



# ANNUAL REPORT 08

## Our Aim

TO PROMOTE THE INTERESTS OF  
CHILDREN AND YOUNG PEOPLE IN  
ANY DECISIONS AFFECTING THEIR  
HEALTH, WELFARE, CARE, PROTECTION,  
DEVELOPMENT AND EDUCATION.



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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, examining and advising Government on policies, practices and services provided for children and laws affecting their health, welfare, care, protection and development

21 August 2008  
The Hon. Lara Giddings  
Minister for Health and Human Services  
Level 10, 15 Murray Street  
HOBART TAS 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 of the Commissioner for Children for the financial year ending 30 June 2008 for presentation to the Parliament of Tasmania.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Paul Mason". The signature is fluid and cursive, with a large initial "P" and a long, sweeping underline.

Paul Mason  
Commissioner

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## Introduction



The role of the Tasmanian Children's Commissioner is in some ways more limited in scope than its Mainland and Overseas counterparts.

Apart from the newly created Ashley Residents Advocate, the only public function the Commissioner is empowered to undertake entirely autonomously is to "increase public awareness of matters relating to the health, welfare, protection and development of children." I have undertaken this role very seriously, seeking through the media and public addresses to explain Government directions and intentions to the wider public and to alert the public to their role in protecting and helping children and keeping Government to its sacred task as "the parent of the nation".

This has been another busy and rewarding year. The Commissioner for Children at the request of Government is increasingly involved in major systemic reform projects benefiting vulnerable children and young people in Tasmania. These have included an Inquiry into the Circumstances of Children with Disabilities Living in Respite, development of a Charter of Rights for Children in Out of Home Care, the establishment of the first Ashley Residents Advocate position and ongoing promotion of safety for children living in Out Of Home Care.

In April we held a two-day State-wide Jamboree for our Children and Young Persons Consultative Council at Gumleaves, near Swansea on the East Coast. It enabled us all to meet each other face to face, to have some fun and to talk about what issues concern young Tasmanians today and how the Commissioner can help voice those concerns. Accordingly this year we have created a Web Forum for the exchange of ideas and in the next year will be developing that as a tool for Council members to have speedy input into our work.

During the year, we continued our work to raise awareness about Section 50 of the *Criminal Code Act 1924* which still allows parents to inflict pain on children in the name of domestic discipline, and to create a network of awareness about a child's right to genital autonomy namely an end to unnecessary genital surgery on all children before they are old enough to decide for themselves. These children's rights issues lie close to the heart of any work by a Commissioner for Children, no matter how daunting their size and complexity. There is mounting national and international momentum for change in these areas.

During the 2007-08 year, three temporary placements have assisted our permanent staff and have made valuable contributions to our core work.

Finally I would like to sincerely thank the contributions of my two Councils and my loyal, hardworking and patient staff at the Commissioner for Children's office. Support for work on the Disability Respite Inquiry, and ongoing support for the Ashley Advocate position has been shouldered by my staff in addition to their routine work of fielding public enquiries, researching and drafting submissions sought by both State and Federal Governments and volunteering their weekend to attend the CAYPCC Jamboree at Gumleaves.

A handwritten signature in black ink, appearing to read 'Paul Mason', with a stylized, flowing script.

Paul Mason  
Commissioner

# A Snapshot of Children and Young People in Tasmania

## Population

- The total population of Tasmania, as estimated by the Australian Bureau of Statistics as at July 2008 was 495,772.
- The total number of children and young people (aged 0 – 14 years) in Tasmania was approximately 97,100 (19.6% of the population).

## Education<sup>1</sup>

- In 2007 there were 81,859 full time primary and secondary school students in Tasmania, including 5,128 Indigenous students.
- In 2007 approximately 72% of all full time school students in Tasmania attended Government schools.
- In 2007 the Year 12 retention rate for students in Tasmania was 65.4%. This is well below the national average of 74.3%, and is the second lowest rate of retention in Australia, with the exception of the Northern Territory.

## Youth Justice<sup>2</sup>

- Between 1st July 2007 and 30th June 2008, 125 youth (aged 12 - 18 years) were held on remand, at least once, at the Ashley Youth Detention Centre.
- Twenty one percent of remandees were aged less than 15 years at the time of admission to Ashley. Ten (8%) of the remandees were aged 13 or younger on admission. The youngest resident held on remand from July 2007 – June 2008 was 12 years and 4 months old
- Eighteen percent of the remandees identified as Aboriginal or Torres Straight Islander.

## Child Protection<sup>3</sup>

- Between July 2007 and March 2008, 2669 notifications were referred to service centres for further investigation.
- As at 31st March 2008, 675 children were in out of home care in Tasmania.

<sup>1</sup> Australian Bureau of Statistics, Catalogue 4221.0 (2007), Schools Australia.

<sup>2</sup> Department of Health and Human Services, Tasmanian Juvenile Remandee Data.

<sup>3</sup> Department of Health and Human Services (2008) Your Health and Human Services Progress Chart, May 2008.

## Mission Australia Survey of Young Australians 2007

Mission Australia conducted a survey of 28,967 Australian young people (aged 11 – 24 years) in 2007 including 1971 young Tasmanians.<sup>4</sup> Of this sample:

- 95% of young people from Tasmania spoke only English at home. The most common languages spoken by the remaining 5% were Japanese, French, German, Spanish and Chinese.
- 92.2% of young people from Tasmania were living with family.
- 68.1% of young people from Tasmania stated that parents/family were their main source of income. This is comparable with the national rate of 68.9%. In contrast, 8.4% of young people from Tasmania stated that a Government allowance was the main source of income, higher than the national rate of 5.5%.
- 29% of young people in Tasmania were unemployed and looking for work, higher than the national rate of 24.3%.
- Issues that most concerned young people from Tasmania included body image (32.4%), suicide (27.6%) and family conflict (26.1%).
- Activities that young people in Tasmania were most likely to engage in included sports (71.5%), arts/cultural activities such as drama, music and dance (46%) and youth groups and clubs (29.1%).

