



**Save the Children**

**United Nations Human Rights Council  
17th Session  
30 May – 17 June 2011**

### **Consideration of the UPR report of Australia**

Mr. President,

Thank you for giving us the floor.

Save the Children welcomes the Report of the Working Group on the Universal Periodic Review of Australia.

We call on the Australian Government to address the following issues:

#### **1. *The Establishment a National Children's Commissioner***

Save the Children commends the Government for agreeing to explore a possible role for a national children's commissioner following Recommendation 86.29., but regrets the Government's decision however, to only explore that role under the *National Framework for Protecting Australia's Children*.

We strongly urge the Government to pass legislation currently before Parliament to establish a national children's commissioner who can represent and act on behalf of *all* children in Australia and its territories, including those in immigration detention, and not just Australian children suffering abuse or neglect.

#### **2. *The Protection of Children Seeking Asylum***

Recommendation 86.129 calls on the Government to ensure that no children are held in immigration detention. Although the Government aims to relocate some of the over 1,000 children currently in immigration detention by the end of June 2011, Save the Children remains gravely concerned that the Government continues to detain children seeking asylum despite its commitment under Article 37(b) of the CRC

We strongly urge the Government to immediately release all children and their families in immigration detention into the community, repeal the provisions of the Migration Act 1958 relating to mandatory detention and enact legislation to ensure that no children are held in immigration detention including "low security facilities".

#### **3. *The Prohibition of Corporal Punishment***

Save the Children is disappointed in the Government's rejection of Recommendation 85.75 which calls on the Government to prohibit the use of corporal punishment within the family in all States and Territories. This runs contrary to the Government's commitment under Article 19 (I) of the CRC to protect children from all forms of physical and mental violence, injury and abuse.

We strongly urge the Government to work with States and Territories to prohibit the use of corporal punishment within the family and in all schools and alternative care settings.

Thank you.