

Your Ref:
Our Ref: 899

23 December 2021

Professor Michael Pervan
Secretary
Department of Communities Tasmania

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Dear Secretary

Re: Submission to the *Tasmanian Sport and Active Recreation Strategy Discussion Paper*

Thank you for the opportunity to provide a written submission to inform the development of the *Tasmanian Sport and Active Recreation Strategy Discussion Paper 2021* ('Discussion Paper'). I am grateful for the extension of time within which to provide my submission – that extension was granted by your Department on 24 November 2021.

I have a strong interest in the successful development and implementation of a strategy that promotes improved access to, and increased participation in, sports and active recreation for all Tasmanians.

For children and young people, participation in sport and recreation can have significant short- and long-term benefits including increased participation and success at school, improved physical and mental wellbeing, as well as improved health and productivity in later life. Recreation and play for children and young people can also aid brain development, in particular decision-making and strategic thinking, as well as fostering independence, self-regulation and autonomy. A national approach taken by Iceland (the Icelandic Model of Adolescent Substance Use Prevention) found a significant reduction in alcohol and drug use amongst teenagers, and significant benefits to general psychological and physical wellbeing when children and young people were given increased access to sport and recreation activities (alongside other related interventions).¹ Opportunities for children and young people to participate in sport and recreation should be available to all, irrespective of socio-economic status, geographical location, age or gender.

As you know, in August 2021, the Tasmanian Government released [*It Takes a Tasmanian Village: Child and Youth Wellbeing Strategy*](#) which has focus areas and actions under six inter-related domains: being loved and safe and valued; having material basics; being

¹ Sigfúsdóttir ID, Thorlindsson T, Kristjánsson AL, Roe KM, Allegrante JP. '[Substance use prevention for adolescents: the Icelandic Model.](#)' *Health Promotion International* 2009 Mar; 24(1):16-25.



healthy; learning; participating; and having a positive sense of culture and identity. Active participation in sport and recreation has relevance across all of the domains of the *Child and Youth Wellbeing Strategy* and therefore the *Tasmanian Sport and Active Recreation Strategy* ('the Strategy') provides a unique opportunity to create linkages to further improve children and young people's health and wellbeing.

This consultation process comes at an opportune time, given the additional challenges faced by children, young people and families because of the COVID-19 pandemic. Now, more than ever, we need to collectively commit to improving and sustaining positive wellbeing outcomes for all Tasmanian children and young people and further addressing any gaps in services and supports to assist in the achievement of those outcomes.

Role of the Commissioner for Children and Young People

The Commissioner for Children and Young People is an independent statutory office established under Tasmania's *Commissioner for Children and Young People Act 2016* (the CCYP Act). My functions and powers and the principles to which I must have regard are set out in that Act.

Section 8 of the CCYP Act outlines my general functions as follows:

- (a) advocating for all children and young people in the State generally;
- (b) acting as advocate for a detainee under the *Youth Justice Act 1997*;
- (c) researching, investigating and influencing policy development into matters relating to children and young people generally;
- (d) promoting, monitoring and reviewing the wellbeing of children and young people generally;
- (e) promoting and empowering the participation of children and young people in the making of decisions, or the expressing of opinions on matters, that may affect their lives;
- (f) assisting in ensuring the State satisfies its national and international obligations in respect of children and young people generally;
- (g) encouraging and promoting the establishment by organisations of appropriate and accessible mechanisms for the participation of children and young people in matters that may affect them; and
- (h) such other functions as are prescribed.

In performing my functions, I am required to:

- Do so according to the principle that the wellbeing and best interests of children and young people are paramount;
- Observe any relevant provisions of the United Nations *Convention on the Rights of the Child* (CRC); and
- Give special regard to the needs of children and young people who are disadvantaged or vulnerable.



The following articles of the CRC are of particular relevance to the Strategy:

- Article 3 - a child's right to have their best interests taken into account as a primary consideration in all actions and decisions that affect them;
- Article 6 – children have the right to live a full life and governments should ensure their healthy survival and development;
- Article 12 - a child's right to have a say in all matters affecting them and for their views to be taken into account;
- Article 19 – a child's right to be properly cared for and protected from physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation; and
- Article 31 – a child's right to relax, play and to join in a wide range of leisure and cultural activities.

This submission focuses on ways in which the Strategy can leverage work already undertaken by the Tasmanian Government and my office, to ensure that the views of Tasmanian children and young people are taken into account and their wellbeing is central to the development and implementation of the Strategy and future Action Plans.

Consistent with my statutory functions, my comments below focus on matters that are particularly relevant to promoting and protecting the rights, wellbeing and best interests of children and young people in Tasmania.² My comments are not intended to be exhaustive and I welcome the opportunity to provide further feedback as the Strategy is further considered and developed.

