

# Certify Hope - Rights from the start

Achieving universal birth  
registration in Australia



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# Executive Summary

UNICEF Australia believes that every child in Australia should be registered as close to their birth as possible, enabling them to access and fully enjoy their rights throughout their lives.

A child's existence and formal identity is first acknowledged through birth registration. The right to be recognised as a person before the law is a critical step in ensuring lifelong protection and is a prerequisite for exercising all other rights. If a birth is not registered, it can impede access to key services, entitlements and activities that allow individuals to participate fully in society. Birth registration and certification is crucial to obtaining a passport, driver's license, tax file number and a bank account. Without a birth certificate and other essential identity documentation, access to early childhood education and school, health care, training, welfare support and employment is difficult if not impossible. The impacts of not having registered a birth are cumulative and far-reaching for individuals, families, communities and policymakers.



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For the period 2017-2022



## 75,000+

Australian babies were not registered one year after birth

Until recently we have had little visibility of how Australia is performing when it comes to attaining universal birth registration. With the support of the Registries of Births, Deaths and Marriages, UNICEF Australia has worked with the Australian Bureau of Statistics (ABS) to obtain new data that helps show the birth registration patterns across the country and provides a roadmap for closing the birth registration gap. This new data, which is the centrepiece of this report, sheds light on the scale of the issue in Australia and the groups of people most affected.

Australia has many of the necessary political, economic and social conditions for universal birth registration, however there are still gaps. Currently, Australia still has some way to go to achieve universal birth registration, but it is not unattainable. It is a vision achieved in many parts of the developing world, including Bosnia and Herzegovina, Cuba and Uzbekistan, some of which have comparatively less resources than Australia.

Universal birth registration can become a reality in Australia if policymaking is tailored to address the identified barriers, and targets those who are currently experiencing under-registration.

The ABS has provided data from 2017-2022 demonstrating that during this 6-year period, more than 75,000 Australian babies were not registered one year after birth. This means, 4.1 per cent of all births in Australia were not registered within the baby's first year of life.

The data shows that particular groups are more likely to have delayed birth registration, with younger maternal age, First Nations status, people experiencing disadvantage and remote location being key factors.

## The data tells us



There is an average of  
**12,600**  
unregistered births a year.



**17%** of First Nations' births were registered after the age of one compared to 3% of non-First Nations births.



**Babies born to mothers aged under 25 years** were **almost four times** more likely to be registered after one year (11.8%) than babies born to mothers aged 25 and over (3%).



**Babies in the most disadvantaged areas** of Australia were **more than three times** more likely to not have their birth registered in their first year of life (9%) compared to those living in more advantaged areas (2.6%).



**Babies from remote areas** of Australia were **almost three times** more likely to not have their birth registered in their first year of life (10.9%) compared to those not living in remote areas (3.8%).

**When two factors are present there are an even greater number of delayed registrations. Most notably:**

**19.3%**

of babies born in the most remote and most disadvantaged areas were registered more than one year after birth.

**22.1%**

of First Nations births in the most remote areas were registered more than one year after birth.

**21.2%**

of First Nations births in the most disadvantaged areas were registered more than one year after birth.

**20.7%**

of births to mothers under 25 years old in the most remote areas were registered more than one year after birth.

This data demonstrates and reinforces what we know about barriers facing people and families experiencing disadvantage and vulnerability, and where energy and additional resources are required to further support access to universal birth registration.

To ensure that every child in Australia has a legal identity from birth, we encourage governments to work with communities most affected to address the key barriers to birth registration. This includes the implementation of additional safeguards and the provision of resources to meet community need. Although there is much work to be done, the proposed recommendations are a starting point to assist with the development of tailored solutions for affected communities. They build upon a strong scaffolding of recent progress across many Australian jurisdictions, promoting the notion that early birth registration is key to a child's ability to grow, develop and thrive, charting a smoother course towards exercising and enjoying their full suite of rights across their life.

## Recommendations

UNICEF Australia is calling on the Federal Government to:



### **Commit to universal birth registration**

by embedding birth registration rates in the Early Years Strategy 2024-2034.



### **Work with States and Territories**

to improve accessibility and affordability of birth registration and certification for families.

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UNICEF Australia is calling on States and Territories to work together to:



### **Reform Births, Deaths and Marriages**

**Registries** so they are better resourced to support communities who need it most.



### **Strengthen community-based services**

so that families requiring more support with birth registration and certification can get the help they need as early as possible.

The detailed recommendations can be found from page 24, under the chapter 'A pathway towards universal birth registration'.

# About Birth Registration



## Birth registration is the foundation for a child's development

Birth registration is one of the first rights of a child, granting them an identity, and is the gateway to exercising and experiencing many other civil, political, economic, social and cultural rights. It is a child's passport to protection throughout their life, establishing their existence under the law.

With birth registration comes access to a birth certificate, a pivotal document that allows a child, a young person, and then an adult, to access the things needed to participate in society. This includes routine immunisations and participation in early learning. In Australia, too many children are not registered at birth or cannot access their birth certificate, which has many consequences. Moreover, the Committee on the Rights of the Child identified birth registration as an issue in need of action in both its 2019 and 2021 concluding observations for Australia.<sup>i</sup>

The right to birth registration is set out in the *International Covenant on Civil and Political Rights (ICCPR)* which states that: "Every child shall be registered immediately after birth and shall have a name."<sup>ii</sup>

The *Convention on the Rights of the Child (CRC)* further recognises this right in Article 7:

1. The child shall be registered immediately after birth and shall have the right from birth to a name, the right to acquire a nationality and as far as possible, the right to know and be cared for by his or her parents.
2. States Parties shall ensure the implementation of these rights in accordance with their national law and their obligations under the relevant international instruments in this field, in particular where the child would otherwise be stateless.<sup>iii</sup>

The adoption of the Sustainable Development Goals (SDGs) by the United Nations General Assembly in September 2015<sup>iii</sup> placed birth registration firmly on the international development agenda. It included a dedicated target under Goal 16: to provide legal identity for all, including birth registration. In accordance with the SDGs, UNICEF seeks to fulfill the promise of universal birth registration, and a legal identity for every child, by 2030.



## UNICEF has extensive expertise in birth registration systems internationally

For over 60 years, UNICEF has played a vital role in improving birth registration rates globally, conducting programs in 75 countries to improve the rates of birth registration. This includes working with governments and communities to register more than 16 million births and issuing birth certificates to more than 13 million people in 2018.

UNICEF's actions to support birth registration include advocacy and support for legal and policy reform; civil registry strategic planning, capacity building and awareness-raising; the integration of birth registration into other services such as health and education; community-based registration and social mobilisation campaigns.

Our work has focused on supporting governments to strengthen their civil registration systems, including working with government to improve the accuracy and reliability of birth registration data. This includes increasing the number of service

points where children can be registered, developing or updating birth registration legal and policy frameworks, innovations in registration technology including SMS technology and online birth registration, and increasing community awareness about birth registration.

Unfortunately, the systematic recording of births in many countries remains a serious challenge, and while data collection has improved over time, improving birth registration outcomes for children means strengthening the way vital statistics are captured and analysed.<sup>iv</sup>

We also work with other sectors, such as health and education, to integrate birth registration into their work. This includes increasing birth registration in hospitals and health centres, birth registration in immunisation drives, and linking birth registration systems to national cash transfer systems and student databases.



### CASE STUDY

UNICEF Australia currently funds two programs in Papua New Guinea (PNG), under which PNG are supporting the Government of Papua New Guinea to institutionalise birth registration practices across the country. Two key elements of this process include: (i) The implementation of mobile birth registration kits. Through the provision of these kits, UNICEF PNG and the Government of Papua New Guinea aim to boost Papua New Guinea's birth registration capacity tenfold to over 500,000 a year. The kits are compact enough to be carried by one person and contain essential tools that field officers can use to register newborns and children on the spot and are powered by solar panels.

