

## The UN Convention on the Rights of the Child Putting Child Rights into Action in Policy and Advocacy

A Workshop in Perth, Australia | 30—31 March 2023



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*“In many ways, [the workshop] surpassed my expectations. The grounding in lived experience, case studies and leading change makers gave great insight into the application [of] and engagement with the [Convention on the Rights of the Child].”*

– Workshop Participant

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The Diplomacy Training Program (DTP) together with its partners Youth Law Australia (YLA) and Australian Lawyers for Human Rights (ALHR), brought their workshop on the ‘UN Convention on the Rights of the Child: Putting Child Rights into Action in Policy and Advocacy’ to Perth.

The 2-day intensive training program was held on 30–31 March at Corrs Chambers Westgarth with 17 participants representing organisations in Western Australia and Victoria. 95% of participants were from NGOs. Some 79% of participants were women and 47% of participants were Indigenous.

This program supports an approach to engaging civil society and government in the human rights treaty reporting process. Australia’s reports to the UN human rights treaty bodies provide opportunities to build awareness and understanding of human rights, and their relevance to policies and practice, and an opportunity for dialogue on the challenges of implementation and how to overcome them.

Participants engaged in rich discussions around a series of topics including the UN Convention on the Rights of the Child (CRC), the Reporting Cycle to the UN Committee on the Rights of the Child (Committee), civil society and federal engagement with UN reporting, youth justice, out-of-home care, early childhood, the experiences of Indigenous children and young people, the best interests of the

child and the universal right to children’s participation, and more. These topic areas represent the diversity of experience and expertise that were present in the room.

The program enabled participants to build their knowledge and understanding of the international human rights system, the CRC and its principles, relevant General Comments, the Committee’s Concluding Observations on Australia’s combined 5<sup>th</sup> and 6<sup>th</sup> Reports (Recommendations), and more, in relation to relevant policy and practice in Australia.

Australia is about to start its 7th reporting cycle and due to submit its next State Report to the CRC Committee in 2024/2025 as part of the simplified human rights treaty reporting process. The Committee is due to adopt its Draft General Comment No 26 on children’s rights and the environment with a special focus on climate change in May 2023.

James McDougall (Australian Child Rights Taskforce) led the workshop and shaped discussions. Guest presenter Katherine Browne (Commissioner for Children and Young People Western Australia) spoke to the value and importance of hearing the voice of the child and their meaningful participation. She shared Commission’s work including the Participation Guidelines, Child Impact Assessment Guidelines, and Statement of Commitment to Western Australia’s children and young people. Dr Hannah McGlade (Curtin University, UN Permanent Forum for Indigenous Issues) shared her experiences of working within the UN system, highlighting some successes that had been achieved over the years, discussed the various UN mechanisms for Indigenous participation and informed the participants of the upcoming visit by EMRIP to WA as requested by the Noongar Family Safety and Wellbeing Council in Western Australia. Mason Rothwell, Ronald Bin Swani and Sophie Stewart (Social Reinvestment WA) shared their work on the adverse impacts of current approaches to youth justice on Indigenous children and their families and communities in Western Australia and their advocacy for change.

The program was funded by training fees and in-kind support from DTP and Corrs Chambers Westgarth. The facilitators and trainers donated their services pro bono. The DTP acknowledges with appreciation the generous contributions of the trainers, facilitators and partners.

## **1. Program Objectives**

The capacity building program had two principal objectives:

- 1.1** To build the knowledge and understanding of the participants in relation to the CRC, the General Comments, the Committee’s Recommendations, and the reporting cycle with the Committee; and
- 1.2** To enhance the capacity of government officials and NGOs / community organisations to apply the Concluding Observations of the CRC Committee in the context of other changes recommended by Royal Commissions etc.

## **2. Reflections and Lessons Learned**

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*“I really enjoyed learning from everyone who spoke. I thought the group discussions were insightful and [i]t was great to hear the advocacy that is happening on behalf of children’s rights.”*

*– Workshop Participant*

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## 2.1 Participants

The participants felt strongly that this was a useful and practical training program. Participants appreciated the opportunity to attend. Many felt that policymakers in government would benefit from this type of training, and that had more government officers joined, all program participants would have been enriched by government perspectives of operating in the child policy space. Some participants expressed concern that the training fees were very high particularly for NGOs and that this might be a barrier to greater and broader participation.



## 2.2 Facilitators and Trainers

The facilitators and program partners agreed that program presentations and discussions were rich and dynamic. The group had diverse experiences and expertise, which helped deepen knowledge and understanding of the challenges experienced in the space and generalise lessons learned. The facilitators and program partners observed that participants were able to identify opportunities for greater engagement with the CRC principles and relevant instruments, and for collaboration.

