



Can we use NZ's compliance to
UNCROC as a framework to look at and
discuss the 'place' and 'value' of
children and youth in NZ?

Workshop Report

3 March 2007

CONTENTS	PAGE
Invitation	2
Participants and Acknowledgments	3
Session One: UNCROC Reporting Process	4
Session Two: Reporting Progress Since 2006	6
Discussion and feedback	6
Poster Reports	8
Session Three: Plenary, Options For Action	10
Outcomes Summary	11

The Invitation

Towards NGO Reporting to UNCROC 2009

Our common aim is to improve the rights and wellbeing of children and young people in Aotearoa New Zealand. **Action for Children and Youth Aotearoa (ACYA)** invites individuals and agencies interested to contribute to on-going reporting to UN Committee on the Rights of the Child to the second workshop for ACYA members and friends as part of our joint reporting to UNCROC in 2009.

ACYA WORKSHOP

What is the place and value of children and young people in New Zealand?

SATURDAY 3 MARCH 2007

9.00 for 9.30am start. Finish by 3.30pm

@

World Vision New Zealand

51 Hugo Johnston Drive, Penrose

Programme

- 9.30 Session 1: Alison Blaiklock, ACYA Chairperson **Can we use NZ's compliance to UNCROC as a framework to look at and discuss (nationally) the 'place' and 'value' of children and youth in NZ ?**
UNCROC Reporting process: Discussion and follow up from March 2006.
- 11.15 Session 2: Action Progress reports – ACYA Maori Advocacy, Youth Participation, other agencies' reporting
Group discussion, feedback and follow-up
- 1.20 Session 3: GROUP DISCUSSION: OPTIONS FOR ACTION?
- Scoping Working papers
 - Communication Strategies/Resources
 - Issues
 - Special groups
- 2.30 Session 4: PROGRAMME of ACTION for 2007
- Reviewing the time frames – what do we need done by when?
 - Allocation of working groups – who will do what?
 - Collaborative resourcing – what resources and skills can people bring/offer the work?

Workshop participants

Alison Blaiklock	ACYA Chairperson
Bianka Atlas	Post Graduate student
Charlotte Robinson	Family organisations
David Kenkel	UNICEF
Gay Keating	Public Health Association
Gayleen Taylor	NZ Childhood Association
Jane Foster	ECPAT NZ
Joan MacDonald	WILPF; Human Rights Network
Judith McMorland	ACYA Committee
Malar Rasalingam	Pan Pacific Women
Marama Davidson	Human Rights Commission
Melissa Lelo	ACYA Committee
Natalie Hornyak	Save the Children
Nola Harvey	OMEP
Peter Shuttleworth	ACYA Committee
Riripeti Haretuku	ACYA Committee
Robert Ludbrook	ACYA advisor
Sarah Helm	NZAAHD

Acknowledgments

Our thanks to World Vision NZ for use of their premises, to the Office of the Commission for Children for providing folders and a copy of UNCROC for each participant; Domain Deli for excellent catering and Rachel Stevenson for help with hospitality.

Particular thanks and our congratulations are given to Robert Ludbrook for his excellent report ***Kids Missing Out***. This was a commissioned paper reviewing Government compliance and progress on twenty recommendations by UNCROC. It is also the first of ACYA's Working Paper series and sets a very high standard of research and challenge.

Given sensitivities around Repeal of S59, copies of the Report were given to participants but embargoed for general release until further notice.

We appreciate The J.R.Mckenzie Trust for their continued financial support over many years.

Report compiled by Judith McMorland
Slides by Alison Blaiklock are available from ACYA on request.

Session 1: Alison Blaiklock and the UNCROC Reporting Process

Under the title of *Creating a Great Country*, Alison outlined the stages of the UN Committee's hearings and Recommendations, and the way in which NGOs fit into national reporting processes. The NZ Government is to report back to UNCROC in 2008. NGOs will be invited to comment in 2009.

Alison posed a crucial question to Workshop participants.

If our purpose is to benefit children & young people, can we use New Zealand's compliance to UNCROC as a way to look at the 'place' and 'value' of children and young people in New Zealand?

