



*Valuing Children*

INITIATIVE

## **Valuing Children Initiative Submission**

**6th July 2018**

**The Convention on the Rights of the Child**

**National Children's Commissioner**

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*The Valuing Children Initiative (VCI) was established in January 2016. It is an ambitious project that seeks to inspire Australians to value all children, understand that a child's wellbeing is the shared responsibility of the entire community and ensure children are at the forefront of our considerations. [www.valuingchildreninitiative.com.au](http://www.valuingchildreninitiative.com.au)*



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## Executive Summary

The Valuing Children Initiative (VCI) is grateful for the opportunity to make a submission to the National Children's Commissioner, Megan Mitchel.

The VCI has prepared this submission for consideration by the National Children's Commissioner as part of the 2018 reporting to the UN Committee about Australia's implementation of the Convention on the Rights of the Child (CRC) .

This submission focuses on highlighting the role that deeply embedded societal attitudes about children have played in creating a cultural context, both in institutions and in the wider community, which enabled for example the widespread sexual abuse of children in institutions to be concealed<sup>i</sup>, and the ongoing sexual abuse of people in private residents. There is ample evidence from the Royal Commission and Board of Inquiry into the Protection and Detention of Children in the Northern Territory (2017)<sup>ii</sup> and the Royal Commissions into Institutional Responses to Child Sexual Abuse (2018)<sup>iii</sup> about the mistreatment and culture that allowed children to be abused at the hands of adults and within institutions.

When considering the United Nations Convention on the Rights of a Child and the recent findings from the Royal Commissions into the treatment of children in institutions, it is alarming to think that in an affluent and developed country such as Australia that some children are not afforded the basic rights of a safe, caring and supportive environment. Children who spoke up about their abuse, the adults who spoke out on their behalf, and even the laws that made the sexual abuse of children a crime, were no match for the prevailing culture and the attitudes of those in positions of power, who chose not to believe the child, and put the protection of institutions and adults first.

The power of dominant societal attitudes and the lack of value assigned to these children and their lives is glaringly apparent in retrospect. Yet a far greater and more confronting challenge is to identify it in our own time and the role it continues to play in children's ongoing vulnerability to neglect and abuse, despite today's unprecedented focus on children's rights, safety and wellbeing.<sup>iv</sup>

The VCI believes we must ask challenging questions about how we value children in Australia. What we value, creates the culture of a society and in turn drives conduct. How we value children therefore, although sometimes overlooked, plays a critical role in ensuring a child's safety and wellbeing, because it directly impacts on how they are treated and the priority given to their needs and rights.

What we value is reflected in societal attitudes. Prevailing attitudes, both conscious and unconscious, and particularly of those in positions of authority are powerful, even more powerful at times than a country's laws and justice system.

It seems reasonable to also assume that today, children who report sexual abuse, are more likely to be believed and action taken on their behalf. Yet a survey undertaken by the VCI found that even today, 63% of survey respondents<sup>v</sup> agreed that a child's word is less likely to be believed than that of an adult. We cannot therefore say with any certainty that underlying attitudes towards children in this respect have changed.

Sexual abuse of children remains rampant in Australia, and it is estimated that as many as one in five will be sexually harmed before the age of 18 years<sup>vi</sup>. Whilst this mostly occurs in a child's own home and by someone they know, there continues to be reports of sexual abuse in institutions.

The Royal Commissions represent a once in a generation opportunity to question, and to seek ways to change attitudes to children that have made them vulnerable to sexual and physical abuse in the past, and continue to do so today.

Royal Commissions are indispensable to the acceptance and admission of past failures and to making recommendations that encompass a broad range of strategies.

Acceptance of past failures can however unintentionally imply that the attitudes of the past are just that, and that improved policy, programs and legislation, essential as they are, will be able to bring about the change required. The VCI believes that this mental shortcut is a grave mistake.

Getting it right for every child now, and in the future will always depend on the attitudes of the adult world and how we value children. All children must navigate a world that they had no part in creating. Their safety and wellbeing will always depend on the attitudes of adults and how society values its children.

## The Convention on the Rights of the Child (CRC)

The aim of the CRC is to build a better world for children. It calls on the government to take responsibility for children by addressing the specific aspects of child wellbeing and development such as health, education, protection and participation and by building better governance for children. Australia is required to report to the United Nations (UN) Committee on the Rights of the Child every 5 years. The next reporting cycle is due to take place in 2018.

