

# Submission on the Climate Change Amendment (Duty of Care and Intergenerational Climate Equity) Bill 2023

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**Submission to the Senate Standing Committee on Environment and Communications.**

I am pleased to add my support to the proposed *Climate Change Amendment (Duty of Care and Intergenerational Climate Equity) Bill 2023*.

As South Australia's Commissioner for Children and Young People, my mandate is to promote and advocate for the rights, interests and wellbeing of all children and young people in South Australia.

We know that children and young people are disproportionately impacted by climate change, despite being least responsible for contributing to it. It is essential therefore that decision makers take their interests into account when making decisions about climate change as their voices are seldom heard, they have no vote and they have limited representation in Parliament.

My work is directly informed and guided by the voices and experiences of children and young people. Since I was appointed in 2017, I have heard from thousands of children and young people across the State about the issues affecting their lives and what matters most to them. Climate change and concerns about the current and future state of the environment are consistently raised in the top five issues that children and young people care about and worry about most. I attach some examples of what children have told me in support of this submission.

As adults and leaders, we must do more to ensure children and young people are provided with opportunities, information and support to participate in decision-making processes that inform Australia's climate policy.

One way to ensure that the interests of future generations are prioritised is via legislation. Without a legal requirement, we risk decision makers focussing purely on the priorities of adults and on reacting to the crises of today, rather than planning on how to manage the challenges of tomorrow. It is also what business and investors want to see as it provides them with certainty to make sound long term decisions and also grow their business practices in a sustainable way.

A 2020 Report by the Office of the UN High Commissioner for Human Rights (OHCHR) highlighted that ensuring a healthy environment is fundamental to realising children's rights and requires prioritising children's best interests 'in all environmental management and climate action decisions'. The *Duty of Care Bill* is the logical extension of Australia's support for international laws and standards that recognise the interdependence between human rights and a healthy environment.

I therefore wholeheartedly support this Bill in its endeavour to avert harm by requiring decision makers to consider the health and wellbeing of current and future Australian children when making decisions that are likely to have adverse climatic and environmental impacts.

**The concerns of children and young people – what I have heard**

Many children and young people across South Australia are living in communities directly affected by natural disasters and climatic events, including bushfires, droughts, floods and heatwaves.

Growing up during what has been described as a global ‘climate emergency’ and ‘climate disaster’, they read news stories and reports like the Intergovernmental Panel on Climate Change (IPCC) Reports, and they see images and video footage of extreme weather events, air pollution, rising sea levels and loss of biodiversity in places both close to home and on the other side of the world.

There is a real sense of despair and frustration among many children and young people about what they see as a lack of action being taken to protect the environment and mitigate the impacts of climate change, with some young people concerned that it’s ‘too late’ to do anything about it. They see what all of this means for the people, places and animals they care about, and they link this to human action and inaction.

“SA looks very nice now I would like it to stay like that for future. This is very important because when I was little I used to always go to the hills with my family on walks and bike rides. I want others to have the same opportunities as me.”

**- 16 year old**

“If I were the boss of South Australia, I would... Actually do something about the environment instead of lying and putting pressure on my generation”

**- 12 year old**

Key to children and young people’s concern about climate change is their sense of justice. They recognise that climate change heightens social and economic inequalities and disproportionately impacts those have the least resources to respond and cope, including people living in poverty and in regional and remote communities.

Our youngest citizens are aware of the need to plan in the interests of future generations, as evidenced by the case of *Sharma v Minister for the Environment*. They tell me that they want decision makers to be future focussed and to think about the planet, people, prosperity, and peace equally and interdependently. They want fully integrated solutions that address problems simultaneously and comprehensively, taking into account the most vulnerable in our societies. They’re also deeply critical of the decisions that leaders and other adults in their lives are making, which show a lack of consideration for the wellbeing and interests of present and future generations.

