

Action for Children Youth Aotearoa

Annual Report 2017



Acknowledgments

ACYA would like to acknowledge the ongoing support from the J R McKenzie Trust. ACYA is also grateful to its coalition partner organisations for their ongoing commitment to children's rights in Aotearoa New Zealand.



Iti noa ana, he pito mata – With care, a small kumara will produce a harvest.



Cover painting by Elliot Walters, 4 years old.

Chairperson's report

As we write this report, the country is preparing to vote in New Zealand's next general election. Each political party is vying for our attention and our votes and both the issues and the internal workings of some political parties mean our political landscape is currently in a state of flux.

By the time this report is presented, we may or may not have a government. Yet, despite the possible changes on our political horizon, for those of us in the children's sector, one thing has not changed – our commitment to Aotearoa New Zealand implementing a child rights framework based on the UN Convention on the Rights of the Child (UNCRC).

In 2015/2016 ACYA presented New Zealand's alternative report on implementation of the UNCRC to the UN Committee on the Rights of the Child (UN Committee) in Geneva. In our alternative report, we identified four overarching themes, and even though most of you will be familiar with these, we cite them again to reiterate our commitment to the sector and to children. In Aotearoa New Zealand:

1. there is inconsistent and incomplete data about children
2. greater cohesion and coordination is needed between legislation, policy and practice as well as across sectors and agencies
3. universal and proportionately targeted responses are required to meet all children's needs
4. spending is not planned, enacted, implemented and accounted for in a manner that advances children's rights.

In the alternative report ACYA also recommended, that Government develop a rights-based framework to guide policy development, public spending and practice that should:

- be underpinned by the CRC, in particular, the general principles of non-discrimination, best interests, life, survival and maximum development and participation
- encourage data collection, research and monitoring of indicators to ensure well informed decision-making
- give effect to the principles of proportionate universalism
- have a clear focus on prevention and equity.

During the fifth reporting period on the UNCRC we noted a discernible shift in the Government's attitude towards children's rights to participate in decision making, which is heartening. That said, listening to the child's voice alone will not change policy unless the principle articles, or levers in the UNCRC are activated, and for that to happen, these need to be well understood. Training is essential for all those who work in any way with children. This includes politicians, policy makers, researchers and service providers.

At the same time, training about the UNCRC is equally important for children, even very young children. As the UNICEF NZ and Save the Children NZ report *"Our voices; our rights"* shows, children and young people are very articulate about the issues facing them. However, listening and reporting children's opinions matter not in the least if they cannot be actioned.



The general measures of implementation offer guidance on how to do this.

Despite positive actions relating to children's participation, we know that for a significant group of children, right here, right now, their experiences of growing up in Aotearoa New Zealand are shocking. As some families have struggled overwhelmingly to provide an adequate standard of living, advocacy highlighting these issues has been loud and clear. More organisations like the Salvation Army, Child Poverty Action and community groups like Te Puea Marae are acknowledging there are children in Aotearoa New Zealand without a home, without food or access to health care. There are children without the means to join in with their peers in everyday events like playing sport, or learning to swim, not to mention birthday parties or special events they are missing out on.

Sadly, there is still a strong culture of blame associated with poverty and this is unhelpful. ACYA argues that adopting a child rights approach to the issues would empower families and the agencies' supporting them and does away with the need to blame. The UNCRC ensures children are protected, provided for and can participate in society.

In the 2015/2016 year ACYA expended much effort on writing and presenting the alternative report to the UN Committee. And in the first half of the 2016/2017 year, ACYA acted as the Country Focal Point and led the Observers' Delegation as the Government presented its report to the UN Committee in Geneva in September 2016. Our alternative report and supplementary reports provided the evidence of breaches as well as recommendations for the UN Committee to consider. (see ACYA Activities 2016/2017 section).

Given how much effort was expended by our volunteers during the 2015/2016 year, it is understandable that the 2016/2017 year has focused on reflection and analysis of our participation in the reporting process. In particular, we have been considering how to sustain ACYA's role as an umbrella coalition with a unique role in the children's movement. That role is to produce, publish and present the alternative report on how well Aotearoa New Zealand complies with the UNCRC.

