

# “How to Love a Child”

The Janusz Korczak Lecture Series

## Lecture #3



Co-organized by the Janusz Korczak Association of Canada  
and the Faculty of Education, UBC

At the UBC Robert H. Lee Alumni Centre 2015/16  
Centennial Sessions

[jklectures.educ.ubc.ca](http://jklectures.educ.ubc.ca)

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## Social Issues

25 November, 2015  
at 7:00 PM

UBC Centennial  
100 Session

### The Evolution, Current Status, and Future of the “Best Interests of the Child” Principle in the Protection of Children’s Rights

#### INTRODUCTIONS:

**Lillian Boraks-Nemetz**, author, Board Member of the Janusz Korczak Association of Canada

#### KEYNOTE SPEAKER:

**Anne Cools**, Senator for Toronto Centre-York

#### MODERATOR:

**Dr. Edward Kruk**, Associate Professor of Social Work at the University of British Columbia

#### LECTURE ABSTRACT:

This lecture and discussion will focus on current challenges in the implementation of the “best interests of the child” standard in Canadian jurisprudence, social policy and professional practice. Article 3 of the UN Convention on the Rights of the Child requires member states to observe the best interests of the child as a primary consideration “in all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies.” As with most articles of the

Convention, however, a clear understanding and precise definition of the “best interests” concept remains elusive, to the point that it is subject to competing interpretations. Legal and political decision-makers struggle when asked to define children’s “best interests,” and their definitions often clash with what children and parents would consider to be the core elements of the concept. The “best interests” standard, however, remains central in Canadian child and family law, the development of child and family policy, and in guiding professional practice in the realms of child custody, child protection, and child care. This lecture will trace the history of the “best interests” standard in Canada, and offer guidelines for refining the concept toward a more socially just approach to child and family law, policy and practice for the future.

#### PANELISTS:

Experts in each of the three realms of child custody, child protection and child care: Eugenea Couture, Cecelia Reekie and Beverly Smith.

#### ABOUT THE KEYNOTE SPEAKER:

**Senator Anne Cools**, a McGill University graduate and the senator for Toronto Centre-York, is Canada’s longest-serving senator. Called to the Senate by Prime Minister Pierre Trudeau in 1984, she has had a long and successful history in social services. In the 1970’s she founded one of Canada’s first battered women’s shelters, Toronto’s *Women in Transition*. She was also Canada’s front runner in the field of domestic violence. In 1997 her Senate work on the Divorce Act crystallized the creation of the Senate-Commons Special Joint Committee on Child Custody and Ac-

cess. Its 1998 groundbreaking report, *For the Sake of the Children*, upheld that post-divorce, children need and should have meaningful and continuing involvement with both parents, recommending that the Divorce Act be amended to reflect the notion that “shared parenting” is in the best interests of the child. Senator Cools, well studied in the law and practice of parliament, is a formidable force on the Senate floor. She is one of Canada’s most distinguished parliamentarians, largely because of her central role in the legal and social questions, such as divorce, that touch families so deeply.

#### ABOUT THE MODERATOR:

**Dr. Edward Kruk** is Associate Professor of Social Work at the University of British Columbia, specializing in child and family policy. As a child and family social worker in Canada and the U.K., he has practiced in the fields of welfare rights, child protection, school social work, hospital social work, and family services. He is currently teaching and practicing in the areas of family mediation and addiction. He the author of many books including *The Equal Parent Presumption: Social Justice in the Legal Determination of Parenting After Divorce*; *Divorced Fathers: Children’s Needs and Parental Responsibilities*; *Mediation and Conflict Resolution in Social Work and the Human Services*; and *Divorce and Disengagement*. He is President of the International Council on Shared Parenting.

This session has been co-ordinated by Dr. Edward Kruk, School of Social Work at the University of British Columbia.

# Next up: **Lecture #4 – Jan 21, 2015, 7pm**

## **THE HUMAN RIGHTS OF ABORIGINAL CHILDREN**

### **INTRODUCTIONS:**

**Dr. Jo-Ann Archibald**, Associate Dean for Indigenous Education, NITEP Director and Professor in Educational Studies: Acknowledgement of Traditional and Unceded Musqueam Territory. An Overview Indigenous Education Research at the Faculty of Education, UBC

### **KEYNOTE SPEAKERS:**

**Dr. Mary Ellen Turpel-Lafond**, British Columbia Representative for Children and Youth  
**Dr. Mike DeGagné**, President and Vice-Chancellor of Nipissing University

### **MODERATOR:**

**Dr. Grant Charles**, Associate Professor at the School of Social Work at the University of British Columbia

### **LECTURE ABSTRACT:**

Children are among the most vulnerable of Canada's citizens. Despite protection under the UN Convention on the Rights of the Child many young people remain marginalized in our society. Aboriginal children are amongst those who are the most at risk. They are more likely to live in poverty, have poorer health status and are disproportionately represented in the youth justice and child welfare systems. They have higher suicide rates, lower high school graduation rates and are more likely than their non-Aboriginal peers to become homeless. Aboriginal girls and young women are at particular risk of becoming victims of violence and sexual exploitation. This joint lecture will focus on the significant challenges Aboriginal children face in exercising their human rights.

To register for the next lecture go to [jkllectures.educ.ubc.ca](http://jkllectures.educ.ubc.ca)



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