Young people want to ‘change society’s mindset’ regarding climate change in ways that move away from a view ‘that nothing can be done about it’ or ‘just ignoring the issue’ towards more ‘prevention’ and ‘action’. One young person called for ‘less questioning of whether climate change exists’ and more answers to ‘how do we fix it’.

“I want coal industries to be replaced by renewables so children, especially the poor are not affected by future climate change, so indigenous children can remain on country as the most affected by these industries will be the least privileged so its vital.” - **18 year old**

“Reinstate carbon tax, restriction on the carbon emissions, restriction on cutting trees + growing trees projects.”  
- **15 year old**

Youth Parliaments provide us with a glimpse into what is most important to young people – they also raise new and vital topics of public interest that are so important they are often taken up by State and Federal Parliaments. In 2020, the SA Youth Parliament, run by the YMCA, strongly supported a motion to promote intergenerational equity by calling for long-term policy making around the big issues young South Australians care deeply about such as intergenerational poverty and climate, and the 2023 Youth Parliament passed a number of Bills related to the environment and climate change.

In October 2022, I hosted a Youth Climate Workshop with 28 young South Australians aged 13 to 18 years old. During the workshop, young people shared their vision for a positive future and discussed what needs to happen to make this vision a reality. This included exploring what existing attitudes, behaviours, policies and practices need to change and what needs to be preserved or scaled up to achieve this vision.

In addition to the workshop, 184 teenagers completed a survey on their understanding of climate change, the actions they are aware their schools are taking in response to the issue, and what more could be done.

On the basis of their insights, I sent an [open letter](#) to Ministers and those attending the COP 27 Forum in which I highlighted the following points:

- Young people highlight the need for schools, media and governments to provide more information about what is already happening to mitigate and adapt to climate change and to provide opportunities for them to contribute to these efforts.
- Young people have called for more ambitious emissions reduction targets and urgent action to move away from our dependence on fossil fuel.

## Decision makers must listen to children and young people

Despite the impacts of climate change on their lives and rights, there are no mechanisms to support children and young people's systemic participation in decision-making. This not only undermines their trust and confidence in adult leaders and institutions in the present, it also impacts their hopes for the future.

Many children and young people also describe feeling invisible, ignored, and 'cut off' from decision-making at school, in their community and across all levels of government. There is limited information that is made by and for children about climate change-related risks, impacts and solutions, and what positive actions are already being taken at a local, state, national and global level.

"The government needs to consider our future, they need to start making positive impacts on the environment, because at this rate, our job in the future will be to live with the impact that past generations have left on our Earth. The government needs to adress things such as climate change and realise this isnt science fiction, its real life & if we don't do anything about it soon, it will be too late."

- 17 year old

As the impacts of climate change become more frequent and intense, it is our responsibility to ensure all children and young people across all parts of Australia are supported to have a genuine stake in climate action. To fail to do so would be a missed opportunity to support current and future generations of citizens to build the knowledge, skills, attitudes, and behaviours needed to meet our mitigation and adaptation targets.

The *Duty of Care Bill* offers an initial important step towards listening to young people and respecting the interests of future generations with regard to climate change. I hope this approach will be extended in due course to other topics of interest to our children and young people today and into the future.

If you would like to discuss any of the points in this letter, or find out more about what South Australian children and young people think about climate change, please get in touch.

