



Australian Research Alliance
for Children & Youth



Submission

Inquiry into the Commonwealth Commissioner for Children and Young People Bill 2010

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1 Introduction

- 1.1 This submission has been prepared by the **National Children's and Youth Law Centre ("NCYLC")**, the **Australian Research Alliance for Children and Youth ("ARACY")**, **UNICEF Australia**, and the **National Association of Community Legal Centres ("NACLC")** to address the proposed **Commonwealth Commissioner for Children and Young People Bill 2010 ("the Bill")**.
- 1.2 **NCYLC** promotes the rights and interests of Australian children and young people through advocacy, information and education. Since its inception in 1993, **NCYLC** has made over 180 public submissions on law and policy affecting children and young people and handled over 150,000 inquiries. **NCYLC** seeks to increase access by children and young people to legal assistance and to improve the legal status of children and young people in Australia. **NCYLC** provides information and advice to children and young people through its LawMail service and via its Lawstuff website (www.lawstuff.org.au). **NCYLC** believes that international human rights treaties provide a clear universal framework for the recognition and protection of all people including children. We use the United Nations Convention on the Rights of the Child ("**the Convention**") to guide our work with children. Over many years, **NCYLC** has listened and responded to children throughout Australia. These concerns reflect a desire to have their voices heard in decisions concerning them to be treated fairly, with respect and in a just manner.
- 1.3 **ARACY** is a national non-profit organisation of more than 1,500 members (organisations and individuals) plus 1,600 subscribers, working to create better futures for Australia's children and young people. To achieve this, **ARACY** is building and supporting collaborations of researchers, policy makers and practitioners across disciplines, to share knowledge and foster new ways of thinking and working. Through these collaborations, and by translating the best evidence into policy and practice, **ARACY** is helping to prevent problems before they arise, and enhancing the wellbeing of present and future generations.
- 1.4 **UNICEF Australia** is a non-government organisation and represents UNICEF nationally. UNICEF Australia is one of 36 National Committees in industrialised countries who play a vital role in education, raising awareness and generating public support for UNICEF's work for children in over 150 countries. UNICEF upholds the

Convention and has the vision of a world where the basic rights of every child are met. UNICEF works to assure equality for children, young people and women who are discriminated against, towards the Millennium Development Goals, for peace and security, and to hold everyone accountable to the promises made for children.

- 1.5 **NACLC** is the association of state community legal centre organisations in Australia. Its members represent around 200 community legal centres nationally. These centres are independent, non-profit community organisations that provide free legal services to more than 350,000 disadvantaged and marginalised members of the Australian community every year, including referral, advice and assistance.

2 Executive Summary

- 2.1 We have considered the Bill in light of our experience working with children and in the context of our commitment to protecting and promoting the human rights and wellbeing of all children and young people living in Australia. We believe that the application of an effective child rights-based approach to the role of a national Commissioner for Children and Young People ("**Commissioner**") will result in practical outcomes for the improved health and wellbeing of young Australians.
- 2.2 In making this submission, we support the Discussion Paper published by the Australian Human Rights Commission in October 2010 in relation to a national Children's Commissioner.¹
- 2.3 Further, we highlight the importance of the Principles relating to the status of national institutions for the promotion and protection of human rights ("**Paris Principles**") adopted by the United Nations General Assembly in 1993. The minimum standards as outlined in the Paris Principles 'provide guidance for the establishment, competence, responsibilities, composition, including pluralism, independence, methods of operation, and quasi-judicial activities of such national bodies'.² The United Nations Committee on the Rights of the Child states that national human rights institutions, including those that promote and protect the rights of children, should be established in compliance with these Principles.

¹ Available at:

http://www.humanrights.gov.au/human_rights/children/2010_commissioner_children.html.

² The Committee on the Rights of the Child, *The Role of Independent National Human Rights Institutions in the Protection and Promotion of the Rights of the Child: General Comment No. 2*, CRC/GC/2002/2, 15 November 2002, at para 4.

- 2.4 As was noted in the Second Reading Speech of the Bill, ARACY and UNICEF Australia (along with Save the Children and the Australian Human Rights Commission) are in favour of this Bill. Likewise, NCYLC and NACLC are in favour of the establishment of a Commissioner.³ However, ARACY, UNICEF Australia, NACLC and NCYLC's concept of a Commissioner is slightly different from that proposed under this Bill. While reiterating our support for the present Bill and the establishment of this role, we recommend the following enhancements to the proposed functions and powers of the Commissioner:

Recommendations

- 2.4.1 The Commissioner should take an active rights-based approach to the performance of its duties, ensuring practical outcomes for the improved health and wellbeing of all children and young people in Australia. The full text of the Convention should be incorporated into the Bill to ensure that all of the rights contained in the Convention are protected and realised, not just the select few highlighted in the Bill.
- 2.4.2 The role of the Commissioner should include participation in policy and other decision-making processes which impact upon children and young people. The creation of the role must form part of an ongoing effort to create a national framework for the protection and realisation of the rights of children and young people. This framework needs to relate to the work currently being undertaken by ARACY on the National Action Plan for Young Australians.⁴
- 2.4.3 The Commissioner should report directly to Parliament, as an independent officer of Parliament. As such, funding for the work undertaken by the Commissioner should be structured in a way that does not place pressure on the Commissioner to satisfy the requirements of the Minister, but of the children and young people for whom and in whose interests they are supposed to act. The Minister should be required to present the Commissioner's reports to the United Nations or other international bodies without revision. The process for the appointment of a Commissioner should be reconsidered to ensure independence.