A constitutional function of ACYA is to promote understanding of UNCRC. This work has been ongoing across a range of forums, including at a high policy decision-making level and at a community level. Steering Committee members represent ACYA at a range of meetings and are often invited to present to different groups about child rights and the issues that breach these rights.

ACYA has continued to work with some of its coalition partners (e.g. UNICEF, Save the Children, IHC and YouthLaw and the Office of the Children's Commissioner (OCC)) to create a summary document for

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Members of Parliament and NGOs. ACYA is also continuing to raise awareness and advocate and ensure the UN Committee's concluding recommendations remain to the fore of decision-making by the Government.

We have been focusing on our strategic direction, described later in this report. We now have a clear direction to guide the process and our activities when the 6th civil society report on UNCRC is due to the UN Committee.

As part of us setting our strategic direction, we undertook a survey and interviews with selected ACYA members and coalition partners. This resulted in the evolution of a clear set of values that has reinvigorated our sense of purpose as well as guide our future work. A key element of our work will be to strengthen our relationships with our coalition partners and with members to ensure the UNCRC is a living document.

And finally, we look forward to celebrating 25 years of Aotearoa New Zealand being a signatory to the UNCRC. ACYA will be working with our partners to ensure we capitalise on this momentous opportunity.

Ngā mihi mahana kia koutou i roto o te korowai o ngā tika mo ngā mokopuna katoa o Aotearoa.

Sarah Te One (Chairperson September 2016 – August 2017)

Mereana Ruri (Interim Chairperson August 2017 – September 2017)

A FINAL WORD

“Leading ACYA in this work has been a privilege. The Steering Committee brings together a degree of expertise on child rights and the UNCRC that is extremely valuable. As we re-configure with our strategic direction as a guide, we hope to continue to contribute our expertise as we advocate for all children’s rights to good life.”

Sarah Te One, Chairperson 2015 - 2017

Treasurer's Report

JR McKenzie Grant

Last year ACYA successfully applied for a grant from the JR McKenzie Fund. The grant is intended to cover a 5-year period, which enables ACYA to lead the process and drafting of the next parallel report. The grant is significantly larger than that won for the previous 5-year period and therefore will also support a stronger programme of work between reporting years.

YouthLaw

YouthLaw has been contracted to provide day to day administrative/financial support and assist with the documentation required for Tier 4 Reporting.

Day to day support includes invoicing for membership fees and liaising with the Treasurer/Acting Treasurer regarding the development and approval of ACYA's grant budget.

Tier 4 Reporting

New financial reporting standards came into effect in 2015 and ACYA now needs to prepare financial statements in line with these new standards annually.

The Tier 4 document is included with the pack of documents for approval at the AGM. Our thanks to Karen Davis for assisting with the production of this document.

Membership & Fundraising

There continues to be a low level of membership subscriptions. The Committee should consider its strategy towards members and whether there is need to be more proactive about recruitment and maintenance of membership going forward.

We also recommend the Committee assign one member to focus on the question of fundraising both to increase resources within the current 5-year period as well as to look at the sustainability of the organisation beyond the duration of the current JR McKenzie grant.

Budget

In light of the required work programme, we would recommend the new Treasurer develop and agree a revised budget for a period of 6 years and notify the JR McKenzie Trust of the changes to the period over which grant funds have been allocated

Vanushi Walters (Treasurer, September 2016 – December 2017 – maternity leave)

Andrea Jamison (Acting Treasurer, December 2017 – August 2017)



ACYA Activities 2016/2017

The 73rd Session of the UN Committee on the Rights of the Child

At the time of the last report, ACYA was about to lead the Observer Delegation to the 73rd Session meeting, held in September 2016, between the New Zealand Government and the UN Committee on the Rights of the Child.

Able led by Mereana Ruri, ACYA's delegates worked extremely hard behind the scene in Geneva to provide the UN Committee with accurate information about the Government's responses to issues affecting children's rights.

