

annual report
COMMISSIONER FOR CHILDREN TASMANIA
05/06



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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 along with examining the policies, practices and services provided for children and any laws affecting their health, welfare, care, protection and development.

23 October 2006

The Hon. Lara Giddings MHA
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 providing you with the Annual Report for the Commissioner for Children for the financial year ending 30 June 2006 for presentation to the Parliament of Tasmania.

Yours sincerely,

David K. Fanning
Commissioner

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From the Commissioner for Children

This has been another challenging and rewarding year for the Commissioner for Children's office. I would like to sincerely thank my staff for their hard work and dedication throughout 2005-06. This has enabled a small office to manage a diversity of outputs including monitoring complex and sensitive matters, preparation of reports and submissions and promoting the best interests of children and young people in matters relating to their health, welfare, care, protection and development.

I am pleased to report that there have been a number of projects of significance undertaken this financial year, primarily regarding Child Protection Services and Youth Justice.

The troubling state of Tasmania's child protection system has received much public attention and 2005-06 saw the commencement of the *Child Protection Service Development and Operational Improvement Project*. This project involves a review of Tasmania's child protection system, which will continue to be conducted in partnership with the Deputy Secretary of the Department of Health and Human Services throughout 2006.

Following allegations of abuse raised by residents at Ashley Youth Detention Centre, in late 2005 I chaired a review of the relevant systems and protocols in place to ensure resident safety at the facility. The review was undertaken in collaboration with the Department of Health and Human Services, namely the then Director of Children and Families and the Executive Director of Corporate Services. In early 2006, I also completed an investigation into the high number of young people on remand in Tasmania pursuant to a request from the Minister for Health and Human Services under section 79(e) of the *Children, Young Persons and Their Families Act 1997* in the 2004-05 financial year. The State Government has made positive progress toward implementing the majority of the 23 recommendations contained in the final report *Review for the Secretary DHHS of Resident Safety – Ashley Youth Detention Centre*. The Government also voiced their strong commitment to adopting the recommendations resulting from my investigation into youth remandees and it was decided that a whole of Government working group was required to address the issues raised in the report. However this working group has not yet been established.

A substantial amount of work was also completed during 2005-06 pursuant to a number of reports that will be completed in the coming year. These include a report arising from the Government's adoption of recommendations 8 and 9 of the Ombudsman's Report '*Listen to the Children, Review of Claims of Abuse in State*

Care as Children'. Two additional staff members have been employed for six months to complete this report.

The next financial year will also see the completion of a report to the Minister for Health and Human Services on Child Death Review processes throughout Australia and their possible application in Tasmania.

As evidenced above, my collaborations with government and the non government sector continued to bring about successful outcomes in 2005-06. I have been involved with a variety of committees, working groups and panels that have endeavoured to produce significant, long lasting change for children, particularly those most at risk. However, there remain areas where the State Government's express commitment to issues regarding children and young people has not been supported by the action required to translate this commitment into practice.

In 2004-05 I produced a consultation paper *Screening of Individuals Who Work With Children in Tasmania*. In my Annual Report for that year I noted that this issue was a major outstanding matter to be progressed during 2005-06. Screening or 'background checking' is the process by which employers examine the criminal history, employment history and other relevant background information of a person to assess whether they pose a risk to the children they will be working with. Screening is a fundamental feature of a child-safe environment however there is no legislative requirement for employers to screen all people who work with children in Tasmania. In 2004-05, New South Wales and Queensland had existing systems for screening or 'background checking' people who work with children. Since that time, Western Australia and Victoria have also established systems for screening workers and are now operating working with children checks. All remaining states are in the process of developing legislation on this issue. However, despite my continued discussions with the past and present Minister for Health and Human Services and my expectation that the Government would be in a position to announce their direction regarding the proposals contained in my consultation paper by the end of 2005, no further progress has been made. At this stage, there is no agreed action to progress screening in Tasmania nor is there any indication that legislation will be drafted in the coming year.

Whilst it was a positive development for the State Government to establish the Office of Children and Youth Affairs, as well as the completion of the necessary project work and passing of legislation for the establishment of the Early Years Foundation, it is very disappointing to observe that these initiatives have not amounted to any discernable outcomes for children. Furthermore, the \$750,000 recurrent funding committed to the Early Years Foundation by the previous Minister for Education commencing in the financial year 2005-06 has been 'lost' through inaction in not establishing the Early Years Foundation. The Office of Children and Youth Affairs

appears little more than a change of administrative arrangements and a renaming of the former Office of Youth Affairs.

At the service delivery end of the spectrum, vulnerable children in State care continue to be jettisoned from Family Group Homes during the holiday periods of their carers. These and many other practices (for example, transporting children unaccompanied in taxis) are not consistent with the State being a conscientious and responsible parent.

Notwithstanding the continued ongoing assistance provided by the Department of Health and Human Services in relation to the operation of this office, it would be far more desirable for the office, together with other statutory offices in Tasmania to be brought together. Each could function autonomously but would share resources as there would be sufficient economies of scale. In doing this, both the independence and perception of independence would be enforced.