(ii) Integration of birth registration services within Papua New Guinea's National Hospital, where 40% of hospital-born children in PNG are born. This is being achieved in strong collaboration with the National Department of Health and the PNG Civil Identity Registry. UNICEF provides technical support to the Civil Registry and Vital Statistics Committee (CRVS) as the main coordination body for policy level design and advocacy.

The UNICEF Birth Registration programming handbook outlines key outcomes of work to improve birth registration systems. These are: organisational change; legal change; stimulating demand; communication for development; and building coalitions and strengthening collaboration.<sup>xi</sup>

Even though the number of births that go unregistered around the world every year is increasing, many developing countries, such as Bosnia and Herzegovina, Cuba, and Uzbekistan, have achieved universal rates of registration.



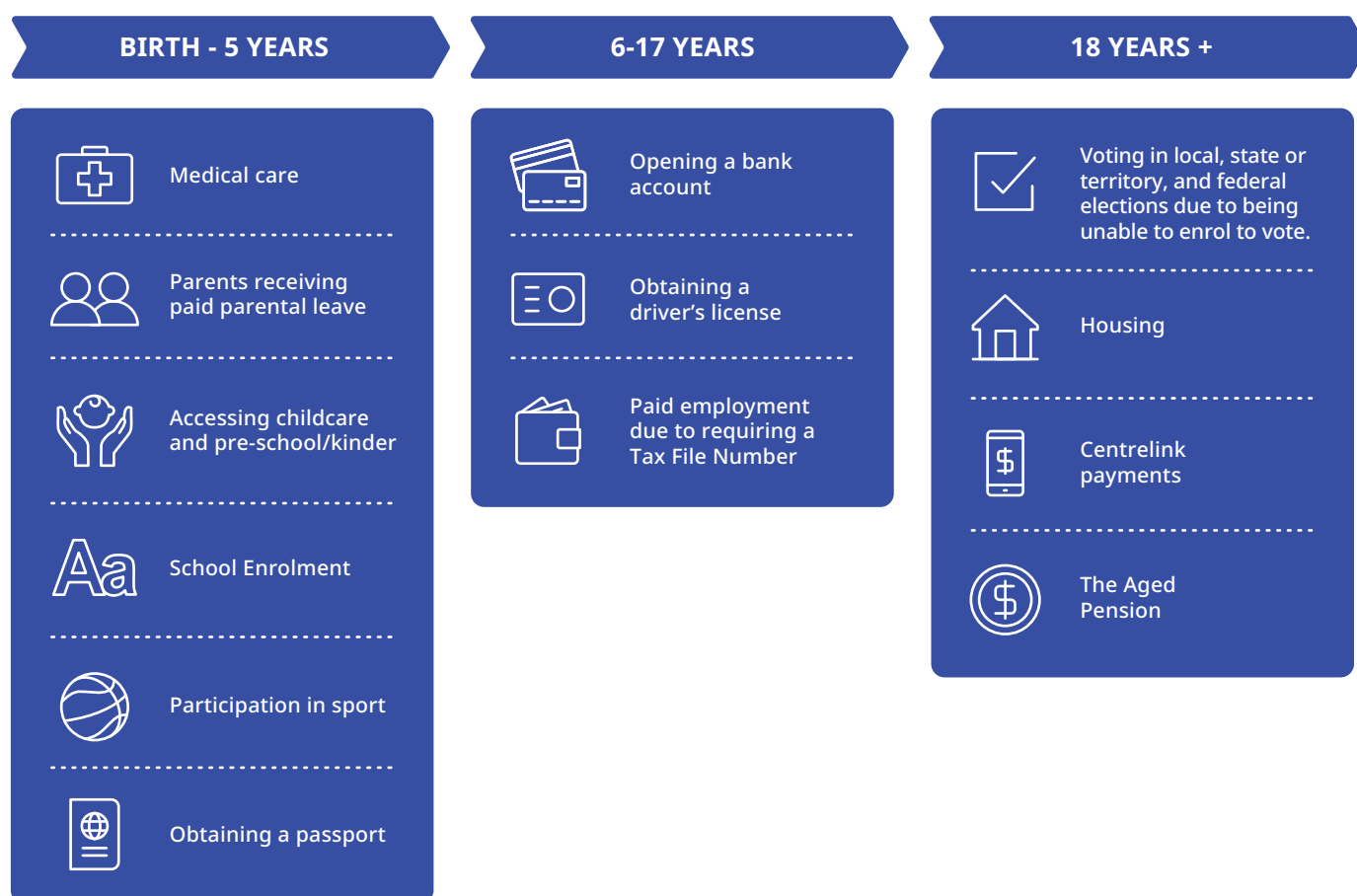
## The vast and cumulative impacts of not being registered at birth

In Australia, the Federal Early Years Strategy 2024-2034 includes the desired outcome for all children to have a strong identity, which can be achieved through birth registration and obtaining a birth certificate. A strong identity contributes to positive development and builds a sense of autonomy as they grow and thrive.<sup>v</sup> For First Nations children, a strong identity through birth registration helps to shape a stronger cultural identity, and encourages improved access and engagement with culturally safe services such as early childhood education

and care.<sup>vi</sup> Delayed birth registration and a lack of strong cultural identity for First Nations children has significant implications for progress against the National Agreement on Closing the Gap, specifically for targets on access to early learning and developmental delay.<sup>vii</sup>

If a child's birth is not registered, or they do not have a birth certificate, this can significantly impede on a child's ability to build a strong identity, and also prevents them from exercising and enjoying all of their rights.

Delayed birth registration can be a barrier to accessing key services, entitlements and activities that allow individuals to participate fully in society, such as:



Being excluded from accessing the services and entitlements listed in the above chart can have far-reaching consequences, and not having a birth certificate can be a huge barrier at critical opportunities in a young person's life. Children and adults often only realise that their birth has not been registered, or that they do not have a birth certificate when they attempt to access services or participate in activities. Often, opportunities have passed these young people by before they are able to get their identity documentation problems resolved.

## Sam's Story

Sam had his birth registered and received a birth certificate before but had lost it. In the past he'd found it difficult to get a new birth certificate as he didn't have the proper identification. Without a birth certificate, he has had difficulties enrolling his child in kindergarten and getting her Medicare benefits. "When we came across applications for schools, kindergartens, medical and didn't have ID. They think you might come with someone else's kid. I don't know what they think but they don't accept it."

Sam believes more support at community level, like the Pathfinders National Aboriginal Birth Certificate program, would make it easier to register your child's birth and receive a birth certificate. "If I didn't have a day like this, I still wouldn't have a birth certificate".

Without a birth certificate and correlating identity documentation such as a passport or drivers' licence, access to early learning, employment, health care, education, training, and welfare support proves

**“If I didn't have a day like this, I still wouldn't have a birth certificate.”**

difficult, and can create disadvantage that cascades and compounds over time. For example, a young person who cannot obtain a Tax File Number may instead enter informal employment where they are without formal protections and are more vulnerable to exploitation. They may also be excluded from employment all together. At its worst, research has shown that not having their birth registered can place a person on a trajectory where the risk of encountering the criminal justice system is much higher. An example of this may be involvement in the criminal justice system after driving without a licence, for which a birth certificate is a prerequisite.<sup>viii</sup> Managing issues that arise due to an absence of identity documentation when interacting with public services also come with increased administrative and other costs.



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## Monique's Story

Monique has been trying to get her eldest daughter's birth registered for nearly ten years.

Without the children's father's ID or her own birth certificate, Monique has found the process difficult and was unable to apply for one. "The whole ID thing was my biggest thing because I don't have my own birth certificate. To be able to get a birth certificate you need a birth certificate, which is a bit complicated."

As a result, Monique's daughter has been unable to attend certain schools and participate in sports programs, both of which require a birth certificate.

