

The UN Convention on the Rights of the Child Building Capacity on Implementation and Reporting

A Workshop in Sydney, Australia | 28 February — 1 March 2023



*“A very useful and practical introduction to the
CRC as a tool of advocacy.”*

– Workshop Participant

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: Building Capacity on Reporting and Implementation’ to Sydney for the first time since the inaugural workshop in 2017.

The 2-day intensive training program was held on 28 February – 1 March at Corrs Chambers Westgarth, where six women participants (including five from NGOs and one from a parliamentary office) from organisations in NSW and the ACT, 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 and incarceration, early childhood, the experiences of Indigenous children and young people, the universal right to education, stateless children and children seeking asylum, digital rights and more. These topic areas represent the diversity of experience and expertise that were present in the room.

The program enabled mostly NGOs the opportunity 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 5th and 6th Report (Recommendations), and more, in relation to relevant policy and practice in Australia.

With Australia 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, and with the Committee yet to issue its Draft General Comment No 26 on children’s rights and the environment with a special focus on climate change, to be adopted by the Committee in May 2023, this program supports an approach to engaging in the human rights treaty reporting process at the level of civil society engagement through NGOs and community organisations. The DTP, YLA and ALHR felt this approach is timely and could realise the potential of the reporting process as a policy and advocacy tool, and build understanding and awareness of the CRC, particularly in its relevance and implementation in day-to-day practice.

Dr Noam Peleg (UNSW), James McDougall (Australian Child Rights Taskforce), and Matthew Keeley (YLA) led the workshop and shaped discussions. Guest presenter Dr Claire Cronin (Attorney-General’s Department) shared her experiences with UN reporting mechanisms including her appearance before the Committee Against Torture (CAT) in 2022, the challenges of working in civil society and later in government and more including the simplified reporting procedure. A special guest appearance was also made by the Commissioner Natalie Lewis (Queensland Family and Child Commission) who spoke to the value and importance of hearing the voice of children and young people and the work of the Commission including the *Yarning for Change: Listen to My Voice* report.

The program was funded by training fees and in-kind support from the 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.

This report draws on the participant evaluations and provides a description of the program.

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

‘I appreciated hearing from diverse civil society organisations and advocates about their experiences, and some of the challenges they experienced in advocating for child rights ...’

– Workshop Participant

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 on operating in the child policy space. One participant expressed concern that the training fees were very high particularly for NGOs and opined 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. It was also acknowledged that many participants withdrew from the program prior to its commencement for the following key reasons: email communications were received in spam folders; invitations were received one week prior to the commencement of the program; and / or a lack of capacity to find time away from work.

A revised strategy of building a constituency of policy makers and advocates to inform the program and promotions, in particular contacts in government, together with inviting applicants from the time of receipt of applications, and creating tiered fees involving discounts for ‘early bird’ applications, may alleviate some of the negative impacts mentioned above. Program partners also expressed a need for greater investment in advertising and marketing, to capture higher levels of participation among child experts, policymakers and advocates across NGO and Government.



Appendix 1 | Trainers

Dr Noam Peleg, Lecturer ***University of New South Wales***

Noam Peleg is a Senior Lecturer at the Faculty of Law. Noam's work focuses on international children's rights law and its intersection with human rights law, childhood studies, and family law. He has published widely in leading journals and edited books, and his book 'The Child's Right to Development' was published by Cambridge University Press in 2019. Together with the Diplomacy Training Program and Youth Law Australia Noam established the "Monitoring Children's Rights Capacity Building Programme" in 2017. Noam is the Book Review Editor and member of the editorial board of the International Journal of Children's Rights, and co-editor of Current Perspective section at the Australian Journal of Human Rights. In 2020 he was Visiting Professor at Columbia Law School (NYC). Before moving to academia, Noam practiced law in a number of human rights NGOs, specialising in representing children in courts.

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.

Matthew Keeley, Director and Solicitor ***Youth Law Australia.***

Matthew Keeley is the Director of Youth Law Australia (YLA), affiliated with UNSW's Faculty of Law and Justice. He is a solicitor, human rights advocate, access to justice campaigner, and researcher whose interests include children's law, disability law, human services law, government law, legal tech, and legal service development. Prior to his role at YLA, Matthew was Director of Legal Services at the then NSW Department of Ageing, Disability and Home Care. YLA is accredited to the UN Economic and Social Council as a children's rights specialist NGO and Matthew has co-authored, edited or contributed to numerous NGO reports to UN treaty bodies including the UN Committee on the Rights of the Child for YLA.

Dr Claire Cronin ***Attorney-General's Department***

Dr Claire Cronin is an Assistant Director with the Human Rights Unit of the Attorney-General's Department with responsibility for international human rights reporting. She was part of the state delegation to Australia's 2022 appearance before the Committee against Torture. Prior to becoming a public servant, Claire was a human rights focused academic specialising in post-colonial truth telling. Claire has UN treaty reporting experience from both the United Nations and civil society perspectives, having worked as CEDAW Advisor for UN Women in the Pacific Islands, and as the Pacific Islands Manager for the Commonwealth Human Rights Initiative.

Natalie Lewis, Commissioner
Queensland Family and Child Commission

Natalie Lewis is a descendant of the Gamilaraay Nation and was appointed the Commissioner of the QFCC in May 2020. Natalie’s career spans more than 25 years across youth justice, child and family services and Aboriginal and Torres Strait Islander Affairs, providing direct service, program and policy development, and organisational leadership both in Australia and the United States. Previously, Natalie was the Chief Executive Officer of the Queensland Aboriginal and Torres Strait Islander Child Protection Peak (QATSICPP) and held appointments on the Queensland First Children and Families Board and the Joint Ministerial Council for Closing the Gap. She also served for more than 8 years on the National Executive of SNAICC – National Voice for our Children, and co-chaired Family Matters, the national campaign to eliminate the over-representation of Aboriginal and Torres Strait Islander children in statutory child protection systems. Natalie remains fiercely committed to progressing a transformational reform agenda to ensure the rights of children are upheld in Queensland and nationally.