Finally, the modern trend of having large Government departments providing a range of programs in the hope of developing synergies led to the establishment of the Department of Health and Human Services some years ago. However the focus and priority of this large department is dominated by health issues to which other programs are necessarily subservant. It is timely, in my view, for the administrative arrangements for the provision of services to children and families to be revisited and examined as it seems highly likely that health issues will continue to dominate the Department of Health and Human Services' agenda. This observation does not detract from the high level of co-operation and professionalism I have experienced in dealing with the Department of Health and Human Services.

I would also like to take this opportunity to thank the children and young people who are members of my Children and Young Persons Consultative Council, whose opinions and perspectives have been a vital contribution to my work. I would also like to thank my Children and Young Persons Advisory Council who share their expertise with this office so generously and inspire us all to continue to make a difference to the lives of children and young people in Tasmania.



David K. Fanning
Commissioner for Children, Tasmania.

A Snapshot of Children and Young People in Tasmania

Population and Health

- As of 1 December 2005, the total population of Tasmania was 487,185.¹
- At 30 June 2005, there were an estimated 117,094 children aged 0-17 (inclusive) in Tasmania (approximately 24% of the population)².
- In 2004, Aboriginal and Torres Strait Islanders represented a small proportion (8%) of young Tasmanians aged 10-17 years³.
- In 2004-05, there were 1.99 births per woman in Tasmania (compared with 1.88 in 2000-2001) and 1.8 births per woman nationally in 2005. There were 6,288 births in Tasmania in 2005 compared with 5,801 in 2000⁴.
- In 2005, 93.4% of Tasmanian children aged 12-15 months were fully immunised compared to 91% nationally. In the 72-75 month age group, 86.6% were fully immunised, compared to 84% nationally⁵.

Education

- The proportion of Tasmanian children using Australian or Tasmanian government funded and/or provided child care in 2004-05 was 34.3% for 0-5 year olds and 15% for 6-12 year olds⁶.
- In 2005, there were 83,000 school students in Tasmania. 73,500 students were in government schools (or 89% of all full time students).⁷

¹ Australian Bureau of Statistics Catalogue 3101.0 (2006) *Australian Demographic Statistics*, Table 4 *Estimated Resident Population, States and Territories*, 15.

² Australian Bureau of Statistics Catalogue 3201.0 (2005) *Population by Age and Sex, Australian States and Territories*, Table 7, 27.

³ Australian Institute of Health and Welfare (2006) *Juvenile Justice in Australia 2000-2001 to 2003-2004*, Figure 2.2.

⁴ Australian Bureau of Statistics Catalogue No. 3201.0 (2006) *Australian Demographic Statistics*, Table 10 *Births and Total Fertility Rates*, 22.

⁵ Australian Bureau of Statistics Catalogue No. 4102.0, *Australia Social Trends 2005*, Table 2.6 *Health: State Summary*, 63.

⁶ Productivity Commission (2006) *Report on Government Services 2006*, Vol 2, Table 14.1 *Proportion of children using Australian, State and Territory government funded and/or provided child care*, 2004-05.

⁷ Australian Bureau of Statistics Catalogue No. 4102.0, *Education and Training: State Summary*, 92-93.

- In 2005, the Year 7/8 to Year 12 apparent retention rate for males was 58.4%. This is the second lowest retention rate for males in Australia (after the Northern Territory) and is significantly less than the national rate of 69.9%. The retention rate for females was much higher, at 76.5% although this is still below the national average of 81.0%.⁸
- In 2004 the number of people participating in higher education in Tasmania (18,100) was the second lowest in the nation (after the Northern Territory).⁹

Care and Protection

- 12,745 notifications had been received from July 2005 to June 2006, of which:
 - 3,705 notifications were referred for further investigation (2,456 were allocated and 1,249 were unallocated);
 - 963 investigations were finalised for that year;
 - 517 were found to be substantiated cases of abuse or neglect¹⁰.
- At 30 June 2005, 716 children were on care and protection orders in Tasmania. This represents a rate of 6.1 per 1000 children (aged 0-17 years), compared to the national rate of 5.2¹¹. This rate has been increasing in Tasmania since 2001.
- At 30 June 2005, 4.9 per 1000 children were in out-of-home care (equal to the national rate)¹².

Juvenile Justice ¹³

- There were a total of 113 juveniles aged between 11 and 18 years who were on remand at Ashley Detention Centre at least once between 1 July 2004 and 30 June 2005.
- Three quarters of these remandees were aged between 15 and 17 (the median age was 16).
- Nineteen per cent of these juveniles identified as being Aboriginal.

⁸ Ibid.

⁹ Ibid.

¹⁰ Department of Health and Human Services, Monthly Data Activity (June 2006), Figure 2.

¹¹ Australian Institute of Health and Welfare (2006) *Child Protection Australia 2004-05*, 50.

¹² Ibid, 38.

¹³ Juvenile Justice statistics extracted from Commissioner for Children Tasmania (2006) *Review of Juvenile Remandees in Tasmania*, Appendix A.

- Just under half (45%) of the juveniles were placed on remand more than once over the one year period.
- 39 per cent of juveniles placed on custodial remand, whose matters had been finalised, did not receive a detention sentence as a sentencing outcome during the one year period.

