nationality, name and family relations as recognized by law without unlawful interference.
2. Where a child is illegally deprived of some or all of the elements of his or her identity, States Parties shall provide appropriate assistance and protection, with a view to re-establishing speedily his or her identity.

Article 9

1. States Parties shall ensure that a child shall not be separated from his or her parents against their will, except when competent authorities subject to judicial review determine, in accordance with applicable law and procedures, that such separation is necessary for the best interests of the child. Such determination may be necessary in a particular case such as one involving abuse or neglect of the child by the parents, or one where the parents are living separately and a decision must be made as to the child's place of residence.
2. In any proceedings pursuant to paragraph 1 of the present article, all interested parties shall be given an opportunity to participate in the proceedings and make their views known.
3. States Parties shall respect the right of the child who is separated from one or both parents to maintain personal relations and direct contact with both parents on a regular basis, except if it is contrary to the child's best interests.
4. Where such separation results from any action initiated by a State Party, such as the detention, imprisonment, exile, deportation or death (including death arising from any cause while the person is in the custody of the State) of one or both parents or of the child, that State Party shall, upon request, provide the parents, the child or, if appropriate, another member of the family with the essential information concerning the whereabouts of the absent member(s) of the family unless the provision of the information would be detrimental to the well-being of the child. States Parties shall further ensure that the submission of such a request shall of itself entail no adverse consequences for the person(s) concerned.

Article 10

1. In accordance with the obligation of States Parties under article 9, paragraph 1, applications by a child or his or her parents to enter or leave a State Party for the purpose of family reunification shall be dealt with by States Parties in a positive, humane and expeditious manner. States Parties shall further ensure that the submission of such a request shall entail no adverse consequences for the applicants and for the members of their family.
2. A child whose parents reside in different States shall have the right to maintain on a regular basis, save in exceptional circumstances personal relations and direct contacts with both parents. Towards that end and in accordance with the obligation of States Parties under article 9, paragraph 1, States Parties shall respect the right of the child and his or her parents to leave any country, including their own, and to enter their own country. The right to leave any country shall be subject only to such restrictions as are prescribed by law and which are necessary to protect the national security, public order (*ordre public*), public health or morals or the rights and freedoms of others and are consistent with the other rights recognized in the present Convention.

Article 11

1. States Parties shall take measures to combat the illicit transfer and non-return of children abroad.
2. To this end, States Parties shall promote the conclusion of bilateral or multi-lateral agreements or accession to existing agreements.

Article 12

1. States 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.
2. For this purpose, the child shall in particular be provided the opportunity to be heard in any judicial and administrative proceedings affecting the child, either directly, or through a representative or an appropriate body, in a manner consistent with the procedural rules of national law.

Article 13

1. The child shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of the child's choice.
2. The exercise of this right may be subject to certain restrictions, but these shall only be such as are provided by law and are necessary:

- (a) For respect of the rights or reputations of others; or
- (b) For the protection of national security or of public order (ordre public), or of public health or morals.

Article 14

1. States Parties shall respect the right of the child to freedom of thought, conscience and religion.
2. States Parties shall respect the rights and duties of the parents and, when applicable, legal guardians, to provide direction to the child in the exercise of his or her right in a manner consistent with the evolving capacities of the child.
3. Freedom to manifest one's religion or beliefs may be subject only to such limitations as are prescribed by law and are necessary to protect public safety, order, health or morals, or the fundamental rights and freedoms of others.

Article 15

1. States Parties recognize the rights of the child to freedom of association and to freedom of peaceful assembly.
2. No restrictions may be placed on the exercise of these rights other than those imposed in conformity with the law and which are necessary in a democratic society in the interests of national security or public safety, public order (ordre public), the protection of public health or morals or the protection of the rights and freedoms of others.

Article 16

1. No child shall be subjected to arbitrary or unlawful interference with his or her privacy, family, or correspondence, nor to unlawful attacks on his or her honour and reputation.
2. The child has the right to the protection of the law against such interference or attacks.

Article 17

States Parties recognize the important function performed by the mass media and shall ensure that the child has access to information and material from a diversity of national and international sources, especially those aimed at the promotion of his or her social, spiritual and moral well-being and physical and mental health.

To this end, States Parties shall:

- (a) Encourage the mass media to disseminate information and material of social and cultural benefit to the child and in accordance with the spirit of article 29;

- (b) Encourage international co-operation in the production, exchange and dissemination of such information and material from a diversity of cultural, national and international sources;
- (c) Encourage the production and dissemination of children's books;
- (d) Encourage the mass media to have particular regard to the linguistic needs of the child who belongs to a minority group or who is indigenous;
- (e) Encourage the development of appropriate guidelines for the protection of the child from information and material injurious to his or her well-being, bearing in mind the provisions of articles 13 and 18.

Article 18

1. States Parties shall use their best efforts to ensure recognition of the principle that both parents have common responsibilities for the upbringing and development of the child. Parents or, as the case may be, legal guardians, have the primary responsibility for the upbringing and development of the child. The best interests of the child will be their basic concern.
2. For the purpose of guaranteeing and promoting the rights set forth in the present Convention, States Parties shall render appropriate assistance to parents and legal guardians in the performance of their child-rearing responsibilities and shall ensure the development of institutions, facilities and services for the care of children.
3. States Parties shall take all appropriate measures to ensure that children of working parents have the right to benefit from child-care services and facilities for which they are eligible.

Article 19

1. States Parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child.
2. Such protective measures should, as appropriate, include effective procedures for the establishment of social programmes to provide necessary support for the child and for those who have the care of the child, as well as for other forms of prevention and for identification, reporting, referral, investigation, treatment and follow-up of instances of child maltreatment described heretofore, and, as appropriate, for judicial involvement.

Article 20

1. A child temporarily or permanently deprived of his or her family environment, or in whose own best interests cannot be allowed to remain in that environment, shall be entitled to special protection and assistance provided by the State.
2. States Parties shall in accordance with their national laws ensure alternative care for such a child.
3. Such care could include, inter alia, foster placement, kafalah of Islamic law, adoption or if necessary placement in suitable institutions for the care of children. When considering solutions, due regard shall be paid to the desirability of continuity in a child's upbringing and to the child's ethnic, religious, cultural and linguistic background.

Article 21

States Parties that recognize and/or permit the system of adoption shall ensure that the best interests of the child shall be the paramount consideration and they shall:

- (a) Ensure that the adoption of a child is authorized only by competent authorities who determine, in accordance with applicable law and procedures and on the basis of all pertinent and reliable information, that the adoption is permissible in view of the child's status concerning parents, relatives and legal guardians and that, if required, the persons concerned have given their informed consent to the adoption on the basis of such counselling as may be necessary;
- (b) Recognize that inter-country adoption may be considered as an alternative means of child's care, if the child cannot be placed in a foster or an adoptive family or cannot in any suitable manner be cared for in the child's country of origin;
- (c) Ensure that the child concerned by inter-country adoption enjoys safeguards and standards equivalent to those existing in the case of national adoption;
- (d) Take all appropriate measures to ensure that, in inter-country adoption, the placement does not result in improper financial gain for those involved in it;
- (e) Promote, where appropriate, the objectives of the present article by concluding bilateral or multilateral arrangements or agreements, and endeavour, within this framework, to ensure that the placement of the child in another country is carried out by competent authorities or organs.

