
A working conference - The rights of children and young people in Victoria

Sarah Nicholson from the Federation of Community Legal Centres Victoria reports on a new rights focussed initiative in Victoria.

In 2000, the 10th anniversary of Australia's ratification of the United Nations Convention on the Rights of the Child, the Federation of Community Legal Centres Vic began a project designed to promote the Convention and to develop strategies to strengthen compliance with the obligations contained in it.

The project has three main components. Action research about compliance with Convention obligations are the basis of a series of discussion papers that have been written, highlighting key issues facing young people in Victoria. These discussion papers were built upon at the working conference held at Melbourne Town Hall on 2nd March 2001. The conference aimed to promote the Convention and bring together government, voluntary and community organisations to develop action strategies. A report will now be published and distributed to conference delegates and throughout Victoria, outlining actions to strengthen compliance with the Convention.

The keynote speaker at the conference was DCI Advisory Panel Member Moira Rayner, currently the Director of the London Children's Rights Commissioner's Office. Moira is well known as a longstanding advocate for children's rights, both as the former Commissioner for Equal Opportunity in Victoria and the former Chair of the National and Children's Youth Legal Centre. Moira spoke about the Convention and how her Office has assisted agencies to implement the rights contained in it. She also reflected on her current experience with a Board comprised entirely of young people.

Conference participants then attended two workshops. The morning workshop focused on developing strategies within the context of the Convention. The afternoon workshops were designed to develop strategies to improve compliance with the Convention in the context of specific areas of activity, including employment, education, housing, justice and young people's use of public space.

The workshops looked at how agencies, our community and governments can use the Convention more effectively as a tool for understanding and respecting the rights of children and young people. The strategies that have been generated look not only at what our governments can do, but also what non-government agencies can do at the policy level, at the service delivery level and through advocacy to enhance young people's rights.

A summary of the conference outcomes will be published in the next edition of Australian Children's Rights News. Thanks to the Victoria Law Foundation for supporting the project.

Review of Victorian Child Protection and Juvenile Justice Legislation

Late last year, the Victorian Attorney-General and Minister for Community Services released a discussion paper *Making Justice for Young People a Priority – Proposed Amendments to the Children and Young Person's Act* – December 2000. The discussion paper canvassed a range of possible amendments arising mainly but not only from the State Government's plan to increase the criminal jurisdiction of the Children's Court of Victoria to 18 years of age. DCI Australia provided a careful and extensive analysis of the issues raised by the paper which included the following introductory comments:

"DCI-A applauds the proposal to raise the age until which a person is treated as child for criminal law and justice purposes to the age of 18 years. It will be a welcome enhancement to Australia's conformity with the Convention.

We also note that it is consistent with the recommendations of the Human Rights and Equal Opportunity Commission / Australian Law Reform Commission *Seen and Heard Report* published in 1997.

A third basis for supporting the proposal is our view, as expressed in our September 2000 submission to the Review of Community Corrections Issues Paper prepared by Arthur Andersens for the Correctional Services Commissioner. That submission made clear why DCI-A considers that the current provision of community based services to young offenders (aged 17 to 20 at the time of sentencing) is significantly lacking. ...

It would appear to us that the Discussion Paper is focussed on a narrow band of implementational issues and, it would seem, some allied matters on which stakeholders have placed priority. We note the matters on which views are currently not sought and would urge that these should be the subject of consultation very soon along with the range of other matters raised in *Seen and Heard*, particularly participation rights. We would emphasise that they are essential adjuncts to the protection of children and young people's rights within the protective and criminal justice systems."

A copy of DCI Australia's submission can be obtained by members and affiliates by contacting the President, Mr. Danny Sandor by Tel: 0409 311 510 or E-mail: dannysan@ozemail.com.au.