

FACT SHEET

Commissioner for Children and Young People Bill 2015

- The Commissioner for Children and Young People (the Commissioner) is an independent statutory office responsible to the Parliament of Tasmania initially created through the *Children, Young Persons and their Families Act 1997*.
- The Advocacy for Children in Tasmania Committee (ACTC) was convened in 2012 to clarify the expectations of the role, function and powers of the Commissioner and make recommendations in respect of future direction.
- A key recommendation of the ACTC Report was the establishment of standalone legislation to clearly define and strengthen the functions and powers of the Commissioner.
- The *Commissioner for Children and Young People Bill 2015* (the Bill) establishes the position of the Commissioner, clarifies the functions of the position, and strengthens the powers available.
- The Bill establishes the functions of the Commissioner as including:
 - systemic advocacy for children in Tasmania;
 - monitoring and reviewing the wellbeing of children in Tasmania;
 - influencing policy development relating to children in Tasmania;
 - promoting the participation of children in decision making;
 - advocating for detainees under the Youth Justice Act; and
 - at the request of the Minister, undertaking inquiries into specific decisions or actions relating to an individual case.
- The Bill states that children who are disadvantaged or vulnerable should be given special consideration by the Commissioner.
- The Bill enables the Commissioner to gather the information needed to undertake the functions of the position and does not limit or define the ways in which the Commissioner may perform those functions.
- The Bill enables the Commissioner to undertake own motion enquiries relevant to the functions of the position.
- The Bill allows the Commissioner to share information with other key statutory offices, such as the Ombudsman, so that individual complaints received by the Commissioner's office can be properly directed.
- The Bill was developed in consultation with the Office of the Commissioner and comment was sought from a range of government and non-government stakeholders.
- The term of appointment of the Commissioner is extended to five years.