Our Vision

A community where the interests of children are the paramount consideration in any decisions affecting their health, welfare, protection, development and education.

Our Objectives

Firstly to promote the health, well being and development of children. Secondly to promote Government's responsiveness to the needs of children, especially those most vulnerable. Thirdly, to promote children's involvement as active and contributing decision makers in their lives and their communities. Fourthly, to support families and communities in the care and protection of children.

Our Strategy

The Commissioner for Children is an independent office responsible to the Parliament of Tasmania. In essence, the Commissioner's functions include promoting the rights and well being of children along with examining the policies, practices and services provided for children and any laws affecting the health, welfare, care, protection and development of children. These functions are very broad and there is consequently a need to focus on matters that will make a real difference to the lives of children in Tasmania especially those more vulnerable children and young people.

What Does the Commissioner for Children Do?

The Commissioner examines legislation, policy and practices used by Government Departments that affect the health, welfare, care, protection and development of children to ensure they operate in the best interests of the child. "Children" includes all children under 18 years of age. The Commissioner provides advice on the development of these practices and policies and makes recommendations for their improvement.

The Minister for Health and Human Services can ask the Commissioner to investigate and give advice on specific issues.

The Commissioner also works to increase public awareness about important issues affecting all children and youth in Tasmania.

To do all these things, the Commissioner:

- Identifies and acts on issues affecting children and young people,
- Researches issues related to children;
- Seeks the views of children and young people about issues affecting them; which includes having a Children and Young Persons Consultative Council;
- Consults with Ministers, Government agencies, non-Government organisations and the public; and
- Is informed by the Adults Advisory Council who advise him in his work.

In all his work the Commissioner must act independently, impartially and in the public interest. The Commissioner for Children is appointed by the Governor and is responsible to Parliament. An Annual Report is provided to Parliament on the work of the Commissioner.

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

In 2005-06, the Commissioner for Children's office received approximately 202 enquiries from individuals, organisations and Government agencies. These included enquiries received by phone, email and letter.

The nature of enquiries ranged from requests for general information on issues related to children and youth, to formal complaints about a service or agency.

The Commissioner for Children does not have the power to investigate individual complaints, other than when requested to do so by the Minister for Health and Human Services. Individuals who contact the office were advised to contact relevant Government agencies or non-Government organisations to assist them further. Callers were commonly referred to the following services:

- Tasmanian Ombudsman
- Legal Aid Commission of Tasmania
- Hobart Community Legal Service
- Department of Health and Human Services
- Department of Education

Requests from the Minister for Health and Human Services

Recommendations 8 and 9 contained in the Tasmanian Ombudsman's report '*Listen to the Children, Review of Abuse from Adults in State Care as Children*'

In late 2004 the Tasmanian Government announced that the Ombudsman would conduct an independent review of claims of past abuse in State care. The report *Listen to the Children* was released in November 2004 and made eleven recommendations to Government.

Recommendations 8 and 9 related to further work to be undertaken by the Commissioner for Children. In response to Recommendation 8, the Minister for Health and Human Services at the time, the Honourable David Llewellyn, requested that the Commissioner for Children conduct an investigation into twelve recent cases of alleged abuse and the Departmental response to those allegations.

Recommendation 9 dealt with specific matters requiring the advice of the Commissioner regarding the provision of services to children in out of home care and the protocol between the Department of Health and Human Services and the Department of Education. Additional resources, in the form of two positions (one a senior project officer and the other a project officer) were provided to the office to undertake this significant work in early 2005.

This major report will be presented to the Minister for Health and Human Services in the near future, providing a strong foundation to work currently being undertaken to reform the provision of child protection services in Tasmania.

Investigation into the high number of young people on remand

In the 2004-05 financial year, the then Minister for Health and Human Services, the Honourable David Llewellyn, requested an investigation into the high number of young people on remand at Ashley including an analysis of the reasons and contributing factors and the recommendation of possible strategies to address the issue. Following the collection of relevant data and meeting with stakeholders as reported in my last Annual Report, the Australian Institute of Criminology undertook an analysis of the data and the final report, *Review of Juvenile Remandees in Tasmania* was released in April 2006. The issues examined in the report included the high proportion of Ashley residents on remand; the length of time spent on remand; the relevant legal framework; sentence outcomes; data collection; and health, welfare and protection issues. Recommendations included a review of previous initiatives in this area, the development of inter-agency protocols between Youth Justice Services and Child and Family Services for monitoring and assisting youth on remand, improved data collection, the development of bail legislation specific to children and the development of bail options. Whilst it was pleasing to see the acceptance by the Government of the recommendations contained in this report unfortunately there has not been any discernable action taken in relation to the recommendations.

Child death review processes

In June this year, the Minister for Health and Human Services, the Honourable Lara Giddings, requested advice regarding the need for a child death review process in Tasmania as well as options for establishing such a process. A report and recommendations will be provided to the Minister early in the second half of 2006 and is expected to be made public.

