

Progress update on 2004/2005 UNCROC work programme items

WORK PROGRAMME ITEM	COMMENT AND PROGRESS	FURTHER ACTION PLANNED
(1)¹ Review of the minimum age of criminal prosecution	<p>The UN Committee was concerned with the presumption that a 10 year old has the capacity to offend with criminal intent. It also questioned the appropriateness of using the adult justice system to deal with serious offences committed by children.</p> <p>The Ministry of Justice has been considering non-legislative measures to improve confidence in the system before attempting to raise the age of prosecution. The Ministries of Justice and Social Development provided a progress report in August 2004 that identified the need for a survey of practitioners working with child offenders, and for a legal opinion on possible amendments to the Children, Young Persons and Their Families Act (1989).</p> <p>Ministers agreed to the survey and legal opinion and a final reporting date of 30 September 2005. The survey and legal opinion have been completed and this information is being analysed to inform the final report to Ministers on improving the effectiveness of responses to offending by children, and implications for the minimum age of criminal prosecution.</p>	<p>The Ministries of Justice and Youth Development will provide a final report to Ministers by 30 September 2005.</p>
(3) & (4) Withdrawal on the Reservation on Age Mixing in Prisons and Test of Best Interest	<p>UNCROC requires that every child deprived of liberty be separated from adults unless it is considered to be in the child's best interest not to do so. Nevertheless, New Zealand entered a reservation on age mixing to allow greater flexibility in accommodating high inmate populations, and to separate troublesome juvenile offenders from other juveniles.</p> <p>The Department of Corrections completed a comprehensive review</p>	<p>The Department of Corrections and Ministry of Youth Development will report to joint Ministers on the development of the 'tests of best interests' to inform the placement</p>

¹ These numbers relate to the corresponding numbers in the *United Nations Convention on the Rights of the Child Five-Year Work Programme 2004 – 2008*.

	<p>of the Youth Offender Units in October 2004. This review and its outcomes, are providing the direction for developing and applying a test of best interests' for young offenders.</p> <p>The Department of Corrections is currently developing tests of best interest to inform placement of both young male and young female offenders remanded or sentenced to imprisonment. These tests will provide a more objective and transparent decision-making process for placement. This work will be completed in July 2005.</p> <p>Establishing additional Youth Offender Units for young male offenders is on-going. A new Youth Offender Unit will open shortly at the Northern Regional Corrections Facility. Lifting the reservation on Article 37 (c) of UNCROC is no longer dependent on further Young Offender Units being established, and the Department of Corrections now has sufficient beds to adequately manage the young offender population and to prevent age-mixing.</p> <p>The Corrections Regulations 2005 requires that all prisoners including accused prisoners under the age of 18 years, must be kept apart from prisoners 18 years or older. These regulations came into force in June 2005. Age-mixing under 18 year old prisoners with over 18 year olds may only occur if the Department of Corrections' Chief Executive is satisfied it is in the best interests of the prisoners concerned.</p>	<p>of young male and female offenders by July 2005.</p> <p>The Ministry of Foreign Affairs and Trade and the Ministry of Youth Development in consultation with the Department of Corrections, will liaise to determine the steps required to remove the reservation on Article 37 (c) of UNCROC and to amend the New Zealand reservation to the International Covenant on Civil and Political Rights to report to Cabinet (SDC) in November 2005.</p>
<p>(5) Withdrawal of the Reservation on Children Unlawfully in New Zealand</p>	<p>The general reservation under article 2, reserves the New Zealand Government's right to distinguish between persons according to the nature of their authority to be in New Zealand. The UN Committee has expressed disappointment about the slow pace of New Zealand's consideration of a withdrawal of its reservations, and remains concerned about the broad nature of the reservations which raise questions as to their compatibility with the object and</p>	<p>The Ministries of Health and Education, will report to Cabinet later in 2005.</p>

