



2011 Child Rights NGO Report Australia

alternative care settings such as child care and foster care.

Recommendation: Australia should act to eliminate unnecessary barriers to birth registration, certification, and to obtaining a passport for all children and young people.

Recommendation: Australia should review its implementation of the Committee's 1997 Concluding Observations that 'no child be deprived of citizenship on any ground regardless of the status of his/her parents'. Australia should also ensure that same-sex parents can be registered on a child's birth certificate.

Recommendation: Australia should implement national standards for juvenile justice that are included in police powers, training and accountability measures with a view to reducing the criminalisation of young people in public spaces, especially Aboriginal children and children from migrant backgrounds.

Recommendation: Australia should review the Health Privacy Principles with state and territory governments to extend and enforce their application to children.

Recommendation: Australia should prohibit corporal punishment at home, in public and private schools and all other settings.

For more information see the full *Listen to Children* Report at www.childrights.org.au

ⁱ Throughout the NGO Report, Aboriginal and Torres Strait Islander children are referred to as 'Aboriginal children.' The authors acknowledge the diversity in culture, language, kinship structures and ways of life within Aboriginal and Torres Strait Islander, and recognise that Aboriginal peoples and Torres Strait Islander peoples retain their distinct culture, irrespective of whether they live in urban, rural, regional or remote areas of the country.

Civil Rights and Freedoms

Every time I go shopping I feel I get stalked and always watched by the authorities - 16 YEAR OLD ABORIGINAL GIRL, LA PEROUSE, NEW SOUTH WALES

The civil and political rights and freedoms of many children and young people are affected because Australia has failed to incorporate the Convention on the Rights of the Child (CRC) directly into domestic law.

Main Concerns

- Aboriginal childrenⁱ and families face procedural barriers to birth registration, certification and obtaining a passport which has repeated disadvantages throughout life impacting tasks such as voting, obtaining a tax file number or travelling overseas.
- Current Australian processes do not protect the identity rights and best interests of children born in immigration detention, children of same-sex parents or children who are born of donor parents.
- Freedoms of association and peaceful assembly for children and young people are being impacted and even contravened by inconsistent laws, standards for juvenile justice, police powers, police training and accountability. Concerns of police using their powers inappropriately have serious age and race discrimination implications for children and young people.
- There is no comprehensive protection of an individual's right to privacy in Australia, with concerns arising particularly in interactions with health professionals. Young people's lack of confidence in doctor-patient confidentiality is one of the key barriers for young people accessing health care.
- It remains lawful for parents in all Australian jurisdictions to use 'reasonable' corporal punishment to discipline their children. There is a concerning lack of consistent legal provisions banning corporal punishment in schools and