

# 2021 Child Rights Progress Report on the Environment

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South Australia's progress on recommendations made  
by the UN Committee on the Rights of the Child



## About the CCYP

The [South Australian Commissioner for Children and Young People](#) is an independent position, established under the [Children and Young People \(Oversight and Advocacy Bodies\) Act 2016](#) (OAB Act). This legislation was introduced to the South Australian Parliament in response to the [Child Protection Systems Royal Commission 2014](#).

The Commission promotes and advocates for the rights, development and wellbeing of all children and young people in South Australia and seeks to change laws, policies, systems and practice to uphold children's rights.

The work of the Commissioner for Children and Young People is guided by the [United Nations Convention on the Rights of the Child](#) (UNCRC); the core international treaty established in 1989 to which Australia is a signatory. This important agreement sets out the civil, political, economic, social, and cultural rights of children around the world.

The Commissioner aims to ensure that as a part of the Australian Commonwealth, South Australia enacts its international obligations under this Convention.

Each year the Commissioner produces a series of Child Rights Progress reports measuring South Australia's progress against recommendations made by the UN Committee on the Rights of the Child (the Committee).

This year's progress reports include:

- Child Health
- Child Justice
- Child Protection
- Disability
- Education
- Environment
- Physical Punishment



# 2021 Child Rights Progress Report on the Environment



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## Background

The UNCRC was the first international Convention to acknowledge that children have rights and that these rights should be protected. Australia ratified the UNCRC in 1990 and South Australia's OAB Act states that all governmental authorities must seek to give effect to the UNCRC. The Convention sets minimum standards and obligations for the protection of children and young people's rights, including their rights to have access to justice, education, health care and social services. All children have the right to have a say on all matters that affect them and for their views to be taken seriously. In making decisions about children their best interests should be the primary concern, as well as their right to be safe and to be free from discrimination.

Every five years, the Australian Government reports to the Committee to explain how Australia is faring in relation to child's rights. This means that the State must provide feedback on how they have fulfilled their obligations under the Convention in the areas over which they have responsibility such as crime, child protection, and health.

In response to Australia's fifth and sixth periodic reports, the Committee highlighted key areas of concern and made recommendations to ensure our governments at both the Federal and State levels, fulfil their obligations under the Convention. One of the Committee's main areas of concern requiring urgent attention is the environment.

## The impact of climate change on children's rights

This is the Commissioner's inaugural progress report on children's rights in relation to the environment and climate change.

Children and young people in South Australia have been vocalising their increasing concern about growing inequality and the impact of climate change, particularly on vulnerable populations around the world. These concerns are emerging as key issues affecting intergenerational trust, particularly when there are few mechanisms to support children and young people's participation in decision-making.

The Commissioner has elsewhere highlighted that the impacts of climate change and natural disasters on the future of the environment, animals, places, and the people children and young people care about are consistently raised in the top 5 issues they are worried about.<sup>1</sup>

In conversations about the 2019-20 bushfires and the 2020 COVID-19 pandemic, some South Australian children told the Commissioner they felt invisible, ignored, and 'cut off' from information and decision-making, and were not being heard or understood by the adults in their lives, including government and community leaders.

In early 2021, the Commissioner published "A Guide to Being Child and Youth Focused in an Emergency". This publication provides guidance to adults on how to interact with children and young people in a child-friendly way – from parents and teachers to 'official' emergency management personnel and media. It asks adults to consider children and young people during the immediate response as well as in the preparation and recovery phases of managing an emergency disaster. This includes:

- understanding the impact of disasters on children and young people's lives;
- supporting children and young people to feel welcome and included;
- supporting children and young people to be hopeful and useful; and
- supporting children and young people to have a say.<sup>2</sup>

Although evidence indicates that some of the significant effects of climate change can be mitigated or reversed with policy redirection and reinvestment, this message – and information about what positive action is already being taken to progress climate action – rarely reaches children and young people. This contributes to feelings of uncertainty and hopelessness, particularly about their future.

The UNCRC has emphasised the 'undeniable impact' that the effects of climate change has on children's rights, including their rights to life, survival and development, non-discrimination, health, and an adequate standard of living.<sup>3</sup>

In the Committee's Concluding Observations on Australia's most recent periodic reports, the Committee raised particular concerns in relation to:

- Australia's 'insufficient progress' on the emissions reductions targets set out in international agreements; and
- the government's response to protests led by Australian children and young people calling on the government to protect the environment, demonstrated disrespect 'from those in authority' for the rights of children to express their views (as per Article 12 of the UNCRC).

