



Department of Justice
Canada

Ministère de la Justice
Canada



Equal Access to Justice in Child Welfare and Justice Systems

Pre-conference Workshop

2024 OECD Global Roundtable on Equal Access to Justice
*Hosted in Collaboration with the Department of Justice, Canada and the
University of Strathclyde, with the Working Group on SDG16 Justice for Children*

Tuesday, 8 October 2024, 9.00 am – 12.00 pm ET
Chateau Laurier, Ottawa, Canada

Concept Note

Forming part of the 2024 OECD Global Roundtable on Equal Access to Justice, this Workshop will showcase practices that promote children's rights and best interests and address the overrepresentation of children from marginalised communities in justice systems, with a focus on child welfare.

Organisers

This event is led by OECD and Canada's Ministry of Justice, and organised in collaboration with the University of Strathclyde, which hosts the [Working Group on SDG16 Justice for Children](#)¹ and is a [Justice Action Coalition](#) partner.

Background

In 2023, the OECD published [the Child-Friendly Justice Framework](#) that seeks to support countries in developing a government-wide strategy to strengthen child-friendly practices in the justice system. Embracing a child-centric perspective, the framework provides guidance and good practice examples for (1) designing and delivering child-friendly justice services, (2) establishing the governance enablers and infrastructure to support child-friendly services, (3) empowering children and justice system workers to facilitate child-friendly justice, and (4) planning, monitoring and accountability needed to ensure that child justice reforms are effective and sustained. This work is aligned with the [Recommendation of the OECD Council on Access to Justice and People-centred Justice System](#) and OECD Framework and Good Practice Principles for People-Centred Justice. One of the integral elements is focusing on the legal and justice needs and experiences of particular groups of people in vulnerable situations, including children.

Last year, the OECD presented reports from country-specific support projects related to child-friendly justice, in Latvia and Egypt:

- The project in Latvia looked into a whole-of-state approach to promote a child-friendly justice system. It also included a cost-benefit analysis of implementing the Barnahus model in Latvia, making the case for the expansion of this model in the country. Report can be found [HERE](#).
- The project in Egypt focused on essential components of a child-friendly system in criminal, civil and administrative matters. It was implemented through the lens of the UN Sustainable Development Agenda and SDGs. Report can be found [HERE](#).

This Workshop session will build on discussions from previous Roundtables and the guidance provided in the OECD Child-Friendly Justice Framework; framed by the SDG 16 Working

Group's [Justice for Children, Justice for All: Agenda for Action](#); informed by the development of a new [CRC General Comment No. 27](#) to ensure children have equal access to justice to prevent and overcome structural inequalities, discrimination and exclusion. The 2023 OECD Roundtable included a pre-conference workshop on Equal Access to Justice for Children, whose practical focus was on facilitating implementation of the OECD Child-Friendly Justice Framework through multi-stakeholder and interdisciplinary approaches. Participants explored strategies for promoting inclusion of marginalised and underserved populations and for promoting innovation using data and digital technologies.

Workshop

This Workshop will emphasise the practical steps to achieve child-friendly justice, including an in-depth look at mechanisms for embedding child-centred considerations into policy development processes. The session will create a safe space to share the challenges, promising practices and lessons learned from various approaches to designing and implementing a children's rights lens and will include a focus on situations where children from marginalised communities are overrepresented in child welfare systems. An interactive format will encourage dialogue among participants. Contributions will explore the strategic importance of data and evidence, and building new partnerships, and will include:

(1) A spotlight on experiences in Canada, including:

- An Indigenous perspective on children's rights, focused on the overrepresentation of Indigenous children in the child and family welfare system and the impacts on their communities.
- A government perspective on Canadian legislation that recognises jurisdiction over child and family services as an integral element of Indigenous self-governance. The Act aims to protect the well-being of First Nations, Inuit and Métis children through culturally appropriate child and family services.
- A government perspective on concrete tools used to help to integrate the consideration of children's rights into policy development, presenting on the development of Justice Canada's voluntary Child Rights Impact Assessment Tool, which was designed in collaboration with child rights advocates and includes an online training course.

(2) Reflections and learning from 2-3 other countries that will explore:

- The work undertaken to identify where overrepresentation of children from marginalised communities exists; how they have come to understand the structural challenges that lie behind this; how they have advanced child-friendly justice or where have they struggled to advance adjustments to address these systemic challenges; their learning and next steps.

(3) An interactive dialogue on countries' experiences will follow, with a focus on the overrepresentation of children from marginalised communities in child welfare systems and the role that states, families and communities are playing to promote children's rights and best interests.

¹ The international, multi-agency Working Group on SDG 16+ Justice for Children is a member of the Justice Action Coalition with a strategic vision that actively puts children and children's human rights at the centre of achieving justice for all to achieve SDG 16.3. It is convened by the Institute for Inspiring Children's Futures at the University of Strathclyde with support from the Pathfinders for Justice and the Ministry of Foreign Affairs of the Kingdom of the Netherlands. It includes Child Friendly Justice European Network, Defence for Children International, the International Legal Foundation, the Legal Empowerment Fund, Terre des hommes, the Office of the Special Representative of the Secretary General on Violence against Children, UNODC and UNICEF. See: <https://www.sdg16.plus/justice-in-action/justice-for-children>