**“She's been wanting to play sports for years and with no birth certificate, they don't want to accept her. They're legally not allowed to because that's the rules.”**

Monique calls for more accessible birth registration process, "the best thing to do would just be trying to make it as simple as possible".

## The current context

In Australia, responsibility for birth registration sits primarily with States and Territories, performed through the appointment of Births, Deaths and Marriage Registrars, supported by Registries of Births, Deaths and Marriages (BDMs). BDMs generally work as independent agencies within government departments and fall under the responsibility of the Attorney-Generals.

Over the last decade, there has been an increased recognition by Governments to ensure access to birth registration for all, and to address the barriers and particular needs of different communities to realise this right. Registrars and Governments have started taking a more active role in ensuring births are registered, and this has prompted a variety

of policy initiatives across Australia that aim to improve the proportion of officially registered births. These initiatives have predominantly focussed on improving birth registration rates in First Nations and remote communities.

However, there are different policy approaches to improving rates of birth registration between jurisdictions, significantly impacting on access to birth registration for different community groups.

For example, in July 2024, the Commonwealth and ACT Government announced they will be trialling an initiative that allows parents to register the birth of their baby online using MyGov. The early stages of the trial used details provided at the hospital to register

babies for Federal Government services including enrolment in Medicare, My Health Record, the Australian Immunisation Register, and to assist with Centrelink Family Assistance claims. The final stage of the trial is now being piloted at select hospitals in the ACT, where parents can register the birth of their baby with the ACT Registry of Births, Deaths and Marriages. The process has been simplified, allowing parents to briefly check their details are correct on MyGov, address any gaps in information, and then submit the birth registration application. The end-to-end digital service is also designed to reduce

the risk of errors and to encourage consistency in information across platforms.

There is much to learn from initiatives like the ones outlined in this paper, and how they could inform a nation-wide response that promotes universal birth registration and certification. Unfortunately, these initiatives are not uniform or coordinated across States and Territories. In some circumstances BDMs do not have the mandate to ensure accessibility to their services, and in all jurisdictions, BDMs currently lack the resources to do this properly.

### General process for birth registration in Australia

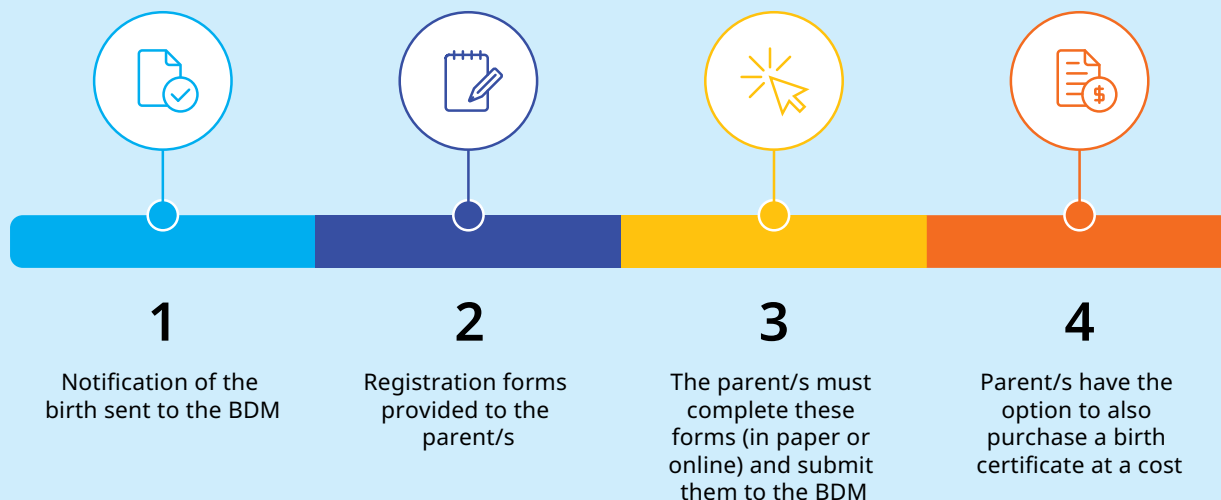
The process for registering a birth in Australia is relatively uniform across jurisdictions, involving:

- Options to register online, by post or in person.
- No fees for registration.
- Fees of \$50-\$70 for a birth certificate.
- Policies to allow fees for birth certificates to be waived in certain circumstances.
- Requirements to register births within 60 days.

Births must generally be registered within 60 days, but people living in the Australian Capital Territory have up to 6 months to register their child's birth. There are potential penalties for late registration, but in some circumstances,

these penalties and fees for certificates can be waived. For example, fee waivers are available for people facing financial hardship. A person can apply for a birth certificate later in life if they are without one, which generally also includes an application form, a fee, and the need to provide proof of identity documents.

While birth registration is free in all Australian jurisdictions, obtaining a birth certificate is not, and as registration and request for a certificate are part of the one form/process, the cost of the certificate may be confused with the cost of registration.<sup>ix</sup> While fee waivers are offered by some BDMs, community members are not always aware of fee waiver options and applying for a fee waiver itself can be overly complex.<sup>x</sup>





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## Community based services

There are several examples of community-based responses that are working to increase rates of birth registration and to support access to birth certificates. Community-based responses generally work well because communities are best placed to recognise the challenges they face, the most beneficial ways to address their needs, and they are often already providing services to community members.

One example is the approach taken by Connected Beginnings, a program funded by the Department of Education that supports 41 sites across Australia that seek to give First Nations children the best start in life. The program supports pregnant women and children from birth to school age with school readiness and educational outcomes to help close the gap between First Nations children and non-First Nations children. The program helps to facilitate the sharing of knowledge and First Nations engagement with integrated early childhood education, health and family support services across Australia. Connected Beginnings work with First Nations' members and organisations in their local areas to codesign culturally safe goals and solutions to support children. Through this approach, Aboriginal Community-Controlled Organisations have been able to identify the needs of parents and caregivers when registering births. When assistance is provided by

services that already have a relationship and trust with families, it is far more likely to be effective.

In 2022, Legal Aid NSW's Cooperative Legal Service Delivery (CLSD) Program and the NSW Registry of Births, Deaths and Marriages commenced a partnership to deliver fee-free birth certificates for eligible people living in regional, rural and remote NSW. The program is in its third year, having been renewed again for the 2024/2025 financial year. The partnership provides access to a quota of fee-free birth certificates every year for communities who are more likely to be impacted by delayed birth registration. This may include victim-survivors of domestic and family violence, people receiving Centrelink income support, Aboriginal and/or Torres Strait Islander peoples, people with low to no literacy, those with a diagnosed mental illness or cognitive impairment, or people who are homeless or at-risk of homelessness.

Members of the community can apply for a birth certificate at CLSD events that are coordinated across 12 regions of New South Wales, and since the 2023/2024 financial year, the partnership was expanded to incorporate applications from Legal Aid NSW's Civil Law Service for Aboriginal Communities and Aboriginal Field Officers.

## Louisa's Story and Pathfinders National Aboriginal Birth Certificate Program

Pathfinders is a community organisation delivering the National Aboriginal Birth Certificate Program (PNABC). The Program is an Aboriginal and Torres Strait Islander initiative that aims to address the issue of birth registrations by conducting sign-up days in towns and areas where there are significant numbers of Aboriginal and Torres Strait Islander people who do not have birth certificates. Since the program's inception more than 12,000 people have gained access to their birth certificates.

For Louisa, she and her children had been moving around after navigating a complicated domestic and family violence situation. During the moves, which could sometimes happen suddenly, Louisa's personal identification documents had been lost. Louisa was dreading registering the birth of her children as she was worried about having the right documents and being able to afford it, but knew she needed to because her son was due to start primary school next year.

**“I was really worried about how I'd be able to afford the birth certificates in time to enrol him in primary school. It should be really easy to go and register your children. Unfortunately, at the moment, it feels like it's sometimes more of an effort than it's worth because it just takes so much time to get it done.”**

Louisa found the additional support and accessibility of Pathfinders' Birth Certificate Program critical to helping her register her children's births and to receive their birth certificates.

