

Commissioner
for **Children**
tasmania



annual **report** 2010 - 2011



Annual Report 2010-2011

15 November 2011

The Hon Michelle O'Byrne
Minister for Children
8/10 Murray St
Hobart 7000

Dear Minister,

In accordance with the requirements of Section 83 (1) of the *Children, Young Persons and Their Families Act 1997*, I have the pleasure of enclosing the Annual Report for the Commissioner for Children's office for the financial year ending 30 June 2011 for presentation to the Parliament of Tasmania.

Yours sincerely,



Aileen Ashford
Commissioner for Children

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introduction

This year has been an exciting one in my first year as Commissioner for Children. My focus has been on introducing myself and my role, listening to children, young people, service providers, Government departments, community agencies and peak bodies on the needs, issues and service gaps for children and young people in Tasmania.

These conversations have shaped the development of our Strategic Plan 2011-2013. The plan was launched by the Minister for Children in August this year and is evidence of our commitment to deliver on the key elements of my role as provided for in the *Children, Young Persons and Their Families Act 1997*.

The Commissioner for Children is an independent, statutory office responsible to the Parliament of Tasmania. The Commissioner's functions include promoting the rights and well-being of children and young people along with examining and advising Government on policies, practices and services provided for children and laws affecting their health, welfare, care, protection and development.

These functions are very broad and therefore there is a need for me to focus on matters that will make a real difference to the lives of children in Tasmania, especially those more vulnerable children. We have set four strategic goals as our priorities that will underpin the work of my office over the next three years; these are outlined later in this report.

Importantly I want to ensure that the contribution of children and young people is recognised and considered by people, organisations and Governments that make legislation, policies and decisions that affect them. I am very keen to hear a broad range of views and ideas across the state and also to meet with and talk with children and young people in settings that they are comfortable in and familiar with.

Therefore I will be consulting with six secondary schools and four primary schools across the state nominated by the Department of Education; these will rotate every 12 months to ensure that as wide a range of children and young people are consulted across Tasmania. Also I consult regularly with the Youth Advisory Committee of the CREATE Foundation, which is the peak body for children and young people in care.

Over the next 12 months the feedback from these groups will be invaluable in assisting my office to advocate for and respond to requests for policy advice, laws and services that affect children and young people.

The pilot Children's Visitors Program for children in care was commenced in early 2010 and in that time undergone a 6 month and 12 month external evaluation.

Both evaluations have provided valuable insight into the further development and refinement of the model, reinforced the uniqueness of the model utilising volunteers and the need for the program to continue to ensure that children have an independent voice and say in their care. A revised model and costings to establish this program state-wide has been collaboratively developed with out of home care non-Government agencies, Child Protection Services, the Ombudsman's office and the ABS and will be provided to the Minister for her consideration.

One of the key functions of my office is to provide advocacy to young people



who are detained at Ashley Youth Detention Centre. I have regularly visited these young people who have been in trouble with the law and some who have been sentenced for serious crimes. The majority of them have backgrounds and histories that are very sad and disturbing to hear and read and these provide insight into how and why they are at Ashley but more importantly they identify what needs to change in our community to support them in not reoffending.

Over the next 12 months we will be working with the young people at Ashley to tell their stories and hopes and dreams so that their voices are heard. We will advocate for the introduction of bail options programs instead of detaining young people on remand for minor offences, promote the principle that detention should be the last resort and advocate for the establishment of post release support services for these young people.

Wherever I have travelled people expressed the constant message that there was a lack of services for vulnerable children and young people, lack of accommodation options for children in care, no children's court, no drug and alcohol withdrawal unit for young people, inadequate mental health services for young people and so on.

It is clear that the Government needs to make a serious investment of funding over a number of years to prevent abuse and neglect and respond to those children who have been harmed. In my submission to the Parliamentary Inquiry on Child Protection I made 18 recommendations for service improvement and enhancement and

the need for significant investment into the child protection service and the children and family service systems that wrap around it. I eagerly await the report of the Committee and the action that the Government commits to. There is no doubt that children are the future of our state and as a society if we truly value them then more resources need to be invested.