In a rather unusual move, we arranged for the Observer Delegation to meet with some members of the UN Committee prior to the Sessional hearing. This allowed us to update issues we wanted to emphasise since our pre-Session hearing in February 2016 and to introduce new issues that had emerged. Originally scheduled for a tight 30 minutes, the dialogue between the ACYA delegates and the UN Committee members extended to over an hour.

We learnt the importance of relationships to this process when, throughout the formal Session, the Observer delegates, who did not have speaking rights, were asked by the UN Committee members for further explanations to the Government's responses to their questions. Our delegates provided an on-the-ground context based on evidence from our coalition partners and members.


FROM THE UN COMMITTEE

"... the name [Ministry for Vulnerable Children] entails a stigma and labelling of a certain group of children. We ask again, what is the definition of vulnerable children? Does it include immigrants and refugees? Lesbian, gay, bisexual, transgender and intergender children? Children living in poverty? Children without a family environment?"



Amal Al Doseri, Vice Chairperson, UN Committee on the Rights of the Child.

The final act of the five-year reporting process is the release of the UN Committee's Concluding Observations. As demonstrated in the table below, there was a clear link between our ACYA recommendations and the Committee's conclusions. After analysing the Government Report and the List of Issues, our Supplementary Paper proposed questions for the UN Committee to ask. The table below illustrates the questions we used for Article 12 rights (on the left). There is a clear link between the issues ACYA raised and the UN Committee's recommendations (on the right).

Children's rights to be informed and consulted (Article 12)	
ACYA Questions for the UN Committee	UN Committee's response
<p>Consulting with children is a responsibility across government.</p> <ul style="list-style-type: none"> How will officials be trained to understand children's participation rights in particular, and children's rights more generally? How will this be resourced? What steps are being taken to ensure consultations are inclusive and that a diverse range of children from across the country, including those with disabilities, can have their views heard? 	<p>Respect for the views of the child Develop toolkits for public consultation on national policy development to standardise such consultation at a high level of inclusiveness and participation, including consulting with children on issues that affect them.</p> <p>Dissemination, awareness raising and training Strengthen [the Government's] currently limited awareness-raising programmes, campaigns, and dissemination activities, [...] to ensure that the provisions of the Convention are widely known by the general public, including parents, caregivers, teachers, [...] and other professionals working with children, as well as children themselves. Further strengthen systematic training on their responsibilities under the Convention for all professional groups working for and with children (abridged)</p> <p>CRC/C/NZL/CO/5</p>

Country Focal Point

The UN Committee requests that there be one contact representing the NGO voice in a state party. That person is referred to as the Country Focal Point. Communications between the UN Committee is facilitated via Child Rights Connect, the organisation responsible for guiding the NGO submissions to the UN Committee. Our relationship with Child Rights Connect has become far more active over the past two years and the role of the Country Focal Point has been made much clearer than in previous rounds.

Mereana Ruri has held this position since the last AGM 2016. In her capacity as the Country Focal Point, Mereana represents ACYA members by regularly participating in Child Rights Connect projects. A recent project has focused on shortening the reporting process. As well, Mereana and other members of the Steering Committee and partner organisations coordinate ACYA responses to surveys from the UN Committee and Child Rights Connect.

ACYA would like to thank Mereana for the hard work she puts into this role, usually at inconvenient times in the middle of the night. We believe her active participation in this forum has long-term benefits by raising an awareness of the reporting process for all concerned.

UMG meetings

The UNCRC Monitoring Group (UMG) is a group formed in 2011 by the Children's Commissioner to advance and monitor children's rights. ACYA is a permanent member of the UMG, together with the Human Rights Commission, UNICEF New Zealand and Save the Children New Zealand.

This year, the UMG developed terms of reference which clarify the roles and responsibilities of its members and set out a public reporting function. The UMG has agreed to issue annual reports on progress towards the implementation of the UNCRC and the concluding observations. An initial report will be made in November 2017. After that annual reports will be made in April of each year, beginning in April 2018.