Article 22

1. States Parties shall take appropriate measures to ensure that a child who is seeking refugee status or who is considered a refugee in accordance with applicable international or domestic law and procedures shall, whether unaccompanied or accompanied by his or her parents or by any other person, receive appropriate protection and humanitarian assistance in the enjoyment of applicable rights set forth in the present Convention and in other international human rights or humanitarian instruments to which the said States are Parties.

2. For this purpose, States Parties shall provide, as they consider appropriate, co-operation in any efforts by the United Nations and other competent inter-governmental organizations or non-governmental organizations co-operating with the United Nations to protect and assist such a child and to trace the parents or other members of the family of any refugee child in order to obtain information necessary for reunification with his or her family. In cases where no parents or other members of the family can be found, the child shall be accorded the same protection as any other child permanently or temporarily deprived of his or her family environment for any reason, as set forth in the present Convention.

Article 23

1. States Parties recognize 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.
2. States Parties recognize the right of the disabled child to special care and shall encourage and ensure the extension, subject to available resources, to the eligible child and those responsible for his or her care, of assistance for which application is made and which is appropriate to the child's condition and to the circumstances of the parents or others caring for the child.
3. Recognizing the special needs of a disabled child, assistance extended in accordance with paragraph 2 of the present article shall be provided free of charge, whenever possible, taking into account the financial resources of the parents or others caring for the child, and shall be designed to ensure that the disabled child has effective access to and receives education, training, health care services, rehabilitation services, preparation for employment and recreation opportunities in a manner conducive to the child's achieving the fullest possible social integration and individual development, including his or her cultural and spiritual development.
4. States Parties shall promote, in the spirit of international cooperation, the exchange of appropriate information in the field of preventive health care and of medical, psychological and functional treatment of disabled children, including dissemination of and access to information concerning methods of rehabilitation, education and vocational services, with the aim of enabling States Parties to improve their capabilities and skills and to widen their experience in these areas. In this regard, particular account shall be taken of the needs of developing countries.

Article 24

1. States Parties recognize the right of the child to the enjoyment of the highest attainable standard of health and to facilities for the treatment of illness and rehabilitation of health. States Parties shall strive to ensure that no child is deprived of his or her right of access to such health care services.

2. States Parties shall pursue full implementation of this right and, in particular, shall take appropriate measures:
 - (a) To diminish infant and child mortality;
 - (b) To ensure the provision of necessary medical assistance and health care to all children with emphasis on the development of primary health care;
 - (c) To combat disease and malnutrition, including within the framework of primary health care, through, inter alia, the application of readily available technology and through the provision of adequate nutritious foods and clean drinking-water, taking into consideration the dangers and risks of environmental pollution;
 - (d) To ensure appropriate pre-natal and post-natal health care for mothers;
 - (e) To ensure that all segments of society, in particular parents and children, are informed, have access to education and are supported in the use of basic knowledge of child health and nutrition, the advantages of breastfeeding, hygiene and environmental sanitation and the prevention of accidents;
 - (f) To develop preventive health care, guidance for parents and family planning education and services.
3. States Parties shall take all effective and appropriate measures with a view to abolishing traditional practices prejudicial to the health of children.
4. States Parties undertake to promote and encourage international co-operation with a view to achieving progressively the full realization of the right recognized in the present article. In this regard, particular account shall be taken of the needs of developing countries.

Article 25

States Parties recognize the right of a child who has been placed by the competent authorities for the purposes of care, protection or treatment of his or her physical or mental health, to a periodic review of the treatment provided to the child and all other circumstances relevant to his or her placement.

Article 26

1. States Parties shall recognize for every child the right to benefit from social security, including social insurance, and shall take the necessary measures to achieve the full realization of this right in accordance with their national law.
2. The benefits should, where appropriate, be granted, taking into account the resources and the circumstances of the child and persons having responsibility for the maintenance of the child, as well as any other consideration relevant to an application for benefits made by or on behalf of the child.

Article 27

1. States Parties recognize the right of every child to a standard of living adequate for the child's physical, mental, spiritual, moral and social development.
2. The parent(s) or others responsible for the child have the primary responsibility to secure, within their abilities and financial capacities, the conditions of living necessary for the child's development.
3. States Parties, in accordance with national conditions and within their means, shall take appropriate measures to assist parents and others responsible for the child to implement this right and shall in case of need provide material assistance and support programmes, particularly with regard to nutrition, clothing and housing.
4. States Parties shall take all appropriate measures to secure the recovery of maintenance for the child from the parents or other persons having financial responsibility for the child, both within the State Party and from abroad. In particular, where the person having financial responsibility for the child lives in a State different from that of the child, States Parties shall promote the accession to international agreements or the conclusion of such agreements, as well as the making of other appropriate arrangements.

Article 28

1. States Parties recognize the right of the child to education, and with a view to achieving this right progressively and on the basis of equal opportunity, they shall, in particular:
 - (a) Make primary education compulsory and available free to all;
 - (b) Encourage the development of different forms of secondary education, including general and vocational education, make them available and accessible to every child, and take appropriate measures such as the introduction of free education and offering financial assistance in case of need;
 - (c) Make higher education accessible to all on the basis of capacity by every appropriate means;
 - (d) Make educational and vocational information and guidance available and accessible to all children;
 - (e) Take measures to encourage regular attendance at schools and the reduction of drop-out rates.
2. States Parties shall take all appropriate measures to ensure that school discipline is administered in a manner consistent with the child's human dignity and in conformity with the present Convention.
3. States Parties shall promote and encourage international cooperation in matters relating to education, in particular with a view to contributing to the elimination of ignorance and illiteracy throughout the world and facilitating access to scientific and technical knowledge and modern teaching methods. In this regard, particular account shall be taken of the needs of developing countries.

Article 29

1. States Parties agree that the education of the child shall be directed to:
 - (a) The development of the child's personality, talents and mental and physical abilities to their fullest potential;
 - (b) The development of respect for human rights and fundamental freedoms, and for the principles enshrined in the Charter of the United Nations;
 - (c) The development of respect for the child's parents, his or her own cultural identity, language and values, for the national values of the country in which the child is living, the country from which he or she may originate, and for civilizations different from his or her own;
 - (d) The preparation of the child for responsible life in a free society, in the spirit of understanding, peace, tolerance, equality of sexes, and friendship among all peoples, ethnic, national and religious groups and persons of indigenous origin;
 - (e) The development of respect for the natural environment.
2. No part of the present article or article 28 shall be construed so as to interfere with the liberty of individuals and bodies to establish and direct educational institutions, subject always to the observance of the principle set forth in paragraph 1 of the present article and to the requirements that the education given in such institutions shall conform to such minimum standards as may be laid down by the State.