Yours sincerely,



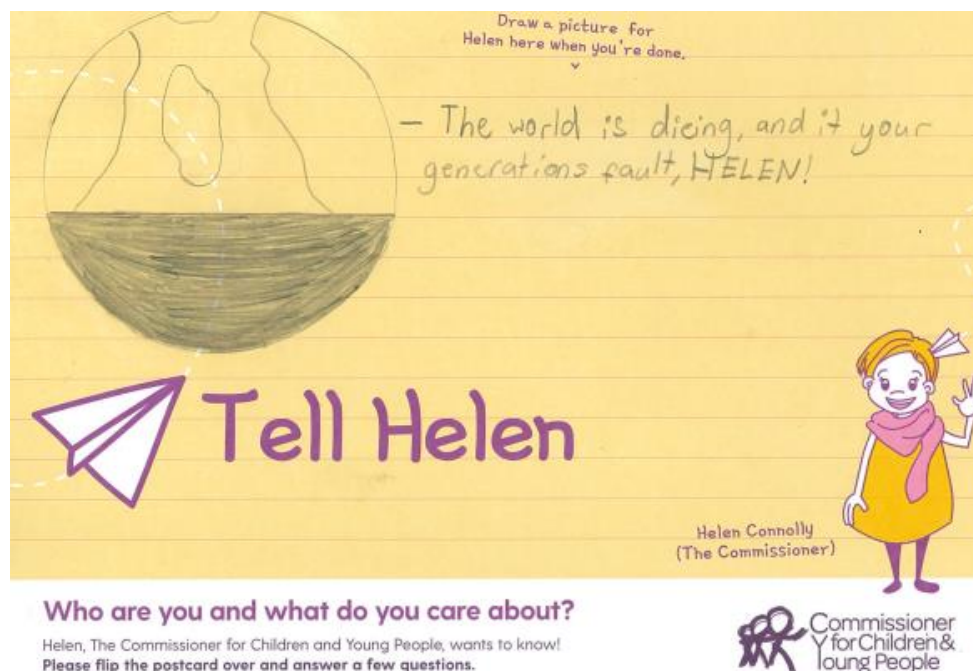
**Helen Connolly**

Commissioner for Children and Young People  
Adelaide, South Australia



## Student Voice Postcards From South Australian 8-12 Year Olds

Each year, I send postcards to all primary schools in SA to ask all 8-12 year olds for their thoughts and concerns as part of my Student Voice Postcards initiative. The voices, perspectives and interests of this age group are rarely considered by adults. Some of their concerns and calls for action in relation to the environment and climate change are provided, unedited, below:



28332

✈ I am 10 years old. I am a girl. < Please write your gender

I go to ..... School.

Write your School's name

★

♥ The best thing about being a kid is...  
I don't have to worry about stuff like Taxes

I worry about... dying because I don't know what it feels like to die.

I want grownups to know... that climate change is happening and us kids will be the ones to feel the full force

