



Children in the care of kith & kin:
lessons for policy and advocacy

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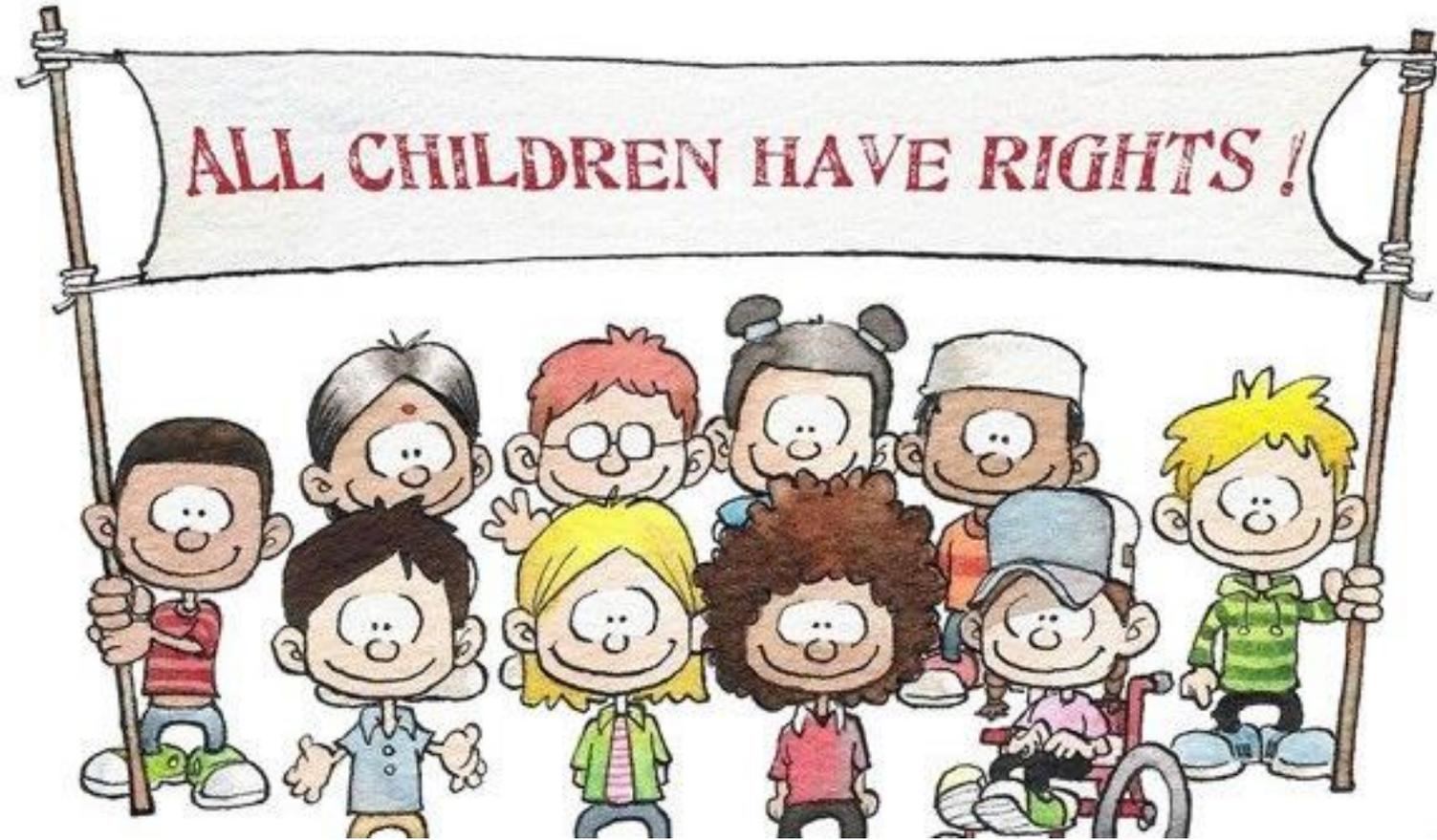
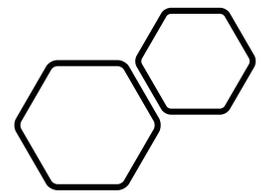


Illustration : alex leonard



Children have special rights due to their vulnerability and developmental needs



Guiding principles of the *Convention on the Rights of the Child*

United Nations Convention on the Rights of the Child

Article 18:

Both parents share responsibility for bringing up their children, and should always consider what is best for each child. Governments must respect the responsibility of parents for providing appropriate guidance to their children

Article 19:

Governments should ensure that children are properly cared for and protect them from violence, abuse and neglect by their parents, or anyone else who looks after them.