Article 30

In those States in which ethnic, religious or linguistic minorities or persons of indigenous origin exist, a child belonging to such a minority or who is indigenous shall not be denied the right, in community with other members of his or her group, to enjoy his or her own culture, to profess and practise his or her own religion, or to use his or her own language.

Article 31

1. States Parties recognize 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.
2. States Parties shall respect and promote the right of the child to participate fully in cultural and artistic life and shall encourage the provision of appropriate and equal opportunities for cultural, artistic, recreational and leisure activity.

Article 32

1. States Parties recognize the right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development.
2. States Parties shall take legislative, administrative, social and educational measures to ensure the implementation of the present article. To this end, and having regard to the relevant provisions of other international instruments, States Parties shall in particular:
 - (a) Provide for a minimum age or minimum ages for admission to employment;
 - (b) Provide for appropriate regulation of the hours and conditions of employment;
 - (c) Provide for appropriate penalties or other sanctions to ensure the effective enforcement of the present article.

Article 33

States Parties shall take all appropriate measures, including legislative, administrative, social and educational measures, to protect children from the illicit use of narcotic drugs and psychotropic substances as defined in the relevant international treaties, and to prevent the use of children in the illicit production and trafficking of such substances.

Article 34

States Parties undertake to protect the child from all forms of sexual exploitation and sexual abuse. For these purposes, States Parties shall in particular take all appropriate national, bilateral and multilateral measures to prevent:

- (a) The inducement or coercion of a child to engage in any unlawful sexual activity;
- (b) The exploitative use of children in prostitution or other unlawful sexual practices;
- (c) The exploitative use of children in pornographic performances and materials.

Article 35

States Parties shall take all appropriate national, bilateral and multilateral measures to prevent the abduction of, the sale of or traffic in children for any purpose or in any form.

Article 36

States Parties shall protect the child against all other forms of exploitation prejudicial to any aspects of the child's welfare.

Article 37

States Parties shall ensure that:

- (a) No child shall be subjected to torture or other cruel, inhuman or degrading treatment or punishment. Neither capital punishment nor life imprisonment without possibility of release shall be imposed for offences committed by persons below eighteen years of age;
- (b) No child shall be deprived of his or her liberty unlawfully or arbitrarily. The arrest, detention or imprisonment of a child shall be in conformity with the law and shall be used only as a measure of last resort and for the shortest appropriate period of time;
- (c) Every child deprived of liberty shall be treated with humanity and respect for the inherent dignity of the human person, and in a manner which takes into account the needs of persons of his or her age. In particular, every child deprived of liberty shall be separated from adults unless it is considered in the child's best interest not to do so and shall have the right to maintain contact with his or her family through correspondence and visits, save in exceptional circumstances;
- (d) Every child deprived of his or her liberty shall have the right to prompt access to legal and other appropriate assistance, as well as the right to challenge the legality of the deprivation of his or her liberty before a court or other competent, independent and impartial authority, and to a prompt decision on any such action.

Article 38

1. States Parties undertake to respect and to ensure respect for rules of international humanitarian law applicable to them in armed conflicts which are relevant to the child.
2. States Parties shall take all feasible measures to ensure that persons who have not attained the age of fifteen years do not take a direct part in hostilities.
3. States Parties shall refrain from recruiting any person who has not attained the age of fifteen years into their armed forces. In recruiting among those persons who have attained the age of fifteen years but who have not attained the age of eighteen years, States Parties shall endeavour to give priority to those who are oldest.
4. In accordance with their obligations under international humanitarian law to protect the civilian population in armed conflicts, States Parties shall take all feasible measures to ensure protection and care of children who are affected by an armed conflict.

Article 39

States Parties shall take all appropriate measures to promote physical and psychological recovery and social reintegration of a child victim of: any form of neglect, exploitation, or abuse; torture or any other form of cruel, inhuman or degrading treatment or punishment; or armed conflicts. Such recovery and reintegration shall take place in an environment which fosters the health, self-respect and dignity of the child.

Article 40

1. States Parties recognize the right of every child alleged as, accused of, or recognized as having infringed the penal law to be treated in a manner consistent with the promotion of the child's sense of dignity and worth, which reinforces the child's respect for the human rights and fundamental freedoms of others and which takes into account the child's age and the desirability of promoting the child's reintegration and the child's assuming a constructive role in society.
2. To this end, and having regard to the relevant provisions of international instruments, States Parties shall, in particular, ensure that:
 - (a) No child shall be alleged as, be accused of, or recognized as having infringed the penal law by reason of acts or omissions that were not prohibited by national or international law at the time they were committed;
 - (b) Every child alleged as or accused of having infringed the penal law has at least the following guarantees:
 - (i) To be presumed innocent until proven guilty according to law;
 - (ii) To be informed promptly and directly of the charges against him or her, and, if appropriate, through his or her parents or legal guardians, and to have legal or other appropriate assistance in the preparation and presentation of his or her defence;
 - (iii) To have the matter determined without delay by a competent, independent and impartial authority or judicial body in a fair hearing according to law, in the presence of legal or other appropriate assistance and, unless it is considered not to be in the best interest of the child, in particular, taking into account his or her age or situation, his or her parents or legal guardians;
 - (iv) Not to be compelled to give testimony or to confess guilt; to examine or have examined adverse witnesses and to obtain the participation and examination of witnesses on his or her behalf under conditions of equality;
 - (v) If considered to have infringed the penal law, to have this decision and any measures imposed in consequence thereof reviewed by a higher competent, independent and impartial authority or judicial body according to law;

- (vi) To have the free assistance of an interpreter if the child cannot understand or speak the language used;
 - (vii) To have his or her privacy fully respected at all stages of the proceedings.
3. States Parties shall seek to promote the establishment of laws, procedures, authorities and institutions specifically applicable to children alleged as, accused of, or recognized as having infringed the penal law, and, in particular:
- (a) The establishment of a minimum age below which children shall be presumed not to have the capacity to infringe the penal law;
 - (b) Whenever appropriate and desirable, measures for dealing with such children without resorting to judicial proceedings, providing that human rights and legal safeguards are fully respected.
4. A variety of dispositions, such as care, guidance and supervision orders; counselling; probation; foster care; education and vocational training programmes and other alternatives to institutional care shall be available to ensure that children are dealt with in a manner appropriate to their well-being and proportionate both to their circumstances and the offence.

Article 41

Nothing in the present Convention shall affect any provisions which are more conducive to the realization of the rights of the child and which may be contained in:

- (a) The law of a State party; or
- (b) International law in force for that State.