Finally I would like to thank the commitment and dedication of my team of experienced staff who have assisted me in settling into my role and developing our strategic direction. Also to the volunteer children's visitors who truly value children and give their time and commitment to those children who need to be heard. My appreciation to all the agencies, children, young people and others who shared their time, stories and passion regarding children and young people and the role of my office.

Aileen Ashford



Commissioner for Children
2011





**strategic
directions 2011- 2013**

Our Priorities and Strategic Goals

There are four priority areas which will be the focus of our efforts during 2011 - 2013.

These are:

- Children, young people and wellbeing.
- Vulnerable children and young people, including those who are in the child protection and youth justice system.
- Communication and effective consultation.
- Partnerships and collaboration.

Goal 1:

Promote and monitor the well being of children and young people.

Our key objectives are to:

- Monitor and influence Government policy on community safety for children and young people.
- Recognise, encourage and promote services and activities that improve the health and wellbeing of children and young people.
- Ensure that children have the best start in life through access to antenatal and early year's support and services.

Goal 2:

Respond to and promote issues affecting vulnerable children and young people, including those who are in the child protection and youth justice systems.

Our key objectives are to:

- Complete the Children's Visitor's pilot and advocate for the continuation of that program.
- Audit and monitor child protection case files, leaving care plans and individual education plans to improve practice and outcomes for children and young people in care.
- Continue to advocate for a range of out of home care accommodation options.
- Consolidate and strengthen our advocacy work with residents at Ashley Youth Detention Centre.
- Work in partnership with Government, Courts and other key stakeholders to monitor and support the Youth Justice Court trial.
- Advocate for carers to gain better access to services for the children in their care.
- Provide analysis and advice on policy, legislative and emerging issues to State and Federal Government, Parliament and specialist agencies.

Goal 3:

Enhance our communication and consultation with children and young people and key stakeholders.

Our key objectives are to:

- Develop and promote the role and functions of the Commissioner for Children.
- Employ leading edge technologies to improve our communication with children and young people across Tasmania in the priorities and consultations of the office.
- Promote guidelines for organisations to include children and young people in decisions that affect them and help them put their plans into action.
- Identify and promote positive stories about the achievements of children and young people.
- Review and enhance our feedback mechanisms with key youth, community and Government stakeholders.

Goal 4:

Enhance and build partnerships and collaboration.

Our key objectives are to:

- Establish partnerships with key stakeholders to commission consultation and research into the well being of children and young people in Tasmania.
- Establish issues-based working groups, with membership drawn from young people identified through School SRCs, and others working with vulnerable children and young people, to provide advice to Government at all levels.
- Establish issues based advisory groups drawn from the non-Government and Government sector, tertiary institutions and peak bodies.



reporting

Requests for Advice

Request for Advice by the Minister for Children or other portfolio Ministers to the Commissioner for Children

The functions of the Commissioner for Children are set out in section 79 of the *Children, Young Persons and Their Families Act 1997*.

The Commissioner for Children has an important advising function; either on the Commissioner's own initiative or at the request of the Minister for Children, the Commissioner can provide advice on a wide range of matters. So, for example, the Commissioner may advise the Minister on any matter relating to the health, welfare, education, care, protection and development of children placed in the custody or under the guardianship of the Secretary of the Department of Health and Human Services under relevant legislation.

The Commissioner may also advise the Minister for Children on any matter relating to the administration of the *Children, Young Persons and Their Families Act 1997* and on matters relating to the policies and practices of Government departments.

This advisory power is an important aspect of and complements the Commissioner's general awareness raising function.

Request for Advice from the Hon Lin Thorp MP, the (then) Minister for Children – tattooing and body piercing laws in Tasmania

In November 2010 the (then) Minister for Children wrote to the Commissioner expressing concern about the potential consequences for children and young people in Tasmania of the lack of age restrictions in relation to body modification practices such as tattooing and piercing. The Commissioner undertook research on how these issues are managed in other States and Territories and in February 2011 provided advice to the Minister on possible arrangements for Tasmania.