## Issue and Scope

### What thematic area or rights issue is of importance to children in your area of work?

- *Article 3- Adults attitude towards children and how they are valued*
- *Article 6- The right of all children to have a safe, caring and supportive childhood*
- *Article 12- The rights of children to be valued and listened to*
- *Article 12- Children have the right to be at the centre of policy, decision making, resources sharing*
- *Article 19 & 20- Children's wellbeing is viewed as a societal responsibility and not just that of the government or birth parents*
- *Article 24, 25, 26, 27, 34& 37- Short termism, lack of cohesive strategies to improve outcomes for children, lack of commitment to strategies based on children's wellbeing and rights.*

### What specific groups of children in Australia are affected by this issue?

All children in Australia are affected by this issue.

### What are the top challenges faced by children in this area of work?

- Societal attitude towards children and lack of understanding about the impact societal attitudes towards children has on their safety and wellbeing. How we value children has been identified as directly impacting on our attitudes, behaviour and actions towards children, and on the priority we give their needs and rights. This in turn directly impacts on how governments, not for profits organisations and community groups, individuals and the private sector develop policies and provide programs for children and their families and carers.
- Assumptions that children in Australia are generally faring well despite the evidence that obesity continues to increase with 31.6 per cent of those aged 5-24 being obese in 2015, up from 29.6 per cent in 2007. Rates of obesity for Aboriginal and Torres Strait Islander children are higher at 40.1 per cent in 2012-13 for the same age group. In 2017, 31.1 per cent of young people aged 15-19 reported body image as a personal concern. Amongst Aboriginal and Torres Strait Islander young people this figure was 30.7 per cent.

700,000 children in Australia live below the poverty<sup>vii</sup> line despite article 27 of the Convention of Rights of the Child that states "1. Parties recognize the right of every child to a standard of

living adequate for the child's physical, mental, spiritual, moral and social development.<sup>3</sup> States Parties, in accordance with national conditions and within their means, shall take appropriate measures to assist parents and others responsible for the child to implement this right and shall in case of need provide material assistance and support programmes, particularly with regard to nutrition, clothing and housing.”

The recent figures for children in WA coming into care show it continues to increase and 54% of those children are Aboriginal<sup>viii</sup>. In the words of Mick Gooda, “the rate of Indigenous Australians entering the child protection system has reached "epidemic levels" and is one of the most pressing human rights challenges facing the country”.

- Lack of research to better understand attitudes to children and the part prevailing attitudes play in a child's safety and wellbeing. The Valuing Children Initiative Benchmark Survey: 2016 (the survey)<sup>ix</sup> provides a snapshot of Australian's attitudes to children, and attitudes towards policy consideration of children's needs, 1000 Australian adults participated in the survey and this gave an insight into their baseline attitudes. Further research is needed if Australia is to learn if attitudes are the contributing factor that inhibits us from closing the gap between what we want for children and what they deserve or have a right to.
- Lack of influence in decision making and having no voice when it comes to policy, law reform or future planning in Australia. VCI believes that a dedicated Ministerial portfolio for Children and Future Generations and a National Plan for Children are crucial if children are to achieve better outcomes. Just as improvements in women's rights required a dedicated Minister to champion the cause, the same Ministerial position should be afforded to children.
- Lack of regard, measurement or consideration for the impact decisions, laws and policies have on children, other countries use impact measurement tools to assess how new policy will affect children prior to the changes occurring, this demonstrates that children are at the forefront of considerations. Australia needs to instigate a rigorous and transparent process to ensure that all policy, legislative and decision making processes explicitly consider the impact on children and future generations. Failure to value children undermines laws and policies in place to protect them.
- Lack of community connection to all children in Australia, lack of sense of responsibility for other people's children, lack of awareness of the challenges faced by children. In the Valuing Children Initiative Benchmark Survey: 2016 the top 5 words chosen by participants to describe children were: spoilt, fortunate, lazy, selfish and vulnerable. Only 48% believe that children in Australia all have fair and equal opportunity to flourish, and to maximise on their potential.

## Responsibility

### What are the key barriers to achieving real change for children in this area of work?

1. Lack of understanding in the critical role that attitudes to children plays in their safety and well-being
2. Lack of research into attitudes and messaging about children and how society values them
3. Lack of leadership and accountability in children's issues and wellbeing at state and federal level and no Commonwealth Ministry for Children and Young People
4. Lack of a National Plan for all children in Australia for the overall realisation and implementation of the CRC, recommendations from UN, Royal Commissions seen as "wish lists" rather than rights.

### Do these issues require action within a particular State/Territory, at federal level, or is it a shared State/federal responsibility?

This is a shared State/Federal responsibility.

