



Australian  
Human Rights  
Commission

# What does the Children's Rights Report 2019 say?

NATIONAL CHILDREN'S COMMISSIONER



For Children & young people



I'm Megan Mitchell, the National Children's Commissioner.

My job is to protect the rights of all children in Australia and make sure you get the help you need to be safe and healthy.

In 2019 I wrote a report to the Australian Government telling it how we can do a better job looking out for children and young people.

You can read the main things I said in the report here.



Did you know there are around **5.5 million** children (everyone under 18) in Australia? That's a lot of you!



Most of you live in large cities (71%), some live in regional areas (27%) and a small number of you live in remote places (2%).

6% are Aboriginal and Torres Strait Islander children.

29% of you are 0-4 years old  
29% are 5-9 years old  
26% are 10-14 years old and  
16% of 15-17 years old.

About 1 in 10 children and young people were born overseas.

Around 48,000 children can't live with their parents and are living with relatives, foster carers or in residential care. This is more than ever before.

There are over 300 different languages spoken in Australian homes.

Most children live with both their parents, but quite a few live with one parent, and some live with other families.



## Who are Australia's children?





## Did you know that we all have human rights?

We have these rights because we are human beings. Our human rights are the things that we all need to have a good life. They also make sure we are kind and fair to each other.

Children's rights are written down in a document called the **United Nations Convention on the Rights of the Child**. It is important that you get to know what it says in the Convention, because it belongs to you!

Children have special rights because their needs are different from adults.

These are just some of the rights you have. Australian governments have promised to make sure that **all** the children living in Australia get all their rights.



BE TREATED  
FAIRLY



HAVE A SAY ABOUT  
DECISIONS AFFECTING  
YOU



BE SAFE, NO MATTER  
WHERE YOU ARE OR  
WHO YOU ARE WITH



GET INFORMATION THAT  
IS IMPORTANT  
TO YOU



LIVE AND  
GROW UP  
HEALTHY



BE CARED FOR  
AND HAVE  
A HOME



PRIVACY



GET AN  
EDUCATION



KNOW WHO YOU ARE  
AND WHERE YOU  
COME FROM



There is a special group of people called the **United Nations Committee on the Rights of the Child** who watch out for children all over the world and tell governments how they can better protect children's rights.

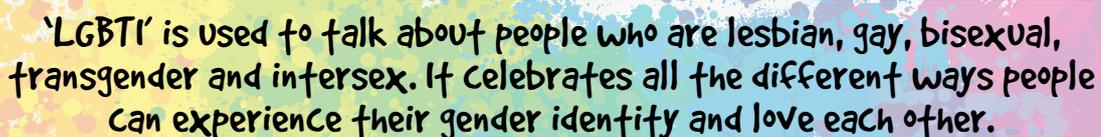
In 2019, the Committee looked at what life is like for children in Australia and told the Australian Government what it could do to make things better.

To help them, I told the Committee what I had found out about children's rights in Australia.

I told them that most children in Australia have their rights met and are growing up safe and well, but that many children are not having their rights protected enough—like children with disabilities, children in care, children in remote and rural Australia, children from different cultural backgrounds and LGBTI children.

Too many children:

- ✧ are being treated unfairly
- ✧ are not getting the education they need
- ✧ can't live with their parents and families
- ✧ are not as healthy as they could be
- ✧ are worried and depressed
- ✧ do not have homes
- ✧ are in trouble with the law and need help
- ✧ are locked up
- ✧ experience violence at home, at school and in the community.



'LGBTI' is used to talk about people who are lesbian, gay, bisexual, transgender and intersex. It celebrates all the different ways people can experience their gender identity and love each other.



## What did children and young people say?

I wanted to make sure the United Nations Committee on the Rights of the Child heard what children and young people thought too. So, I travelled around Australia talking to children and young people about their rights, what they loved about growing up in Australia and where we could do better.

Some of the things children and young people said they liked about growing up in Australia were:

- ☆ their families and friends
- ☆ controls on guns
- ☆ our weather
- ☆ our beaches, rivers, bush, animals and plants
- ☆ free education and good health care
- ☆ our many cultures.