Part II

Article 42

States Parties undertake to make the principles and provisions of the Convention widely known, by appropriate and active means, to adults and children alike.

Article 43

1. For the purpose of examining the progress made by States Parties in achieving the realization of the obligations undertaken in the present Convention, there shall be established a Committee on the Rights of the Child, which shall carry out the functions hereinafter provided.
2. The Committee shall consist of eighteen experts of high moral standing and recognized competence in the field covered by this Convention.1/The members of the Committee shall be elected by States Parties from among their nationals and shall serve in their personal capacity, consideration being given to equitable geographical distribution, as well as to the principal legal systems.

3. The members of the Committee shall be elected by secret ballot from a list of persons nominated by States Parties. Each State Party may nominate one person from among its own nationals.
4. The initial election to the Committee shall be held no later than six months after the date of the entry into force of the present Convention and thereafter every second year. At least four months before the date of each election, the Secretary-General of the United Nations shall address a letter to States Parties inviting them to submit their nominations within two months. The Secretary-General shall subsequently prepare a list in alphabetical order of all persons thus nominated, indicating States Parties which have nominated them, and shall submit it to the States Parties to the present Convention.
5. The elections shall be held at meetings of States Parties convened by the Secretary-General at United Nations Headquarters. At those meetings, for which two thirds of States Parties shall constitute a quorum, the persons elected to the Committee shall be those who obtain the largest number of votes and an absolute majority of the votes of the representatives of States Parties present and voting.
6. The members of the Committee shall be elected for a term of four years. They shall be eligible for re-election if renominated. The term of five of the members elected at the first election shall expire at the end of two years; immediately after the first election, the names of these five members shall be chosen by lot by the Chairman of the meeting.
7. If a member of the Committee dies or resigns or declares that for any other cause he or she can no longer perform the duties of the Committee, the State Party which nominated the member shall appoint another expert from among its nationals to serve for the remainder of the term, subject to the approval of the Committee.
8. The Committee shall establish its own rules of procedure.
9. The Committee shall elect its officers for a period of two years.
10. The meetings of the Committee shall normally be held at United Nations Headquarters or at any other convenient place as determined by the Committee. The Committee shall normally meet annually. The duration of the meetings of the Committee shall be determined, and reviewed, if necessary, by a meeting of the States Parties to the present Convention, subject to the approval of the General Assembly.
11. The Secretary-General of the United Nations shall provide the necessary staff and facilities for the effective performance of the functions of the Committee under the present Convention.
12. With the approval of the General Assembly, the members of the Committee established under the present Convention shall receive emoluments from United Nations resources on such terms and conditions as the Assembly may decide.

Article 44

1. States Parties undertake to submit to the Committee, through the Secretary-General of the United Nations, reports on the measures they have adopted which give effect to the rights recognized herein and on the progress made on the enjoyment of those rights
 - (a) Within two years of the entry into force of the Convention for the State Party concerned;
 - (b) Thereafter every five years.
2. Reports made under the present article shall indicate factors and difficulties, if any, affecting the degree of fulfilment of the obligations under the present Convention. Reports shall also contain sufficient information to provide the Committee with a comprehensive understanding of the implementation of the Convention in the country concerned.
3. A State Party which has submitted a comprehensive initial report to the Committee need not, in its subsequent reports submitted in accordance with paragraph 1 (b) of the present article, repeat basic information previously provided.
4. The Committee may request from States Parties further information relevant to the implementation of the Convention.
5. The Committee shall submit to the General Assembly, through the Economic and Social Council, every two years, reports on its activities.
6. States Parties shall make their reports widely available to the public in their own countries.

Article 45

In order to foster the effective implementation of the Convention and to encourage international co-operation in the field covered by the Convention:

- (a) The specialized agencies, the United Nations Children's Fund, and other United Nations organs shall be entitled to be represented at the consideration of the implementation of such provisions of the present Convention as fall within the scope of their mandate. The Committee may invite the specialized agencies, the United Nations Children's Fund and other competent bodies as it may consider appropriate to provide expert advice on the implementation of the Convention in areas falling within the scope of their respective mandates. The Committee may invite the specialized agencies, the United Nations Children's Fund, and other United Nations organs to submit reports on the implementation of the Convention in areas falling within the scope of their activities;
- (b) The Committee shall transmit, as it may consider appropriate, to the specialized agencies, the United Nations Children's Fund and other competent bodies, any reports from States Parties that contain a request, or indicate a

- need, for technical advice or assistance, along with the Committee's observations and suggestions, if any, on these requests or indications;
- (c) The Committee may recommend to the General Assembly to request the Secretary-General to undertake on its behalf studies on specific issues relating to the rights of the child;
 - (d) The Committee may make suggestions and general recommendations based on information received pursuant to articles 44 and 45 of the present Convention. Such suggestions and general recommendations shall be transmitted to any State Party concerned and reported to the General Assembly, together with comments, if any, from States Parties.

Part III

Article 46

The present Convention shall be open for signature by all States.

Article 47

The present Convention is subject to ratification. Instruments of ratification shall be deposited with the Secretary-General of the United Nations.

Article 48

The present Convention shall remain open for accession by any State. The instruments of accession shall be deposited with the Secretary-General of the United Nations.

Article 49

1. The present Convention shall enter into force on the thirtieth day following the date of deposit with the Secretary-General of the United Nations of the twentieth instrument of ratification or accession.
2. For each State ratifying or acceding to the Convention after the deposit of the twentieth instrument of ratification or accession, the Convention shall enter into force on the thirtieth day after the deposit by such State of its instrument of ratification or accession.

Article 50

1. Any State Party may propose an amendment and file it with the Secretary-General of the United Nations. The Secretary-General shall thereupon communicate the proposed amendment to States Parties, with a request that they indicate whether they favour a conference of States Parties for the purpose of

considering and voting upon the proposals. In the event that, within four months from the date of such communication, at least one third of the States Parties favour such a conference, the Secretary-General shall convene the conference under the auspices of the United Nations. Any amendment adopted by a majority of States Parties present and voting at the conference shall be submitted to the General Assembly for approval.

2. An amendment adopted in accordance with paragraph 1 of the present article shall enter into force when it has been approved by the General Assembly of the United Nations and accepted by a two-thirds majority of States Parties.
3. When an amendment enters into force, it shall be binding on those States Parties which have accepted it, other States Parties still being bound by the provisions of the present Convention and any earlier amendments which they have accepted.

Article 51

1. The Secretary-General of the United Nations shall receive and circulate to all States the text of reservations made by States at the time of ratification or accession.
2. A reservation incompatible with the object and purpose of the present Convention shall not be permitted.
3. Reservations may be withdrawn at any time by notification to that effect addressed to the Secretary-General of the United Nations, who shall then inform all States. Such notification shall take effect on the date on which it is received by the Secretary-General.

