

**Policy Environment Scan
January 2009**

Source	Topic	Content
Federal Government	National Human Rights Consultation	<p>The Federal Government has appointed a Committee to undertake an Australia-wide community consultation for protecting and promoting human rights and corresponding responsibilities in Australia. The Committee will ask the Australian community: Which human rights (including corresponding responsibilities) should be protected and promoted?</p> <ul style="list-style-type: none"> • Are these human rights currently sufficiently protected and promoted? • How could Australia better protect and promote human rights? <p>In conducting the consultation the Committee will:</p> <ul style="list-style-type: none"> • consult broadly with the community, particularly those who live in rural and regional areas • undertake a range of awareness raising activities to enhance participation in the consultation by a wide cross section of Australia's diverse community • seek out the diverse range of views held by the community about the protection and promotion of human rights, and • identify key issues raised by the community in relation to the protection and promotion of human rights. <p>The Committee will report to the Australian Government by 31 July 2009 on the issues raised and the options identified for the Government to consider enhancing the protection and promotion of human rights. The Committee is to set out the advantages and disadvantages (including social and economic costs and benefits) and an assessment of the level of community support for each option it identifies.</p> <p>The options identified should preserve the sovereignty of the Parliament and not include a constitutionally entrenched bill of rights.</p> <p>There is a link on the Australian Human Rights Commission's (AHRC) website for children and young people to leave their details so that the AHRC can assist them to express their views about National Human Rights Consultation to the Federal Government.</p> <p>http://www.hreoc.gov.au/letstalkaboutrights/index.html</p>
Federal Department of Health and Ageing	National Physical Activity Recommendations for Children 0 to 5 years	<p>In February 2009, the Federal Department of Health and Ageing called for public consultation from key stakeholders on the draft recommendations in the area of physical activity and child health for children under five.</p> <p>The recommendations were required for the development of national Healthy Eating and Physical Activity Guidelines for Early Childhood Settings which are due to be field tested in April 2009. The Guidelines will be linked to the new National Quality Framework for Early Childhood Education and Care (ECEC) services, which are expected to be introduced by the Department of Education, Employment and Workplace Relations (DEEWR) on 1 July 2009.)</p> <p>At present, there are national physical activity recommendations for children and young people aged 5 – 18 years old. However, no agreed national recommendations currently exist for children under five. Recommendations for this age group are required by stakeholders in various sectors to progress consistent policy and program work around physical activity in early childhood and to accurately determine whether those under five years of age undertake sufficient levels of physical activity. Such recommendations are also required to establish and measure the effectiveness of intervention and prevention programs.</p>

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		<p>To date the first two stages in the process of establishing a set of recommendations are complete. Stage One was a literature review of the available evidence by The University of Wollongong in conjunction with Deakin University, and the development of a discussion document with potential recommendations for children five and under. Stage Two was a consensus workshop with key stakeholders with interests in physical activity, sedentary behaviour, obesity, child development and health of young children. The workshop was held in Canberra on 16 December 2008 and a draft set of five recommendations and 15 accompanying 'companion statements' were agreed. The companion statements will provide clarification and additional information for parents and carers.</p>
Department of Communities	Whole of Government Domestic and Family Violence Strategy	<p>On Sunday May 27 2007, the Honourable Warren Pitt, then Minister for Communities, announced that Queensland Government departments had agreed to develop a coordinated strategy to reduce domestic violence.</p> <p>Part of the process in developing a whole of government strategy will be to undertake an audit of government agency systems and to identify the pathways in and around the current system for people affected by domestic and family violence. This work will help identify the gaps and strengths in responses and areas where efforts are needed to better address domestic and family violence. The strategy development team will seek information from identified key regional services through conducting four workshops on system pathways. Numbers in these workshops are limited and attendance is by invitation only.</p> <p>http://www.communities.qld.gov.au/violenceprevention/aboutdfv/wog-strategy.html</p>
Bulletin of the Centre of Excellence for Early Childhood Development, Vol 7, No 2, December 2008	From Genes To Child Care: The Top Ten Studies On Early Childhood Development for 2008	<p>The Centre of Excellence for Early Childhood Development (CEECD) in Canada has selected the best research studies published in 2008 on early childhood development involving at least one researcher from a Canadian institution. Key findings from some of the studies include:</p> <ul style="list-style-type: none"> • Non-maternal care of infants prior to 9 months of age can help “at-risk” children control physical aggression as they age. • Rates of cerebral palsy (CP) among infant survivors born at 20 to 27 weeks peaked in the early 1990s and then steadily dropped off in the last decade. Particularly encouraging is the significant drop in rates of severe CP that prevents children from walking. • There is no link between the use of selective serotonin reuptake inhibitors (SSRIs) during pregnancy and the presence of major physical abnormalities among the babies. SSRIs may nevertheless produce microscopic changes or alter chemical patterns in the brain. It is unclear whether abnormalities seen in children whose mothers took SSRIs during pregnancy are a result of the drugs or the condition that is being treated. • Low birth weight babies with respiratory problems who receive caffeine therapy during their first 10 days of life are less likely to be diagnosed with cerebral palsy or other neural-development disabilities at 18 to 21 months of age. • The duration and exclusivity of breast-feeding has no influence on whether children develop allergies or asthma by the time they are 6 1/2 years old. The authors conclude that “<i>Exclusive</i>