The discussion that followed identified:

Why UNCROC is important:

1. Values Children

- We can use it to live out our common and strong values eg respecting mana, dignity
- Recognises children are human beings with special rights
- Prioritises those who are most disadvantaged
- Wide ranging approach
- Promotes participation
- Values families
- Builds the children's movement

2. Part of international law

- International consensus across countries, cultures, sectors, disciplines
- Recognises indigenous rights
- Most ratified human rights convention
- Sets minimum standard
- Accountability mechanism of UN Committee on the Rights of the Child
- Programme realisation

And the Challenges

- NZ isn't committed to Treaty of Waitangi in practice
- Children have low status in New Zealand
- Concern that the language of children's rights over-emphasises individual rights v. family and community rights
- UN language is a barrier to easy understanding
- Applying global ideas to local situations

Alison then outlined New Zealand's engagement with UNCROC and the steps of the reporting process

The reporting process

(1) Timeline

- 1997 Meeting between New Zealand and the UN Committee
- 2003 Meeting between New Zealand and the UN Committee
- Next report from New Zealand is due in November 2008

(2) UN Committee's requirements

- UN Committee has to review 191 countries, with different issues, cultures, resources & legal systems
- There is a specific structure for the report
- Statistical information is required
- Emphasis to be on what has been done about previous recommendations & important changes in NZ since last report
- Optional Protocols taken into account

(3) Relationship with other UN Human Rights Treaty Bodies acknowledged

(4) UN Committee's requirements of NGO reports allow UN Committee to compare NGO and Government report:

- In (or translated into) UN Committee's official languages with a summary section in English
- Less than 30 pages long
- Highlights key issues of concern
- Statistical information
- Emphasise what has been done about previous recommendations & important developments since last report
- Optional Protocols

NGO Group for the Convention on the Rights of the Child is particularly valuable in giving NGOs a voice.

(5) Government processes used in preparing their submission

- Ministry of Youth Development has a co-ordinating role
- UNCROC Advisory Group meets regularly with MYD
- Annual reports are sent to Cabinet
- Preparation is in hand for the next report
- Involvement of government agencies
- Consultation?
- Public draft for comment ? Availability Mid 2008?
- Report to UN Committee in Geneva due November 2008

The timeline of the UN Committee:

- UN Committee meets three times a year for a month
- Receives government report
- Receives ACYA and any other NGO reports within six months of government report
- Committee's preliminary meeting (half day)

- Invited experts (ACYA, UN & international organisations) attend
- Children & young people attended as part of ACYA

What happens in the preliminary meeting?

- Proceedings are confidential
- Committee sends supplementary questions to government & receives reply
- ACYA can send follow up reports
- Committee meets with Government (one and half days) in public meeting
- Committee makes its Concluding Observations and Recommendations

Outcomes

- We hope there is media interest and Government commitment to endorsing change
- ACYA continues its advocacy for the wellbeing of children in Aotearoa New Zealand

Some current examples of local advocacy

- Section 59
- CPAG to Human Rights Tribunal
- Recent Innocenti report on children in rich countries

Session 2: Reporting progress from 2006

Riripeti Haretuku – Maori alternative Report in preparation

Riripeti reported on ACYA's submission to the UN in 2003 and how difficult it was when the rights of indigenous people are denied. She spoke passionately about the disturbing removal of the Treaty of Waitangi from an increasing number of public sector policy areas – the latest one being the Health Sector which raised serious questions as to the relevance of UNCROC (especially when the focus on the rights of children and young people challenges in quite a fundamental way Maori and Pacific Island valuing of whanau and family rights).

Riripeti's challenge to ACYA was to have the Maori perspective clearly identified throughout any reporting to UNCROC. To this end, the Maori Advocacy group will be working on submitting a separate report as indigenous people of Aotearoa.

Youth Participation Report

Human Rights Commission Youth Participation

As an outcome of the 2006 workshop, a small group of young leaders were meeting together, to encourage youth participation and develop a process for letting children and young people's voices be heard. Melissa reported ACYA's Youth Participation group, OCC, and HRC are working closely together in identifying children and young people's voices.

Session 2: group discussions

Group discussion following the morning presentations raised the following issues.