Article 52

A State Party may denounce the present Convention by written notification to the Secretary-General of the United Nations. Denunciation becomes effective one year after the date of receipt of the notification by the Secretary-General.

Article 53

The Secretary-General of the United Nations is designated as the depositary of the present Convention.

Article 54

The original of the present Convention, of which the Arabic, Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited with the Secretary-General of the United Nations. In witness thereof the undersigned plenipotentiaries, being duly authorized thereto by their respective Governments, have signed the present Convention.

Bibliography

- Alaimo, K. (2002). Historical roots of children's rights in Europe and the United States. In K. Alaimo & B. Klug (Eds.), *Children as equals: Exploring the rights of the child* (pp. 1–24). Lanham, MD: University Press of America.
- Alderson, P. (2008). *Young children's rights: Exploring beliefs, principles and practice*. London: Jessica Kingsley Publishers.
- Aldgate, J., & Statham, J. (2001). *The Children Act now: Messages from research*. London: The Stationery Office.
- Archard, D. (1993). *Children: Rights and childhood*. UK: Routledge.
- Aries, P. (1962). *Centuries of childhood: A social history of family life*. New York: Vintage Books.
- Arneil, B. (2002). Becoming versus being: A critical analysis of the child in liberal theory. In D. Archard & C. M. Macleod (Eds.), *The moral and political status of children* (pp. 71–94). Oxford, UK: Oxford University Press.
- Arnstein, S. (1969). Eight rungs on the ladder of citizen participation. *Journal of the American Institute of Planners*, 35, 216–224.
- Australian Association of Social Workers (AASW) (2013). *Child well-being and protection. A position paper*. Retrieved from <http://www.aasw.asn.au/document/item/2215>.
- Barnes, K. V. (2009). *Caring for rights: Social work and advocacy with looked after children and young people*. A thesis submitted in partial fulfillment of the requirements for the degree of Doctor of Philosophy in Health and Social Studies University of Warwick, Department of Health and Social Studies.
- Barnes, K. V. (2012). Social work and advocacy with young people: Rights and care in practice. *British Journal of Social Work*, 42, 1275–1292.
- Bateman, N. (1995). *Advocacy skills: A Handbook for human service professionals*. Arena: Aldershot.
- Bell, M. (2002). Promoting children's rights through the use of relationship. *Child and Family Social Work*, 7, 1–11.
- Ben-Arieh, A. (2005). Where are the children? Children's role in measuring and monitoring their well-being. *Social Indicators*, 74, 573–596.
- Ben-Arieh, A. (2010). Developing indicators for child well-being in a changing context. In C. McAuley, & W. Rose (Eds.), *Child well-being understanding children's lives* (pp. 129–142). London: Jessica Kingsley Publishers.
- Ben-Arieh, A., Casas, F., Frønes, I., & Korbin, J. E. (Eds.). (2014). *Handbook of child well-being: Theories, methods and policies in global perspective*. Springer.
- Benbenishty, R., & Peled- Amir, T. (2007). *Complaint mechanisms for children in out of home placements: A policy proposal*. Jerusalem: Paul Baerwald School of Social Work & Social Welfare. [In Hebrew].
- Bessell, S. (2011). Participation in decision-making in out-of home care in Australia: What do young people say? *Children and Youth Services Review*, 33, 496–501.
- Biestek, F. P. (1961). *The casework relationship*. London: Unwin University Books.

- Bohrnstedt, G. W., Freedman, H. E., & Smith, T. (1981). Adult perspectives on children's autonomy. *Public Opinion Quarterly*, *45*, 443–462.
- Boylan, J., & Boylan, P. (1998). Empowering young people: Advocacy in North Wales. *Representing Children*, *11*(1), 42–49.
- Boylan, J., & Ing, P. (2005). Seen but not heard: Young people's experience of advocacy. *International Journal Social Welfare*, *14*, 2–12.
- Boylan, J., & Wyllie, J. (1999). Advocacy and child protection. In N. Parton & C. Wattam (Eds.), *Child sexual abuse: Responding to the experiences of children*. Chichester: Wiley/NSPCC.
- Brandon, M., Schofield, G., & Trinder, L. (1998). *Social work with children*. London: Macmillan Press.
- Brill, C. K. (2001). Looking at the social work profession through the eye of the NASW code of ethics. *Research on Social Work Practice*, *11*(2), 223–234.
- Browning, C. R., Feinberg, S. L., & Dietz, R. D. (2004). The paradox of social organization: Networks, collective efficacy and violent crime in urban neighborhoods. *Social Forces*, *83*, 503–534.
- Butler, I., & Williamson, H. (1994). *Children speak: Trauma and social work*. Harlow: Longman.
- Calma, T., & Priday, E. (2011). Putting Indigenous human rights into social work practice. *Australian Social Work*, *64*, 147–155.
- Cashmore, J. (2002). Promoting the participation of children and young people in care. *Child Abuse & Neglect*, *26*, 837–847.
- Chavis, D. M., & Wandersman, A. (1990). Sense of community in urban environment: A catalyst for participation and community development. *American Journal of Community Psychology*, *18*, 55–81.
- Cherney, I. D., & Shing, Y. L. (2008). Children's nurturance and self-determination rights: A cross-cultural perspective. *Journal of Social Issues*, *64*, 835–856.
- Clifton, J., & Hodgson, D. (1997). Rethinking practice through a children's rights perspective. In C. Cannan & C. Warren (Eds.), *Social action with children and families* (pp. 43–65). London: Routledge.
- Cockburn, T. (2005). Children's participation in social policy: Inclusion, chimera or authenticity? *Social Policy and Society*, *4*(2), 109–119.
- Cohen, C. P. (2002). United Nations Convention on the Rights of the Child: Developing international norms to create a new world for children. In K. Alaimo & B. Klug (Eds.), *Children as equals: Exploring the rights of the child* (pp. 49–72). Lanham, MD: University Press of America.
- Cossar, J., Brandon, M., and Jordan, P. (2014). You've got to trust her and she's got to trust you': children's views on participation in the child protection system. *Child and Family Social Work*. Advance online publication. doi:10.1111/cfs.12115.
- Cousins, W., & Milner, S. (2007). Children's rights: A cross-border study of residential care. *Irish Journal of Psychology*, *27*, 88–96.
- Dalrymple, J. (2003). Professional advocacy as a force for resistance in child welfare. *British Journal of Social Work*, *33*, 1043–1062.
- Dalrymple, J. (2005). Constructions of child and youth advocacy: Emerging issues in advocacy practice. *Children & Society*, *19*, 3–15.
- Dalrymple, J., & Hough, P. (1995). *Having a voice: An exploration of children's rights and advocacy*. Birmingham: Venture Press.
- De Vries, J. (1984). *European urbanization, 1500–1800*. Cambridge: Harvard University Press.
- Delhey, J., & Newton, K. (2002). *Who trusts? The origins of social trust in seven nations*. Berlin, Germany: Social Structure and Social Reporting, Social Science Research Center.
- deMause, L. (1974). *The history of childhood*. New York: Psychohistory Press.
- Ehrenreich, J. H. (2014). *The altruistic imagination: A history of social work and social policy in the United States*. New York: Cornell University Press.
- Farson, R. (1974). *Birthrights*. New York: Penguin Books.