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		<p><i>breast-feeding is important for many reasons but preventing future allergies may not be one of them."</i></p> <p>http://www.excellence-earlychildhood.ca/documents/BulletinVol7No2Dec08ANG.pdf</p>
Victorian Equal Opportunity and Human Rights Commission	Rights of passage: the experiences of Australian-Sudanese young people	This 64 page report examines the experience of young Australian-African people in the City of Greater Dandenong. The study involved interviews with more than 200 Australian-African young people and 30 stakeholder groups including schools, employers, community organisations, and the police. Attention is drawn to specific areas of discrimination experienced by young people including public space and safety, the police, legal and consumer rights, education, accommodation, and health and makes recommendations for addressing these issues. The report notes that young people's accounts of discrimination are contrary to Victoria's clear commitment to multiculturalism, equity and a fair society that embraces diversity. These accounts highlight the challenges of providing culturally appropriate and accessible services to these young people.
Tom Calma, Australian Human Rights Commission	Preventing crime and promoting rights for Indigenous young people with cognitive disabilities and mental health issues	This report outlines an investigation of early intervention and diversionary practices aimed at preventing offending behaviour in Indigenous young people with a cognitive disability and/or a mental health problem. It builds on the Australian Human Rights Commission's previous report, 'Indigenous young people with cognitive disabilities and the Australian juvenile justice system'. Specifically, it examines what is available for these young people, identifies systemic service delivery gaps and points to promising interventions that have the capacity to prevent offending behaviour.
Sharon Chalmers and Amanda Rosso-Buckton, Centre for Cultural Research	Are you talking to me? Negotiating the challenge of cultural diversity in children's health care	This report is the culmination of a 3-year Australian Research Council (ARC) linkage grant Project. The project examined health interactions between families from culturally and linguistically diverse (CALD) backgrounds and health professionals, with a particular focus on the potential cultural 'mismatches' in health service provision. The aim was to explore evidence of the need for a conceptual shift and practical changes to locate diversity health care as core business within paediatric health care services. To achieve this end, the project brought together the expertise of paediatric health care consumers, health care service providers, policy makers and academics in a collaborative, integrated approach.
Australian Institute of Health and Welfare. Child Protection Australia 2008-08. Child Welfare Series Number 45	Child Protection Australia 2007-08	<p>In Australia, child protection is a state and territory government responsibility. AIHW collates and reports annually on jurisdictional and national data, which is extracted from respective administrative systems of departments responsible for child protection. As such, the Queensland data reported in this report is the same data that the Queensland Department of Child Safety include in their annual report and performance review report. There are however issues of data comparability across jurisdictions due to varying definitions, which the AIHW is attempting to address through their collation process in the coming years.</p> <p>Key findings noted in the report include:</p> <ul style="list-style-type: none"> • The number of child protection notifications increased by 26% over the last four years, from 252,831 in 2004–05 to 317,526 to in 2007–08. In the past year, the number of notifications rose in all jurisdictions except Qld and TAS • Across Australia, the rates of Indigenous children on care and protection orders were more than 7 times as high as for other children. • The rate of children in out-of-home care in Australia increased from 3.1 per 1,000 at 30 June 1998 to 6.2 per 1,000 at 30 June 2008.

