

Hope and Justice: CYC as Human Rights Defenders

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The global justice gap

At a recent global justice event, someone next to me made an off-handed remark about the popularity of superheroes reflecting people's thirst for a powerful response to the injustices they face. Fair enough: justice can be hard to come by for too many people: [recent research](#)¹ shows that 2 out of every 3 people around the world face justice problems without having any way to resolve them. Worse yet, for the most part [children are invisible in these stats](#)² despite those under age 18 making up over a third of the world's population.

Children's justice gap

And it's not just this justice *gap* that matters. Children are not only invisible in *how* we measure injustices, but also *disproportionately affected* by these injustices. For ex. because children are dependent on the adults in their lives, their specific needs are "often hidden or made invisible by the adults around them" and so "they often face challenges in accessing their full range of rights and fulfilling their needs".³ This happens in situations we



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see and hear about almost-daily, from daily CYC work, to scrolling in horror at the geopolitical news on our screens. That's not even mentioning the injustices disproportionately facing children in the circumstances [we rarely hear about](#).⁴ I really appreciated Kiaras Gharabaghi's opening acknowledgment of child victims of war in his of his article in Issue 299 of *CYC-Online*.⁵ Children are experiencing injustices, locally and globally, and disproportionately. I know CYC friends here see this in their daily work.

What do we mean by justice?

Justice is a pretty 'stretchy' word: it can be a word that's used to describe a lot of stuff, from formal criminal justice systems, to a much wider sense of that which is fair and feels right to children. In the Sustainable Development Goals (SDG) justice policy work I'm involved with, when we⁶ talk about the 'justice gap that children face', we're pointing to justice in all its forms, including economic justice (e.g. their parents' fair work, child poverty), social justice (e.g. education, health inequalities) and cultural justice (e.g. redress for the harms of colonisation), as well as criminal justice (e.g. children as victims, witnesses, offenders), civil justice (e.g. custody decisions) and administrative justice (e.g. alternative care decisions, punitive welfare sanctions). This means that if we want to ensure children experience justice, we need far more than legal system reforms – as important as those are. Reforms that achieve justice for children demand the committed engagement of just about all areas of public policy, and most public services:

“... children need access to universal services such as education and health care, and a justice system adapted to the rights and needs of children to prevent harm, to claim their rights, to seek



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redress or to complain about the violation of their rights. At the same time, children have a right to be empowered to contribute to and participate across all areas of their lives.”⁷

That’s not the end of the story. Providing these services is essential – but also, there’s a line between providing the services, and the ability of children to ‘access’ them – do they feel understood and accepted? Do they feel safe? Are they treated fairly? Children can’t ‘access’ these services without the skilled, values-led knowledge that is inherent in good CYC practice.

Closing this gap happens long before encountering a justice system

We’re determined to help close the gap between what children consistently experience on a day-to-day basis, and this broad notion of justice that children have a right to experience.⁸ Public services systems - including justice - are arguably intending to prevent and address injustice. Yet, these are the same systems that also hold the potential to create and perpetuate *injustice*; this happens most when services are serving the ‘system’ rather than serving children, their kin and communities.^{9 10} Closing this justice gap means attending to people’s practical and moment-to-moment experiences – where it matters most. So, it follows that attention to justice – to fairness and accountability – is important *at the earliest point possible*. For children, this points us directly to front-line CYC workers’ practices and their relationships with children in the moment-to-moment (and by association, CYC managers, funders and educators).



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CYC ensures children experience justice

CYC workers create and sustain children's experiences of justice and fairness. It's baked into the profession. With CYC workers' relational core skills of listening, empowering, mediating, negotiating – to just name a few; and with our values of inclusion, diversity, empowerment, etc., CYC workers are key to closing the children's justice gap. They are at the heart of ensuring children experience justice – not only in civil and criminal justice systems, but across all public services, and beyond.

