

Strasbourg, 9 April 2021

CJ/ENF-ISE(2020)04

Committee of Experts on the rights and the best interests of the child in parental separation and in care proceedings (CJ/ENF-ISE)

Agenda Item 7.1 - Organisation of consultations with stakeholders

Concept note on the organisation of consultations with stakeholders

Concept note on the organisation of consultations with stakeholders

Issues for consideration

This document was prepared by the CDCJ and CDENF secretariats. At its 3rd meeting (14-15 April 2021), the CJ/ENF-ISE is invited to:

- Take note of the consultation of selected stakeholders on identified gaps and practical guidance in February 2021;
- Take note of the up-coming regional discussion on “children’s rights and alternative care” organised by CDENF on 1st June 2021;
- Examine the list of stakeholders suggested by CDCJ and CDENF and identify the categories of stakeholders it wishes to prioritize for the written consultation and the hearing on the draft instrument(s) / tool(s) preference for the categories; and update its workplan accordingly.

Background

1. At its 1st meeting (24-25 September 2020), the Committee agreed that it should ensure, through its working methods, an inclusive participation and consultation of a broad range of stakeholders as early as possible. Thus, at its 2nd meeting (14 and 18 December 2020) the CJ/ENF-ISE agreed to organise:

- A consultation on identified gaps and practical guidance needs before finalising its recommendations to CDCJ and CDENF on the type of instrument/tools to be undertaken;
- A written consultation after the 1st reading of the draft instruments / tools;
- A hearing on the draft instruments / tools before their finalisation.

2. At its 2nd meeting, CJ/ENF-ISE also stressed the importance of undertaking consultations with selected stakeholders through targeted consultations and agreed to carry out at its 3rd meeting (14-15 April 2021) a mapping exercise in order to identify the categories of stakeholders concerned and to prioritise these categories according to established criteria.

I. Consultation on identified gaps and practical guidance needs (February 2021)

3. On 5 February 2021, the Secretariat sent two surveys for practitioners prepared by the consultants to confirm or complement the information of the studies on existing gaps and professionals’ needs. The surveys were sent to the secretariat of the following umbrella organisation, professional association and international network:

- The International Academy of Family Lawyers ([IAFL](#));
- The Professional Association for Children's Guardians, Family Court Advisers and Independent Social Workers ([NAGALRO](#));
- The International Social Service ([ISS](#));
- International Association of Youth and Family Judges and Magistrates ([IAYFJM](#));

- European Network of Ombudspersons for Children ([ENOC](#)).

4. Replies received have been compiled (document CJ/ENF-ISE(2021)02A and CJ/ENF-ISE(2021)02B) and taken into account by the consultants when preparing the draft feasibility studies (document CJ/ENF-ISE(2021)03A and CJ/ENF-ISE(2021)03B).

II. Regional Discussion on “children’s rights and alternative care”

5. The CDENF will hold an online Regional Discussion on “children’s rights and alternative care” on 1st June 2021. Its main aims are to identify human rights challenges arising in different alternative care-settings and to encourage an exchange between the different stakeholders on how best to address some of the main challenges member States are facing, taking into account examples of good practices. The results of this exchange will also feed into the work of the CJ/ENF-ISE on care proceedings and will serve as a contribution to the UNCRC Day of General Discussion of 2021.

III. Selection of stakeholders for the written consultation and hearing on the draft instrument(s) / tools

6. Following the instruction of the CJ/ENF-ISE at its 2nd meeting, the Secretariat sent on 20 January 2021, a call for information on national stakeholders to CDCJ and CDENF delegations. The list of suggested national stakeholders is reproduced in the Appendix.
7. CJ/ENF-ISE is invited to examine the list of stakeholders suggested by CDCJ and CDENF and identify the categories of stakeholders it wishes to prioritize for the written consultation and the hearing on the draft instrument(s) / tool(s) preference for the categories.
8. Finally, CJ/ENF-ISE is invited to agree on the next steps and necessary arrangements and update its workplan to reflect those.