The vision

The proposed vision of the Strategy - for Tasmania to be *The Place to Play* - broadly aligns with Article 31 of the CRC, and it is with this focus that further consideration should be given to how to maximise children and young people's ability to access and meaningfully engage in sports and active recreation activities.

Enable increased participation for all

In 2020, I was asked by the Tasmanian Government to undertake targeted consultations with children and young people to ensure the voices of young Tasmanians aged 0-17 years contributed to the co-design of the *Child and Youth Wellbeing Strategy*. In 2021, I compiled a report ([*We Call it Happy. CCYP Wellbeing Consultations with 0-18 Year Old Tasmanians*](#)) on the wellbeing of young Tasmanians. The report provides a sense of what life is like for Tasmanian children and young people up to the age of 18 and is based on consultations with more than 400 young Tasmanians and 100 parents and carers from around the state. My views are very much informed by the individual experiences that are regularly raised with me by children and young people, for which I am thankful, as they help inform how I undertake my role on behalf of Tasmania's children and young people.

² Pursuant to section 3 of the CCYP Act, "child" means a person who has not attained the age of 18 years; and "young person" means a person, who has not attained the age of 18 years, as determined by the Commissioner in accordance with section 8(4).



The report identifies key issues that would make life better for young Tasmanians in their communities and in Tasmania more generally. Specifically, the report finds that across the state, children and young people have expressed a need for more things to do in their communities – and more places or more appropriately designed places in which to do them.³ As noted in the report,

“participants highlighted the benefits of recreational and sporting activities, including community connectedness, the alleviation and prevention of boredom, and improved health outcomes. Adults interviewed in early learning services also noted the importance of these activities for allowing parents and carers to build support networks, particularly in communities where the lack of childcare and early childhood services might make adults (and possibly also children) feel more isolated and vulnerable.”⁴

With the assistance of external partners, I also helped children to create a children’s book on wellbeing ([*When I Wake Up I Smile. A book of wellbeing by 156 children across Tasmania*](#)). The children’s book also captures the views of children and young people and their parents/carers on the importance of having an active lifestyle including participation in sport and recreation activities.

“Being an outside kid...that’s me.”

“I like participating in running on the oval with my friends.”

“We’ve got a football team but it’s so hard to find a coach.”

“I like riding my bike from the wharf all the way to Lions Park with my brother.”

“There is a public swimming pool but there are no swimming lessons available.”

I urge you to consider both of these publications to inform how the Strategy can address participation and access to sports and recreation activities in a practical, user-informed way. This is exemplified in feedback from participants on practical activities that could be implemented to improve their wellbeing, such as: “...the need for more school holiday programs, greater access to affordable sporting and creative activities, round-the-year access to pools and affordable learn-to-swim programs, and appropriately designed playgrounds and recreational parks (including skateparks, basketball courts, bike tracks, ovals, etc.).”⁵

In my discussions with young Tasmanians and their parents/carers, I have frequently heard that barriers to participation in, and access to, sport and recreation include the expense of participating (both individually and as a family), the limited (or lack of) activities in their community and the limited (or absence of) transport options to enable access to these activities. As one young person stated:

³ Commissioner for Children and Young People Tasmania, *We Call it Happy* (2021), available at: <https://www.childcomm.tas.gov.au/wp-content/uploads/Wellbeing-Consultation-Report-We-Call-It-Happy.pdf>, p18.

⁴ Ibid.

⁵ Ibid.



“One of the things that’s a bit of a problem is a majority of the afterschool sports you have to pay money. It’s not just a little bit of money, it’s quite a lot. Most of the kids that do it have siblings. So, they’re not just paying for one child, they’re paying for three to four. So, quite a few children can’t do it or feel they just don’t want to even ask, because they know that it might not be able to happen because of the cost or because they don’t want to put their parents in that position where they have to say no, we can’t afford.” (9-18 years)

Consistent with article 12 of the CRC, the views of children and young people should inform all major government decisions that affect them – including the development of this Strategy. I am interested to understand how the views of children and young people will be actively sought in the development of the Strategy in a way that is accessible and relevant to them. For example, children and young people should be actively and meaningfully involved in the planning and design of recreation places and spaces in their community.

As mentioned in the introduction, I also draw your attention to the Tasmanian Government’s *Child and Youth Wellbeing Strategy ‘It takes a Tasmanian village’*, which was informed by the views of Tasmanian children and young people, and those who care about them, with over 3,500 participants. The Tasmanian Government has developed the wellbeing strategy to guide the delivery of supports that children, young people (aged 0 to 25 years) and their families need.

