

Cooperation for the Benefit of Children in Need: A Defence of Their Human Rights

Mahalaxmi, Manisha Rani

^{1,2}Assistant Professor

Department of Civil Law and Procedure

Article Info

Received: 27-02-2026 Revised: 05-03-2026 Accepted: 15-03-2026 Published: 25-03-2026

Abstract

One of the most pressing policy concerns is how to best safeguard children who are either already being abused or are at danger of being abused at home. Several indicators show that children in the care and protection system perform worse than the general population. The adoption of the language of rights is only one example of the many recent reforms that have improved rules and services pertaining to children in out-of-home care. However, one of the "wicked problems" in social policy is the care and protection of children who come into the system with that name. To redefine policies and services for children in out-of-home care, this article synthesises human rights, children's needs, and citizenship. Recognising children as partners is essential to improving assistance for children in out-of-home care, according to our suggestions.

Keywords

care and protection; partnerships with children; participation rights; CRC; Convention on the Rights of the Child; children's needs; children's citizenship

Introduction

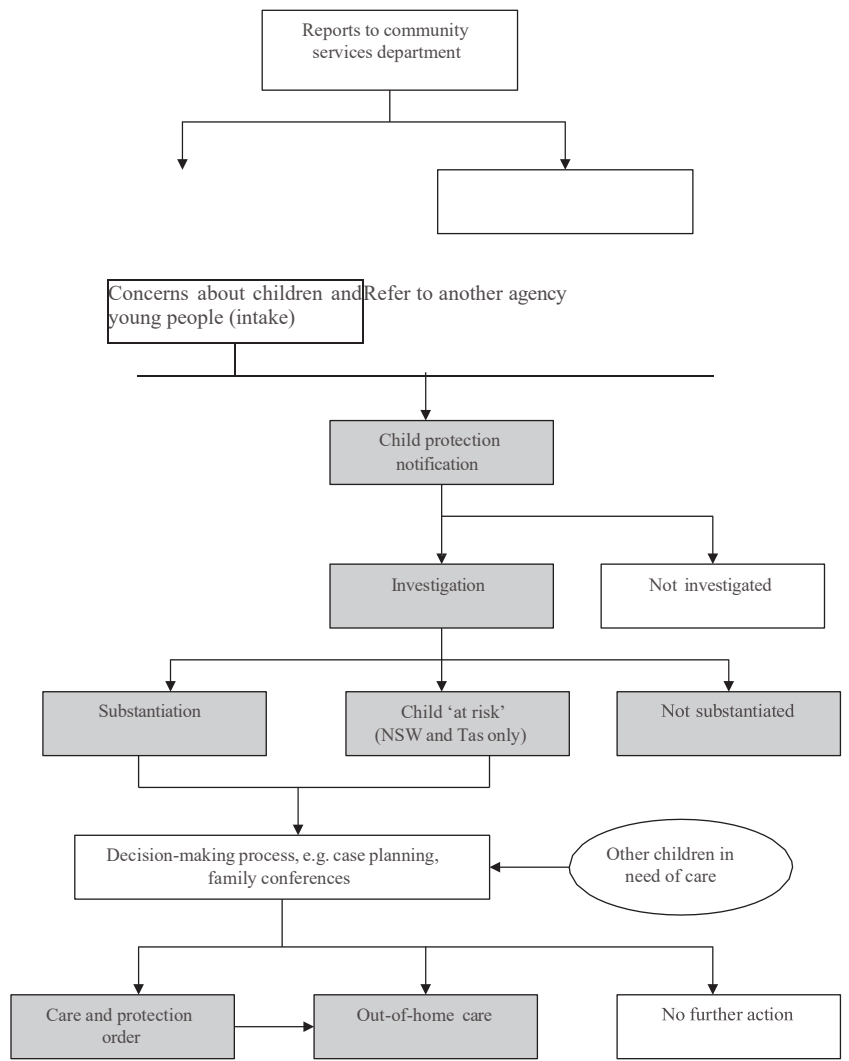
Children who are abused or neglected at home, or who are at danger of such treatment, provide a serious challenge to policymakers concerned with their well-being. Additionally, the number of children in institutional care is on the rise in a number of OECD nations, making this an increasingly pressing issue. Several indications show that children in the care and protection system perform worse than the general population, according to the evidence. Furthermore, these youths often have a very hard time making the shift to live on their own (Broad, 1999; Vernon, 2001; Cashmore and Paxton, 1996). One of the "wicked problems" of social policy is the care and protection of children who come into the system with such name. This is a problem that does not have a simple, clear answer. The authors of this study argue that the current perspective on children is a major obstacle to improving the care and protection system's policy responses and, by extension, the help that individual children get. As an alternative, we propose rethinking the role of adults in the system in regard to children. The first is an approach to human rights discourse that is based on the UNCRC and is comparable to Minow's proposal. The emotional and mental health of kids is the main emphasis of the second model. The third one is based on discussions among feminists over citizenship norms. Our next goal is to bring all of these concepts together into a unified model of kid cooperation.