	<p>purposes of the Convention.</p> <p>In December 2003, Cabinet agreed in principle to remove this reservation, subject to a report back in 2004 on:</p> <ul style="list-style-type: none"> • the details of extending eligibility for publicly funded health and disability services and free primary and secondary education to children unlawfully (report prepared by the Ministry of Youth Development /Ministry of Social Development) • options for information sharing: mandatory information sharing, voluntary information sharing, information matching (report prepared by the Department of Labour) • extending eligibility for publicly funded services to pregnant women unlawfully in New Zealand (report prepared by Ministry of Health). [CAB Min (03) 39/6 refers]. <p>In November 2004 Cabinet agreed to a set of criteria and a timetable for carrying out a review of limitations on access to publicly funded health/disability and education services. Cabinet directed the Ministries of Education and Health to report back in April 2005 [POL Min (04)28/6]. The Ministries of Health and Education reported back in May 2005. Cabinet deferred these papers for re-submittal later in 2005 following further consideration by the Ministers of Education and Health [POL Min (05)10/4] and [POL Min (05)10/5].</p>	
<p>(6) & (14) Withdrawal of the Reservation on Child Labour and Department of Labour's work programme</p>	<p>Article 32 of UNCROC provides for the right for children to be protected from work that threatens their health, education or development. New Zealand entered into a reservation because it considered that children's rights provided by Article 32 are adequately protected by existing laws. The UN Committee was concerned about the lack of a comprehensive policy to deal with child labour, a basic minimum age of admission to employment, or a sufficient range of minimum ages for different types of work and</p>	<p>The Department of Labour, in consultation with the Ministry of Youth Development report to Cabinet on the reservation to UNCROC following the Department of Labour</p>

	<p>working conditions.</p> <p>Cabinet has twice deferred consideration of removing the reservation, pending further work on youth participation in the labour market and an assessment process of ratifying ILO 138.</p> <p>In September 2003 Cabinet agreed to support an assessment process of ratifying ILO 138 and agree to a work programme by the Department of Labour that included:</p> <ul style="list-style-type: none"> • improving awareness of existing children’s employment regulations and rights, and issues related to children’s employment in New Zealand for the public and for agencies who work with children through an information strategy • improving children’s ability to enforce their employment rights • reviewing the child rebate for income tax which allows a child to earn income (other than interest or dividends) up to \$1,040 a year tax free • bringing children who work as contractors under the same Health and Safety in Employment regulations that apply to children and employees • providing options and recommendations on methods to monitor children’s participation in work. <p>The Department of Labour reported to Cabinet on progress with the work programme in August 2004. Cabinet agreed to four of the five items, and agreed that Inland Revenue would report separately to Ministers on the child tax rebates. The Minister of Revenue has announced that the child tax rebate will increase from April 2006.</p>	<p>assessment process of ILO 138 in early 2006.</p> <p>The Department of Labour in consultation with the Ministry of Youth Development will continue to report to the Minister of Labour and copied to the Minister of Youth Development on an annual basis.</p>
<p>(9) Reducing Inequalities in social wellbeing</p>	<p>The UN Committee has re-iterated its concerns about the inequalities between different groups in New Zealand. Government</p>	<p>The Ministry of Social Development will</p>

