

Your Ref:  
Our Ref: 902

25 February 2022

The National Plan Secretariat  
By email: [Nationalplan@dss.gov.au](mailto:Nationalplan@dss.gov.au)

Dear National Plan Secretariat

**Re: National Plan to End Violence Against Women and Children 2022-32**

Thank you for the opportunity to provide feedback to inform the next National Plan to End Violence against Women and Children 2022-32 (next National Plan) by providing comment on the draft Plan. I was grateful to have the opportunity to participate as a delegate in the National Summit on Women's Safety. Given the relatively short timeframe in which to comment on the draft Plan, my feedback is necessarily brief and is not intended to be exhaustive.

My role as Tasmania's Commissioner for Children and Young People is to advocate for the rights and wellbeing of all children and young people in Tasmania. The *Commissioner for Children and Young People Act 2016* (CCYP Act) sets out the functions of the Commissioner which include influencing policy development in areas relating to children and young people.

In performing my functions, I am required to do so according to the principles that the wellbeing and best interests of children and young people are paramount, and observe any relevant provisions of the United Nations Convention on the Rights of the Child (CRC). It is a fundamental principle of the CRC that every child and young person has the right to live their life free from all forms of violence, abuse and neglect (Article 19). Violence against women and children also engages other children's rights under the CRC including, but not limited to, the right to have their best interests taken as a primary consideration in all decisions relating to them (Article 3) and the right of children to express their views freely on all matters affecting them and to have their opinions taken into account in decision-making (Article 12).

*Recognising children in their own right*

Children and young people who experience violence have their own unique experience of that violence including individual coping strategies, thoughts and perspectives, as well as the need for services and supports tailored to their level of understanding, age, stage of development, and individual circumstances.<sup>1</sup> I therefore welcome the acknowledgement of children and young people in the draft Plan as victim-survivors of violence in their own right. Notwithstanding this acknowledgement, the draft Plan includes only limited information on children's own unique experiences of violence and the effect that those experiences can have on their wellbeing and development. I therefore recommend additional information and data regarding the prevalence and experience of violence by children and young people be included in the next National Plan, including

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<sup>1</sup> Commissioner for Children and Young People (Tas), 2016, [Children and Young People's Unique Experiences of Family Violence](#).



but not limited to, information on technology-facilitated abuse and exploitation and the effects of COVID-19 on children's experience of violence.

Further, the draft Plan does not include explicit reference to the importance of drawing on the lived experience of children and young people in the design and implementation of measures to prevent and respond to violence. Nor does it convey how the voices and experiences of children and young people have or will inform the development and implementation of the next National Plan. Consistent with Article 12 of the CRC, the next National Plan should include explicit recognition of the right of children to have a say in decisions that affect them and commit to ensuring mechanisms for their views to be considered in policy and program development and implementation. For example, the Foundation Principles could include a commitment to drawing on the lived-experience of children and young people who are victim-survivors to inform the design of appropriate and effective policies and solutions.

### *A strengthened approach to primary prevention*

When consulting with children and young people across Tasmania, I regularly hear that they want to learn more about gender, sexual diversity and gender equality as well as respectful relationships and consent education and they want to have a say in the design and delivery of these programs. While it is pleasing to see the draft Plan includes a commitment to ensuring the availability of respectful relationships education, consent education and emotional literacy programs to promote positive, equal and respectful relationships between people of all genders, in all contexts, the vital importance of such education and programs for children and young people should be discussed in more detail in the next National Plan. By providing relevant, contemporary and developmentally-appropriate education programs on consent and respectful and equal relationships for children and young people, we can far better prevent and address disrespectful attitudes that can lead to gendered violence and discrimination. I would urge a greater focus in the next National Plan on the importance of these programs for children and young people as a primary prevention focus, including through a commitment to co-designing such programs with children and young people.

### *Inter-relationship with other national frameworks and strategies*

The draft Plan appropriately notes that the experiences of child abuse are addressed concurrently through [Safe & Supported: the National Framework for Protecting Australia's Children 2021 – 2031](#) (National Framework) and that child sexual abuse is addressed through the [National Strategy to Prevent and Respond to Child Sexual Abuse 2021-2030](#) (National Strategy). As the next National Plan has its own role to play in preventing and responding to violence against children and young people, its inter-relationship with the National Framework and the National Strategy should be clarified and strengthened to ensure a more integrated and mutually supportive national approach to improving the safety of children and young people. In particular, a strengthened and more integrated approach is required to better inform strategies to prevent and respond to harmful sexual behaviours.

By way of example, while the draft Plan acknowledges that under the First National Action Plan of the National Strategy, Australian state and territory governments will work together to develop a framework to prevent and respond to children with harmful sexual behaviour, it does not provide much detail about how it will complement and/or support the work under the National Strategy to enhance a nationally consistent approach to responding to children with harmful sexual behaviours. In the interests of promoting and protecting the rights and wellbeing of children and young people, this inter-relationship should be made clearer in the next National Plan.



### *Measures, targets and outcomes*

Finally, to better understand the changing experiences of children and young people and our progress to prevent and respond to violence affecting them, the draft National Plan should include more child-specific measures, targets and outcomes. For example, the targets outlined in pages 50-52 of the draft Plan should include measures with a child-specific focus, ensuring that children's safety, wellbeing and best interests are incorporated (eg children and young people's knowledge and understanding of physical and non-physical forms of violence, rates of children and young people who have experienced family and sexual violence).

As prevention activities will necessitate a focus on educating and shifting the knowledge and attitudes of children and young people towards gender equality and the gendered drivers of violence, it is imperative that the targets also capture changes in knowledge and attitudes of children and young people over time. Consistent with Article 12 of the CRC, children and young people should be consulted in the development of targets to capture what they think are important measures when it comes to ending violence against women and children.

Thank you again for the opportunity to provide comment to inform the next National Plan. I would be pleased to discuss my contribution in further detail should this be of assistance.

Yours sincerely

**Leanne McLean**

Commissioner for Children and Young People

cc *The Hon Roger Jaensch, MP, Minister for Education, Children and Youth*  
*The Hon Jacquie Petrusma, MP, Minister for the Prevention of Family Violence*