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First Nations Commissioners and Guardians unite to urge Governments to stop failing Aboriginal children and young people

Australia's leading First Nations child advocates are calling on Federal and State Governments to step up and protect children and young people's human rights at a national youth justice conference in Mparntwe (Alice Springs) this week.

Members of the Australian and New Zealand Children's Commissioners Guardians and Advocates First Nations Caucus are collectively urging Governments to finally listen, act, and uphold the rights of the children and young people they are obligated to protect.

Across the country, we are witnessing a disturbing erosion of hard-won safeguards – protections grounded in international law – that intended to shield Aboriginal and Torres Strait Islander children from institutional harm.

Regressive reforms that lower the age of criminal responsibility, increase the likelihood of children being imprisoned and reduce access to diversionary alternatives not only breach children's rights, but undermine government commitments to Closing the Gap.

The evidence is unambiguous: the earlier a child is drawn into the justice system, the more likely they are to be criminalised for life. The current punitive approach does not rehabilitate - it retraumatizes. The cost is borne not only by these children, but by communities already stretched by intergenerational injustice.

Australian Governments are legally bound to uphold and protect the rights of Aboriginal and Torres Strait Islander children through their ratification of the United Nations Convention on the Rights of the Child (UNCRC) and other international instruments. These are not symbolic gestures. They are binding commitments. And yet, those commitments ring hollow when Aboriginal and Torres Strait Islander children are left behind or locked away.

Aboriginal and Torres Strait Islander children, families and communities continue to contribute to numerous Royal Commissions, inquiries and reports that make tangible recommendations for change. Governments across the country must work with communities and leaders alike to implement outstanding recommendations to achieve meaningful outcomes for Aboriginal and Torres Strait Islander children. Our children cannot wait any longer!

First Nations Caucus members call on the Australian Government to take immediate action and ensure States and Territories are held to account to their commitments to national agreements and implement the recommendations made in *Help Way Earlier* including:

- Urgently establishing a Minister for Children;
- Protecting children's rights by incorporating the UNCRC into domestic law in Australia through a National Children's Act as well as a Federal Human Rights Act; and
- Establishing a Ministerial Council for Child Wellbeing.

As part of the Justice Reform Initiative’s Reintegration Puzzle conference (24 – 26 June) the group will attend a community roundtable on youth justice this afternoon to hear directly from community representatives about solutions to the ongoing and unacceptable overrepresentation of Aboriginal and Torres Strait Islander children in the youth justice system.

Caucus members are urging the Government to listen to community, and back evidence-based, community led solutions that keep children connected to their communities, their family and culture.

Quotes

“Aboriginal and Torres Strait Islander children must have their human rights protected, respected and upheld. Our children cannot wait any longer for the Government to act on earlier promises to ensure their human rights are protected,” Shahleena Musk, Northern Territory Children’s Commissioner.

“We cannot continue to tinker at the edges while children are being harmed in systems designed to help them. It is not a lack of evidence holding us back - it is a lack of will,” Shona Reid, South Australia’s Guardian for Children and Young People

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This statement is endorsed by the following First Nations Caucus members:



Shahleena Musk
Children’s Commissioner (NT)



Shona Reid
Guardian for Children
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**Commissioner for
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Jacqueline McGowan-Jones
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COMMISSION FOR CHILDREN AND YOUNG PEOPLE

Meena Singh
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Natalie Lewis – Commissioner (QLD)



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