
EDITOR'S INTRODUCTION

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Welcome to the second issue of the fifth volume of the new series of *Amicus Curiae*. We are grateful to contributors, readers, and others for supporting the progress that the new series of the journal is making.

In the contribution made by Justice Sir Dennis Adjei of the Court of Appeal, Ghana, entitled "Human Rights for Justice", issues of public institutions and freedom of information are considered, with special reference to Ghana. The paper explores the position of the right to information in international law, considering the International

Covenant on Civil and Political Rights, the European Convention on Human Rights, and the African Charter on Human and Peoples' Rights. Additionally, it assesses effectiveness of Ghana's Right to Information Act 2019 (Act 989) in fostering a culture of accountability, transparency, and integrity in the public sphere. It also considers the Act's impact on democracy and examines the justifications for certain exemptions provided by law to safeguard public interest in democratic nations. A fundamental premise in the paper is that public officials, whether

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Note: submission dates in the box on page ii are for final submissions. Earlier submission are most welcome.

they belong to governmental bodies established by the Constitution of Ghana or private organizations entrusted with public functions or resources, have a responsibility to be answerable to the citizens they serve. Sir Dennis takes the view that public institutions often lack accountability and transparency, selectively choosing what information to disclose. Thereby limiting the ability of citizens to hold them accountable. To encourage accountability and transparency, many states around the world have enacted Right to Information Acts. Such legislation empowers individuals to seek information from public institutions, enabling them to fulfil their responsibilities as trustees and to be accountable for their actions. The enactments on the right to information aim to provide clear exemptions for information that may not be disclosed. This is done to protect the public interest in democratic societies, in line with the oath of secrecy taken by public officers, preventing them from revealing matters brought to their attention in the discharge of their official duties. The right to freedom of expression encompasses the freedom to seek, receive, and share information and ideas without interference, except for these limitations imposed by the state. The limitations aim

to protect national security, public order, territorial integrity, public safety, health, morals, rights and reputation of others, prevention of crime, disclosure of confidential information, and the authority and impartiality of the courts. The essay also offers a discussion on freedom of information and access to environmental information, a key issue in many parts of the world today.

The Special Section entitled *Children's Rights: Contemporary Issues in Law and Society (Part 1)* organized, developed and edited by Dr Maria-Federica Moscati (Sussex University) presents socio-legal and interdisciplinary examinations of a range of important questions concerning the rights of children and also seeks to broaden the types of contribution made to scholarly journals. In the first paper in the Section, Jo Bridgeman contributes an essay entitled "Rights of the Child or Parental Authority in Children's Medical Treatment Cases?" This notes that recent cases in the United Kingdom (UK) have sparked debate about the threshold for intervention in parental decisions regarding a child's medical treatment. The argument revolves around whether significant harm or best interests should be the basis for such interventions. Although unsuccessful in court,

these arguments have influenced proposed legislation aimed at enhancing parental authority. The author examines the concept of parental authority in the context of treating seriously ill children. She argues against reforming the law to prioritize parental authority, as it would undermine the rights of the child. Instead, the focus should be on the child's needs, interests, and rights within a collaborative approach involving parents and professionals. The contribution concludes with a fictional account of a parliamentary debate on a Bill to reform the law, highlighting the importance of placing the child's interests and voice at the forefront of decisions regarding their medical treatment.

In her essay "Children in Family Mediation: A Rights Approach or the Right Approach?" Marian Roberts analyses the tensions and challenges in protecting ethical and professional principles while giving voice to the child. Three interconnected developments in family mediation concerning children are considered. The contribution discusses the impact of adopting imported terminology, the risks of overemphasizing a rights approach to children's participation, and the failure to recognize the influence of multiple pressures on families.

Lucía Coler and Gabriela Z Salomone's contribution "Criss-crossings of Psychological Practice in Adoption Processes: Preliminary Results of a Field Study in Argentina" examines the significant role that psychologists play in child protection in Argentina, particularly in the adoption system. Their psychological reports and interventions are crucial when making decisions about family separation and the adoptability of a child. The increasing involvement of psychologists highlights the need to analyse the factors influencing their practices. This article presents the findings of field research conducted in Buenos Aires, drawing on both interviews and legal files. It explores the institutional and discursive complexities that impact psychologists working in this area. The study emphasizes the importance of considering both children's rights and the individual's perspective in each case.

