

Your Ref:
Our Ref:

22 March 2023

Literacy Advisory Panel
GPO Box 123
Hobart TAS 7001

By email: policy@dpac.tas.gov.au

Dear Panel Members,

Re: Literacy Advisory Panel's Community Consultation

Thank you for the opportunity to provide a submission in relation to the *Final Consultation report for the Development of Tasmania's Community-wide Framework* ("the report"). I appreciate your willingness to provide me with an extension of time until Wednesday 22 March 2023.

I note that the report 'is the outcome from a significant body of research, analysis and consultation responses' and that, following the current consultation process, the Panel will make 'recommendations to Government as part of a Community-wide Framework, called Lifting Literacy' (p. 60 of the report).

It is beyond the current capacity of my office to provide a comprehensive submission in response to the report within the timeframe. Mindful of this, and noting that I have previously commented on the development of the [Tasmanian's Community-wide Framework for Literacy](#) (25 March 2022), I focus in this submission on the participation of children and young people to inform the finalisation, implementation, monitoring and evaluation of the Lifting Literacy Framework (the Framework).

Role of the Commissioner for Children and Young People

The Commissioner for Children and Young People ("the Commissioner") is an independent statutory office established under Tasmania's *Commissioner for Children and Young People Act 2016* (the CCYP Act).

My role as Commissioner is governed by the CCYP Act. Section 3 sets out the principles that I am to observe when performing a function or exercising a power under the CCYP Act. This includes doing so according to the principle that the wellbeing and best interests of children and young people are paramount; observing any relevant provisions of the United Nations Convention on the Rights of the Child; and giving special regard to the needs of children and young people who are disadvantaged or vulnerable.

Section 8 outlines my functions which include:

- advocating for all children and young people in the State generally;
- acting as advocate for a detainee under the *Youth Justice Act 1997*;



- researching, investigating and influencing policy development into matters relating to children and young people generally;
- promoting, monitoring and reviewing the wellbeing of children and young people generally;
- 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;
- assisting in ensuring the State satisfies its national and international obligations in respect of children and young people generally;
- 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.

General comment

As I noted in my previous submission to the Panel, literacy is fundamental to children and young people's wellbeing and their participation in society.

The OECD identifies the link between literacy development and a wide range of wellbeing outcomes, including labour market outcomes, mental health outcomes, and life satisfaction. It also explains how literacy development is influenced by interactions with family and the home environment, as well as participation in early childhood education and care, and the school environment.¹ The obligation to provide equity of opportunity for all children is outlined in Article 2 of the *UN Convention on the Rights of the Child* (UNCRC).

Children's right to education is also enshrined in international instruments.² Article 28 of the UNCRC provides, among other things, that children have the right to education on the basis of equal opportunity (see further [here](#)) and Article 24 of the *UN Convention on the Rights of Persons with Disabilities* (UNCRPD) recognises the right of people with disability to education without discrimination (see further [here](#)).

Increasing the literacy of all Tasmanian children and young people is critical to achieving a literate Tasmania and I welcome the Panel's report as a clear step toward achieving this. I particularly note with appreciation the work undertaken by the Panel to understand current Tasmanian policy and practice, map existing services and consider the effectiveness of existing literacy measures and targets. It is important that the Framework is informed by the past and adopts an evidence-based approach for the future.

I note that the report does not discuss in any detail the unique literacy needs of vulnerable Tasmanian children (for example, children in out-of-home care, children in the youth justice system, children who are disengaged from education and unaccompanied homeless children) and how their needs will be met. The report states that supports and services for young people in the youth justice system need to be considered through implementation of the forthcoming Youth Justice Blueprint. I would hope that the Framework will include targeted recommendations relating to vulnerable children for implementation through action plans.

Areas of interest include how the Government will ensure greater accessibility of allied health professionals to provide early identification and support to respond to vulnerable children's learning differences and, how information will be shared between educational and other settings to ensure that children's learning needs are supported throughout their educational journey.

¹ [6. Are children learning and achieving in education? | Measuring What Matters for Child Well-being and Policies | OECD iLibrary \(oecd-ilibrary.org\)](#)

² See further, Universal Declaration of Human Rights (1948); UNESCO Convention against Discrimination in Education (1960); the International Covenant on Economic, Social and Cultural Rights (1966); the Convention on the Rights of the Child (1989) among others.



Comment on participation

Noting my comments above, it is pleasing to note that the Panel has included targeted consultations relevant to specific groups, including children in the youth justice system. It would be helpful to understand the extent to which the views of children and young people have been and/or will be sought, and how their views will inform the finalisation of the Framework, its implementation, and monitoring and evaluation.

Article 12 of the UNCRC provides that children have the right to be listened to and have their views taken seriously in decisions that affect them.

Well and long have we known from early childhood theories, research and practice that children are active constructors of meaning with voices to be heard and capacity to express their views with wisdom and insight.³

Given the expertise of children and young people about their own lives and experiences,⁴ I again urge the Panel to ensure that participatory processes go beyond one-off individual consultations 'to move beyond tokenism'⁵ and reflect the principles of co-design.⁶ The added benefit of this approach is to empower Tasmanian children and young people to be active participants in the ongoing development of our education system.

Article 19 of the UN *Declaration on the Rights of Indigenous Peoples* underlines the importance of actively engaging with and seeking the views of Aboriginal children and young people.⁷ However, the report notes the 'gap in specific feedback relating to members of the Tasmanian Aboriginal Communities. I therefore welcome the Panel's commitment to consulting with Aboriginal people further.

I also note that consultation with the LGBTQIA+ community was a further gap identified and look forward to hearing more about how this gap will be remedied.

Noting my general comments above, I would also encourage the Panel to seek specific feedback from children with experience of homelessness, children in out-of-home care, children in contact with the youth justice system and children who are disengaged from formal education to better understand their needs, and how their needs can be met.

If you would like to discuss the matters raised above, I would be happy to discuss them further.

Yours sincerely,

Leanne McLean
Commissioner for Children and Young People

cc: *The Hon Roger Jaensch, Minister for Education, Children and Youth*

³ Harris, P., & Manatakis, H. (2013). *Children's Voices: A principled framework for children and young people's participation as valued citizens and learners*. University of South Australia in partnership with the South Australian Department for Education and Child Development, Adelaide.

⁴ Australian Childhood Trauma Group, 'Why have an approach to children's participation?' (2021). Available at <https://theactgroup.com.au/childrens-participation-and-voice/>.

⁵ Forde, Kilkelly, Kelleher and Lundy (n 6) 14. See further Deirdre Horgan, 'Consultations with children and young people and their impact on policy in Ireland' (2017) *Social Inclusion* 5(3) 104-112; Committee on the Rights of the Child, *The right of the child to be heard* (General Comment, 2009) paragraphs 132-133. Available at [Microsoft Word - CRC-C-GC-12 advance unedited for distribution.doc \(ohchr.org\)](#).

⁶ The Australian Centre for Social Innovation, *Unpacking Co-design* (2022). Available at [Unpacking co-design - The Australian Centre for Social Innovation \(tacs.org.au\)](#).

⁷ Committee on the Rights of the Child, *The right of the child to be heard* (General Comments, 2009). Available at [Microsoft Word - CRC-C-GC-12 advance unedited for distribution.doc \(ohchr.org\)](#).