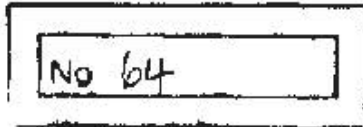


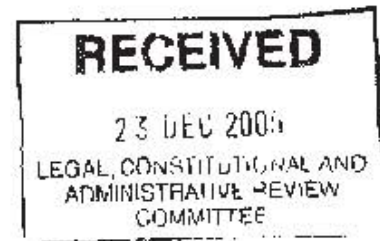


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23 December 2005

Dr Lesley Clark MP
Legal, Constitutional and Administrative Review Committee
Parliament House
George St
Brisbane QLD 4000

Dear Dr Clark

Thank you for providing the Commission for Children and Young People and Child Guardian with the opportunity to provide a response on the Parliamentary Committee inquiry into young people engaging in democracy in Queensland.

As you are aware, the Commission's mandate is to advocate, promote and protect the rights, interests and wellbeing of children and young people throughout Queensland.

The Commission is committed to advocating for the right of children and young people to actively participate in government decisions which may impact upon their lives. The attached response captures the Commission position in regard to engaging young people in the democratic process in Queensland.

If you have any further queries please do not hesitate to contact Jason Kidd, A/Principal Advisor on 32475509 or Jason.Kidd@ccypc.qld.gov.au

Yours sincerely

Elizabeth Fraser
Commissioner for Children and Young People
and Child Guardian

Commission for Children and Young People and Child Guardian

Response to the Parliamentary Committee Inquiry into Young People engaging in democracy in Queensland

Introduction

The Commission is a statutory body with a mandate to promote and protect the rights, interests and wellbeing of children and young people in Queensland, particularly those most vulnerable. The Commission gives priority to those who:

- cannot protect themselves or have no one to act for them
- live in out-of-home care or detention; or
- are disadvantaged by disability, living in an isolated area, homelessness, or poverty.

The principles underlying the *Commission for Children and Young People and Child Guardian Act 2000* are that:

- every child is a valued member of society
- in decisions involving a child or young person, the child and young person's views and wishes should be taken into account in a way that has regard to the child and young person's age and ability to understand.

In addition, every child and young person is entitled:

- to be treated in a way that respects the child's dignity and privacy
- to be cared for in a way that protects the child from harm and promotes the child's wellbeing
- to express the child's concerns and grievances and to have them dealt with in a way that is fair and timely and promotes the child's participation
- to receive information and help to enable the child to exercise the child's entitlements
- to have access to services necessary to meet the child's needs; and that the family has the primary responsibility for the upbringing and development of its children, and should be supported in that role.

The role of the Commission is to:

- Monitor, audit and review the systems, policies and practices of government agencies and other organisation specified in the *Commission for Children and Young People and Child Guardian Act 2000*
- Administer a state-wide Community Visitor Program for children and young people in alternative care
- Maintain a child death register, conduct research into child deaths and provide support for the Child Death Case Review Committee
- Receive and seek to resolve complaints concerning the delivery of services for children and young people
- Operate an employment screening system for people wishing to enter certain types of child-related employment
- Educate the community on a range of child-related matters including risks to children and young people and developing risk management strategies

- Conduct research and policy analysis of laws, policies and other matters concerned with the wellbeing of children and young people, and
- Promote laws, policies and practices that uphold the rights, interests and wellbeing of children and young people, particularly those most vulnerable.

Given the Commission's mandate, role and principles, the Commission considers the engagement of young people in democratic processes in Queensland and throughout Australia to be crucial in fulfilling young people's citizenship role and allowing young people to have a say in the future of the State of Queensland.

The Commission is pleased to note that the Parliamentary Committee is undertaking this inquiry given that this year marks one hundred years since most Queensland women gained the right to vote in State elections, and also marks the 40th anniversary of all Indigenous Queenslanders gaining that same right. The Commission is pleased to note that the involvement of young people in the democratic process in Queensland forms part of this government's agenda.