Adults sometimes think kids don't know things and ignore their ideas  
10 year-old

Growing up in Australia is good because I can have my say and I get to participate in sport and things I like  
10 year-old

We are very lucky that our country is in a safe place, we should accept more refugees and educate our people about their needs  
11 year-old

I don't think the Australian government should keep children in detention centres  
10 year-old

I think Australia should do more to help the young Aboriginal and Torres Strait Islander children ... to get a better education and have the rights to feel safe wherever they are  
12 year-old

The government needs to help stop children being abused and domestic violence  
17 year-old

Some of the things that they said needed to change were:

- ✧ more respect for culture and language
- ✧ stopping racism
- ✧ different ways to help kids learn in school
- ✧ helping poorer children and families
- ✧ making sure every child has a home to go to
- ✧ stopping people hitting and hurting children
- ✧ more help with mental health
- ✧ being kinder to refugees and asylum seekers
- ✧ letting kids have more of a say
- ✧ looking after the environment.



If should be compulsory  
for all children to learn  
about Aboriginal culture

9 year-old



Nearly **23,000** children and young people also took part in a survey about their rights. Children helped to design the questions.

Here's what they said about which rights were most important to them, which were most true for them and which were least true:

### Rights **most** true for children

- 1 I can breathe clean air and drink clean water
- 2 I can be cared for and have a home
- 3 I can get an education

### Rights **least** true for children

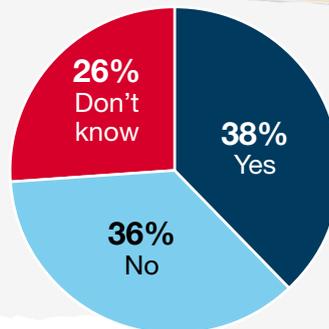
- 1 I can have a say about things that are important to me
- 2 I am treated fairly
- 3 I can get accurate information when I need it

### Top three rights chosen by children

- 1 To feel safe
- 2 To be cared for and have a home
- 3 To be able to breathe clean air and drink clean water



Do you think **all** children have these rights?





Children are strong  
people and they  
deserve to be heard  
10 year-old

It's not just  
about feeling safe,  
it's about  
feeling included

Top three statements  
children said **YES** to

- 1 Breathe clean air and  
drink clean water
- 2 Get an education
- 3 Eat healthy food

Do you think  
Australia  
does enough  
to help  
children?

Top three statements  
children said **NO** to

- 1 Be treated fairly
- 2 Have a say about things  
that are important to them
- 3 Get accurate information  
when they need it



## The main ideas

After listening to children, and to adults who care about children, I wrote down my **main ideas** for making sure all children get their rights. I put these ideas in a report called **In Their Own Right: Children's Rights in Australia**. I sent this to the Parliament of Australia. I said that Australia should:

- ★ have a BIG plan to make sure children get their rights and are safe and healthy, and collect better information to find out how children are going
- ★ have a Minister who works for children and young people
- ★ educate children and adults who work with children about children's rights
- ★ not lock up refugee or asylum seeker children
- ★ change laws so children under 14 cannot be treated as criminals, and make sure children in trouble are treated fairly
- ★ do more to make sure children with disability can go to school and are treated with respect
- ★ do more to help children have good mental health
- ★ make sure children can have a say in decisions made by governments and other people
- ★ help more children stay with their families
- ★ keep children safe from violence
- ★ report back on what the Australian Government is doing about these ideas.

**And heaps more!**

You can also read the full version of

**In Their own Right: Children's Rights in Australia**

at <https://bit.ly/3aLCiBj>



Young people can now access and control their own health information online with 'My Health Record' from the age of 14.

Some children live in families where it is hard to afford food and other things (about 17%).

On any day, about 1000 children are locked up for breaking the law. More than half of these are waiting for a court to decide whether they are guilty and what should happen to them.

94% of Australian children are fully immunised at the age of 1.

## Some facts about Australian children and young people

About 16,000 children under 12 years old don't have a home to go to or are in really crowded houses.

63% of children play sport or are active outside school at least once a week.