Pathfinders has a long history of providing appropriate and accessible services for First Nations Australians and consults extensively with local communities when planning services to ensure

their response is targeted to need. The PNABC Program increases the rate of birth certification and registration in Aboriginal and Torres Strait Islander communities by:

- i) actively assisting Aboriginal and Torres Strait Islander clients with registering their births or the births of their children;
- (ii) raising general awareness in Aboriginal and Torres Strait Islander communities of the importance of birth certification and registration; and
- (iii) developing strong partnerships with community organisations, particularly with Aboriginal and Torres Strait Islander-led organisations, that can support the continued goal of assisting Aboriginal and Torres Strait Islander people with their birth certification and registration on an ongoing basis.

The PNABC Program is run by an Aboriginal team which makes the service welcoming and culturally appropriate for First Nations clients. The staff have the knowledge, skills and networks to ensure that the PNABC Program is delivered with respect and within a safe, trusted environment. They provide 'street level' access, delivering the program face-to-face with support from local Aboriginal health and legal services, Justices of the Peace, and volunteers. Pathfinders have successfully delivered the National Aboriginal Birth Certificate Program since 2015.



# Birth Registration Data



Until now, the extent and detail of unregistered births in Australia in the most part has been unclear. Despite some limited research and much anecdotal evidence, there has been no national, publicly available data explaining the timeliness of birth registration for different cohorts.

New public data from the period 2017 – 2022, compiled for UNICEF Australia by the Australian Bureau of Statistics (ABS), provides a robust contemporary sample from which to conduct an analysis. This data set represents the most detailed public information on birth registration in Australia to date, and provides significant insights into the state of birth registration in this country.

## Too many Australian children are not registered at birth

The ABS data shows that over six years (2017-2022), 95.9 per cent of the births were registered within the first year, meaning that 4.1 per cent of babies were not registered in their first year of life. **This is over 75,000 births over 6 years, or approximately 12,600 unregistered births a year.** This represents a significant number of unregistered babies in their early years, and confirms several issues and barriers associated with the birth registration process in Australia.

The data also identifies specific cohorts where there are much higher rates of delayed registration, most notably:

- Babies born in remote areas
- Babies born in areas experiencing disadvantage
- First Nations babies
- Babies born to mothers under 25 years of age.

As explained below, when families have more than one of these factors present, their risk of delayed registration increases further. More information about the data set is available at *Appendix A*.



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## If births are not registered in the first year when are they registered?

Of the approximate 4 per cent of births not registered in the first year of life, 27.3 per cent of these were registered in the second year (1-2 years after birth), and 14.1 per cent of these were registered 2-3 years after the birth occurred.<sup>xii</sup> Generally, the number of late birth registrations decrease over time as an individual ages. However, there are key moments in

a child's development where birth registration rates increase, usually corresponding to life events that require the production of identity documentation. This may include enrolment in Early Childhood Education and Care (ECEC) or primary school, applying for a driver's licence, or a tax file number when starting a first job.

Births registered 1 or more years after birth: proportion by registration period

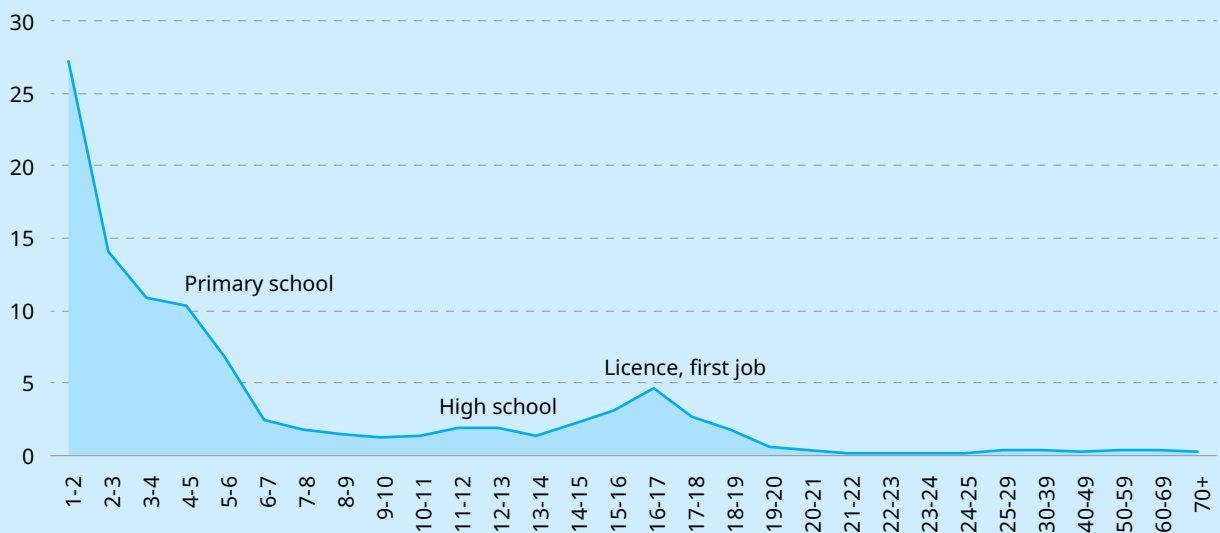


Table 1: Births registered 1 or more years after birth. Source: ABS

## Multiple factors influencing timely birth registration

The data demonstrates a clear correlation between demographic factors and a birth not being registered promptly. For the purposes of comparing cohorts for this discussion we focus on a delay of over one year from birth to registration. Key data findings highlight a correlation between late registration and living

in remote areas, living in the most disadvantaged areas, children of First Nations people and children of mothers under 25 years old.

The table below provides the data across cohorts.

	Indigenous children	Non-Indigenous children	Most remote areas	Other areas	Most disadvantaged areas	More advantaged	Mothers Under 25	Mother 25 and Over
Indigenous children	17%		22%	15%	21%	11%	21%	14%
Non-Indigenous children		3%	2%	3%	6%	2%	9%	2%
Most remote	22%	2%	11%		19%	5%	21%	7%
Other areas	15%	3%		4%	9%	3%	11%	3%
Most disadvantaged	21%	6%	19%	9%	9%		15%	7%
More advantaged	11%	2%	5%	3%		3%	8%	2%
Mothers Under 25	21%	9%	21%	11%	15%	8%	12%	
Mother 25 and Over	14%	2%	7%	3%	7%	2%		3%

Table 2: Factor overlap influencing births registered after 1+ year (Percentage of births registered more than one year after birth). Source: ABS  
 The data in Table 2 has been rounded up or down for ease of presentation.

Unsurprisingly, when two demographic and/or geographic factors are present there is an even greater delay in registrations. Most notably:

- Remoteness and the most disadvantaged areas
- First Nations births and remoteness
- First Nations births and the most disadvantaged reas
- Births to mothers under the age of 25 who are also First Nations or living in the most disadvantaged areas or remote areas.

## Delayed birth registration is more common when families are experiencing social and economic disadvantage

Babies living in the most disadvantaged areas of Australia were more than three times more likely to not have their birth registered in their first year of life (9%) compared to those living in more socio-economically advantaged areas (2.6%).

For First Nations children, 21.2 per cent of births in the most disadvantaged areas were not registered

within one year compared with 10.9 per cent in more advantaged areas.

For mothers living in remote areas and mothers under the age of 25, there is a significant increase in the percentage of births not registered in the first year if they also live in the most disadvantaged areas.