In providing advice, the Commissioner took account of the following policy considerations:

- the need to protect children and young people from risks to their health and well being, especially those associated with body piercing
- the need to recognise the autonomy and individuality of children and young people - as rights holders and as individuals who do not necessarily lack the intellectual capacity and emotional maturity to understand the nature and consequences of the procedure to be performed

- respect for a child or young person's right to freedom of expression, to non-discrimination based on age or any other status, to express their views freely, to enjoy his or her culture, to be free from violence and to enjoy the highest attainable standard of health

- the obligation on parents, guardians and the State to act in the best interests of children and young people and to provide appropriate guidance and protection.

The Commissioner expressed the preliminary view that access to these body modification procedures by children and young people aged less than 18 years should be regulated.

However the Commissioner recommended that before adopting a position on whether and how to regulate the tattooing and body piercing of children and young people in Tasmania, that Government engage in a consultative process perhaps by way of a draft Bill and Explanatory Notes or a short Discussion Paper so long as the participation of children and young people is facilitated and encouraged.

In April 2011 the Minister for Children requested that the Commissioner for Children consult with children and young people in Tasmania about the regulation of tattooing and body piercing of children and young people under the age of 18 years old.

Request for Advice from the Hon David O’Byrne MP, Minister for Infrastructure – child restraints in vintage cars.

In April 2011 the Minister asked the Commissioner for advice about the appropriateness of Tasmanian law regulating the use of child restraints in motor vehicles, specifically as it affects the ability of children to ride in vintage cars. These laws in Tasmania limit the carriage of children under the age of 7 years in car rallies and special events as proper child restraints cannot be installed due to structural and design impediments to the installation of seat belts or anchorages in these vehicles.

After considering factors such as:

- the obligation on Government to promote the safety and wellbeing of children and young people by ensuring that enjoyable activities which are also potentially harmful are subject to reasonable and appropriate regulation
- any restrictions or limitations on the enjoyment by children and young people of their rights and freedoms should only be reasonable and proportionate to the purpose of any restriction or limitation

The Commissioner concluded that the current regulatory regime should be maintained as it prioritises the safety and welfare of children.

Request for Advice from the Hon Michelle O’Byrne Minister for Children – establishment of a Child Death and Serious Injury Review Council in Tasmania

In early June 2011 the Minister asked for the Commissioner’s advice on various matters arising in the context of deliberations about the potential to establish a Child Death and Serious Injury Council (“the Council”).

As the Advice was provided in July 2011, and is therefore outside the period of this Annual Report, further detail will be available in the Commissioner for Children’s 2012 Annual Report.

Request for Advice from the Hon Lin Thorp MP, the (then) Minister for Children to former Commissioner Paul Mason

On 18 May 2010, the (then) Minister for Children requested advice pursuant to s79(1)(c) of the *Children, Young Persons and Their Families Act 1997* on the history and circumstances of a 12 year old child under the guardianship of the Secretary of the Department of Health and Human Services. The Minister sought advice about the adequacy of support provided by Government and non-Government agencies to the child and her family.

Commissioner Ashford is monitoring implementation of these Recommendations.