The child death review process provides a mechanism for monitoring and reviewing the effectiveness of the child protection system. Its principal aim is to identify whether changes to policy and practice could improve the child protection system's response to children at risk so that future child deaths, in similar circumstances, may be avoided.

The report will discuss the reasons for the development of child death review processes in other Australian jurisdictions and will examine child death review models in those jurisdictions. The report will examine the need for a child death review process in Tasmania and present options for establishing this process.

Initiatives Undertaken by the Commissioner for Children to Promote the Safety, Care and Protection of Children

Child Protection Service Development and Operational Improvement Project

In early 2006 the above review commenced to examine the adequacy and timeliness of the provision of child protection services in Tasmania. This ongoing review is being undertaken at the request of the then Minister for Health and Human Services, the Honourable David Llewellyn. It is being conducted in partnership with Ms Alison Jacob, Deputy Secretary Department of Health and Human Services. The purpose of the review is to examine the child protection system in its wider context, taking into account recent reports that had been released relating to the child protection system (for example, the KPMG report on Family Support Services and the Services and Staffing report). Importantly the process of the review includes wide consultation both within Tasmania and interstate. The review will provide a crucial framework for the future development of a child protection system that is failing the most vulnerable children in Tasmania.

Review of Resident Safety at Ashley Youth Detention Centre

Following widely publicised 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. This request was in response to an earlier request from the Minister for Health and Human Services to examine certain matters relating to the safety and wellbeing of clients at Ashley. I was asked if I was willing to participate in the review and I agreed to do so with certain caveats that were intended to preserve my independence. The review team consisted of myself, and representatives from the Department of Health and Human Services, the then Director of Children and Families and the then Executive Director of Corporate Services. The review involved a high degree of consultation with and input from residents and staff at Ashley.

The resulting report, *Review for the Secretary DHHS of Resident Safety – Ashley Youth Detention Centre* contained 23 recommendations, including the further exploration of unit allocation / resident segregation; statutory mechanisms for the transfer of serious offenders to the prison system; the establishment of a Youth Parole Board; a review of Standard Operating Procedures; increased educational opportunities for residents; the trial of CCTV; a review of the complaints processes; a resident advocate and Ashley Advisory Group. A number of recommendations have been addressed and the Department of Health and Human Services has remained committed to their implementation.

Information Session and Forum – Innovations in Advocacy and Support for Children

On 20 April 2006, an information session was hosted to explore initiatives developed in Australia and overseas to advocate for and support children during child protection court proceedings and children who are placed in out-of-home care. The session included presentations on the United States National Court Appointed Special Advocate (CASA) Association and the Queensland Commissioner for Children and Young People's Community Visitors Program. The session was supported by the Australian Foster Carers Association and the CREATE Foundation and was attended by a diverse range of government and non-Government representatives from organisations that provide services to children and their families.

Screening of Individuals Who Work With Children in Tasmania

In the previous financial year, I released a consultation paper titled *Screening of Individuals Who Work With Children in Tasmania*. "Screening" refers to the process of inspecting a person's criminal history, employment history and other relevant background information to determine their suitability to work with children. The consultation paper proposed a legislative based system for uniform screening for all employees, volunteers and self-employed people who work with children across Government and non-Government sectors. Currently, there is no legislative

requirement to screen all people who work with children other than in the child care industry. Every jurisdiction in Australia has legislation requiring workers to be screened or are in the process of developing such legislation. The consultation paper received overwhelming support. During 2005-06, I continued discussions with Government on how the proposals may be progressed. Regrettably there has been no progress made regarding the adoption of the proposals set out in the consultation paper.

Child Home Injury Prevention

Child Home Injury Prevention (CHIP) continued to meet throughout 2005-06. I am the current Chairperson and there has been an active and committed executive. A successful Forum was held in Hobart on the 5 May 2006 to promote CHIP to members of the community and the non-Government sector. CHIP also currently provides monetary grants to projects that promote child home safety. There will however be no further grants in the year 2006/07.

Paediatric Mortality and Morbidity Sub-Committee Meetings

In 2005-06 I attended meetings of the Paediatric Mortality and Morbidity Sub-Committee Meetings and the Council of Obstetric and Paediatric Mortality and Morbidity. Recently the Council has been conducting a review into a child death and the report findings will be presented to the Government shortly.

Guidelines and Papers Provided to the Commissioner for Children for Advice and Comment

- *Creating Safe Environments for Children – Organisations, Employees and Volunteers: National Framework*, Community and Disability Services Ministers Council
- *Inquiry into Civics and Electoral Education*, Joint Standing Committee on Electoral Matters (Joint Response by the Commission for Children and Young People and Child Guardian Queensland, NSW Commission for Children and Young People and the Commissioner for Children, Tasmania)
- *Teachers Registration Act 2000 – Issues Paper*, Department of Education

- *Unauthorised Photographs on the Internet and Ancillary Privacy Issues – Discussion Paper*, Standing Committee of Attorneys-General
- *Tasmanian Law Handbook (3rd Edition), Youth Justice Chapter*, Hobart Community Legal Centre

