



# THESIS INTRODUCTION CHILD RIGHTS/CHIP RIGHTS

# Children's Rights Under European Union Law

- **Variety of Legal Sources**
  - Articles 3 and 6 of the Lisbon Treaty
  - Articles 20, 26, 67 and 81, Treaty on the Functioning of the European Union (consolidated version)
  - Articles 7, 9, 24 and 33 of the Charter of Fundamental Rights of the European Union
  - Article 8 of the European Convention on Human Rights



# ADAPT TO CHIPS : CHIPs Rights Under European Union Law

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# Children's Rights Under European Union Law

- **EU Charter of Fundamental Rights**
  - Powerful
  - Increased prominence
  - Legally binding
  - New case law



# COPE STRATEGY: 3 STRANDS



**ADVOCACY**

**NETWORK DEVELOPMENT**

**CAPACITY-BUILDING**

# COPE STRATEGY: STRAND 1



**ADVOCACY**

**raise awareness**

**highlight needs**

**[help] develop policies**

# COPE STRATEGY: STRAND 2



## NETWORK DEVELOPMENT

**develop cultural, linguistic, geographic diversity**

**strengthen communications**

**fundraise for sustainability**

# COPE STRATEGY: STRAND 3



## CAPACITY-BUILDING

Build a more cohesive coalition & body of knowledge to effect change for children

- *foster co-production of knowledge*
- *gain intra-network expertise [framing, parent support]*
- *capacity-build with/in prison sector with new knowledge*



# COPE STRATEGY: Operational implementation



Build internal capacity to  
ensure I, II, III





**BERNARD VAN LEER FOUNDATION:**

**ACTION GRANT 2014-2017**

**“FRAMING FOR IMPACT”**



**2015**  
**BERNARD VAN LEER FOUNDATION**  
**8 countries + EU**

*Goals:*

*Quality Early Learning*

*Reducing Violence in Young Children's Lives*

*Improving Living Conditions*



**2016**

**BERNARD VAN LEER FOUNDATION**

**7 countries: Netherlands, Turkey,  
Israel, India, Peru, Brazil, Ivory Coast**

# BERNARD VAN LEER FOUNDATION

## 3 solution areas 2016-2020



### Parents+

Bundling services for healthy child development



### Urban95

Designing cities that support healthy child development



### Building Blocks for Scale

Building the will and the skill to deliver healthy child development at scale



**BERNARD VAN LEER FOUNDATION**

**+**

**COPE**



# **BERNARD VAN LEER FOUNDATION: ACTION GRANT 2014-2017: 2 strands**

## ***1. Framing for impact***

***→ Communicating positive solutions that resonate***

## ***2. Reducing violence for children with a parent in prison***

***→ Supporting parents in prison to prevent distortion of relationship***





# **BERNARD VAN LEER FOUNDATION: ACTION GRANT 2014-2017**

*Outcomes (as per grant)*

- *COPE will build a more cohesive coalition to effect change for children of prisoners → Develop frame-reflective expertise for more effective advocacy: How can we make a difference?*
- *COPE will build a good practice model for preventive parent support schemes that help reduce violence for children*



## ***Strand I: FRAME-REFLECTIVE ADVOCACY***

- 1. PROVIDE A BASIC UNDERSTANDING AMONG NETWORK MEMBERS OF THE CONCEPT OF 'POLICY FRAMES'**
- 2. RAISE AWARENESS ABOUT POLICY FRAMES BEING USED BY COPE MEMBERS AND HOW MESSAGES ARE COMMUNICATED**
- 3. ASSESS POSITIVE /NEGATIVE EFFECTS OF THESE POLICY FRAMES**
- 4. ENHANCE ABILITIES TO CHOOSE THE MOST EFFECTIVE POLICY FRAMES FOR DIFFERENT POLICY PROCESSES**
- 5. IDENTIFY PRIORITIES AND FUTURE STEPS FOR FRAMING COPE POLICY MESSAGES**

