

Charter for Ethical Child Protection

Founding Draft V1.4 | Fully Integrated Version

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Date: 26 September 2026

Status: Independent Ethical Initiative | Pre-Public Consultation Draft

Text Status: English Master Text

Core Purpose

To protect children's rights and safety, respect the dignity of families and individuals, establish ethical limits on the state's protective powers, and promote a child protection system that is fair, transparent, accountable and capable of correcting errors.

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Preamble

Every child deserves to grow up in safety, with dignity and care. Children have the right to be protected from abuse, neglect, exploitation and other forms of harm. Their identity, relationships, individual needs and evolving capacity to express their views must also be respected.

Parents and others with responsibility for a child's care have a primary role in their upbringing. The state has a responsibility to support families and, where necessary, to intervene to protect children. Neither parental authority nor state power is unlimited. In every decision affecting a child, the child's rights and welfare must remain central, and the child must be recognised as a person with rights of their own.

Protecting children is a fundamental responsibility. So is preventing avoidable harm arising from protective action itself. Separation from family, the disruption of important relationships, and decisions that permanently alter a child's legal identity or family life may have profound and lasting consequences. These consequences must be carefully assessed before decisions are made and, where appropriate, kept under review.

Good intentions alone cannot justify the exercise of protective power. Decisions must be grounded in sufficiently reliable evidence, fair procedures and careful consideration of necessity, proportionality and safe alternatives, taking account of the nature and urgency of the risk. A child's best interests must be determined through an individual assessment supported by clear reasons, not treated as a conclusion beyond question.

Those entrusted with protective powers must be accountable for how they exercise them. Institutions must be willing to examine their actions, acknowledge errors, ensure access to applicable processes for correction and remedy, and learn from harm to which their actions may have contributed. The responsibility to protect does not end when a decision is made.

We therefore put forward this Charter to affirm children's rights, recognise the importance of family life and establish ethical limits on protective power. It is intended to provide a common basis for discussion among children and families, professionals, legal practitioners, public institutions and all those concerned with child protection.

Protection must be guided not only by the harm it seeks to prevent, but also by the rights it must respect, the limits it must observe and the responsibilities it must bear.

Part I — Three Foundational Principles of Civilisational Ethics

Introduction

Protecting children is one of the most important responsibilities of any society. Yet the authority to protect must never be mistaken for an unlimited power to determine how children and families should live.

Children have rights of their own. Families bear responsibilities towards them, and the state has a duty to protect them when their safety or welfare is at risk. The exercise of these responsibilities must remain within ethical and legal limits.

The following three principles establish a common ethical foundation for examining the human cost of civilisational progress, the limits of state power, and the justification required when decisions are based on predictions of future harm.

These principles do not diminish the responsibility to protect children or prevent necessary action when they are in danger. They affirm that protective power must have an adequate basis, be exercised with due regard to necessity and proportionality, and remain subject to scrutiny and accountability.

First Principle — Civilisation Must Not Advance at the Expense of the Vulnerable

A society cannot justify sacrificing human dignity or fundamental rights merely by invoking progress, efficiency, the public good or institutional authority.

Those who have the least ability to resist a decision should not, for that reason, receive the least protection against its consequences.

Where a person faces particular barriers to participating in or challenging a decision that affects their life, institutions have a corresponding responsibility to ensure that their views can be heard, the decision can be scrutinised and its consequences are properly assessed.

Children may be particularly vulnerable because of their age, dependence on others, and difficulties in expressing or defending their own interests. Parents and other family members may also face disadvantages arising from poverty, disability, language barriers or unequal access to legal and professional resources.

These circumstances must be recognised. They must not, however, lead to an assumption that the interests of children and their families are always identical.

Where rights or interests conflict, decisions must be made in light of the individual circumstances, sufficiently reliable evidence and fair procedures, giving due weight to the child's rights and welfare as required by applicable law.

No institution should treat the suffering borne by those with the least power as a cost of its own success that requires no explanation, scrutiny or effort to minimise.

The measure of a civilisation lies not only in the protection it promises, but also in how it treats those least able to question its decisions.

Second Principle — The State Must Protect Children Without Claiming Ownership of Family Life

The state has a responsibility to protect children from abuse, neglect and other serious harm. This responsibility is essential and must be fulfilled when circumstances require protective action.