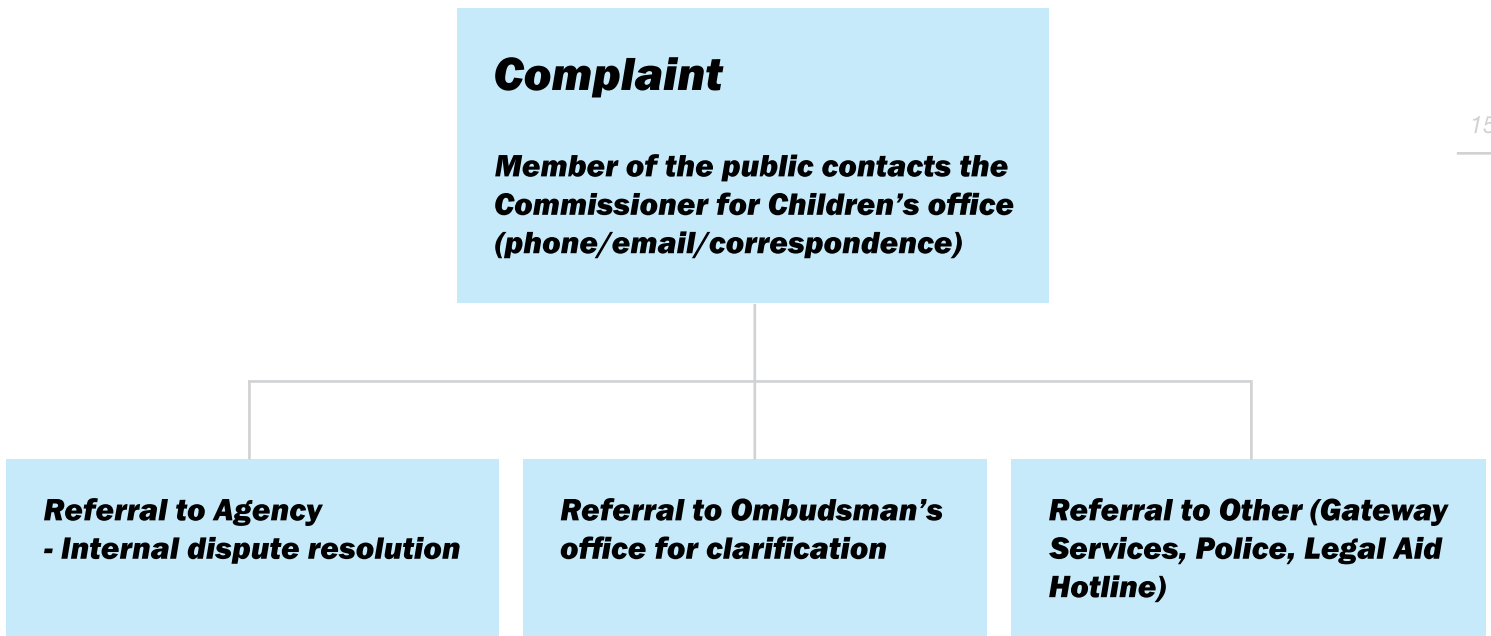


Inquiries

The Commissioner over the past few months has focussed on increasing public awareness of her role. This has been in response to the office receiving individual complaints regarding children and young people from families which the Commissioner's role has no power to conduct individual investigations unless requested to do so by the Minister for Children or provide legal advice in these matters.

In 2010-11, the Commissioner for Children's office received approximately 91 inquiries from the public, a slight decrease from the number of inquiries received in the previous financial year (116).

The Inquiry process:



Issues / Themes:

Inquirers often raise more than one concern. Of the 91 inquiries the majority of concerns related to Child Protection (45), followed by placements in Out Of Home Care (20), Legal Aid/Law issues (15), Working with Children Checks (7) and Department of Education concerns (7), followed by Centrelink (1), Bullying (1), Child Support Agency (1) and Tenancy issues (1).

How did people hear about the Commissioner for Children's office:

Most inquirers had heard about the Commissioner for Children's office through a friend, previous contact or from hearing about the office via media (TV News/Interviews or Newspaper articles).

Other referrals were from a variety of sources including Family Support workers, Social workers, Psychologists, phonebook, Legal Aid, Ombudsman's office, Child Protection workers, the Minister's office or non-Government organisations.

Referred to:

Often inquirers were referred to more than one organisation for assistance, internal clarification or review.

- 54 referrals to 'Other' (Gateway Services, Working with Children Check, Anti Discrimination Commission, Workplace Standards Authority)
- 24 referrals to the Child Protection Advice and Referral Service
- 22 referrals to the Ombudsman's office
- 19 referrals to the Child and Family Service Centres
- 17 referrals to the Legal Aid Hotline number
- 5 referrals to Police
- 4 referrals to the Deputy Secretary Health and Human Services
- 1 referral to the Commissioner for Children
- 1 referral to the Hobart Community Legal Service.

During 2010-11, 3 complainants were formally referred to the Ombudsman's office for clarification.



Overview of Joint Submissions

The Australian Children's Commissioners and Guardians meet biannually to discuss and collaborate on key issues and Government laws and policies affecting children and young people.

The Commissioner for Children was a co-signatory to the Joint ACCG submissions listed.

All submissions are available on our website.