In the absence of greater government engagement, it was felt that participants were deprived of an opportunity to hear unique perspectives from government officers with responsibilities for managing and supporting policies and programs affecting children and young people and their rights under the CRC, which Australia has obligations to implement.

## 2.3 Promotion and Application Process

Numbers of participants did not reach the 25-30 targeted. It remains unclear why there was such little interest from government. Participants reported receiving DTP's emails in spam/junk folders and being out of range in the course of their work in regional WA. Follow-up calls helped address this. It is possible earlier and more consistent work with local partners to build engagement and support, and to ensure the workshop built on local strategies for advancing the CRC would have been more effective in gaining participants. Discounts for 'early bird' applications and YLA and ALHR social media advertising and marketing, likely increased applications.



## **Appendix 1 | Trainers**

### **James McDougall, Co-Convener and Consultant** ***Australian Child Rights Taskforce***

James McDougall is one of Australia's leading child rights advocates. He works in policy development, management and governance, and building community partnerships. He has held several senior executive management roles including at the National Children's and Youth Law Centre (Youth Law Australia) and Save the Children Australia. His consultancy work has focused on policy development in child rights and services including child protection, youth justice and policy frameworks that intersect across professional and social policy sectors. He recently worked as a policy expert at the Victorian Commission for Children and Young People and the Institute of Child Protection Studies.

### **Katherine Browne, Manager Policy** ***Commissioner for Children and Young People Western Australia***

Katherine Browne is passionate about creating a better Western Australia for children and young people. After starting her career working in child protection and out-of-home care, she has spent the past decade in policy and advocacy roles, promoting the rights, voices and experiences of children and young people, and advocating for system changes to improve their lives and wellbeing. Katherine currently works for the Commissioner for Children and Young People Western Australia, and is also the Vice Chair on the Board of the Youth Affairs Council of Western Australia.

### **Associate Professor Hannah McGlade** ***Curtin University*** ***Member, UN Permanent Forum for Indigenous Peoples***

Associate Professor Hannah McGlade is from the Kurin Minang people of Western Australia and her career has focused on justice for Aboriginal people, race discrimination law and practice, Aboriginal women and children, family violence and sexual assault. Her PhD book, 'Our Greatest Challenge: Aboriginal children and human rights' received the Stanner Award for Excellence in Aboriginal research. Hannah has been closely involved in advocating for Aboriginal self-determination in child protection and is a member of the Noongar Council for Family Safety and Wellbeing. Hannah is also appointed to the UN Permanent Forum for Indigenous Issues as an expert Indigenous peoples member of the Pacific region.

### **Sophie Stewart, Executive Manager** ***Social Reinvestment Western Australia***

Sophie was born and raised in Boorloo / Perth on Noongar Country. She has over a decade experience in non-profits, advocacy, policy and law reform, youth development. Since that time she has lead our successful campaign to end imprisonment for unpaid fines, supported the community of Halls Creek in launching Olabud Doogethu – the state's first justice reinvestment site, been the executive producer of Stories from the Inside, and grown the SRWA coalition. Sophie has a BA (Hons) in Political Science and International Relations from UWA, is the founder of Swim for Refugees, Board Member for WA Justice Association, a TedX Youth Presenter, and was the 2021 WA Young Leader and WA Young Achiever of the Year.

### **Mason Rothwell, Strategic Policy and Communications Lead** ***Social Reinvestment Western Australia***

Mason has grown up on Noongar Boodja in the Rockingham area. His experience has been in mental health, working in policy roles and seeing how racism and discrimination have created inequities for



Aboriginal people and communities. He has been involved with SRWA for over 4 years. Mason has worked across major social policy reforms, including the WA Suicide Prevention Strategy 2020, leading the development of YACWA's COVID-19 Youth Recovery Framework, and co-founding the Youth Pride Network of WA. Mason has a wealth of social policy expertise, and has previously worked for the Mental Health Commission, Lotterywest, the Youth Affairs Council of Western Australia, and the Victorian Department of Premier and Cabinet.

**Ronald Bin Swani, Community Campaigner**  
***Social Reinvestment Western Australia***

Ronald is a Bard (Aboriginal) and Samsep (Torres Strait Islander) person from Lombadina Community / Broome in the West Kimberley region. He has a Bachelor's Degree of Science in Exercise and Health, and has acted as a mentor guiding young people towards different pathways in life, and showing them the ropes of university. He has developed his leadership skills over years of attending many Aboriginal and Torres Strait Islander Youth and Adult leadership camps, being a part of national and university-based student leadership body CareerTrackers and Western Australian Student Aboriginal Corporation (WASAC).