In addition to contributing to annual reports, membership of the UMG provides ACYA with an opportunity to influence progress on children's rights through regular meetings with Government's coordinating mechanism for the implementation of the Convention. Up until recently this group was the Social Sector Deputy Chief Executives. However, this group ceased to exist at the end of June 2017 and the UMG is currently working with Government to establish what the coordinating mechanism for implementation will be from now on.

ACYA is represented on the UMG by Andrea Jamison and Trish Grant. There is scope for other members of ACYA to take part in the UMG, particularly when specific expertise is required. The UMG aims to have as wide a representation as possible from those groups that have demonstrated a commitment to advocating for the application of the UNCRC in New Zealand.

Relationships with our coalition partners

ACYA is a coalition partner organisation. Over the last year we have relied heavily on our coalition partners to support the development of the Supplementary Reports. UNICEF's Jacqui Southey and Mercy Jumo, from Save the Children NZ, led their respective organisations' youth representatives in a process that resulted in the *"Our voices, our rights"* report which ACYA submitted to the UN Committee. This report was also launched in the Beehive to Members of Parliament and an invited audience representing key child advocacy organisations.

... ACYA are high-level leaders in [the UN reporting process], the relationship we have together as organisations is extremely important ...

Survey participant

[Some children] told of their fears about the impact that climate change will have on their lives, including their reluctance to become parents themselves in the face of an uncertain future

ACYA/Ora Taiao (2016) "Climate Change and children's rights" Supplementary Paper

ACYA was also supported by Ora Taiao who wrote an exceptionally well-researched Supplementary Paper on climate change and its impact on indigenous children, using an example from Aotearoa New Zealand.

Assisted by IHC, we submitted a report on the experiences of children with a disability which highlighted on-going issues concerning equitable access to services. The rights of these children and young people continue to be overlooked.

We have collaborated with other advocacy organisations, notably YouthLaw, to make submissions and share representation at select committee hearings and meetings. Where and when possible, ACYA members represent our interests at Tick for Kids and Every Child Counts meetings. ACYA is also supported (and supports) CPAG and the Equality Network. Finally, we are grateful for the hard work done by the Child Wellbeing Network who have consistently and conscientiously produced an informative bulletin which links the activity in the children's sector.

.... the failure to implement a fully supported inclusive education system means that disabled children, especially those with intellectual disability or developmental delay, do not enjoy equal participation and success in their schools, communities and families. Nor do they have the same level of independence and hope for the future that their non-disabled peers enjoy

ACYA /IHC (2016) "Counting what matters" Supplementary Paper

The relationship between YouthLaw and ACYA has developed significantly over the past year. In a Memorandum of Understanding, ACYA has agreed to pay YouthLaw a fee for hosting the administrative and accounting functions. This model of a close relationship between a youth justice advocacy group and the civil society reporting coalition can be found in the United Kingdom.

"Sometimes it feels like people are not really accepting who you are and it feels terrible." Taylor, 12

Unicef/Save the Children with ACYA funding (2016) Our voices our rights Supplementary Paper



A key focus of the 2017 – 2021 Strategic Plan is on strengthening and building coalition partner relationships. If these are strong and inclusive, ACYA's reporting processes will be robust and credible. Our survey data indicated that independence is important to our members, as is respect for one another's roles and purposes.

At the moment, we do not have strong enough active relationships with Māori or Pacific groups and this needs to change. We also need to invest in understanding what each of our coalition partners brings to the organisation and, as we all agreed, that work begins by clarifying our purpose, values and desired outcomes. How we maintain, strengthen existing partnerships and attract new coalition partners is part of the work we will be undertaking in the 2017/2018 year.

Submissions, presentations and publications.

One issue discussed at length by the Steering Committee is our capacity to respond to requests for submissions, presentations and publications. This is a structural issue and one faced by many voluntary organisations where time pressures impact on capacity. During 2016/2017, the Steering Committee members experienced huge demands on their voluntary time. As a result of this, the Committee agreed that unless decided otherwise, ACYA would support other organisations to make submissions. We would do this by supplying advice based on our collective expertise in relation to the UNCRC. We would foreground the Concluding Observations wherever possible to ensure that decision makers were aware of their potential. There are two benefits to this process: First, by actively considering the recommendations in the Concluding Observations, submitters and members of the House could track progress towards fully implementing the UNCRC; second, this process would contribute to awareness of the UNCRC, the Concluding Observations and the potential of the UN Committee's reporting process to improve the wellbeing of all children in Aotearoa New Zealand.