Current Problems in Care and Protection Systems

Numerous studies (e.g., Cashmore and Paxton, 1996; Dominelli et al., 2005; Biehal and Wade, 2000; Rosenbach, 2001) have confirmed the difficulties that children in the care and protection system face. Delfabbro et al. (2000), Bromfield et al. (2005), and Ritchie (2005) list inadequate resources, stigmatisation, instability, and uncertainty as some of the challenges that children face. Children in out-of-home care often have it tough when it comes to the relational aspects of their care. They have to figure out how to get along with everyone from their birth families and parents—relationships that are often strained due to abuse and neglect—to their carers, employers, lawyers, and counsellors. According to Cashmore and Paxman (1996) and Fernandez (1996), children in out-of-home care have it worse since their placements change so often. The placement of children is usually decided upon with little to no input from the children themselves.

Inadequate care planning, lengthy procedures that hinder prompt responses, and a lack of involvement with children in court proceedings are examples of systemic and procedural issues that can worsen the problems encountered by children in the care and protection system (The CREATE Foundation, 2004; Gilbertson and Barber, 2003; NSW Community Services Commission, 2004). On the one hand, there is a lack of funding to adequately care for children, and on the other, current methods of care and protection are often based on bureaucratic processes and regulations.

Also there is a wel-farist perspective on children, which places a focus on their frailty and their needs (Bessell, 2007). Care and protection systems that really prioritise children are hard to come by in the literature. Social policies around children have changed significantly in the last several years. At least in discourse, children are being positioned as holders of human rights rather than just as beneficiaries of assistance and safeguards. In practice, however, there remains a large gulf between rhetoric around rights and participation and children’s experiences. For example, referring to the



Note: Family support services can be provided at any point in the process. A child may also be placed on a care and protection order or be taken into out-of-home care at any point. Shaded boxes are items for which national data are collected.

Figure 1. Australian Institute of Health and Welfare “Child protection Australia 2000-01”, Child Welfare Series, No. 29, Canberra: AIHW, 2002 (Reproduced with the permission of AIHW).

International Journal of Family Law, Child Protection and Human Rights

Volume 1 Issue 1, 2026

Australian Figure 1 depicts the sequence of events that take place in the Australian setting, beginning with a complaint of probable child abuse or neglect and ending with the placement of a child in out-of-home care or the formation of care and protection orders. While there are variations between different Australian jurisdictions, the procedures are generally comparable, as pointed out by the Australian Institute of Health and Welfare (2002: 2-3) while constructing this statistic. A lot of nations throughout the globe are going through similar broad processes. Notably absent from the procedure is any direct action that prioritises or considers the child's perspective. Children are not involved in decision-making about them after they are in the care and protection system, according to research on the topic. Despite the fact that there is only one published study on children's perspectives on their care placement in Australia (Delfabbro et al., 2000), other studies have shown that children have a very low response rate to research and that there are structural barriers that prevent them from being involved in policymaking and research (Gilligan and Barber, 2002; Mason, Urquhart, and Bolzan, 2003; Gilligan, 2000). According to Biehal and Wade (2000), the likelihood of a young person running away is highest among those in residential care, and the number of children in care overall is much higher than the general youth population. The rising number of children who run away from care, with a large percentage of those under the age of twelve (Biehal and Wade, 2000: 214), suggests a great deal of discontent and displacement, and it could be seen as a result of children having very few options when it comes to choosing their own living arrangements. Thus, it seems that views of children as helpless, defenceless, and unable persist, even if there have been shifts in speech about these issues recently. Even while these kinds of attitudes toward children are common throughout society, they seem to be more widespread in the realm of child protection (Moss and Petrie, 2002). For the most part, adults involved with the system serve as gatekeepers, deciding whether or not children's opinions will be given any weight.