**Clare Sidoti, Communications and Office Coordinator**  
***Diplomacy Training Program***

Clare Sidoti has been working with the Diplomacy Training Program since the beginning of 2019. Prior to that she was the Executive Officer of the Australasian Council of Deans of Arts, Social Sciences and Humanities (DASSH), the authoritative agency on research, teaching and learning in these disciplines in Australian and New Zealand universities. She graduated from the University of Essex, UK with an MA Theory and Practice of Human Rights. She has worked with the University of Western Sydney, the British Academy, and the Human Rights Centre at the University of Essex in a variety of research, communications and administrative positions.



## Appendix 2 | CRC Schedule

<b>Day 1 – 8:30 – 9:00 Registration</b>	<b>Day 2 – 8:30 – 9:00 Registration</b>
<b>Morning 1 9:00 – 10:30am</b>  <b>Introductory Session:</b> <ul style="list-style-type: none"> <li>Welcome to Country</li> <li>Introductions, Acknowledgements and Program Expectations</li> <li>Setting the Scene – The need for capacity building</li> </ul> <b>The International Human Rights Framework</b> <ul style="list-style-type: none"> <li>Introduction to UN Human Rights Monitoring System – UPR, SPs, Focus on TBs</li> <li>Status of Australia’s reporting cycle for treaties</li> </ul>	<b>Morning 1 9:00 – 10:30am</b>  <b>Recap of Day 1: Lessons learned, checking in with expectations (Clare / James)</b>  <b>Introduction to UNDRIP and its relationship with the CRC</b>  <b>Indigenous Children and Young People and Children in Detention</b>
Facilitator(s): Clare Sidoti (DTP)	Facilitator(s): Dr Hannah McGlade
<b>Tea 10:30 – 10:45am</b>	<b>Tea 10:30 – 10.45am</b>
<b>Morning 2 10:45am – 12:30pm</b>  <b>Introduction to Australian Reporting on the Convention on the Rights of the Child</b> <ul style="list-style-type: none"> <li>Introduction to CRC Committee: Role of Committee, General Comments</li> <li>Four Key Guiding Principles of CRC: <i>non-discrimination / equality; best Interests of the child; survival and development; participation / inclusion</i></li> <li>Key interpretative guidance from CRC General Comments</li> <li><b>Group Work:</b> What do these mean for policy and practice in Australia?</li> </ul>	<b>Morning 2 10.45am – 12:30pm</b>  <b>The Youth Justice System in WA and the Work of SRWA with Sophie Stewart, Ronald Bin Swani and Mason Rothwell</b>
Facilitator(s): James McDougall, Course Convenors	Facilitator(s): Course Convenors
<b>Lunch 12:30 – 1:30pm</b>	<b>Lunch 12:30 – 1:30pm</b>
<b>Afternoon 1 1:30 – 3:00pm</b>  <b>CRC Reporting, the Concluding Observations, and Engagement with UNDRIP and other UN mechanisms: An Opportunity for Dialogue and Engagement</b> <ul style="list-style-type: none"> <li>Government / CSO Engagement and Advocacy</li> <li>The role &amp; responsibilities of the Australian Government &amp; Civil Society</li> <li>Group Work on the COs – Looking at the substance of the recommendations, what it means for government / CS, prioritisation and steps towards implementation</li> </ul> <b>CRC Reporting &amp; Implementation of the COs &amp; Relevant GCs, with Focus on Key Issues</b> <ul style="list-style-type: none"> <li>Group work on local issues and challenges around policy and advocacy</li> </ul>	<b>Afternoon 1 1:30 – 3:00pm</b>  <b>The Youth Justice System in WA and the Work of SRWA with Sophie Stewart, Ronald Bin Swani and Mason Rothwell (continued)</b> <ul style="list-style-type: none"> <li>Group work activity</li> </ul> <b>Strategies for Implementing Child Rights in Australia: Brainstorming</b> <ul style="list-style-type: none"> <li>Group work – Identifying practical opportunities &amp; challenges to implementing child rights in advocacy &amp; policy work</li> </ul>
Facilitator(s): James McDougall	Facilitator(s): Course Convenors
<b>Tea 3:00 – 3:15pm</b>	<b>Tea 3:00 – 3:15pm</b>
<b>Afternoon 2 3:15 – 5:00pm</b> <b>The Role and Work of Commissioner for Children and Young People with Katherine Browne</b> <ul style="list-style-type: none"> <li>Q&amp;A</li> </ul>	<b>Afternoon 2 3:15 – 5:00pm</b> <b>Strategies for Implementing Child Rights in Australia</b> <ul style="list-style-type: none"> <li>Group work continued</li> <li>Reflections: How can the CRC, the Reporting Process and the COs help change policy &amp; practice in Australia?</li> <li>Next steps for participants &amp; organisers (EMRIP, CESCR)</li> </ul> <b>Program Evaluation (Clare Sidoti)</b>
Facilitator(s): Katherine Browne (CCYP WA)	Facilitator(s): Course Convenors