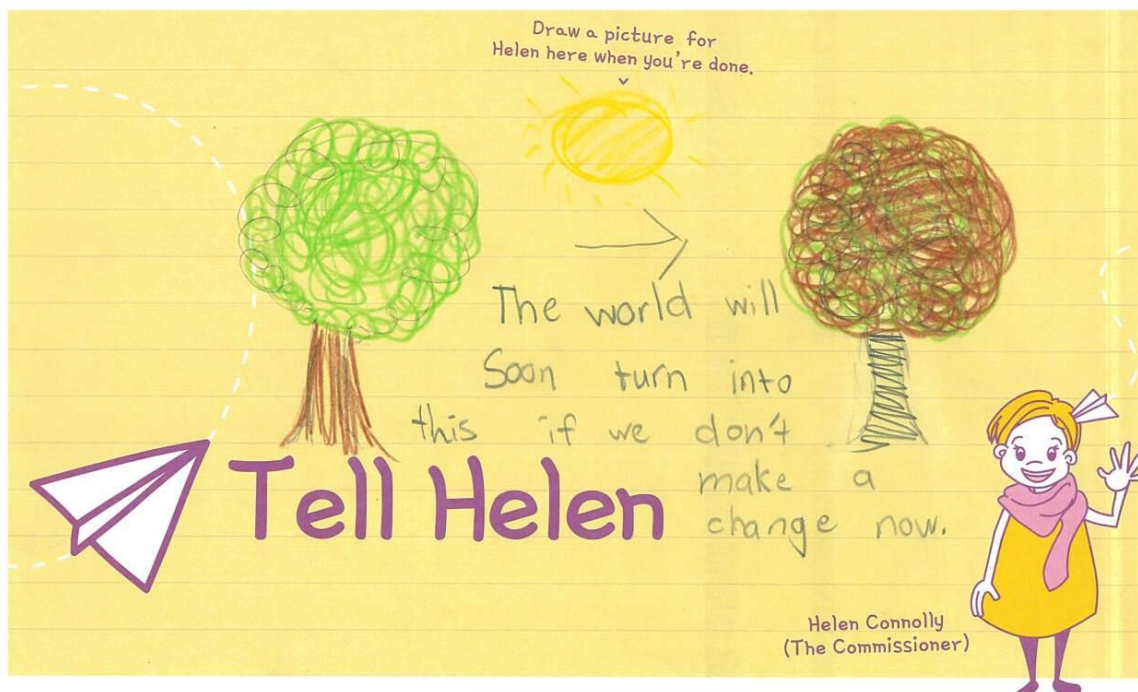
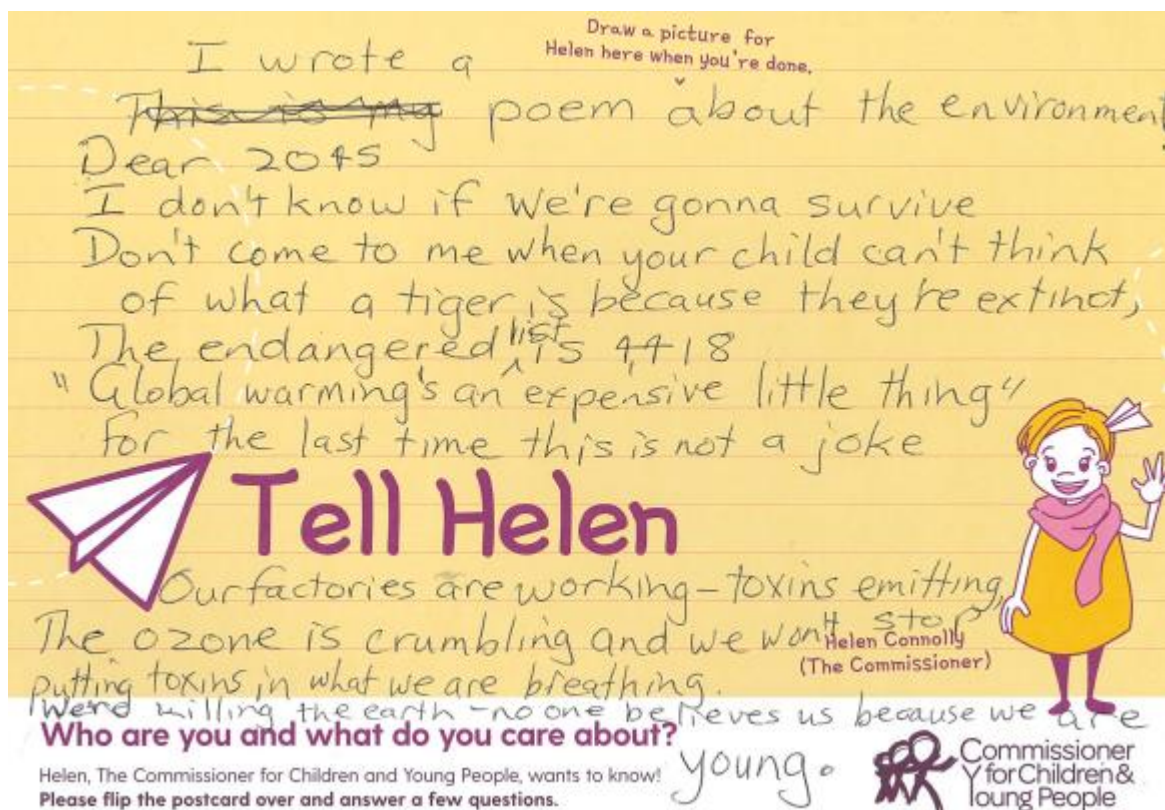
☹ The world would be better if...  
everyone was nice and there was no laws.