Yet the duty to protect does not confer an unlimited power to replace families, impose an idealised model of family life, or permanently alter or sever important family relationships without sufficient justification.

Children are independent rights holders. Neither the state nor the family may treat a child as property, or subordinate the child's safety and dignity to institutional authority or parental preferences.

When families face difficulties, the state must distinguish between circumstances calling for appropriate support and those in which protective intervention is necessary to prevent harm to a child.

Poverty, disability, cultural difference or an unfamiliar way of life must not, in themselves, be treated as proof that a parent is unable to care for a child. Assessments must consider the child's individual needs, the actual circumstances of care and the support that can reasonably be provided.

Before imposing substantial restrictions on family life, the responsible authorities should examine the available evidence, support that can reasonably be provided, and safe alternatives that would interfere less with family life while adequately protecting the child. Where a child faces serious and imminent danger, necessary emergency protection must not be delayed.

Any decision to separate a child from their family, particularly one that may permanently change the child's legal identity or family relationships, must be sufficiently justified by the child's individual circumstances and subject to fair procedures and scrutiny of its necessity and proportionality, together with effective oversight appropriate to the decision.

The state must not override family rights merely by invoking its own authority. Equally, family authority must never be used to override a child's fundamental rights. Both state intervention and the exercise of family authority must remain subject to the law, children's rights, and the requirements of necessity and proportionality where applicable.

Third Principle — Future Risks Must Not Override Present Rights Without Sufficient Justification

Protecting children sometimes requires action before harm occurs. A responsible system must be able to identify serious dangers and intervene in time to prevent harm.

Yet predicting future harm is not the same as establishing that harm has occurred. Risk assessments must distinguish established facts, inferences drawn from those facts and the uncertainties that remain.

Decisions based on anticipated harm must have a sufficiently reliable factual foundation. The nature and seriousness of the risk, its likelihood, the basis and limitations of the available evidence, and the consequences of different responses must all be carefully examined.

Professional assessments, administrative records and predictive tools may assist decision-making, but their conclusions must remain open to appropriate scrutiny and challenge. Technical or professional language must not, in itself, confer unquestionable authority. Such assessments, records and tools must not relieve those responsible for decisions of the duty to explain and justify them.

The more intrusive an intervention, and the more difficult its consequences may be to reverse, the more compelling its justification and the more rigorous the scrutiny appropriate to that decision must be, without displacing the requirements of applicable law.

Where sufficiently reliable facts establish that a child faces serious and imminent danger, necessary protective action must not be withheld merely because the anticipated harm has not yet occurred.

Equally, uncertainty about the future must not be used to disregard the rights children hold in the present, including their right to safety, their existing relationships and the realities of their lives.

The responsibility to prevent future harm must be fulfilled alongside the responsibility to respect present rights.

Concluding Statement — The Three Principles

Together, these three principles establish a common ethical boundary.

Civilisation must not treat people in vulnerable circumstances as expendable. The state must not mistake its duty to protect children for an unlimited power over family life. Predictions of future harm must remain grounded in evidence and must not be used to override existing rights without sufficient justification.

Protecting children requires both the resolve to act when there is sufficient reason to believe they face danger and the restraint to recognise the limits of institutional power.

A just system must be capable not only of preventing harm, but also of examining the harm its own actions may cause.

Protection must be accountable to those whose lives are changed by its decisions.

Part II — Children's Rights, Family Dignity and the Responsibilities of the State

Article 1 — The Child as a Rights Holder

Every child is a person with rights of their own, not the property or possession of the state, their family or any institution.

A child's safety, dignity, identity, important relationships and individual developmental needs must be respected, with due regard to the child's welfare and protection from harm.

In decisions affecting their lives, children must be given appropriate opportunities to express their views and have those views taken seriously. They should receive information they can understand and be supported to participate in ways suited to their age, maturity, abilities and individual circumstances.

Children who cannot readily express their wishes, including very young children and children with communication difficulties, must not lose recognition of their rights or be excluded from appropriate

forms of participation. Their needs and any views they can express must be considered through suitable means, without presenting an adult's interpretation as the child's own expressed wishes.

A child must never be made solely responsible for deciding whether they should remain with their family or be separated from them. Their views must be considered, but responsibility for the decision must remain with those legally entrusted to make it.

