

A photograph of four young children of Asian descent playing tug-of-war on a green lawn. They are all smiling and pulling on a thick rope. The child in the foreground on the left is wearing a light blue t-shirt and dark pants. The child next to her is wearing a red t-shirt and a pink skirt. In the background, another child is wearing an orange shirt, and a fourth child is wearing a light blue shirt. The photo is set against a red background with a white diagonal line.

Justice for Children in High-Level Agendas

**2024 OECD Global Roundtable on Equal Access to
Justice**

**OECD Workshop on Equal Access to Justice for
Children in Child Welfare & Justice Systems**

Reference Report Series

8 October 2024, Ottawa, Canada.



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Note on the Reference Report Series

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This Reference Report is based on the proceedings of an OECD Roundtable Workshop hosted by the OECD and Department of Justice Canada, in partnership by the Institute for Inspiring Children's Futures at the University of Strathclyde and the Working Group on SDG16+ Justice for Children. The Working Group is an international, multi-agency member of the Justice Action Coalition. The Working Group is hosted by the Institute for Inspiring Children's Futures at the University of Strathclyde, with support from the Pathfinders for Peaceful, Just and Inclusive Societies and the Netherlands Ministry of Foreign Affairs. It includes Terre des hommes – with the Global Initiative on Justice with Children and the World Congress on Justice with Children – the Office of the Special Representative of the Secretary-General on Violence against Children, the Legal Empowerment Fund, Defence for Children International, Child Friendly Justice European Network, UNICEF, OECD, and the International Legal Foundation.

This Reference Report Series presents key findings that are drawn from various High-Level events, in which speaker contributions address next steps in the achievement of SDG 16 Justice for Children.

For the full Justice for Children in High Level Agendas Reference Report Series, see:
www.inspiringchildrensfutures.org

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Event Sponsors and Supporters

This OECD Roundtable Workshop was hosted in collaboration with the [Department of Justice Canada](#) and organised with the [Institute for Inspiring Children's Futures \(IICF\)](#) at the [University of Strathclyde](#) – a [Justice Action Coalition](#) partner and host of the [Working Group on SDG16+ Justice for Children](#) Secretariat.¹



Department of Justice
Canada

Ministère de la Justice
Canada



Background

In 2023, the OECD published [the Child-Friendly Justice Framework](#) that seeks to support countries in developing government-wide strategies to strengthen child-friendly practices. This work is aligned with the [Recommendation of the OECD Council on Access to Justice and People-Centred Justice Systems](#) 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.

In the same year, the OECD Roundtable on Equal Access to Justice, hosted by Slovenia and supported by the Institute for Inspiring Children's Futures at the University of Strathclyde and Terre des hommes Foundation, included a pre-conference workshop on Equal Access to Justice for Children, with a practical focus on facilitating the 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.

The following year, forming part of the [2024 OECD Global Roundtable on Equal Access to Justice](#), this latest OECD Roundtable Workshop in 2024 showcased practices that promote children's rights and best interests in child welfare and justice systems, with a spotlight on the overrepresentation of children from marginalised communities. It built upon previous Roundtable discussions and guidance provided in the OECD Child-Friendly Justice Framework. It was framed by the SDG 16 Working Group's [Justice for Children, Justice for All: Agenda for Action](#), and informed by the

¹ The international, multi-agency Working Group on SDG16+ Justice for Children has 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 – a member of the Justice Action Coalition – with support from the Pathfinders for Peace, Justice and Inclusive Societies 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, OECD, Terre des hommes – with the Global Initiative on Justice with Children and the World Congress on Justice with Children – the Office of the Special Representative of the Secretary General on Violence against Children, OECD, UNODC and UNICEF. See: <https://www.sdg16.plus/justice-in-action/justice-for-children>

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.

This Workshop emphasised the practical steps to achieve equal access to child-friendly justice, including an in-depth look at mechanisms for embedding child-centred considerations into policy development processes. The session aimed to provide a safe space to share challenges, promising practices, and lessons learned from the design and implementation of promising approaches. It also considered the embedding of a children's rights lens to equal access to justice for children, with a focus on situations where children from different cultural and marginalised communities are overrepresented in child welfare and justice systems.

Workshop Summary

Opening Remarks

- **Chloe Lelievre (OECD):** Emphasised the importance of child-centered justice and the OECD Child-Friendly Justice Framework, highlighting a long-term commitment to improving access to justice for children.