A Human Rights Approach

A different perspective sees children as custodians of human rights. Policies pertaining to children increasingly make use of the terminology of human rights. Concerning care and protection for children in particular, what does a human rights approach entail?

On one level, human rights are a system of international treaties, declarations, and pledges; on the other, they are a framework of ideas that influence behaviour. An international legal basis for a human rights approach to care and protection is provided by the United Nations Convention on the Rights of the Child, which will be addressed later in this article. A human rights perspective provides a framework for redefining and directing our actions (Freedman, 2001: 53). This recharacterization has a major impact on kids. Human rights theory reframes child welfare services from an act of altruism on the part of adults to an entitlement that all children should have access to, free from discrimination and under circumstances that promote their health and happiness. In terms of questioning electricity locations and functions, this is a major development. Human rights, according to this view, are a potent tool for social change.

On the other hand, human rights are controversial. A number of people have voiced their disapproval, citing issues such as the concept's lack of clarity (Higgins, 1999; Klare, 1991), the emphasis on the person (Minow, 1990), and the disregard for collective accountability (Minow, 1986; Waldron, 2000). The main criticism that pertains to this article is Martha Minow's 'dilemma of difference' (1986, 1990). Freedoms and civil rights, according to Minow, are offered to individuals who are seen as autonomous, reasonable, and capable of making their own choices; a second path leads to social support and protection. Individuals stigmatised as dependent, inept, or illogical often face marginalisation and disempowerment as a result of the second track's advantages. Even if human rights discourse on a global scale has focused more on the indivisibility of rights than on the competing character of several "sets" of rights in the last ten years, the problem of difference is still very real when it comes to children. Despite widespread support, protecting children's rights has unique theoretical and practical challenges stemming from the diversity conundrum. The traditional liberal conception of rights presupposes autonomous, intelligent, decision-making persons; children do not fulfil this description (Minow, 1995: 1579; Ezer, 2004). Someone has even gone so far as to say that kids can't have rights since they can't decide for themselves whether to exercise or waive them (Hart, 1982). Consequently, children have been deprived of many of the liberties enjoyed by adults in liberal nations. Children are not given rights but rather safeguards that make them feel helpless, reinforce their dependence on adults, and rob them of their independence.

Minow's Relational Approach to Rights

Addressing the dilemma of difference and instead of abandoning rights talk, Minow suggests a broad meaning of rights which reflects both the differences between children and adults (through protection rights) and the equality of children as human beings (through legal, autonomy rights as well as social welfare and distribution rights) (Minow, 1990: 288; 1995a: 296). Here, Minow's conceptualisation of rights converges with the approach embodied in the United Nations Convention on the Rights of the Child.

International Journal of Family Law, Child Protection and Human Rights

Volume 1 Issue 1, 2026

Proposing a relational model for children's rights, Minow (1995a: 299-303) argues against the contention that children lack the capacity to know their own interests and to engage in an adversarial exchange. To argue that children are different from adults because they lack power, Minow contends, obscures the fact that it is the *relationship* that creates the power differences. Relationships can be changed. By recognising the socially constructed nature of power, rights discourse provides a means by which members of a society, regardless of age, can negotiate relationships and enhance equality.

Minow further suggests taking the perspective of the other, or what Moss and Petrie (2000) call 'otherness'. Otherness encourages people to become aware of social dynamics and injuries that were previously hidden or ignored. This approach opens the door to genuine dialogue with children as a way of understanding and valuing their perspectives and priorities. This necessitates a redesign of decision-making processes in a way that makes sense for children and acknowledges their different mental, cognitive and emotional capabilities.