The UN Committee drew attention to target 13.5 of the Sustainable Development Goals and made specific recommendations related to children's rights and a healthy environment.

In October 2021, the UN Committee ruled that a State party can be held responsible for the negative impact of its carbon emissions on the rights of children, both within and outside its territory.<sup>4</sup>

## **South Australia's climate change, environment, and emergency management policy frameworks**

Responsibility for the environment is shared between the Commonwealth, state, and local governments in Australia. The Commonwealth is responsible for ratifying international treaties and can pass laws giving effect to such conventions, whereas South Australia has passed legislation that 'limits the status of international treaties to that of non-binding policy documents only'.<sup>5</sup>

The State has passed several laws that affect the environment, including the *Environment Protection Act 1993 (SA)*, the *Native Vegetation Act 1991 (SA)*, the *Planning, Development, and Infrastructure Act 2016 (SA)* and the *Landscape South Australia Act 2019 (SA)*.

The main Commonwealth environment legislation is the *Environment Protection and Biodiversity Conservation Act 1999 (Cth)*. However, where Commonwealth and State legislation overlaps and conflicts, the Commonwealth laws prevail.

Released in December 2019, Directions for a Climate Smart South Australia set the South Australian government's agenda for 'low emissions jobs and growth' and 'net zero emissions by 2050'.

Released in December 2020, the Climate Change Action Plan 2021–2025 sets out 68 government-led actions to deliver the Directions for a Climate Smart South Australia and drive progress towards emissions reduction goals.<sup>6</sup> Some key initiatives include South Australia's Hydrogen Action Plan and Electric Vehicle Action Plan, which aim to drive the uptake of electric vehicles by 2025.

The Climate Change Science and Knowledge Plan<sup>7</sup> identifies the critical knowledge needed to inform risk assessment, mitigation, planning, and adaptation responses, including those identified in the Climate Change Adaptation Framework for South Australia.

South Australia's *Climate Change and Greenhouse Emissions Reduction Act 2007* (the Act) sets targets to achieve a reduction in greenhouse gas emissions, promote renewable sources of energy, and 'facilitate the early development of policies and programs to address climate change'.

The Premier's Climate Change Council was established under this Act to provide independent advice to the Minister for Environment and Water on climate change adaptation, energy efficiency, establishment and achievement of targets, and the impacts of climate change on business and community. The Council also consults with businesses, the environment sector, and the wider community about issues relating to climate change.<sup>8</sup>

Each year the Department for Environment and Water publishes a set of 38 Trend and Condition Report Cards on the health of South Australia's natural environment over time. South Australia's independent environment protection regulator, the Environment Protection Authority (EPA), also releases a State of the Environment Report for South Australia at least every five years. These reports provide an assessment of our efforts to deal with significant environmental issues, and the South Australian government is required to respond to recommendations contained in each of these reports.

As for emergency and disaster management, the South Australian Fire and Emergency Services Commission (SAFECOM) works with the South Australian Country and Metropolitan Fire Services (CFS and MFS) as well as the State Emergency Service (SES) to lead emergency management planning across the state. This includes coordinating the implementation of recommendations from reviews and reports that have been made, such as the Ministerial Review of Bushfire Management in South Australia.

SAFECOM also led the development of the Stronger Together, South Australia's Disaster Resilience Strategy 2019–2024, which provides a foundation for State and local government, businesses, and the non-government and community sectors, to collectively strengthen the resilience of South Australians to survive, adapt and grow, no matter what happens.<sup>9</sup>

There is also a National Strategy for Disaster Resilience that was endorsed by the Commonwealth and State governments in 2011 following the 'Black Saturday' fires in 2009, and the more recent National Disaster Risk Reduction Framework. Neither of these national frameworks mention children or young people.<sup>10</sup>

## South Australia's progress on the latest recommendations made by the UN Committee in relation to the environment



**No evidence** that the UN Committee's recommendation is being addressed



**Some evidence** that the UN Committee's recommendation is being addressed



**Clear evidence** that the UN Committee's recommendation is being addressed

### Current Status

To ensure that children's views are taken into account in developing policies and programs addressing climate change, the environment and disaster risk management, and to increase children's awareness and preparedness for climate change and natural disasters.

Focus Area 3 of *Stronger Together: South Australia's disaster resilience strategy 2019–2024* is 'children and young people actively engaged in reducing their risks and increasing their self-reliance'.<sup>11</sup> The two actions and recommendations related to this Focus Area include a scoping exercise with children and young people to better inform future projects, and a consistent approach to disaster resilience education.

