

Reconceptualising child rights

Guest author series



Reflections on a Nordic approach to child rights

by Alasdair Roy

The Nordic Context

Iceland, Norway, and Sweden, along with Finland and Denmark, are all considered Nordic Welfare States. In each of these countries, all citizens pay high taxes but in return, they are well looked after, regardless of their status or circumstance.

The primary distinctive characteristics of a Nordic welfare state include universalism, social equality, full employment, high taxes, and high levels of public spending on welfare.

Additionally, the core of the Nordic model lies in widespread public participation in all areas of economic and social life. This high level of participation improves the ability of society to enrich and equalise the living conditions of individuals and families.

Most people in Nordic States take it for granted that the 'State' is a positive entity, and that it is the most effective and egalitarian mechanism to ensure that the rights and well-being of all citizens are promoted and protected.

In Nordic countries, the State is a collective, and beneficial, norm. It exists because the people fund it, and its role is to maximise the well-being of the people.

In this paper, I will reflect on how the Nordic countries have embedded child rights, not only into legislation, but also into their citizen's everyday lives.

The Nordic conceptualisation of children



Children and young people in the Nordic countries are, on balance, not simply seen as 'adults in waiting', or 'the future', but as equal, contemporary participants in a country-wide social system.

There are well established and evidence-based mechanisms in place to ensure that the best interests of children and young people are understood and genuinely protected and promoted in policy, procedure, legislation, and culture.

In general, children and young people are strongly encouraged to stay within the collective norm, and are expected to spend time with their family, to limit their unsupervised time, to participate in sport and recreational activities, to stay within the law, and to be proud of being Scandinavian. There is a common acceptance, including by children and young people, that they will be safe, looked after, and happy if they 'play by the rules'.

Key government approaches to embedding the Convention

Iceland, Norway and Sweden are proud supporters of the United Nations Convention on the Rights of the Child, the 'Convention'. All three countries have embedded the Convention into domestic legislation. Doing so, gives a powerful symbolic and practical message that the rights of children and young people are to be protected and promoted.

Iceland: The Icelandic Human Rights Centre (the IHRC) is a non-government organisation that provides human rights advice to the Icelandic Government, as well as overseeing the Government's compliance with domestic and international human rights obligations, including the Convention. The IHRC is also regularly called upon by the media to comment on human rights issues of contemporary interest.

Iceland is one of the few countries in the world that has enshrined the Convention in domestic legislation, with the Icelandic Government being required to consider (but not necessarily comply with) its obligations under the Convention when developing new policy, practice or legislation. In Iceland, all political parties that hold a seat at either the municipal or national level are required to nominate a spokesperson for children and young people. All of these spokespeople are required to participate in joint training provided by Save the Children, UNICEF, and the Children's Ombudsman about the Convention, and Iceland's obligations under the Convention.

Norway: The Norwegian Ombudsman for Children was the world's first Ombudsman for Children. The Ombudsman is an independent statutory officer who is appointed by His Majesty the King of Norway for up to six years and is not subject to the direction of any government or non-government individual or agency. The role of the Ombudsman is to advocate for the rights of children and young people and to ensure that the opinions of children and young people are heard. The Ombudsman also works to ensure that authorities in Norway comply with the Convention.

Like Iceland, Norway has enshrined the Convention in domestic legislation. Unlike Iceland, however, where the Government is required to consider (but not necessarily comply with) its obligations under the Convention when developing policy, practice, or legislation, in Norway, the Norwegian Government is obliged to comply with the Convention regardless of domestic law.

Sweden: The Swedish Children's Ombudsman was established in 1993, with a primary function of monitoring Sweden's compliance with the Convention and providing a report to the Swedish Government about its compliance. The report contains recommendations about how to improve the safety and well-being of children and young people living in Sweden, including proposed changes to policy, practice, and legislation. The Ombudsman gives significant priority to talking directly with children and young people, particularly those in vulnerable situations, with the views of children and young people informing much of the work of the Ombudsman.

Key educational approaches to embedding the Convention

The Norwegian Government agency responsible for schools is currently developing a program for all school-aged children to be taught about 'their rights and the integrity of their bodies'. Norway sees this as a safety issue, not dissimilar to teaching children about using seatbelts, bike helmets, or life jackets. Accompanying the program, students are also taught 'language to express danger', so that they can comfortably and effectively articulate feelings of being unsafe and draw attention to unsafe situations.