	<p>is continually developing strategies to improve the well being of disadvantaged people and groups. However, these are ongoing, long term strategies that may not yield significant results by the time New Zealand presents to the UN Committee. Nevertheless, these strategies should continue to be monitored and adjusted to ensure their effectiveness over time.</p> <p>Government reviewed the reducing inequalities policy in 2004 and reported to Cabinet in June that year on the next phase of the policy. Cabinet agreed to re-focusing the reducing inequalities approach from a targeted one to a whole of government policy approach that encompasses both social and economic initiatives.</p> <p>The reducing inequalities policy now aims to reduce disadvantage and promote equality of opportunity, so as to achieve a similar distribution of outcomes between groups. This will also lead to a more equitable distribution of overall outcomes within society. This means both:</p> <ul style="list-style-type: none"> • achieving some minimum level of wellbeing for all people, so all may participate in our society (e.g. tackling poverty, low levels of foundation education skills and victimisation) • ensuring a more equal distribution of wellbeing determinants across society, i.e. greater equality of real opportunities, where family background, ethnicity or disability are not major determinants of individuals' life chances. <p>The Ministry of Social Development provides a co-ordinating role for reducing inequalities including convening the Reducing Inequalities Officials Committee (RIOC), and providing advice and reports to Government on reducing inequalities activity. The Ministry of Social Development in association with this Official Committee, will provide Government with annual reports that monitor and review progress in reducing inequalities. These annual reports will also</p>	<p>continue to provide updated information on reducing inequalities as part of the UNCROC work programme from 2004/2005.</p> <p>An annual report is due in November 2005.</p>
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	<p>review and make recommendations on the focus of the policy. The first of these reports is due in November 2005.</p>	
<p>(11) Assessing the Impact of Economic Reforms on Children</p>	<p>New Zealand experienced major economic reforms two decades ago. The UN Committee is interested to see how these reforms have impacted on children and their families. They suggested that New Zealand undertake a study focused on government budgetary resources available for support services, and the impact of unemployment and changed conditions of employment on children, young persons and their families.</p> <p>Government did not undertake a specific study as recommended by the UN Committee. However, the Ministry of Social Development has developed a household living standards scale as part of the Living Standards research programme which provides information on the economic circumstances of families with children.</p> <p>The Ministry of Social Development has begun the development phase for a longitudinal study of children, and a research provider for the longitudinal survey was contracted in June 2005.</p> <p>The Ministry of Social Development also published a report entitled <i>Children and Young People: Indicators of Wellbeing in New Zealand</i> in December 2004. This report presents a framework that includes child and youth wellbeing indicators across a range of outcome domains. Updates on indicators including new or additional ones, will be reported periodically. This information will also assist with UNCROC periodic reports.</p> <p>In May 2004, the government announced the <i>Working for Families</i> (WFF) package. WFF is a significant investment in the well-being of New Zealand families with children and when fully implemented, over a billion dollars will be invested benefiting an estimated 290,000 New Zealand families a year. This represents 61% of all families with children, estimated to gain on average \$66 per week.</p>	<p>The Ministry of Social Development will continue to provide updates as part of the UNCROC work programme.</p>

	<p>Almost all families with incomes below \$45,000 benefit, and nearly all sole parent families receive extra money.</p> <p><i>Working for Families</i> provides extra state assistance for the costs of children through increases to Family Support. It also improves housing affordability through changes to the accommodation supplement, and increases support available for childcare.</p> <p>Following on from the <i>Investing in Children and Youth Development</i> (ICYD) and earlier work on improving parent support and development, Government directed the Ministry of Social Development to lead a programme of early intervention for vulnerable children. The focus on early intervention was influenced by the ICYD. The vision agreed for early intervention is that: <i>“all children receive the support they need from before birth to their transition to school to provide them with the best start in life and enable them to maximise their potential.”</i></p> <p>The Early Intervention programme aims to address problems that are contributing to poor outcomes for a significant number of young children and to ensure that all children get a good start in life. Initial investments have been made in Budget 2005 and they provide a starting point for a cross-sectoral early intervention programme. Further policy work is underway to build on these initial investments.</p>	
<p>(12) A World Fit for Children</p>	<p>In May 2002 New Zealand participated in the UN General Assembly Special Session on Children, which adopted by consensus the plan of action entitled <i>A World Fit for Children</i>. The plan of actions sets out a comprehensive range of targets, goals and actions to improve the wellbeing of children and to promote and protect their rights.</p> <p>In December 2002 Cabinet directed the Ministry of Social Development to undertake a stock take of <i>A World Fit for Children</i></p>	<p>The Ministry of Youth Development will forward letters to other relevant agencies, advising them of the process for addressing <i>A World Fit for Children</i> and inviting them to</p>