APPENDIX

List of stakeholders suggested by CDCJ and CDENF**ALBANIA / ALBANIE**

Ms Kleopatra Gjana (Gjika)
Lower Senior
State Agency for the rights and Protection
of the Child
Ministry of Health and Social Protection

Centrum Locika

Centre of Social Services Prague

SOS Children's Villages

Natama (Institute of Family Care)

Network for Family

ARMENIA / ARMÉNIE

Mr David Tumasyan
PhD in Law and an associate professor

Mrs Gayane Hovakimyan
Sociologist with MA degree

Mrs Mira Antonyan
PhD in Sociology

CYPRUS / CHYPRE

Social Welfare Services, Ministry of
Labour, Welfare and Social Insurances

Hope for Children CRC Policy Center
NGOs
Operating private children's shelters for
the accommodation and support of
unaccompanied children and foster care
program, under the monitoring of Social
Welfare Services

Foster Family Association "Folia Agapis-
love nest"

BULGARIA / BULGARIE

National Network for Children
Network of 150 NGOs working in the area
of child protection

Coalition "Childhood 2025"
Network of experts, social workers and
childcare professionals

Bulgarian Association of Social Workers
Professional organization of social
workers in Bulgaria

ICELAND / ISLANDE

Heida Bjorg Palmadottir
Director General
Government Agency for Child Protection

Hakon Sigursteinsson
Director
Reykjavik Child Protection Services

Kopavogur Child Protection Services
Anna Eygló Karlsdóttir
Director

**CZECH REPUBLIC / REPUBLIQUE
TCHEQUE**

Zdeněk Kapitán
Director
Office of International Legal Protection of
Children

Association Child and Family

Association of Marriage and Family
Counsellors

Union of Family Law and Guardianship
Judges

Pro Dialog

ESTONIA / ESTONIE

Mrs Meeli Kaur
Judge
Tallinn Circuit Court

Mrs Piret Randmaa
Judge
Harju County Court

Mrs Katrin Orav

Advocate
Chairman of the family law commission
Estonian Bar Association

Mrs Merle Saar-Johanson
Chairman, Notary
Estonian Chamber of Notaries

Mrs Varje Ojala
Director
Estonian Union of Child Welfare

Mrs Kadi Lauri
Social Insurance Board
Child Protection Department

Mr Andres Aru
Ombudsman for Children
Children's and Youth Rights Department

FRANCE

Violaine Blain
Directrice générale du GIPED
Groupement d'intérêt Public de l'Enfance
en danger GIPED composé du SNATED,
Service national d'accueil téléphonique
pour l'enfance en danger et de l'ONPE
Observatoire national de la protection de
l'enfance

Direction de la protection judiciaire de la
jeunesse (DPJJ)
Ministère de la Justice
Membre du conseil d'administration et du
bureau du GIPED

Agnès Gindt-Ducros
Directrice
Observatoire national de la protection de
l'enfance (ONPE), géré par le GIPED

Magali Fougere-Ricaud
Chargée de mission
Ministère de la Justice

Marion Cerisuela
Chargée de mission
Protection judiciaire de la jeunesse

Magali Lafourcade
Secrétaire générale
Commission nationale consultative des
droits de l'Homme (CNCDH)

Cécile Riou-Batista
Secrétaire générale adjointe
Commission nationale consultative des
droits de l'Homme (CNCDH)

Sylviane GIAMPINO
Présidente
Haut Conseil à la Famille, l'Enfance et
l'Age (HCFEA)

Laurence RIOUX,
Secrétaire générale
Haut Conseil à la Famille, l'Enfance et
l'Age (HCFEA)

Vanessa WISNIA-WEILL,
Secrétaire générale adjointe
Haut Conseil à la Famille, l'Enfance et
l'Age (HCFEA)