Joint Commissioners for Children and Guardians (ACCG) Submission on Family Law Act 1975 Amendments (22 December 2010)

In late 2010 the Commonwealth Government engaged in a public consultation on proposed amendments to the *Family Law Act 1975* through the Family Law Amendment (Family Violence) Bill.

In their submission, the ACCG commended the development of the Bill, which was aimed at redressing issues arising from the operation of those provisions in the *Family Law Act* governing children's matters where family violence is alleged.

ACCG also made recommendations designed to provide more legislative direction so as to reshape the way in which children's participation in family law matters is viewed, including through encouraging them to express their views (not choices) and in a manner that protects them from parental conflict or from feeling responsible for outcomes.

Specific recommendations were made for amendment of section 60CC of the *Family Law Act* which deals with ascertaining what is in the best interests of a child and contains the "twin pillar" test that incorporates two "primary considerations" which are:

- (a) the benefit to the child having a meaningful relationship with both of the child's parents
- (b) the need to protect the child from physical or psychological harm from being subjected to, or exposed to, abuse, neglect or family violence.



Joint Commissioners for Children and Guardians (ACCG) submission to the Review of the Transition to Independent Living Allowance (May 2011)

The Transition to Independent Living Allowance (TILA) is available to young people transitioning from care if they meet eligibility requirements.

In this Submission the ACCG made recommendations aimed at maximising young people's entitlement to support in a planned and integrated approach that provides sufficient flexibility to meet young people's individual needs and circumstances. These recommendations were:

- Consultation with young people and better monitoring and reporting on the use of the payment needs to occur to see how many young people are accessing the payment and if it is meeting their needs.

- Develop strategies to make TILA more reflective of a graduated approach to independence that has a number of costs along the way at different times, including removing the requirements of application within 24 months of leaving care and that the young person be moving to independent accommodation.

- Develop more equitable ways of accessing the payment to ensure that all who are eligible get the payment, including the possibility of payment via Centrelink. This should also include an appeals process for young people whose application is rejected.

- Ensuring that TILA is integrated into the planning process for exiting care and with any State based payments to maximise young people's entitlement to support.

- The cap of 2500 eligible young people per year should be removed so that all those eligible receive a payment.

- The payment cap of \$1500 is insufficient and needs to be made more reflective of costs associated with moving to independent living.

Joint Commissioners for Children and Guardian (ACCG) Submission on the Productivity Commission's Disability Care and Support Draft Report (13 May 2011)

The ACCG indicated support for the direction of the Draft Report's proposals because of their potential to improve the lives of children and young people who have a disability or who have a family member with a disability, specifically (but not limited to) the proposal to establish a no-fault social insurance scheme underpinned by a stable secure revenue stream.

The ACCG sought clarification on the extent to which funding would continue for eligible children and young people entering the child protection or youth justice systems and made a number of recommendations designed to maximise favourable outcomes for children and young people with disability.

Joint Commissioners for Children and Guardian (ACCG) representations to the Minister for Immigration and to the Chair of the Community and Disability Services Ministers' Conference on Protocols for response to allegations of child abuse and neglect in immigration detention (27 June 2011)

In this submission the ACCG noted the disparate and varied arrangements across Australia for the reporting, investigation and response to suspected abuse of children in immigration detention centres.

Although ACCG's position is that children be accommodated outside of detention facilities while awaiting decisions on migration status, ACCG recommended that for those children in immigration detention centres, clear protocols should be put in place with the Commonwealth Government and child protection agencies for the reporting of abuse and neglect and for staff in immigration detention centres to receive child safe environment training.



Overview of Submissions and Reports produced by the Commissioner for Children

The following submissions and reports were provided by the Commissioner to the Tasmanian Government, the Parliament of Tasmania and to other relevant agencies.

All detailed reports and submissions are available on our website.

Proposal to repeal the HIV/AIDS Preventive Measures Act 1993 (Tas) (24 June 2011)

In May 2011 the Commissioner participated in a public consultation process by providing comments on a Department of Health and Human Services Position Paper which set out various measures associated with the proposed repeal of the HIV/AIDS Preventive Measures Act 1993 (Tas).

