

Malcolm Langford, Marit Skivenes, and Karl Søvig.
Children's Rights in Norway – An Implementation Paradox?
An interdisciplinary book project on measuring child rights in Norway
Universitetsforlaget, Oslo 2019 (452 sider) ISBN 9788215031422

The anthology marks the five-year 'anniversary' of Norway's implementation of parts of the convention on the rights of the child (CRC) into the Norwegian Constitution. With chapters spanning from more traditional questions about implementation of children's rights to cross-cutting issues like children's sexual orientation, gender identity and sex development, a number of prominent Norwegian legal and social science scholars have contributed to the anthology providing an important contribution for everyone interested in the implementation of children's rights. It is refreshing and important that the book balances between a critical look at the implementation – has Norway done *enough?* – and a presumption that Norway in general complies with the convention. This gives the reader a certainty that the book is in no way coloured or overly political.

The book is divided into three parts, *Overview*, *Selected Civil and Social Rights* and *Cross-cutting Themes*.

In the first part the reader is introduced to the procedure of implementing child rights in Norway and to a critical look at the global indexes that measure children's rights. The first chapter lays out the framework for the rest of the anthology, introducing both the themes and the methodology. The second chapter provides a new approach to measuring children's rights showing how the approach to data can interfere with the result, which is beneficial for all social science scholars not least those who have no prior knowledge on how to interpret data and what to be aware of.

The second part is divided into chapters about specific issues.

In chapter three the child's right to protection in the child-protection system is analyzed. The chapter provides an introduction to the system and presents five possible blind spots identified by the authors. Especially blind spot number II, *Strong Discretionary authority and the principle of equality*, is interesting as the decisions in cases regarding intervention are made by local authorities and by professionals with different educational background and professional experience. The authors point to a risk of inequality since local practices unavoidably will develop. As a reader one could have hoped that more consideration had been made

to the CRC's demand of the individual best interest-assessment and that the authors would have considered whether a specialised education for the caseworkers could help.

Chapter four investigates how the rights of the child are reflected in the Norwegian effort to combat sexual abuse in regard to both CRC and other international instruments. Focus is on how the protection of the minor is mirrored in the part of the legislation governing sexual abuse and the chapter reasonably enough looks at the rules from a victim's perspective. This, however entails the risk of overlooking the importance of relevant considerations such as the principle of fair trial from ECHR Article 6, which runs the risk of resulting in a fragmented look at these difficult cases where rights of different individuals collide and where the best interest of the child must not lead to a system without safeguards for the accused.

In chapter five the authors look at the criminal justice system with special focus on detention. They investigate three different forms of detentions, pre-trial police custody, pre-trial court-ordered custody and incarceration as punishment. Of special interest is the criticism of the Norwegian system's lack of a specialised criminal justice for children that could also focus on the social welfare issues connected to crimes committed by children. On this subject the chapter could have benefitted from a comparison to the new Danish system with juvenile crime boards (Ungdomskriminalitetsnævn) and the Danish criticism hereof. A related point that the authors seem to overlook is, that when it comes to youth criminality, the existing social system and the criminal justice system must function *in a parallel*, with too (often) different aims.

Chapter six describes a number of risk factors in policing when it comes to children and adolescents.

Chapter seven investigates child poverty pointing out that the CRC requires that the State Parties ensure not only fundamental rights as sustenance, education and health but also the right to engage in recreational activities and cultural rights. She also points out that there are very few traces of a rights perspective in the anti-poverty legislation.

Chapter eight looks at child care and education pointing to studies showing that children benefit from childcare. The author points to difficulties for low-income families when having to prioritise sending their children in daycare but conclude that this must still be a parental decision to make. The chapter offers relevant perspectives from analyses from Oslo that can benefit at least Scandinavian readers and readers who wish to understand the Nordic welfare systems.

In chapter nine, Karl Harald Søvig looks at the incorporation of the CRC into the Norwegian legislation. The chapter benefits from the prior work on the subject done by the author and provides useful knowledge for those who wish to understand and gain inspiration on *how to* implement the convention on the rights of the child into national legislation.

Chapter ten provides an in-depth analysis of the rules regarding child participation in family law proceedings. A great strength is the comprehensive use of case-law that helps the reader to see and understand how the rules are applied.

In Chapter eleven it is investigated whether Norwegian asylum law, policies and practices comply with the CRC. The main focus is on ‘child sensitive legislation’. It is concluded that even though Norway has taken large steps to implement the best interest of the child in the area of immigration, the authors find some worrying tendencies as a result of the current political responses to the increase in the numbers of refugees and immigrants.

Chapter 12 discusses different issues and challenges for children with disabilities and how to make sure that they are treated equally. Especially the part on inclusive education is both interesting and worrying and points to a tendency known from Denmark as well where the wish to include the children in reality ends up excluding them.

Chapter 13 explores human rights issues related to children’s sexual orientation, gender identity and sex development. A clear line throughout the chapter is the notion that it is important to support children in their development and help educate society in order to avoid discrimination.

The author examines the state of human rights education in Norway, as defined by Article 29 (1) b) and d) of the Convention on the Rights of the Child, especially regarding the teaching of respect for minorities and preventing discrimination in school. The author believes that though the legal foundations of human rights education in Norway are strong, Norway should adopt a more evidence-based national plan of action in order to revise the curriculum plan in school.

Though the chapters differ in quality, they all provide perspectives and food for thought on children’s rights making it a valuable book for those interested in children’s human rights.

Nicolaj Sivan Holst, associate professor, PhD, Aarhus Universitet

Caroline Adolphsen, associate professor, PhD, Aarhus Universitet