	<p>against current initiatives to improve children's wellbeing [CAB Min (02) 33/6, refers]. The stock take shows that New Zealand has developed or is developing strategies, and has undertaken or is undertaking initiatives, which advance commitments made in <i>A World Fit for Children</i>. Overall, the stock take indicated that while many relevant commitments are being met, progress on initiatives varies, and there is room for further progressing commitments identified.</p> <p>In 2003, Hon Steve Maharey agreed that the best way for New Zealand to advance compliance with <i>A World Fit for Children</i> is to build on existing strategies, plans and initiatives, under the framework of New Zealand's Agenda for Children and the Youth Development Strategy Aotearoa.</p> <p>Hon Maharey also directed the Ministry of Social Development to draft letters on his behalf to other relevant Ministers, advising them of <i>A World Fit for Children</i> after consultation with NGOs.</p> <p>On 30 April 2004, the Ministry of Youth Development assumed policy responsibility for any follow on work from the UN General Assembly Special Session on Children, which is being progressed through the UNCROC work programme. The Minister of Youth Affairs will forward letters to relevant Ministers.</p> <p>The Ministry of Youth Development is developing a status report in consultation with NGOs that identifies key priority areas from a <i>World Fit for Children</i>. The report provides a reference point for current and planned activity across government that addresses the key priority areas. This report may also highlight gaps. The Ministry of Youth Development will engage with relevant government departments to discuss this report, and how to address these gaps.</p>	<p>provide feedback on the status report in 2005.</p>
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<p>(13) Assistance to child abuse victims</p> <p>The UN Committee recommended that appropriate mechanisms be established to ensure the physical and psychological recovery and social reintegration of child victims of ill treatment and abuse. They were also concerned about the risk of re-victimisation of abused children if appropriate services are not available to them.</p> <p>The UN Committee recommended that New Zealand:</p> <ul style="list-style-type: none"> • expand services and programmes aimed at assisting victims of abuse and ensure that they are provided in a child-sensitive manner which respects the privacy of the victim • increase programmes and services aimed at the prevention of child abuse in the home, schools and in institutions and ensure that there are sufficient numbers of adequately qualified and trained staff to provide these services • continue to improve the co-ordination of services for vulnerable families and victims of abuse. 	<p>The Ministry of Justice, Department of Child, Youth and Family Services and the Accident Compensation Corporation share responsibility for the recovery of child victims of abuse. Some of the programmes deal with families in a holistic way and are not targeted at rehabilitating the victims of child abuse. Services supporting the recovery of child victims of abuse include counselling services, assessment and treatment of children and young people with severe mental health issues.</p> <p>A number of initiatives have been developed during the reporting period which are aimed at ensuring the physical and psychological recovery and social integration of child victims of ill-treatment and abuse. These include:</p> <ul style="list-style-type: none"> • the development of risk estimation tools to ensure children and young people receive appropriate social services • measures to assist child victims of family violence • promotion of internet safety via New Zealand's National Plan of Action Against the Commercial Sexual Exploitation of Children. <p>The UN Committee recommended that appropriate mechanisms be established to ensure the physical and psychological recovery and social re-integration of child victims of ill treatment and abuse. They were also concerned about the risk of re-victimisation of abused children if appropriate services are not available to them.</p> <p>Services supporting the recovery of child victims of abuse include counselling services, assessment and treatment of children and young people with severe mental health issues. A recent initiative includes services for children who witness family violence and involves:</p> <ul style="list-style-type: none"> • funding for 45 child advocates in community NGOs around the 	<p>The Department of Child, Youth and Family Services, Accident Compensation Corporation and the Ministry of Justice will continue to provide updates as part of the UNCROC work programme.</p>
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country

- evaluating the child advocates
- training and support of child advocates
- increasing funding for children's services.

The Ministry of Health has developed guidelines for the prevention and detection of family violence. This work acknowledges the likelihood that child abuse occurs in families where there is violence. The Family Violence Project has developed resources for GPs and training for Health Professionals in responding to family violence.

