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Justice for Children Justice for All

Policy Brief

This Policy Brief sets out policy guidance and best practice for child-friendly justice sector reform to achieve SDG16 for children in the 2030 Agenda.



Building New Partnerships: Intergenerational Partnership Through an Intersectional Lens

Terre des hommes: Helping children worldwide.
 The Institute for Inspiring Children's Futures: University of Strathclyde.
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 IICRD: International Institute For Child Rights And Development.
 TUJ: Thailand Institute of Justice, affiliated with the United Nations.
 #COVID19 UNDER 19.
 LEF: LEGAL EMPOWERMENT FUND.
 CYCJ: Children and Young People's Centre for Justice.

Intergenerational partnerships are emerging as a promising trend in the post-pandemic world.

Achieving justice for children, for a peaceful, just and equitable future, requires more coherent and inclusive justice systems. Justice sector reform starts with building the foundations of new partnerships with children and young people, particularly those with lived experience of justice systems. A shift in the paradigm from child participation in adult justice processes, to partnerships with children, is necessary to improve access to justice for all.

This policy brief considers what good intergenerational and intersectional partnerships with children and young people look like, applied in the context of children and justice systems.

It starts by defining key concepts and elements for meaningful partnerships – including a set of ‘ingredients’ defined by children and young people themselves. This is followed by prompting questions for child-friendly justice decision-making. Finally, building new partnerships with children is often about amending processes alongside policies. And so, this policy brief highlights promising practice examples in a range of different thematic, national, and regional contexts.

This policy brief offers priorities and recommended actions for child-friendly justice system reform, aimed at policymakers and supporting bodies engaged in policy processes related to justice with, and for, children.

Justice for Children, Justice for All

In setting out the ambitious vision for Sustainable Development, the **United Nations 2030 Agenda for Sustainable Development**¹ pledges not only to **leave no one behind**, but to also **reach the furthest behind first**.

Children – those under age 18 – are 30% of the world’s population. In many countries, over half of the population is under the age of eighteen. Still, children are among those most at risk of being left behind, especially those already facing the greatest adversity. At the half-way point to 2030 – and in the wake of the COVID-19 pandemic – progress has markedly slowed. This slowed progress exacerbates existing inequalities and adversely impacts achieving justice for all.²

Placing children at the heart of a growing global movement for justice

The Justice for Children, Justice for All initiative published a widely endorsed *Call to Act* that highlights the necessary, collective, and global responses across three themes:

- **Promoting justice as an enabler of children’s development**
Delivering equal access and support to all children who require the services of justice systems, preventing unnecessary contact with the justice system including via informal alternative approaches, and ensuring the right to legal identity for all children.
- **Accelerating action through implementation channels**
Preventing all forms of violence against children, safeguarding the rights of children used by armed or other criminal groups, and restricting the deprivation of children’s liberty to exceptional circumstances.
- **Establishing and sustaining the foundations for change**
Adopting a multi-sectoral approach to child protection, promoting the participation of children in decisions that affect their lives, securing sustained political commitment to high quality justice for children, and ensuring responses are based on international standards and evidence-based policies.

Yet there remains a stark gap between our global ambition and the reality of children’s everyday lives in most countries – and it is widening. Our understanding, our measuring, our interventions and our resourcing are all falling behind.³ This is despite their particular importance to future generations and to securing intergenerational equity, as part of the global policy agenda to reinvigorate progress towards the Sustainable Development Goals (SDGs) and post-2030, **Our Common Agenda**.

The Agenda for Action: Four Strategic Levers That Power Change

In response, with increased urgency and a clear vision for the future, the [Justice for Children Agenda for Action](#) shapes the agenda across four key strategic levers needed to accelerate change and achieve SDG 16.3 for children:

1. Building new types of **partnerships**, including **intergenerational** networks.
2. Developing strategies for **smarter financing**; building the case to invest in more effective interventions to promote children’s inclusion and well-being, and the political support for prevention.
3. Using **evidence and data** to steer child-centred reforms, including disaggregated data, child friendly methodologies and child-centred views to drive change.
4. Scaling up **justice innovations**, and applying **imagination** and safeguards for digital justice tools with children.