Article 2 — Giving Practical Meaning to the Child's Best Interests

A child's best interests must be determined through an individual assessment grounded in a sufficiently reliable factual basis, the child's particular circumstances and clearly stated reasons. Relevant inferences, predictions and material uncertainties must be identified and assessed with appropriate care.

No public authority or institution should substitute general claims of protection for an examination of the child's actual circumstances, the nature and seriousness of any harm or risk, family relationships, and the available options for safe care and protection.

The assessment must give appropriate consideration to the child's safety, health, views, identity, important relationships, developmental needs and long-term welfare. It must also examine the reasonably foreseeable consequences of the available options, including the risks of failing to act and any harm that the proposed intervention itself may cause.

A determination of a child's best interests must be reasoned and open to scrutiny. It must be capable of being challenged and, where appropriate, reviewed through the procedures available under applicable law.

Article 3 — Human Dignity and Non-Discrimination

The human dignity of every child, parent and other family member must be respected, regardless of their personal circumstances or characteristics.

Poverty, disability, learning difficulties, cultural background, language differences or an unfamiliar way of life must not, in themselves, be treated as evidence that a family is unsuitable to care for a child.

Assessments of parenting capacity must be based on the child's individual needs and the actual circumstances of care. They must consider appropriate support already provided, support that is genuinely available or can reasonably be provided, and reasonable adjustments where required by applicable law. Assessments must examine how such measures may affect the family's ability to meet the child's needs safely, without delaying necessary protection where a child faces serious and imminent danger.

Cultural differences must not be equated with danger in the absence of reliable factual grounds. Equally, respect for culture must never be used to overlook abuse, neglect or other harm to a child.

Differences must be assessed in their proper context. Stereotypes or assumptions must never take the place of evidence of actual harm or risk.

Article 4 — The State's Responsibility to Support Families

The state's responsibility for child protection includes not only identifying and preventing harm, but also supporting families, where appropriate, in fulfilling their responsibilities towards children.

Where difficulties affecting a family's ability to care for a child may be improved through appropriate and practicable support, public authorities with relevant responsibilities should assess the needs involved and take reasonable steps, within their applicable duties, to provide or arrange timely assistance.

Parents with disabilities, learning difficulties, language barriers or other particular support needs must be considered in light of their individual circumstances. Assessments of their ability to meet a child's needs safely must take account of appropriate assistance, including reasonable adjustments where required by applicable law.

Before making decisions that may result in substantial or long-term separation, the responsible authorities should examine the support offered or provided, its suitability and actual effects, and other safe and practicable alternatives. Where appropriate and consistent with the child's welfare, these may include support from relatives or the wider family network.

A lack of improvement must not simply be described as a failure of family support without a fair examination of what assistance was actually provided, whether it was appropriate, how it was delivered, and why it did or did not achieve its intended purpose.

Where a child faces serious or imminent danger, the assessment or provision of family support must not unreasonably delay necessary protective action.

Part III — Ethical Limits on Protective Power

Article 5 — Facts and Evidence

Any substantial child protection intervention must have a sufficiently reliable factual basis, appropriate to the nature of the decision, the urgency of the circumstances and the requirements of applicable law, and must be open to scrutiny in accordance with that law.

Established facts, disputed allegations, hearsay, professional opinions and predictions of future harm must be clearly distinguished. Information must not be presented as an established fact merely because it appears in an official record or professional report.

Professional reports should, as appropriate to their purpose, identify the sources of material information, explain the methods used and acknowledge significant limitations or uncertainties. They must distinguish established facts and disputed matters from working assumptions, professional analysis, opinions and predictions.

Assessments of future harm must rest on a sufficiently reliable factual foundation and reasoned inferences. Substantial interventions must not be based solely on untested speculation or unsupported assumptions.

The more intrusive an intervention, and the more difficult its consequences may be to reverse, the more rigorous the scrutiny of the evidence, reasoning and justification appropriate to that decision must be. This principle does not alter any standard of proof prescribed by applicable law.

Where a child faces serious danger requiring urgent action, necessary protection must not be unreasonably delayed while a full assessment is awaited. Emergency action must nevertheless have a factual basis sufficient under the applicable legal requirements, assessed in light of the information reasonably available at the time, and must be subject to appropriate subsequent scrutiny.