Frédérique CHAVE,
Secrétaire générale adjointe
Haut Conseil à la Famille, l'Enfance et
l'Age (HCFEA)

Georges LABAZEE
Vice-président
Conseil national de la protection de
l'enfance (CNPE)

Emmanuelle LATOUR,
Secrétaire générale
Conseil national de la protection de
l'enfance (CNPE)

Stéphanie CARRERE
Conseillère aux affaires européennes et
internationales
Défenseur des droits

Fabienne Quiriau
Directrice générale
Convention Nationale des Associations de
Protection de l'Enfant (CNAPE), présidée
par Josiane BIGOT

Audrey Hanne
Responsable Droit de l'enfant
Vie associative
Convention Nationale des Associations de
Protection de l'Enfant (CNAPE), présidée
par Josiane BIGOT

Jérôme Voiturier

Directeur général
Union nationale interfédérale des œuvres
et organismes privés non lucratifs
sanitaires et sociaux (UNIOPSS)

Marie Lambert Muyard
Conseillère technique Enfance, Familles,
Jeunesse

Jacques Le Petit
Président
Fédération nationale des services sociaux
spécialisés de protection de l'enfance et de
l'adolescence en danger (FN3S)

Sophie Diehl
Conseillère technique justice des enfants et
des adolescents
Citoyens et Justice
Fédération des associations socio-
judiciaires, présidée par Marielle THUAU

Martine Orlak
Présidente
Union Fédérative Nationale des
Associations de Familles d'Accueil et
Assistants Maternels (UFNAFAAM)

Jean-Marie Muller
Président
Fédération nationale des Associations
départementales d'entraide des personnes
accueillies en protection de l'enfance
(FNADEPAPE)

Pascal Galan Pedregil
Secrétaire général
Fédération nationale des Associations
départementales d'entraide des personnes
accueillies en protection de l'enfance
(FNADEPAPE)

Virgine Girardot
Foyer départemental de l'enfance du Bas-
Rhin, pilote de la commission Parcours
prévention et protection de l'enfance
Groupe National des Etablissements Public
Sociaux et Médico-sociaux (GEPSO)

Claude Fasula
Co-pilote de la commission Parcours
prévention et protection de l'enfance
Institut départemental pour la protection de
l'enfance et l'accompagnement des
familles de la Vienne

Groupe National des Etablissements Public
Sociaux et Médico-sociaux (GEPSO)

Laurent Gebler
Président
Association Française des Magistrats de la
Jeunesse et de la Famille (AFMJF)

Jérôme Gavaudan
Président
Conseil national des barreaux (CNB)

Stéphane Bortoluzzi
Direction générale
Conseil national des barreaux (CNB)
Roland Giraud
Président
Association nationale des directeurs
d'action sociale et de santé des
départements et métropoles (Andass)

Rudolph Hidalgo
Président
Ensemble pour l'éducation de la petite
enfance (EduEnsemble)

Dorota Gille
Juriste linguiste au Conseil de l'Europe
Ensemble pour l'éducation de la petite
enfance (EduEnsemble)

IRELAND

Judiciary

The Judicial Council
Green Street Courthouse

His Honour Judge Colin Daly
President of the District Court

Legal practitioners

Council of the Bar of Ireland

The Law Society

Legal Aid Board

Dr Sarah Fennell BL
Chair of the Law Reform Committee
Family Lawyers' Association of Ireland
Law Library

Administrative authorities

The Child and Family Agency (Tusla)

Civil society organisations

Ombudsman for Children's Office

Dr Conor O'Mahony
Special Rapporteur on Child Protection
School of Law
University College Cork

CCLRP
Dr Carol Coulter
Director

Children's Rights Alliance

Barnardos Ireland

The Independent Guardian Ad Litem
Agency (TIGALA)
EPIC Empowering People in Care

Irish Association of Social Workers

Gareth Walsh
The National Advocacy Service for People
with Disabilities
Policy, Research and Communications
Officer

The Courts Service

The Law Society of Ireland

FINLAND / FINLANDE

Marjo Malja
Senior Ministerial Adviser
Social Affairs
Department for Safety, Security and
Health
Ministry of Social Affairs and Health
National stakeholder together with our
professionals in the National Institute for
Health and Welfare and in the civil society
organisations.