This Policy Brief offers guidance for policymakers on Strategic Lever One: Building New Partnerships. (The full series of Justice for Children Policy Briefs is available [here](#).) This **Building New Partnerships Policy Brief** seeks to ensure that highly effective programmes of action – for children and wider society, in both the short and longer term – are designed to achieve SDG 16.3: ‘promote the rule of law at the national and international levels, and ensure equal access to justice for all.’

Definitions and key concepts

This section presents the definitions of key concepts used in this policy brief, as well as specific considerations in the context of access to justice.

These definitions highlight the characteristics of intergenerational and intersectional approaches, using the metaphor of 'ingredients.' However, building and sustaining intergenerational and intersectional partnerships to reform justice systems is not as simple as 'add, mix and stir.' Rather, these 'ingredients' should be read as a set of commitments to be applied by those who are interested in transforming structures of inequality and exclusion and more meaningfully sharing power with children and young people in their full diversity.

Intergenerational partnership is defined as exchanges between and within all generations, for the purpose of sharing knowledge, cultural norms and traditions, as well as care, support and exchange of resources which challenge traditional generational power dynamics.⁴ Adult-driven decision-making in child-friendly justice sector reform benefits from children's challenge and insights to effectively implement policies and practices which are responsive to children's rights and needs. Access to justice and upholding children's right to be heard in decisions which affect their lives depends on this. In the context of children and justice systems, this policy brief considers **shifting the paradigm** from children's participation in adult justice spaces, to creating space together for meaningful and equitable partnerships.

Intersectionality is a way of thinking about identity and its relationship to power.⁵ People's lives are shaped by their identities, relationships, and social factors. These combine to create overlapping and interdependent systems of discrimination or advantage/disadvantage where everyone holds their own unique experiences in how they interact with the world around them.⁶ Examples of these factors include gender, race, ethnicity, religion, class, sexuality, ability, etc.

This policy brief considers all forms of intersectional disadvantage which may be relevant to children in contact with justice systems, where intersecting and compounding forms of discrimination are often most visible, such as in the disproportionate representation of black, indigenous, and children of colour in contact with the law in the Global North.

Meaningful intergenerational and intersectional partnership is therefore defined in this policy brief as building inclusive partnerships with children and young people, and adult allies in justice systems and decision-making, which challenge not only traditional adult-driven power dynamics, but also the breadth of intersectional marginalisation relevant to achieving access to justice for children, as part of justice for all.

The following diagram highlights key elements, or 'ingredients,' for meaningful intergenerational and intersectional partnerships with children, as defined by children and young people in a series of Justice for Children Participation Taskforce workshops. The yellow circles (left hand side) represent ingredients for intergenerational partnerships. The turquoise circles (middle) represent ingredients applicable to both intersectional and intergenerational partnerships. The dark blue circles (right hand side) represent ingredients for intersectional partnerships. While all of the ingredients listed in the following diagram are essential to meaningful partnerships with children, the size of each circle represents how often the 'ingredients' were mentioned in a series of workshops with children and young people – e.g., a small circle represents an ingredient that was not mentioned very frequently, and a large circle represents an ingredient was repeated frequently.

Meaningful Ingredients for Partnerships with Children

The following diagram highlights children and young people's definitions of the key elements to building new, meaningful partnerships with children.

KEY: yellow (LHS) - intergenerational Ingredients; turquoise (middle) - shared across both; dark blue (RHS) - intersectional Ingredients; small circle - mentioned infrequently; large circle - mentioned frequently.



Building New Partnerships

This section offers promising practice examples to illustrate successful intergenerational and intersectional partnerships with children when policymakers apply these to improve lives and solve complex challenges.

Policymakers apply intergenerational and intersectional partnerships to address complex challenges of varying levels and types. Applying these meaningful ingredients effectively is key to building new partnerships with children in the context of justice.

Key justice issues facing children are often in common across regions, nations and internationally. However, procedural requirements when working in different countries, cultures and justice systems are

often nuanced and distinctive.

So, it can be valuable to see how different justice systems have effectively fostered intergenerational and intersectional partnerships with children, for what purposes, and to what end.