### Please identify the top policy documents important to framing these issues:

- (1) United Nations Convention on the Rights of the Child
- (2) The National Framework for Protecting Australia's Children 2009-2020<sup>x</sup>

### Is there specific law reform that you would recommend to address these issues?

**Instigate a rigorous and transparent process to ensure all policy, legislative and decision making processes actively consider the impact on children and future generations.**

The VCI believes the impact of decisions on children and future generations of children, should be actively considered by governments and parliaments.

The VCI survey asked about the role of government in protecting children's interests nearly half (46%) of those surveyed believed that governments give 'too little' consideration to children

The 2013 Report of the Oxford Martin Commission for Future Generations, 'Now for the Long Term'<sup>xi</sup>, has urged decision makers to be innovative, and reinvigorate how institutions work to better serve the needs of those too young to vote, as well as future generations.

The VCI has previously written to all federal members of parliament seeking their commitment to the instigation of a rigorous and transparent process to ensure that all policy, legislative and decision making processes, actively consider the impact on children and future generations.

This would ensure that children, who cannot vote and are excluded from influencing the political process, have their interests explicitly considered. Considering the impact on



children, as well as the compatibility of legislation with the UN Convention on the Rights of the Child in particular, should be an explicit process required before legislation is introduced, rather than after it has already been introduced into federal parliament.

Consideration of the impact on children should be considered integral to sound decision making. This process should include the views of children whenever possible, risk analysis for vulnerable children, and be reported on.

### **Do you have any key recommendations for government to address these issues?**

#### **Create a dedicated Ministerial portfolio for Children and Future Generations, and a National Plan for Children.**

All children must navigate a world they had no part in creating. The childhood they experience is entirely dependent on the circumstances they are born into, and the attitudes and actions of the adults closest to them, as well as the wider society. This is the inevitable consequence of being a child in an adult's world.

Just as dedicated Ministers for Women were appointed to advance gender equality and improve the lives of Australian women, a dedicated Minister for Children and Future Generations is needed to ensure a greater focus on children's rights and needs.

Portfolios that provide services for children have not proved to be adequate as evidenced by the need for two concurrent Royal Commissions, as well as the increase in substantiated cases of abuse and neglect.

A Minister for Children and Future Generations would be a tangible sign of the value placed on all children, and a commitment to their rights and needs. It would hopefully ensure also that no future federal government was unaware of what children, such as those in Don Dale, were experiencing.

The VCI believes a dedicated Minister is needed to ensure a more sustained focus on the rights and needs of children today, as well as future generations of children, and would ensure there is a dedicated voice for children, and drive the creation of a National Plan for all Children.

A National Plan for Children would counter the short termism and crisis driven responses of modern politics that is particularly damaging to children. Integral to its development must be the views of children.

The VCI survey found that 55% of Australians supported the appointment of a Federal Minister for Children and Future Generations.

## **Research**

### **Please identify the top THREE research articles or sources important to framing these issues (and provide attachments if possible).**

- ARACY Report Card (2018) The wellbeing of Young Australians
- Moore, T. (2018). Children and young people's views on institutional safety: It's not just because we're little

- The 2013 Report of the Oxford Martin Commission for Future Generations, ‘Now for the Long Term’,

## Data and Gaps

**Have you collected data or are there key elements of this data that you would be willing to share concerning this issue?**

Australians Attitudes to Children. The Valuing Children Initiative Benchmark Survey: 2016 <sup>xii</sup>

**Which external data sets do you draw upon, and can you provide us with key elements of this data concerning this issue?**

1. ARACY Report Card (2018). The wellbeing of Young Australians<sup>xiii</sup>
2. Australian Institute of Family Studies<sup>xiv</sup>
3. WACOSS Cost of Living Report 2017<sup>xv</sup>

**Are there data gaps in this area of work which you think are important to get filled?**

**1) Promote understanding that a society’s attitudes towards children and how we value them impacts fundamentally on their safety and wellbeing.**

How we value children matters. It directly impacts on our attitudes to children and by extension how they are treated, and the priority given to their needs and rights.

In Sweden, a strong culture of valuing and respecting children has been identified as an important factor contributing to their wellbeing. In Australia, being ‘loved and valued’ has been identified by children as the most important aspect of their wellbeing.

Failing to value children has undermined the laws and policies that are in place to protect children. It has influenced how elected representatives have exercised their statutory responsibilities to protect children, and rendered children’s protection, and rights, secondary to those of adults and institutions.

The footage shown on the ABC Four Corners ‘Australia’s Shame’ <sup>xvi</sup> confirms that children who spoke out about their mistreatment at Don Dale, the adults who raised concerns on their behalf, as well as previous reports and inquiries about the mistreatment they were experiencing, were no match for the prevailing culture and the attitudes towards those children, resulting in no effective action being taken.

