

Your Ref:
Our Ref: 883

31 March 2022

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 2021-2022

I'm writing to provide you with the Commissioner for Children and Young People's Annual Plan for 2022-2023.

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 Human Services.

I would welcome the opportunity to discuss my Annual Plan 2022-2023 with you in our regular meeting.

Yours sincerely



Leanne McLean
Commissioner for Children and Young People



Commissioner for Children and Young People

2022-2023 Annual Plan

Commissioner for Children and Young People 2022-2023 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.

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 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.

The table below sets out streams of activity beneath identified priority areas of work for 2022-2023, which relate to the Commissioner's functions as outlined above. The Commissioner's program of work and activities will take appropriate account of challenges and controls related to our recovery from the COVID-19 pandemic.

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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Submitted on 31 March 2022 to:

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

All activities outlined in this Annual Plan will take appropriate account of challenges and controls related to our recovery from the COVID-19 pandemic

PRIORITY	Communication and Engagement	Monitoring	Advocacy and Advice
ACTIVITY	<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 through the CCYP Ambassador Program on matters that are important to them. This mechanism fulfils the legislated requirement to establish a Children and Young People Consultative Council. Increasing participation opportunities for children and young people generally, including through the YEP! 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. Promoting the importance of the first 1,000 days of a child’s life, including through the B4 Coalition. 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. Developing and communicating a CCYP strategic plan to guide the increased focus of the office on engaging with children and young people and the broader work of the office for the next three years. 	<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 the effects of the COVID-19 pandemic on the wellbeing of Tasmania’s children and young people. Monitoring, as appropriate, the implementation of the Tasmanian Government’s Child and Youth Wellbeing Strategy – <i>It Takes a Tasmanian Village</i>. Systemic monitoring of Tasmania’s OOHC system in accordance with the Commissioner’s OOHC Monitoring Plan: <ul style="list-style-type: none"> A: Regular Data Monitoring B: Thematic Monitoring C: Responsive Investigations D: Monitoring the Tasmanian Government’s Implementation of the Commissioner’s recommendations to strengthen Tasmania’s OOHC system <p><i>Note: An Expert Panel has been established to inform this monitoring activity.</i></p> Monitoring the implementation of legislation that affects or has the capacity to affect the rights and wellbeing of children and young people. Monitoring the proceedings of the <i>Commission of Inquiry into the Tasmanian Government’s Responses to Child Sexual Abuse in Institutional Settings</i> and implementation of any recommendations made by the Commission. 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>. Where necessary and feasible, investigating and making recommendations in respect of any particular 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 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 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 2022-23 include the implementation of the Child and Youth Wellbeing Strategy, machinery of Government changes, mental health and drug and alcohol services reforms, the review of child safety legislation, ongoing reforms to the OOHC system and the child safety system generally, the development of a therapeutic youth justice system in which detention is a last resort, and child and youth homelessness. Contributing to and providing advice to inform the implementation of the recommendations of the <i>Royal Commission into Institutional Responses to Child Sexual Abuse</i>, noting in particular the Government’s commitment to establish a comprehensive Child and Youth Safe Organisations Framework, including independent oversight of child safe standards and a reportable conduct scheme. Actively contributing to and participating, as appropriate, in the <i>Commission of Inquiry into the Tasmanian Government’s Responses to Child Sexual Abuse in Institutional Settings</i>. Actively 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 with the potential to affect children and young people in Tasmania, through membership of the Australian and New Zealand Children’s Commissioners and Guardians (ANZCCG). 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. Providing advice to inform 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.

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