## ACTION GRANT 2014-2017



### • *FRAMING FOR IMPACT*

→ *2015: Communications inventory (COPE members)*

→ *2015: Framing inventory (COPE members)*

→ *2016: Zagreb workshop: Framing I*

→ *2017: Incorporate positive solutions, new parent support expertise into COPE advocacy*

→ *2017: 2017 ANM workshop: Framing II*

# A HYPOTHESIS

**We can learn to network more effectively if we explore strategic framing and try to align frames, refine messages and maximize “frame resonance” in communicating positive solutions for children.**

(Snow and Soule 2010)



## *Strand II: Minimise violence for children via PARENT SUPPORT*

**DEVELOPING POSITIVE SOLUTIONS TO HELP REDUCE RISKS  
FOR CHILDREN, WITH AN EYE TO:**

**1. ENHANCING SUPPORT SCHEMES FOR IMPRISONED  
PARENTS TO OFFSET THE ALIENATION, EXCLUSION AND  
HUMILIATION**

**THAT CAN DISTORT THE PARENT-CHILD RELATIONSHIP (THE  
CHILD “TAKING CHARGE” OF THE PARENT EMOTIONALLY).**

**2. PILOTING POSITIVE SUPPORT SCHEMES TO ENABLE  
PARENTS TO REMAIN EFFECTIVE, NON-VIOLENT ROLE MODELS**

## ACTION GRANT 2014-2017



- **REDUCING VIOLENCE**

- **2015: Consensus seminar (COPE members)**

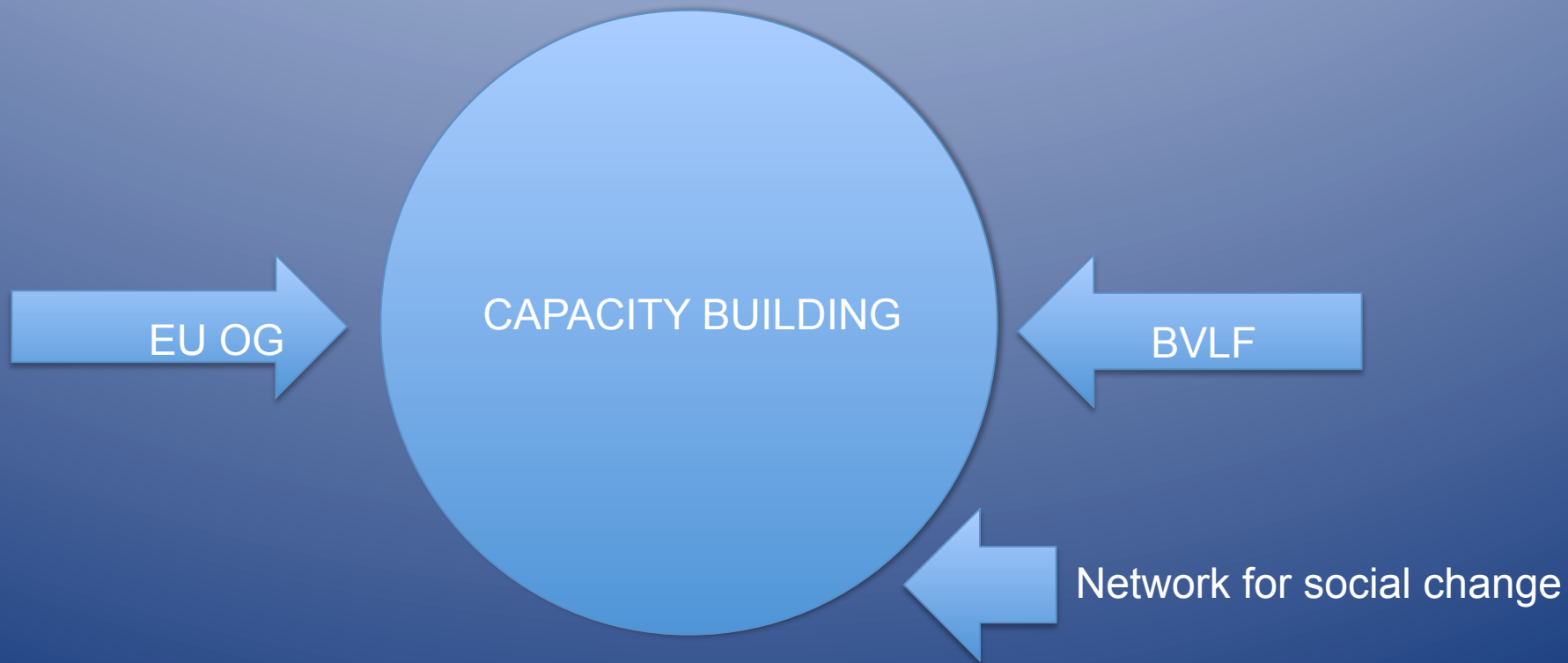
- **2015: Stockholm workshop (COPE members, affil)**