Workshop Objectives

- **Jennifer Davidson (Workshop Chair, IICF):** Aimed to showcase best practices and discuss challenges in achieving justice for children, recognising the importance of achieving justice for children as underpinning the efforts to reach the “furthest behind, first” in the [2030 Agenda for Sustainable Development](#).

Access to Justice for Children

- **Ann Skelton (UNCRC):** Stressed the broader definition of access to justice, including legal empowerment, capacity-building, and accessible complaint mechanisms for children, and introduced the new UNCRC General Comment 27 on access to justice and remedies currently being developed.

Country Spotlights

- **Canada:** Focused on reconciliation and intergenerational justice, integrating children's human rights in child welfare legislation and in practice, building partnerships to achieve these commitments, and using tools like the Child Rights Impact Assessment (CRIA) to assess policies affecting children.
- **Sierra Leone:** Highlighted child-centered reforms in the Justice Sector Reform Strategy, emphasising inter-agency coordination and community-based approaches.
- **Ireland:** Discussed efforts to enhance children's access to justice through training, child-specific legislation, and a child-centered family justice strategy.
- **Luxembourg:** Outlined actions to strengthen children's access to justice, such as counselling, specialised training and child-specific legislation and legal representation.

Key Themes from Discussion Questions

1. **Child-Centered Justice:** Justice processes must adapt to children's needs, ensuring they are not intimidating and are designed for better outcomes.
2. **Leadership and Collaboration:** Government commitment requires support through leadership and resources, with multi-agency collaboration essential for success.
3. **Co-Design with Communities:** Meaningful engagement with communities is critical for implementing child-centered reforms.
4. **Capacity Building:** There is a need for ongoing funding to enhance community capabilities in delivering child-centered services.
5. **Evidence and Data:** Collecting and analysing data is vital for measuring progress and informing effective decision-making.

Closing Remarks

- The Chair highlighted the OECD Roundtable Workshop as a milestone towards prioritising children's needs in justice systems and outlined upcoming events, including the 2025 World Congress on Justice With Children and the upcoming UNCRC General Comment No.27.

These key messages encapsulate the workshop's emphasis on collaboration, community engagement, and the ongoing commitment to reforming justice systems to be more child-centred.

Key contributions from Speakers

Opening Remarks

Chloe Lelievre, *Head of Unit, Justice and Rule of Law, Public Governance Directorate, OECD*

Ms. Lelievre formally opened the OECD Roundtable Workshop, offering thanks to all in attendance for their commitment and determination to achieve child centred justice. She drew participants' attention to the benefit of the OECD Child-Friendly Justice Framework informing the structure of the Workshop, and in the context its alignment with the OECD Global Roundtable on Equal Access to Justice. Ms. Lelievre affirmed the OECD's commitment to supporting governments to implement this framework to secure access to justice for all children. She closed with a recognition that this movement is a long-term, sustained commitment and that there is continued room for improvement to ensure child-centred justice reforms, a journey that the OECD is committed to supporting governments with.

Professor Jennifer Davidson, *Lead, Working Group on SDG16+ Justice for Children; Executive Director, Institute for Inspiring Children's Futures, University of Strathclyde*

Chairing the Workshop, Prof Davidson outlined the aim of the OECD Roundtable Workshop to showcase best practice examples and facilitate open discussions around learning, advances and challenges for justice for children.

Prof Davidson contextualised the Workshop by outlining that children form one third of the world's population and are amongst those who are furthest behind in the [2030 Agenda for Sustainable Development](#). Children's dependent status and evolving capacities, their lack of knowledge and support about claiming their rights, as well as the frequent lack of accessible and effective complaints mechanisms at the local level – deepened and made all the more complex alongside economic, social and cultural factors – all form barriers to children's ability to access justice.

She located the Workshop's discussions within the international framework of children's human rights – this is particularly timely given the UN Committee on the Rights of the Child's (UNCRC) ongoing work to develop a new General Comment on access to justice. This work ensures children have equal access to justice and secures solutions to their justice needs that are fair, deliver a good outcome and prevent these justice needs in future. The context of the 2030 Agenda for Sustainable Development and SDG 16 were also key to discussions, as the world pledged to *leave no one behind* and *reach the furthest behind first*.

