



National Council of Women of New Zealand

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Submission to the Ministry of Youth Affairs on the United Nations Convention on the Rights of the Child (UNCROC) : Draft Report May 2000

Introduction

The National Council of Women of New Zealand (NCWNZ) is an umbrella organization representing 46 nationally organized societies. It has 35 branches spread throughout the country to which women of some 150 societies are affiliated. NCWNZ works to improve the quality of life for women, families and society.

This submission is prepared by the members of the Family Affairs Standing Committee, and draws on Policy developed by its membership over the course of 104 years of working to advance the interests of women, their children, and society as a whole.

General Comments

This submission refers only to sections of the First Periodic Report of New Zealand to the UNCROC Committee (hereafter referred to as the NZ Report), which relate directly to areas with which NCWNZ has had some involvement in recent years. The references relate to corresponding page and paragraph references in the NZ Report.

Part 1: General Measures of Implementation

Para. 34. The members of the Family Affairs Standing Committee (hereafter referred to as the Committee) writing this submission, question the assumption being made that links “Government Budget allocations... giving priority to children” and “improv[ing] individual’s employment outcomes (presumably the parents) by ... encouraging active participation in work” (presumably paid work) (second bullet point). The Committee questions whether it has been established that improving *both* parents access to paid employment (with the concomitant marginalisation of the unpaid work of parenting at home, at least while children are young) improves the welfare of children.

Para. 85. The Committee welcome the prospect of research on the economic circumstances of children, specifically on living standards and on family dynamics. Good information is vital for the construction of effective policy.

Para. 90 & 91. NCWNZ supports efforts to strengthen the Office of the Commissioner for Children by making it an independent Office of Parliament. In recent years it has actively lobbied in support of this proposal, and urges the new Government to progress the Bill initiated by the previous Government in 1999.

Part 2: Definition of the Child

Para. 137. NCWNZ supports the recently passed amendments to the sale of the Liquor Act which lower the legal minimum drinking to 18 years. While controversial among NCWNZ membership, the overriding opinion was that it is contradictory that young adults should have the responsibility to vote for their government, drive a vehicle, and die for their country in war, yet not be able to have a drink in a licensed premises or purchase alcohol. NCWNZ is however, adamant that the age needs to be strictly enforced.





Part 3: General Principles

Para. 142. NCWNZ strongly supports affirmation of the principle of the best interests of the child. It is a principle NCWNZ uses widely; some recent examples are in the NCWNZ submission on the Property (Relationships) Bill; in our response to the Adoption Reform Discussion Paper; our submission on Child Support Amendment Act; and will feature in our submission on the proposed paper on Guardianship and Family Law Reform.

Para. 151-153 While the Committee supports the initiatives taken to deal with increasing rates of youth suicide, but question whether these measures are sufficient as the rates remain alarmingly high. NCWNZ is working to increase public awareness of the issue. Recently NCWNZ's Mid Northland Branch held a seminar specifically to address the issue of youth suicide.

Para. 157-161. NCWNZ supports the idea of the Prime Minister's Youth Advisory Forum, but would support efforts to improve its functioning with the establishment of policies and procedures. The Committee supports the concept of young voices being heard.

Para. 162-166. The Committee supports the idea of the Youth Parliament, but again are concerned that opportunity to be involved is not awarded to all young people. However, processes for selection and publicity need to be developed.

Part 4: Civil Rights and Freedoms

(h) The right not to be subject to torture or other cruel, inhuman or degrading treatment or punishment (Article 37(a)).

NCWNZ has actively campaigned for the repeal of s.59 of the Crimes Act, which allows parents or guardians to use "reasonable force" in the disciplining of children. It is our view that children have the right to be protected from physical violence as a form of punishment, which is neither effective nor justified. Effective education is needed for parents in alternative means of disciplining children, in order to help break the cycle of violence children are subjected to.

