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BREAKING FREE FROM THE SHADOWS...



“Addressing the needs of children with neurodisabilities in the juvenile justice system: What must governments do to better satisfy their international human rights obligations for children in detention?”

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ABSTRACT

This paper looks at research that suggests there is an over-representation of children with neurodisabilities in juvenile detention and examines whether international human rights law adequately protects these vulnerable young people. The most relevant international instruments to the topic of juvenile administration and disability are identified and the obligations of State's towards detainees under these instruments are examined. Two case studies are featured to demonstrate the ways in which States are implementing, or otherwise, their obligations under international human rights law. Examination suggests that, though international human rights law and associated guidelines adequately provide for children in detention with neurodisabilities, both the awareness of the overrepresentation of neurodisabilities in the juvenile detainee population, and State implementation of their obligations to these children, are in need of rapid and substantial improvement.

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