## What Does the Commissioner for Children Do?

The Commissioner for Children was established under section 78 of the *Children, Young Persons and Their Families Act 1997*, proclaimed in July 2000.

The philosophy of the United Nations Convention on the Rights of the Child 1989 is expressed in the fundamental principles of the *Children, Young Persons and Their Families Act 1997*, namely:

- that the best interests of the child are paramount;
- that the family is primarily responsible for the care of children unless it is not able to meet those responsibilities; and
- that children's views about their care and protection must be sought and given serious consideration.

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<sup>4</sup> Mission Australia, *National Survey of Young Australians 2007*.



## Sections 79 & 80 Functions & Powers of the Commissioner

The Commissioner has the following functions:

- (a) on the request of the Minister, to **investigate** a decision or recommendation made, or an act done or omitted, under this Act in respect of a child, other than a decision or recommendation made by the Court;
- (b) to **encourage** the development, within the Department, of policies and services designed to promote the health, welfare, care, protection and development of children;
- (c) on the request of the Minister, to **inquire** generally into and report on any matter, including any enactment, practice and procedure relating to the health, welfare, care, protection and development of children;
- (d) to **increase public awareness** of matters relating to the health, welfare, care, protection and development of children;
- (e) on the Commissioner's own initiative or on the request of the Minister, to **advise** the Minister on any matter relating to the administration of this Act and the policies and practices of the Department, another Government department or any other person which affect the health, welfare, care, protection and development of children;
- (f) on the Commissioner's own initiative or on the request of the Minister, to **advise** the Minister on any matter relating to the health, welfare, care, protection and development of children placed in the custody, or under the guardianship, of the Secretary under this or any other Act;
- (g) any other functions imposed by this or any other Act.

In carrying out these legislative functions, the Commissioner acts independently, impartially and in the public interest. Where there is a conflict between the interests of children and young persons and the interests of Government and other groups in society the current Commissioner considers it an obligation to advocate for the interests of the former.

To assist the Commissioner in the performance and exercise of these functions under the *Children, Young Persons and Their Families Act 1997*, the Children and Young Persons Consultative Council (children and young people) and the Children and Young Persons Advisory Council (adults) were established under section 81(1) (a) and (b) of the Act.

The Commissioner's scope to act on his or her own initiative, that is not in response to a request from the Minister, is limited to (b) encouraging the Department, (d) raising public awareness and (e) and (f) advising the Minister,

but includes a power under section 80 of the Act to require documents and information necessary to enable the carrying out of those functions.

It is the Commissioner's policy to use these powers persuasively rather than by compulsion of legal process in recognition of the principle that the interests of children and young people are best served by the community acting collaboratively and with improved understanding of the paramourcy of those interests.

## Requests from the Minister for Health and Human Services, the Honourable Lara Giddings

### **Disability Respite Inquiry Children with Disabilities living in respite.**

On 23 October 2007 the Tasmanian Minister for Health and Human Services the Hon Lara Giddings referred to the Commissioner for Children a request to conduct an Inquiry under s79(1)(c) of the *Children Young Persons and Their Families Act 1997 (CYPATF Act)* into the following:

*"Inquire into the circumstances of children living in disability respite facilities including those under the guardianship or custody of the Secretary of the Department of Health and Human Services; and*

*Provide advice in relation to the policy and practice arrangements for the care of such children in the future".*

The request arose out of publicity given to a boy with a disability who had been in Government respite for about 4 years. This boy's situation was the subject of questions in State Parliament and of articles in the local newspaper.

Discussions about the scope of the Inquiry resulted in the Minister requesting that the Commissioner's Inquiry be limited to the circumstances of seven children nominated by the Minister as children who had been accommodated in Government operated respite facilities for indefinite periods of time, that is with no prior arrangements for their collection by family, during the twelve months prior to 23 October 2007.

An Interim Report was presented to the Minister in March 2008. A Final report is due to be presented to the Minister later in 2008.

## Children and Young Persons Consultative Council

The Council is a statutory body of people under 18 years of age who share their views with the Commissioner on issues affecting children in Tasmania to help the Commissioner in his work. Members join from different schools, backgrounds and towns to share their thoughts and ideas. The Council

currently has 22 members aged 11 to 17 from across Tasmania. There have been three regional meetings held during 2007-08. Meetings were held on Sunday 8 July 2007 (Hobart), Thursday 18 October 2007 (Launceston) and Friday 19 October 2007 (Hobart)

### ***Consultative Council Jamboree***

In April 2008 the Commissioner held an overnight “jamboree”, for all members of the Consultative Council. The camp was held at Gumleaves Bush Holidays and enabled council members from across the state to meet at a central location. This meeting allowed the Commissioner to gather information from the council members on the issues that they believe are of most concern to young people, as well as to provide information, obtain feedback regarding the design of the web forum, and have fun getting to know each other in a bush activity park.