Equal access to justice for children as framed by the UNCRC

Professor Ann Skelton, *Chair of the UN Committee on the Rights of the Child, via video*

Prof Skelton introduced herself and the UN Committee on the Rights of the Child, the group of elected experts monitoring the implementation of the UN Convention on the Rights of the Child. Prof

Skelton highlighted the importance of access to justice for children whose rights are being breached, and for combatting inequalities and discrimination. To the Committee, access to justice is wider than the judicial system – it also envisions using mechanisms for justice to hold duty-bearers accountable and to provide practical outcomes for children.

Prof Skelton emphasised three key points necessary for children's access to justice:

- Children's legal empowerment
- Capacity-building for those working with and for children
- The accessibility of justice / complaints mechanisms, especially for children in alternative care or in detention.

The Committee is currently drafting its [General Comment No. 27 on Children's Rights to Access to Justice and Effective Remedies](#) which will address those issues in detail and provide guidance to governments. The Committee has already received many inputs from states and civil society which will feed into a first draft of the General Comment, expected to be published in Spring 2025. Further consultations will take place over the summer of 2025, with an expected launch date of May 2026 for the final General Comment.

Spotlight on Canada, with a focus on child welfare

For context, this report offers the following summary points from speakers presenting on a Canadian Act respecting First Nations, Inuit, and Métis children, youth, and families:

1. **Legislative Background:** The Act, effective January 1, 2020, was established to address the overrepresentation of Indigenous children in care, responding to calls from Indigenous leaders and aligning with various national and international commitments, including the Truth and Reconciliation Commission's recommendations.
2. **Goals of the Act:** The primary aim is to enhance the well-being of Indigenous children by affirming their right to self-governance in child and family services. It emphasises the importance of maintaining connections to family, culture, and community.
3. **National Principles:** The Act outlines key principles such as the best interests of the child, cultural continuity, and substantive equality. It mandates that children's connections to their families and communities be prioritised in service delivery.
4. **Framework for Jurisdiction:** The Act provides a pathway for Indigenous governing bodies to exercise jurisdiction over child and family services. This includes the ability to negotiate coordination agreements with federal and provincial governments to ensure effective service delivery.
5. **Progress and Future Steps:** As of October 2024, significant progress has been made, with numerous Indigenous governing bodies engaging in coordination agreements. Future steps include conducting a five-year review of the Act, expanding provincial support, and finalising more coordination agreements to enhance Indigenous governance in child welfare.

Keynote Speaker, Earl Stevenson, *In-House Legal Counsel, Peguis Child and Family Services*, introduced an in-depth and compelling perspective on Indigenous children's human rights, focusing on the commitment, process and progress in reducing the overrepresentation of Indigenous children in the child and family welfare system, and the responses by their communities.

He contextualised his presentation with an overview of the Peguis Nation, and outlined the *'Honouring our Children, Families and Nation Act'* (HOCFNA) legislation and regulations that are underpinning recent child welfare transformations. He framed his presentation by explaining the inherent rights of indigenous people.

He outlined a brief history: in Manitoba, Indigenous people make up just over 15% of the provincial population, yet 88% of children involved in the Manitoba child welfare system were Indigenous. Legislation establishing the HOCFNA is a response to this humanitarian crisis by Peguis First Nation and the Peguis Child and Families Services (CFS) agency. This legislation is declared to be an aspect of reconciliation; it refers to the UNDRIP which provides a framework for reconciliation with Indigenous peoples.

Mr Stevenson explained that the CFS Agency's role is shaped by a Coordination Agreement and the Canada Fiscal Agreement, and impacts on the role of the Provincial Court and Manitoba's King's Bench Court, where the Agency has been granted concurrent jurisdiction in child protection matters.

The increased financial support for the Peguis First Nation membership has supported many services, including a Youth Empowerment Team. The Act's implementation processes have also included the pro-active involvement of Elders, and an introduction of a range of alternatives to the court process, including Sharing Circles; Customary Care Agreements; Community Circle of Care; Acceptance Commission; Family Finding; Youth – Cultural Mentorship; Complaints and Appeal processes; and Extension of Services Agreements.

Mr Stevenson concluded with an overview of systems transformations, including:

- Achieving a 37% reduction in the number of children in formal care, from 354 to 224 in 3 years, co-occurring alongside a substantial change in numbers of participants in their prevention program, from 3,514 to 27,023.

In the Q&A session, Mr Stevenson explained that legislation requires that children's voices must be considered, heard and respected in the decision-making processes, including younger children if they are able to voice their perspective. He offered the example of a sharing circle, which is a process where a safe environment is created, and children are invited to participate as equals.

