



Keeping Children Safe, Together: A Child Protection Symposium

The Impact on the Child

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Protecting the human rights of vulnerable children

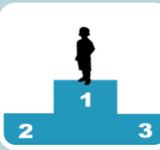
Role of the National Children's Commissioner

As National Children's Commissioner, my work is guided by the United Nations' *Convention on the Rights of the Child*

The four central principles of the Convention on the Rights of the Child are:



Non-discrimination (article 1)



Best interests of the child
(article 3)

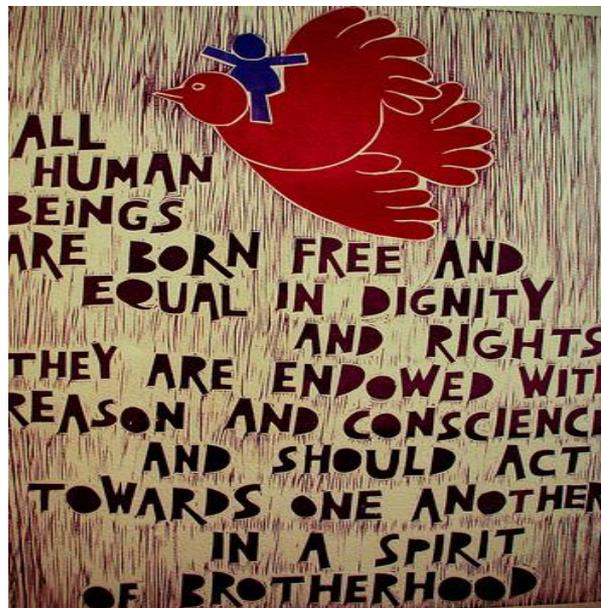


Voice and participation
(article 12)



Protection, development and
survival (article 6)

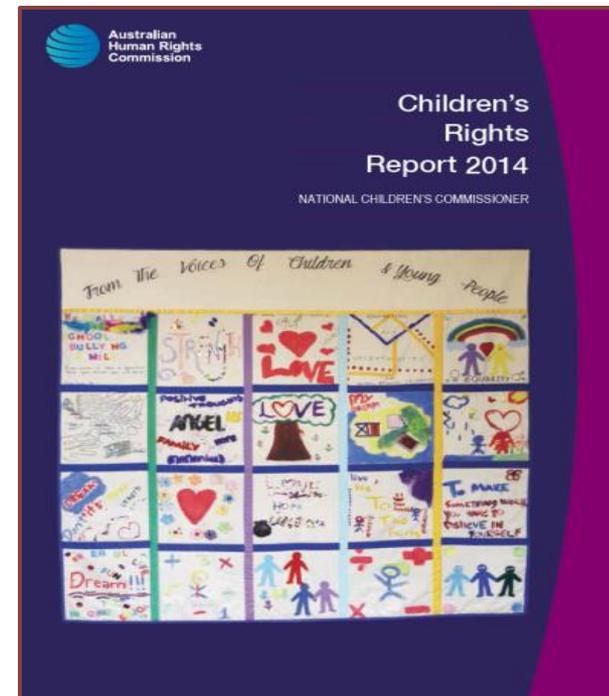
UN Committee on the Rights of the Child Concluding Observations on Australia



- High levels of violence against women and children
- Serious discrimination faced by Aboriginal and Torres Strait Islander children
- Inadequate application of 'best interests' principle in treatment of asylum seeking children
- High number of children in out-of-home care

Self harm and suicidal behaviour

- Intentional self-harm leading cause of death for 5 to 17 year olds
- **18,277 hospital separations** for intentional self-harm (2008-2013)
- Actual level of intentional self-harm estimated to be higher
- Certain groups of children are especially vulnerable
- Kids helpline 2012/13: **11,180 suicide and 18,737 self harm contacts.**
 - Main co-presenting concerns were: mental health; emotional well being; parent-child and other relationships.



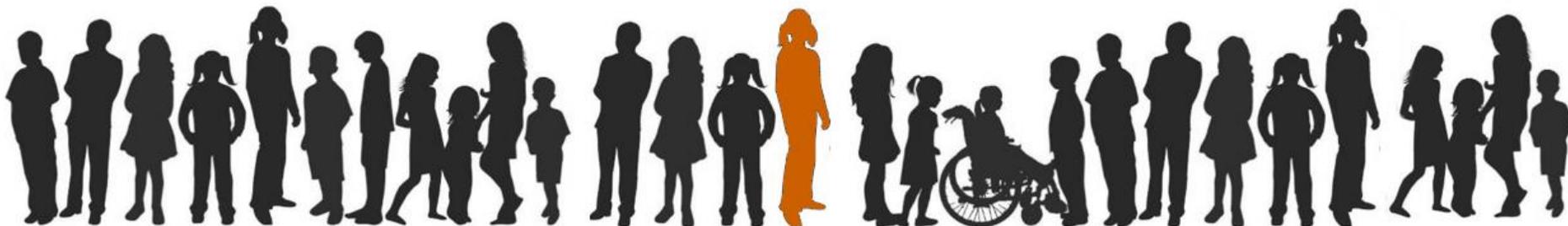
By age 15

23 % witness violence
against their mother



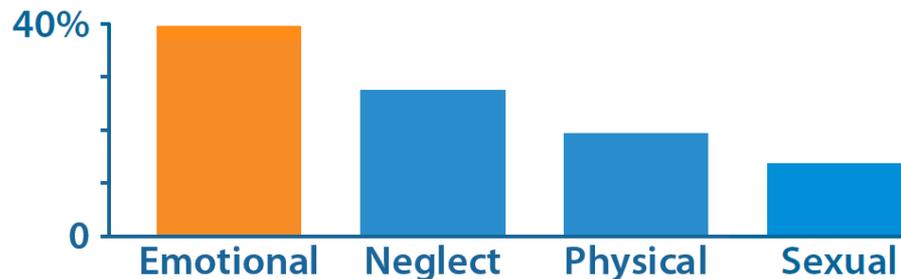
One in 12
experience
physical abuse by
a family member