☹

✈

Finished already?  
Flip the page and draw!

Thank you for your letter

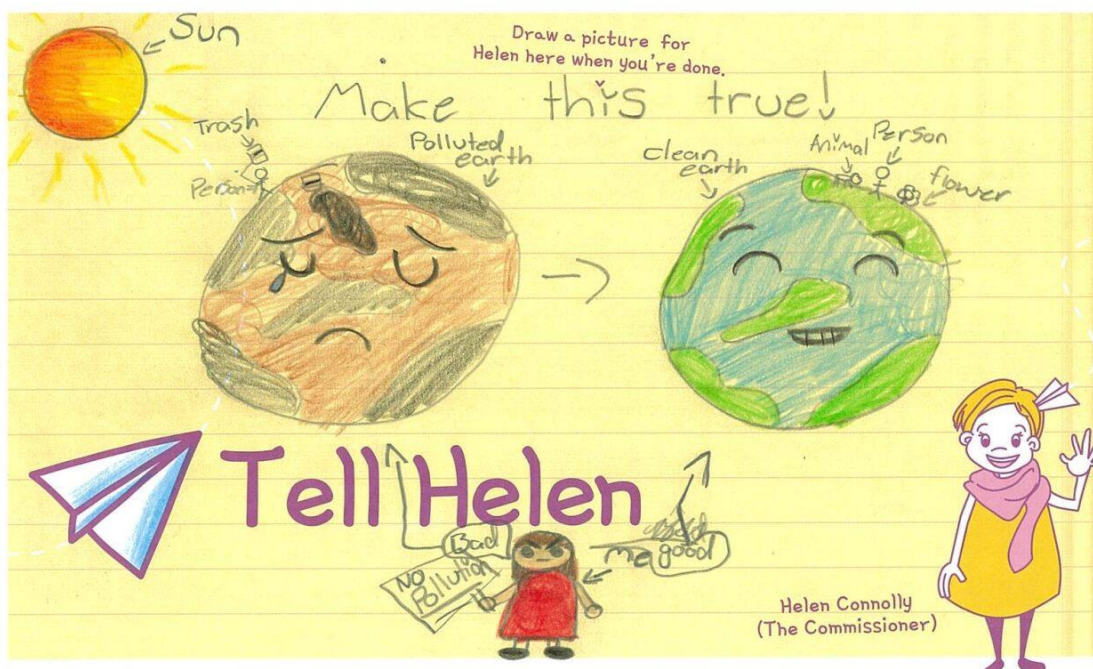


### Who are you and what do you care about?

Helen, The Commissioner for Children and Young People, wants to know!  
Please flip the postcard over and answer a few questions.

 Commissioner  
Y for Children &  
Young People








### Who are you and what do you care about?

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Please flip the postcard over and answer a few questions.





 I am 12. years old. I am a Female... ← Please write your gender 36787  
 I go to ..... School.  
Write your school's name

 The best thing about being a kid is...  
 You can play and have fun with your friends and be creative and come up with cool ideas.

I worry about...  
 Pollution might kill the environment. All the trees might get chopped down and there will be none left.

I want grownups to know...  
 that people are dying from fast fashion and...

 We should try pay people equally and listen to what they have to say.

 The world would be better if...  
 There was no pollution and the world wouldn't have climate change.

Finished already?  
 Flip the page and draw!

Thank you for your answers! We'll pass them on to Helen



✈ I am <sup>turning 13 in 3 weeks and 5 days</sup> 12.... years old. I am a <sup>YAHAHAH</sup> gurl..... Please write your gender 24082  
I go to .... School.  
Write your school's name