The Commissioner indicated strong “in principle” support for amendments designed to simplify the current complicated and outdated regulatory framework regarding the management of issues surrounding HIV/AIDS and commented on specific aspects of the proposal of relevance to children and young people including:

- HIV tests and employment
- consent to HIV testing
- disclosure of information regarding results of an HIV test.

Comments on the draft Disability Services Bill 2011 (16 February 2011)

In February 2011 the Commissioner made a submission on the draft Disability Services Bill. That submission focussed on underlying policy as it affects children and young people, rather than technical drafting issues per se.

Issues raised included:

- incorporation of principles that are child specific and based on the *Convention on the Rights of the Child* and *Convention on the Rights of Persons with Disabilities*
- the age at which a young person could become responsible for entry into a funding agreement
- issues surrounding entry onto premises and alternate forms of monitoring (such as Children’s Visitors).



Submission on the proposed Agenda for Children Tasmania (7 February 2011)

The Commissioner made 19 Recommendations for improvement to the Agenda, including those which would make it relevant to all children and young people in Tasmania and would lead to addressing ways of remedying gaps in service delivery to children and young people in Tasmania.

Submission on the draft Surrogacy Bill 2010 (19 January 2011)

In her submission on the draft Surrogacy Bill 2010 during a public consultation phase the Commissioner made recommendations designed to promote the best interests of children born as a result of a surrogacy arrangement including :

- the arrangement must be in writing
- realignment of the draft Bill's current weighting of a best interests presumption in favour of intended parents
- supporting a child's right to know of his or her genetic parentage.

Submission on a Charter of Human Rights for Tasmania (14 January 2011)

In October 2010 a Directions Paper was issued by the Department of Justice in which various models of a Charter of Human Rights and Responsibilities for Tasmania were discussed.

In her submission, the Commissioner indicated her "in principle" support for the development of a Charter by way of an ordinary Act of Parliament, incorporating a dialogue model of human rights protection.

The Commissioner made recommendations on a number of other matters dealt with in the Discussion Paper including:

- the sorts of rights that should be protected
- whether responsibilities should be included
- interpretative provisions
- enforcement

A major concern identified was the lack of inclusion in the Charter rights specific to the promotion and protection of the rights of children and young people.



Submission on proposed amendments to the Firearms Act 1996 (Tas) (December 2010)

In December 2010 as part of a public consultation process the Commissioner considered those proposals for amendment of the *Firearms Act 1996* (Tas) that were of particular relevance to children and young people in Tasmania.

The Commissioner's submission focussed on a proposal to lower the age at which juniors would be authorised to shoot recreationally or "in the field" to 12 years of age. The Commissioner did not support this proposal, and pointed out that such a proposal assumes that the use of a firearm by a child for recreational or primary production purposes is inherently acceptable, safe, consistent with a child's best interests and in conformity with community standards and expectations, despite a lack of evidence in support of such a policy stance.

Submission to the Australian Human Rights Commission on Discrimination and Lesbian, Gay, Bisexual, Transgender and Intersex young people (22 November 2010)

In October 2010, the Australian Human Rights Commission launched a consultation regarding the human rights of lesbian, gay, bisexual, trans and intersex (LGBTI) people in Australia. This consultation process sought views from affected individuals and organisations about the steps that they felt would provide better human rights protection for LGBTI people in Australia. The consultation focussed on the experience of discrimination on the basis of sexual orientation and sex and/or gender identity and how protection from this kind of discrimination could be included in federal law.

In her submission, the Commissioner expressed support for amendment of Federal anti-discrimination legislation to make it unlawful to discriminate on the grounds of sexual orientation and sex and/or gender identity, noting this should be a priority for Government and complemented by community education programs and other awareness raising measures.

Comment on draft Youth Justice Amendment Bill 2010 (December 2010)

In this submission the Commissioner discussed issues relating to searching of young people (including strip searches) and the appropriateness of provisions designed to facilitate awareness of legal rights by young people within the justice system context.

**Submission to the House
of Assembly Committee on
Child Protection
(19 November 2010)**

In November 2010 the Commissioner made a detailed submission (and gave evidence) to the House of Assembly Select Committee on Child Protection, putting forward over 18 wide ranging recommendations designed to enhance or remedy gaps in service provision to children and young people in Tasmania and making recommendations for legislative amendment particularly regarding the *Children, Young Persons and Their Families Act 1997*. That submission is available on the Parliamentary Committee's website.