Challenges

- Why bother with UNCROC when we don't bother with the Tiriti o Waitangi?
- Does a focus on children undermine the value of families?
- Low status of children and young people
- Even lower status of the most disadvantaged children and young people
- Low status of those who care for & about children and young people
- Why bother with Human Rights? Misunderstandings – difficult language
- We are all working out how to make participation work
- Intrinsic value vs economic value of a human being
- Is here a way of connecting strongly held values, e.g. *mana*, *tikanga* with a Human Rights approach?
- Fitting into UN Committee requirements – the local having to fit the global system
- How can we involve communities which are already under considerable pressure and disadvantage?

Positives

Groups recognised some of the many initiatives that were being carried out in relation to children and young people's rights in the wider community,

- Public health advisory committee/ national health committee/child & youth epidemiology service
- Frameworks for reflection and assessment
- Regional demographic information for DHBs
- Recommendations for Action: Child/Youth mortality review committee – statistics around death and why; sickness and why.

The following issues were highlighted as of concern:

Information gathering about children and young people

- The Innocenti report seen as a good thing for having highlighted issues; bad because people switch off because of confusion. The Govt. claims its 'old data'.
- Innocenti report highlights that NZ doesn't have the information on children and young people that other countries do
- Youth study – data collection of secondary school children in 2007.
- NZ Health Survey?
- Age boundaries: How to capture all eg. Above and below 5 years.
- Data from statistics is given in 5 year bands. Doesn't capture 0-17. Doesn't capture those under 15 years old who are working.
- Govt has an approach which actively reduces knowledge about work with Maori in relation to the Treaty of Waitangi.

Young people's voices in context: some tensions

- Tension of adult process and C+YP reality
- Restrictions imposed by systems, rules, agendas
- Concern regarding use of international guidelines undermining local treaties and initiatives
 - Youth development model
 - Whanau approach

- Cross over dilemmas of relevance to specific groups
- What is in it for me? Why should children and young people engage in this lengthy process, what happens to the information?
- What benefits are there? Quality of process, personal learning and development, fun, social networking of young Human Rights activists.
- ACYA members/organisations support to develop Maori and Pacific children and young people's voices for inclusion in reporting.
- UN Report
 - structure (process) is very proscribed
 - challenge to create a presentation that reflects Maori, Pacific and at risk, marginalised young people
 - young people want to shape their reporting
 - creativity/technology giving shape to communicating the message.

Making UNCROC relevant in the New Zealand context

- Treaty/Aotearoa NZ Pacific flavour
- Language – problem of 'children' vs 'family' vs 'parents'.
- World view of individual rights – do we have an irreconcilable conflict between UNCROC and Maori views of children?
- Inter-relationship between child's rights and family/whanau wellbeing and adult rights.

Prioritising the most disadvantaged –

- Optional Protocol: ECPAT lobbying MPs, Ministry of Justice, OCC;
- Concerns for refugees (help given at Selwyn College)
 - Refugee arrivals
 - Child soldiers ex Burma
 - Unaccompanied asylum seekers
 - Schools at the 'bottom of the pile'- some issues
 - Disability
 - Special needs
 - Financial hardship
 - Zoning

Posters reports : actions to enhance the place and value of children and young people in Aotearoa

(1) Focus on NZ Compliance to UNCROC

- Political commitment at every level
- Tools of self-appraisal – assess how well we are doing
- 'Skite factor' (govt)
- Creating a national discussion on the 'place' and 'value' of children
- Raise vision – NZ a great place to raise your child
- Underlying philosophy: Never internalised the value of children
- Need to be planned better meet govt commitment to UNCROC

(2) Strategies for making an impact

- Using the media – regular release of working papers (reports) as we get them, serially, on different areas of compliance
- Lobby MPs
- Get the issues into training programmes for adults who work with children and young people
 - youth workers
 - social workers
 - community workers
 - early childhood workers
 - parenting educators
- Get into schools ‘co-curricular’ programmes (direct contact with children and young people) via YWCA groups, Amnesty groups, (need school contacts, phone numbers, teachers groups to identify school opportunities; also needs local people who can feed material into these programmes).
- Create a process where UNCROC becomes better adapted and owned by Aotearoa NZ
- Consider value of international tools - how it adds value or provides a foundation
- Need to know the views of government bodies

(3) Participation

- Adults suspect the competency of ‘children’ to voice opinions
- Dialogue with which age group?
- Whose views are being sought?
- Whose capacity is being built – for why?
- Under 18 years representative – where in youth reference groups: in MYD 12-14. Whose voices are heard?
- Youth Council? Who sets out issues to be discussed?