These promising partnership practices exist around the world. The examples below illustrate partnerships applied by policymakers for different purposes, including examples such as:

To strengthen quality and effectiveness of services:

- A. In [Scotland](#), an intergenerational and intersectional partnership co-created the 'Secure Pathway and Standards' to ensure young people who are in particularly vulnerable situations have access to experience-informed safeguards and care.
- B. In [Thailand](#), a partnership co-designed User-Friendly Justice Spaces that feel 'safe' for children, to enable a service which better supports children in contact with the justice system.

To tackle complex problems:

- C. In [Sierra Leone, Guinea and Liberia](#), the Mano River Union Partnership developed a service - and supported training and capacity-building - to prevent the distinctly complex problem of Cross-Border Child Trafficking, and to ensure sustained quality of delivery of this effective intervention.

To disrupt and transform entrenched systemic challenges:

- D. In [Sierra Leone](#), a parliamentary-established 'Children's Forum Network' partnership mainstreams participation to systematically ensure children's rights are embedded in

national and local decision-making, to improve services and build government responsiveness, accountability and trust.

- E. In [Canada](#), culturally sensitive 'Indigenous Youth Roundtable Discussions' partnerships help to inform a sensitive and nuanced preventive approach to the complex problem of overrepresentation of indigenous youth in Canada's criminal justice system.
- F. In [Colombia](#), intergenerational partnerships have co-produced a radically alternative 'Restorative Justice with Children' approach to support child-centred justice reforms, for better outcomes across society.

Children and young people identified the 'ingredients' (see page 5) that make each of these examples reflective of meaningful intergenerational and intersectional partnerships. Click the links above to access the corresponding case studies. See Appendices for more information.

Prompting Questions for Policymakers

This section highlights prompting actions and questions for policymakers in assessing their choices and actions to build meaningful partnerships with children in the context of justice.

The [Justice for Children Agenda for Action](#) outlines priority actions to be implemented by policymakers in processes to build intergenerational partnerships which utilise an intersectional approach.

We recommend policymakers use the following prompts to analyse policies, programmes and practices in order to shift the paradigm from *participation* to *partnerships* which meaningfully engage with children and young people for sustained justice solutions.

Prompts for Policymakers:

- **Respect and promote children’s right to be heard as a critical driver of justice for children, especially those children whose rights are most at risk.**
How are the ‘furthest behind’ addressed first to respect and promote all children’s right to be heard, especially those facing the greatest adversity?
- **Invest in systemic feedback loops between all institutions and stakeholders, in both social and justice systems, based on children’s lived realities.**
To what extent are systematic feedback loops established and sustained, between policymakers, systems leaders, frontline providers, and children? How are children’s experiences, feedback and voices embedded into social and justice systems and children’s services at a structural level?
- **Uphold the participation rights of children in contact with justice systems.**
To what extent are children’s participation rights being upheld in their contact with prevention and justice systems? That is, are systems and processes inclusive, accessible, and supporting children to be empowered to be involved in decisions which affect their lives? Has the recruitment, coaching, and training of child-friendly professionals been made a priority?
- **Enable a continuum of accountability at all levels, to improve the likelihood that children’s human rights will not be breached, and children can access justice when they are.**
Are legal interactions, assistance, and representation for children: child-friendly, age-appropriate, and available to all children? How is accountability to children promoted in systems, services and effective practices which are based on children’s lives and experiences? Have easily accessible complaints and remedy mechanisms been put in place?

Next Steps

This policy brief on **intergenerational partnerships with children through an intersectional lens** outlines what policymakers must consider when developing the building blocks of new partnerships with children and young people in the context of justice.

Key to this process is defining concepts and expectations to foster spaces and systems which are **meaningfully** intergenerational and intersectional. Next, policymakers should consider the outlined prompting questions to analyse how systems and actions uphold the rights of children in the context of justice. In addition, promising practice examples are an invaluable tool to see the adoption of intergenerational partnerships, applied to justice systems, to address the nuanced justice issues facing children.

This policy brief outlines the first step in this process. Additional guidance, tools and resources are required to effectively apply this learning to co-develop national policies and practices with children, to achieve justice for children in the delivery of SDG16.3.