ITALY / ITALIE

Judges
Associazione Italiana dei Magistrati per i
Minorenni e la Famiglia

Lawyers
Associazione Italiana degli Avvocati per la
famiglia e i minori

Camera Nazionale degli Avvocati per la
persona, le relazioni familiari e i minorenni

Osservatorio nazionale sul diritto di
famiglia

Public authorities
Autorità garante per l'infanzia e
l'adolescenza

LATVIA / LETTONIE

The Council of Certified Mediators

The Council of Sworn Notaries of Latvia

The State Inspectorate for Protection of
Children's Rights

Riga Orphan's and Custody Court
The association of the Employees of
Orphan's and Custody Courts of Latvia

LITHUANIA / LITUANIE

National Courts Administration

State Child Rights Protection and
Adoption Agency under the Ministry of
Social Security and Labour

Agency's general

NGOs for Children Confederation

National Network of Poverty Reduction
Organisations

Save the Children Lithuania

Lithuanian Chamber of Mediators

MALTA / MALTE

The Office of the Commissioner for
Children

Council for Children
Foundation for Social Welfare Services
(FSWS)

Sedqa (within FSWS)

Agenzija Appogg (within FSWS)

Children and Young Persons Support Services (within FSWS)

Domestic Violence Services (within FSWS)

Health and Family Services (within FSWS)

Child Protection Services (within FSWS)
<https://fsws.gov.mt/en/appogg/Pages/Intake-and-Protection-Services/Child-Protection-Services.aspx>

The Social Care Standards Authority (SCSA)

Minors Care Review Board

The Children and Young Persons Advisory Board
 Fostering Board

Fostering – Appeals Board

Social Assistance Board
 Committee for the Strengthening of the Family

The Meeting Place Executive Committee

Welfare Committee

Council for the Counselling Profession

Malta Psychology Profession Board

Psychotherapy Profession Board

Psychotherapy Profession – Appeals Committee

Social Work Profession Board

Social Projects Management

Department for Social Security

Commission for the Rights of Persons with Disability (CRPD)

Aġenzija Sapport

Court Services Agency (CSA)

Family Court

Malta Mediation Centre

University of Malta

Aġenzija Żgħażaġħ

Malta Children's Associations Network (MaltaCAN)

Fondazzjoni Sebħ

MONTENEGRO / MONTÉNÉGRO

Mrs Svetlana Sovilj
 Head of the Department

Mr Goran Kušević
 Director of the Directorate for Social Welfare and Child Protection

Department for Protection of Children and Youth; Directorate of Social Welfare and Child Protection; Ministry of Labour and Social Welfare

Mrs Mirjana Đurić
 Director
 Public Institution Center for Children and Youth "Ljubović"

Mrs Rajka Perović
 Executive director
 Center for the Rights of the Child

NORWAY / NORVÈGE

The Ombudsperson for Children

The Equality and Anti-Discrimination Ombud

Expertise circles in the Family Counselling Service

Familievernkontoret Tromsø

Ms Jartrud Sofie Frafjord
 The circle for children and youth in the Family Counselling Service

Family Counselling Office in Oslo:

The Norwegian Courts Administration
(NCA)

Tone Viljugrein at the
Directorate for Children
Youth and Family Affairs
User Advisory Group for child welfare

The Norwegian University of Science and
Technology (NTNU)

The University of Oslo (UiO)

The University of Bergen

The Norwegian Centre for Violence and
Traumatic Stress Studies (NKVTS)

Norwegian National Human Rights
Institution (NIM)