Opportunities for All was released in December 2004 and it provides a comprehensive summary of government's strategies to improve social outcomes. This document has a key priority action area of minimising family violence, abuse and neglect of children. Work is therefore being progressed to reinvigorate and build on *Te Rito – New Zealand Family Violence Prevention Strategy*.

The Family Violence Ministerial Team will provide leadership across the state sector and promote public debate on these issues. A Taskforce for Action on Violence within Families will develop a suite of actions to reduce family violence. The Taskforce includes government agencies, the Children's Commissioner, the Chief Families Commissioner and NGOs.

Baseline Review

The Baseline Review of the Department of Child Youth and Family Services clarified the care and protection outcomes to which this Department should contribute as: preventing recurrence of abuse, neglect and insecurity of care; preventing the first occurrence of abuse, neglect or insecurity of care; and for children and young

	<p>people who are the Department of Child Youth and Family's clients, and addressing the effects of harm and restoring or improving well-being.</p> <p>Care and Protection Blueprint 2003</p> <p>The Blueprint is a strategy for improving the services provided to children and young people at risk of, or who have suffered from, abuse, neglect and insecurity of care. The vision of the Blueprint is: families, communities and government working together for the safety and wellbeing of children, young people and their families.</p> <p>The Ministry of Social Development is leading work that will complement the implementation of the Baseline Review of the Department of Child, Youth and Family Services by strengthening the broader care and protection and family violence prevention sectors.</p> <p>Actions under the Care and Protection Blueprint have either been completed, are being progressed as priority projects, or are being progressed through other initiatives including <i>Te Rito – New Zealand Family Violence Prevention Strategy</i>. Priority work areas for 2005/06 include:</p> <ul style="list-style-type: none"> • care and protection outcome measures • work to address family violence • care and protection workforce development. 	
<p>(16) Child Health Outcomes</p> <p>The UN Committee recommended New Zealand:</p> <ul style="list-style-type: none"> • allocate sufficient human and financial resources to implement the Child Health Strategy • take all necessary measures to ensure 	<p>The UN Committee welcomed the introduction of the <i>Child Health Strategy</i> but expressed concern that immunisation coverage is not universal, and at the relatively high rates of infant mortality and injuries among children. The UN Committee also noted with concern that the Maori population generally exhibits lower child health indicators than the rest of the population.</p>	<p>The Ministry of Health will provide updates to the Ministry of Youth Development for the UNCROC work programme to consolidate periodic</p>