The lack of value assigned to these children and their lives, is glaringly apparent in retrospect.

A far greater and more confronting challenge is to identify the power of endemic attitudes in ourselves, and in our own time.

For this reason the VCI believes it is important to promote understanding that how we value children, and a society’s attitudes to its children, plays a crucial role in their safety and wellbeing.

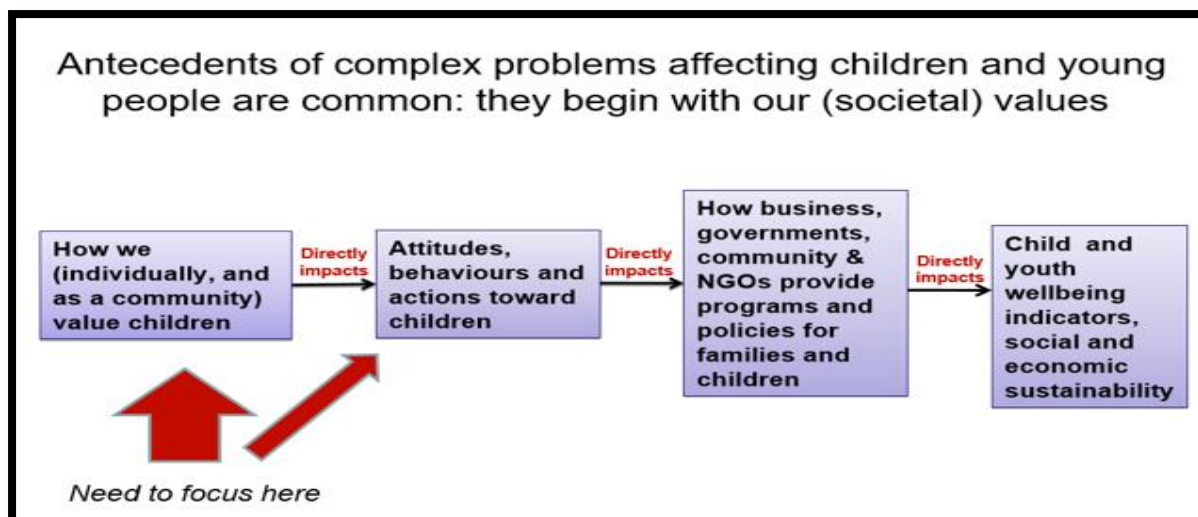


Image from 'Making Prevention Work' ARACY Conference, 2009. Presentation by Dr. Lance Emerson<sup>xvii</sup>

**2) Undertake research to better understand attitudes to children and the part prevailing attitudes play in a child's safety and wellbeing.**

In an effort to understand what drives and influences attitudes towards children, and with limited studies and research available, the VCI commissioned a baseline survey of 1000 adults across Australia about their attitudes towards children.

The Valuing Children Initiative Benchmark Survey (2016)<sup>xviii</sup> provides a snapshot of Australian's attitudes to children, and attitudes towards policy consideration of children's needs in Australia.

The survey provided some thought provoking findings. For example 70% agreed that children 'belong' to their parents until the age of 18 years. When asked to describe children, the most commonly chosen words were spoilt, fortunate, lazy and selfish.

Almost half (49%) agreed that children today have too many rights.

86% of survey respondents said looking after the interests of children was important to them. Despite that they placed the interests of children only ninth out of a list of ten. By comparison looking after the interests of older people ranked sixth.

More than 50% said that issues like jobs, and the economy were more important to them than the needs of children.

While it seems reasonable to assume that children who report mistreatment today are more likely to be believed, and action taken on their behalf, it is significant then that 63% of survey respondents agreed that a child's word is still less likely to be believed than an adult.

The VCI believes that further research is required and far more attention must be given to gaining a comprehensive understanding of attitudes to children, including particular groups of children, what drives attitudes, how attitudes shape the underlying culture, and the role this plays in creating a safe environment for children.