A number of projects have been funded and delivered in line with the *Stronger Together* strategy including:

- the Disaster Resilience Innovation Challenges for Schools (pilot) with high school students;
- Leave it to Z – Involving children and young people in emergency management; and
- Empowering SA Guides and Scouts to 'help build the resilience of their communities', including through a co-designed app.<sup>12</sup>

In 2021, Bushfire Kids Connect – a community based organisation co-founded by a nine-year-old and led by the voices of children – collaborated with Makers Empire to lead a pilot educational program in schools. The program seeks to empower children and young people to be mentally and physically prepared for bushfires. There have been calls for the State government to partner with schools, Bushfire Kids Connect, and Makers Empire to scale up this pilot.

At a showcase in November 2021, participating students from metropolitan and regional schools presented over 60 concept ideas, including ideas to keep families, firefighters, and animals safe during bushfires, and as part of bushfire recovery.<sup>13</sup> South Australia's Emergency Services Minister noted the 'incredible potential' of the pilot to better educate children about bushfires and ways to keep the community safe.<sup>14</sup>

South Australia's Climate Science and Knowledge Plan recognises the importance of providing 'high-quality and accessible climate change science and information' and support for communities to 'build resilience and adapt'.<sup>15</sup>



However despite some progress towards more consistent disaster resilience education, there is limited information made directly by and for children about both:

- climate change-related risks, impacts and issues, including disaster awareness and preparedness; and
- what action is being taken and what more can be done to mitigate risks and support present and future generations (by government and non-government organisations at a local, state, national and global level).

Provision of child-friendly, age-appropriate information is not only key to ensuring accountability and trust, but also to ensuring children's meaningful participation. It would also address the UN Committee's following recommendation in relation to the 'General principle' of 'Respect for the views of the child' (as per Article 12 of the UNCRC):

That State parties 'Develop toolkits for holding public consultations with children on issues that affect them, including on climate change and the environment'.<sup>16</sup>

In response to the Independent Review into South Australia's 2019-20 Bushfire Season, the State Government announced up to \$100 million of funding ahead of the 2021-22 bushfire danger season. Neither the Independent Review nor the government's response make specific reference to children or young people.<sup>17</sup>

**To promptly take measures to reduce its emissions of greenhouse gases by establishing targets and deadlines to phase out the domestic use and export of coal and to accelerate the transition to renewable energy, including by committing to meeting 100 per cent of its electricity needs with renewable energy.**

South Australia has a policy target of achieving 100% net renewable energy by 2030.<sup>18</sup> More than 60% of South Australia's power supply comes from renewable energy.<sup>19</sup> It is promising that South Australia's electricity emissions are reducing, and this is testament to the state's progress made against electricity generation and consumption targets set to date.

However emissions in sectors other than electricity are projected to increase or plateau at best. As noted in South Australia's latest State of the Environment Report, although the state's 'total emissions' are decreasing, transport emissions are increasing.<sup>20</sup> As such, meeting the UN's recommendation requires action across sectors, as highlighted in a recent series of reports by the Grattan Institute.

South Australia's Electric Vehicle Action Plan and the passing of the Motor Vehicles (Electric Vehicle Levy) Amendment Bill 2021 to drive the take-up of zero and low-emission vehicles, is a welcome step in transport emissions reduction.<sup>21</sup>

Further, the targets set out in South Australia's *Climate Change and Emissions Reduction Act (SA) 2007* have never been updated, despite the fact that some targets were met in 2013-14.

It is promising that South Australia's Minister for Environment and Water recently introduced a bill to amend the *Climate Change and Greenhouse Emissions Reduction Act (SA) 2007* to update the State's emissions reduction and renewable electricity targets as follows:

- net zero emissions by 2050;

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- reduce net emissions by more than 50 per cent by 2030 (from 2005 levels); and
- achieve 100 per cent net renewable energy generation by 2030.<sup>22</sup>

Although this bill will lapse given that Parliament has been prorogued, this commitment is in the Government's Climate Change Action Plan 2021–2025.

Other commitments made during and following the COP26 global climate summit in November 2021 include:

- approval for South Australia's largest battery storage project to date – the 225MW Battery Energy Storage System (BESS) at Gould Creek – which once completed in 2023, is expected to power 40,000 homes during peak hour.
- Formation of a Net Zero Emissions Policy Forum by the South Australian Government, alongside New South Wales and Australian Capital Territory governments, which 'will share information and resources to address the practical challenges of achieving net-zero emissions, as well as help each other to meet their emission reduction targets'.<sup>23</sup>

The Commissioner will monitor South Australia's progress against these commitments and proposed legislation in future reports.

#### Endnotes

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