<p>universal immunisation coverage and develop preventive health care and guidelines for parents and families which effectively address the relatively high rates of infant mortality and injuries</p> <ul style="list-style-type: none"> • take all necessary measures to address disparities in health indicators between ethnic communities, in particular the Maori population. 	<p><i>The New Zealand Health Strategy 2000 (NZHS)</i> provides the overarching framework for improving the health of all New Zealanders. NZHS has a priority population health objective of "ensuring access to appropriate child health care services including well child and family health care and immunisation". <i>The Child Health Strategy</i> provides direction for the health sector on improving child health. The Ministry of Health has developed a Child Health Toolkit to assist in meeting the NZHS objective.</p> <p>New Zealand has a National Child and Youth Mortality Review Committee that systematically reviews all deaths of children and youth (six weeks to twenty-four years). The Committee reports annually to the Minister of Health and publishes a report with recommendations that will help inform policy and planning to reduce child death into the future. A new committee to cover maternal and perinatal deaths is in the process of being set up</p> <p>Work on enhancing immunisation coverage and addressing infant mortality and injuries is undertaken intersectorally and involves a number of government agencies and strategies. The National Immunisation Register (NIR) is currently being implemented in District Health Boards (DHBs). The NIR will assist the Ministry of Health and DHBs to monitor immunisation coverage and target immunisation programmes</p> <p>Injury Prevention programmes are aimed at reducing all injuries across the spectrum from intentional to unintentional injuries, which is in line with the <i>New Zealand Injury Prevention Strategy 2000 – 2015</i>. The Ministry of Health nationally funds infrastructure support and injury prevention co-ordination with a focus on unintentional injuries among children aged:</p> <ul style="list-style-type: none"> • 0 - 4 years, especially in the areas of falls, off public road vehicle crashes (including those related to pedestrian and 	<p>reporting.</p> <p>A new National Perinatal and Maternal Mortality Review Committee is being established in 2005.</p>
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	<p>cyclists), suffocation, drowning and unintentional poisoning</p> <ul style="list-style-type: none"> • 5 -14 years regarding falls, cycle crashes off public roads, drowning and sporting injuries. 	
<p>(17) Adolescent Health Outcomes</p> <p>In 2003 the UN Committee recommended New Zealand:</p> <ul style="list-style-type: none"> • undertake effective measures to reduce the rate of teenage pregnancies through, inter alia, making health education, including sex education part of the school curricula, and strengthening the campaign of information on the use of contraceptives • undertake effective preventive and other measures to address the rise in alcohol consumption by adolescents and increase the availability and accessibility of counselling and support services, in particular for Maori children • strengthen mental health and counselling services, ensuring that they are accessible to and appropriate for, all adolescents, including Maori children and those in rural areas and in residential institutions. 	<p>The UN Committee expressed concern at the high rates of youth suicide, teenage pregnancies, and alcohol abuse by adolescents and the insufficient level of youth mental health services, particularly in rural areas and for Maori children and children in residential institutions.</p> <p>The Ministry of Health's <i>Youth Health: A Guide to Action and Sexual and Reproductive Health Strategy</i> provides the framework for addressing the rate of teenage pregnancy. DHBs have a new teen pregnancy indicator for 2004 for reporting purposes.</p> <p>The Ministry of Health is also working closely with the Ministry of Education to support the development of health services in schools. This includes developing resources for teachers to use in their sexuality education classes. Current activity focuses on raising awareness of risks, providing good information about safer sex practices and preventing the spread of disease.</p> <p>The Ministry of released the document <i>Suicide Facts: Provisional 2002 All-Ages Statistics</i> in April 2005. Key findings of this report show that although New Zealand young people continue to have a high rate of suicide compared with other nations, 80 percent of New Zealanders who died by suicide in 2002 were aged 25 years or older. People aged 20 to 24 had the highest suicide rate, followed by people aged 25 to 29.</p> <p>Currently, the Ministries of Health and Youth Development are developing a new all-ages suicide prevention strategy to reflect the fact that around 80 percent of people who die by suicide are 25 years or older. This strategy, therefore, will aim to reduce the</p>	<p>The Ministry of Health will provide updates to the Ministry of Youth Development for the UNCROC work programme to consolidate periodic reporting.</p>

incidence of suicide and attempted suicide across all ages. The goal set for the new strategy is to reduce New Zealand's suicide rates to levels equivalent to the lowest in other OECD nations. The Ministry of Youth Development will retain a key role working on suicide prevention for youth as a priority group.

Mental health has been identified as a key area of investment by government. A range of responses to the identified concerns are being developed and articulated in the forthcoming Second National Mental Health and Addiction Plan. The Plan signals further growth in the child and youth mental health and addiction workforce and in service provision, including services for Maori children. Intersectoral work is in progress to improve access to mental health services for young people in residential care and with antisocial behaviour problems.

The Government amended the Customs and Excise Act 1996 in 2003 to remove an anomaly that meant that alcoholic beverages with an absolute alcohol by volume (aav) of 13 to 22% were taxed at a significantly higher rate than those with a 23 % aav or higher. Due to this anomaly some manufacturers had begun producing "light spirits" which were approximately 22% alcohol by volume but a lot cheaper than beverages with an only slightly higher alcohol content. Young people are known to be highly price sensitive and therefore it was expected that this change would impact disproportionately on this group by making beverages with a high percentage of alcohol more expensive and therefore less accessible to them.