★

♡ The best thing about being a kid is...  
No taxes and you are more freeeeee

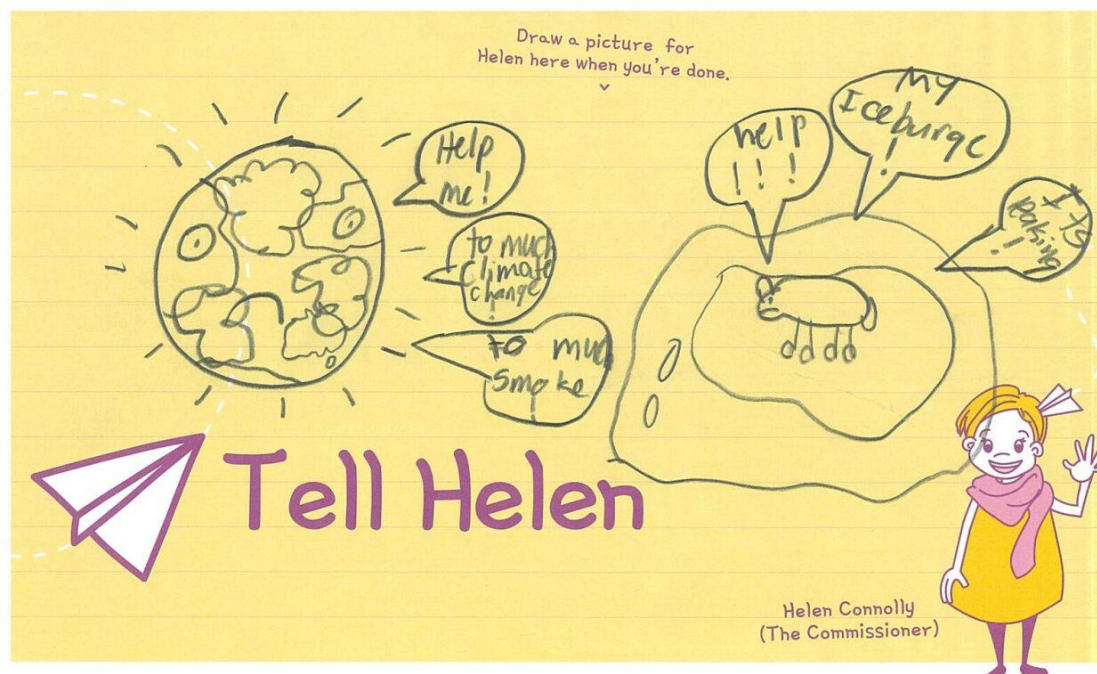
I worry about...  
A lot of things e.g. The future for me, if my party's going to work and if I will live to an average age  
I want grownups to know...  
That you need to respect animals and the planet.

☹ The world would be better if...  
The leaders actually respected the earth.

✈

Finished already?  
Flip the page and draw!

Thank you for your answers! We'll pass them on to Helen



### Who are you and what do you care about?

Helen, The Commissioner for Children and Young People, wants to know!  
Please flip the postcard over and answer a few questions.

I am 9 years old. I am a girl. (Please write your gender)  
I go to ..... School.  
Write your School's name

The best thing about being a kid is...  
Having people there to look out for me and helping me to learn new things.

I worry about...  
The environment and Earth and Climate change


I want grownups to know...  
We may be kids but we still care and have feelings about the Earth and people.


The world would be better if...  
People started caring for more than just themselves.

Finished already?  
Flip the page and draw!


Thank you for your answers! We'll pass them on to Help

Draw a picture for  
Helen here when you're done.



 Tell Helen

Helen Connolly  
(The Commissioner)