Article 6 — Necessity and Proportionality

Any protective measure taken by the state must pursue a lawful protective purpose and be proportionate to the identified risks, the child's individual needs and the effects of the measure on the rights of the child and their family.

Where a less intrusive measure can adequately safeguard the child's safety and welfare, it should be preferred to a more intrusive intervention.

Any substantial intervention must be supported by clear reasons explaining why the measure is necessary, why other reasonable and practicable alternatives would not provide adequate protection, and how its consequences for the child and their family have been considered.

Protective powers must not be exercised beyond what is necessary to achieve their lawful purpose. Where measures remain in force and are capable of adjustment, their continuing necessity and proportionality must be kept under appropriate review as circumstances change, in accordance with applicable law.

Article 7 — Assessing Harm from Both Action and Inaction

Child protection decisions must assess not only the harm that may result from failing to intervene, but also the harm that the proposed intervention itself may cause.

Assessments should consider the reasonably foreseeable short- and long-term consequences for the individual child, including separation, changes in care arrangements, disruption of important relationships, effects on identity and other significant consequences for the child's welfare. Where appropriate, they should also consider whether important relationships can be maintained safely.

Reasonable and practicable options must be compared in light of the seriousness and urgency of the identified risks, the reliability of the evidence supporting those risks, the likelihood and potential consequences of harm, the child's individual needs and any significant uncertainties.

Harm must not escape scrutiny merely because it arises from action taken in the name of protection. Assessments must explain how the relevant risks and consequences have been considered, without assuming that all forms of harm carry equal weight.

Where a child faces serious and imminent danger, necessary protective action must be taken without unreasonable delay. In deciding upon and implementing that action, those responsible must, so far as is safe and practicable, seek to minimise avoidable harm arising from the intervention itself.

Article 8 — Special Safeguards for Decisions with Irreversible or Lasting Consequences

Decisions that may permanently alter a child's legal identity or family relationships, or have other profound and lasting consequences, must be subject to special safeguards proportionate to their seriousness and potential impact.

Before such decisions are made, there must be a thorough and fair examination of the relevant facts, family support already provided or reasonably available, appropriate care by relatives or other members of the wider family network, and other safe and practicable alternatives. Alternatives must be evaluated substantively, rather than merely listed as options.

Children must be given appropriate opportunities to participate, having regard to their individual circumstances. Parents and others whose rights or interests are directly affected must have a meaningful opportunity to understand and participate in the proceedings, access appropriate assistance and legal representation where available under applicable law, receive adequately reasoned decisions, and seek review or appeal where the law provides for it.

Special safeguards must operate throughout the assessment and decision-making process, while different options can still receive genuine consideration. The possibility of review after a decision has been made must not be treated as a substitute for effective safeguards before that decision.

These safeguards must be implemented in a timely manner and must not cause unnecessary delay. Where a child faces serious danger requiring urgent action, necessary immediate protection must not be withheld. Any subsequent decision that may have irreversible or lasting consequences must nevertheless be subject to rigorous scrutiny appropriate to its nature and the requirements of applicable law.

Part IV — Judicial Fairness, Transparency and Independent Oversight

Article 9 — Procedural Fairness and Effective Participation

Child protection proceedings must be conducted in a manner that enables children and other parties to understand the case, participate and respond effectively, having regard to their respective rights, legal status and individual circumstances.

Barriers to participation arising from language, communication difficulties, disability or other relevant circumstances of vulnerability must be identified at the earliest practicable stage. Appropriate interpretation, communication assistance, reasonable adjustments and other participation measures must be considered and provided where required by applicable law or necessary to secure procedural fairness.

Parties must have timely access to relevant evidence in accordance with the law and a reasonable opportunity to understand and respond to material that may significantly affect the decision. Any restriction on disclosure must have a lawful basis and be handled in a manner consistent with procedural fairness, the child's privacy and the protection of others.

Parties must be given an appropriate opportunity to challenge evidence and respond to significant disputed facts. Professional opinions that may materially influence the outcome must be open to fair examination by means appropriate to the issues in dispute and the nature of the proceedings.

Differences in legal, financial, professional or institutional resources must not deprive any party of a meaningful opportunity to participate. Courts and other responsible bodies should identify significant barriers to participation and take appropriate steps to address them within their powers and under applicable law.