The Effective Drug Education project commenced in 2002 and aims to identify best practice for alcohol and drug education for young people, families and communities that not only raise awareness but result in sustained behavioural change. A literature review and analysis was undertaken and two booklets on

	<p><i>Strengthening drug education in school communities</i> were produced with principles of best-practice for the design, delivery and evaluation of school-based drug education. The Ministry of Youth Development is currently holding training workshops for school Principals on how to select competent drug education services and how to implement the principles for best practice for drug education based on the <i>Strengthening drug education in school communities</i> resource.</p> <p>Through the Early Intervention work, the Ministry of Social Development is leading work to examine evidence on effective support for young parents, review current provisions and develop proposals for consideration. The project is focusing on health (ante and post natal) education and training (education for the parent and early childhood education) social support (parenting education and support) and income and housing support. The primary focus is on parents under the age of 20.</p>	
<p>(20) Dissemination and training on child's rights</p> <p>The UN Committee has recommended that New Zealand:</p> <ul style="list-style-type: none"> • Undertake public awareness campaigns, including through mass media, on children's rights aimed at the general public and specifically at children; • Carry out systemic education and training on the principles and provisions of the Convention for all professional working with an for children, in particular teachers, judges, parliamentarians, law enforcement 	<p>The UN Committee was concerned that children and the public are not sufficiently aware of the Convention and the rights-based approach</p> <p>The Ministry of Justice has recently released <i>The Handbook on the New Zealand Bill of Rights Act 1990</i>. The Handbook is intended to make the New Zealand Bill of Rights Act 1990 more accessible to the public sector.</p> <p>The Handbook has been designed as a practical resource to assist officials in the process of integrating human rights considerations, including the rights of children and young people, into the development of policy and practice. Ministry of Justice officials have also designed and presented a series of seminars on the Bill of Rights Act that complement the Handbook.</p> <p>A number of government agencies have responsibility for raising</p>	<p>The Ministry of Youth Development and Ministry of Justice to monitor progress on dissemination and training of government agencies for consolidated periodic reporting from 2004.</p> <p>The Ministry of Youth Development will continue to work closely with the Office of the Children's Commissioner to add value to their statutory</p>