- **2016: Development of positive solution video: "how imprisonment impacts parenting"**

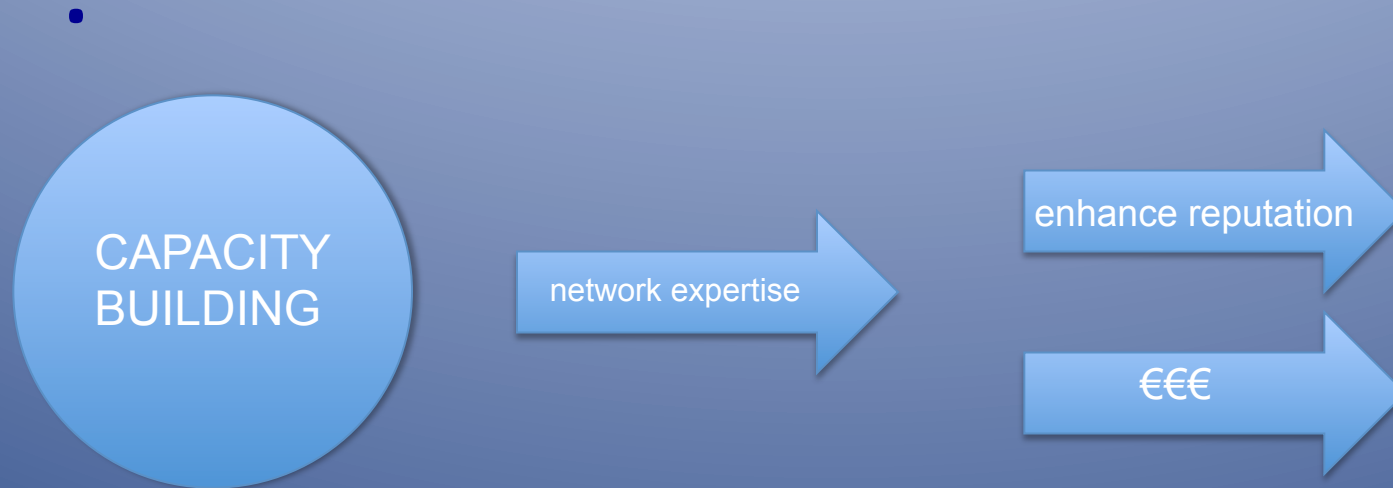
- **2017: Translation of video into English, Italian**

- **2017: Operationalise video content for training module with focus on parent support (BvLF, Oak, with Europris, COPE member parenting initiatives)**

# BERNARD VAN LEER since 2000



# BERNARD VAN LEER action grant







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*END IT*



*END IT*

# FRAMING: LOOKING AT LANGUAGE

*Discourse Analysis: a paradigm, a mindset, a way of thinking*

## TWO CONCEPTS

### 1. NAMING: how an issue is defined

*Broken home?  
Single parent household?*



### 2. FRAMING: how an issue is identified, represented, and legitimized

*a richer, more dynamic concept that determines who will act*

## **ACTION GRANT 2014-2017**



***I. Reducing violence for children with a parent in prison  
→ COPE has been doing this since inception***

***→ Working to prevent distortion of relationship by:***

- helping reduce humiliation and alienation of prison environment (e.g., Europris) → parent as individual***

- supporting imprisoned parent: helping parent recognise risks to child-parent relationship → parental identity***

# Discourse Analysis



## 2. FRAMING

### a). How is issue framed?

child rights? poverty reduction? reducing crime?