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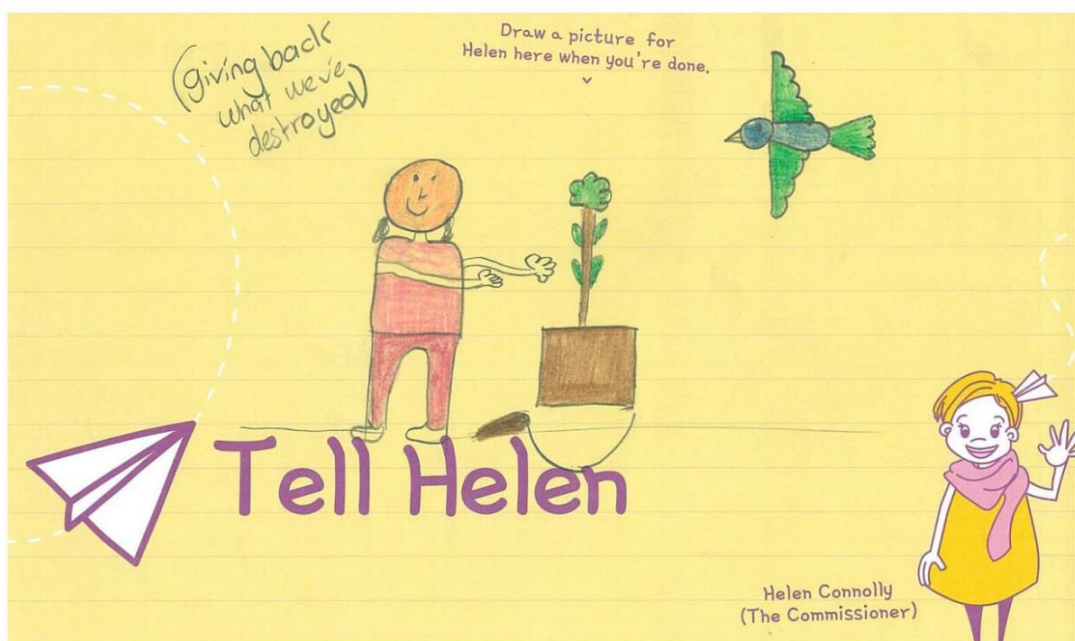






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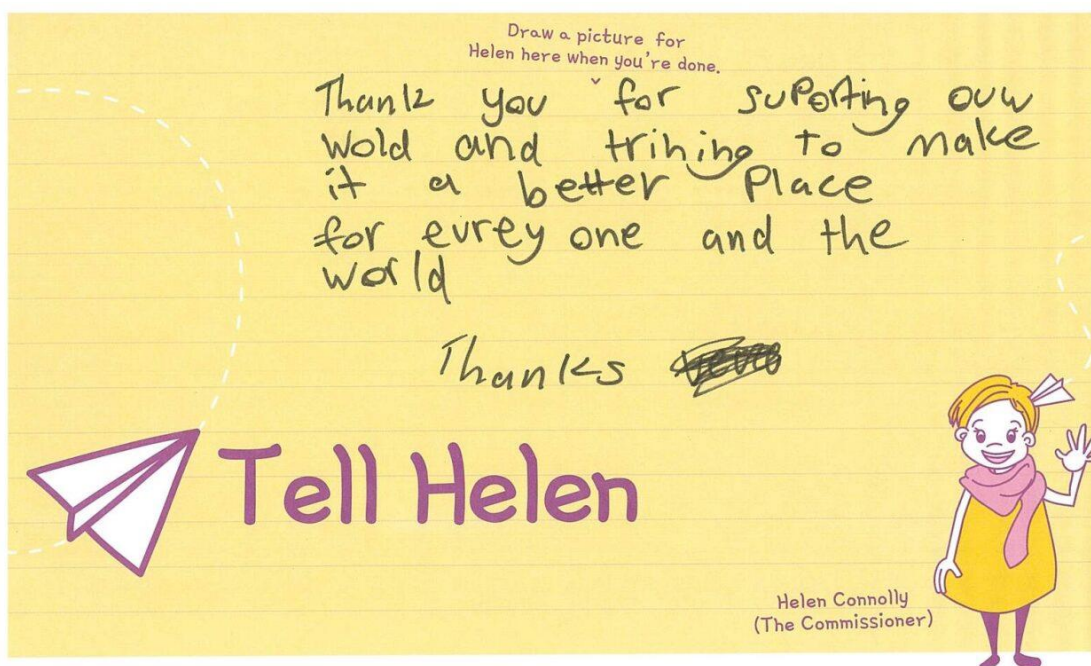


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