

31 May 2018

National Children's Commissioner  
Australian Human Rights Commission  
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### **Australian Human Rights Commission Report to the UN Committee on the Rights of the Child**

Carers NSW wishes to thank the Australian Human Rights Commission for the opportunity comment on how Australia is implementing the Convention on the Rights of the Child (CRC). Our submission focuses on two clusters of rights: the general principle of non-discrimination (Article 2), and education, leisure and cultural activities (Articles 28 and 31).

Carers NSW is the peak non-government organisation for carers in NSW and a member of the National Network of Carers Associations. Our vision is an Australia that values and supports all carers, and our goals are to work with carers to improve their health, wellbeing, resilience and financial security; and to have caring recognised as a shared responsibility of family, community, and government.

Our submission focusses on young carers, who we define as children and young people aged 25 years and under who provide unpaid care and support to a family member or friend who has a disability, mental illness, drug and/or alcohol dependency, chronic condition, terminal illness or who is frail. Young carers can be, but are not always, the main provider of support (the primary carer).

Thank you for the opportunity to comment on this important issue and accepting our submission. For further information please contact Freya Saich, Policy and Development Officer, on (02) 9280 4744 or

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Yours sincerely



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CEO  
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**Carers NSW submission to the  
Australian Human Rights Commission  
Report to the UN Committee  
on the Rights of the Child**

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**AN AUSTRALIA THAT VALUES AND SUPPORTS ALL CARERS**

## Introduction

Young carers are children and young people aged 25 years and under who provide unpaid care and support to a family member or friend who has a disability, mental illness, drug and/or alcohol dependency, chronic condition, terminal illness or who is frail. According to the 2015 Survey of Ageing, Disability and Carers, more than 50,000 young carers in NSW are under 18 years of age, including over 22,000 under the age of 15.<sup>i</sup>

Young carers provide a range of practical, specialist and emotional assistance which often exceeds community expectations of what a child or young person can and should be responsible for. The tasks undertaken by young carers can range from domestic duties such as meal preparation and cleaning, to personal care such as showering, to supervising siblings and providing emotional support.<sup>ii</sup>

Young carers often gain important skills from their caring role, a sense of pride and satisfaction and strong bonds with the person they care for. However, having a caring role that is beyond a young person's capacity and maturity can have serious negative consequences for health and wellbeing, education, employment, relationships and socialisation. Young carers, especially those with intensive caring roles, are at risk of long term disadvantage.<sup>iii</sup>

## Non-discrimination (Article 2)

According to Article 2 of the UN Convention on the Rights of the Child (CRC), children have a right to non-discrimination on the basis of their parent's disability. However, many young carers report experiencing discrimination as a result of the care they provide a parent. Discrimination is often experienced as social exclusion, shame and stigma, and can lead young carers to experience significant psychological distress.<sup>iv</sup> These experiences of discrimination can mean that young carers are reluctant to disclose their caring role to their peers and to others in their networks, such as educators.

## Education, leisure and cultural activities (Articles 28 and 31)

Article 28 of the CRC stipulates a child's right to equal opportunity in education. However, young carers are more likely to have lower educational attainment than non-carers. Research indicates that young carers are less likely than their peers to complete year 12 and gain a post-secondary education.<sup>v</sup> One recent study found that educational disadvantage amongst young carers can be identified as early as Year 9.<sup>vi</sup> According to this report, young carers aged 14-15 had lower than average reading and numeracy scores, placing them more than a year behind their non-caring peers. Young female carers were particularly affected.<sup>vii</sup>

A range of factors contribute to the educational disadvantage experienced by young carers. Young carers often report to Carers NSW that they struggle finding the time to balance their school work with their caring role. They have also indicated that many schools and other educational institutions are not aware of the needs and experiences of young carers, compounding the disadvantage they experience in an educational context.