### ***Web Forum***

To assist communication between the Commissioner and Consultative Council members a secure web forum was launched in May 2008. The Commissioner is able to use the forum to ask Council members for their opinions on issues relevant to the work of the office and to conduct polls. The Forum Groups are divided into two age groups to facilitate open age-appropriate communication. Council members are also able to use the forum to raise issues of interest or concern to them with the Commissioner as well as communicate with other council members.

In 2008-2009 it is anticipated that a part time Liaison Officer will be employed to moderate proper use of the Forum and coordinate communications between the Commissioner and the Consultative Council.

## **Children and Young Persons Advisory Council**

The Children and Young Persons Advisory Council consists of approximately 35 members, with representation from the North, North West and South of the State. During the 2007-08 financial year the Advisory Council met once as a State-wide Membership on Tuesday 16 October, 2007 (Hobart). At this meeting the members self selected into a variety of Working Party Groups covering areas such as Education, Out of Home Care for children and young people, Child Protection, Children and Young Persons Rights and Youth Justice. Nominations were received for each group, with Commissioner for Children staff appointed to facilitate.

In May 2008 a website Forum was launched, which will enable Advisory Council members to participate in online discussions. Lessons are anticipated in 2008-2009 to enable Advisory Council members to navigate this new technology.

# Projects and Other Work Undertaken by the Commissioner

## Enquiries from Government Agencies, Non-Government Organisations and the Public

In 2007-2008, the Commissioner for Children's office received approximately 120 enquiries from individuals, organisations and Government agencies. The office receives enquiries by telephone, email and letter. Some enquirers simply request general information on issues related to children and youth or the role of the Commissioner, while others wish to make a formal complaint about a service or agency. This advice and referral work consumes a large fraction of the work time of the staff of the Commissioner.

The Commissioner for Children does not have the power to investigate individual complaints, other than when requested to do so by the Minister. Where the office is unable to assist, enquirers are referred to relevant Government agencies or non-Government organisations that are able to provide further information or have complaints handling functions. The office commonly refers callers to the following services:

Tasmanian Ombudsman

Legal Aid Commission of Tasmania

Hobart Community Legal Service

Department of Health and Human Services

Department of Education

Tasmania Police

## Charter of Rights for Children in Out of Home Care

The Commissioner has initiated a process for development of a Charter of Rights for Children in Out of Home Care in Tasmania. A Steering Group of peak stakeholders (CREATE Foundation, Foster Carer's Association of Tasmania, the Commissioner for Children and the Department of Health and Human Services) met for the first time on 15 April 2008. It is anticipated that this Project will be completed by June 2009.

A Discussion Paper has been prepared by the Commissioner to assist the Steering Group.

## Non Therapeutic Male Circumcision

The Commissioner has raised his concerns regarding the validity of parental consent at law and human rights implications of this procedure where there

is no medical indication for treatment of a condition. This year he prepared a Discussion Paper concluding that the consent of parents to the procedure without a declaration of a Court is not legally valid. He has raised the issue with paediatricians in Tasmania, his views have been conveyed to the Royal Australasian College of Paediatricians which is reviewing its current policy statement on the matter, and he has continued to raise public awareness about his concerns.

The Tasmanian Law Reform Institute has agreed to a reference on this topic, from a Tasmanian perspective, taking account of other work such as the Queensland Law Reform Commission's December 1993 Research Paper "Circumcision of Male Infants" and developments at a national and international level. TLRI is due to publish an Issues Paper late in 2008.

The Commissioner is developing a National Initiative to advocate for a Right to Genital Autonomy (RGA) for children and young people. As part of this work, the Commissioner is represented on a Working Group within the DHHS to progress the development of protocols and standards about medical treatment of babies and children of ambiguous sex, and is represented on the Childs Rights Taskforce, a National NGO providing input into Australia's response to the Convention on the Rights of the Child.

## **Ashley Youth Detention Centre**

In 2005 following allegations of abuse occurring at Ashley Youth Detention Centre, the Secretary for the Department of Health and Human Services requested that a review be undertaken into the systems and protocols in place to ensure the ongoing safety and well being of residents. The former Commissioner, David Fanning published a report entitled Review of Resident Safety at Ashley. The report contained 23 recommendations two of which were the establishment of the Ashley Advisory Group and a Resident Advocate.

### ***Ashley Advisory Group***

The Ashley Advisory Group was established in 2007 with the first meeting of the group held on the 20th December 2007. The group provides recommendations on issues such as the community perception of Ashley, reducing the number of residents placed on remand at the centre and complaints procedures for Ashley residents. Meetings will be held on a bi-monthly basis. The Commissioner is a member of this Advisory Group.

### ***Resident Advocate***

In November 2007 the position of Resident Advocate was created as part of the Commissioner for Children's staff and funded outside the Commissioner's budget. The objective of the position is to provide an independent voice and to promote the rights and interests of young people in custody and to facilitate

the operation of policies, procedures and systems designed to ensure their security, care and rehabilitation.

The position is currently funded for 5 hours per week for a period of twelve months. Following the selection process the Resident Advocate commenced work in the role on 17<sup>th</sup> March 2008. On the 6<sup>th</sup> May the Commissioner, the Resident Advocate and staff from the Office of the Commissioner for Children met with Ashley residents to provide them with an overview of the position and answer any questions that the residents had about the role.

The Resident Advocate commenced visiting Ashley on the 13<sup>th</sup> May, 2008 and visits on a weekly basis. All contact and issues raised are recorded by the Resident Advocate and information presented to the Commissioner in a developing format. The Resident Advocate has regular contact with the office of the Commissioner for Children to provide the support, supervision and guidance needed, particularly as the role develops.