Submissions:

Education (Update) Amendment Bill (No 160-1): with YouthLaw and IHC

Te Whāriki Consultation 2016: with IHC

Children, Young Persons, and Their Families (Oranga Tamariki) Legislation Bill: with YouthLaw

Reports:

Counting what matters. Valuing and making visible the lives of children with disabilities

Walk for a bit in my shoes – it isn't actually that easy

Children's rights and climate change in Aotearoa New Zealand

Our voices. Our rights – prepared for ACYA by UNICEF and Save the Children New Zealand

Presentations and Workshops 2016/2017

Children's rights and social justice – Probus Lecture, Kapiti Coast

Try walking in my shoes – it's not actually that easy – Childhood Studies Colloquium, 2016

Try walking in my shoes – it's not actually that easy – Rotary Wellington

Meeting children's rights now – Otago University Public Health Seminar

Children's rights – it's our responsibility – Whānau Manaaki Kindergartens, Wellington

If not you, who? An ecological approach to advocacy – OMEP, Auckland

Understanding participation rights with young children – Public Health Summer School

Taking children's rights seriously. Enacting a child rights pedagogy – Nelson Tasman Kindergartens

Taking children's rights seriously. Enacting a child rights pedagogy – NZEI Dunedin

Publications

Te One, S., Jamison, A. & Ruri, M. (2017). Local issues on a global stage. Reporting on the UN Convention on the Rights of the Child. Early Childhood Folio 21(1) 5 - 10

Taylor, N. & Te One, S. (2016). Children's rights in Aotearoa New Zealand. In C Dalli and A Meade (Eds.). Research, policy and advocacy in the early years. (pp 48 – 58). Wellington: NZCER Press.

FROM THE SURVEY

... ACYA represent a very independent NGO stance ...

... with more funding ACYA would be able to harness children's voices from each sector as well as provide education on the rights of the child - sorely needed in every sector.

... to achieve greater public understanding and be more persuasive to Government, I think ACYA needs to work on presenting arguments about children's rights in accessible, simple language and focus on certain key priorities ...

Strategic Plan 2017 – 2021

This year the ACYA Steering Committee has focused on developing a new long-term strategic plan. Using data from an online survey and interviews with selected individuals to evaluate our performance and ascertain our next steps, we worked with a facilitator to develop our priorities for the next 6 years. This process has been challenging but worthwhile because we are confident we have a clear set of actions for the foreseeable future.

Vision and Values

ACYA's vision is that the rights of children and young people are upheld and embedded in New Zealand law, policy and practice. To achieve this goal ACYA will:

- Promote greater understanding and action of UNCRC in civil society through engagement and dissemination;
- Influence government implementation of UNCRC through partnerships
- Lead the evidence in civil society contribution to the UNCRC reporting cycle
- Plan for sustainability

ACYA Coordinator role

Our application to the J R McKenzie Trust included funding for a Coordinator. Selected members of the Steering Committee were tasked with developing a job description and a contract. The Steering Committee were then advised that this role would initially be offered as a short-term, project-focused contract. The documentation was completed in August and Sarah Te One has been appointed to undertake three projects: organisation of the AGM; writing up the Strategic Plan; and, developing a Communication and Engagement plan.

NB. Because Sarah had expressed interest in the role, she removed herself from any discussions and decisions about it and, once the contract had been accepted, she stood down as Chairperson. Mereana Ruri is acting as the Interim Chairperson until the AGM elections.

Communication and engagement plan

As an umbrella organisation consisting of individual members and major organisations in the children's sector, AYCA needs to proactively develop and strengthen its working relationships with its coalition partners and develop networks at a local and regional level. Closer relationships will enable the ACYA reports to produce and present an accurate, on-the-ground report for the UN Committee.

Underpinning our communication and engagement plan is the need for greater awareness of what children's rights mean in policy and in practice.