### b). Who takes up the issue (which agenda?)

- child rights>>MEP intergroup child rights
- poverty reduction>>MEP social affairs committee
- reducing crime>>justice ministry/prison service

## DISCOURSE ANALYSIS

**HOW IS ISSUE OF CHILDREN WITH A  
PARENT IN PRISON BEING  
IDENTIFIED, REPRESENTED AND  
LEGITIMIZED (FRAMED)?**

**Discursive approaches: highlight the role of language and communication in moulding and forging the social world around us**

— *Saussure 1989*





# WHY IT IS IMPORTANT TO SUPPORT CHILDREN WITH IMPRISONED PARENTS

**FRAME 1** Reduce public spending & taxpayer money (U)

**FRAME 2** Reduce reoffending, lower crime

**FRAME 3** Improve prison atmosphere

**FRAME 4** Support imprisoned parent

**FRAME 5** Break transgenerational offending

**FRAME 6** Promote child's healthy development (D)

# HOW DOES COPE LOBBY ON BEHALF OF CHILDREN OF PRISONERS?

**FRAME 1** Child rights approach

**FRAME 2** Reduce poverty for children

**FRAME 3** Protect mental health, development

**FRAME 4** Rights of imprisoned parent, family rights

**FRAME 5** Foster social inclusion

**FRAME 6** Reduce violence for children during arrest

**FRAME 7** Anti-bullying, support in schools

**FRAME 8** Foster calmer prison atmosphere

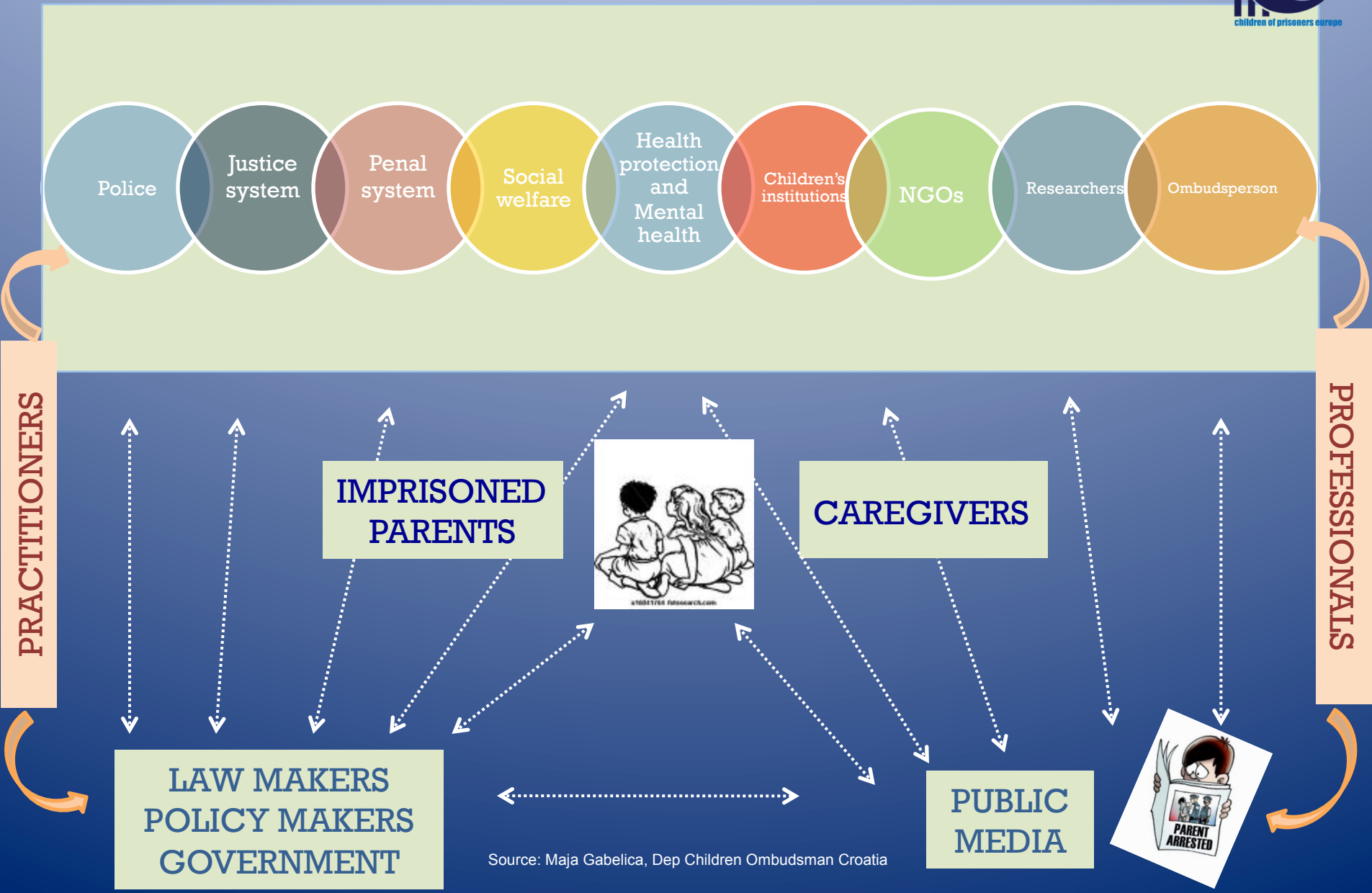
**FRAME 9** Reduce repeat offending

**FRAME 10** Reduce public spending

**FRAME 11** ????

**Since all social phenomena are mediated through discourse, their meanings can never be permanently fixed—BEAUTY of advocacy, efforts by civil society**

# The context



# A split agenda?

Rights of imprisoned parent

Child's rights

Social rehabilitation

Family rights

Best interests

Security concerns

Reduce reoffending

Criminal law

Civil rights

Parent's rights v. child rights



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# Child welfare strategies



Building a Europe for and with children (COE)

Towards an EU strategy for the rights of the child

??? any other?