99% of Australian children and young people help out at their schools and homes, and 97% contribute to their local communities (Kids Contribute Survey).

96% participate in a cultural activity outside school, and 79% enjoy reading.

25% of children and young people are overweight.

97% of families with children under 15 can use the internet at home.

Almost 1 in 7 children have mental health problems. Young people aged 15-19 say that mental health is their top issue.

At least 2,700 children who have come to Australia seeking protection don't know if they will be allowed to stay. Some children who have come to Australia alone are not allowed to have their families join them here.

## What the United Nations Committee on the Rights of the Child said

After hearing from all of us and the Australian Government, the United Nations Committee on the Rights of the Child told us what they thought about children's rights in Australia. They said that the Australian Government does a lot of good things for children and young people, but needs to do much more.

The Committee agreed with my **main ideas**, and also said that Australia should:

- ☆ make it the law that children and young people can get their rights and that they have a voice
- ☆ teach children about human rights at school and teach teachers about them too
- ☆ make sure businesses have to say what they are doing to protect children's rights
- ☆ make sure trade deals with other countries cover children's rights
- ☆ give more support to people working with children on climate change
- ☆ give more help to asylum seeker and refugee children
- ☆ make 18 the age that people can marry and let children know why
- ☆ change the laws to stop adults hitting children
- ☆ be more careful about giving drugs to children who have ADHD (Attention Deficit Hyperactivity Disorder)
- ☆ let children raise concerns directly with the United Nations, like adults can already do.

You can find out what other things both the Committee and I said about Australia in my

**Children's Rights ScoreCard**

at <https://bit.ly/37HYri4>



## What will I do now?

I am working with the Australian Government to make sure children and young people are safe, well and have their rights met in all the places they go, now and into the future.

As well, I will let everyone know about how I think we can make things better for children and young people in Australia.



## What can you do now?

Spread the word about children's rights – in your families, schools, neighbourhoods, churches and clubs.

You can have your say about your rights, any time!  
If you want to talk to me about something, you can:

- ☆ email me at [kids@humanrights.gov.au](mailto:kids@humanrights.gov.au)
- ☆ find me online at [www.humanrights.gov.au/our-work/childrens-rights](http://www.humanrights.gov.au/our-work/childrens-rights)

If you feel unsafe or worried about anything, it is important to speak up and ask for help. You can talk to someone you trust, like a family member, friend, teacher or school counsellor.

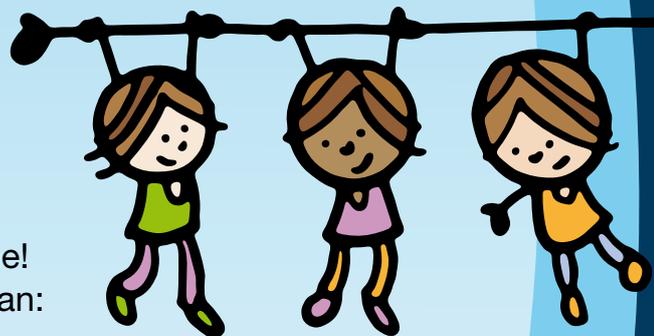
You can talk to **Kids Helpline**:

- ☆ on the phone on **1800 55 1800**
- ☆ online at [www.kidshelpline.com.au](http://www.kidshelpline.com.au)

You can also talk to **headspace**:

- ☆ face-to-face at a headspace centre
- ☆ online at [www.eheadspace.org.au](http://www.eheadspace.org.au)
- ☆ on the phone on **1800 650 890**.

If you think you are in immediate danger, you can call the **police** by dialling **000**.





Things  
children and  
young people  
think are  
good about  
Australia...

we have  
freedom

cultural background  
is key to feeling  
like you belong to  
something more

having fun  
and laughing

safe, good education,  
free healthcare

### GOOD

So much opportunity  
and so many options  
for people growing up  
in Australia  
eg sport, careers,  
education

close knit  
community

my friends

whats good about living  
in AUS

- ☆ employment opportunities
- ☆ access to education
- ☆ access to health
- ☆ facilities (mental & physical)
- ☆ equality
- ☆ Medicare & Centerlink

As a young person, I enjoy living and being in Australia due to the freedoms and rights that I am able to. I go to school everyday without a fear and am comfortable doing activities by myself. I am happy and proud to live here and I am so blessed and lucky to have the life I do.