Under the Norwegian Education Act 2007, students have the right to be taught in their native language, up until the time they become sufficiently proficient in Norwegian and/or English. The aim is to promote inclusion and to avoid students from falling behind in their general education while they learn Norwegian.

UNICEF Norway operates the 'You Can Be the One' program, which encourages adults to listen to, and support, all of the children and young people they have contact with. It is matched with the 'One for All, All for One' program, which encourages children and young people at school to support and respect each other. UNICEF Norway also undertakes annual assessments of all municipalities as to how they prioritise the rights of children and young people.

Key educational approaches to embedding the Convention (continued)

Like in Iceland and Norway, many schools in Sweden participate in the Rights Respecting Schools program, a UNICEF initiative that encourages schools to embed the United Nations Convention on the Rights of the Child into all policy and practice.

UNICEF Sweden also runs the Child Friendly Cities program within Sweden, a UNICEF International initiative that encourages and supports towns, cities, and local regions to take active steps to embed the United Nations Convention of the Rights of the Child into policy, practice and legislation. Local areas are particularly encouraged to increase the participation of children and young people in decisions that affect their lives.

Each Municipality in Sweden (equivalent to an Australian State or Territory) undertakes an annual survey of the well-being of children and young people, with these results of these surveys being published on UNICEF Sweden website (in Swedish).

Brief summary of recommendations for Australia

While it is highly unlikely that Australia will ever fully embrace a Nordic economic or welfare model, the ongoing success of this model remains a standard against which Australian policy and practice can be measured.

In the short term, there are many one-off examples of good practice which could quite easily be introduced in Australia, and which would contribute substantially to improving the safety and wellbeing of all children and young people across Australia.

1. State and Territory Governments, and the Commonwealth Government, should enshrine the Convention into domestic legislation.
2. State and Territory Governments, and the Commonwealth Government, should introduce on-going mechanisms to routinely and regularly seek the views of children and young people on issues that affect the lives of children and young people.
3. All political parties that hold a seat in a State, Territory, or Commonwealth Government, should be required to publicly identify a spokesperson who is responsible for promoting and protecting the rights of children and young people.
4. All of these spokespeople (at Recommendation 3, above) should be required to undertake joint annual training by UNICEF, Australia, on the Convention and Australia's obligations under the Convention.
5. State and Territory Governments should introduce and fund a school-based program to teach all students about their rights and the integrity of their bodies, incorporating a program to teach students how to comfortably and effectively articulate feelings of being unsafe.
6. State and Territory Governments should increase the age of criminal responsibility from 10 years to 15 years and replace youth detention with community-based rehabilitation as far as possible.
7. The Commonwealth Government should introduce and fund a generous and universal Paid Parental Leave Scheme.
8. The Commonwealth Government should introduce and fund a universally free Early Education and Care Scheme.

Above all, all tiers of Government, and all services who work with children and young people, could and should talk more with children and young people. Children and young people are the experts in their own lives, and they should be routinely and regularly asked what they think about issues that affect their lives.



Alasdair Roy

Alasdair is an Australian based Consultant Psychologist with over 25 years' experience working with children and young people.

Between 2008 and 2016, he was the Children and Young People Commissioner in the Australian Capital Territory (ACT), and, between 1997 and 2008, was the Children and Young People Advocate in the ACT.

Alasdair's areas of expertise include service provision for children and young people (including, in particular, children and young people in the Child Protection, Youth Justice, Mental Health, and Education systems); safeguarding children and young people (Child Safe Practice); engaging and consulting with children and young people; policy and program review, development, and implementation; delivery of tailored education and training; investigating complaints and concerns about service delivery; and statutory oversight and advocacy.

In 2016, Alasdair was awarded a Medal of the Order of Australia (OAM) for services to children and young people, and in 2015, was awarded a Churchill Fellowship to examine Child-Safe/Child-Friendly practice in Iceland, Norway, and Sweden.

Further readings

Roy, A. (2018). To examine the characteristics of successful child safe/child friendly policy and practice - Iceland, Norway, Sweden.

Click on the image at right to access the report from the Churchill Trust website.