To address **how** policymakers, and those who work with policymakers, can implement their own intergenerational and intersectional partnerships with children, the **Working Group on SDG16+ Justice for Children** and the **Justice for Children Participation Task Force** are pleased to announce that this policy brief will be supplemented by an upcoming **Toolkit**, to support a national demonstrations project in the future.

Appendices

Annex A: Sierra Leone, Guinea and Liberia Mano River Union Partnership on Cross-Border Child Trafficking



In 2018, a cross-border, intergenerational partnership was established between Sierra Leone, Guinea and Liberia to combat cross-border child and youth trafficking between Mano River Union (MRU) countries.⁷ The collaboration included child and youth-led civil society organisations like the Mano River Youth Network, Defence for Children International (DCI) national offices in Sierra Leone, Guinea and Liberia, border security officials, community leaders, and other civil society organisations.

The Mano River Youth Network coordinated sessions to bring together young people, security officials and community leaders to strengthen partnerships and address challenges. Other initiatives included training and capacity-building for border officials, civil society organisations and community leaders on child trafficking and children's human rights, and training of children's groups to disseminate information to other children on child trafficking, child safeguarding and access to justice.

The partnership developed and signed Standard Operating Procedures (SOPs) for the prevention of, and response to, cross-border child trafficking. The SOPs enhance coordination in identifying and referring children who have been trafficked to access to justice, rehabilitation and reintegration services. The SOPs were signed and adopted by both local and national level authorities of the countries concerned, creating a template for frontline officials and communities on effective partnerships to address child trafficking, children on the move, and related border issues which impact children's access to justice.

'The remarkable revolution here is that young people are taking over, and the impact of the interventions are spreading far and wide.'

-National DCI Worker

The cross-border SOPs and training, capacity and advocacy movement led to the repatriation of over 20 children in 2018, greater support and access to justice and repatriation resources, and increased child rights literacy among children, young people, communities and frontline officials. This process demonstrates how building equal and inclusive partnerships with children can support the co-production of effective solutions to key justice issues facing children, alongside supporting frontline workers and local, national and regional authorities.

Annex B: Thailand

Design Guidelines for User-Friendly Justice Spaces

Children and young people highlighted the following as **ingredients for building new partnerships** in this case study:

Creating
**safe
spaces**

Adults are
**responsive
to children**

Inclusivity

Dismantling
**systems of
oppression**

Understanding

The Thailand Institute of Justice (TIJ) and the University of Bangkok, Thailand, have successfully collaborated to redesign justice spaces in Thailand to improve child-friendliness and eliminate traditional power dynamics in complex interactions with justice systems.⁸

The design guidelines take a human-centred design approach, coupled with aspects of environmental psychology, to respond to the needs of children and young people in contact with justice systems. The redesign came in direct response to access to justice limitations driven by experiences of feeling unsafe, anxious or distrusting of justice systems, specifically considering the disproportionate impact on women and children. The redesigns seek to consider the physical traits and backgrounds of those who may use the space to create safe spaces and consider a multidisciplinary approach to collaborating for better assistance and user-friendliness. The project was first piloted in the redesign of the Phuket Prosecutor's Office in 2021-22 and led to redesign proposals for evidence preparation rooms and child investigation rooms in Phuket, Thailand.

This redesign project highlights aspects of building new relationships with children and young people in supporting efforts to create justice system interactions that are inclusive, child-friendly, age-appropriate, and available to all children. Moreover, the intersectional nature of this collaboration, which brought multiple stakeholders to collaborate on guidelines for child-friendly redesign, supports an intersectional approach to new, emerging partnerships.