There is still significant work to be done to consolidate this new position and to develop the infrastructure necessary to make the position viable, productive and accountable, while maintaining its integral independence. The Commissioner for Children is working with relevant agencies to develop protocols for communication and sharing of information to assist in addressing the concerns of residents. This work of coordination and liaison absorbs over half a full workload of another member of the Commissioner's Hobart office.

## Tasmanian Early Years Foundation

The *Tasmanian Early Years Foundation Act 2005* prescribes that a key function of the Foundation is to promote research in relation to the wellbeing, development and learning of Tasmanian children up to the age of six years and establish a research base for the early years in Tasmania. The Commissioner is ex officio a member of the Board of the Foundation along with representatives from Government Departments, academia, business and the community.

The Foundation was officially launched on the 19<sup>th</sup> November 2007 and receives recurrent funding of \$750,000 pa from Government for grants not only for research but service programs that promote the aims of the Foundation. Eligibility is not restricted to Tasmanian applicants, though measurable changes in Tasmanian wellbeing indicators are required outcomes.

The Commissioner has provided essential research resources underpinning a Research Committee that is currently designing an outcomes based indicators framework with much assistance from DHS Victoria.

## Child Death Review Processes

Every death of a child is examined on paper by the Council of Paediatric

Mortality and Morbidity established under the Perinatal Registry Act 1994. The Commissioner is a Ministerial appointment to that Council. In addition the Coroner under the Coroners Act has the obligation to investigate the date, time and cause of death and make recommendations in relation to certain deaths of children as “reportable deaths” within s.4 of that Act.

In 2006 former Commissioner Fanning recommended that Tasmania establish a statutory Child Death Review Committee to investigate and report to the Minister or to Parliament on every death of a child “known to” Child Protection or who died of injuries caused or suspected of being caused by neglect or abuse.

The current Commissioner for Children submitted to Government that to create a separate Committee may duplicate some of the work of the other two bodies, and may compromise the work of the Coroner’s Office. In June the Commissioner attended a national Seminar on Child Death Reviews hosted by the Victorian Commissioner for Child Safety, Mr B Geary AM.

The Commissioner will continue to provide input into the Government’s deliberations in the coming year.

## Ongoing work in Child Protection

One of the major roles of the Commissioner for Children has been to encourage and advise about new initiatives and contribute to legislative reform in the field of child protection.

Some recent examples include:

- consulting with KPMG on the model for an Integrated Strategic Framework for Child Protection in Tasmania, featuring a Community Based Intake level of early intervention before a statutory response.
- developing a formal process and model for responding to complaints and concerns involving the child protection services based on the system used in South Australia and incorporating a Community Visitors program similar to the Queensland model;
- contributing to legislative review processes, including review of the *Children Young Persons and Their Families Act* and the *Family Violence Act*.

## Out of Home Care – Complaints of abuse in care

In February 2007 the Commissioner became a member of the Complaints in Care Monitoring Group, Children and Family Services (CFS). The CFS complaints in care policy was revised 2 January 2008 to include automatic reporting of all outcomes to the Commissioner, who has a role to monitor the policy.

To ensure input from children and young people in devising the policy, the office and the CREATE Foundation, Tasmania with the support of DHHS coordinated consultations with young people in out of home care in the North, South and North West of the State. A senior Child and Family Services Manager also attended these consultations. The Consultation Report was completed and forwarded to the Department through the Complaints in Care Monitoring Group. The process highlighted the need for ongoing consultation with children and young people in care and the importance of collaborative practice.

## Working with Children Screening Checks

The previous Commissioner David Fanning published a report with recommendations for a Central Screening Agency which have not been adopted by Government at the time of writing. The present Commissioner is an observer on an Interdepartmental Committee working towards establishment of a uniform framework and has attended Users Group meetings of Australian Jurisdictions with statutory checking systems in place in order to inform the Tasmania Government of developments in this field.

## Child Protection In-House legal advice and representation

The Commissioner has advised the Government in developing a model of in-house legal advice and representation for the Department in care applications that avoids instructing either private lawyers or serving police prosecutors on a sessional basis.

## The Legislative Council Select Committee on Ashley

The Commissioner made submissions to and published a response to the Select Committee of the Legislative Council which conducted a public inquiry into Ashley Youth Detention Centre (Ashley), and considered alternatives to remand in custody at Ashley.

The Commissioner's Response addressed various operational considerations, the development of programs that linked school-time, weekends and holidays and the establishment of an Ashley Residents Advocate and an interdisciplinary Ashley Advisory Group to guide policy development at Ashley within the Youth Justice and wider social and cultural context.

The former Commissioner for Children's Review of Juvenile Remandees at Ashley (April 2006) had found some evidence that Magistrates had been known to refuse bail because of inadequate social and familial support for young people in the community, to ensure court attendance and to prevent interim offending. Options considered by the Commissioner included electronic tracking technology but he concluded that may be more directed to ensuring



court attendance and curfew conditions than solving wider problems for the young person. In light of the well recognised correlation between children who through their lives become clients of both Child Protection services and the Youth Justice system, the Commissioner favours solutions that address some of the unmet needs of alleged offenders. Accordingly the Commissioner supported bail accommodation as offering temporary supported housing solutions for bail applicants as well as providing additional security, supervision and support not only for bail compliance but for social re-engagement.

## Admission and outpatient treatment policies for children and young persons at the North West Regional Hospital

Comment was sought on the appropriateness of a policy which proposed that all individuals under the age of 16 be the responsibility of the Paediatric service, unless they have been managed by Paediatric services in the past 12 months, in which case the age for transfer to adult services would be extended to 18 years of age.