Solveig Routier, *Director, Engagement and Partnerships Directorate, Indigenous Services Canada*, outlined the federal government's role in facilitating partnerships that achieve Canada's legislated commitments that recognise child and family services as an integral element of Indigenous self-governance, and that support culturally appropriate child and family services.

Her presentation included an overview of the Act and an outline of the National Principles and Minimum Standards critical to its implementation. In addition, she explained the spectrum of partnership supports. These supports include: capacity building funding; funding for Indigenous governing bodies in discussions with government to reach a collaboration agreement; and implementation funding for the provision of child and family services under the Act. Ms Routier then outlined the process of exercising jurisdiction under the Act. She concluded by detailing the progress made to date in exercising the jurisdiction, and by outlining the next steps, which include:

- Conducting a five-year Ministerial review of provisions and operation of the Act in collaboration with representatives of First Nations, the Inuit and the Métis, and preparing a report with recommendations.
- Bringing more provinces and territories on board, and

- Continuing to support the implementation of Indigenous laws through the negotiation of coordination agreement and related fiscal arrangements.

Reflections and learning, with a focus on justice systems

Deputy Minister Alpha Sesay, *Deputy Minister of Justice, Ministry of Justice, Sierra Leone*, presented Sierra Leone's ambitious commitment to child-centred reforms and strengthening children's rights through Sierra Leone's new Justice Sector Reform Strategy (2024-2030).

Deputy Minister Sesay outlined Sierra Leone's Key Reform Initiatives which include legal reforms, community-based approaches (such as diversion, alternative dispute resolution, and community-based rehabilitation programmes), prevention and capacity building, inter-agency coordination and intergenerational partnerships. Mr Sesay also outlined Sierra Leone's incoming Child Rights Bill, which reviews previous 2007 legislation, and includes provisions on the goals of the child justice system, diversion and support services, establishing quasi-judicial structures (child panels), alternatives for custodial sentences, and an increase to the minimum age of criminal responsibility to 14 years old.

Mr Sesay affirmed that in all of these reforms, one of the key mechanisms of the government to achieve these ambitions is inter-agency coordination and intergenerational partnership between the government, CSOs and children and young people. He affirmed embracing restorative justice and community-based approaches in the best interests of the child.

Claudine Konsbruck, *Director, Relations with the Judiciary and the Legal Professions, Ministry of Justice, Luxembourg*, presented an illustration of recent efforts across Luxembourg's justice system to strengthen children's access to justice, such as counselling, specialised training and child-specific legislation and legal representation.

Ms. Konsbruck highlighted that dependent status of children and young people, their lack of knowledge and capacity to assert their rights, and the absence of accessible and effective complaint mechanisms represent the main obstacles in children claiming their rights. She highlighted that this ability is an essential element of democracy and the rule of law, which is essential for them as they continue later in their adult life too.

Liam Coen, *Principal Officer, Access to Civil Justice Policy Lead, Department of Justice, Ireland*, outlined a new Strategy to reform the Irish family justice system, focused on a child-centred family justice system and the work underway to implement this Strategy.

Mr. Coen presented on Ireland's first Family Justice Strategy, launched in November 2022. The Strategy recognises that many people's experiences of the existing family justice process can be challenging and unhelpful at what can be an already difficult time for them. In this regard, the Strategy aims to put in place the foundations of a reformed family justice system, which is more user-focussed, coordinated and consistent, and which places an emphasis on earlier, more appropriate solutions for families.

Mr. Coen's presentation focused on the child-related aspects of the Strategy. He highlighted that while children are not party to family law proceedings, they are very often the subject of them. And so, Ireland's Strategy emphasises the importance of a child-centred family justice system. He recognised this is a long-term agenda for change, and noted the determination and leadership needed to see this transformation through.

Kimberley Conboy, *Senior Counsel, Family and Children's Law Team, Justice Canada*, presented a government perspective on the concrete tools which support the integration of children's rights into policy development, such as Canada's voluntary Child Rights Impact Assessment Tool and online training course.

Ms. Conboy outlined that the CRIA tool helps identify and consider all potential direct or indirect effects that a proposed law, policy, program or other initiative can have on children. This is a tool that is grounded in the United Nations Convention on the Rights of the Child. While primarily utilised by federal officials, she highlighted that this tool can equally be used by other governmental or non-governmental organisations, or by others who want to assess the impact of an initiative on children's rights. An accompanying online course is designed to assist officials or others in understanding and applying the CRIA tool.