Delayed birth registration of more than one year based on disadvantage and other characteristics

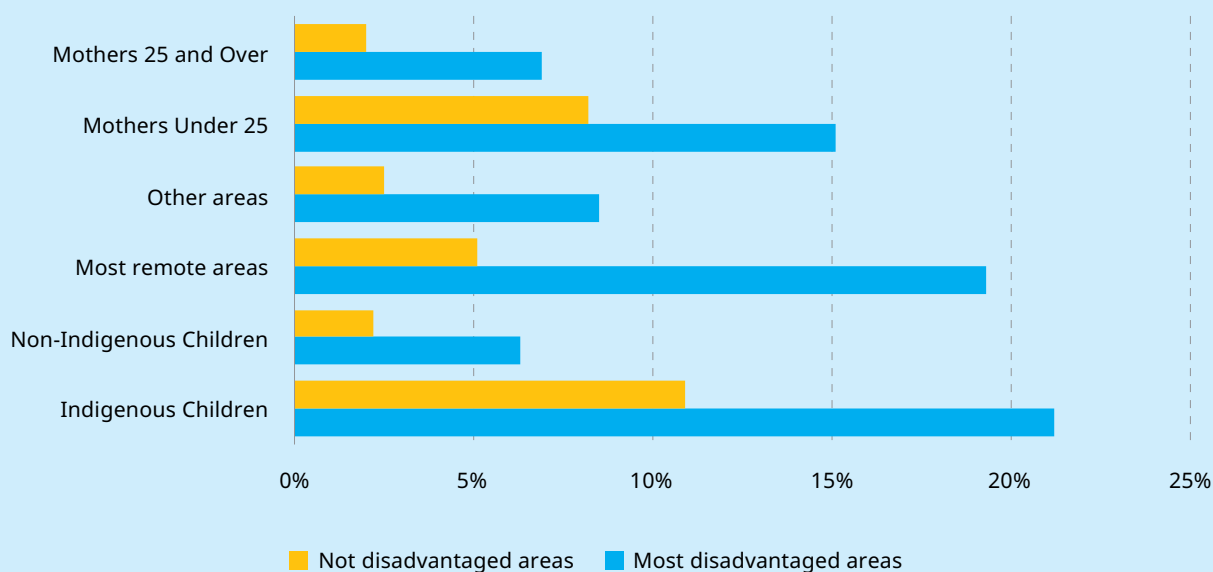


Table 3: Delayed birth registration by more than one year by disadvantage and other characteristics. Source: ABS

The Socio-Economic Indexes for Areas (SEIFA) is developed by the ABS and ranks areas in Australia by according to relative advantage of disadvantage. It combines Census data including income, education, employment, occupation, housing and family structure to summarise the socio-economic characteristics of an area.

## Births in remote areas are more likely to be registered late

The data reveals that mothers living in the most remote areas of Australia were just over three times more likely to have registered the birth after their baby’s first year of life (10.9%) compared to those living in other areas (3.8%).

Of note, for non-First Nations children, remoteness is not a factor that significantly correlates with late registration, with a negligible difference in late

registration between non-First Nations children living in remote areas (2.2%) compared to those children living in other areas (2.9%).

For First Nations children, remote location is a key factor in late registration with 22.1 per cent of First Nations births in remote areas being registered after one year of birth, compared with 15.1 per cent of First Nations born children in other areas.

Delayed birth registration by more than one year by remoteness and other characteristics

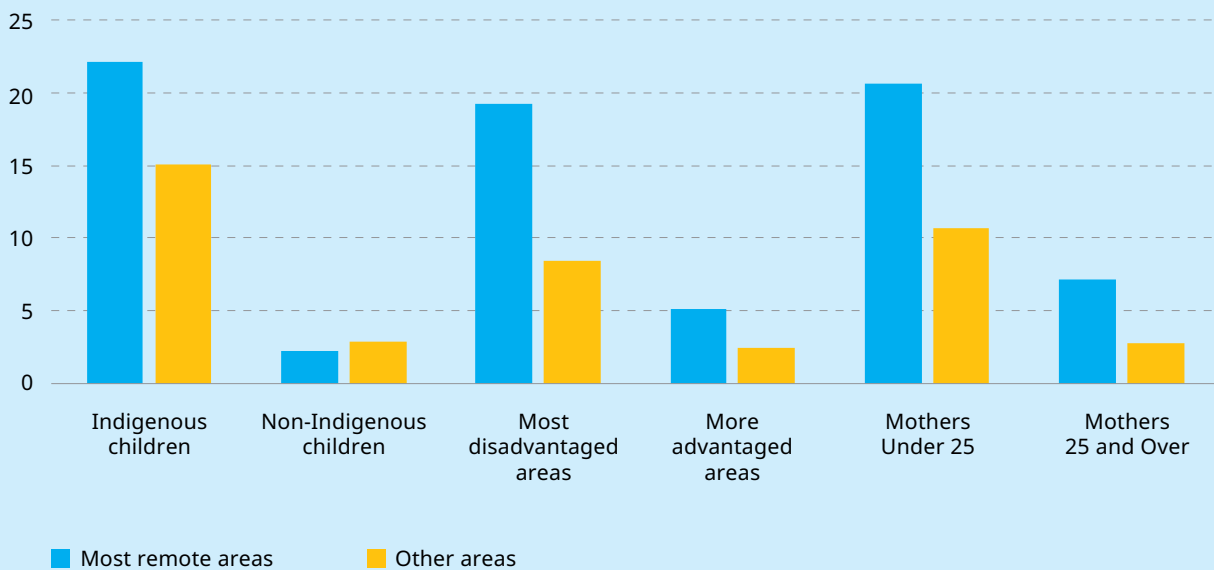


Table 4: Delayed birth registration by more than one year by remoteness and other characteristics. Source: ABS

## First Nations births remain overrepresented in late registrations

Over the 2017-2022 reference period, 7.3% of births registered were First Nations births. However, of those births registered after one year, 30% were First Nations births. To put it another way, 17% of First Nations births were registered after the age of one year compared to 3% of non-First Nations births.

Babies of First Nations mothers under the age of 25, and First Nations babies living in disadvantaged areas of remote communities were also less likely

to have their births registered within a year of birth. The data demonstrates that First Nations children in disadvantaged areas or with mothers under the age of 25 were 25% more likely to experience delayed birth registration than First Nations children living in other areas or with mothers aged over 25 years. First Nations children in remote communities were 30% more likely to experience delayed birth registration of more than a year than First Nations children living in more advantaged areas.

### Key factors influencing births registered after 1 year for Indigenous children

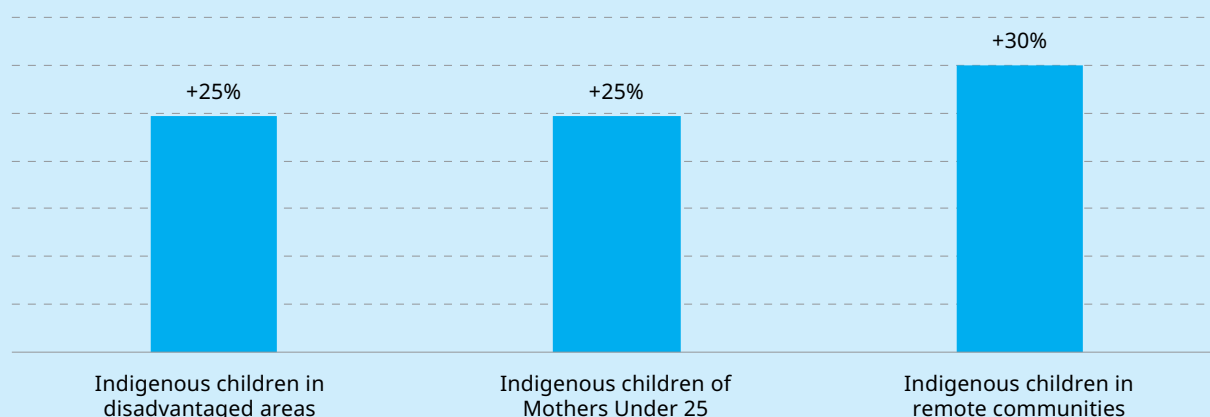


Table 5: Key factors influencing births registered after 1 year for Indigenous children. Source: ABS

With First Nations babies being five times less likely to be registered in the first year of life, the flow on effects for access to health and social services are significant and may go some way to explaining why only 38.4% of First Nations children commencing school are developmentally on track.<sup>xiii</sup>

This data confirms what First Nations communities have been strongly advocating for – a need for additional outreach, and culturally appropriate supports and assistance. For First Nations people living in remote communities, the need for these supports are even higher.