Procedural safeguards must be effective in practice, not merely present in form. They must be considered sufficiently early for participation and the examination of evidence to have a genuine opportunity to influence decisions while relevant options remain open.

Article 10 — Judicial Transparency and the Protection of Privacy

Child protection proceedings should be subject to appropriate public scrutiny while safeguarding children's privacy, the dignity of family members and the right to a fair hearing.

The protection of children's privacy must not automatically be treated as a justification for excluding every form of scrutiny. Equally, judicial transparency must not come at the cost of unnecessarily disclosing a child's identity, personal experiences or other sensitive information.

Existing mechanisms for transparency should be maintained, evaluated and improved, as appropriate and in accordance with applicable law. These may include reporting subject to anonymity and other legal restrictions, authorised attendance at hearings, and the publication of judgments with appropriate anonymisation. Other forms of independent observation may also be considered where they can lawfully be established with effective safeguards.

Any arrangement for independent observation must have a clear basis in law or other lawful authorisation, with appropriate requirements governing eligibility, independence, confidentiality, conflicts of interest and access to information. It must include safeguards against the direct or indirect identification of children and must not interfere with the proper conduct of proceedings.

Restrictions on transparency must pursue a lawful purpose, satisfy the requirements of necessity and proportionality, and be supported by appropriate reasons in the circumstances. Where applicable law permits, such restrictions should be open to review through appropriate procedures.

Judicial transparency should enable meaningful scrutiny of proceedings and related institutional decisions, so far as the law permits, while avoiding preventable harm to children and families.

Article 11 — Independent Oversight and Special Procedural Safeguards

Judicial proceedings in which public authorities seek orders that may substantially restrict, transfer or permanently alter legal rights or relationships between children and their families must provide safeguards proportionate to the exercise of public power and the seriousness of the potential consequences.

Such proceedings concern not only family relationships, but also the lawful exercise of state power and the protection of individual rights. The fairness of these proceedings, the independence of the

judiciary and the accountability of the institutions involved are therefore matters of legitimate public concern.

States should examine whether existing arrangements provide adequate safeguards and, where there is sufficient justification, consider additional mechanisms for independent observation or oversight of procedural fairness. Any such mechanism must have a clear legal basis, a defined purpose and effective safeguards for the privacy and rights of those concerned.

Where an independent observer or oversight body is established, its appointment, independence, qualifications, powers and responsibilities must be clearly defined. Rules governing conflicts of interest, access to information, confidentiality, reporting and accountability must also be established.

Independent oversight must respect judicial independence and must not assume the court's adjudicative role or bypass lawful procedures for challenging decisions. It must neither duplicate nor undermine the distinct responsibilities of children's representatives and the lawyers acting for the parties. It must not diminish the legal rights of children or any other party.

States should periodically assess whether existing courts and procedures provide effective, fair and timely safeguards in cases involving serious interference with family life. Where evidence identifies shortcomings, proportionate reforms should be considered, including specialised procedures, specialised judicial arrangements or other institutional improvements.

Part V — Accountability, Error Correction and Institutional Reform

Article 12 — Accountability Proportionate to Power and Responsibility

Every person or institution entrusted with child protection powers must be accountable for the exercise of those powers and for acts or omissions falling within their responsibilities.

Social workers, professional assessors and others who provide evidence to courts must present factual information honestly and accurately, distinguish facts from allegations and professional opinions, and explain the basis and relevant limitations of their assessments. Those giving expert evidence must also comply with the duties applicable to their role.

Public authorities must be accountable for their investigations, decisions, management, supervision and conduct of litigation. They must not evade their own responsibilities merely by attributing failings to an individual practitioner.

Where a person or institution becomes aware of a material error in information or an assessment that may affect a child's welfare or a significant decision, they must take timely and appropriate steps, within their responsibilities and under applicable procedures, to report the error and seek its correction.

Where deliberate falsification, serious professional misconduct, unlawful conduct or abuse of power is established, appropriate professional disciplinary, administrative, civil or criminal action should be taken where justified by the nature of the conduct and the requirements of applicable law.

Any process for determining responsibility must comply with applicable evidential requirements and procedural fairness, and distinguish individual from institutional responsibility. Allegations of misconduct must be examined fairly and must not be treated as established facts before an appropriate determination has been made.