Children's Human Rights

A turning point in the discussion of children's rights came in 1989, when the UN General Assembly adopted the Convention on the Rights of the Child. The interrelated articles that make up the Convention reflect a comprehensive approach (Van Bueren, 1999). The Convention presents children's well-being and their right to self-determination as complementary, rather than competing, aspects, which is a crucial point. Children have the right to social, economic, cultural, and civil rights as well as (particular) political rights, according to the UNCRC. The Convention therefore establishes the concept of participation. Four articles have been identified as "guiding principles" by the Committee on the Rights of the Child, which was formed under Article 43 of the Convention to monitor progress in implementation. A few examples of these are: participation, non-discrimination, best interests, survival, and development. According to Hodgkin and Newell (2002: 42), these principles are seen as directing all provisions of the Convention. While the emphasis of this article is on the participation principle, the other guiding principles are equally essential in developing, understanding, and applying the Convention. According to Article 12 of the Convention, if a child's life is at stake in a decision-making process, the opinions of the child must be respected. When it comes to administrative and judicial processes, the participation principle states that the child's voice should be heard either directly or via an intermediary, as outlined in subsection (2) of the article. Even so-called "mature minors" do not have the right to full autonomy and freedom of choice, and the Convention does not include any clause that seeks to recognise children as adults. This is an area where the Convention places special emphasis on children's right to be involved in decision-making processes that pertain to them, with the idea that their opinions should be given more consideration as they get older and gain more abilities. This in no way gives kids the right to decide for themselves.

A kid has the right to live to adulthood and flourish according to Article 6. This helps clarify the importance of children's participation rights in meeting their developmental requirements. Children may learn to use the "little power they actually have" and improve their judgement when they are involved in making decisions (Rayner, 2002). Article 5 of the Convention establishes the concept of "evolving capacities," which is closely related to the right to development. The idea that children learn to be independent decision-makers and advocates for themselves is central to this view of childhood as a developmental stage. As a result, the Convention mandates that signatory governments must ensure that children of appropriate age and developmental level are able to participate.

As stated in Article 2 of the Convention, non-discrimination is a fundamental value. Therefore, it is essential that any system that involves children be mindful of inequality and work to level the playing field so that every kid has an equal opportunity to participate. Children from culturally or linguistically diverse origins, as well as those with special needs, are especially impacted by the principle of non-discrimination. The idea is especially important for children in the care and protection system, who may experience (often unintentional, subtle, but strong) prejudice on two fronts. The first thing to keep in mind is that children who come into touch with the care and protection system are most often scared and angry, which might be misunderstood as a sign of their inability to communicate or cooperate. When adults misjudge the views of children, it may lead to prejudice and isolation. The second issue is that children in the system of care and protection are often left to fend for themselves, without the presence of an adult who can advocate for them. Agents of the state are obligated, according to the principle of non-discrimination, to provide suitable channels for children in the care and protection system to voice their opinions.

The best interests principle (Article 3) is perhaps the most popular phrase in child protection terminology, yet it suffers from vagueness and implementation difficulties. Its importance is in that it creates a duty to make an

individual examination of the interests of each individual child, instead of relying on general assumptions regarding children in different situations. However, when applied without understanding a child's views and experiences it can be used to contradict children's wishes and can lead to over-paternalism and adult authoritarianism. When taken within the spirit of the entire Convention, the best interests principle must be re-interpreted to embrace genuine respect for the individual child and his or her views and feelings (Hodgkin and Newell, 2002: 42).

While not a guiding principle, Article 13 is also relevant here. Essentially Article 13 requires that children are able to participate through processes and media that are meaningful to them, rather than those designed or preferred by adults.

The Convention on the Rights of the Child provides a holistic approach that defines children as social actors entitled to express their views on matters affecting them. It has been extremely successful in triggering rhetoric around children's participation. What participation means and how it can be achieved in a manner that is practically useful and meaningful for children is often unclear. Bureaucratic structures and processes often operate in ways that make children's participation difficult (Bessell, 2007a). In many cases, children's participation has been translated into practice as the presence of children (or often young people) on advisory boards, at meetings and conferences. Rarely is the format of these processes changed sufficiently to ensure that children are able to genuinely participate.