Multiple factors impact on rates of birth registration for First Nations people, this may include distrust in government institutions, intergenerational trauma, and a lack of cultural safety and cultural barriers when accessing birth registration processes.<sup>xiv</sup> For First Nations people living in remote locations, barriers are compounded by practical challenges and physical distances. For people requiring in person support, the time and cost of travel to a service centre may be prohibitive,<sup>xv</sup> but technology-based solutions, such as applying online or via post, are not always effective as many people require hands-on support.<sup>xvi</sup>

**EXAMPLE****Barriers for First Nations people in kinship care context**

A First Nations Grandmother was the carer of two of her young grandchildren, an arrangement organised informally with her daughter. The grandmother sought to enrol her grandchildren into preschool, however, she had no access to the immunisation records, Centrelink payments or birth certificates. The children's parents were uncontactable and unable to assist.

Operating on Darug land, The Hive Mount Druit NSW (The Hive) is the backbone organisation of a place-based, collective impact initiative that works to ensure every child has the best possible start in life. The Hive's Early Learning Linker (ELL) worked to support the family, liaising with BDM to try and apply for the birth certificates. However they faced many complexities as the grandmother was the informal carer, and multiple statutory declarations and support letters were requested.

BDM continued to insist on documents and identification from the children's mother which the ELL, family caseworker and grandmother attempted to obtain, but the mother remained uncontactable. It was only after months of liaising, that BDM mentioned the children were not registered and must follow the late registration process. The grandmother collected various documents demonstrating proof of guardianship. Supported by various organisations and doctors, and with extensive advocacy from The Hive ELL, the family was able to access the birth certificates and the children enrolled in childcare. The grandmother had been encouraged to involve child protection agencies who could support access to the documents, however, understandably she did not want to involve these services. The grandmother expressed her frustration at having to involve so many people and multiple services to access a piece of documentation.

**Age of the birth mother impacts on delayed birth registration**

The age of the birth mother is another factor that correlates with low or late birth registration. As discussed above, babies born to mothers aged under 25 years were four times more likely to be registered after one year (11.8%) than babies born to mothers aged over 25 (3%). The age of the birth mother also compounded the likelihood of late birth registration across other cohorts, including babies living in remote and/or socio-economically disadvantaged areas. A nuanced analysis and further research may assist in better understanding the intersectional barriers that impact on mothers aged under 25 years and birth registration.



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## Using the data to understand the barriers to birth registration

The data identifies some correlations between certain community groups and a birth not being promptly registered. These include:

- Living in remote areas
- Living in disadvantaged areas
- First Nations births
- Mothers under the age of 25.

The common barriers to birth registration in Australia have been documented in academic research papers and across several inquiries.<sup>xvii</sup> These barriers are multiple and overlapping, existing not only within community contexts, but also the regulatory environment. Common barriers to registering a birth in Australia include:

- Cost
- A lack of understanding as to the importance of birth registration
- Language and English literacy
- Access to and proficiency in use of technology
- Complexity of process
- Fear or distrust of government institutions
- Remoteness.<sup>xviii</sup>

While birth registration is free, the cost of a birth certificate can be a major barrier for people on lower incomes. The data demonstrates this by showing higher numbers of delayed registration in areas experiencing the most disadvantage. Fee-waivers for birth certificates are available, but eligibility varies between States and Territories, and the application process can be complex. For example, in New South Wales fee-waiver applications generally need to be submitted in writing, outlining their reasons for the request and how they meet the eligibility criteria. For people living in socio-economically disadvantaged areas, they may also have lower levels of education and literacy, impacting on their ability to navigate the fee waiver process. In response to community need, the NSW BDM Registry office has developed some initiatives to support families through the fee-waiver process. This includes enabling verbal requests where a written submission is not possible, and assisting them to find ways to meet or waive the proof of identity requirements where necessary.

While some improvements have been made to the birth registration process, the process remains complex, and this presents as another hurdle for applicants. For example, birth registration forms can require information that is not always readily available, such as the baby's weight or details of the supervising doctor.

<sup>xix</sup> In situations involving domestic and family violence,

some mothers may not be able or willing to provide the name of the father.<sup>xx</sup> Although both parents' names are not actually required, the format of the form can suggest otherwise, and some jurisdictions require an explanation as to the father's absence.<sup>xxi</sup> Whilst BDMs may have appropriate and protective family violence policies, they do not necessarily have the resources to provide the hands-on support required to guide people through these processes.

Some jurisdictions also require each parent to provide multiple forms of identification, placing a further burden on parents. For families who have experienced intergenerational trauma and/or disadvantage, parents may not have access to their own birth certificate, hindering their ability to register the birth of their child.<sup>xxii</sup> While fines and penalties are rarely imposed in practice, the mere presence of them can be a deterrent to someone registering their own birth or their child's birth late.<sup>xxiii</sup>

### EXAMPLE

#### Process overly complex and unable to be navigated without support from The Hive in Mt DrUITT

A father was attempting to access his child's Medicare and Centrelink details after the unexpected death of the child's mother who previously held the records. The father was bounced between various government services and was repeatedly told that he didn't have enough identification documents for the child and needed the birth certificate as proof of relationship. When he tried to access BDM, he was told the children had not been registered at birth and he needed to do this. Considering the mother's death, it was difficult to complete the registration form, and they connected with The Hive's Early Learning Linker (ELL) for support. The Hive's ELL was able to connect with the right branch of BDM who could understand the situation, supported the father to confirm his identity and to complete the application for his child. He was able to successfully register the child, receive the birth certificate, and subsequently enrol the child into childcare.

# A pathway towards universal birth registration





## Commitment to universal birth registration - embedding birth registration in the Early Years Strategy 2024-2034

In May 2024, the Federal Government launched their Early Years Strategy 2024-2034 (the Strategy). The Strategy recognises a child's early years as critical for their development, and it establishes a plan to more effectively support babies, young children and their families. The delivery of the Strategy will be through action plans, and progress will be measured against an outcomes framework.

It also includes the desired outcome for all children to have a strong identity, which can be supported by birth registration and obtaining a birth certificate. This outcome supports all children to build positive relationships with their peers, connect to their culture, and build a sense of autonomy as they grow and develop,<sup>xxiv</sup> whilst also exercising and enjoying their full rights.

The Federal Government has an opportunity to make significant strides towards universal birth registration in Australia by embedding birth registration rates in The Early Years Strategy's action plans and

outcomes framework. This aligns with the stated outcome of "children have strong identities" within the Strategy,<sup>xxv</sup> would allow for regular and ongoing monitoring of birth registration rates across Australia and may assist to identify and address barriers to birth registration as they emerge.

### RECOMMENDATION 1

The Federal Government commits to universal birth registration in Australia, tracking Australian birth registration rates and monitoring progress through the Early Years Strategy 2024-2034 action plans and outcomes framework.





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## Improve accessibility and affordability of birth registration and certification

Prompt birth registration and certification is a key protective factor for children, granting them a legal identity and unlocking access to their full entitlement of rights. The earlier a child's birth is registered, the better chance they have to access essential programs and services that set them up for the best start in life. This includes early childhood development services and quality early education, which not only provides children with opportunities to learn and develop, but also allows them to form relationships, develop their independence, and prepare for school.