The Norwegian Social Research – NOVA

The Norwegian Bar Association
The Norwegian Association of Judges

The Norwegian Psychological Association
(NPF)

The Children's Jurist

The Stine Sofie Centre

MannsForum

Save the Children Norway

The Crisis Center Secretariat (KSS)

The MiRA

Relevant stakeholders - care proceedings

The Norwegian Board of Health
Supervision

The County Social Welfare Boards,
Central Unit

The Norwegian Association of Local and
Regional Authorities (KS)

The Norwegian Child Welfare Leaders'
Organization (NOBO)
Laila S. Østli

The Norwegian Child Welfare Association

Competence Network for Quality in Child
Welfare (KIB)

Relevant stakeholders - parental
separation

The Single Parents' Association (AFFO)
Ann-Kristin Malmo

The Association2Parents -
Foreningen2Foreldre (F2F)

POLAND / POLOGNE

Coalition for Family Foster Care

SOS Children's Villages Association

Britta Holmberg
Program Director
Empowering Children Foundation

Child and Family Foundation

PORTUGAL

CrescerSer Association

Mundos de Vida Association

Center for Judicial Studies

Local Commissions for the Protection of
Children and Young People
Barcelos

Cascais

Funchal

Ílhavo

Gondomar

Leiria

Matosinhos

Montijo

Olhão

Porto Central	Dr. João Manuel da Silva Miguel Juiz Conselheiro Diretor Centro de Estudos Judiciários
Sintra Ocidental	
Vila Nova de Famalicão	Dra. Lucília Gago Procuradoria-Geral da República
Vila Nova de Gaia Norte	
Vila do Conde	Dra. Maria Lúcia Amaral Provedoria da Justiça
National Confederation of Solidarity Institutions	Dr. Edmundo Martinho, Provedor Santa Casa da Misericórdia de Lisboa
Superior Council of Magistracy	
National Commission for the Promotion of the Rights and the Protection of Children and Young People	Dra. Cristina Fangueiro Presidente Casa Pia de Lisboa
Directorate-General of the Administration of Justice	Dr. José Albino da Silva Peneda Presidente União das Misericórdias de Lisboa
Directorate-General of Reintegration and Prison Services Directorate-General of Justice Policy Social Security Institute	Dr. Luis Alberto Silva Presidente União das Mutualidades Portuguesas
Social Security Institute of the Azores	
Social Security Institute of Madeira	Padre Lino Maia Presidente Confederação Nacional das Instituições Particulares de Solidariedade Social
Portuguese Bar Association	
Social Workers Association	Francisco Miranda Rodrigues Bastonário Ordem dos Psicólogos Portugueses
Psychologists Association	
Prosecutor General's Office	Fernanda Rodrigues Presidente Associação de Profissionais de Serviço Social
Family and Minors Courts	
Dr Rui Fiolhais Presidente do Conselho Diretivo Instituto de Segurança Social, IP	Dulce Rocha Presidente Instituto de Apoio à Criança
Dra. Rosário Farmhouse Presidente Comissão Nacional de Promoção dos Direitos e Proteção das Crianças e Jovens	RUSSIAN FEDERATION / FEDERATION DE RUSSIE
Dr. António Joaquim Piçarra Juiz Conselheiro Presidente Conselho Superior de Magistratura	Ms. Olga Khazova Russian and comparative/international family law. Department of Family Legislation and Legislation on Inheritance

National Research University “Higher School of Economics”
Faculty of Law
Associate Professor, teaches a course “International Family Law”

SPAIN / ESPAGNE

Childhood and Adolescence Policies
Sub-directorate General
Ministry of Social Rights and Agenda 2030

Sub-directorate General for issues of the EU and other international organizations
Ministry of Justice

SWITZERLAND / SUISSE

Autorités / conférences et commissions

La Conférence des directrices et directeurs cantonaux des affaires sociales
CDAS

Secrétariat général
Madame Joanna Bärtschi
Responsable de domaine Enfance et jeunesse