- Finn, J., & Checkoway, B. (1998). Young people as competent community builders: A challenge to social work. *Social Work, 43*, 335–345.
- Flekkyoy, M. G., & Kaufman, N. H. (1997). *The participation rights of the child: rights and responsibilities in family and society*. London: Jessica Kingsley Publishers.
- Fogel, S. J. (2004). Risks and opportunities for success: Perceptions of urban youths in a distressed community and lessons for adults. *Families in Society, 85*, 335–344.
- Fox Harding, L. (1991). *Perspectives in child care policy*. London: Longman.
- Franklin, B. (1997). The Ladder of Participation in Matters Concerning Children. In J. Boyden & J. Ennew (Eds.), *Children in focus: A manual for participatory research with children*. Stockholm: Grafisk Press.
- Freedberg, S. (2009). *Relational theory for Social Work practice: A feminist perspective*. New York: Routledge.
- Gallagher, M., Smith, M., Hardy, M., & Wilkinsion, H. (2012). Children and families' involvement in social work decision making. *Children & Society, 26*, 74–85.
- Gilligan, C. (1982). *In a different voice: Psychological theory and women's development*. Cambridge: Harvard University Press.
- Gilligan, R. (2000). The developmental implications for children of life in public care: Irish and international perspectives. *Irish Journal of Psychology, 21*, 138–153.
- Glaeser, E. L., Laibson, D., Scheinkman, J. A., & Soutter, C. L. (2000). Measuring trust. *Quarterly Journal of Economics, 115*(3), 811–846.
- Hallett, C., & Prout, A. (Eds.). (2003). *Hearing the voices of children: Social policy for a new century*. London: Routledge.
- Hare, I. (2004). Defining social work for the 21st century: The international federation of social workers' revised definition of social work. *International Social Work, 47*, 407–424.
- Hart, R. A. (1992). *Children's Participation: From Tokenism to Citizenship, Innocenti Essays, 4*. Florence: UNICEF.
- Hart, S. N. (1991). From property to person status: Historical perspective on children's rights. *American Psychologist, 46*(1), 53.
- Healy, K., & Darlington, Y. (2009). Service user participation in diverse child protection contexts: Principles for practice. *Child & Family Social Work, 14*, 420–430.
- Healy, L. M. (2001). *International social work: Professional action in an interdependent world*. New York: Oxford University Press.
- Healy, L. M. (2008). Exploring the history of social work as a human rights profession. *International Social Work, 51*, 735–748.
- Healy, L. M., & Link, R. J. (Eds.). (2012). *Handbook of international social work: Human rights, development, and the global profession*. Oxford, England: Oxford University Press.
- Helwig, C. C. (1995a). Adolescents' and young adults' conceptions of civil liberties: Freedom of speech and religion. *Child Development, 66*, 152–166.
- Helwig, C. C. (1995b). Social contexts in social cognition: Psychological harm and civil liberties. In M. Killen & D. Hart (Eds.), *Morality in everyday life: Developmental perspectives* (pp. 166–200). Cambridge: Cambridge University Press.
- Hill, M., & Aldgate, J. (1996). *Child welfare services: Developments in law, policy, practice, and research*. Jessica Kingsley Publishers.
- Hill, M., Davis, J., Prout, A., & Tisdall, K. (2004). Moving the participation agenda forward. *Children & Society, 18*(2), 77–96.
- Hollis, F. (1964). *A Psycho-Social therapy*. New York: Random House.
- Holt, J. (1974). *Escape from childhood—The needs and rights of children*. Middlesex: Penguin books.
- Ife, J. (2001). *Human rights and social work*. Cambridge: Cambridge University Press.
- Ife, J. (2012). *Human rights and social work* (3rd ed.). New York: Cambridge University Press.
- International Federation of Social Workers & International Association of Schools of Social Work. (2004). *Ethics in social work, statement of principles*. Bern, Switzerland: Author.

- Iwaniec, D., & Hill, M. (2000). Issues emerging from child care research: Post-implementation of the Children Act 1989. In D. Iwaniec & M. Hill (Eds.), *Child welfare policy and practice* (pp. 9–22). London: Jessica Kingsley.
- James, A., Jenks, C., & Prout, A. (1998). *Theorizing childhood*. Cambridge, UK: Polity Press.
- John, M. (2003). *Children's rights and power: Gearing up for a new century*. Gateshead: Jessica Kingsley.
- Kelly, D. C. (2009). In reparation for adulthood: Exploring civic participation and social trust among young minorities. *Youth & Society, 40*, 526–540.
- Kirby, P., & Bryson, S. (2002). *Measuring the magic? Evaluating and researching young people's participation in public decision making*. London: Carnegie Young People Initiative.
- Kirby, P., Lanyon, C., Cronin, K., & Sinclair, R. (2003). *Building a Culture of Participation: Involving children and young people in policy, service planning, delivery and evaluation*. Department for Education & Science.
- Kirk, S. (2007). Methodological and ethical issues in conducting qualitative research with children and young people: A literature review. *International Journal of Nursing Studies, 4*, 1250–1260.
- Krapmann, L. (2010). The weight of the child's view (Article 12 of the Convention on the Rights of the Child). *International Journal of Children's Rights, 18*, 501–513.
- Kwak, N., Shah, D. V., & Holbert, R. L. (2004). Connecting, trusting and participating: The direct and interactive effects of social associations. *Political Research Quarterly, 57*, 643–652.
- Ladd, R. E. (2002). Rights of the child: A philosophical approach. In K. Alaimo & B. Klug (Eds.), *Children as equals: Exploring the rights of the child* (pp. 89–101). Lanham, MD: University Press of America.
- Lansdown, G. (1994). Children's rights. In B. Mayall (Ed.), *Children's childhoods: Observed and experienced* (pp. 33–44). London: The Falmer Press.
- Leeson, C. (2007). My life in care: Experiences of non-participation in decision-making processes. *Child & Family Social Work, 12*, 268–277.
- Lichter, D. T., Shanahan, M. J., & Gardner, E. L. (1999). *Becoming a good citizen? The longterm consequences of poverty and family instability during childhood (Research Paper)*. New York: Russell Sage.
- Limber, S., & Kaufman, N. H. (2002). Civic participation by children and youth. In N. Kaufman & I. Rizzini (Eds.), *Globalization and Children's*. New York: Kluwer Academic.
- Lindsay, M. J. (1995). Involving young people in decision-making. *Children Australia, 20*, 39–42.
- Lundy, L., McEvoy, L., & Byrn, B. (2011). Working with young children as co-researchers: An approach informed by the United Nations Convention on the Rights of the Child. *Early Education and Development, 22*(5), 714–736.
- Mapp, S. C. (2008). *Human rights and social justice in a global perspective: An introduction to international social work*. New York, NY: Oxford University Press.
- Marshall, K. (1997). *Children's rights in the balance: The participation-protection debate*. Edinburgh: The Stationery Office.
- Matthews, H. (2003). Children and regeneration: Setting an agenda for community participation and integration. *Children & Society, 17*, 264–276.
- Mayall, B. (2000). The sociology of childhood in relation to children's rights. *The International Journal of Children's Rights, 8*, 243–259.
- McLeod, A. (2007). Whose agenda? Issues of power and relationship when listening to looked-after young people. *Child and Family Social Work, 12*, 278–286.
- McNeish, D., & Newman, T. (2002). Involving children and young people in decision making. In D. Mcneish, T. Newman, & H. Roberts (Eds.), *What works for children? effective services for children and families* (pp. 186–204). Buckingham: Oxford University Press.
- McPherson, J., & Abell, N. (2012). Human rights engagement and exposure: New scales to challenge social work education. *Research on Social Work Practice, 22*(6), 704–713.
- Melton, G. B. (1980). Children's concepts of their rights. *Journal of Clinical Child Psychology, 9*, 186–190.

