



Commissioner for Children and Young People

2020-2021 Annual Plan

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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.

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*.

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.

Section 7 of the CCYP Act requires that no later than the 31st of 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.

The Table below sets out streams of activity beneath identified priority areas of work for 2020-2021, which relate to the Commissioner's functions as outlined above. This Annual Plan also incorporates information about how the Commissioner's program of work and activities will take account of COVID-19 to ensure that the rights and wellbeing of Tasmania's children and young people are protected, particularly those who are disadvantaged or vulnerable.

Further information about the work of the Commissioner for Children and Young People can be found 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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The Hon Roger Jaensch MP
Minister for Human Services
Parliament House, Hobart, 7000

PRIORITY	Listening to and promoting the voice of children and young people	Promoting and monitoring the wellbeing of children and young people	Independent monitoring of Tasmania's out-of-home care (OOHC) system	Systemic advice and advocacy on matters affecting children and young people	Individual advocacy for children and young people detained under the <i>Youth Justice Act 1997</i>
ACTIVITY	<ul style="list-style-type: none"> Promoting awareness of the role of the CCYP and of the rights of children and young people. Engaging with children and young people around Tasmania through the CCYP Ambassador Program. This mechanism will fulfil the legislated requirement to establish a Children and Young People Consultative Council. Engagement activities will be designed and conducted in ways to take account of and adapt to limitations and restrictions arising from the COVID-19 pandemic. Regularly and creatively engaging with children and young people (and those who support them) from diverse cultures, backgrounds and regions around Tasmania, to understand the key issues of importance or concern to them. These engagement activities will be designed and conducted in ways to take account of and adapt to limitations and restrictions arising from the COVID-19 pandemic. Promoting and facilitating opportunities for children and young people to communicate their opinions on matters which affect them to political leaders and to other key decision-makers, with an emphasis on ascertaining their views and opinions on COVID-19 related issues. Celebrating Tasmanian organisations which actively promote the participation of children and young people in their decision-making processes, including through innovative and creative mechanisms. Engaging in communication/media opportunities to promote awareness of the importance of children's participation in decision-making processes and of them expressing opinions on matters which affect them. Promoting and sharing child friendly information and resources about the COVID-19 pandemic, with children and young people, their families and carers. 	<ul style="list-style-type: none"> Promoting the importance of valuing and improving the wellbeing of Tasmania's children and young people, including through collaboration with stakeholders and both targeted and broad communication strategies. Monitoring and analysing data relevant to the wellbeing of Tasmania's children and young people, including data requested from Tasmanian Government agencies. Monitoring, contributing to, influencing and assisting to promote strategies which have the potential to improve the wellbeing of Tasmania's children and young people, including those which address the effects of the COVID-19 pandemic on the wellbeing of Tasmania's children and young people. Advocating for prevention and early intervention strategies to enhance the wellbeing of Tasmania's children and young people and reduce poorer outcomes for children and young people who are disadvantaged or vulnerable, Promoting the importance of the first 1,000 days of a child's life, including through the B4 Coalition. 	<ul style="list-style-type: none"> Monitoring the OOHC system in Tasmania, including by: <ul style="list-style-type: none"> - monitoring the effect of the COVID-19 pandemic on the provision of OOHC in Tasmania; - analysing the regular, routine flow of information from Tasmanian Government agencies, OOHC service providers, advocacy organisations and other stakeholders; and - subject to the changing and challenging circumstances arising from the COVID-19 pandemic, conducting an in-depth exploration of a theme of significance to children and young people in OOHC in Tasmania, based on one of the six wellbeing domains of the <i>Tasmanian Child and Youth Wellbeing Framework</i>, noting also the <i>Outcomes Framework for Children and Young People in Out of Home Care</i>. An Expert Panel has been established to inform this monitoring activity. Engaging with OOHC stakeholders, including through monitoring visits to OOHC providers and to relevant advocacy groups and peak bodies. Engagement activities will be adapted to take account of the COVID-19 pandemic. Seeking the views of children and young people in OOHC to inform ongoing monitoring activities and advocacy, including through consultative mechanisms which take account of and adapt to limitations and restrictions arising from the COVID-19 pandemic. Monitoring the development and implementation of Tasmanian Government reform agendas and other initiatives relevant to the OOHC system, including those specific to the COVID-19 response. Where necessary and practicable, investigating any particular areas of concern identified through the OOHC monitoring function 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 appropriate services and supports for children and young people who are disadvantaged or vulnerable, especially as a result of the COVID-19 pandemic. Providing advice and comments on existing or proposed legislation, policies and practices that affect or have the capacity to affect the rights and wellbeing of children and young people in Tasmania, including in relation to issues arising as a result of the COVID-19 pandemic. Monitoring and where appropriate contributing to the implementation of reforms relevant to the rights and wellbeing of children and young people in Tasmania. Focus areas include reforms to improve access to mental health and drug and alcohol services, the development of a therapeutic youth justice system in which detention is a last resort, advocacy on the minimum age of criminal responsibility, homelessness, and ongoing reforms to the OOHC system and to the child safety system generally, also taking account of the particular challenges arising from the COVID-19 pandemic. Monitoring, and where appropriate contributing to, the implementation of the recommendations of the <i>Royal Commission into Institutional Responses to Child Sexual Abuse</i>. Participating in external reference groups, other groups or 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 affecting children and young people in Tasmania through membership of the Australian and New Zealand Children's Commissioners and Guardians (ANZCCG). Participating in any review of the <i>Commissioner for Children and Young People Act 2016</i>. 	<ul style="list-style-type: none"> 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 (AYDC) and via alternative communication mechanisms, including those developed to adapt and respond to limitations and restrictions arising as a result of the COVID-19 pandemic. Providing advice to inform the development and implementation of therapeutic approaches to caring for children and young people detained at AYDC, including in the context of the COVID-19 pandemic. Providing advice and monitoring the redesign and upgrade of AYDC. 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 and protected. This includes consideration of the appropriateness of measures adopted in response to the COVID-19 pandemic.