We're imagining 'justice for children' to be where children don't experience injustice in the first place, and when they do, that this experience is addressed at the earliest point possible. This is CYC practice at its heart.

Take the example of a child at risk of bullying at school: Access to justice for that child consists of a supportive and knowledgeable school environment where educators and support staff have the confidence, resources and skills to employ a preventative approach. Then, where that might fail on occasion and a child does experience an episode of bullying, they have a trusted adult who can respond in a child-centred way to provide a remedy, rather than overlooking or letting these behaviours and feelings spread. It would mean that child feels heard and experiences fairness in the face of injustices that arise, not only because of these relationships, but because routines and cultures also support and sustain this accountability. It would mean adults share power and apologise generously. It would mean children have and preserve their dignity.¹¹ Creating these *just* environments can demand difficult, sensitive engagements, and sophisticated judgements that are neither transactional nor easily prescribed – situations that are made far more complex through the backdrop of the ambiguity of social media, and the structural realities



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that drive underinvestment in services and workforces, discrimination, and deep inequalities, to name just a few of the added challenges CYC workers will see throughout their work.

It is also CYC advocacy as well: beyond the immediate individual work with children, CYC workers empower and partner with children¹² to advocate for change at a *systems* level, and seek to overturn the structural obstacles that get in the way of children reaching their potential. Not all CYC workers may set out to be political¹³ and to point out “the deep ethical fissures at play in our work”¹⁴ but CYC workers’ efforts impact not only at an individual level, they also impact on political levels with the potential to create change and realise justice for children and their communities across society.

This kind of justice is a children’s human right

Justice for children as we’ve described above are not just ‘nice to have’ – they aren’t *just* what happens as a result of good practice, and they aren’t *just* about making economic good sense¹⁵ to policy-makers. Children have a right to experience this justice, and we are all responsible to ensure there is accountability at every level to ensure that they do.

These human rights of children are clearly laid out in the UN Convention on the Rights of the Child, as well as across all other international human rights treaties. While accountability will happen closest to a child’s immediate experience (‘the earliest point possible’), local approaches and national legal systems, as well as international systems¹⁶ exists to hold services and governments to account on the public systems that are core to children experiencing their rights. This accountability to children will be explored more closely through the UN system in the year ahead*.



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25 years on ...

Twenty-five years ago, the **UN Human Rights Defenders Declaration** was established. To honour this anniversary, last year the poem 'Seeds of Hope' by Nikita Gill was commissioned, intended to offer a lasting and nourishing message reflecting the spirit of the role that human rights defenders play in the world. I wonder if you will see CYC workers in this poem, as the human rights defenders they so often are. I invite you to join me in reading this poem in part as unofficial recognition and celebration of CYC.

Seeds of Hope

*The world's most resilient forest has a canopy
thick with truth, old oaks with glowing bright barks.
It is grown from seeds of light as a gesture towards hope.
And the people that nurture it carry its seeds far.*

*Their journey is not easy, but it is as necessary as these seeds.
They plant them in lands with troubled nights and needs.
They are carriers of justice and an infinite dream,
where a better, kinder world is every child's right*

*not an impossibility. It is a calling, something as primordial
as the stars and the universe to uphold the truth and still sing,
despite the storms - turning cries of pain into a song of ease,
these ordinary people doing extraordinary things.*



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*No one wants to be a martyr, understand. But some of us
have to choose to be lighthouses instead of hurricanes,
and this choice, this choice makes all the difference,
for how else do we build a world that we can all believe in?*

*They say at the end of every tunnel, there is a light.
What they do not tell you is that someone has to be there
to hold up that light so that others can see the path,
wielding the torch of truth, no matter how hard it is to bear.*

*The world's most resilient forest lives inside
the human heart. And the people nurturing it
are the legacies of hope who are the protectors of truth.
The world owes them its love and an eternity of gratitude.¹⁷*

Nikita Gill

When 25 years ago, the first *CYC-Online* issue was also launched, it too was a 'gesture of hope' which has grafted and grown to become part of this 'canopy thick with truth'. And many determined and visionary people have nurtured this truth in order for these CYC seeds to have been carried very far indeed, across contexts, cultures and experiences. Twenty-five years on, CYC stories of hope and justice are sustained through *CYC-Online* and the amazing community of people here, as it holds up that light for others to see the path. Many congratulations and thanks are due to *CYC-Online* editors and friends on this 300th Issue of *CYC-Online*.



