



Update

October 2013

UNCROC reporting work

We are now starting to gear up for the next reporting cycle to the UN Committee on the Rights of the Child. At present, we expect to submit a report during 2015. ACYA has 3 tasks during the reporting cycle:

- 1 To provide our members with opportunities to raise their concerns about children's rights in Aotearoa
- 2 To include in the alternative report evidence from members about breaches of children's and young people's rights in Aotearoa
- 3 To publicise Aotearoa's record on children's rights and lobby for action

In the next two months, we will be contacting individuals and organisations asking them to contribute to our policy "cluster groups". These groups will look at the key reporting areas for the alternative report. Some of the areas that we will be looking at in detail are:

- discrimination – particularly of Māori and Pasifika children (Article 2)
- care and protection (Article 19)
- children affected by disability (Article 23)
- health (Article 24)
- standard of living (Article 27)
- education (Article 28)
- economic and sexual exploitation (Articles 32, 34)
- youth justice (Articles 37, 40).

Please look out for our emails on these policy areas and let us know if you are able to give us some of your time! Our job is to give you a chance to raise concerns about government policy and what's happening to our young people's rights.

Law and legislators ignore children's rights

2013 is likely to be remembered as a year when Aotearoa's children and young people had their rights ignored by the legal system. The Child Poverty Action Group asked the Court of Appeal to declare that the In Work Tax Credit discriminates against families on benefits. The Court of Appeal found that there was discrimination against all beneficiaries with children but declared the discrimination justified. This is a stark example of failure to prioritise children and young people in policy decisions and the limitations of the law when faced with such discrimination against groups of children in

our society. CPAG has exposed Aotearoa's continuing failure to respect children and young people's rights to an adequate standard of living under UNCROC.

The Care of Children Amendment Act (No 2) 2013 has – at a stroke – removed the right of child to representation in family law proceedings. The Care of Children Act 2004 has been amended by the 2013 Act to state that lawyer for child may be appointed if the court has concerns for the safety and well-being of the child and if it is considered necessary. The right to a lawyer is no longer automatic and the reform is a fundamental breach of the children's right to be heard in all matters affecting him or her.

Policy and Advocacy Work

ACYA's primary task is to coordinate and present the alternative report on Aotearoa New Zealand's compliance with its international obligations under the UN Convention on the Rights of the Child. We do, however, on behalf of our members, present submissions and undertake advocacy in areas that impact on children and young people's rights.

During 2012, we lobbied against proposed changes to the Youth Advocates scheme, contained in the Legal Assistance (Sustainability) Amendment Bill and lodged submissions on the Vulnerable Children Green Paper.

In 2013, we lodged submissions on the Family Court Proceedings Reform Bill and the Universal Periodic Review (UPR). We held UPR workshops jointly with the Human Rights Commission in Auckland, Wellington, Christchurch and Hamilton that informed our UPR submission. We will make a submission this month to the Vulnerable Children Bill.

Personnel Update

Our Chair, Ced Simpson, and our Secretary, Golriz Ghaharaman, have both stepped down. We will continue to benefit from Golriz's expertise, particularly in the area of international criminal law, when she assumes her new role of part-time policy officer.

Our new Chair, Alison Cleland, is a Senior Lecturer in the University of Auckland's Faculty of Law. Alison coordinated the first Scottish alternative report to the UN Committee of the Rights of the Child and is passionate about children and young people's rights. Our new Secretary, Naomi Green, is a law student who has studied Youth Justice. We are delighted to welcome our new Treasurer, Adele Brady.

Officers' contact details are as follows:

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