**Comment by former
Commissioner Paul
Mason on the Draft Bill to
establish a Child Death and
Serious Injury Council of
Tasmania
(15 August 2010)**

In this submission Commissioner Mason commented on aspects of the draft bill that were either unclear or required amendment for other reasons. Issues considered included:

- power to require information
- confidentiality
- Council's functions



Reports

Since 2007 the Commissioner for Children has conducted on an annual basis a random audit of child protection files to ascertain compliance by Child Protection Practitioners with Departmental policy.

This audit exercise was initially predicated on the Commissioner's membership of the out of home care Complaints in Care Monitoring Group.

Commissioner for Children Child Protection Case File Audit of Children in Out of Home Care 2010 (February 2011)

This 2010 audit of 218 client files of children living in out of home care, predominantly in foster care and 88 carer files was conducted by the office of the Commissioner for Children, at the Southern, North Western and Northern Service Centres of Disability, Child, Youth and Family Services from July 12 – 30, 2010.

It provided an independent analysis of current practice and recommendations to improve and enhance practice to achieve the best outcomes for children and young people in Tasmania. This audit builds on the two previous audits of 2008 and 2009.

The audit identified that there had been no significant changes in child protection practice over the 12 months since the previous audit.

The audit highlighted a wide variation in putting policy into practice across the state with all areas utilising different templates and terminology.

Of most concern were findings that only 27.2% of the cases examined complied with the policy requirements for visiting children and of carer files examined, only 14.8% complied with the policy for visiting carers. The standards are as follows:

6.1.1 All children in out of home care will receive visits from their Child Protection Practitioner according to the following standards. Part of the

time spent with the child will involve specific inquiry about the placement, their thoughts and feelings about their care, and what they would like to see improved.

Standard: Children will be visited and spoken with by their Child Protection Practitioner as below. At least some of the visit will be held away from the usual care-givers and in private.

Child on an Assessment Order will receive a visit and will be talked with no less than once in every one week period.

Child on a twelve-month Care and Protection Order will be visited and talked with no less than once in every four week period.

Child on a Care and Protection Order until age 18 years will be visited and talked with no less than once in every six week period.

AND

6.2.1 All carers will receive visits from their Out of Home Care Support Worker according to the following standards. Along with required medication management standards checks, there will be specific discussions with the carer to highlight any concerns they are experiencing in caring for the children in their care and identifying the supports that are needed to address the concerns.

Standard: Carers (who have children in their care) will be visited and spoken with by their Out of Home Care Support Worker as below

Carers with less than twelve months experience in caring for children will be visited and talked with no less than once in every four week period.

Carers with more than twelve months experience will be visited and talked with no less than once in every six week period.

Care plans were in place in most areas however the involvement of children in their care planning was difficult to ascertain and appeared to be very low in all areas. There were some care plans that could not be accessed as they were on the CPIS 2 system and had not been downloaded for the audit purposes as requested by the Office.

The Commissioner made 14 recommendations for improvement in child protection practice to achieve the best outcomes for children and young people in Tasmania and is monitoring implementation of these by the Department of Health and Human Services.

The Commissioner's office is developing a new case file audit tool to be used in future audits, including audits of Leaving Care Plans and Personalised Learning Plans, as requested by the (then) Minister for Children, the Hon Lin Thorp in early 2011.



Projects and Programs

Promotions and Projects

The primary responsibility of the Promotions and Projects area is to manage the planning, development and implementation of major projects within the Commissioner for Children's office on a state-wide basis.

This involves developing the ongoing relationship between the Commissioner's office, children and young people, the Government and the community sector services sector in relation to shared issues, strategies and projects.

This is a revised position within the office of the Commissioner which commenced in March 2011.

Some of the existing and new projects and programs that fall within this area are:

Children's Visitors Program

The Children's Visitor pilot program was established for 20 children in out of home care with 14 children's visitors in 2010.

From the outcomes of the six and twelve month evaluation reports of the pilot and lessons from other Australian and overseas community visitors programs a working group was established to redevelop the model and framework in early 2011. This will be used for continuing the children's visitors program with the current cohort of children and for taking forward the program to new cohorts.