Child Investigation Room Concept



Child Investigation Room, Phuket

Annex C: Scotland

The Secure Pathway and Standards Scotland



The Secure Care Pathway and Standards Scotland were launched in October 2020, and for the first time, set out what children should expect in their interactions with secure care.¹⁹ The Secure Care Standards are a list of 44 standards for before, during, and after experience of secure care, developed in partnership with staff, local authorities and children, young people and adults with current or previous experience of secure care.¹⁰

Driven by calls to action and a key recommendation from the Secure Care National Project, an extensive co-production programme developed 'From me, for me, with me', which engaged children with current or previous experience of secure care.¹¹ The programme was supported by the STARR group, Scotland's only curated space for secure care experienced children, young people and adults, who 'inform, advise, challenge and change the pathways into, during and after secure care.'¹² The STARR group played a pivotal role in embedding lived experience and providing continual analysis, scrutiny and refinement within the process, and they continue to support the implementation and embedding of the Pathway and Standards. Implementation of the Secure Care Pathway and Standards Scotland is continually supported by a self-evaluation, learning and improvement template, workshop sessions and a website co-designed with children and young people.

The Secure Care Pathway and Standards Scotland highlight promising aspects of building new relationships with children and young people, particularly considering supporting children's right to be heard, especially whose rights are most at risk including children in contact with justice systems. Supporting co-production with children in Scotland who have past or present experience of one of Scotland's most restrictive forms of residential care is essential for responsive practice which includes special consideration of lived experience and challenging existing practices.

¹ Secure care is one of the most restricted and intensive forms of residential care for children and young people under the age of 18 in Scotland, providing a controlled care setting to protect a child's safety, or the safety of others in the community. A secure care decision is made by the Children's Hearing System or justice system in Scotland, and Scottish Ministers are responsible for the placement and management of sentences. Secure care seeks to provide extensive support and boundaries for children in highly vulnerable situations, as a form of locked residential facilities which provide accommodation, care services and educational facilities.

Annex D: Sierra Leone Children's Forum Network

Children and young people highlighted the following as **ingredients for building new partnerships** in this case study:



The Children's Forum Network (CFN) Sierra Leone is a child-led organisation that profiles the rights and needs of children in vulnerable situations in Sierra Leone, giving space for children's views on violence against children, child marriage, child labour, education, and other issues. It was officially established in 2002 as an Act of Parliament, led by the Ministry of Social Welfare, Gender and Children's Affairs.¹³ The Children's Forum Network has been incorporated in all major Committees and Taskforces established by the government to consider children's rights in decision-making.

CFN have also been incorporated into Child Justice Committees at district level, where they have monitored police stations and child detention facilities to provide scrutiny and accountability to uphold the rights of children in contact with the law and respond to alleged child rights violations. CFN continues to work to secure access to justice for children in contact with the law and are partnering with relevant adult civil society organisations on child-friendly justice system reforms.

The incorporation of CFN across a variety of sectors, Committees, Taskforces and levels of governance in Sierra Leone demonstrates the mainstreaming of children's agency and right to be heard in every and all decisions which affect their lives. This is particularly important in the context of access to justice and children in contact with the law given these are children whose rights are most at risk.

Children's Forum Network Sierra Leone highlights essential aspects for building meaningful partnerships with children, particularly in the case of local and national decision-making. This example highlights the importance of responsive governance and accountability to children, improving child-friendly access to justice processes and supporting child rights complaints mechanisms, particularly in children's interactions with police and detention facilities.

Annex E: Canada

Roundtable Discussions with Indigenous Youth



In 2019, Justice Canada undertook three roundtable discussions with Indigenous youth to respond to overrepresentation in Canada’s criminal justice system.¹⁴ In a study of 9 of 13 Canadian jurisdictions, despite representing only 8% of the population, Indigenous young people accounted for 48% of custody admissions.

The roundtable discussions considered issues, challenges, and examples of resilience to address Indigenous Youth’s overrepresentation, focusing on voices and stories pre-contact with justice systems, during contact with justice systems, and post-contact. Justice Canada considered several methods and processes to create a safe space for Indigenous Youth:

- The roundtable discussions utilised a **distinction-based approach** - processes with First Nations, Métis, and Inuit Peoples which respect and acknowledge that they are distinct Peoples with unique cultures, histories, rights, laws, and governments.
- A number of measures were also considered in creating a **culturally safe environment** including hosting the roundtables on unceded territory; encouraging participants to share through stories, verses, hip hop and spoken word; welcoming an **Elder to support the participants** for each of the three days; and **encouraging Smudging** and other Indigenous cultural ceremonies and practices during discussions.