Yet, many families continue to find the cost of a birth certificate prohibitive, and the birth registration process difficult to navigate. One impactful way to address barriers to birth registration and certification is by improving the accessibility and affordability of birth certificates. This includes considering the value of making birth certificates free for all Australians. The provision of free birth certificates may encourage more families to register the birth of their child by reducing the administrative and financial burden placed on them. When people do not have appropriate identity documentation, this can also result in additional pressures and increased costs for government service providers.<sup>xxvi</sup> Improving the affordability and accessibility of birth certificates assists to reduce these administrative and financial pressures for government services.

Careful consideration should be given to identify how to effectively improve the affordability and accessibility of birth certificates. For example, the proposal for free birth certification differs from fee waivers, which some view as not a particularly effective way of improving access. Additional fee waivers will also not effectively address the pre-existing administrative barriers faced by groups experiencing disadvantage.

### RECOMMENDATION 2

The Federal Government works with the States and Territories to improve the affordability and accessibility of birth certificates following registration, by eliminating the financial barriers for population groups most at-risk of delayed birth registration.

## Support BDM Registries to provide support to those who need it most

Registries of BDMs work with government and community-based organisations to support communities to access the services they need, including birth registration. Unfortunately, Registries of BDMs are often limited in their capacity to provide ongoing support to service users due to a lack of funding and a need to recover operational costs. Some are also limited by their legislative mandate.

BDMs are critical public entities providing core government services and often have constitutional responsibilities. It is suggested that much of the work that is necessary to achieve universal birth registration could be led by BDMs in consultation and in partnership with community. This includes ensuring coordination between agencies and delivering outreach and awareness raising initiatives. BDMs can play a crucial role in ensuring that the cohorts with the lowest registration rates are properly supported. Those who have the least access to services or who service providers consider most difficult to reach, are also those who have the lowest rates of birth registration. The data confirms that these include First Nations people, communities where birth mothers live in remote or disadvantaged areas, and mothers under the age of 25. To be effective, targeted responses for these groups should be locally based, developed with affected communities, and ideally coordinated across States and Territories.



### RECOMMENDATION 3

- a) States and Territories move away from a cost recovery model for the Registries of BDMs and provide core funding to ensure their services are available to everyone.
- b) Specifically, BDMs should be resourced to ensure that they can provide regular and ongoing outreach and support to the cohorts the data shows are most likely to have delayed registration:
  - People in remote areas
  - People in disadvantaged areas
  - First Nations people
  - Mothers under the age of 25.
- c) A consolidated review of pre-existing programs and initiatives that seek to improve birth registration and certification. This review can then inform the development of coordinated responses to universal birth registration across Australia.
- d) The development of coordinated, nation-wide policies and programs to provide this outreach and support, and in partnership with affected communities.

### RECOMMENDATION 4

If necessary, States and Territories amend the BDM enacting legislation to broaden their mandate to conduct these functions.

## Strengthen existing processes to prompt birth registration

There are opportunities for existing processes to be strengthened and services utilised to ensure that parents are prompted and supported to complete their child's birth registration. States and Territories, through the leadership of BDMs, should work to build structural check points in a babies' early months to ensure there are prompts and supports for those who have yet to register their child. These should be targeted and tailored towards the groups shown by the data to be less likely to make timely registrations.



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### RECOMMENDATION 5

States and Territories should effectively resource the early childhood development system through the implementation of pilot wrap-around support programs for communities who are experiencing barriers to birth registration. This includes birth registration checks and follow-up support from Maternal and Child Health nurses in the first year of a child's life.

States and Territories should ensure that birth registration initiatives for new parents are embedded in existing place-based programs within cross disciplinary, one stop service provision hubs. An example includes work that is already occurring through Connected Beginnings hubs or as proposed in the One Door Intergenerational Framework in Tasmania. These programs should be funded to be delivered throughout the year, and on a regular and ongoing basis.

Targeted interventions at existing points of interaction with services will be more effective and cost efficient than general awareness raising on the importance of birth registration. The ABS data outlined in this report provides a starting point for targeted interventions and policy makers should consider where multiple, compounding factors are present.

UNICEF Australia stands ready to work with all involved to implement these recommendations, putting us on a pathway to achieving universal birth registration and unlocking the potential of every Australian child to thrive.

# Appendix A – About the data and Acknowledgements

The data in this report is drawn from a data release prepared for UNICEF Australia by the Australian Bureau of Statistics (ABS) based on birth and birth registration data from 2017-2022. For technical inquiries relating to the 2017-2022 data sets provided by the Australian Bureau of Statistics please contact UNICEF Australia: support@unicef.org.au.

## Defining disadvantaged areas

The ABS uses SEIFA as the primary tool for investigating the relative advantage and disadvantage of areas at a point in time. SEIFA combines Census data such as income, education, employment, occupation, housing and family structure to summarise the socio-economic characteristics of an area. Each area receives a SEIFA score indicating how relatively advantaged or disadvantaged that area is compared with other areas.<sup>xxvii</sup>

SEIFA quintiles are based on all areas ordered from lowest to highest score, then the lowest 20% of areas are given a quintile number of one, the next lowest 20% of areas are given a quintile number of two and so on, up to the highest 20% of areas which are given a quintile number of five. For SEIFA IRSAD, quintile one contains the most disadvantaged areas and quintile five contains the most advantaged areas.<sup>xxviii</sup>

Considering the differences in the periods of time from birth to registration in each SEIFA Quintile provides insights into the trends in late registration for areas of relative advantage or disadvantage.

## Remoteness and late registration

The ABS uses the Australian Statistical Geography Standard (ASGS) Remoteness Structure, which defines 5 classes of relative geographic remoteness across Australia. These 5 classes are:

- Major Cities of Australia
- Inner Regional Australia
- Outer Regional Australia
- Remote Australia
- Very Remote Australia

We refer to areas as “remote areas” when they are classified as Remote Australia or Very Remote Australia.

Relative geographic remoteness is measured in an objective way using the Accessibility/Remoteness Index of Australia Plus (ARIA+). The details of this measure are not critical to the understanding of this data.

## A note on language

The data set uses information about the birth mother as a point of reference. This is for a number of reasons related to the availability of information and the process through which notifications of births occurs. When using statistics by reference to birth mothers and likelihood to register a birth within a period of time, this does not suggest that it is the sole responsibility of the birth mother to complete the birth registration. Nor does it ignore the diverse make up of families in Australia, which include single or multiple parents of the same and different genders or gender identities.

Likewise, we acknowledge that using data on First Nations births may not capture all First Nations children. This data is useful to highlight the number of structural factors which influence the ability of First Nations people to register births, many related to the ongoing impacts of colonisation and structural racism. It is not to suggest there is personal blame on First Nations parents for delayed registration, nor to diminish the strength and resilience of First Nations people. We use the term First Nations in this report to refer to Aboriginal and Torres Strait Islander people unless when reflecting the language used in source material.