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		<ul style="list-style-type: none"> • The rates of children in out-of-home care ranged from 4.2 per 1,000 in Victoria, to 8.4 per 1,000 in New South Wales. Across Australia at 30 June 2008, 48% of children in care were in foster care, 45% were in relative or kinship care and only 5% were in residential care. • The rate of Indigenous children in out-of-home care was almost 9 times the rate of other children. <p>In Queensland, the number of notification decreased in 2005-06 because of a change in the recording practice. Some data have not been provided due to the transition to the new information management system.</p> <p>The number of children admitted to care and protection orders in Queensland in 2007-08 was 4312 of which 44.7% were admitted to orders for the first time.</p> <p>Of the 6,670 children in out-of-home care in Queensland at 30 June 2008, 4.3% were under 1 year of age, 24.1% were aged 1-4 years, 30.4% were aged 5-9 years, 28.8% were 10-14 years and 12.4% were 15-17 years.</p>
Prinz, R.J., Sanders, M.R., Shapiro, C.J., Whitaker, D.J. and Lutzker, J.R. (2009). <i>Prevention Science. Online First</i>	Population-based Prevention of Child Maltreatment: The U.S. Triple P system population trial.	In a US study of the Triple P System Population Trial, 18 counties were randomly assigned to either dissemination of the Triple P—Positive Parenting Program system or to the services-as-usual control condition. Dissemination involved Triple P professional training for the existing workforce (over 600 service providers), as well as universal media and communication strategies. Large effect sizes were found for three independently derived population indicators: substantiated child maltreatment, child out-of home placements, and child maltreatment injuries. This study is the first to randomize geographical areas and show preventive impact on child maltreatment at a population level using evidence-based parenting interventions. The findings from the study confirm that the prevention of child maltreatment necessitates a public health approach.
Australian Institute of Health and Welfare	Measuring the social and emotional wellbeing of Aboriginal and Torres Strait Islander peoples	Using data from the 2004-05 National Aboriginal and Torres Strait Islander Health Survey (NATSIHS) and a range of administrative datasets, this report provides a picture of the social and emotional wellbeing of Indigenous Australians The report also assesses the interim module that was developed to measure social and emotional wellbeing used in the 2004-05 NATSIHS, and makes a number of recommendations to improve measures of social and emotional well-being.
Australian Domestic & Family Violence Clearinghouse Newsletter 35	National Plan to Reduce Violence against Women and their Children	<p>The Council to Reduce Violence Against Women and their Children met in December 2008 to finalise the proposed content of a National Plan to Reduce Violence Against Women and their Children. The plan is to be presented to Government in early 2009.</p> <p>During the consultation period the Council received 370 written submissions, and in total the Council had input from more than 2,000 individuals and organisations across Australia, who asked that the plan:</p> <ul style="list-style-type: none"> • improve support and services for those affected by domestic violence and sexual assault • improve the legal system so that perpetrators are held to account • increase primary prevention efforts so that more children and young people are educated about respectful relationships • increase research and set targets so that Australia can track its progress. <p>http://www.austdvclearinghouse.unsw.edu.au/PDF%20files/Newsletter_35.pdf</p> <p>Progress reports can be viewed on the Office for Women website http://www.ofw.fahcsia.gov.au</p>

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<p>'childrenz issues', Journal of the Children's Issues Centre, Vol. 12, No. 2, 2008. Topic: <i>New Zealand's Child Discipline Legislation.</i></p>	<p>Corporal punishment and the repeal of 'Section 59' in NZ</p>	<p>This summary only comments on some of the articles. There is still a lot of confusion about the intent of the changes to the law and what it actually means in practice. Sections of the media and those opposing the law change contributed to the confusion. In essence - the repeal removes the defence of 'reasonable force' for parents who abuse their children.</p> <ol style="list-style-type: none"> 1. <i>Moving on from the Repeal of Section 59</i> by Cindy Kiro, Children's Commissioner. This article discusses the way the public debate around the repeal of Section 59 developed into an unfortunate dichotomy suggesting the issue was about children's rights versus parent's rights. The climate of fear created by the opponents of the repeal has impacted on many parents and grandparents who are scared that 'good parents' will be visited or charged by police. Ms Kiro goes on to suggest the two main issues that the Commission needs to address to create a way forward since the repeal are: <ul style="list-style-type: none"> • the need to reassure parents and support them (practically) in their wish to be effective • change attitudes towards children and to reposition them as valued members of families and society who are entitled to be treated with respect. 2. <i>Repealing a Defence for the Physical Punishment of Children: Changing the Law in New Zealand</i> by Nicola Taylor and Anne Smith, Children's Issues Centre University of Otago. This article covers the political and social context of the law change and the role played by child advocates, NGOs and researchers in the campaign to change the law, including: <ul style="list-style-type: none"> • an historical overview of the laws in NZ relating to this issue (corporal punishment etc) from 1893 • the role of UNCROC • the role of research, including the Children's Issue Centre and the role of the Office for Children's Commissioner in distributing the research and Save the Children New Zealand's role in funding research on children's perspectives on discipline • the current situation - the new law hasn't created any new criminal offences nor has there been a significant increase in complaints to police of minor acts of discipline and most cases that have been brought to police attention have been referred to support agencies 3. <i>The Long Road to Reform</i> by Beth Wood, Office of the Children's Commissioner This article covers more information about the technicalities of the legal situation, public opinion, research on physical punishment and recent research commissioned by the Children's Commissioner. Topics to be researched include parental attitudes about physical punishment; whether children should be entitled to the same protection from assault as adults and their awareness and understanding of the new legal situation. The results of this research were due to be released in a final report in November 2008. 4. <i>Aotearoa/New Zealand Families: Their Perspectives on Child Discipline and Recent Legislative Change</i> by Julie Lawrence and Anne B. Smith, Children's Issues Centre, University of Otago This article outlines the research done on parental attitudes to discipline and the legal changes. 5. <i>Section 59 in its Legal Context: Intervening in Family Life</i> by Bill Atkin, Professor of Law, Victoria University of Wellington This most informative article gives an historical view about the legal situation around the role of the state as the protector of children and takes us up to the present day.

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		Other articles focus on the international context; the views of the Greens (who played a large role in supporting the repeal); perspectives from professionals who work in the field of family support and an interesting article by Caroline Hornibrook from the University of Otago that raises some complex issues around the use of 'time-out' as a major alternative to smacking, including some legal opinion that it could be argued that if an application of force was used to put a child in the 'time-out' space, it could also constitute assault.