Roger Hart's seminal work on children's participation (1992) remains useful here. Drawing on the work of Sherry Arnstein Hart proposes a 'Ladder of Participation' (see figure 2), to help evaluate existing participatory projects and construct new ones. The ladder is divided into two broad categories of non-participation and participation. It is important to note, however, that Hart does not present these levels as being hierarchical. The level of participation chosen will depend on the children involved, the aims of participation and the situation. The aim is to make participation genuine and meaningful for children, not to

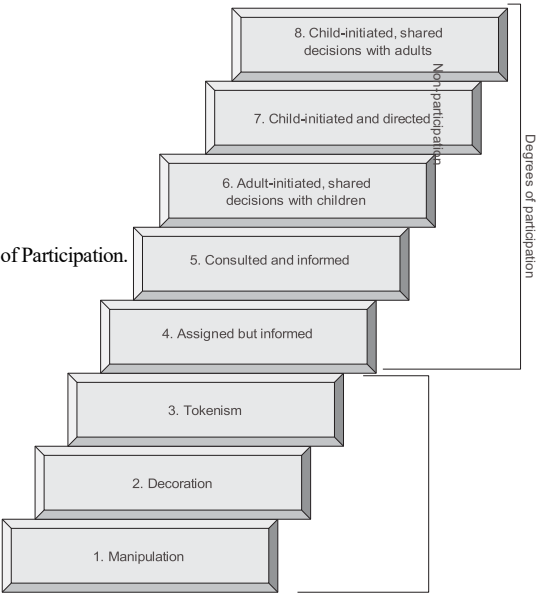


Figure 2. Hart's Ladder of Participation.

reach the 'top' of the ladder. The ladder also aims to reveal tokenism, decoration and manipulation, which are all common forms of *non-participation*, to be under-stood and avoided.

In the context of child protection levels 5 and 6 of Hart's ladder are particularly interesting. Level five describes processes where children are consulted and their views are seriously considered. Level 6 however describes situations where children are *partners* in the decision making process and have equal voice to that of adults. In other words, level 6 signifies a move from an imbalanced procedure where one is the decision maker and the other can at best have an input, to an equal relationship of mutual negotiation from the design of the process to its outcomes. Levels 7 and 8 are also useful to consider as they provide models whereby children as a group can actively initiate action.

Children's Basic Needs: The Importance of Empirical Findings

Where do the needs of children fit if a rights-based approach has anything beneficial to offer care and protection systems? People often differentiate between needs and rights. According to Waldron (2000), needs are generally portrayed as universal and easily measurable by trained professionals like nutritionists and therapists. It is more probable that rights are seen as "claims made naturally in the voice of the person who is their bearer" (Waldron, 2000: 130). Despite the common misconception that children's rights and needs are diametrically opposed, we argue that the two are really complementary.

A lot of children's rights are based on meeting their basic necessities. In order to meet human needs in a way that promotes self-respect and dignity, rights discussion may serve as a useful framework, according to Waldron (2000). The process begins with the identification of a need and continues with the assertion of related rights, which gives rise to claims and, ultimately, obligations from other parties (2000: 131-132).

Theoretical and empirical investigations on the lived experiences of disadvantaged children adhere to Gary Melton's overarching paradigm of psychological jurisprudence (1991, 1992a; Melton and Wilcox, 2001). According to Melton, social science research is often necessary for this kind of investigation into evidence-based conclusions.

The results that pertain to the involvement of children are shown by the following. The inclusion of children has been identified as a critical necessity by several academics. Using other nomenclature, several research have shown results that are strongly associated with involvement.

Children as Citizens

Thus, we may reframe our approach to child protection in light of the fact that needs and rights are complementary. However, it would be helpful to have a way to show how youngsters operate and the duties they are responsible for. Here, the third component of our partnership framework—concepts around difference-centered citizenship—can be helpful. This is an example of the normative, as opposed to the formal, legal, meaning of citizenship, which is to signify inclusion and participation in society (Rubenstein and Adler, 2000).