Young people in Queensland

Being an Australian citizen, young or old, demands more than merely barracking for a particular political party or being able to vote. It demands what sort of Australia we want to create today and in the future.¹

Young people in Queensland under the age of 18 make up 24.7 % of the total population². Indigenous young people make up 5.7% of all 0 -17 year olds in Queensland. By 2051, the population of young people aged 0 -17 is projected to increase from 0.9 million in 2001 to 1.1 million. Over 15.7% of Brisbane's young people were born in a non-English speaking country and 17.9% of Brisbane's young people speak a language other than English at home. Young people aged up to 25 years currently make up 22% of the total population³.

Whilst the majority of young people in Queensland are supported by a parent, live at home and have access to education, health services and social activities, there are a number of young people across the state who are disadvantaged to some degree and have difficulty accessing appropriate support services. Some of the key issues facing these young people include:

- Access to secure, affordable and appropriate long term housing
- Meaningful work and a competency based wage system
- Access to education and training
- A clean and healthy environment
- Access to diverse cultural and recreational facilities
- Access to a living and working environment free from the threat of physical or emotional abuse or discrimination of any kind
- Access to appropriate mental health and health services, focused on the social, economic and environmental factors that impact on their lives

¹ NSW Legislative Council Hansard, 2005, Parliamentary Electorates and Elections Amending (voting age) Bill.

² Commissioner for Children and Young People and Child Guardian, 2005, Snapshot.

³ Brisbane City Council, 2005 *Profile of young people in Brisbane*.

- Accessible and comprehensible information about services available to young people, and
- Inclusion of young people in public policy decision making, in particular with greater input from young people themselves⁴

Young people and inequality

The Australian Government recently reported to the United Nations Assembly regarding the implementation of the United Nations Convention on the Rights of the Child within Australia 2005. In addition, the non government sector supplied a report stating concerns as to 'the ad hoc nature of service delivery for children and young people and their communities and the failure to achieve systemic change and greater equity and equality of opportunity for children and young people'⁵. Furthermore, the report states that there are 'increasing numbers of children and young people in Australia that are identified as abused, neglected or homeless'. In addition 'there is inequality in the delivery of services in Australia for the most vulnerable children and young people in a country which is wealthy in worldly terms'⁶.

The report also states that 'while there have been a number of developments in relation to children and young people's participation, there are still significant restrictions and tokenistic or manipulative processes in important areas of children and young people's involvement in society'⁷.

The Commission is concerned that whilst such inequality exists for young people throughout Australia, it will be difficult to involve young people in true democratic processes. The Commission recommends that addressing the injustice of inequality must form a crucial part of any strategy developed to encourage the participation of young people in democratic processes.

Education / Information

What could the ECQ do better or differently to get its message across to young people?

Given that the role of the Electoral Commission of Queensland (ECQ) is to ensure that people are aware of enrolment processes and how they can vote at elections, the Commission recommends that the ECQ engage and consult directly with young people to help determine the most appropriate platform in which to get the message across to young people.

⁴ Australian Greens, 2005, *Policies – young people* www.greens.org.au/policies.

⁵ National Children's and Youth Law Centre and Defence for Children International, 2005. *The non-government report on the implementation of the United Nations Convention on the Rights of the Child, - Rights of the Child in Australia*.

⁶ National Children's and Youth Law Centre and Defence for Children International, 2005. *The non-government report on the implementation of the United Nations Convention on the Rights of the Child, - Rights of the Child in Australia*.

⁷ National Children's and Youth Law Centre and Defence for Children International, 2005. *The non-government report on the implementation of the United Nations Convention on the Rights of the Child, - Rights of the Child in Australia*.

As stated in the *Queensland Youth Charter* 'participation of young people can take many forms, at a minimum it is about young people having timely and meaningful opportunities to be involved and heard'⁸.

The Charter states that it is 'the obligation of the Queensland Government to involve young people in government decision making processes, regarding the development of policies, programs and services'⁹. The Commission **recommends** that the ECQ acknowledge the government's obligation to young people and develop participation strategies that raise awareness among young people as to why they should vote, the process of voting enrolment and their eligibility for enrolling to vote.

The Commission considers that Education Queensland, schools and universities play a crucial role in promoting and raising awareness amongst young people in terms of enrolling to vote and also the ability to enrol provisionally from the age 17. The Commission considers that provisional enrolment is not widely known or advertised and is therefore not accessed by many young people.