The essay authored by Hung-Ju Chen and Po-Han Lee and entitled "Doing Rights, Making Citizens: The Practices of High School Student Governments" explores the relationship between the right to education and citizenship rights, specifically in the context of school education as a site of democratic contestation.

Drawing on a review of documents from international reviews of Taiwan's implementation of the United Nations Convention on the Rights of the Child and interviews with high-school student government members, the article demonstrates how local educational systems navigate international child rights standards. It argues that student government involvement and human rights review processes empower students, giving them a sense of relevance and responsibility in networking and decision-making for the future.

In their contribution, "Adopting a Rights Lens to Children's Training in Football Academies" Nuno Ferreira and Anna Verges Bausili highlight the need for a rights-based approach to children's involvement with football academies, focusing on the impact of commercial pressures on young football players. Drawing on empirical evidence from the English Premier League's self-regulation on youth development, and the problems that arise from the operation of the football academies, the analysis examines stakeholders' awareness of children's rights and their influence on football academies. The article concludes with policy recommendations to address the identified issues.

Simon Flacks' essay "Child Q, School Searches and Children's

Rights" examines the worrying 2020 UK case of "Child Q", which sheds light on the discriminatory treatment of young people by the police. This contribution compares the response of different stakeholders, particularly focusing on a local authority safeguarding review guided by children's rights. It highlights the disparity between scrutiny of police powers to search minors in public and the lack of focus on powers to search students in schools. The commentary emphasizes the need for systematic data collection to address potential disproportionality. It also shifts attention from individual police failures to systemic issues with disciplining students, specifically regarding suspicions of drug use and inequitable outcomes.

Jacob Stokoe's "Queerness as a Gift, LGBTQ+ Parenting and the Benefits to our Children" offers a personal account of trans parenting. The increasing visibility and acceptance of trans people has led to more informed choices in creating diverse families. However, this progress is accompanied by a rise in transphobic rhetoric and threats to trans rights. In this article, Jacob Stokoe, a trans parent, shares reflections on daily parenting, highlighting the unique gifts trans parents bring to their children and families, while

addressing the harm caused by societal norms and transphobia including the problem of pervasive cisheteronormativity.¹

In Francesca Cavallo's contribution "Open Letter to the Editor", the best-selling and much respected author looks at how children's stories have played a significant role in shaping their world view. These stories offer valuable insights into the ideals cherished by our predecessors. However, it is crucial to recognize that children's literature has often been undervalued due to its moralistic nature and targeted audience. While adults may focus on the intended messages, children experience stories differently, noticing smaller details and exploring their own imaginative interpretations. Understanding this unique perspective is essential if we aim to "decolonize" the stories we present to children—there is a strong need to decolonize this literature, making sure that our stories do not reinforce values that are fundamental to colonialism such as economic exploitation, ethnocentrism, racism, paternalism and so on. By examining the representation of diverse characters and stories, we can challenge and dismantle

colonialist values embedded in children's literature. This endeavour requires us to address what is missing from these narratives and ensure that our stories do not perpetuate harmful ideologies. It is through this process of decolonization that we can create a more inclusive and equitable literary landscape for children.

Amy Kellam's Visual Law contribution entitled "Aesthetic Verdicts: The Intersection of Art, Critique and Law in Whistler v Ruskin" examines the landmark defamation case of Whistler v Ruskin in 1878, which raised issues of the complexities of art criticism within defamation law. John Ruskin's critique of James McNeill Whistler's work led to a libel lawsuit, where Whistler sought validation for his art and artistic philosophy. Despite attracting public fascination, the jury's award of a meagre farthing in damages suggested a perception of the lawsuit as frivolous. This case highlights the challenges faced by legal systems in dealing with subjective art valuation, evolving defamation norms, and freedom of speech. While Whistler technically won, the consequences for both men were significant, impacting

¹ Cisheteronormativity is a term that normalizes and reinforces heterosexuality and a binary system of assigned sex and gender, emphasizing two rigid and distinct ways of being: assigned-male-at-birth masculine men and assigned-female-at-birth feminine women.

their finances, reputations, and positions in the art world. The trial's legacy continues to shape discussions on art, law, and cultural value.

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