The roundtable discussions led to a set of 9 recommendations to address the overrepresentation of Indigenous youth in Canada’s justice system, to be considered in the development of policies, programmes, and legislative tools. Further information on this methodology and the set of recommendations can be found [here](#).

**'You try to survive in the way that you see other people surviving...
When everyone is in survivor mode, you can't move forward as a collective.'**

-Roundtable Participant

The recommendations showed Justice Canada ways to improve the experiences and outcomes Indigenous youth have when they come into contact with the criminal justice system. On a concrete level, these recommendations will help inform Canada’s policy development to address Indigenous youth overrepresentation in the criminal justice system. Canada remains determined to address the systemic discrimination and overrepresentation of Indigenous Peoples in the criminal justice system and ensure everyone in Canada has access to fair and just treatment.

Annex F: Colombia Restorative Justice with Children

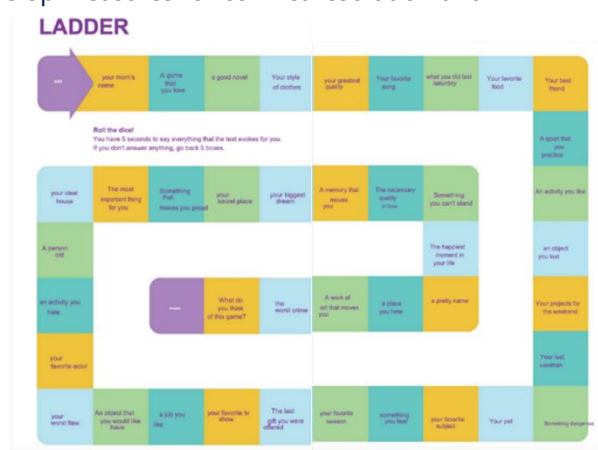


The Bogota Mayor's Office, the United Nations Office on Drugs and Crime, the Bogota Adolescent Criminal Responsibility System, and civil society organisations such as Terre des hommes have published a collection of documents which explore an alternative mechanism to the Colombian criminal justice system when children and young people are involved, founded on restorative justice practices which promote peacekeeping.¹⁵

The programme outlines all aspects of restorative justice practices for children in Bogota, Colombia, including a theoretical and legal framework, and a Toolkit for implementation. Children and young people were directly involved in the design of restorative justice programmes.

Restorative justice in Bogota is founded on bringing together young people in conflict with the law and all persons affected by this conflict – including victims, families and communities. Programmes are focused on early intervention and reintegration of young people in conflict with the law into society, reducing levels of fear and re-victimisation, and avoiding increases in formal justice mechanisms and the associated costs and delays. Examples of restorative processes outlined in the [Toolkit for the care of children and young people in conflict with the law, those affected, and their families](#) include:

- **Restorative panels:** intergenerational forums who discuss the nature of conflict and consequences.
- **Victim-offender meetings:** conflict resolution mechanisms that directly involves those involved and an adult supporter for each, to develop measures for conflict resolution and reparation.
- Further models include **family conferences** and **restorative circles**, all of which are decided upon based on the parties involved, and the context of the conflict.
- The Toolkit also outlines activities which can be completed as part of restorative justice practices, such as this activity based on a game of 'snakes and ladders.'



Bogota's programme of work on restorative justice with children highlights the benefits of co-production and innovation in partnership with children to offer an alternative mechanism to ineffective justice for children mechanisms and systems centred around punishment and penal measures.

Note on the Justice for Children Policy Brief Series

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Working Group on SDG16+ Justice for Children: **Jennifer Davidson**, Institute for Inspiring Children's Futures, University of Strathclyde; **Mariama Diallo**, CJF-EN Child Friendly Justice European Network; **Cedric Foussard**, Terre des hommes; **Andrew Goudie**, University of Strathclyde; **Alex Kamarotos**, Defence for Children International; **Kristen Hope**, Terre des hommes; **Tea Machaidze**, Office of the Special Representative of the Secretary General for Violence against Children; **Helen Schwittay**, Institute for Inspiring Children's Futures, University of Strathclyde; **Sophie Shields**, Institute for Inspiring Children's Futures, University of Strathclyde; **Benoit Van Keirsbilck**, Defence for Children International & member of the UN Committee on the Rights of the Child; **Laura Ospina**, Pathfinders for Peaceful, Justice and Inclusive Societies.