Voter registration

How could the ECQ make it easier for young people to enrol and become registered to vote?

The Commission supports the ECQ's development of any strategies designed to make it easier for young people to enrol and become registered to vote. Automatic registration may help to solve the problem of trying to contact or find all young people of voting age. This process would have to be advertised widely so that young people knew that they were automatically enrolled.

Should automatic enrolling be introduced, the Commission recommends further consideration of the issue of young people being fined for not voting. For example a young person may be unaware that they have been automatically enrolled to vote and may face a subsequent fine, which may financially disadvantage the young person. In addition consideration is required if a young person does not pay the fine. The Commission would not support a system in which young people may unnecessarily come into contact with the judicial system.

Furthermore, the Commission notes the strategy mentioned in the discussion paper of identifying young people through tax office and motor vehicle registration papers. The Commission considers this a viable process to help support young people enrol to vote. In addition, the Commission **recommends** that young people could be automatically registered as part of their drivers licence application.

The Commission notes that automatic voting registration may not engage all young people, as some young people are unemployed and do not have the ability to own or register a motor vehicle. There are also a number of homeless young people without fixed addresses that may find it difficult to register to vote. The Commission **recommends** that the ECQ look at accepting differing forms of identification for young

⁸ Department of Communities - Office for Youth, 2004, *Queensland Youth Charter*, Queensland Governments Commitment to Engaging with Young People

⁹ Department of Communities - Office for Youth, 2004, *Queensland Youth Charter*, Queensland Governments Commitment to Engaging with Young People

people registering to vote. There will be a number of disadvantaged young people who will sit outside of many of the strategies designed to engage the majority of young people. The ability to access and support 'at risk' young people will require careful consideration by the ECG when developing strategies to engage **all** young people in the democratic process.

Polling Stations

How could the ECG make it easier for young people to cast their vote?

Many young people have an in depth understanding and the ability to access information technology within educational settings and at home. The Commission considers that developing accessible e-voting systems in Queensland and may help to increase the numbers of young voters. E-voting systems could be set up in public places on election day, allowing young people and others who do not have access to home or personal computers to access the internet and vote on line.

E-voting facilities could be stationed at malls and shopping centres, universities, libraries and other major sites where young people congregate. Another option could be to locate and advertise the e-voting system within internet cafes. If it is simply a matter of logging onto a website, providing identification and casting a vote, perhaps more young people would find this option more accessible. The e-voting system could also have descriptions of the candidates so that young people can make informed decisions as to who and/or which party to vote for.

Close of rolls

Do you think young people could be disadvantaged if there was no opportunity to enrol after an election is called?

The Commission considers that the ECG should not remove the current option available to young people of being able to enrol to vote 5 to 7 days after an election has been called. If this option was removed, it may greatly disadvantage young people who had not yet enrolled to vote. The fact that young people only have 5-7 days in which to enrol to vote after an election has been called should be advertised widely and form a crucial part of any strategy aimed at raising awareness among young people of their voting responsibility. The automatic voting registration of young people, discussed previously in this submission, would help to address this issue.

Fixed Election Day

Do you think improved civics education is a worthwhile reason for government to consider a change to fixed term elections?

The Commission considers that fixed election dates may support young people to form voting habits from a young age. If young people were taught civics education in schools and given the opportunity to participate in mock elections which coincided with real elections, this may encourage young people to understand and acknowledge the election process and actively encourage them to participate in the voting process as young adults. The fixed election dates and the involvement of the education department, parents and schools in promoting the importance of participating in the voting process may encourage young people to maintain their participation in future elections.

Voting Age

Should the voting age be lowered to 17 or 16 years? Why or why not? If the voting age is lowered, should voting at the lowered age be compulsory?

*Democracy is not just an idea, an involvement. It is a community involvement, a constant daily process of communication and of making space for the usually silent.*¹⁰

Democratic citizenship is the full and equal participation of citizens as partners in all aspects of the political, social and economic life of our society. This partnership is a dialogue between the people and their government and is the essence of a truly inclusive and dynamic society¹¹.