- Melton, G. B. (1983). *Child advocacy*. New York: Plenum.
- Melton, G. B. (2005). Treating children like people: A framework for research and advocacy. *Journal of Clinical Child and Adolescent Psychology, 34*, 646–657.
- Melton, G. B., & Limber, S. (1992). What children's rights mean to children: Children's own view. In M. Freeman & P. Veerman (Eds.), *The ideologies of children's rights* (pp. 167–187). Dordrecht: Martinus Nijhoff Publishers.
- Morton, T. L., Dubanoski, R. A., & Blaine, D. D. (1982). Cross-cultural perceptions of children's rights. In J. S. Henning (Ed.), *The rights of children: Legal and psychological perspectives* (pp. 141–160). Springfield, IL: Charles & Thomas.
- Munro, E. (2001). Empowering looked-after children. *Child and Family Social Work, 6*, 129–137.
- Munro, W. R., Holmes, L., & Harriet, W. (2005). Researching vulnerable groups: Ethical issues and the effective conduct of research in local authorities. *British Journal of Social Work, 35*, 1023–1038.
- National Association of Social Workers. (2009). *Social work speaks: National Association of Social Workers policy statements, 2009–2012*. Washington, DC: NASW Press.
- Newman, J., Barnes, M., Sullivan, H., & Knops, A. (2004). Public participation and collaborative governance. *Journal of Social Policy, 33*(2), 203–233.
- Newton, K. (2001). Trust, social capital, civic society and democracy. *International Political Science Review, 22*, 201–214.
- Newton, K., & Pippa, N. (2000). Confidence in public institutions: Faith, culture or performance? In S. Pharr & R. Putnam (Eds.), *Disaffected democracies* (pp. 52–73). Princeton, NJ: Princeton University Press.
- O'Quigley, A. (2000). *Listening to Children's Views: The findings and recommendations of recent research*. York: Joseph Rowntree Foundation.
- O'Toole, T., Lister, M., Marsh, D., Jones, S., & McDonagh, A. (2003). Turning out or left out? Participation and non-participation among young people. *Contemporary Politics, 9*, 45–61.
- Parker, R., Ward, H., Jackson, S., Aldgate, J., & Wedge, P. (1991). *Looking after children: Assessing outcomes in child care*. London: HMSO.
- Partridge, A. (2005). Children and young people's inclusion in public decision-making. *Support for Learning, 20*, 181–189.
- Pecora, P. J., Whittaker, J. K., Maluccio, A. N., & Barth, R. P. (2012). *The child welfare challenge: Policy, practice, and research*. AldineTransaction.
- Peterson-Badali, M., & Ruck, M. D. (2008). Studying children's perspectives on self-determination and nurturance rights: Issues and challenges. *Journal of Social Issues, 64*, 749–769.
- Peterson-Badali, M., Morine, S. L., Ruck, M. D., & Slonim, N. (2004). Predictors of maternal and early adolescent attitudes toward children's nurturance and self-determination rights. *Journal of Early Adolescence, 24*, 159–179.
- Peterson-Badali, M., Ruck, M. D., & Ridley, E. (2003). College students' attitudes towards children's nurturance and self-determination rights. *Journal of Applied Social Psychology, 30*, 730–755.
- Petr, C. G., & Spano, R. N. (1990). Evolution of social services for children with emotional disorders. *Social Work, 35*(3), 228–234.
- Petr, C. G. (2004). *Social work with children and their families: Pragmatic foundations* (2nd ed.). Oxford: University Press.
- Pinkney, S. (2011). Participation and emotions: Troubling encounters between children and social welfare professionals. *Children and Society, 25*, 37–46.
- Pölkki, P., Vornanen, R., Pursiainen, M., & Riikonen, M. (2012). Children's participation in child protection processes as experienced by foster children and social workers. *Child Care in Practice, 18*, 107–125.
- Prout, A., & James, A. (1997). A new paradigm for the sociology of childhood? Provenance, promise and problems. In A. James & A. Prout (Eds.), *Constructing and reconstructing childhood* (2nd ed., pp. 1–33). London: Falmer.