<p>officials, civil servants, municipal workers, personnel working in institutions and places of detention for children, health personnel, including psychologists, and social workers.</p>	<p>awareness of UNCROC within Government agencies, including the Ministry of Youth Development. A number of actions have been undertaken to enhance awareness of children rights in schools through human rights modules and the New Zealand Education Curriculum.</p> <p>The new social studies curriculum, <i>Social Studies in the New Zealand Curriculum</i> provides opportunities for teachers to deliver class programmes about human rights education, which has always been a key component in social studies programmes.</p> <p>The Human Rights Commission has a statutory function to promote an understanding and appreciation of human rights. The Commission operates a number of additional education programmes aimed at young. Human rights educators deliver education workshops and presentations to school and community groups. Programmes include work with teenage parents, young people in care, and youth justice initiatives. One recent initiative has involved website chat room participation for rural schools looking at human rights issues around racism and immigration.</p> <p>The Human Rights Commission released the <i>New Zealand Action Plan for Human Rights</i> in March 2005, and it has a strong focus on children's rights. The Department of Prime Minister and Cabinet in consultation with the Ministry of Justice and other government departments, is currently considering the next steps for Government's response to the Plan.</p> <p>The Office of the Children's Commissioner has a statutory role to advocate for children. The Ministries of Social Development and Youth Development have been discussing ways to support the Office of the Children's Commissioner regarding its statutory training function and development of its UNCROC training programme. The training programme is aimed at government</p>	<p>training function.</p>
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	departments and raising their awareness of UNCROC.	
	OPTIONAL PROTOCOL ON CHILDREN INVOLVED IN ARMED CONFLICT	
<p>(21) Amendment of the Defence Act 1990</p> <p>The UN Committee was concerned that Defence Force Orders for Personnel Administration (15 February 2002) refer only to active service outside New Zealand and therefore implicitly allows active service inside New Zealand by soldiers below the age of 18.</p> <p>The Committee recommended that New Zealand:</p> <ul style="list-style-type: none"> Amend the Defence Force Order to expressly prohibit active service in and outside of New Zealand by soldiers under the age of 18. 	<p>In September 2003, New Zealand was the first country to report on the Optional Protocol Child Soldiers to the UN Committee.</p> <p>The Chief of the Defence Force agreed that the wording of Defence Force Orders for Personnel Administration, Chapter 2, section 1, paragraph 2.10 be amended to make it clear that it is prohibited to deploy New Zealand Defence Force personnel under 18 years of age on active service, whether the active service is overseas or within New Zealand.</p> <p>Section 5 of the Defence Amendment Act 2001 amends section 37 to make it clear that New Zealand Defence Force Personnel under 18 years are not liable for active service and removes the word “overseas”.</p> <p>Defence Force Orders for Personnel Administration Chapter 2, section 1, paragraph 2.10 has also been amended to make it clear deploying personnel under 18 years of age on active service is prohibited, whether the active service is overseas or within New Zealand.</p>	Item completed
<p>(26) Training and Dissemination on the Optional Protocol on Child Soldiers</p> <p>The UN Committee recommends that New Zealand undertake:</p> <ul style="list-style-type: none"> Systematic education and training on the provisions for the Convention for all 	<p>The UN Committee is generally concerned to ensure that wide public education and training occurs on the content of UNCROC and its Optional Protocols.</p> <p>The Chief of the New Zealand Defence Force has directed that the Cadet Forces are to be instructed to institute training in the Law of Armed Conflict (LOAC) generally, and in particular, the provisions</p>	The New Zealand Defence Force will advise the Ministry of Youth Development on the training modules that will be implemented from

<p>relevant professional groups, in particular military personnel and make the provisions of the Optional Protocol widely known to children through, inter alia, school curricula.</p>	<p>and implications of UNCROC and the Optional Protocol.</p> <p>The New Zealand Defence Force is developing a suitable training module on the provisions and implications of UNCROC and the Optional Protocol. This work will occur over the five years of the strategic work programme.</p>	<p>2004. This work will be monitored by the Ministry of Youth Development.</p>
	<p>OPTIONAL PROTOCOL ON THE SALE OF CHILDREN</p>	
<p>(27) Review of Compliance with the Optional Protocol to the Convention on the Sale of Children</p> <p>The UN Committee recommends New Zealand ratify the Optional Protocol to the Convention on the Rights of the Child on the Sale of children, child prostitution and child pornography.</p>	<p>New Zealand has signed the Optional Protocol on the Sale of Children but has not yet ratified the Optional Protocol as ratification requires legislative amendment to several pieces of legislation.</p> <p>A number of legislative amendments have been made or are proposed to enable ratification of the Optional Protocol.</p> <p>The Films, Videos and Publications Classification Amendment Act 2005 came into effect on 22 February 2005. Offences and penalties under the Act, and consequential amendments to related legislation will assist compliance with the Optional Protocol requirements regarding child pornography. The Crimes Amendment Act was passed in April 2005 and it implements the necessary legislation to ratify the Optional Protocol requirements regarding child prostitution and sale of children.</p> <p>In 2001 Cabinet agreed to add a new offence to the Adoption Act 1955 of improperly inducing consent, as an intermediary, for the adoption of a child, which will facilitate compliance with the Optional Protocol's requirements on the sale of children. This amendment may be progressed as part of a broader review of the Adoption Act 1955. The review of the Adoption Act was not progressed during the 2004/2005 financial year.</p>	<p>Over 2006 the Ministry of Youth Development in conjunction with the Ministry of Justice and Ministry of Foreign Affairs and Trade will review progress of the legislative amendments to support ratification and advise joint Ministers.</p>