The Commissioner provided a response recommending that ‘all patients under the age of 16 should be the responsibility of the paediatric service’ and that ‘Patients aged between over 16 years and under 18 years should, if capable of expressing it, be offered the choice of paediatric or adult services and unless in the opinion of the attending medical officer there are sound clinical reasons for doing otherwise, their preference should be accommodated.’

## Review of The Children, Young Persons and Their Families Act 1997

The Commissioner had input into a review of the Act being conducted by the Department of Health and Human Services. A detailed 10-year review of the Act is also anticipated although firm timelines have not been announced.

## Review of Family Violence Act 2004

The Commissioner’s submission focussed on deficiencies in the Act’s framework from the perspective of children as victims of family violence, including:

- the definition of “family violence” in the Act does not include any form of violence to a child or affected child (with the possible and artificial exception of the emotional abuse suffered by a child’s parent witnessing such violence);
- the Act provides little or no protection for children or their best interests independently of the adult who becomes the applicant for a family violence order;

- provisions for children to seek Family Violence orders are anomalous;
- the impact on Child Protection Intake of the mandatory requirement on Police to report where they “believe or suspect on reasonable grounds or know that” a child’s welfare is affected by family violence;
- problems associated with the interrelationship between applications and matters under the *Family Law Act 1975* and the *Family Violence Act 2004*
- the extent to which and manner in which children’s wishes should be taken into account in FVO proceedings.

## Submissions and Reports Produced by the Commissioner for Children

Submission: Joint Standing Committee on Community Development Firearms Amendment Bill 2007 The use of firearms by persons aged 12 – 18 years. 20 July 2007.

Public Discussion Paper Commissioner for Children response to: The Legislative Council Select Committee Report on Ashley, Youth Justice and Detention, October 2007.

Submission: A New Mental Health Act for Tasmania Discussion Paper 17 December 2007.

Submission: Review of the *Family Violence Act 2004*. 7 February 2008.

Submission: Amendments to the Children, Young Persons and Their Families Act 1997. 15 February 2008.

Submission: to the Senate Community Affairs Committee *Alcohol Toll Reduction Bill 2007* 2 April 2008

Response to Bail Alternatives Business Case. Department of Police and Emergency Management Consultation Draft January 2008. 2 May 2008.

Submission: to the Federal Government’s Discussion Paper “Australia’s Children: Safe and Well”: A National Framework for Protecting Australia’s Children. 25 June 2008.

Submission: to the Minister for Education and (then) Deputy Premier Tasmania – development of the Department of Education Disability Action Plan. June 2008.

Provision of verbal evidence: Legislative Council Housing Affordability Select Committee – September 2007.

Routine Adolescent Psychosocial Assessment Draft Policy – Provision of Email comments (04-10-07 email to [paed@racp.edu.au](mailto:paed@racp.edu.au))

Discussion Paper “First Do No Harm”: The Liability of Medical Practitioners Performing Non-Therapeutic Male Circumcision on Minors in Tasmania” December 2007.

Discussion Paper “Charter of Rights for Children and Young People in Out of Home Care” March 2008.

## Commissioner for Children’s Committee Membership and Involvement

Tasmanian Early Years Foundation Board (Member)

Paediatric Mortality and Morbidity Sub-Committee (Member)

Council of Obstetric and Paediatric Mortality and Morbidity (Member)

Asia Pacific Association of Children’s Commissioners (Member)



*State and Territory Commissioners’ and Guardians and HREOC Commissioner at APACC meeting, Canberra ACT, 14 & 15 May 2008, seen with the Hon Maxine McKew, Parliamentary Secretary for Early Childhood Education and Child Care.*

Child Injury Prevention Coalition (Chair)

Ashley Advisory Group (Member)

Complaints in Care Monitoring Group (Member)

Multicultural Youth Forum Steering Committee, Red Cross (Member)

Family Law Practitioners Association Tasmanian Legislative Review Committee (Member)

Separate Child Representative Training Steering Committee (Member)

Separate Representative Training in Child Welfare Jurisdiction (Member)

Working in Partnerships Conference Committee (Member)

Charter of Rights for Children in Out of Home Care Steering Group meetings (Chair)

Consultations with Children and Young People in Out of Home Care, Nth, NW & South (attendee)

Play by the Rules Pilot Project, Office of Sport & Recreation (attendee)

Huon Stronger Communities Project (attendee)

Project Phoenix (attendee)

## Comment Provided by the Commissioner for Children on Bills and Legislation

*Alcohol Toll Reduction Bill 2007*, Provision of Verbal Evidence to Senate Community Services Committee,

*Firearms Amendment Bill 2006*, Provision of Verbal Evidence to Joint Standing Committee on Community Development

*Intestacy Bill 2007*

*Youth Justice Amendment Bill 2007*

*Human Tissue Act 1985*

*Review of The Children, Young Persons and Their Families Act 1997*

*Review of Family Violence Act 2004*

# Financial Statement

## 2008/08 Financial Statement Commissioner for Children Tasmania

**\$'000**

### Income

Revenue from Government	
Annual appropriation	584
Retained Revenue	2

### Total

**586**

### Expenditure (Direct Costs)

Employee Entitlements	
Salaries and Wages	324
Other Employee Expenses	46
Operating Expenditure	
Consultants	1
Property Services	48
Communications	15
Information Technology	6
Travel and Transport	24
Advertising and Promotion	3
Other Supplies and Consumables	26
Other Expenses	61