A rethinking of social citizenship that includes non-monetarized and non-militarized forms of service has long been advocated for by feminists (see Sarvasy, 1994). A change in emphasis toward difference-centered citizenship has occurred in recent years, with the goal of "opening up the policy making process...so that a broader spectrum of perspectives...can be heard" (Sarvey, 1994: 307, see also Young, 1990), although the majority of the discussion has centred on women's achievements.

We may reevaluate children's citizenship "without reference to adults as a standard by which their citizenship is measured" (Moosa-Mitha, 2005: 371) by drawing on theories of difference-centered citizenship. When considering the importance of citizenship for children, difference-centered methods may help us avoid "falling prey to the idea of children as semi-citizens, less than citizens or citizens-in-waiting" (Bessell, 2006). Here, we're aiming to bring youngsters under the umbrella of Ruth Lister's differentiated universalism. While differentiating universalism upholds citizenship's universal worth, it acknowledges that rights may be tailored to address the circumstances of distinct groups.

We are arguing that citizenship has merit when seen through a broader lens than the conventional, male-centric paradigm. But what makes it worthwhile? There are two main ways to look at citizenship: citizenship as status, which mainly refers to liberalism's claims to rights, and citizenship as practice, which emphasises civic republicanism's claims to obligations and services. A critical synthesis of citizenship as status and as practice has been attempted by Ruth Lister (1997), who aims to unite these two understandings. Using Lister's paradigm, we might reimagine citizenship in a normative sense as acknowledging and appreciating each person's worth as a full-

fledged member of a community and as a custodian of their human rights (Bessell, 2006). Here, we argue that children's citizenship has much to teach us about safeguarding and caring for vulnerable populations.

We should consider the real-world effects of difference-centered citizenship first. This perspective is critical because it prevents us from seeing children as miniature copies of adults and hence from denying them the individualised assistance they need. When we practise difference-centered citizenship, we prioritise the needs and rights of children by attending to their emotional, psychological, and physical development at each stage. Secondly, children's rights are strengthened by citizenship as a status. With this idea in mind, we may reevaluate how current methods of child care and protection help or hurt the rights that children have as citizens. Lastly, the practice of citizenship has significant ramifications for the perception of children inside systems of care and protection. People sometimes disregard, devalue, or even reject children who take on tasks that are often associated with adults because they feel such tasks are not appropriate for youngsters. However, many kids in foster care have taken on several roles to ensure their family's health and safety, especially younger siblings (and sometimes their parents). Cases when the state decides to take a kid away from their family often include circumstances where the youngster has had to take responsibility for their own safety and the safety of their siblings. It is uncommon for a child's abilities and role in providing care to be officially recognised when they join the care system. Systemic prioritisation of the importance and maintenance of caring relationships is unusual, especially among siblings. For practical reasons related to the difficulties of putting youngsters together, sibling separation is a typical occurrence. The focus would shift to the obligations and roles that children have performed within their families if citizenship were seen as a practice. All the parts of a child's existence that were previously hidden would become clear, and we could see the whole picture.

A Proposed Shift in Attitude: Children as Partners

Finally, we will attempt to bring together children's rights, children's needs and children's citizenship. What we propose here is moving from 'participation' to 'partnership'. Without abandoning the participation right (indeed, this is the foundation for the proposed approach), we suggest a more egalitarian terminology, one that assumes (at least) two equally respected partners.

Regarding children as partners means that processes need to be designed with the child, instead of for the child. Asking for the child's opinion and then making a decision independent of it and without full transparency is insufficient. Despite their age, children possess unique perspectives important in making the process meet their needs and rights. Therefore, simply giving them opportunities to talk can lead to their voices being lost in the general discussion, or worse, create further frustration and stress. Instead, starting from the early stages of intervention, children and caseworkers need to engage in a partnership, in which each partner contributes according to his or her own perspective, experience and capacity, until the safety plan is implemented.

Partnership with children means that professionals value children's contribution and their understandings of their needs and wishes, even at a young age. If children's citizenship acknowledges their responsibilities and capacities, partnership with children in care and protection means making use of their knowledge and experiences. The Finnish Storycrafting method (Riihela, 2001), where stories told by children aged between two and six years were written down word-by-word and then circulated across Nordic countries demonstrates how adults can find new ways in listening to very young children and gaining knowledge about their worlds without imposing on them adult methods of communication.