Monsieur Sami Kanaan
Président
Commission fédérale pour l'enfance et la jeunesse CFEJ
Office fédéral des assurances sociales (OFAS)

Conférence en matière de protection des mineurs et des adultes (COPMA)
Prof. Diana Wider, Secrétaire générale
c/o Haute école spécialisée de Lucerne - travail social

Association suisse des magistrats de l'ordre judiciaire

Organisations de la société civile

Mme Rahel Wartenweiler
Réseau suisse des droits de l'enfant

Organisations membres du réseau suisse des droits de l'enfant
Madame Gabriele E. Rauser
Integras
Secrétaire générale

Me Virginie JAQUIERY
Présidente
Juris Conseil Junior

Madame Irene Verdegaaal
Kinderanwaltschaft Schweiz

Mme Irène Inderbitzin
Ombudsstelle Kinderrechte Schweiz

Mme Heidi Simoni
Directrice
Marie Meierhofer Institut für das Kind

Madame Regula Bernhard Hug
Directrice
Protection de l'enfance suisse

Madame Cilgia Caratsch,
Directrice
Service social international suisse

UNITED KINGDOM / ROYAUME-UNI

Helen Rampton
Action for Children

Carolyn Willow
Article 39

Lianne Smith
Barnardo's
Katharine Sacksjones
Become charity

Helen Johnston
Children and Family Court Advisory and Support Service

Carolyn Hamilton
Coram Children's Legal Centre

Brigid Robinson
Coram Voice

Cathy Ashley
Family Rights Group

Daniel Croft
FosterTalk

Peter Sandiford
Independent Children's Homes
Association

Louise Smith
Local Government Association

Sharon Martin
National IRO Managers Partnership

Marie Tucker
Nationwide Association of Fostering
Providers

Sarah Caton
The Association of Directors of Children's
Services

Louise King
The Children's Rights Alliance for England

Kate Lawson
The Fostering Network

Emily Frith
The Office of the Children's Commissioner

England and Wales
Sir Andrew McFarlane
The President of the Family Division of the
High Court

Mr Justice MacDonald
Lord Justice Moylan
Head and Deputy Head of International
Family Justice for England and Wales
International Family Law Committee

Cyrus Larizadeh QC; Tim Scott QC
Family Law Bar Association

Rachel Rogers
Head of Policy

Daniel Eames
Chair of International Committee

Resolution (formerly the Solicitors Family
Law Association)

Tim Amos QC
Barrister
International Family Law Association
(IFLA)

William Longrigg
solicitor and IFLA

David Hodson
Solicitor
International Family Law Group LLP

Edward Devereux QC
Barrister

Eleri Jones
Barrister

Scotland

Lady Wise
The Lord President of the Court of Session

Andrew Tregoning
Membership Coordinator
Faculty of Advocates

Jennifer Gallagher
Chair
Solicitors and Writers to the Signet
Family Law Association

Scottish Child Law Centre: Alan Inglis
advocate and barrister

Alistair Hogg
Scottish Children's Reporter Administration

Michael Clancy
Director of Law Reform
Law Society of Scotland
Fiona Mitchell
Centre for Excellence for Children's Care in
Scotland

Alistair Stobie
Society of Local Authority Lawyers
Scotland

Megan Farr
Policy Officer

Maria Galli
Legal Officer
The Children and Young People's
Commissioner for Scotland

Rachael Kelsey
Solicitor, mediator, arbitrator

Morton Fraser
Lucia Clark partner

Northern Ireland

Mandy Kilpatrick
Principal Private Secretary to the Lord
Chief Justice
The shadow Family Justice Council

David Mulholland
Chief Executive
Bar Council

Ms Paddy Kelly
Director
The Children's Law Centre

Kathryn Minnis
Directorate of Legal Services
Health and Social Care Northern Ireland

Mairéad McCafferty
Chief Executive
Northern Ireland Commissioner for
Children and Young People