Young people are often excluded from this dialogue. To understand the views of young people more accurately in regard to voting and enrolment responsibilities, the Australian Electoral Commission co-ordinated the Youth Electoral Study (YES) which investigated youth voting behaviour. The study found that young people were in fact very interested in political issues affecting our communities and societies. Young people were concerned with what they considered as 'real' issues, although they were not necessarily interested in political parties and politicians.

The principles underlying the United Nations Convention on the Rights of the Child, specifically article 12, state that 'young people who are capable of forming their own views have the right to express those views freely in all matters affecting the young person, and that the views of the young person be given due weight in accordance with the age and maturity of the young person'. The principles underlying article 12 relate directly to the ability of young people's right to voice their opinions and vote for candidates and political parties that make decisions which impact upon young people's lives.

Young people are a critically important part of our community and society. In recent years, governments internationally, nationally and locally have begun to look at the ways in which young people can participate, be engaged and involved in meaningful ways. Allowing young people to vote once every four years will not bring about true democratic change for young people.

Only through the active involvement of young people in the political process can issues such as youth unemployment and funding for education really be addressed¹². Young people fall within a minority of the population but, as with all sectors of society, the majority should always endeavour to give a platform for minority groups to speak and share their views, particularly when it concerns issues pertinent to them¹³.

Research collated from the YES project, indicated that a major disincentive for young people participating in Australian democracy, particularly through voting, is the lack of

¹⁰ Professor Marilyn Waring as cited in Government of Western Australia, 2004 -2009 , *A Voice for All – Western Australian Citizenship Strategy*

¹¹ Government of Western Australia, 2004 -2009, *A Voice for All – Western Australian Citizenship Strategy*

¹² www.greenleft.org.au, 2004, *Young people demand lower voting age*

¹³ NSW Legislative Council Hansard, 2005, *Parliamentary Electorates and Elections, Amending (voting age) Bill*

trust in political leaders. Young people characterised politicians as liars and promise breakers¹⁴.

The Commission would welcome further research and discussion on this issue prior to forming an opinion in regard to lowering the voting age. In addition, the Commission **recommends** that research and discussions take place at a national level in regard to this issue. The Commission **recommends** that young people be consulted as part of any future discussions.

Education in schools

The Commission notes that whilst there are a number of existing programs and curricula already developed and implemented in primary and high schools, there is concern that these curricula may not be implemented consistently across all schools, both within the state and private school systems. Another concern is that once students reach secondary school, civics education may become only an elective. This means that many students are not participating in civics education past primary school.

The Commission **recommends** that Education Queensland include civics education as a core unit for young people throughout high school. Attendance within this unit could also address the United Nations Convention on the Right of the Child, allowing young people to understand their rights, and how these rights form part of their citizenship and their right to participate in democratic processes.

Research conducted by the Australian Electoral Commission as part of the YES project found that half of the young people involved felt that young people lacked the knowledge to understand the issues and the political parties to be able to make a decision about how to vote or who to vote for. This study raised major questions about the role of formal education in preparing young people to become active citizens and supported civics education being re-introduced into the school curriculum¹⁵.

The Commission **recommends** that the Parliamentary Committee note the recommendations arising from "Hands on Parliament" - a parliamentary committee inquiry into Aboriginal and Torres Strait Islander peoples' participation in Queensland's democratic processes¹⁶.

One of the key issues identified in the Parliamentary report is the strong link between education on democratic processes and the future engagement and participation in such processes.

The report recommended that the Minister for Education review the nature and extent of civics and citizenship education for all students in Queensland schools and consider whether more can be done to:

- ensure that civics education is taught to all students in Queensland schools;

¹⁴ Australian Electoral Commission, 2005, *Youth, Political Engagement and Voting*, www.aec.gov.au

¹⁵ Australian Electoral Commission, 2005, *Youth, Political Engagement and Voting*, www.aec.gov.au

¹⁶ Legislative Assembly of Queensland, Parliamentary Committee Inquiry, 2003, *Hands On Parliament – A parliamentary inquiry into Aboriginal and Torres Strait Islander peoples' participation in Queensland's democratic processes*.