Total	554
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### Net Operating Outcome (Deficit) / Surplus

**31**

#### Notes:

1. All amounts have been rounded to nearest \$1 000.
2. The Financial Statement has been prepared on a cash basis.

Prepared by: Tony Gibbs, Business Analyst

Approved by: Wayne De Gruchy, Acting Chief Financial Office

Dated: 6-Aug-08

# APPENDIX 1

## **SPEECHES, MEETINGS, CONFERENCES, FORUMS, LAUNCHES AND WORKSHOPS ATTENDED AND PROJECTS**

### **SPEECHES**

PROTECTIVE BEHAVIOURS NATIONAL CONFERENCE, WREST POINT CASINO - 5 July 2007 (Hobart)

LANDSCAPES OF POSSIBILITY CONFERENCE, WREST POINT CASINO - 12 July 2007 (Hobart)

TASMANIAN BREASTFEEDING COALITION - 6 August 2007 (Hobart)

FOSTERS CARERS STATE CONFERENCE - 18 August 2007 (Prospect)

FAMILY LAW PRACTITIONERS ASSOCIATION OF TASMANIA ANNUAL CONFERENCE - 25 August 2007 (Bridport)

CHILDREN'S ART SHOW, CHILD PROTECTION WEEK - 9 September 2007 (Hobart)

CHILD MENTAL HEALTH SERVICE CONFERENCE - 26 September 2007 (Hobart)

RELATIONSHIPS AUSTRALIA ANNUAL GENERAL MEETING - 26 September 2007 (Hobart)

ALCOHOL, TOBACCO & OTHER DRUGS COUNCIL OF TAS INC (ATDC) ANNUAL SYMPOSIUM: CHILDREN, FAMILIES & DRUGS- HOW DO WE FASHION AN INTEGRATED RESPONSE TO HARM? - 26 October 2007 (Hobart)

STRENGTHENING FAMILIES IN A NEW COUNTY FORUM - 22 November 2007 (Hobart)

LADY GOWRIE ANNUAL GENERAL MEETING - 22 November 2007 (Hobart)

CHILDREN'S SERVICES TAFE Graduation Ceremony- 10 December 2007 (Launceston)

ROSETTA PRIMARY SCHOOL GRADE 6 CERTIFICATES & FAREWELL, UTAS - 14 December 2007 (Hobart)

NATIONAL COUNCIL OF WOMEN - 5 March 2008 (Hobart)

JUVENILE JUSTICE CONFERENCE, UTAS - 11 April 2008 (Hobart)

ROTARY CLUB: THE ROLE OF THE COMMISSIONER FOR CHILDREN AND CURRENT YOUTH ISSUES - 1 May 2008 (Hobart)

### **CHILDREN AND YOUTH SECTOR MEETINGS**

CHILD INJURY PREVENTION (CHIP) - 4 July 2007 (Hobart); 15 August 2007 (Hobart)

TASMANIAN EARLY YEARS FOUNDATION BOARD MEETINGS - July 2007 - June 2008 (Hobart)

TASMANIAN EARLY YEARS FOUNDATION RESEARCH COMMITTEE-July 2007 - March 2008 (Hobart)

TASMANIAN EARLY YEARS FOUNDATION DATA RESEARCH August 2007 - April 2008

KPMG FAMILY SUPPORT SERVICES REFERENCE GROUP - September & December 2007 (Hobart)

KPMG OUT OF HOME CARE REFERENCE GROUP - August, September December 2007 (Hobart)

KPMG OUT OF HOME CARE GROUP - 15 October 2007 (Glenorchy)

ANNIE KENNEY YOUNG WOMEN'S REFUGE & GLENORCHY CITY COUNCIL YOUNG WOMEN'S CULTURAL GROUP - 16 October 2007 (Glenorchy)

NORTHERN YOUTH COORDINATING COMMITTEE (NYCC) - 18 October 2007 (Launceston)  
 KPMG FAMILY SUPPORT SERVICE MODEL PRESENTATION - 22 October 2007 (Glenorchy)  
 KPMG EARLY SUPPORT CONSULTATION - 23 October 2007 (Hobart)  
 YOUTH AT RISK FORUM, HUON STRONGER COMMUNITIES - 30 October 2007 (Kingborough)  
 SEXUAL ASSAULT SUPPORT SERVICE (SASS):- 30 October 2007 (Hobart)  
 YOUTH ACTION PRIORITIES (YAP) - 5 November 2009 (Hobart); 3 December 2007 (Hobart)  
 CHILD INJURY PREVENTION (CHIP) STRATEGIC PLANNING - 6 November 2007 (Hobart)  
 TAFE PLAYGROUP FOR CHILDREN WITH ADDITIONAL NEEDS - 14 November 2007 (Warrane)  
 NATIONAL CHILDCARE ACCREDITATION COUNCIL (NCAC) MEETING - 23 April 2008 (Hobart)  
 PAEDIATRIC MORTALITY & MORBIDITY SUB COMMITTEE - July 2007 (Hobart) - April 2008 (Hobart)  
 COUNCIL OF OBSTETRIC PAEDIATRIC MORTALITY & MORBIDITY - August 2007 - May 2008 (Hobart)  
 ABS CENSUS INFORMATION AND PLANNING - 15 October 2007 (Hobart), 28 November 2007 (Hobart)  
 SEIFA INFORMATION SESSION - 19 June 2008 (Hobart)  
 ASHLEY ADVISORY GROUP MEETING - 20 December 2007 (Deloraine); 25 February 2008 (Deloraine)  
 ASHLEY RESIDENTS ADVOCATE INTRODUCTION TO RESIDENTS - 3 April 2008 (Deloraine)  
 9<sup>TH</sup> ANNUAL GENERAL MEETING, ASSOCIATION OF CHILDREN WITH A DISABILITY - 26 September 2007 (Hobart)