Commissioner for Children’s Committee Membership and Involvement

- Whole-of-Government Early Years Policy Framework
- Early Years Steering Committee (establishment of the Tasmanian Early Years Foundation)
- Community Services Ministers’ Advisory Council Child Safe Organisations Working Group (Member)
- Paediatric Mortality and Morbidity Sub-Committee (Member)
- Council of Obstetric and Paediatric Mortality and Morbidity (Member)
- Child Home Injury Prevention Coalition (Chairperson)
- Asia Pacific Association of Children’s Commissioners
- Ashley Review of Resident Safety (Chairperson of the Review Panel)
- Complaints Monitoring Group, Responding to complaints about the safety and well being of children who are in out of home care, Child & Family Services

Comment Provided by the Commissioner for Children on Draft Legislation

- *Adoption Regulations 2005*
- *Evidence (Children and Special Witnesses) Act 2001*
- *Justice and Related Legislation (Miscellaneous Amendments) Bill 2006*
- *Marine Safety (Misuse of Alcohol) Bill 2006*
- *Mental Health Amendment (Secure Mental Health Unit) Bill 2005*
- *Sentencing Act 1997*
- *Youth Justice Act 1997*

The comments and advice provided are available on the Commissioner for Children's website unless the comments and advice were provided on a confidential basis.

Children and Young Persons Consultative Council

Being on the Commissioner for Children's council is a great way to contribute to the opinions of the day concerning children. I feel that it is important for young people to have their say in the issues that concern us and I am proud to be a part of the Commissioner for Children's Consultative Council. It is also a great way to meet like-minded people. (Priya, Council Member)

The Council is a group of people aged generally between 12 and 17 years established under the *Children, Young Persons and Their Families Act 1997* who share their views on issues affecting children in Tasmania to assist the Commissioner for Children in his or her work.

My work has received vital contributions from the Children and Young Persons Consultative Council throughout 2005-06. Council members have continued to provide their time voluntarily to give thorough and insightful consideration to issues affecting all children and young people in Tasmania. I presented the Council's views on the application of policies and practices that seek to prevent and respond to bullying in Tasmanian schools at the 10th Australasian Conference on Child Abuse and Neglect. The Council's views on domestic violence in video games are also being used to inform a joint submission to the Commonwealth Attorney-General to address the issue from the Queensland Commissioner for Children and Young People, the NSW Commissioner for Children and Young People and the Tasmanian Commissioner for Children. I would like to sincerely thank the Council for their willingness to share their ideas and perspectives which have greatly informed my work. The Council met on four occasions in 2005-06 to discuss the following issues:

Saturday 23 July 2005 (Launceston)

- Bullying in schools, including the reasons behind bullying, the different types of bullying, discussion of strategies currently used by schools and ideas for new solutions

Thursday 8 September 2005 (Launceston)

- Meeting attended by the Deputy Secretary of the Department of Education and the Coordinator of Leaderships and Learning (Department of Education)
- Presentation of the Council's views and opinions on bullying, including the reasons for bullying and strategies to address the issue
- Discussion of the Department of Education's current initiatives regarding bullying

Tuesday 20 December 2005 (Hobart)

- Meeting attended by the Deputy Secretary of the Department of Education
- Discussion of the Department of Education's review of inappropriate behaviours in schools (including bullying) and the review team's request to consult with Council members
- Feedback from the Deputy Secretary of the Department of Education on the Council's strategies to address bullying

Saturday 29 April 2006 (Launceston)

- School attendance – how it may be maintained and enforced
- Prohibiting violence and domestic violence in video games, its prevalence and effects

I would like to thank the Queen Victoria Museum and Art Gallery at Inveresk for their generosity in providing the Council with a meeting venue in Launceston.

To me, being on the Council means having an opportunity to discuss issues which affect young people in Tasmania in an open forum, one which listens to and respects the ideas of all its members. The Council is important to me as it gives the youth of our state a voice which speaks directly to the people who will really listen.

(Nathan, Council Member).

Children and Young Persons Advisory Council

The ongoing work conducted by the Commissioner for Children's office has been greatly assisted by the commitment and expertise provided by the Advisory Council. I would like to sincerely thank the Council for their insightful and constructive comments provided on a variety of issues of concern regarding children and young people during 2005-06.

During 2005-06, the Advisory Council consisted of the following members:

Ken Abery	Ronda McIntyre
Ros Atkinson	Julian Punch
Sheila Banks	Professor Margaret Reynolds
Rick Baxter	Karen Ritchie
Dr Graham Bury	Vicki Russell
Jennifer Dunbabin	Ian Stokes
Dr Arlette Mercae	Kim Strachan
Cheryl Davis	Yabbo Thompson
Kerry Degrassi	Professor Rob White
Catherine Edwards	Dave Willans
Melody Finnerty	Leah Willis
Bernard Knight	Bernadette Zeeman
Tonia Kohl	

The Advisory Council met on two occasions in Campbell Town during 2005-06. There were also two further meetings that unfortunately had to be cancelled due to unforeseen circumstances. The following issues were considered by the Advisory Council:

Thursday 29 September 2005

- *Subcommittee relating to the remanding of youth at Ashley*
- *Review of Complaints Protocol – Division of Children and Families*
- *Screening of Individuals Who Work With Children*
- *Ashley Review arising from the recent allegations of assault of two detainees*
- *Child Death Reviews*
- *Referral of recommendations 8 and 9 arising from the Ombudsman's review*
- *Child Protection – unallocated cases*
- *Tasmanian Early Years Foundation*
- *Children and Young Persons Consultative Council*

- *Young people remanded at Risdon Prison*
- *Resources for the Commissioner for Children's office*

Thursday 4 May 2006

- *Review of Juvenile Remandees at Ashley*
- *Review of Complaints Protocol – Division of Children and Families*
- *Screening of Individuals Who Work With Children*
- *Child Protection – Unallocated cases*
- *New resources and staffing arrangements at the Commissioner for Children's office*
- *Service Development and Operational Improvement Project (DHHS)*
- *Referral of Recommendations 8 and 9 arising from the Ombudsman's review*
- *Tasmanian Early Years Foundation*
- *Child Death Reviews*
- *Development of a strategic plan for the Commissioner for Children's office*
- *Children and Young Persons Consultative Council*
- *United States National Court Appointed Special Advocate Forum, 20 April, 2006*
- *Family Support Review update*
- *Interagency Support Panels*

FINANCIAL STATEMENT

2005/06 Financial Statement – Commissioner for Children

	\$'000	\$'000	\$'000
Budget appropriated by Parliament 2005-06		253	
One-off Funding	77		
Recurrent Funding	<u>177</u>	<u>254</u>	507
EXPENDITURE (Direct Costs)			
Salaries and Related Expenditure			
Salaries and Wages	280		
Other Employee Related Expenses	<u>54</u>	334	
Operating Expenditure			
Communications	8		
Travel and Transport	18		
Consultancies	4		
Information Technology	7		
Other Administrative Expenses	<u>29</u>	<u>66</u>	<u>400</u>
OPERATING SURPLUS			<u>107</u>

Notes

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

Prepared By: Karen Shanahan, Business Analyst
 Approved By: Eleanor Patterson, A/Director Finance
 Dated: 31 July 2006

APPENDIX A

SPEECHES, MEETINGS, CONFERENCES, FORUMS, WORKSHOPS ATTENDED AND PROJECTS

SPEECHES

QUEENBOROUGH ZONTA

Date & Location: Monday 18 July 2005 (Hobart)

GOOD BEGINNINGS NATIONAL ANNUAL STAFF FORUM/WORKSHOP

Date & Location: Monday 1 August 2005 (Hobart)

PLAY BY THE RULES LAUNCH

Date & Location: Wednesday 5 October 2005 (Hobart)

ORIGINS OF FAMILY VIOLENCE FORUM

Date & Location: Friday 7 October 2005 (Hobart)

BRAIN INJURY ASSOCIATION TASMANIA (BIAT) AGM

Date & Location: Wednesday 12 October 2005 (Hobart)

CHILD HOME INJURY PREVENTION (CHIP) FORUM LAUNCH

Date & Location: Friday 14 October 2005 (Campbell Town)

BREAKING THE BONDS OF CHILD ABUSE (SASS & SCAAR)

Date & Location: Friday 28 October 2005 (Hobart) (Panel member)

FORUM ON NATIONAL ACTION PLAN FOR HUMAN RIGHTS

Date & Location: Friday 4 November 2005 (Hobart)

TASCARE AGM

Date & Location: Wednesday 9 November 2005 (Hobart)

REVIEW OF JUVENILE REMANDEES IN TASMANIA - AUSTRALIAN AND NEW ZEALAND SOCIETY OF CRIMINOLOGY 19TH ANNUAL CONFERENCE

Date & Location: Tuesday 7 February to Thursday 9 February, 2006 (Hobart)

YOUNG PEOPLE'S VIEWS ON THE APPLICATION OF POLICIES AND PRACTICES THAT SEEK TO PREVENT AND RESPOND TO BULLYING IN TASMANIAN SCHOOLS - PRESENTED AT THE 10TH AUSTRALASIAN CONFERENCE ON CHILD ABUSE AND NEGLECT

Date & Location: Tuesday 14 February to Thursday 16 February, 2006
(Wellington, New Zealand)

BUILDING PARTNERSHIPS, SUPPORTING FAMILIES CONFERENCE

Date & Location: Monday 27 March 2006 (Hobart)

AUSTRALIAN INSTITUTE OF JUDICIAL ADMINISTRATION YOUTH JUSTICE AND CHILD PROTECTION CONFERENCE

Date & Location: Monday 3 April 2006 (Hobart)

SOUTH PACIFIC COUNCIL OF YOUTH AND CHILDREN'S COURTS (SPCCYC) CONFERENCE

Date & Location: Tuesday 4 April 2006 (Hobart)

ANTI POVERTY COALITION BREAKFAST, MC,

Date & Location: Thursday 4 May 2006 (Hobart)

CHILD PROTECTION SERVICE DEVELOPMENT AND OPERATIONAL IMPROVEMENT PROJECT - PRESENTATION BY ALISON JACOB AND DAVID FANNING

Date & Location: Tuesday 8 May 2006 (Hobart)