The new model will be finalised in October 2011.



Consultation with Children and Young People

Under the legislation, governing the role of the Commissioner, the Commissioner must establish a Children and Young Persons Consultative Council.

The Commissioner has taken a different approach to the structure of the children's consultative council by using existing group structures, such as student representative councils (SRC) in schools.

In April 2011 the Commissioner approached the Department of Education to nominate the schools which may be part of the Children's Consultative Council.

Primary and Secondary Schools were chosen from the four Department of Education areas to be on the council. Students who are members of the Student Representative Council (SRC) at their school were selected as members and meetings with the Commissioner have been part of the existing student representative council structure within each school. The SRCs would take issues to the wider school community and then present the views to the Commissioner.

Each school has been nominated for a period of 12 months and consultations about different issues would be undertaken throughout those 12 months.

In February 2011 the Minister for Children requested that the Commissioner for Children consult with children and young people in Tasmania about the regulation of tattooing and body piercing of children and young people under the age of 18 years old.

Secondary school consultations have addressed this issue and it is proposed that the primary schools consultations around issues for younger children will take place in early 2012.



Appendix

Organisations consulted with

- Anglicare Tasmania
- Australian Childhood Foundation
- Association for Children with a Disability
- Baptcare Family Services
- Centacare Tasmania
- Clarendon Vale Neighbourhood Centre
- Colony 47 Inc
- CREATE Foundation Ltd
- CREATE Youth Advisory Group
- Foster Carers Association of Tasmania Inc
- Glenhaven Family Care
- Good Beginnings Aust Ltd
- Kennerley Children's Home Inc
- Lady Gowrie Child Centre
- Life without Barriers
- Midway Point Neighbourhood Centre Inc
- Migrant Resource Centre - South
- Mission Australia
- National Disability Services Ltd
- Pulse Youth Health Centre
- Relationships Australia
- Risdon Vale Neighbourhood Centre
- Sexual Assault Support Services (Galileo House)
- St Giles Society Inc
- TasCOSS (Tasmanian Council of Social Service)
- The Link Youth Health Service Inc
- The Salvation Army
- The Smith Family
- Uniting Care Family Services
- YNOT (Youth Network of Tasmania)
- Youth Futures

Speeches

18 May 2011

National Council of Women of Tasmania Annual General Meeting, Hobart.

9, 10 & 11 May 2011

Baptist Care Australia Conference, *Stuck in a moment? Exploring the possibilities of breaking new frontiers*, Hobart.

27 April 2011

SASS (Sexual Assault Support Service) Forum, (Guest Panel Member), Hobart.

24 February 2011

Glenorchy Action Interagency Network (GAIN), Glenorchy.

2 February 2011

Education Department Social Work State – Wide Conference, *Recharging Passion for Change*, Burnie.

4 December 2010

Tasmanian Early Years Foundation (TEYF) Achievement Awards, Launceston.

10 September 2010

Catholic Women's League State Conference, Hobart.

21 August 2010

Tasmanian State School Parents and Friends Inc Conference, *Making Safe Connections* and Annual General Meeting, Riana.

Launches

18 March 2011

Official Opening of the new DMP Child Care Outdoor Play area and Pirate Ship Launch, Launceston.

26 August 2010

Babies Love Books Launch, Glenorchy.

Commissioner Memberships

- ARACY (Australian Research Alliance for Children and Youth)
- Ashley Advisory Group
- ACCG (Australian Children's Commissioners and Child Guardians)
- Australian Institute of Judicial Administration
- CRIN (Child Rights Information Network)
- ISPCAN (International Society for Prevention of Child Abuse and Neglect)
- National Action Plan Steering Committee
- Paediatric Mortality and Morbidity Sub Committee
- Quality of Care Monitoring Group
- Tasmanian Early Years Foundation
- YAP (Youth Action Priorities)
- YNOT, SYC (State-wide Youth Collaborative Group)

Financial Statement

Please refer to the Department of Health and Human Services Annual Report for the Financial Statement relevant to this Output Group.



Commissioner
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tasmania

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