Australia is good



Things  
Children  
and young  
people want  
something  
done about...

Improving  
education  
in remote areas

racism  
prevention

to be treated fairly &  
to get more of a  
say/more cultural  
programs in schools

more support  
for families

Young, single mothers  
to have more support,  
more financial help,  
proper, safe housing,  
support to young  
fathers - programs  
for them

NOT So GREAT

- ☆ Mental health in teens
- ☆ Bullying is a major issue

### UNSATISFACTORY

The stigma surrounding young people (<18) being 'incapable' of making informed decisions about their own health & education

### BAD

not enough benefits for transport for kids in school

Everybody deserves a home

### NEGATIVE

The expectation to take on such larger responsibilities at a young age eg criminal responsibility age (10)

Poverty

# Know your rights exercise



This is what children and young people said keeps them safe.

What do the first letters in each of the blue boxes spell?

□ □ □ □ □ □

Why not make your own charter in your classroom or club? Together you can use the headings to work out what will help to make you feel safe, happy and well, ask people to sign up to it and put it up on the wall for everyone to see!

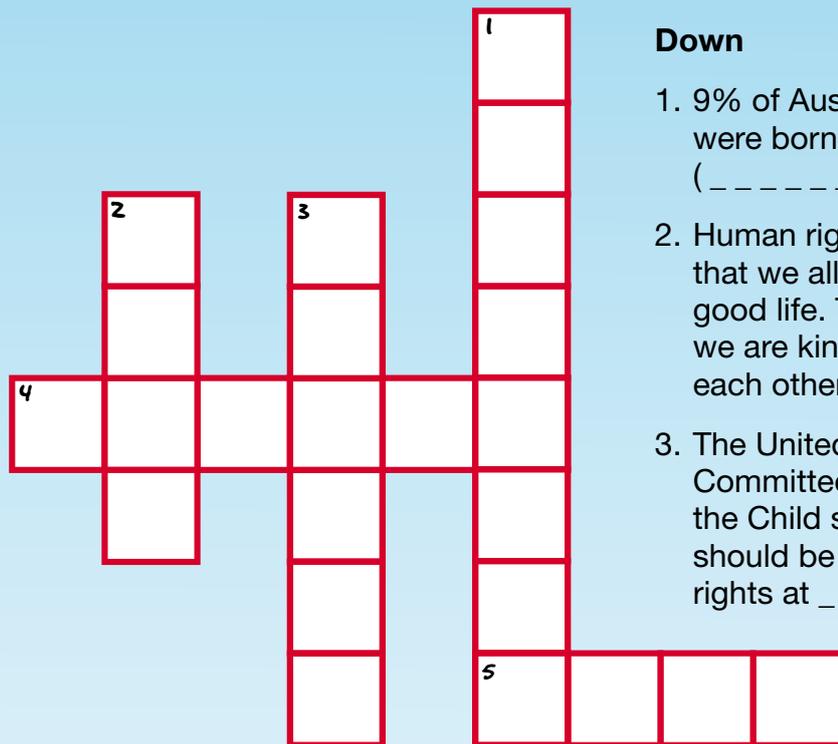


**Make your own charter of rights**

You can download your own charter from <https://bit.ly/319FbY3>

# How much do you remember?

Try this crossword puzzle to test what you've learned about Australian children and their rights!



## Down

1. 9% of Australian children were born where?  
(\_\_\_\_\_)
2. Human rights are the things that we all need to have a good life. They make sure we are kind and \_\_\_\_\_ to each other.
3. The United Nations Committee on the Rights of the Child said that children should be taught about their rights at \_\_\_\_\_.

## Across

4. It is the National Children's Commissioner's job to protect children's \_\_\_\_\_
5. In the *Kids' Rights Survey*, what was the Number 1 right chosen by children? (To feel \_\_\_\_\_)



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