Notably, one of the guiding principles of the *Child and Youth Wellbeing Strategy* is to provide a range of recreational and social opportunities for children and young people in the areas in which they live.⁶ This is consistent with feedback I have received from Tasmanian children, young people and the people that care about them, with messages including:

- Children and young people want more things to do and places to do them;
- Children and young people want to participate in organised recreational activities; and
- Children and young people want to be listened to and their concerns acted upon, including their concerns about the environment.⁷

As mentioned, the *Child and Youth Wellbeing Strategy* is arranged around wellbeing domains with some having a specific focus on participation and access to sports and active recreational activities:

- ‘Having basic materials’ means that children and young people have access to transport, required local services and materials to support participation in activities;
- ‘Being healthy’ means that children and young people are as physically active as they can be and are supported to engage in regular outdoor activities and nature based play;
- ‘Learning’ means children and young people are supported to learn about their world through connection to nature and the outdoors; and
- ‘Participating’ means children and young people are engaging with peers and community groups, are an active participant in their own life, including being able to

⁶ Tasmanian Government, *It Takes a Tasmanian Village*, (2021) available at: www.wellbeing.tas.gov.au, p11.

⁷ Ibid, p29.



have a say and have their opinion heard and valued, and are taking part in organised activities, including sport.⁸

The benefits of children and young people playing sport and engaging in recreational activities is widely accepted, including having fun, developing friendships, learning new skills, and staying active and healthy. I encourage you in the development of the Strategy to be informed by understanding what is important to children and young people in order to engage in sports and recreation activities, and utilising the important work already undertaken in this area.

Build stronger organisations

All organisations, particularly those which engage with or provide services to children, have a responsibility for keeping children safe. Sport and recreation institutions have an important role to play in the prevention and detection of child sexual abuse, as well as raising awareness and promoting child safety.

The Royal Commission into Institutional Responses to Child Sexual Abuse ('Royal Commission') examined in detail what makes an institution child safe and it also made extensive recommendations on how to improve child safety within institutions. Volume 6 of the Royal Commission's Final Report titled *Making institutions child safe* provides recommendations regarding the prevention of child sexual abuse through child safe communities, the development and implementation of National Child Safe Standards, and the way that regulatory oversight and practice should be improved to facilitate the implementation of the Child Safe Standards in institutions.

In response to the Royal Commission's recommendations, the [*National Principles for Child Safe Organisations*](#) (the National Principles) were developed, and in 2019 were endorsed by members of the Council of Australian Governments, including the Tasmanian Government. The National Principles aim to provide a nationally consistent approach to creating organisational cultures that foster child safety and wellbeing. The National Principles are intended to guide the implementation of the recommendations of the Royal Commission and have a broad scope that seeks to address all forms of child abuse in organisational settings.

The Australian Government has not resourced a nationally consistent approach to the implementation of the National Principles. However, the Tasmanian Government has recently committed to developing a comprehensive Child and Youth Safe Organisations Framework (CYSOFF) overseen by an independent oversight and regulation body.⁹ The CYSOFF is likely to include:

- A regulatory framework for compliance with the National Principles for Child Safe Organisations;
- A reportable conduct scheme to monitor investigations of child sexual abuse in government and non-government institutional settings; and

⁸ Ibid.

⁹ Tasmanian Government, [*Fourth Annual Progress Report and Action Plan 2022: Implementing the Recommendations of the Royal Commission into Institutional Responses to Child Sexual Abuse*](#) (December 2021).



- An information exchange for relevant information relating to child safety across government agencies and non-government organisations.

It is important that institutions or programs that deliver sport and recreation activities to children and young people are conducted in a manner that is consistent with the National Principles and compliant with the Tasmanian CYSOF when it is enacted. This approach should be outlined in the Strategy and the delivery of education, training and capability of service providers should be built into the implementation of the Strategy to promote the safety and wellbeing of children and young people in their care.

Evaluate our success

The development of any strategy must be accompanied by robust measurement of outputs, outcomes and impact. Measuring success is often difficult and requires quality, reliable data sources. It will be important to develop a comprehensive measurement framework which sources both quantitative data (i.e. numbers of people participating) as well as qualitative data (i.e. individual experiences and views). It is important that any data which is collected and analysed as part of any strategy is made available publicly, as ownership of data should be a collective responsibility. Making data available to the public allows communities to recognise achievements, identify challenges and to be active participants in decision-making processes. When developing measures for the Strategy it may be useful to link up with the *Child and Youth Wellbeing Information Strategy* which is being developed alongside the *Child and Youth Wellbeing Strategy*. The *Child and Youth Wellbeing Information Strategy*, when released, could provide some useful data to feed into the monitoring and evaluation of this Strategy.

Conclusion

Thank you again for the opportunity to contribute to the Strategy. If you have any questions about my submission, please do not hesitate to contact me on (03) 6166 1366 or via email to childcomm@childcomm.tas.gov.au.

Yours sincerely

Leanne McLean

Commissioner for Children and Young People

cc *Hon Jane Howlett MP, Minister for Sport and Recreation*
Hon Sarah Courtney MP, Minister for Children and Youth