## **CONFERENCES, FORUMS AND WORKSHOPS**

HUNDRED LANGUAGES OF CHILDREN EXHIBITION - 2 July, 2007, the Long Gallery (Salamanca Place)  
 STATE GOVERNMENT WORKPLACE PROGRAM - 13 July 2007 (Parliament House)  
 LADY GOWRIE ACTON CHILD CARE CENTRE, LAUNCHED BY THE HON DAVID BARTLETT, M.H.A, MINISTER FOR EDUCATION - 18 July 2007 (Cambridge)  
 YOUNG LAWYERS COMMITTEE LECTURE SERIES 2007 - 18 July 2007 (Hobart)  
 HOUSING FORUM, TANYA PLIBERSEK - 31 July 2007 (Hobart)  
 FECCA (FEDERATION OF ETHNIC COMMUNITIES' COUNCILS OF AUSTRALIA) CONGRESS 2007: EMPOWERMENT & INCLUSION, AUSTRALIAN CULTURAL AND SOCIAL DIVERSITY WITHIN A GLOBAL CONTEXT - 31 July 2007 (Hobart)  
 HIROSHIMA OBSERVANCE - 6 August 2007 (Hobart)  
 LEGAL AID COMMISSION INDEPENDENT CHILDREN'S LAWYERS BEST PRACTICE SEMINAR, TASMANIA - 24 August 2007 (Launceston)  
 FAMILY LAW PRACTITIONERS ASSOCIATION OF TASMANIA ANNUAL CONFERENCE - 25 August 2007 (Bridport)  
 SHAKEN BABY NETWORK AND CHILD PROTECTION SYMPOSIUM - 5 September 2007 (Sydney)  
 MENTAL HEALTH ACT REVIEW DISCUSSION PAPER FORUM - 19 September 2007 (Hobart)  
 CHILD HEALTH ASSOCIATION, 90<sup>TH</sup> ANNIVERSARY CIVIC RECEPTION WITH THE LORD MAYOR - 19 September 2007 (Hobart)

FACULTY OF CHILD & ADOLESCENT PSYCHIATRY CONFERENCE - 11 October 2007 (Hobart)

STATEWIDE FORUM - YOUNG PEOPLE'S ACCESS SAAP - 18 October 2007 (Launceston)

GALILEO HOUSE LAUNCH BY HON P. LENNON - 22 October 2007 (Hobart)

TEDDY BEARS PICNIC - 23 October 2007, (Hobart)

TASMANIAN EARLY YEARS LAUNCH - 19 November 2007 (Hobart)

11<sup>TH</sup> AUSTRALASIAN CONFERENCE ON CHILD ABUSE AND NEGLECT (ACAN) CONFERENCE: VOICES CALLING FOR ACTION - 30 October to 2 November 2007 (Queensland)

NATIONAL COALITION AGAINST BULLYING CONFERENCE - 4 November 2007 (Melbourne)

AREA TASKFORCE TASMANIA, KIDS AT RISK - 8 November 2007 (Hobart)

TASCARE SOCIETY FOR CHILDREN 72<sup>ND</sup> ANNUAL GENERAL MEETING - 13 November 2007 (Hobart)

RESTORATIVE PRACTICES FORUM - 22 November 2007 (Hobart)

FOETAL ALCOHOL SYNDROME AND CRIMINAL JUSTICE, - 27 November 2007 (Hobart)

WORKING WITH CHILDREN CHECKS - NATIONAL OPERATORS FORUM - 28 & 29 November 2007 (Sydney)

FESTIVAL OF DREAMS, SOUTHERN CELEBRATION & AWARDS NIGHT - 30 November 2007 (Hobart)

LAUNCH PUBLICATION "FORGOTTEN FAMILIES, RAISING CHILDREN WITH DISABILITIES IN TASMANIA" BY TERESA HINTON - 4 December 2007 (Hobart)

AUSTRALIAN INSTITUTE OF FAMILY STUDIES (AIFS) SEMINAR: ENGAGEMENT, ANALYSIS AND REFLECTIVENESS: DEVELOPING A FRAMEWORK FOR THE ASSESSMENT OF VULNERABLE CHILDREN AND FAMILIES - 14 February 2008 (Melbourne)

CHILD SUPPORT AGENCY STAKEHOLDERS TRAINING DAY - 20 February 2008 (Hobart)

CONSTRUCTING SEX: A FORUM ON GENITAL MODIFICATION - 27 February 2008 (Sydney)

LAUNCH LITTLE FOOTPRINTS - 26 February 2008 (Chigwell)

KPMG REVIEW OF DISABILITY SERVICES COMMUNITY FORUM - 19 March 2008 (Hobart)

FOSTER CARERS BIG DAY OUT - 30 March 2008 (Perth, Tas)

13<sup>TH</sup> NATIONAL FAMILY LAW CONFERENCE - 8-11 April 2008 (Adelaide)

NATIONAL DATA NETWORK - CHILDREN AND YOUTH STATISTICAL PORTAL PRESENTED BY ARACY - 8 April 2008 (Hobart)

JUVENILE JUSTICE IN TASMANIA CONFERENCE - 11 April 2008 (Hobart)

MANAGING CHALLENGING BEHAVIOURS - 16 April 2008 (Hobart)