Treating children as active, equally respected partners in the process does not mean that children participate in the same manner that adults do, nor does it suggest that children are simply included in existing processes. To take children's lived realities seriously, it is important to consider empirical findings that suggest that children may be less experienced in group discussion, they are generally less articulate than adults, they are often not used to speaking up and making their views known – and when they do – they are often misunderstood. Children tend to regard adults, and professionals in particular, as authority figures and may find it difficult to engage in an open conversation with them. The younger the child, the greater these barriers. Therefore, to form partnerships with children in care and protection proceedings, professionals need to find ways which structurally empower children, help them overcome their weaker status and enable them to participate in adult discourse as equal stakeholders.

Following Minow's (1990) argument for 'taking the perspective of the other' and Moss and Petrie's (2002) 'otherness', it follows that only in an environment that accommodates the child's specific wishes and needs can children feel that they are listened to and fully respected. Creativity and flexibility are needed to allow for different settings and special adjustments. Communication styles, locations and methods of support may differ, and be adjusted according to the child's interests and wishes.

Conclusions

In this study, we have attempted to synthesise several lines of thought about the social role of children, with

International Journal of Family Law, Child Protection and Human Rights

Volume 1 Issue 1, 2026

an emphasis on those lines of thought that are pertinent to the welfare system. In order to provide the groundwork for a rethinking of "the child" in care and protection protocols, we argue that this is essential, rather than a theoretical exercise. Instead of seeing children through the lens of helplessness, inadequacy, and vulnerability, we would see them as valued individuals with rights, perspectives, and experiences. The right and need to participate strengthens, rather than diminishes, children's right and need to protection. We have argued that the following three ideas are crucial to rethinking children's roles in care and protection: children's needs, children's citizenship, and human rights as outlined in the UN Convention on the Rights of the Child.

We may question and reevaluate the foundational assumptions of most protection and care strategies by using the UNCRC's comprehensive human rights framework. In particular, a dedication to the development, protection, and best interests of children—principles that have long influenced care and protection—is maintained within a human rights framework. On the other hand, new concepts are introduced by a human rights framework, the most important of which is the right to participation, which is the child's ability to voice his or her opinion on issues that impact him or her. We argue that listening to children's opinions would improve the care and protection trifecta of growth, protection, and best interests in ways that would be impossible without their opportunity to participate. Crucially, a human rights framework provides us with a multi-faceted instrument to address a complicated and evil issue.

We have argued that human rights and children's needs frameworks complement each other rather than compete with one another. Human rights, according to this view, are not only the right to be treated with respect and decency but also the necessity for every individual, regardless of age, to have a measure of control over their own lives. The fact that a person is young shouldn't be an excuse to ignore their most fundamental need. More empirical research into children's needs and wants is necessary to take children's rights seriously, as we have also attempted to demonstrate. A gap that needs to be filled is the dearth of research that specifically ask youngsters for their thoughts on the procedures of care and protection. The concept of citizenship as a status enhances children's human rights and fundamental necessities within a citizenship framework. By seeing children's citizenship as an ongoing process, we may better address the numerous unacknowledged and underappreciated duties and obligations that children carry out as members of society.

Lastly, in an effort to make complicated concepts more practical, we have tried to synthesise children's human rights, fundamental needs, and citizenship into the notion of collaboration. Working in tandem with children allows us to reimagine the dynamic between the care and protection system's adult contacts—the majority of whom are adults—and the children themselves. Through collaboration, we may learn how to include children more fully in care and protection decisions, listen to their stories, and meet them where they are, rather than imposing our own standards on them. In order to effectively look out for the child's best interests, the idea of cooperation may be useful.

References

"Promoting Children's Rights through the Use of Relationship" (Bell, Margaret), *Child and Family Social Work*, vol. 7, no. 1, 2002, pp. 1-11.

