

Your Ref:
Our Ref: 883

22 March 2024

The Hon Roger Jaensch MP
Minister for Education, Children and Youth
Parliament House
HOBART TAS 7000

Dear Minister

Commissioner for Children and Young People Annual Plan 2024-2025

I am writing to provide you with the Commissioner for Children and Young People's Annual Plan for 2024-2025.

Provision of this plan is in accordance with section 7 of the *Commissioner for Children and Young People Act 2016*, which requires that by no later than 31 March in each year, the Commissioner is to prepare an annual plan describing the Commissioner's proposed program of work and activities for the following financial year, and provide a copy of that plan to you, as Minister for Education, Children and Youth.

Over the course of the coming year, I will continue to advocate strongly that the voices of children and young people are listened to during the implementation of the recommendations arising from the *Commission of Inquiry into the Tasmanian Government's Responses to Child Sexual Abuse in Institutional Settings*, including in relation to the establishment of a more effective Commission for Children and Young People model.

Due to the caretaker conventions prevailing at the time of this correspondence and the development of the Annual Plan 2024-2025, I have taken the liberty to provide the Hon Rebecca White MP and Rosalie Woodruff MP with a copy of the same.

I would welcome the opportunity to discuss my Annual Plan 2024-2025 with you in due course.

Yours sincerely



Leanne McLean
Commissioner for Children and Young People

cc: The Hon Rebecca White, Leader, Tasmanian Labor
Rosalie Woodruff, Leader, Tasmanian Greens



**Commissioner for
Children and Young People**

2024-2025 Annual Plan

Commissioner for Children and Young People 2024-2025 Annual Plan

The office of Commissioner for Children and Young People is established under the *Commissioner for Children and Young People Act 2016* (CCYP Act). The Commissioner's functions, which are set out in section 8 of the CCYP Act, include:

- (a) advocating for all children and young people in the State generally;
- (b) acting as an advocate for a detainee under the *Youth Justice Act 1997*;
- (c) researching, investigating and influencing policy development into matters relating to children and young people generally;
- (d) promoting, monitoring and reviewing the wellbeing of children and young people generally;
- (e) promoting and empowering the participation of children and young people in the making of decisions, or the expressing of opinions on matters, that may affect their lives;
- (f) assisting in ensuring the State satisfies its national and international obligations in respect of children and young people generally;
- (g) encouraging and promoting the establishment by organisations or appropriate and accessible mechanisms for the participation of children and young people in matters that may affect them.

Unless otherwise specified, when performing a function or exercising a power under the CCYP Act or any other Act, the Commissioner is required to act independently, impartially and in the public interest.

In performing these functions or exercising a power under the CCYP Act, the Commissioner is required to:

- do so according to the principle that the wellbeing and best interests of children and young people are paramount; and
- observe any relevant provisions of the United Nations *Convention on the Rights of the Child*.

Section 7 of the CCYP Act requires that no later than 31 March in each year, the Commissioner for Children and Young People is to prepare an annual plan describing the Commissioner's proposed program of work and activities for the following financial year and provide a copy of that plan to the Minister.

In 2023, the Commission of Inquiry into the Tasmanian Government's responses to Child Sexual Abuse in Institutional Settings recommended a new and distinct Commission for Children and Young People be established and suggested that this should occur by 1 July 2024. Until this change occurs, and while the CCYP Act remains in force, Commissioner McLean will perform her statutory duties in the public interest and in the best interests of Tasmania's children and young people.

The Commissioner's priority remains ensuring the voices of Tasmania's children and young people are heard. In 2024, the Commissioner will advocate strongly that their voices are listened to during the implementation of the Commission of Inquiry's recommendations.

The Commissioner has long championed the establishment of a more effective Commission for Children and Young People model recommended by the Commission of Inquiry. The Commissioner, and her staff, will work constructively with all stakeholders to transition to this model.

The table below sets out streams of activity to be undertaken in 2024-2025 that align to the strategic priority areas of the Commissioner's Strategic Framework for 2022 and 2023. Given the levels of change anticipated in coming months, the Commissioner is extending her current Strategic Framework into 2024.

Further information about the work of the Commissioner for Children and Young People is available at <https://www.childcomm.tas.gov.au>.

For further information about this document, please contact the Commissioner for Children and Young People:

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Submitted on 22 March 2024 to:

The Hon Roger Jaensch MP
Minister for Education, Children and Youth
Parliament House, Hobart, 7000

cc (given Government caretaker period):

The Hon Rebecca White MP, Leader of Tasmanian Labor
Rosalie Woodruff MP, Leader of Tasmanian Greens