FOETAL ALCOHOL SPECTRUM DISORDER AND THE USA EXPERIENCE OVER 30 YEARS, UNIVERSITY DEPARTMENT OF RURAL HEALTH SEMINAR - 30 April 2008 (Hobart)

NO SMACKING DAY - 30 April 2008 (Hobart)

HOBART FAMILY LAW PATHWAYS NETWORK - 1 May 2008 (New Town)

LAUNCH CHIGWELL HOUSE, MISSION AUSTRALIA - 2 May 2008 (Berriedale)

ASIA PACIFIC ASSOCIATION OF CHILDREN'S COMMISSIONERS (APACC) FORUM - 29 & 30 October 2007 (Queensland); 14 & 15 May 2008 (Canberra)

TAS EARLY YEARS FOUNDATION & HON MAXINE MCKEW, PARLIAMENTARY SECT FOR CHILDHOOD & CHILD CARE - 19 May 2008 (Hobart)



TAS EARLY YEARS FOUNDATION & HON M. MCKEW LUNCHEON - *20 May 2008 (Hobart)*

NATIONAL EXECUTIVE CENTRELINK & SENIOR MANAGEMENT TASMANIA - *21 May 2008 (Hobart)*

QUALITY OF CARE PRESENTATION, CHILD AND FAMILY SERVICES - *28 May 2008 (Hobart)*

AUSTRALASIAN SEMINAR- CHILD DEATH INQUIRY & REVIEW - *2 & 3 June 2008 (Melbourne)*

CREATE REPORT CARD LAUNCH - *11 June 2008 (Hobart)*

DEPARTMENT OF FAMILIES, HOUSING, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS CONSULTATIVE FORUM BY - A NATIONAL FRAMEWORK FOR PROTECTING AUSTRALIA'S CHILDREN -*12 June 2008 (Hobart)*

WORKSHOP - INTERSEX ISSUES IN TASMANIA, HOSTED BY THE DEPARTMENT OF HEALTH AND HUMAN SERVICES GLBTI REFERENCE GROUP - *16 June 2008 (Hobart)*

AUSTRALIAN CLEARINGHOUSE FOR YOUTH STUDIES (ACYS) TELECONFERENCE - *16 June 2008 (Hobart)*

DEPARTMENT OF FAMILIES, HOUSING, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS CONSULTATIVE FORUM: A NEW APPROACH TO HOMELESSNESS GREEN PAPER - *17 June 2008 (Hobart)*

PROF P. GAMMAGE, EARLY CHILDHOOD EDUCATION - *19 June 2008 (Hobart)*

THE REINTEGRATION PUZZLE CONFERENCE - *26 & 27 June 2008 (Adelaide)*

2008 YOUNG ARCHIES EXHIBITION - *30 June 2008 (Hobart)*

## **PROJECTS**

COMPLAINTS IN CARE MONITORING GROUP

CHILD DEATH REVIEW

MULTICULTURAL YOUTH FORUM STEERING COMMITTEE

CHILD INJURY PREVENTION COALITION (CHIP)

FAMILY LAW PRACTITIONERS ASSOCIATION TASMANIA LEGISLATIVE REVIEW COMMITTEE

YOUNG PEOPLE'S APPLICATIONS, AUSTRALASIAN CONFERENCE ON CHILD ABUSE & NEGLECT (ACCAN)

MALE CIRCUMCISION STAKEHOLDER CONSULTATION

HUON STRONGER COMMUNITIES PROJECT

CONSULTATIONS CHILDREN & YOUNG PEOPLE IN OUT OF HOME CARE North, South and Northwest

OUT OF HOME CARE CONSULTATIONS REPORT

PLAY BY THE RULES PILOT PROJECT

COMMUNITY SERVICE ORDER POLICY REVISION PROJECT

SEPARATE CHILD REPRESENTATIVE TRAINING STEERING COMMITTEE

PROJECT PHOENIX

AUSTRALIAN & NEW ZEALAND CHILD DEATH REVIEW TEAM

WORKING IN PARTNERSHIPS COMMITTEE

INTERVIEW PANEL - YOUNG PERSON REPRESENTATION (AYDC RESIDENTS ADVOCATE)

CHARTER OF RIGHTS FOR CHILDREN IN OUT OF HOME CARE

SEPARATE REPRESENTATIVE TRAINING IN CHILD WELFARE JURISDICTION

## APPENDIX 2

### MEDIA RELEASES BY THE COMMISSIONER FOR CHILDREN

23 JULY 2007

CHILDREN OF DRUG ADDICTED PARENTS

4 SEPTEMBER 2007

NATIONAL CHILD PROTECTION WEEK, SEPTEMBER 2-8

17 OCTOBER 2007

COMMISSIONER FOR CHILDREN STATE-WIDE ADVISORY COUNCIL

2 NOVEMBER 2007

WORKING WITH CHILDREN CHECK

11 NOVEMBER 2007

CHILDREN AND THE FEDERAL ELECTION

15 NOVEMBER 2007

COMMISSIONER FOR CHILDREN SUPPORTS AMENDMENT TO BAN CIGARETTE DISPLAYS

23 NOVEMBER 2007

RESPONSES TO CHILDREN AND THE FEDERAL ELECTION

6 DECEMBER 2007

MALE CIRCUMCISION AND HUMAN RIGHTS

8 JANUARY 2008

INQUIRY INTO DISABILITY RESPITE CARE FOR CHILDREN

17 APRIL 2008

CHILDREN BUSKING

29 APRIL 2008

NO SMACKING DAY

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