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## Endnotes

- <sup>i</sup> None of the three state or territory human rights acts contain a right to birth registration. However, Australia ratified the CRC in 1990 and should therefore take step to give full and proper effect to Article 7.
- <sup>ii</sup> Committee on the Rights of the Child, *Considerations of reports submitted by States parties under article 44 of the Convention: Concluding Observations on the combined fifth and sixth periodic reports of Australia*, UN Doc CRC/C/AUS/CO/5-6 (1 November 2019).
- <sup>iii</sup> Resolution adopted by United Nations General Assembly, 'Transforming our World: The 2030 Agenda for Sustainable Development', A/RES/70/1, 25 September 2015, <https://sdgs.un.org/2030agenda>
- <sup>iv</sup> United Nations Children's Fund (2019) Birth Registration for Every Child by 2030: Are we on track? UNICEF, New York
- <sup>v</sup> Commonwealth of Australia [Department of Social Services] (2024) Outcomes, *Early Years Strategy 2024-2034*, [https://www.dss.gov.au/sites/default/files/documents/05\\_2024/early-years-strategy-2024-2034.pdf](https://www.dss.gov.au/sites/default/files/documents/05_2024/early-years-strategy-2024-2034.pdf)
- <sup>vi</sup> Ibid.
- <sup>vii</sup> Productivity Commission (2024) *Closing the Gap Annual Data Compilation Report July 2024*, Canberra
- <sup>viii</sup> Gerber, P., & Castan, M. (Eds.) (2021). *Critical Perspectives on Human Rights Law in Australia: Volume 2*. (1st ed.), Chapter 5: Realising the Right to Birth Registration in Australia (Melissa Castan, Geeta Shyam, Paula Gerber) <https://research.monash.edu/en/publications/critical-perspectives-on-human-rights-law-in-australia-volume-2>, citing Alice Barter 'Chapter 5: Indigenous Driving Issues in the Pilbara Region' in Melissa Castan and Paula Gerber (eds), Proof of Birth (Future Leaders 2015) 62, 63.
- <sup>ix</sup> Gerber, P., & Castan, M. (Eds.) (2021). *Critical Perspectives on Human Rights Law in Australia: Volume 2*. (1st ed.), Chapter 5: Realising the Right to Birth Registration in Australia (Melissa Castan, Geeta Shyam, Paula Gerber) <https://research.monash.edu/en/publications/critical-perspectives-on-human-rights-law-in-australia-volume-2>, citing Queensland Ombudsman, 'The Indigenous Birth Registration Report: An Investigation into the Under-Registration of Indigenous births in Queensland' (Report, June 2018) vii
- <sup>x</sup> Gerber, P., & Castan, M. (Eds.) (2021). *Critical Perspectives on Human Rights Law in Australia: Volume 2*. (1st ed.), Chapter 5: Realising the Right to Birth Registration in Australia (Melissa Castan, Geeta Shyam, Paula Gerber) <https://research.monash.edu/en/publications/critical-perspectives-on-human-rights-law-in-australia-volume-2>.
- <sup>xi</sup> UNICEF (2013) *A passport to protection: A guide to birth registration programming*
- <sup>xii</sup> Unlike the other data in this report, this data is not inclusive of the year 2022, it is from the 5 year period 2017-2021
- <sup>xiii</sup> Productivity Commission (2024) *Closing the Gap Annual Data Compilation Report July 2024*, Canberra
- <sup>xiv</sup> Victorian Aboriginal Legal Service Co-operative Ltd, Presentation by Frank Guivarra at Castan Centre for Human Rights Law Symposium on Indigenous Birth Registration and Birth Certificates - Potential Legal Solutions, 2009, page 1: <http://www.law.monash.edu.au/castancentre/events/2009/guivarra-paper.pdf>; Gerber, P., & Castan, M. (Eds.) (2021). *Critical Perspectives on Human Rights Law in Australia: Volume 2*. (1st ed.), Chapter 5: Realising the Right to Birth Registration in Australia (Melissa Castan, Geeta Shyam, Paula Gerber) <https://research.monash.edu/en/publications/critical-perspectives-on-human-rights-law-in-australia-volume-2>
- <sup>xv</sup> Gerber, P., & Castan, M. (Eds.) (2021). *Critical Perspectives on Human Rights Law in Australia: Volume 2*. (1st ed.), Chapter 5: Realising the Right to Birth Registration in Australia (Melissa Castan, Geeta Shyam, Paula Gerber) <https://research.monash.edu/en/publications/critical-perspectives-on-human-rights-law-in-australia-volume-2>
- <sup>xvi</sup> Gerber, P., & Castan, M. (Eds.) (2021). *Critical Perspectives on Human Rights Law in Australia: Volume 2*. (1st ed.), Chapter 5: Realising the Right to Birth Registration in Australia (Melissa Castan, Geeta Shyam, Paula Gerber) <https://research.monash.edu/en/publications/critical-perspectives-on-human-rights-law-in-australia-volume-2>
- <sup>xvii</sup> Gibberd, A. J., Simpson, J. M., & Eades, S. J. (2016). No official identity: a data linkage study of birth registration of Aboriginal children in Western Australia. *Australian and New Zealand Journal of Public Health*, 40(4), 388-394; United Nations Children's Fund, Birth Registration for Every Child by 2030: Are we on track?, UNICEF, New York, 2019

<sup>xxviii</sup> Victorian Law Reform Commission, Birth Registration and Certificate Report, 2012; United Nations Children's Fund, Birth Registration for Every Child by 2030: Are we on track?, UNICEF, New York, 2019

<sup>xxix</sup> Gerber, P., & Castan, M. (Eds.) (2021). *Critical Perspectives on Human Rights Law in Australia: Volume 2*. (1st ed.), Chapter 5: Realising the Right to Birth Registration in Australia (Melissa Castan, Geeta Shyam, Paula Gerber) <https://research.monash.edu/en/publications/critical-perspectives-on-human-rights-law-in-australia-volume-2>.

<sup>xxx</sup> Gerber, P., & Castan, M. (Eds.) (2021). *Critical Perspectives on Human Rights Law in Australia: Volume 2*. (1st ed.), Chapter 5: Realising the Right to Birth Registration in Australia (Melissa Castan, Geeta Shyam, Paula Gerber) <https://research.monash.edu/en/publications/critical-perspectives-on-human-rights-law-in-australia-volume-2>, citing Victorian Law Reform Commission, 'Birth Registration and Birth Certificates Report' (Report, August 2013) 27.

<sup>xxxi</sup> Gerber, P., & Castan, M. (Eds.) (2021). *Critical Perspectives on Human Rights Law in Australia: Volume 2*. (1st ed.), Chapter 5: Realising the Right to Birth Registration in Australia (Melissa Castan, Geeta Shyam, Paula Gerber) <https://research.monash.edu/en/publications/critical-perspectives-on-human-rights-law-in-australia-volume-2>.

<sup>xxxii</sup> Gerber, P., & Castan, M. (Eds.) (2021). *Critical Perspectives on Human Rights Law in Australia: Volume 2*. (1st ed.), Chapter 5: Realising the Right to Birth Registration in Australia (Melissa Castan, Geeta Shyam, Paula Gerber) <https://research.monash.edu/en/publications/critical-perspectives-on-human-rights-law-in-australia-volume-2>

<sup>xxxiii</sup> Gerber, P., & Castan, M. (Eds.) (2021). *Critical Perspectives on Human Rights Law in Australia: Volume 2*. (1st ed.), Chapter 5: Realising the Right to Birth Registration in Australia (Melissa Castan, Geeta Shyam, Paula Gerber) <https://research.monash.edu/en/publications/critical-perspectives-on-human-rights-law-in-australia-volume-2>

<sup>xxxiv</sup> Commonwealth of Australia [Department of Social Services] (2024) Outcomes, *Early Years Strategy 2024-2034*, [https://www.dss.gov.au/sites/default/files/documents/05\\_2024/early-years-strategy-2024-2034.pdf](https://www.dss.gov.au/sites/default/files/documents/05_2024/early-years-strategy-2024-2034.pdf)

<sup>xxxv</sup> Commonwealth of Australia [Department of Social Services] (2024) Outcomes, *Early Years Strategy 2024-2034*

<sup>xxxvi</sup> Gerber, P., & Castan, M. (Eds.) (2021). *Critical Perspectives on Human Rights Law in Australia: Volume 2*. (1st ed.), Chapter 5: Realising the Right to Birth Registration in Australia (Melissa Castan, Geeta Shyam, Paula Gerber) <https://research.monash.edu/en/publications/critical-perspectives-on-human-rights-law-in-australia-volume-2>

<sup>xxxvii</sup> Australian Bureau of Statistics (2021), Socio-Economic Indexes for Areas (SEIFA), Australia, ABS Website, accessed 17 January 2024.

<sup>xxxviii</sup> Australian Bureau of Statistics (2021), Socio-Economic Indexes for Areas (SEIFA), Australia, ABS Website, accessed 17 January 2024.

