



**Minister for Child Protection; Community Services;
Seniors and Volunteering; Women's Interests**

Our Ref: 36-05227

Ms Julie Dennett
Committee Secretary
Senate Standing Committee on Legal and Constitutional Affairs
PO Box 6100
Parliament House
CANBERRA ACT 2600

Dear Ms Dennett

Thank you for your letter dated 12 November 2010 inviting a submission to the Inquiry into the *Commonwealth Commissioner for Children and Young People Bill 2010*.

As the Minister for Child Protection in Western Australia, I have a keen interest in all initiatives aimed at supporting and promoting the wellbeing of children and young people.

The Department has considered the proposed Commonwealth legislation and welcomes the role a Commonwealth Commissioner would play in respect of children in immigration detention or under the guardianship of the Commonwealth Minister for Immigration and Citizenship.

However, the Department is of the view that many of the functions of the Commissioner outlined in Clause 9, are more appropriately carried out by State Children's Commissioners or other similar bodies, in respect of State responsibilities.

While noting that the Bill does include a provision regarding consultation, it is important that a Commonwealth Commissioner does not unnecessarily duplicate the work of State bodies or become involved in State matters. The Commissioner's functions need to be limited to matters with Commonwealth jurisdiction unless otherwise invited or agreed by the States and Territories.

Thank you for bringing this matter to my attention.

Yours sincerely

Robyn McSweeney MLC
**MINISTER FOR CHILD PROTECTION; COMMUNITY
SERVICES; SENIORS AND VOLUNTEERING; WOMEN'S INTERESTS**