Article 27:

Children have the right to a standard of living that is good enough to meet their physical and mental needs. Governments should help families and guardians who cannot afford to provide this, particularly with regard to food, clothing and housing.

Article 20

1. A child temporarily or permanently deprived of his or her family environment, or in whose own best interests cannot be allowed to remain in that environment, shall be entitled to special protection and **assistance provided by the State**.
2. States Parties shall in accordance with their national laws ensure alternative care for such a child.
3. Such care could include, inter alia, foster placement, kafalah of Islamic law, adoption or if necessary placement in suitable institutions for the care of children.

When considering solutions, due regard shall be paid to the desirability of continuity in a child's upbringing and to the child's ethnic, religious, cultural and linguistic background.

Out-of-home care

- Nationally, at 30 June 2018, approximately 45,800 children were living in out-of-home care
 - 6% increase since 2014
- 93% were in home-based care
- 52% were in relative/kinship care
- 40% were in foster care
- 1% were in third-party parental care
- 1% were in other types of home-based care
- About 6% were living in residential care



In the jurisdictions with available data, of children in relative/kinship care:

- 50% were placed with grandparents
- 23% were placed with an aunt/uncle
- 16% in a non-familial relationship.



Indigenous children in out-of-home care

- At 30 June 2018: 17,800 Indigenous children were in care
 - 39% of the total population
- 35% were **not** placed with relatives/kin, other Indigenous caregivers or in Indigenous residential care
- 11 times the rate of Indigenous children in care than non-Indigenous children



Aboriginal and Torres Strait Islander Child Placement Principle

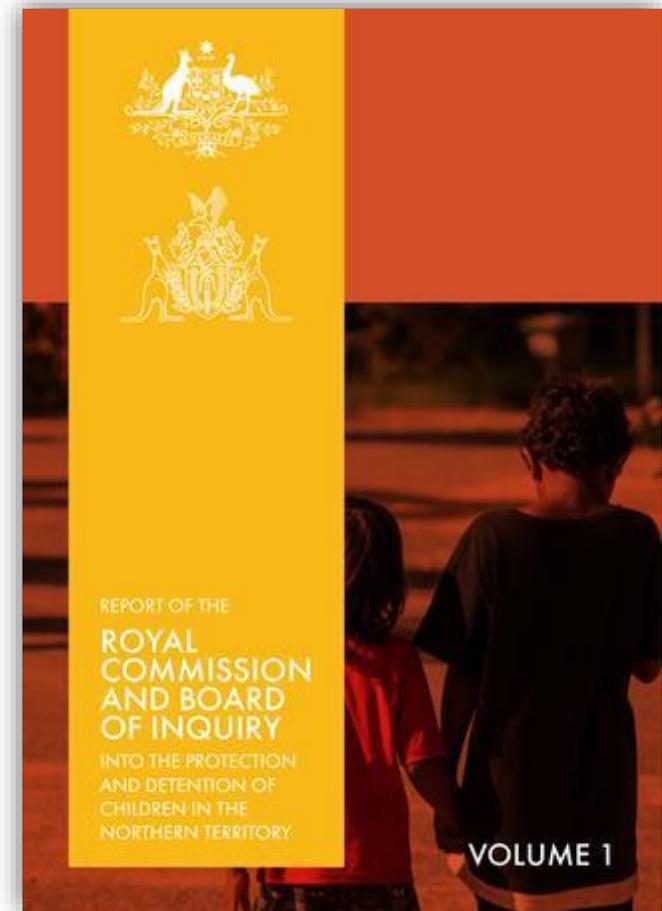
To ensure Indigenous children remain connected to their family, community, culture, and country.

Core elements include prevention, partnership, placement, participation, and connection.

The principle outlines a preference for Aboriginal and Torres Strait Islander children to be placed with other Aboriginal and Torres Strait Islander people when they are placed outside their family

Order of preference:

- With the child's extended family and kinship networks
- Within the child's Indigenous community
- With other Aboriginal and Torres Strait Islander people.



Findings in relation to kinship care



Placing a child with relatives or kin increases the likelihood that he or she will grow up and know that they're loved, they're claimed, they belong

... that essential human need we have to be anchored, to belong, to be claimed, to have someone who delights in you ...





A child rights-based approach to child protection recognises the need to intervene in families if children are exposed to harm, but it prioritises interventions that strengthen family life, support families and work with families with challenges.

Thank you



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