One in 28 experience sexual abuse by a family
member

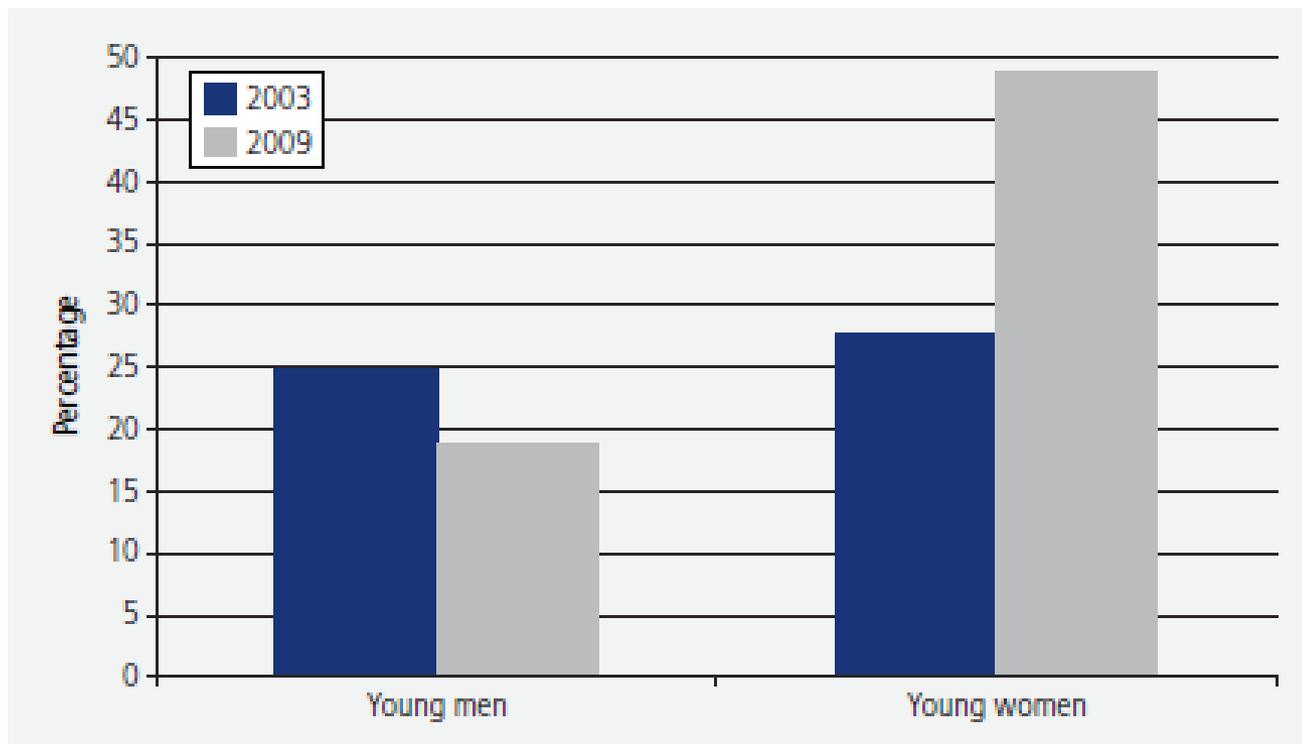


Physical and emotional abuse

- In Australia there is **no national data** on the proportion of child protection notifications that relate to family and domestic violence,
- It is estimated that family and domestic violence is present in **55% of physical abuses** and **40% of sexual abuses** against children
- During 2013-14, **40,844 children** were the subjects of substantiated child protection notifications in Australia.
- Of these, **emotional abuse** was the most common type of abuse.



Juvenile justice



Proportion of young people in NSW juvenile justice detention reporting experiencing serious childhood abuse or neglect

Source: Cashmore, 2011; adapted from Indig et al 2011

Children told me....

All children should have equal access to education

All children should be cared for

I think that everyone should be safe

All kids should be treated fairly

Life would be better if there was no drugs or bad stuff

There should be no violence

I am happiest when my family is happy and healthy

Young people should have sexual health clinics

We should all be able to access services like headspace

Every child should have healthy food

There should be no bullies

There should be housing for everyone

Everyone should have a family



The right to be heard

Article 12 of the Convention on the Rights of the Child

States Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child.

For this purpose, the child shall in particular be provided the opportunity to be heard in any judicial and administrative proceedings affecting the child, either directly, or through a representative or an appropriate body, in a manner consistent with the procedural rules of national law.

Obligation sits with all of us to understand and prioritise the relationship between early life experiences and cognitive, social, emotional and physical health and the consequences of chronic exposure to violence for the unborn child and in early childhood. My daughter's brain development was heavily focused on strengthening strategies for survival in her hostile world, which disrupted her attachment and compromised her rights to feel safe, calm, protected and nurtured.

We must remain dedicated and advocate for children exposed to family violence, ensuring their experiences are validated and they are acknowledged to be victims of these violent crimes even if they are not at a developmental age to articulate their experiences. Initially I was the only one deemed as a primary victim of the crime. The system failed to view or recognise my daughter and her suffering. It took one year of fighting for her rights and being her voice for the Victims of Crime Assistance Tribunal to acknowledge that she too was also a primary victim.