Ms. Conboy also affirmed that a vast array of Canada's federal laws, programs, policies and initiatives have impacts on children, even those that are not specifically directed at them. Adopting the use of CRIAs within government has the potential to significantly improve outcomes for children by ensuring government measures fully consider children's rights and interests.

Questions for Consideration

The following questions were posed to attendees for further consideration, applied to their context:

- **On data:** What data do you rely upon to understand those communities of children who are marginalised and/or overrepresented in public systems? For ex, national datasets, country-specific data, promising methodologies for data collection with children and young people, or specific programmes.
- **On strategy:** What are your priority areas for change in child justice and/or welfare systems? What are the national-level data or case examples that inform your priorities and/or understanding of children's experiences of child welfare & justice systems?
- **On innovations:** What are the key interventions, innovations, or 'Gamechangers' supporting practical steps to achieve child-centred justice and/or child welfare

Key Highlights Snapshot

At the conclusion of the Workshop, participants were asked to contribute key points from across the session, to offer a reflective impression to readers of this report. These were categorised as followed:

On a Child-Centred Justice Approach:

- "Justice is like a cloth – it must be made to fit the person" – Deputy Minister of Justice, Sierra Leone.
- Child-centred justice approaches require more adaptations to current systems and reforms.
- Processes must be built around what children need – including shifting away intimidating, frightening, and 'scary' processes, interactions and systems.
- Child and their welfare must be at the centre of programmes – when we focus on children when making strategies, there are better results.

- Results can be delivered also when we reflect on the question: 'What can be changed and how can we change things?'

On Leadership and Collaboration:

- Commitment by government officials must be backed by leadership, human resources and budgets for child-friendly justice (e.g., specific government units to support child participation, CRIA tool, standards for EDI, etc.)
- When we put the children at the centre, the effort to build a system that accommodates them cannot be one-and-done in solidarity; we must tackle different steps along children's journey in justice system simultaneously through cross-organisational collaboration.
- Multi-agency approaches to supporting children and their families are essential.
- Equal access to justice for children is indeed a longer-term, ambitious goal, but one which is attainable with combined efforts and government-wide strategies.
- Partnership and cross-sector and intergenerational engagement is essential to achieve results.
- Participants noted the advanced level of implementation of initiatives shared throughout the workshop, and resonated with successes when involving communities in children's justice and welfare.

On the Importance of Co-Design:

- Meaningful engagement with communities is critical.
- Improve efforts to co-design and implement multi-sector coordination, so civil society can also support the integration of child-centred reforms in justice systems and other key sectors.
- Community buy-in and leadership are important in child-friendly justice.
- Successes built on more integrated service delivery, and the integration of families and communities in supporting child-friendly justice and welfare.

On Building Capacity for Change:

- Capacity building as a critical area for further funding to support communities and to prepare for delivering new, reformed or adapted services with and for children.
- Supporting community-based organisations to provide capacity building initiatives.

On Practices for Change:

- Intergenerational partnerships are essential, especially in community-based approaches to bring together elders with children and young people.
- Children and young people are very much aware – solidifying the need for them to be included in all decisions that affect their lives.
- Shifting systems away from more child-friendly reforms to existing adult-centric systems, in favour of more child-centred alternative journeys and interactions.

On the Role of Evidence:

- Data is needed to measure progress implementation.
- Continued emphasis on the importance of understanding the source of problems to develop effective approaches/decisions for impact.

- Further action required to strengthen the evaluation of these initiatives, reforms, and new programmes.
- The role of statistics as a means to secure funding, but also to measure continuous improvement.

Closing remarks

Prof. Jennifer Davidson closed the Workshop with a reminder that it served as an important milestone in our highly ambitious journey to ensure children are increasingly understood to be central to our common agenda. She offered thanks to all who contributed to the organisation of the Workshop, to all speakers, and attendees. She closed the session with a look forward to the immediate milestones ahead:

- 2025 [World Congress on Justice With Children](#), Madrid, Spain and events globally
- 2026 [UNCRC General Comment No. 27 on Access to Justice and Effective Remedies](#)
- The development of the OECD Toolkit for implementing the [OECD Recommendation on Access to Justice and People-Centred Justice Systems](#), with a focus on ensuring equal access to justice for vulnerable groups, including children.



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