CARE AND PROTECTION MODELS OF SERVICE DELIVERY IN AUSTRALIA, SYSTEM DEVELOPMENT AND OPERATIONAL IMPROVEMENT PROJECT

Date & Location: Friday 12 May 2006 (North West)

TASMANIA TOGETHER CONFERENCING TO 2020

Date & Location: Friday 23 June 2006 (Hobart)

LOCAL GOVERNMENT ANNUAL CONFERENCE, WORKING TOGETHER

Date & Location: Friday 23 June 2006 (Hobart)

CHILDREN AND YOUTH SECTOR MEETINGS

TASMANIA TOGETHER 5 YEAR REVIEW

Date & Location: Friday 8 July 2005 (Hobart)

ANTI POVERTY COALITION MEETING

Date & Location: Tuesday 19 July 2005 (Battery Point)

KING ISLAND VISIT WITH PAUL PRITCHARD (GOOD BEGINNINGS)

Date & Location: Monday 15 August 2005 (King Island)

FOSTER CARERS STATE CONFERENCE

Date & Location: Saturday 27 August 2005 (Devonport)

ANTI POVERTY COALITION EVENING

Date & Location: Monday 17 October 2005 (Hobart)

DADS DAY OUT, CELEBRITY NAPPY CHANGE COMPETITION

Date & Location: Sunday 6 November 2005 (Glenorchy)

CHILDREN'S CONTACT SERVICE

Date & Location: Wednesday 9 November 2005 (Hobart)

AUSTRALIAN AND NEW ZEALAND CHILD DEATH REVIEW COMMITTEE
MEETING

Date & Location: Friday 2 December 2005 (Sydney)

ANTI POVERTY COALITION MEETING

Date & Location: Tuesday 2 May 2006 (Battery Point)

COMMUNITIES FOR CHILDREN MEETING (C.MORAN)

Date & Location: Friday 5 May 2006 (New Town)

OTHER PRINCIPAL MEETINGS

AUSTRALIAN INSTITUTE OF ADMINISTRATIVE LAW (AIAL) TASMANIAN
CHAPTER

Date & Location: Monday 18 July 2005 (Hobart)

SOCIAL JUSTICE BREAKFAST, HON ALAISTAIR NICHOLSON

Date & Location: Thursday 28 July 2005 (Hobart)

AUSTRALIAN INSTITUTE OF ADMINISTRATIVE LAW (AIAL) TASMANIAN
CHAPTER, AGM

Date & Location: Wednesday 3 August 2005 (Hobart)

PAEDIATRIC MORTALITY AND MORBIDITY SUB COMMITTEE MEETINGS

Date & Location: Thursday 18 August 2005 (Hobart)

Thursday 27 October 2005 (Hobart)

Thursday 19 January 2006 (Hobart)

AUSTRALIAN INSTITUTE OF ADMINISTRATIVE LAW (AIAL) TASMANIAN
CHAPTER

Date & Location: Wednesday 30 November 2005 (Hobart)

STRATEGIC PLANNING – COMMISSIONER FOR CHILDREN'S OFFICE

Date & Location: Friday 17 March 2006 (Hobart)

Friday 2 June 2006 (Hobart)

COUNCIL OF OBSTETRIC & PAEDIATRIC MORTALITY & MORBIDITY

Date & Location: Thursday 24 November 2005 (Hobart)

Thursday 23 February 2006 (Hobart)

Thursday 25 May 2006 (Hobart)

AUSTRALIAN INSTITUTE OF ADMINISTRATIVE LAW (AIAL) TASMANIAN
CHAPTER

Date & Location: Friday 11 November 2005 (Hobart)

TASMANIAN CONSULTATION ON DRUG & ALCOHOL ISSUES

Date & Location: Thursday 8 December 2005 (Hobart)

TOTTENHAM EARLY YEARS PROJECT REFERENCE GROUP

Date & Location: Wednesday 13 December 2005 (Brighton)

AUSTRALIAN INSTITUTE OF ADMINISTRATIVE LAW (AIAL) TASMANIAN
CHAPTER, NATIONAL COUNCIL MEETING (TELECONFERENCE)

Date & Location: Wednesday 14 December 2005 (Hobart)

MEETING WITH GILL CALLISTER (OFFICE FOR CHILDREN, VICTORIA) AND
ALISON JACOB, DEPUTY SECRETARY, DEPARTMENT OF HEALTH AND
HUMAN SERVICES

Date & Location: Thursday 9 February 2006 (Victoria)

CSMAC (COMMUNITY SERVICES MINISTERS' ADVISORY COUNCIL) CHILD
SAFE ORGANISATIONS WORKING GROUP MEETING (J. MUIRHEAD)

Date & Location: 22 September 2005 (QLD)

23 March 2006 (Launceston)

Thursday 22 June 2006 (Perth)

ASHLEY VISITS

ASHLEY VISIT: COMMISSIONER, Dr JUDY PUTT (Aust. Institute of Criminology)
and JEN MUIRHEAD

*Date & Location: Wednesday 13 July 2005 (Ashley Youth Detention Centre,
Deloraine)*

