

Social Work and Children's Rights

Wynne Sandra Korr
Dean and Professor



University of Illinois at Urbana-Champaign
SCHOOL OF SOCIAL WORK

Overview

- Relevance of CRC for practice in mental health and child welfare
- Judicial example – *Graham v. Florida*; *Sullivan v. Florida*
- Legislative example – *Fostering Connections PL 110-351*



Relevance to the Profession

- Historic commitment to human rights; children's rights
- IFSW – Ethics in Social Work, Statement of Principles: “Social work is based on respect for the inherent worth and dignity of all people, and the rights that follow from this.”
- EPAS 2008 Competency EP 2.1.5 Advance human rights and social and economic justice



CRC and Mental Health

- Article 29 – education directed to development of child’s mental abilities
- Article 23 – mentally disabled child should enjoy full and decent life
- Article 39 – promotion of psychological recovery and social integration
- Complexity of child mental health services – systems of care



Judicial advocacy

- *Terrance Jamar Graham v. State of Florida; Joe Harris Sullivan v. State of Florida*
- *Amicus* brief filed by American Psychological Association, American Psychiatric Association, National Association of Social Workers, Mental Health America
 - *How and why juveniles differ from adults – developmental and neuroscience research*



1986 UN Declaration – Foster Children and Adoption

- Article 5 – In all matters relating to the placement of a child outside the care of the child's own parents, the best interests of the child, particularly his or her need for affection and right to security and continuing care, should be of paramount consideration



- Article 6 – Persons responsible for foster placement of adoption procedures should have appropriate professional training
- Article 11 – Foster family care...may continue, if necessary, until adulthood but should not preclude either prior return to the child's parents or adoption
- Article 15 – Sufficient time and adequate counseling should be given to the child's own parents, the prospective adoptive parents, and, as appropriate, the child in order to reach a decision on the child's future as early as possible



What is “Family”?

- Role and responsibility of parents (e.g. 1959 Declaration: the child shall, wherever possible, grow up in the care and under the responsibility of his parents and, in any case, in an atmosphere of affection and of moral and material security)
- Parental vs. extended family roles?



UN – Fostering Connections

- Based in best interests
- Recognizes societal variations on foster care/adoption
- Importance of selecting most appropriate environment for the child
- Based on best interests
- Why kin guardianship vs. home or adoption
- Guardianship vs. adoption by kin



Opportunities

- In Social Work Education
 - applying principles of CRC to policy analysis;
 - Integrating research on age of child and rights/protections in HBSE
- Advocacy – not just regarding protections and entitlements, but:
 - Giving voice to children in decisions about themselves including policies
 - Giving voice to families and kin