## References

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- <sup>i</sup> Royal Commission into Intuitional Responses to Child Sexual Abuse (2018)  
<https://www.childabuseroyalcommission.gov.au/final-report>
- <sup>ii</sup> Royal Commission and Board of Inquiry into the Protection and Detention of Children in the Northern Territory (2017) <https://childdetentionnt.royalcommission.gov.au/Pages/Report.aspx>
- <sup>iii</sup> Royal Commission into Intuitional Responses to Child Sexual Abuse (2018)  
<https://www.childabuseroyalcommission.gov.au/final-report>
- <sup>iv</sup> The changes in attitudes to all children over the past 200 years, and the plethora of services, organisations, institutions and all levels of government dedicated to children’s protection and wellbeing today, is without doubt testament to society’s ability to adapt its social norms, and the genuine commitment to children in Australia. If responsibility for their protection, and recognition of their rights and wellbeing is accepted as a crude measure, then it is true to say that children today are more valued than ever before.  
The Valuing Children Initiative, Foundation Paper. p.7. April 2016.  
<http://valuingchildreninitiative.com.au/wp-content/uploads/2016/07/VCI-Foundation-paper.pdf>
- <sup>v</sup> Australians attitudes to children: A synopsis of the Valuing Children Initiative Benchmark Survey 2016  
<http://valuingchildreninitiative.com.au/wp-content/uploads/2017/02/Australians-Attitudes-to-Children-The-Valuing-Children-Initiative-Benchmark-survey-2016.pdf> (Cited on 05/07/18)
- <sup>vi</sup> Australian Institute of Family Studies: The prevalence of child abuse and neglect 2017  
<https://aifs.gov.au/cfca/publications/prevalence-child-abuse-and-neglect> (Cited on 05/07/18)
- <sup>vii</sup> WA Council of Social Service: Cost of Living Report 2017  
<http://wacoss.org.au/wp-content/uploads/2017/12/WACOSS-2017-Cost-of-Living-Report-1-12-2017-1.pdf>
- <sup>viii</sup> Australian Institute of Family Studies: Children in Care 2017  
<https://aifs.gov.au/cfca/publications/children-care>
- <sup>ix</sup> Australians attitudes to children: A synopsis of the Valuing Children Initiative Benchmark Survey 2016  
<http://valuingchildreninitiative.com.au/wp-content/uploads/2017/02/Australians-Attitudes-to-Children-The-Valuing-Children-Initiative-Benchmark-survey-2016.pdf> (Cited 05/07/18)
- <sup>x</sup> National Framework for Protecting Australia’s Children 2009-2020  
<https://www.dss.gov.au/our-responsibilities/families-and-children/publications-articles/protecting-children-is-everyones-business>
- <sup>xi</sup> Focus on the short term has been identified as damaging to economic reform and efforts to address issues such a climate change. Yet the damage it does to children and future generations barely rates a mention, despite the fact that there is only one chance at childhood, and this influences so much of a person’s future. The tendency to focus on the short term, and the inability to govern for the future, has been identified by the Oxford Martin Commission for Future Generations at Oxford University, as characterising much of modern politics, especially in democratic countries such as Australia.  
Now for the Long Term, The Report of the Oxford Martin Commission for Future Generations, Oxford University, 2013.  
[http://www.oxfordmartin.ox.ac.uk/downloads/commission/Oxford\\_Martin\\_Now\\_for\\_the\\_Long\\_Term.pdf](http://www.oxfordmartin.ox.ac.uk/downloads/commission/Oxford_Martin_Now_for_the_Long_Term.pdf)  
(Cited 05/07/18)
- <sup>xii</sup> Australians Attitudes to Children. The Valuing Children Initiative Benchmark Survey: 2016  
<http://valuingchildreninitiative.com.au/wp-content/uploads/2017/02/Australians-Attitudes-to-Children-The-Valuing-Children-Initiative-Benchmark-survey-2016.pdf>
- <sup>xiii</sup> Report Card: The wellbeing of young Australians 2018  
<https://www.aracy.org.au/the-nest-in-action/report-card-the-wellbeing-of-young-australians>
- <sup>xiv</sup> Australian Institute of Family Studies: Research papers  
<https://aifs.gov.au/publications/research-papers-reports>
- <sup>xv</sup> WA Council of Social Service: Cost of Living Report 2017  
<http://wacoss.org.au/wp-content/uploads/2017/12/WACOSS-2017-Cost-of-Living-Report-1-12-2017-1.pdf>
- <sup>xvi</sup> Four Corners : Australia’s Shame 2017  
<http://www.abc.net.au/4corners/australias-shame-promo/7649462>
- <sup>xvii</sup> In a power point presentation to the ARACY Conference, ‘Making Prevention Work’ (2009), Dr Lance Emerson (CEO ARACY), and Pam Muth (Allen Consulting Group), described the antecedents of complex problems affecting children and young people beginning with societal values. How we individually and as a community value children needs attention as it directly impacts on attitudes and behaviours towards children, which directly impacts on programs and policies.

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<sup>xviii</sup> Australians attitudes to children: A synopsis of the Valuing Children Initiative Benchmark Survey 2016  
<http://valuingchildreninitiative.com.au/wp-content/uploads/2017/02/Australians-Attitudes-to-Children-The-Valuing-Children-Initiative-Benchmark-survey-2016.pdf>