EU Agenda for the Rights of the Child

?? any other?

Global Agenda for Rights of the Child (Unicef)

EU framework of law for children's rights

EU guidelines for the protection and promotion of the Rights of the Child

Council of Europe

United Nations

European Union

State

# Split venues?

European Court of  
Human Rights

European Court  
of Justice

European  
Commission

Committee for the  
Rights of the Child

European  
Parliament

Council of Ministers

Fundamental Rights  
Agency

Council of  
Europe

United  
Nations

European  
Union





# Discourse Analysis



## 1. NAMING

### a). Where is the problem?

disabilities: “*handicappé*” (person = disability) versus “*dans une situation de handicap*” (locus of problem external: context not adapted to the individual)

### b). How critical is the problem?

air pollution + rain = “acid rain” : (emphasize urgency of problem)

### c). Degree of need for government action/policy?

“broken home” versus “single parent family”

d). **COPE has explored language and role of language:** prisoners’ children / children of prisoners / children with imprisoned parents / children separated from a parent in prison / children distanced from a parent in prison

ALSO: invisible children, collateral victims, ordinary children facing unusual circumstances,

# APPLYING FRAMING



- Roma population: which frame?
- Which frame for recruiting judges to influence Scottish judges to account for children when sentencing?
- Situation in Lepoglava: which frame to use to push for more change?
- Which frame for social welfare and educational sector?

# APPLYING FRAMING



- How to frame school material for children of prisoners?
- Which frame for recruiting judges to influence Scottish judges to account for children when sentencing?

*“Think holistic, act instrumentally, remember the effect.”*

# CHALLENGES



- Linguistic
- Information communicated: e.g., statistics
- Uncharted territory

*Yet pioneering*