- Quennerstedt, A. (2013). Children's Rights Research Moving into the Future—Challenges on the Way Forward. *International Journal of Children's Rights*, 21, 233–247.
- Rasinski, K. A., Ingels, S. J., Rock, D. A., Pollack, J. M., & Wu, S. (1993). *America's high school sophomores: A ten year comparison*. Washington, DC: U.S. Government Printing Office.
- Reamer, F. G. (1998). The Evolution of Social Work Ethics. *Social Work*, 43, 488–500.
- Reichert, E. (2003). *Social work and human rights: A foundation for policy and practice*. New York, NY: Columbia University Press.
- Reichert, E. (2007). *Challenges in human rights: A social work perspective*. New York: Columbia University Press.
- Reichert, E. (2011). *Social work and human rights: A foundation for policy and practice* (2nd ed.). New York: Columbia University Press.
- Reynaert, D. M., Bouverne-de-Bie, & Vandevelde, S. (2009). A Review of Children's Rights Literature since the Adoption of the United Nations Convention on the Rights of the Child. *Childhood*, 16, 518–534.
- Ridge, T., & Millar, J. (2000). Excluding children: Autonomy, friendship and the experience of the care system. *Social Policy and Administration*, 34(2), 160–175.
- Ridge, T. (2002). *Childhood poverty and social exclusion: From a child's perspective*. Bristol: The Policy Press.
- Rogers, C. M., & Wrightsman, L. S. (1978). Attitudes toward children's rights. *Journal of Social Issues*, 34(2), 59–68.
- Ruck, M. D., & Horn, S. S. (2008). Charting the landscape of children's rights. *Journal of Social Issues*, 64(4), 685–699.
- Ruck, M. D., Keating, D. P., Abramovitch, R., & Koegl, C. J. (1998). Adolescents' and children's knowledge about rights: Some evidence for how young people view rights in their lives. *Journal of Adolescence*, 21, 275–289.
- Sanders, R., & Mace, S. (2006). Agency Policy and the Participation of Children and Young People in the Child Protection Process. *Child Abuse Review*, 15, 89–109.
- Save the Children (2005). *Child rights programming: how to apply rights-based approaches to programming*. Save the children. Retrieved from <http://resourcecentre.savethechildren.se/library/child-rights-programming-handbook-how-apply-rights-based-approaches-programming>.
- Schofield, G. (2005). The voice of the child in family placement decision-making a developmental model. *Adoption and Fostering*, 29, 29–43.
- Shemmings, D. (2000). Professional attitudes to children's participation in decision-making: Dichotomous accounts and doctrinal contests. *Child and Family Social Work*, 5, 235–243.
- Shier, H. (2001). Pathways to participation: Openings, opportunities and obligations. *Children and Society*, 15, 107–117.
- Sinclair, R. (2004). Participation in Practice: Making it Meaningful, Effective and Sustainable. *Children and Society*, 18, 106–118.
- Sinclair, R., & Boushel, M. (1998). Involving children in planning their care. *Child and Family Social Work*, 3, 137–142.
- Sinko, P. (2008). The New Child Welfare Act in Finland. Retrieved from <http://www.childrenwebmag.com/articles/child-care-articles/the-new-child-welfare-act-in-finland>.
- Skehill, C. (2008). The history of social work. *British journal of social work*, 38, 619–837.
- Smart, C., Neale, B., & Wade, A. (2001). *The changing experience of childhood: Families and divorce*. Cambridge: Polity Press.
- Solomon, L. (2006). *The institution of Ombudsman: As a means of protecting the human rights of children and adolescents*. Jerusalem: Paul Baerwald School of Social Work & Social Welfare. [In Hebrew].
- Stier, S. (1978). Children's rights and society's duties. *Journal of Social Issues*, 34, 46.
- Stoker, G. (2006). *Why politics matters: Making democracy work*. Basingstoke: Palgrave.
- Such, E., & Walker, R. (2005). Young citizens or policy objects? Children in the rights and responsibilities debate. *Journal of Social Policy*, 34(1), 39–57.

- The British Association of Social Workers (BASW) (2015). *BASW human rights policy*. Retrieved from http://cdn.basw.co.uk/upload/basw_30635-1.pdf.
- Thoburn, J., Lewis, A., & Shemmings, D. (1995). *Paternalism or Partnership? Family Involvement in the Child Protection Process*. London: HMSO.
- Thomas, N., & O’Kane, C. (1998). *A first report on the children and decision-making research*. International Centre for Childhood Studies: University of Wales, Swansea.
- Thomas, N. (2005). Has anything really changed? Managers’ views of looked after children’s participation in 1997 and 2004. *Adoption and Fostering*, 29, 67–77.
- Tilbury, C. (2013). Social work with children and young people. *Australian Social Work*, 66(3), 311–313.
- Tisdall, E. K. M. (2008). Is the honeymoon over? Children and young people’s participation in public decision making. *International Journal of Children’s rights*, 16, 419–429.
- Torney-Purta, J., Wilkenfeld, B., & Barber, C. (2008). How adolescents in 27 countries understand, support, and practice human rights. *Journal of Social Issues*, 64, 857–880.
- Treseder, P. (1997). *Empowering children and young people: Promoting involvement in decision making—Training manual*. London: Save the Children Fund and Children’s Rights Office.
- Troope, S. (1996). The Convention of the Right of the Child: Implications for Canada. In M. Freeman (Ed.), *Children’s rights*. Aldershot, UK: Dartmouth Publishing Company.
- UNICEF Toolkit on Diversion and Alternatives to Detention 2009 (2009). Part A: UNICEF position on a human rights-based approach to programming in relation to children. Retrieved February 15, 2016 from http://www.unicef.org/tdad/index_56511.html.
- Utting, W. (1997). *People like us: The report of the review of the safeguards for children living away from home*. London: HMSO.
- van Bijleveld, G. G., Dedding, C. W. M., & Bunders-Aelen, J. F. (2013). Children’s and young people’s participation within child welfare and child protection services: A state-of-the-art review. *Child and Family Social Work*, 20, 129–138.
- Vis, S. A., & Thomas, N. (2009). Beyond talking—children’s participation in Norwegian care and protection cases. *European Journal of Social Work*, 12, 155–168.
- Vis, S. A., Holtan, A., & Thomas, N. (2012). Obstacles for Child Participation in Care and Protection Cases: Why Norwegian social workers find it Difficult. *Child Abuse Review*, 21, 7–23.
- Vis, S. A., Strandbu, A., Holtan, A., & Thomas, N. (2010). Participation and health—A research review of child participation in planning and decision-making. *Child and Family Social Work*, 16, 325–335.
- Walker, N. E., Brooks, C. M., & Wrightsman, L. S. (1999). *Children’s rights in the United States: In search of a national policy*. Thousand Oaks, CA: Sage.
- West, A. (2004). Children and participation: Meaning, motives and purpose. In D. Crimmens & A. West (Eds.), *Having their say: Young people and participation: European experiences*. Russell House: Lyme Regis.
- Williams, F. (2001). In and beyond New Labour: Towards a new political ethics of care. *Critical Social Policy*, 21(4), 467–493.
- Willow, C. (2002). *Participation in practice: Children and young people as partners in change*. London: The Children Society.
- Wisnes-Gal, I., & Gal, J. (2011). *The practice of social work policy*. Jerusalem: The Hebrew University Magnes Press. [In Hebrew].
- Witkin, S. (1998). Editorial: Human rights and social work. *Social Work*, 43, 197–201.
- Woodhead, M. (1997). Psychology and the cultural construction of children’s needs. In A. James & A. Prout (Eds.), *Constructing and reconstructing childhood: Contemporary issues in the sociological study of childhood*. London: Falmer Press.
- Woolfson, R. C., Heffernan, E., Paul, M., & Brown, M. (2010). Young people’s views of the child protection system in Scotland. *British Journal of Social Work*, 40, 2069–2085.
- The Global Agenda for Social Work and Social Development* (2012). Retrieved March 2016 from <http://cdn.ifsw.org/assets/globalagenda2012.pdf>.