CONFERENCES, FORUMS AND WORKSHOPS ATTENDED

FAMILY PARTNERSHIP TRAINING

Date & Location: Monday 25 July 2005 (Hobart)

EARLY YEARS: FROM RESEARCH TO POLICY TO PRACTICE SEMINAR

Date & Location: Wednesday 19 October 2005 (Melbourne)

LADY GOWRIE AGM & GRADUATION CEREMONY

Date & Location: Wednesday 23 November 2005 (Hobart)

AUSTRALIAN AND NEW ZEALAND SOCIETY OF CRIMINOLOGY 19TH ANNUAL (ANZSOC) CONFERENCE

Date & Location: Tuesday 7 February to Thursday 9 February, 2006 (Hobart)

ASIA PACIFIC ASSOCIATION OF CHILDREN'S COMMISSIONER'S

*Date & Location: Sunday 19 February to Tuesday 21 February 2006
(Wellington, New Zealand)*

EARLY CHILDHOOD POLICY FORUM (C. MORAN)

Date & Location: Tuesday 28 February 2006 (Melbourne)

INNOVATIONS IN ADVOCACY AND SUPPORT FOR CHILDREN FORUM (HOSTED BY COMMISSIONER FOR CHILDREN)

Date & Location: Thursday 20 April 2006 (Hobart)

CHIP (CHILD HOME INJURY PREVENTION) FORUM

Date & Location: Friday 5 May 2006 (Hobart)

PROJECTS

CHILD HOME INJURY PREVENTION (CHIP) MEETING

*Date & Location: Friday 29 July 2005 (Hobart)
Friday 12 August 2005 (Hobart)
Friday 30 September 2005 (Hobart)
Wednesday 15 March 2006 (Hobart)
Thursday 27 April 2006 (Hobart)
Thursday 29 June 2006 (Hobart)*

EARLY YEARS STEERING COMMITTEE MEETING

*Date & Location: Tuesday 4 October 2005 (Hobart)
Monday 7 November 2005 (Hobart)
Friday 26 May 2006 (Hobart)*

EARLY YEARS FOUNDATION COMMITTEE MEETING

Date & Location: Wednesday 7 December 2005 (Hobart)

CHILD HOME INJURY PREVENTION STRATEGIC PLANNING DAY

Date & Location: Wednesday 18 January 2006 (Hobart)

REVIEW DRAFT INJURY PREVENTION COALITION STRATEGIC PLANNING
PAPER BY CHRIS WELLS

Date & Location: Friday 10 February 2006 (Hobart)

APPENDIX 2

MEDIA RELEASES, LETTERS TO THE EDITOR AND NEWSPAPER ARTICLES

The following is a list of Media Releases from this office, letters to the Editor and newspaper articles relating to the Commissioner for Children's office:

MEDIA RELEASES BY THE COMMISSIONER FOR CHILDREN

9 September 2005

Drafting of the Early Years Foundation Bill.

21 December 2005

Tasmanian Child Protection Services Are in a Perilous State.

5 May 2006

Child Home Injury Prevention Coalition Forum: Turning Your Proposals into Winners.

22 May 2006

Review of Juvenile Remandees in Tasmania.

20 April 2006

Innovations in Advocacy and Support for Children.

LETTERS TO THE EDITOR

4 April 2006: Family break-up (Advocate Newspaper, Letter to the Editor, by David Fanning, page 12).

NEWSPAPER ARTICLES

7 July 2005: Fanning plans child inquiry (Examiner Newspaper, by Alison Andrews, page 10).

11 November 2005: More children are in care, detention (Examiner Newspaper, by Phillipa Duncan, page 17).

11 November 2005: Culture of resident bullying found at youth house (Mercury Newspaper, no author stated, page 7).

14 November 2005: Review calls for Ashley unit at jail (Examiner Newspaper, by Alison Andrews, page 8).

15 November 2005: Separation best option for Ashley youngsters (Examiner Newspaper, Editorial Opinion, page 14).

22 December 2005: Deaths fear in child service (Mercury Newspaper, by Luke Sayer).

4 March 2006: Teenagers jailed for sex attack in detention centre (Mercury Newspaper, by Gavin Lower, page 5).

7 March 2006: Protecting kids (Advocate Newspaper, by David E Turner, Ulverstone, page12).

22 May 2006: Critical Ashley Report, remand time 'too long' (Advocate Newspaper, no author, page 5).

22 May 2006: Questions over juvenile remand. State Children's Commissioner's report (Examiner Newspaper, by Joanne Glover, page 3).

22 May 2006: Fix-it call over youth on remand (Mercury Newspaper, by Phillipa Duncan, page 13).

22 May 2006: Ashley a training ground for criminals, Sue Napier MHA, Media Release, Shadow Health and Human Services Minister.

23 May 2006: Plan for youth on remand (Mercury Newspaper, page 9).

23 May 2006: Preventing tomorrow's criminals (Mercury Newspaper, Editorial opinion, page 14).

23 May 2006: Napier supports plan to reduce Ashley numbers (Advocate Newspaper, page 8).

23 May 2006: Report shows Ashley issues (Examiner Newspaper, by Lucie Van Den Berg, page 15).

