Contents

Preface and Acknowledgments IX Abbreviations XI List of Contributors XIII

Introduction 1

Pernilla Leviner, Anna Kaldal and Katrin Lainpelto

PART 1

Basic Components of Child-friendly Justice Systems

A Quarter of a Century with the UN Convention on the Rights of the Child 11

Mats Melin

Children's Rights, Freedom from Violence and Criminal Justice 14

Marta Santos Pais

Reflections on Child-friendly Justice 27
Paulo Sérgio Pinheiro

Best Interests of the Child 30

Jean Zermatten

Corporal Punishment, Crime and Human Rights: Lessons for Child-friendly Justice 43

Ashley Stewart-Tufescu and Joan E. Durrant

Relational Representation: The Empowerment of Children in Justice Systems 55

Hrefna Friðriksdóttir

Children's Right to be Heard from Their Unique Perspectives 73

Ann-Christin Cederborg

Children's Evidence and the Convention on the Rights of the Child: Improving the Legal System for Children 85

Deborah A. Goldfarb, Gail S. Goodman and Michael J. Lawler

Child-sensitive Justice for Children of Imprisoned Parents

Adele D. Jones and Alex Hirschfield

Challenges in Implementing Child Rights – A Call for Innovative Governance for Children 127 Trond Waage

PART 2 Children and Criminal Justice Systems

It Is Not Child-friendly to Make Children Criminals

137

Peter Newell

From the Inside – Children and Young People on Life in Police Cells and in Remand Prisons 151 Fredrik Malmberg

"Without Resorting to Judicial Proceedings": Diversion and Mediation

The Case of Georgia 159

Rusudan Mikhelidze

Children's Houses – Barnahus: Today and in the Future 174

Anna Kaldal and Carl Göran Svedin

Child Victims and Witnesses of Crime in India 186 Asha Bajpai

Evidential Difficulties in Criminal Proceedings Concerning Alleged Child Sexual Abuse against Children with Neuropsychiatric Disorders 206 Katrin Lainpelto

PART 3 Children and Civil and Administrative Justice

Justice for the Migrant Child: The Protective Force of the Convention on the Rights of the Child 221 Mary E. Crock CONTENTS

Unaccompanied and Separated Asylum-seeking Minors: Implementing a Rights-based Approach in the Asylum Process 242

Rebecca Thorburn Stern

The Child's Right to Protection of Private Life and Family Life 256

Elisabeth Gording Stang

The Right to a Fair Trial from a Child's Perspective – Reflections from a Comparative Analysis of Two Child-protection Systems 271

Pernilla Leviner

PART 4
Child-friendly Justice: Continental Perspectives

SECTION 1

Europa

Children and Justice 292 Nils Muižnieks and Françoise Kempf

European Court of Human Rights 308
Elisabet Fura

SECTION 2

Africa

What's in a Name? "Child-friendly" Justice in Africa 316

Julia Sloth-Nielsen

SECTION 3

Americas

Access to Justice in the Inter-American System: Standards and Challenges 336

Rosa Maria Ortiz

Index 341