PRIORITY	<h3 style="text-align: center;">Aboriginal Cultural Awareness</h3> <p style="text-align: center;">We will continue to increase our understanding of Tasmanian Aboriginal culture and history including through listening to Aboriginal children and those who support them in their communities. We will ensure we capture the needs and experiences of palawa people in our work. We will focus on deepening our knowledge of the extraordinary strength of the palawa people in the face of significant adversity.</p> <p style="text-align: center;">We will advocate against structural impediments to equality and self-determination, with a particular focus on child safety, out-of-home care, and youth justice systems.</p>		
ACTIVITY	<h4 style="text-align: center;">Communication and Engagement</h4>	<h4 style="text-align: center;">Monitoring</h4>	<h4 style="text-align: center;">Advocacy, Research and Advice</h4>
<ul style="list-style-type: none"> • Promoting awareness and understanding of the role of the Commissioner across the Tasmanian community including among children and young people, government, and non-government organisations. • Promoting awareness and understanding of the rights of children and young people across the Tasmanian community, including among children and young people, government, and non-government organisations. • Working collaboratively to ensure that the rights and wellbeing of children and young people detained under the <i>Youth Justice Act 1997</i> are understood. • Communicating and engaging with stakeholders of Tasmania’s out-of-home care (OOHC) system, including children and young people with a care experience, to raise awareness of the Commissioner’s OOHC Monitoring Program • Engaging with children and young people around Tasmania on matters that are important to them, including through a Children and Young People Consultative Council, through YEP! and through the CCYP Ambassador Program. • Conducting ethical consultations relating to significant policy issues with children and young people with lived experience and who are not usually provided the opportunity to participate and be heard. • Empowering children and young people to communicate their opinions on matters which affect them to political leaders and other key decision-makers. • Encouraging and supporting Tasmanian organisations to actively promote the participation of children and young people in their decision-making processes, including through the publication of ethical engagement resources. • Promoting the importance of improving the wellbeing of Tasmania’s children and young people, including through collaboration with stakeholders and both targeted and broad communication strategies. • Communicating information about and advocating for the rights and wellbeing of children and young people, including the views of children and young people, through a variety of media and publications, with consideration given to appropriately and effectively communicating with children and young people. 	<ul style="list-style-type: none"> • Monitoring and analysing data relevant to the wellbeing of Tasmania’s children and young people, including data requested and received from Tasmanian Government agencies. • Monitoring, as appropriate, the implementation of the Tasmanian Government’s Child and Youth Wellbeing Strategy – <i>It Takes a Tasmanian Village</i>. • Developing a new rights-based framework for monitoring children’s wellbeing generally, and specifically those in the OOHC and youth justice systems. This includes monitoring the implementation of recommendations arising from the Commissioner’s Own Motion Systemic Inquiry: <i>A Place at The Table - an investigation into a change to the case management of children and young people in care in Tasmania</i>. Note: An Expert Panel has been established to inform this monitoring activity. • Monitoring the implementation of legislation that affects or has the capacity to affect the rights and wellbeing of children and young people. • Monitoring the development and implementation of Tasmanian Government reform agendas and other initiatives affecting the rights and wellbeing of children and young people, including reforms to the child safety, OOHC and youth justice systems, child and adolescent mental health services, machinery of Government changes, and implementation of recommendations of the <i>Royal Commission into Institutional Responses to Child Sexual Abuse</i> and the <i>Commission of Inquiry into the Tasmanian Government’s Responses to Child Sexual Abuse in Institutional Settings</i>. • Where necessary and feasible, investigating and making recommendations in respect of any systemic areas of concern identified through monitoring or communicated to the Commissioner. 	<ul style="list-style-type: none"> • Engaging in strategic advocacy and providing advice to promote the rights and wellbeing of children and young people in Tasmania. This includes advocating for the rights and wellbeing of children and young people who are disadvantaged and those in the youth justice and child safety systems. • Advocating for prevention and early intervention strategies to improve the wellbeing of Tasmania’s children and young people. • Researching and providing advice and comment on existing or proposed policies and practices that affect or have the capacity to affect the rights and wellbeing of children and young people in Tasmania. • Contributing to and providing child centred advice on the development and implementation of legislation that affects or has the capacity to affect the rights and wellbeing of children and young people generally. • Contributing to and providing child centred advice on the development and implementation of reform agendas relevant to the rights and wellbeing of children and young people in Tasmania. Focus areas for 2024-2025 include: the design and implementation of the Child Abuse Reform Strategy; implementation of the Child and Youth Wellbeing Strategy; mental health and drug and alcohol services reforms; the development of a therapeutic youth justice system in which detention is a last resort; the development and implementation of therapeutic approaches to caring for and responding to the needs of children and young people who are in custody or at risk of entering custody; and child and youth homelessness. • Providing advice to inform the implementation of the recommendations of the <i>Royal Commission into Institutional Responses to Child Sexual Abuse</i> and the <i>Commission of Inquiry into the Tasmanian Government’s Responses to Child Sexual Abuse in Institutional Settings</i>, noting in particular recommendation 18.6 of the Commission of Inquiry to establish a new Commission for Children and Young People bringing together the functions of the current Commissioner for Children and Young People, the current Independent Regulator of Child and Youth Safe Organisations, individual advocacy for children in OOHC and National Preventive Mechanism (NPM) functions into a single organisation. • Actively participating in external reference groups, other groups and forums where the focus of work is relevant to the rights and wellbeing of children and young people in Tasmania. This includes advocacy on issues of national importance with the potential to affect children and young people in Tasmania, through membership of the Australian and New Zealand Children’s Commissioners, Guardians and Advocates (ANZCCGA). • Providing individual advocacy for children and young people detained under the <i>Youth Justice Act 1997</i> including by undertaking regular visits to Ashley Youth Detention Centre and via alternative communication mechanisms. 	

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