(4) Responding to the Innocenti Report

- Political responses to Innocenti Report – push for parallel report that focuses solely on Maori children for example
- Finger pointing and grandstanding
- Rhetoric from National (Party) “Things are getting worse” – we can fix it!
- Rhetoric from Labour “Things are getting better” – don’t mention the under-class – or ‘bad stats’ or ‘bad stories’...
- So, how can we get accurate information (statistical)?
- How get authentic views of children – as member of family and whanau
- How can ACYA/we network and connect/make use of those who are able/expert in talking/listening with and to children? Participation.
- Why only evidence based data accepted? Stories?

Other Reporting Processes and Reports to note

- UN Convention on Torture
- CEDAW (UN)
- Girl Child Report (Ministry of Women’s Affairs)

- Children in Prison (Breast feeding)

2003 Report to UNCROC concentrated on 5 themes:

- Poverty
- Violence
- Discrimination
- Participation
- Lack of inconsistency of government resourcing and implementation

We need to keep these main themes in focus.

- Incomes have fallen to such an extent that family economics mean all adults are in work – parenting relegated to the time after work
- Children excluded from schools – right to continue learning
- Link this to people’s values in day-to-day lives: eg families; children and education. Look at these holistically – link UNCROC to these issues
- Starting point – what are the big concerns of Children and Young People and for adults about what is happening to the Children and Young people they know and love?

Session 3 plenary: Options for Action

Key issues identified

- Child and Youth participation
- Education system fails Maori and other groups (Youth Law)
- Youth 2007
- Nutrition – inadequate income and information for nutritious food
- Physical activity
- Treaty of Waitangi – how can we expect govt to take UNCROC seriously when it can’t even take TOW seriously
- Sexual violence involving very vulnerable children and young people
- Rights of children – rights of families and communities
Cultural glue – values of how things should happen. What is needed is an approach that supports values of families/cultures that are in alignment with UNCROC principles
- \$\$ Cost of family court system - How does it benefit kids? Court system is focussed on adults, not on the best interest of the child
- Children’s involvement in adoption
- Children in institutions
- Children with parent (especially mother) in prison (NB remand breast feeding)
- Funding (for inclusion) of children in early childhood education
 - Non citizens
 - Language
 - Special needs – a particular concern (offer of work re children with disabilities)
- Education as a right
- Export education – rights of children coming here to access speakers fluent in their mother tongue
- Research – NZ/Other countries – we need data:
 - Analysis of Innocenti –

- NZ figures not included in some areas
- What is the impact now and in future?
- Resilience – indigenous people in NZ/Australia/Canada
- Get things on to the political agenda – Ministers will then get depts. to include in Statements of Intent for Government departments and agencies
- Analysis of political intent
- Treaty of Waitangi

Session 4 Plenary: Programme for Action

- The way we value children – media reflections of good news stories re children
- Need to increase awareness that rights for one group do not take away from other rights
- Use Innocenti/UNCROC child friendly resources to inform children
- Research – noted: Ian Hassall’s forthcoming research on attitudes to children – shared norms? How widely are they shared?

Outcomes Summary

How can we use reporting on compliance to change New Zealanders’ view on the value and place of children?

- ❖ Need multi-pronged strategy, multiple actions
- ❖ Need to develop greater political savvy
- ❖ Broadening networks for brokering the research
- ❖ Broadening networks for community development

Work Targets for 2007

- ❖ What are the strategies we need to use?
- ❖ Identify a few key areas of common concern to raise with UNCROC
- ❖ Build ways to support people in the children’s movement
- ❖ Youth accessible language for the website

Working papers suggested

- ❖ Sexual violence
- ❖ Child Labour
- ❖ Disabilities
- ❖ Impact of economic reforms on family care of children and young people
- ❖ Education
- ❖ Health
- ❖ Children in Tokelau
- ❖ Changes in legislation

Target date for next series of working papers is the ACYA AGM due in September 2007.