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CYC workers are human rights defenders

Although real superheroes may be scarce in the face of our world's geopolitical realities, it is CYC workers – alongside those millions around the world who play this role but may call themselves by a different name – who are those most capable of, and well-placed to, ensure children experience their human rights daily. While they may not set out to be human rights defenders, or articulate their role as such, I would argue that through their daily practice of ensuring children experience justice, CYC workers are amongst our world's most consequential human rights defenders.

Better than superheroes, what we have are dedicated workforces that make small but mighty changes to children's lived realities. Skilled and caring CYC practitioners, working in well-supported services, to support trust and accountability, and defend children's human rights. These are the people undoubtedly best suited to the task of achieving and sustaining justice in children's day to day lives. Like superheroes, CYC workers live and breathe life into the notions of hope, justice and dignity. In doing so, I will argue for the next 25 years and beyond, that CYC workers are amongst the most critical yet unsung human rights defenders in our world.

It might be superheroes we crave, but it's CYC workers we need.

** Afterword*

The United Nations Committee on the Rights of the Child (CRC) will shortly be formally announcing their intention to develop new international instructions to governments in 2024-25 in the form of a new General Comment.¹⁸ This new General Comment is anticipated to have a focus on the practices and mechanisms that will enable children to access justice, and make sure children can access an effective 'remedy' if they haven't



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experienced this justice. As such, it has the potential to deeply affirm the important work of CYC.

This new General Comment 27 will aim to shape the public systems that impact on children and young people’s lives. While UN systems of accountability can often feel remote to much of the world, including to front-line CYC workers, nevertheless UN reporting mechanisms, reports and guidance work to unsettle the status quo, and set a new bar for national human rights expectations. CRC General Comments act as tools for advocacy efforts in the hands of civil society, offer legal arguments to judicially defend children’s rights, and play a slow-drip influencing role over time by shaping the international norms and standards that in turn, set the agenda for children’s policy and expectations of professional practice at a national level.

I hope that in addition to hearing from children themselves, CYC voices will actively inform the development of this new *General Comment 27*, to ensure CYC wisdom and practices drive the change to a better valuing, investing in and supporting justice for children properly on a day-to-day basis.

Endnotes

1. On the global justice gap, see:
https://worldjusticeproject.org/sites/default/files/documents/WJP_Measuring%20the%20Justice%20Gap_final_20Jun2019_0.pdf
2. SDG 16 *Justice for Children Agenda for Action*, see:
<https://inspiringchildrensfutures.org/blog/justice-for-children-agenda-for-action>
3. *Justice for Children, Justice for All: Call to Act* (2019) pg 4
<https://www.sdg16.plus/resources/justice-for-children-justice-for-all-the-challenge-to-achieve-sdg-16/>



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⁴ International Rescue Committee (2023). <https://www.rescue.org/uk/article/top-10-crises-world-cant-ignore-2024>

⁵ Gharabaghi, K. (2024). 'Can We Put the Group Back in the Group Home?' *CYC-Online: E-Journal of the International Child and Youth Care Network (CYC-NET)* 299. Available: <https://cyc-net.org/cyc-online/cyconline-jan2024-gharabaghi.html>

⁶ For more on the SDG 16 Working Group on Justice for Children, see: <https://www.justice.sdg16.plus/justiceforchildren>

⁷ *Justice for Children, Justice for All: Call to Act* (2019). page 4. See: <https://www.sdg16.plus/resources/justice-for-children-justice-for-all-the-challenge-to-achieve-sdg-16/>

⁸ Davidson, J.; Diallo, M.; Elsley, S.; Foussard, C.; Goudie, A.; Hope, K.; Shields, S. (2022). *Justice for Children: Applying Lessons from the Pandemic*. Glasgow: University of Strathclyde.