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.

Rutaban Yameen, Child Rights Program Officer
Diplomacy Training Program

Rutaban Yameen is an Australian lawyer and joined the Diplomacy Training Program this year. Prior to this, she worked at the crossroads of research, policy and advocacy in refugee and migration and human rights-based non-profit organisations. Her research intersected with questions of child rights and safety in the context of country-of-origin protection mechanisms and mandatory detention. She held several research and editorial positions including at the Asylum Seeker Resource Centre, Asylum Insight, and the Centre for Employment and Labour Relations Law. She graduated from the University of Melbourne with a Master of Laws specialising in international human rights law.



Appendix 2 | CRC Schedule

<p>Day 1 – 8:30 – 9:00 Registration</p> <p>Morning 1 9:00 – 10:30am</p> <p>Introductory Session:</p> <ul style="list-style-type: none"> Welcome to Country Welcome Remarks from Program Partners and Program Outline Introductions, Acknowledgements and Program Expectations Setting the Scene – The need for capacity building <p>Facilitator(s): Clare Sidoti (DTP)</p>	<p>Day 2 – 8:30 – 9:00 Registration</p> <p>Morning 1 9:00 – 10:30am</p> <p>Recap of Day 1: Group work feedback (James McDougall)</p> <p>The CRC, Reporting and Implementation – Concluding Observations – Focus on Key Issues</p> <ul style="list-style-type: none"> The CRC General Comments (James McDougall) <p>The Concluding Observations for Australia and Implementation Challenges</p> <ul style="list-style-type: none"> Group work on COs: look at substance of recommendation, what it means for government / CS, prioritisation and steps towards implementation (James McDougall) <p>Facilitator(s): James McDougall, Matthew Keeley, Course Convenors</p>
<p>Tea 10:30 – 10:45am</p> <p>Morning 2 10:45am – 12:30pm</p> <p>The International Human Rights Framework and Introduction to Australian Reporting on the Convention on the Rights of the Child</p> <ul style="list-style-type: none"> Introduction to UN Human Rights Monitoring System – UPR, SPs, Focus on TBs (Rutaban Yameen) Status of Australia’s reporting cycle for treaties (Rutaban Yameen) Introduction to CRC Committee: Role of Committee, General Comments (Dr Noam Peleg) Four Key Guiding Principles of CRC: <i>non-discrimination / equality; best interests of the child; survival and development; participation / inclusion</i> (Dr Noam Peleg) Key interpretative guidance from CRC General Comments (Dr Noam Peleg) Group Work: What do these mean for policy and practice in Australia? (Dr Noam Peleg) <p>Facilitator(s): Dr Noam Peleg, Rutaban Yameen (DTP), James McDougall, Course Convenors</p>	<p>Tea 10:30 – 10:45am</p> <p>Morning 2 10:45am – 12:30pm</p> <p>Recommendation Priorities: CRC, Australian Human Rights NGOs, UPR & other HR mechanisms available</p> <ul style="list-style-type: none"> Q & A / Group Work (James McDougall) <p>Facilitator(s): James McDougall, Matthew Keeley, Course Convenors</p>
<p>Lunch 12:30 – 1:30pm</p> <p>Afternoon 1 1:30 – 3:00pm</p> <p>CRC Reporting – An Opportunity for Dialogue and Engagement:</p> <ul style="list-style-type: none"> The role and responsibilities of the Australian Government & Civil Society CRC reporting cycle & Government / CSO Engagement – Update CRC Reporting Cycle: Q & A / Group Work <p>Facilitator(s): James McDougall, Matthew Keeley, Course Convenors</p>	<p>Lunch 12:30 – 1:30pm</p> <p>Afternoon 1 1:30 – 3:00pm</p> <p>Strategies for Implementing Child Rights in Australia: Brainstorming</p> <ul style="list-style-type: none"> Group work where participants will identify practical opportunities and challenges to implementing children’s rights in their work (James McDougall) <p>Conversation with a Children’s Commissioner with Commissioner Natalie Lewis</p> <ul style="list-style-type: none"> Work of Queensland Family and Child Commissioner Experiences of reporting process <p>Facilitator(s): James McDougall, Matthew Keeley, Course Convenors</p>
<p>Tea 3:00 – 3:15pm</p> <p>Afternoon 2 3:15 – 5:00pm</p> <p>Reflections from the AG’s Department with Dr Claire Cronin</p> <ul style="list-style-type: none"> Experience with the CRC reporting cycle and plans for the next reporting cycle. Q&A <p>Facilitator(s): Dr Claire Cronin (AG’s Department)</p>	<p>Tea 3:00 – 3:15pm</p> <p>Afternoon 2 3:15 – 5:00pm</p> <p>Strategies for Implementing Child Rights in Australia</p> <ul style="list-style-type: none"> Reflections: How can the CRC help change policy and practice affecting children in Australia? (James McDougall) How can the CRC Reporting Process and COs be used to address the priorities identified in Australia? (James McDougall) Next steps for participants and organisers (CESCR) (James McDougall) <p>Program Evaluation (Clare Sidoti)</p> <p>Facilitator(s): James McDougall, Matthew Keeley, Course Convenors</p>