

Creating a new office for children's issues within the Human Rights and Equal Opportunity Commission will help young people connect to a brighter future. Carolyn Rance reports.

Protecting children's rights



ATAGLANCE

■ The AEU is calling for the establishment of a National Commissioner for Children and Young People to provide leadership on issues concerning young Australians

■ The setting for the proposed new office would be the Human Rights and Equal Opportunity Commission

■ The role of the new office would include research, advocacy and promoting the rights of young people. It would encourage young people to participate in discussions and decision-making on issues that affect their lives

The AEU is calling for an independent National Commissioner for Children and Young People to be added to the Human Rights and Equal Opportunity Commission.

A national commissioner would provide leadership, research, education and advocacy on issues relevant to young people and promote their welfare, interests and wellbeing. The union believes that society has a responsibility to provide children and young people with safe, stable environments and equitable opportunities if they are to reach their full potential.

"We want to ensure that someone has specific responsibility for putting the concerns of children and young people on the table in all important policy, strategic and budget discussions," says Michaela Kronemann, AEU Federal Research Officer. "There needs to be a national, holistic focus."

The union sees the Human Rights and Equal Opportunity Commission (HREOC) as the obvious setting for the new office. Such a role would extend the commission's current activities and ensure that the rights of children are addressed within a human rights and social justice framework.

"HREOC is responsible for giving effect to international conventions relating to human rights including the United Nations Convention on the Rights of the Child," says Kronemann. "It has done extraordinarily good work in a range of areas, including rural and remote education, and it would be logical to place the office of a National Commissioner for Children and Young People there rather than setting up an additional structure."

A working group drawn from member states and territories has developed the new AEU policy.

Recognising children's rights

The commissioner could monitor and report regularly on the welfare of young Australians and identify and conduct research on issues that have an impact on their lives, the policy states.

Priority would be given to addressing the needs of disadvantaged children and young people. The policy also calls for regular consultation with parent organisations, unions and community organisations working with young people, including those with disabilities and from indigenous and non-English speaking backgrounds.

The commissioner's office would seek to ensure that children's rights are recognised and respected and that young people themselves are encouraged to participate in decision-making in ways that set the groundwork for them to become active citizens. It would monitor and review the impact of laws, policies and practices and encourage greater coordination and cooperation between the departments, agencies and organisations working with children.

The National Commissioner for Children and Young People would be expected to work closely with existing commissioners, including the Aboriginal and Torres Strait Islander Social Justice Commissioner.

Kronemann says providing increased opportunities and networks to help young people engage in discussions and decision-making on issues that concern them is a vital part of addressing problems and building a fairer future.

"Our members are very aware of the disadvantages, hardships and barriers that many young people face and the impact these can have on their access to education, health and social services," says Kronemann. "For example, there are children in Australia who have no access to preschool education."

"We know there are whole groups of people in their teen years who for a range of reasons fall through the system. They are not in education or employment and they become invisible. We need to ensure that there are national structures to ensure they are heard and that their needs are articulated and addressed by policy and service frameworks," she says.

On the agenda

The adoption of the AEU policy comes at a time when a growing number of organisations are calling for state and federal commissions to ensure that the concerns of young Australians are placed firmly on the public agenda.

Three states—New South Wales, Queensland and Tasmania—currently have commissioners and the governments of Victoria, Western Australia and South Australia are being lobbied to create similar statutory positions.

Nicola Roxon, Commonwealth Shadow Minister for Children and Youth, says the Australian Labor Party is considering submissions received in response to its 2002 policy commitment to setting up a National Commissioner for Children and Young People.

trends and systemic problems and issues, including the impact of federal legislation and procedures.

The AEU policy also stresses that a national commissioner should not duplicate work being undertaken by

existing bodies. It calls for the proposed commissioner to be supported by a multidisciplinary committee that includes practitioners and experts involved in the care of children and the provision of child welfare, education, health, indigenous, childhood development and parenting services.

Children and young people should be included on advisory committees and reference groups wherever appropriate, including a national youth advocacy body.

The policy also spells out the AEU position on employment screening for people working with children. It calls for screening

methods such as criminal record checks to be undertaken within a framework that supports

A national commissioner should...take a proactive look at national trends and systemic problems and issues...

The party announced the policy in the wake of last year's wave of allegations of child abuse by priests and others working with young people.

Having commissioners at both state and national level makes sense in a federal system, says Roxon. "It would be a way to ensure that children get the attention and support they need. In states that do not have commissioners, there is a view that having a national commissioner would move the debate forward at state level," she says. "In the states that already have commissioners there is support for a national counterpart."

According to Roxon, the ALP has received support for its view that a national commissioner should not handle individual complaints but take a proactive look at national

W The policy can be viewed on the AEU website www.aeufederal.org.au

the principles of natural justice for children and adults. It opposes measures based on risk assessment models that presume guilt unless innocence is proven.

The policy says that, to avoid duplication, screening measures should continue to be undertaken at state and territory level. Teacher registration should be controlled by the profession to ensure that professional qualifications and probity are maintained. Registration authorities in all states and territories should also be linked to create a nationally consistent system. ■

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