Bessell, Sharon, "Perceptions of Children's Involvement in Philippine Society by Adults," The Australian National University (2007a) published a discussion paper on policy and governance in Canberra. Sharon Bessell, "Responsive Policy and Service Delivery for Children" in *Crawford School Policy Briefs No. 4* (Canberra: The Australian National University, 2007b), edited by Tim Moore, Ann Neville, and Sharon Bessell.

Is Citizenship the Way Forward for Children, Human Rights, and Social Policy?, by Sharon Bessell, The Crawford School Seminar Series at the Australian National University hosted the paper in May 2006.

Writing for the *British Journal of Social Work* in 2000, Nina Biehal and Wade Jim examined the topic of "Going Missing from Residential and Foster Care: Linking Biographies and Contexts" (volume 30, issue 2, pages 211-225).

Article: "Improving the Health of Children and Young People Leaving Care" published in *Adoption and Fostering* in 1999, volume 23, issue 1, pages 40-48.

The Australian government commissioned Bromfield, Higgins, Osborn, Panozzo, and Richardson (2005) to write a paper titled "Out-of-Home Care in Australia: Messages from Research" for the Community Services Ministers Advisory Council.

International Journal of Family Law, Child Protection and Human Rights

Volume 1 Issue 1, 2026

In the book *Children, Rights and the Law* (Oxford: Clarendon Press, 1992), authors P. Alston, S. Parker, and J. Seymour discuss the rights of minors in four stages: as a person, a child, a juvenile, and an adult to come. A longitudinal study on wards leaving care was conducted by Judy Cashmore and Marina Paxton in 1996. The study was published by the Social Policy Research Center at the University of New South Wales. James G. Barber, Yvonne Bentham, and Paul H. Delfabbro published an article titled "Children's Satisfaction with Out-of-Home Care in South Australia" in the *Journal of Adolescence* in 2002, volume 25, pages 523-533. "Endangered Children: Experiencing and Surviving the State as Failed Parent and Grandparent," *British Journal of Social Work* 2005 (35(7)), 1123-1144, by Dominelli, L., S. Strega, M. Callahan, and D. Rutman. "The Importance of Thinking that Children Have Rights" by J. Eekelaar is included in *Children, Rights and the Law* (Oxford: Clarendon Press, 1992) edited by P. Alston, S. Parker, and J. Seymour.

"A Positive Right to Protection for Children," A Yale Human Rights and Development Law Journal article published in 2004 (volume 7, issue 1), pages 1-50.

An Essay Collection in Social Philosophy edited by J. Feinberg, *Rights, Justice, and the Limits of Liberty* (New Jersey: Princeton University Press, 1980).

In the *International Journal of Gynaecology and Obstetrics* (2001, 35(1), 51-60), Freedman discusses the use of human rights in maternal mortality programs as a means to prevent maternal death and disability. "Essays on Bentham: Studies in Jurisprudence and Political Theory" by Hart, H. L. A., published in 1982 by Clarendon Press in Oxford.

The Token to Citizenship: Children's Participation (Florence: UNICEF Innocenti Center, 1992), by R. A. Hart. Heard and Lake's 1997 book, *The Difficulty of Attachment in Caregiving*, was published by Routledge in London. An essay honouring the fifty-first anniversary of the Universal Declaration of Human Rights was published in the *Columbia Human Rights Law Review* in 1999 by Higgins, T. E., and can be found in volume 30, issue 2, pages 225-247. *The Convention on the Rights of the Child's Implementation Handbook*, edited by Hodgkin and Newell, Child (2002, New York: UNICEF).

"Legal Theory and Democratic Reconstruction: Reflections on 1989" (volume 25, issue 1), pp. 69-104, published in the 1991 issue of the *University of British Columbia Law Review*. *Attributions and Coping in Children's Pain Experiences*, by Langer, D. A., Chen, E., and Luhmann, J. D., published in the *Journal of Paediatric Psychology* in 2005 (30(7)), pages 615-622.

"Citizenship: Toward a Feminist Synthesis" (*Feminist Review* 1997a, 57(1), 28-48), writer R. Lister. Reprinted from Lister, R. "Dialectics of Citizenship" in *Hypatia* 1997b (12(4)), 6-26.