A professional judgement that is subsequently shown to be mistaken must not automatically be treated as professional misconduct or a criminal offence. Equally, professional status, institutional authority or a claim that an action was taken in the name of child protection must not shield conduct from legitimate scrutiny or accountability.

Article 13 — Timely Error Correction and Effective Remedies

Child protection systems must establish clear, accessible and effective mechanisms for identifying errors, examining concerns and providing appropriate remedies.

Where new evidence, serious procedural failings or professional misconduct may have materially affected a significant decision, there must be lawful and timely means by which the concerns can be raised and examined by a body with the appropriate authority. Those affected should receive clear information about the procedures available to them and any applicable time limits.

Where credible and material concerns arise about the reliability of evidence, and that evidence may substantially affect a decision with irreversible or profoundly lasting consequences, the competent court or authority should consider, in accordance with applicable law, whether further fact-finding, an adjournment, a stay or another interim safeguard is necessary before irreversible steps are taken. Any such measure must give full consideration to the child's immediate safety and welfare and must not prevent necessary interim protection.

Investigations into alleged misconduct, the reconsideration of judicial decisions and the provision of remedies must be distinguished. A finding that an error occurred does not automatically determine whether an existing court order should be varied or set aside. That question must be resolved through the applicable legal procedures.

Any corrective measure affecting a child must give careful consideration to the child's individual circumstances, including their current safety, welfare, stability, identity, views and important relationships. Error correction must seek to avoid causing further preventable harm.

A child's current welfare must not automatically be treated as a reason to refuse examination of possible past errors. Even where an original decision can no longer be reversed, appropriate examination of the concerns should remain possible through lawful procedures, with necessary safeguards for the child's privacy and the rights of others.

Where errors and resulting harm have been established, appropriate responses must be provided in accordance with applicable law. These may include an explanation, correction of records or decisions where legally possible, appropriate remedies for harm, and measures to prevent similar errors from recurring. The response must be proportionate to the nature of the error, the harm caused and the powers and responsibilities of the institution concerned.

Article 14 — Responsibility for Delay and the Preservation of Relationships

Child protection proceedings must avoid unreasonable delay. The need for timely decisions must be balanced against the time reasonably required to obtain reliable evidence, secure effective participation, and give proper consideration to the child's individual circumstances and practicable options.

Where a child is separated from their family under temporary protective arrangements, responsible authorities must take active steps to preserve important relationships so far as this is safe, practicable and consistent with the child's welfare. Placement and contact arrangements should be reviewed appropriately and on an ongoing basis, taking account of the child's individual needs, views and changing circumstances.

Where delays in proceedings, inadequate support or decisions made during protective intervention may have contributed to the weakening or disruption of family relationships, these circumstances must be expressly examined before any subsequent decision involving serious or lasting separation. Assessments must distinguish the child's present circumstances from the factors that have contributed to them.

Public authorities must not rely on consequences materially caused by their own unreasonable conduct as a decisive justification for further permanent separation without appropriate examination of that conduct, its contribution to those consequences and any safe and practicable alternatives.

Every subsequent decision must nevertheless give full and independent consideration to the child's current safety, welfare, stability and important relationships. Past institutional failings must neither be disregarded nor be allowed to dictate an outcome that would now be contrary to the child's welfare.

Part VI — Public Accountability, Implementation and Ongoing Revision

Article 15 — Public Accountability and Institutional Learning

States and relevant public authorities must establish appropriate arrangements to identify serious failings and systemic problems in child protection systems. These arrangements should include independent reviews where warranted, the use of appropriately anonymised or otherwise protected data, research and public reporting.

Institutional learning must examine both failures to protect children from harm and harm caused by unnecessary or disproportionate intervention. A category of potential failure must not be excluded from scrutiny merely because it falls outside the usual scope of existing review or reporting mechanisms. Where necessary, appropriate alternative arrangements or changes to those mechanisms should be considered.

Reviews and research must use appropriate methods, acknowledge significant limitations in the available evidence, and distinguish established findings from matters requiring further investigation. Statistical indicators alone must not be treated as proof of the quality or fairness of an individual

decision. Equally, findings from individual cases must not be presented as evidence of a wider pattern without adequate support.