Author note: In a recent exercise in the work to deliver the Sustainable Development Goal 16 for children, we gathered examples from a range of international reports of this justice gap, in order to help policy-makers better grasp this broad range of injustices children face. We framed examples in two categories: *individual-local* realities; and the injustices that children and families experience at a *structural-policy* level. These included for example children's exclusion; their lack of access to justice; the lack of prevention of harm; barriers to their identity; violence; limits placed on their association; and being deprived of their liberty in detention. Each of these problems will impact on an individual child - and will also have structural equivalents. Some examples are outlined in the table at this link, on page 9-10 here: <https://inspiringchildrensfutures.org/blog/-justice-for-children-lessons-from-the-pandemic>.

⁹ See for example: MacKenzie, K (2020). Unsettling White Settler Child And Youth Care Pedagogy And Practice: Discourses On Working In Colonial Violence And Racism. *International Journal of Child, Youth and Family Studies* 11(3): 80–107 DOI: 10.18357/ijcyfs113202019701

¹⁰ See for example one analysis of the impact of colonisation globally: Dettlaff, I.; Weber, K., Pendleton, M., Boyd, R., Bettencourt, B. & Burton, L. (2020) It is not a



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broken system, it is a system that needs to be broken: the upEND movement to abolish the child welfare system, *Journal of Public Child Welfare*, 14:5, 500-517, DOI: [10.1080/15548732.2020.1814542](https://doi.org/10.1080/15548732.2020.1814542) Available: <https://www.tandfonline.com/doi/full/10.1080/15548732.2020.1814542?src=recsys>

11. On a article presenting dignity as an proxy measure of human rights, see: <https://www.sclid.org.uk/dignity-as-the-underpinning-value-of-human-rights/>
12. Davidson, J., Hope, K and Shields, S. (2023). 'Justice for Children Policy Brief: Intergenerational Partnership through an Intersectional Lens'. *Justice for Children Policy Brief Series*. Glasgow: University of Strathclyde. <https://inspiringchildrensfutures.org/blog/j4c-pb-building-new-partnerships>
13. On youth work as political work: <https://www.linkedin.com/pulse/youth-work-political-vicki-ridley--dwnqe/>
14. de Finney, S., Palacios, L. Mucina, M. K., & Chadwick, A. (2018). Refusing band-aids: Unsettling “care” under the carceral settler state. *CYC-Online: E-Journal of the International Child and Youth Care Network (CYC-NET)*, 235, 28-39. Available: <https://www.cyc-net.org/cyc-online/sep2018.pdf>
15. Author note: for children facing the greatest adversities, efforts to empower children and protect them from injustices have the potential to have massive positive multisectoral impacts that reach widely across their lives – across their education, health, mental health, employment, perhaps future parenting practices, etc. Yet unfortunately these wide-ranging benefits are paradoxically hardest to measure consistently - across time and geographies. Although the potential impacts of successful interventions may be larger for populations in vulnerable situations, they are often harder to evidence. But not impossible.
16. On international human rights instruments and mechanisms, see: <https://www.ohchr.org/en/instruments-and-mechanisms>
17. Gill, Nikita (2023). *Seeds of Hope*. Available: <https://srdefenders.org/information/launch-of-poem-to-mark-the-25th-anniversary-of-the-hrd-declaration/>



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18. For info on General Comments issued by the UN Committee on the Rights of the Child see: <https://www.ohchr.org/en/treaty-bodies/crc/general-comments>.

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