Article 31 of the CRC outlines children's equal rights to rest, leisure, play and recreational activities. However, research shows that young carers are more likely than their peers to experience social isolation and often face a complex set of barriers that prevent them from exercising these rights.<sup>viii</sup> Many young carers find that, as a result of their caring responsibilities, they have

'If someone had picked up in high school that I was a young carer and helped me to receive services earlier, I think it would have made a real difference to me finding things to help me go to university while looking after Mum and also to help me when I was doing my HSC.'

*Young carer*

limited time and financial resources to dedicate to leisure activities, reducing their ability to socialise with their peers. Further, some young carers avoid inviting friends to their home due to stigma regarding the appearance or behaviours associated with the condition of the person they care for.<sup>ix</sup>

## Recommendations

This submission has highlighted ongoing challenges experienced by young carers in relation to discrimination, education, leisure and cultural activities. Research consistently indicates that young carers in Australia are behind their peers in these areas, indicating that there is room for improvements in Australia's implementation of the CRC in relation to this gap. Carers NSW therefore urges the Australian Human Rights Commission to further engage with young carers in implementing and measuring the impact of the CRC in the Australian context.

In particular, Carers NSW recommends that the Commission support the development and delivery of more early intervention support targeting young carers in educational settings. For example, Carers NSW conducts a school awareness training program called *Watch This Space* involving young carer leaders in their local communities. Twenty-three workshops have been delivered to over 500 teachers, counsellors, and service providers, and over 2,500 school students have been reached, leading to increased awareness in schools.

Carers NSW also recommends that young carers be given greater opportunities to socialise with their peers, both face to face and online. Examples of this support include young carer specific peer support groups and activities, such as Kookaburra Kids camps, and online forums like the Carers NSW Young Carer program moderated online forum and Facebook page.

Finally, we recommend that young carers' rights be strengthened, and that young carers be able to access stronger mechanisms to report discrimination and disadvantage. The Statement for Australian Carers under the Commonwealth *Carer Recognition Act 2010* states that "children and young people who are carers should have the same rights as all children and young people and should be supported to reach their full potential.", however it does not set out rights or duties that are legally enforceable. By comparison, in England the *Children and Families Act 2014* gives young carers the legal right to an assessment of their needs. Therefore, we recommend that young carers have access to tangible, rights-based, support.

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<sup>i</sup> Australian Bureau of Statistics (2017) Survey of Disability, Ageing and Carers, 2015, TableBuilder.

<sup>ii</sup> Moore, T. and McAArthur, M. (2007), 'We're all in it together: supporting young carers and their families in Australia', *Health and Social Care in the Community*, 15(6):561–568; Cass, B. et al. (2009), *Young carers in Australia: understanding the advantages and disadvantages of their care giving*, Social Policy Research Paper No. 38, Social Policy Research Centre; Cass, B. et al. (2011) *Young carers: Social policy impacts of the caring responsibilities of children and young adults*, Social Policy Research Centre.

<sup>iii</sup> Cass et al, 2009, 2011

<sup>iv</sup> Hutchinson, K. et al. (2016), 'Empowerment of young people who have a parent living with dementia: A social model perspective', *International Psychogeriatrics*, vol. 28, no. 4, pp. 657-668

<sup>v</sup> Hill, T., Thomson, C. and Cass, B. (2011), 'Young Carers: Location, Education, and Employment Disadvantage', *Australian Journal of Labour Economics*, vol. 14, no. 2, pp. 173-198.

<sup>vi</sup> Warren, D. and Edwards, B. (2017), 'Young Carers', *Growing Up in Australia: The Longitudinal Study of Australian Children*, Annual Statistical report 2016, Australian Institute of Family Studies, Melbourne.

<sup>vii</sup> Ibid.

<sup>viii</sup> Hill, T. et al. (2016), *Carers and Social Inclusion*, Social Policy Research Centre.

<sup>ix</sup> Smyth, C. et al. (2011), "So that's how I found out I was a young carer and that I actually had been a carer most of my life'. *Identifying and supporting hidden young carers*, *Journal of Youth Studies*, 14(2):145-160.