Can CRC guiding principles be wedded to restorative practices to make a happy marriage?
RESTORATIVE PRACTICES AND THE UMBRELLA PRINCIPLES OF THE CRC

- **Non-discrimination** – restorative practices are for every race, religion, colour, sex, language, political opinion, national, ethnic, social origin.
- **Best interests of the child** – restorative practices are in the best interests of the child.
- **Right to life, survival and development** – restorative practices further the child’s right to life, survival and development.
- **Right to be heard and have views taken into account** – restorative practices allow for the child’s voice to be heard.
CLASSIFICATION OF RIGHTS UNDER CRC

Survival and development rights—basic rights to life, survival and development;

Protection rights—right to be kept safe from harm;

Participation rights—right to be heard, have views taken into account.
SURVIVAL AND DEVELOPMENT RIGHTS

Right to life, survival, development: rights to –

- parental guidance (art. 5)
- survive and develop healthily (art 6)
- registration, name, nationality, care (art 7)
- preservation of identity (art. 8)
- not to be separated from parents (art 9)
- family reunification (art. 10)
- freedom of thought, conscience and religion (art. 14)
SURVIVAL AND DEVELOPMENT RIGHTS

- to be brought up by parents, with State’s assistance, when necessary (art. 18)
- to alternative care, if removed from family, consider background (art. 20)
- Special protection, if refugees (art. 22)
- Special care, support, if disabled (art. 23)
- Health and health services (art. 24)
- Review and treatment in care (art. 25)
- Social security (art. 26)
SURVIVAL AND DEVELOPMENT RIGHTS

- adequate standard of living (art. 27)
- Education—highest possible level (art. 28)
- education to develop personality, talents, respect, values, for life in society (art. 29)
- minority or indigenous group: learn about and practise own culture, language, religion (art. 30)
- leisure, recreation, cultural activities (art. 31)
- knowledge of rights to which entitled. (art. 42)
Can restorative practices facilitate the implementation of survival and development rights?

- Many of these rights concern family responsibility for child care, health, upbringing, education and well-being.
- Using restorative practices, e.g. Family Group Conferences/ Family Group Decision Making, Circles, and restorative justice help children realize their survival and development rights.
Family Group Conference (FGC)/Family Group Decision Making (FGDM):

- a process that allows families to develop plans for care and protection for their children.
- One of its benefits is that it shares decision making between the child welfare agency and the family.

(Merkel-Holgun, 2000)

The State assists in a restorative way—by doing things WITH families, rather than TO them or FOR them.