Part 5: Family Environment and Alternative Care

Para. 201. While the Committee applaud Government initiatives on strengthening families, we are concerned about the increasing marginalisation of families, more specifically of the work and time commitment required in good parenting. It is no longer the norm for a parent to be at home with their child or children; the expectation embedded within Government policy and increasing social pressure is for both parents (in a two parent household), or for all single parents, to be fully engaged in paid employment. The consequent stress placed on families to manage full time employment as well as the work of raising children is, in our view, detrimental to the well being of children and parents alike. While economic factors may in large part, be a driving force behind these trends, having more money does not always remedy the situation. Does anyone ask what the children would prefer? Having a parent at home is becoming a luxury available only to the rich. This Committee believes we urgently need to find ways of recognising parenting as work, and creating structures that enable all parents to opt for working at home as a parent, if they so desire. Such structures would give real substance to policies designed to "strengthen families".

Para. 228. NCWNZ welcomes measures to formalise the transfer of care and protection orders and proceedings between Australia and New Zealand.

(e) Recovery of maintenance for the child

Para. 234. NCWNZ welcomes the establishment of an agreement with Australia to allow support payments to be collected from non-custodial parents resident in Australia. Evasion of parental responsibilities was all too common when one could simply escape across the Tasman.



(g) Adoption

Para. 237. NCWNZ has embraced the opportunity to comment on the Law Commission Discussion Document on Adoption Law Reform, and has extensively canvassed membership opinion on the issues raised, having received approximately fifty responses, many representing large groups or organisations of women. NCWNZ intends to make a substantial submission on any prospective Bill, and urges immediate action as the current legislation (the 1955 Act) has well outdated.

(i) Abuse and neglect

Para. 248-252. NCWNZ is very concerned about increasing numbers of unallocated cases in all regions, and has long campaigned for increased resourcing of Children, Youth and Family Services (CYFS). This is a matter that requires urgent attention, as the lives of our children are at risk; we cannot afford to simply wait until the resources allow. The Budget 2000 allocations for core services to address this issue are, in our view, insufficient, and NCWNZ has recently made a media statement to that effect.

Para. 253. NCWNZ has campaigned for the repeal of s.59 of the Crimes Act. (See comments Part 4 (h) above).

Para 254.

Development of Child Abuse Reporting protocols

NCWNZ has supported a Parentline initiated campaign for mandatory reporting of child abuse or neglect, an end to which we are still committed.

NCWNZ supports and advocates increased training for all professionals involved with children (teachers, health professionals etc.) in recognition of child abuse or neglect, and appropriate action. However, once again we reiterate the importance of CYFS being able to follow up and act on reported cases, for adequate resourcing is imperative.

Part 6: Basic Health and Welfare

Para. 288.

Infant and Child Mortality

NCWNZ has campaigned for the establishment of a Child Mortality Review Board. At present there is no single body that collates all relevant information relating to the death of a child. This information would greatly help in the identification of at risk children, and would assist in putting in place more effective preventative measures.

Para. 290. NCWNZ has welcomed the establishment of a Child Health Strategy. However, we are continuing to monitor its effectiveness, as we are not convinced that child health has improved markedly in recent years; in fact, there is significant evidence to the contrary. The steadily reducing immunisation rates are an example where the Strategy appears not to be working.

Para. 320.

Childcare Services NCWNZ supports Government initiatives to steadily increase provision of childcare services and out-of school care services. However, costs are largely seen as a private responsibility, rather than an employment related expense. NCWNZ is actively campaigning for full tax deductibility of all childcare expenses.

**Conclusion**

In general, the Committee regards the NZ Report as an honest, detailed and comprehensive statement of progress made in regard to the rights and well-being of children in recent years, although we are particularly concerned about the under-resourcing of CYFS which presents a real threat to children's lives. We also note that the primary focus tends to be on targeted assistance to "at risk" families and children rather than on creating universal structures that enable all parents to carry out their responsibilities to their families. We have noticed a definite shift in thinking, reflected in public policy and social attitudes, that raising children is a private concern, not the responsibility of the wider society. The responsibility for raising children is still primarily carried by women, who also carry the cost in loss of income and career continuity, should they decide to parent their children full-time for a period. Fewer women are willing to accept these costs, as an increasing number are returning to paid work sooner, or not having children at all. We believe it is the institution of the family per se, and the work of parenting that is 'at risk'. We are concerned about the future of a society that is so reluctant to invest in parenting of its future generations.

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