Findings from reviews and research should inform institutional reform, professional training and public accountability, with appropriate safeguards for the privacy, dignity and rights of children and families. Public reports should provide sufficient information for people to understand the problems identified and the measures proposed, while avoiding unnecessary risks of identification or further harm.

Where serious systemic failings are established, the respective responsibilities for investigation, determining accountability, corrective action and subsequent oversight must be clearly distinguished and coordinated. Responsible institutions must explain what measures will be taken, who will implement them, the appropriate timescales for completion and, where necessary, how the effectiveness of those measures will be independently assessed.

Article 16 — Public Participation and Consultation

This Charter welcomes discussion and contributions from children, families, researchers in children's rights, disability organisations, legal practitioners, social workers, child protection professionals, people with lived experience of child protection systems, and others who wish to contribute.

Consultation undertaken in relation to this Charter must be open to differing views and give particular attention to the perspectives of children and those directly affected by child protection decisions. Participation must be voluntary and accessible, with appropriate safeguards for participants' privacy, dignity and welfare. Children's participation must be supported in ways appropriate to their age, understanding and individual circumstances. No one should be required to disclose sensitive personal experiences as a condition of taking part.

Participants from different legal systems, cultural backgrounds and professional fields should be encouraged to offer criticism, identify omissions and propose amendments. Significant contributions should receive fair consideration, and the reasons for substantive revisions should be explained where practicable.

Participation in consultation must not be represented as endorsement of this Charter. Taking part in consultation, agreeing with individual provisions, formally expressing support and becoming a signatory must be clearly distinguished. No person or organisation may be publicly identified as a supporter or signatory without their explicit consent to that designation.

Article 17 — Implementation and Ongoing Revision

This Charter is a public ethical initiative. It does not, of itself, create legally enforceable rights, criminal offences, judicial powers or jurisdiction. It does not replace applicable law or diminish any rights or remedies that a person already has under that law.

The principles of this Charter are intended to inform legal research, institutional reform, professional practice and public discussion. They should be understood as ethical standards and proposals for consideration, not as a claim that every provision already forms part of existing law.

Specific standards and mechanisms needed to implement this Charter, including arrangements concerning evidence, judicial oversight, accountability and remedies, must be developed and adopted through appropriate legal, policy, professional or institutional processes, according to the nature of the measures concerned and the lawful powers of those responsible.

This Charter must remain open to examination and revision in light of reliable evidence, developments in children's rights, relevant law and professional knowledge, and informed public discussion. Proposed amendments should be assessed for their implications for children's safety and rights, family dignity and the legitimate responsibilities of the state.

Every formal revision must carry a version number and date, provide an accessible record of substantive changes, and explain the reasons for those changes. Participation in or support for an earlier version must not automatically be represented as endorsement of a substantially revised version without the consent of the person or organisation concerned.

Closing Statement — Protection Must Be Open to Scrutiny

Children need protection. Families deserve respect. The state must have the powers necessary to fulfil its protective responsibilities, but those powers must be subject to safeguards proportionate to their nature and potential consequences.

When a child faces danger, the system must not stand aside. When it intervenes, it must not disregard the harm that intervention itself may cause.

The law may authorise protective action, and professional knowledge may inform decisions. Yet neither legal authority nor professional judgement should place an action beyond legitimate scrutiny merely because it is said to have been taken to protect a child.

A system capable of protecting children must also be capable of listening to them, supporting families, examining its own judgements, identifying errors and taking responsibility for its actions.

The legitimacy of protection depends not only on the purpose it pursues, but also on the methods it uses, the limits it observes and how it responds when things go wrong.

Protecting children must never mean denying children and families the right to be treated fairly.

This is the common ethical foundation that this Charter seeks to establish.

Contact & Consultation Information

Charter for Ethical Child Protection

This Charter is an independent public ethical initiative and remains open to consultation, critical examination and constructive proposals for amendment.

Comments, criticisms and proposals concerning the principles, provisions and future development of the Charter are welcome.

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Website

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Contributors are welcome to identify the relevant Principle or Article when submitting comments or proposed amendments.

Participation in consultation does not imply endorsement of the Charter. Participation in consultation, agreement with individual provisions, formal support and signatory status remain distinct.

English Master Text

Founding Draft V1.4 | 26 September 2026