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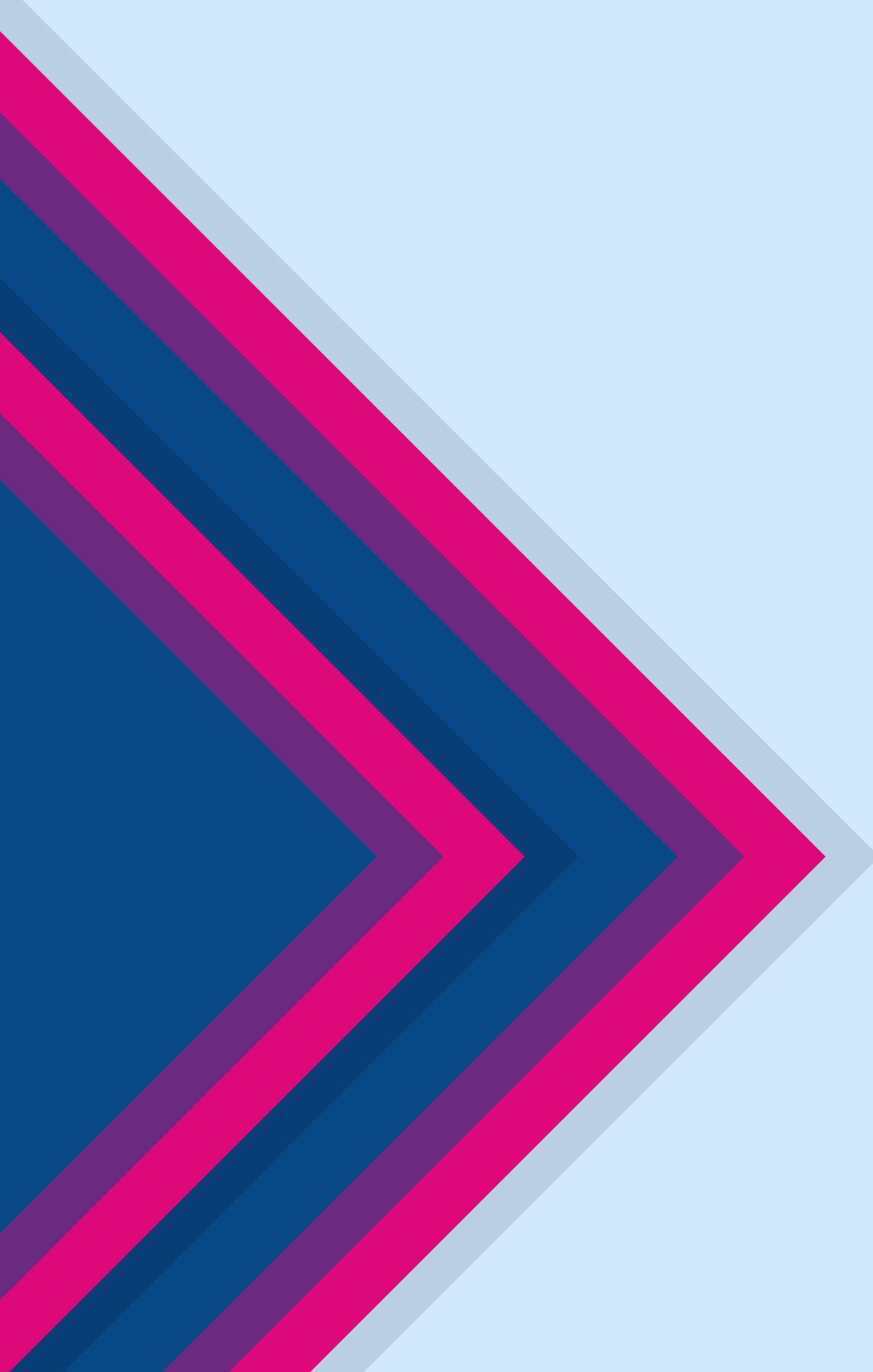
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Contact Us:

licf-hello@strath.ac.uk

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