

2011 Child Rights NGO Report Australia

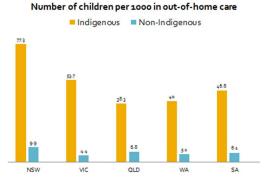
Family Environment and Alternative Care

When I turned 10, my mum married a new guy who constantly belted me, even tried hanging me 17 YEAR OLD BOY, SPEAKING FROM A HOMELESS SHELTER IN PORT PIRIE, SOUTH AUSTRALIA

While most children are faring quite well, a significant but unknown number of children and young people live in families where there is violence, conflict between parents, mental health problems and drug and alcohol abuse - especially after parental separation, leading to concerns about children's safety.

MAIN CONCERNS

- Children's outcomes after parental separation are associated with the quality of the relationship between their parents, their parents' mental health and whether they have safety concerns in the care of their parent/s.
- There has been a continuing rise in the numbers of children for whom there are substantiated reports of abuse and neglect and risk of significant harm.
- The rate of children in out-of-home care has doubled over the last decade. There is still no national data as to why children are placed in care.
- Indigenous women and girls are 35 times more likely to be hospitalised due to family violence related assaults than other Australian women and girls.
- The provision for young people leaving care varies by state and territory but is largely inadequate.



Australian Institute of Health and Welfare (2011) Child Protection Australia 2009–10

- Aboriginal children are much more likely than non-Indigenous children to live in adverse conditions with poor health and educational outcomes and about 10 times more likely to have substantiated child protection reports and to enter out-of-home care.
- Only 3 of 8 state and territory jurisdictions require the consent of the adopted child (as of 12 years of age) prior to adoption and half restrict adoption to heterosexual couples only. Therefore the child's best interests are not made 'the paramount consideration'.

WHAT PROGRESS HAS AUSTRALIA MADE IN ADDRESSING CONCERNS ABOUT CHILD ABUSE AND NEGLECT AND CHILDREN IN CARE?

The National Framework for Protecting Australia's Children provides some direction for dealing with a number of child protection issues (more prevention, standards for children in care, improved data, more systematic research that includes listening to children) but it does not provide an across-the-board framework such as a National Plan for Children. It fails to engage, for example, with cross-over issues such as family law issues and children with disabilities.

Recommendation: Australia should ensure that the *National Framework for Protecting Australia's Children* and other national plans generate complementary and coordinated approaches that respect the rights of children and women.

Recommendation: Australia should further develop and implement programs of family support, including through the health sector.

Recommendation: Australia should continue to improve its data collection and usage regarding entry into placement and duration of care to better design policy and programs complying with the *National Standards for Out-of-Home Care*.

Recommendation: Australia should ensure that planning for a child's transition from care commences by 15 years of age and that post-transition support is provided up to 25 years of age.

Recommendation: Australia should ensure its adoption laws comply with the Convention on the Rights of a Child (CRC), with particular attention paid to issues of consent, access to legal representation and eligibility of same-sex couples to adopt.

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