

Commissioner cautiously optimistic that Children's Rights are slowly being considered by most State agencies

Commissioner Helen Connolly has today released her annual series of reports on South Australia's progress toward meeting recommendations made by the United Nations Committee on the Rights of the Child. Although progress in some areas still has some way to go, COVID-19 has not stopped all progress being made in children's health and wellbeing.

Released to coincide with International Human Rights Day (10 December) the progress reports cover seven child rights issues highlighted by the UN Committee on the Rights of the Child as areas of concern in relation to Australian children and young people.

The Commissioner's progress reports cover child health, child justice, child protection, education, physical punishment, disability, and the environment (included this year for the first time).

They indicate slow but positive progress overall and show that if South Australia was to put a little more effort into the following three child rights areas, the state would begin to see real change:

- raising the criminal age from 10 to 14 years;
- stemming the flow of children being excluded from school (particularly children living with disability); and
- comprehensive rollout of the State's Mental Health Plan.

Every five years, the Australian Government must meet its international obligation to report to the United Nations Committee on the Rights of the Child (UNCRC) explaining how Australia is faring in relation to child rights. This means the State must provide feedback on how it has fulfilled its obligations under the UNCRC in the areas over which the state has responsibility.

Each of the progress reports prepared by the Commissioner looks closely at the UN Committee's recommendations using a status rating that indicates 'clear evidence of progress', 'some evidence of progress' or 'no evidence of progress'.

Although the suite of reports show 'some evidence of progress' overall, Child Justice and Disability show 'no evidence of progress' in some areas. Physical Punishment and Child Protection also remain key areas in which the State needs to continue to improve its child rights performance.

Some of the UN recommendations appear to be easy wins for SA. For example, providing children and young people in contact with the law with information about their rights, outlawing physical punishment, and changing legislation to prevent sterilisation of girls living with disability without consent, seem achievable, as does diverting children between the ages of 10 and 17 away from the SA child justice system altogether.

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Although the banning of 'spithoods' is a welcome development in relation to child justice, the use of handcuffs for night movement of young detainees, and reports that some state Watch Houses across the state are still being used to detain young people is concerning.

Making period products available in all schools is a plus, as is the commitment to improving relationships and sexual health education in SA schools. However, there is still considerable work to be done in lowering the number of children being excluded from their education, particularly those living with disability, Aboriginal children, and young people who have come in to contact with the child justice system.

The lack of integration and information sharing between federally funded services under the NDIS and state funded health programs is a barrier to delivery of appropriate and timely support for children living with disability.

Raising the minimum age of criminal responsibility to 14 years is well overdue. There should be no SA child going through court, and the fewest possible number of children going through family conferencing.

Quotes attributable to Commissioner for Children & Young People, Helen Connolly
In another year where COVID-19 has been impacting on services delivered to children and young people, it is pleasing to see some progress being made in areas identified by the UN Committee on the Rights of the Child. If South Australia's State government agencies continue to work to address the issues outlined in these reports, I remain cautiously optimistic that there will come a time when we can say that we do meet our obligations under the UNCRC, but we are not there yet.

Download the suite of CCYP 2021 Child Rights Progress Reports at:

www.ccyp.com.au/ccyp-reports

FURTHER INFORMATION

For more information about the work of the South Australian Commissioner for Children and Young People go to: www.ccyp.com.au

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