- increase the effectiveness of the manner in which civics and citizenship education is taught to Aboriginal and Torres Strait Islander students;
- ensure that civics and citizenship education includes an Indigenous perspective and teaching about Aboriginal and Torres Strait Islander peoples' experiences of civics and citizenship.¹⁷

In addition, the report noted that to enhance and encourage the involvement, interest and participation of Aboriginal and Torres Strait Islander people, particularly young people in parliamentary processes, Parliamentary Education Services should:

- review its programs and educational material to ensure that they are inclusive of Aboriginal and Torres Strait Islander peoples, and
- consider ways in which Aboriginal and Torres Strait Islander citizens might be further engaged in parliamentary education, for example, through smaller scale parliamentary activities conducted in regional and remote areas.

The Commission **recommends** that many of the strategies aimed at engaging Indigenous communities could also be used with isolated and rural young people and those from culturally and linguistically diverse backgrounds.

To implement this strategy the Queensland Government would need to consider providing additional funding to the Parliamentary Education Services to support the development and implementation of culturally and age appropriate programs and material to help raise awareness and educate all young people in the community about the voting process.

Political Parties/Politicians

How can political parties /politicians restore the faith of young people in democracy and encourage participation?

Political parties and politicians can encourage young people to participate and engage in the voting process through actively taking an interest in issues affecting young people and by communicating with young people face to face. Politicians and their party representatives need to be able to engage directly with young people if they are to show their concern and genuine interest in the issues impacting upon young people.

As stated in the YFS project, many young people felt that politicians were not to be trusted, that they were not interested in young people and they behaved badly in parliament. Politicians in this study were described by the young people as promise breakers, liars and as people who say one thing and do another. Prior to politicians and political parties engaging young people in democracy, politicians may need to focus on restoring community faith in their ability to achieve the commitments on which they were elected upon¹⁸.

¹⁷ Legislative Assembly of Queensland, Parliamentary Committee Inquiry, 2003, *Hands On Parliament – A parliamentary inquiry into Aboriginal and Torres Strait Islander peoples' participation in Queensland's democratic processes*.

¹⁸ Australian Electoral Commission, 2005, *Youth, Political Engagement and Voting*.
www.aec.gov.au

Being heard

Whilst the Commission acknowledges the Queensland Government's attempts to provide young people with opportunities to have their voices heard through advisory groups made up of young people, the GENERATE website, Ministerial forums, community engagement processes, roundtable representation and student representative councils, young people's views are still quieter than the majority.

In 2004, the Ministerial Council on Education, Employment and Training and Youth Affairs (MCEETYA) developed *Stepping forward: contributing and changing* – young people's involvement in government planning and decision making. The declaration was signed by all State and Territory Ministers. Through this declaration all Ministers committed to developing practical ways to increase the social, educational and employment outcomes of Australia's young people including those who are at risk, disconnected or in vulnerable circumstances.

In addition Australian governments committed to better assisting young people's engagement and participation by:

- creating more opportunities for engagement in government decision making processes
- empowering young people to participate through the provision of information, training and support, including clearly defining roles and responsibilities
- providing a range of user friendly participation mechanisms and options to best engage the diversity of Australia's young people
- seeking, valuing and recognising young people's contributions
- providing adequate resources to facilitate young people's participation
- providing young people with feedback on decision making outcomes and how all contributions have been taken into account, and
- doing it better, ensuring systems and processes for reviewing and improving young people's active involvement in government decision making¹⁹.

The Commission **recommends** that the Parliamentary Committee's inquiry into young people engaging in democracy in Queensland acknowledge and adhere to the commitments contained in the MCEETYA declaration, *Stepping forward: contributing and changing* – young people's involvement in government planning and decision making.

The Commission has welcomed the opportunity to respond to the Parliamentary Committee's inquiry into young people engaging in democracy in Queensland. The Commission envisages that our response will be taken into consideration by the Committee as part of their consultation process and that the best interests of young people will be considered as a key element of the consultation and reporting process.

¹⁹ Ministerial Council on Education, Employment, Training and Youth Affairs, 2004, *Stepping forward contributing and changing*