³ Indeed, NCYLC has written articles calling for the establishment of a Commissioner as far back as 1995.

⁴ ARACY, 'Action Plan for Young Australians', available at: <http://www.aracy.org.au/index.cfm?pageName=APYA>.

- 2.4.4 The meaningful participation of children and young people in the decision-making processes which impact upon them is an essential element of an effective child rights-based approach. Children and young people reliant on the Commissioner to hear and represent their views should feel confident that their voices will be heard.
- 2.4.5 The Commissioner's role should include receiving and investigating individual complaints about alleged breaches of child rights under the Convention through the implementation of a child-specific, child-friendly complaints mechanism. This complaints mechanism should empower children and young people to directly voice their concerns about rights violations and be adequately resourced.
- 2.4.6 The Commissioner should be required to promote and protect the rights of children and young people in all forms of detention, not just immigration detention.
- 2.4.7 The rights and wellbeing of all children and young people in the various care and protection systems around Australia should be included in the focus of the Commissioner's work, where these needs can be addressed at a Federal level. State or Territory issues should not be included in the scope of work, and should be referred to appropriate agencies (e.g. State-based Children's Commissioners).
- 2.4.8 The Commissioner should be required to promote public education programs related to all age groups to increase community awareness of children's rights. Such programs should involve close engagement with the community, including through web-based resources and social media, and should highlight the importance of realising the rights of children and young people and improving their overall health and wellbeing. This education should be consistent with a much broader NGO-led community engagement strategy to improve understanding of the needs of children and young people (particularly early childhood development), similar to that proposed by ARACY.⁵
- 2.4.9 Rather than conducting research themselves, the Commissioner should collate and use existing research across a broad range of disciplines, identify areas

⁵ ARACY, 'Change for Children', available at: <http://www.changeforchildren.net.au/community-effort>

for further research relating to children and young people, and ensure that data collection mechanisms are adequate and appropriate. The Commissioner should be involved in advocating for greater investment in research and monitoring (indicator) data on children and young people.

3 A Commissioner for Children and Young People

- 3.1 The role of the Commissioner should result in real improvements to the status of children and young people across Australia. Positive outcomes for children and young people may include (but are not limited to): a reduction in the numbers of youth in detention, increased access to health and other social services, as well as increased participation in the life of the Australian community, especially in the decision-making processes which affect them.
- 3.2 NCYLC, NACLC and UNICEF Australia explicitly adopt a child rights-based approach to the realisation of these goals. This approach 'exists as a complex set of ideas and principles which have their foundations in international human rights standards, principally the United Nations Convention on the Rights of the Child'.⁶ These principles do not operate in isolation but support and temper one another, functioning as a cohesive body. Drawing upon the collective human rights instruments and jurisprudence, the child rights-based approach applies three general principles: the rights of children are interdependent and indivisible;⁷ states are accountable for securing the rights of children;⁸ and children's rights are universally applicable.⁹ The child rights-based approach includes four specific principles in the Convention: non-discrimination in the applicability of children's rights (Article 2);¹⁰ the primacy of the consideration of the child's best interests (Article 4);¹¹ the child's right to survival and development (Article 6(1));¹² and the child's right to participation in decision-making (Article 12).¹³
- 3.3 Whilst it is important to acknowledge the central role of the Convention, a comprehensive rights-based approach requires interdisciplinary work complemented

⁶ John Tobin, "The Development of Children's Rights" in Geoff Monahan & Lisa Young (eds), *Children and the Law in Australia* (2008) at 32.

⁷ *Ibid* at 39.

⁸ *Ibid* at 40.

⁹ *Ibid* at 41.

¹⁰ *Ibid* at 43.

¹¹ *Ibid* at 44.

¹² *Ibid* at 46.

¹³ *Ibid* at 47.

by other mechanisms, such as the wellbeing approach. ARACY explicitly advocates the use of a wellbeing approach to producing outcomes for children and young people. In the current context, such an approach is exemplified, in part, by the legislation establishing a similar Commissioner's role in Western Australia which mentions 'wellbeing' six times within the functions of that Commissioner.¹⁴

- 3.4 The role of the Commissioner should be to advocate for systemic change in legislation and administrative policies which would improve the wellbeing of all children and young people. The direct participation of children and young people in all processes affecting them is central to this. The Commissioner's role must therefore be an active one, seeking out the opinions of children and young people, facilitating their participation, and ensuring their needs are met.
- 3.5 Accordingly, the Commissioner's role which we envisage is broader than the roles of children's commissioners or ombudsmen in most countries, which tend to focus on monitoring compliance with the Convention and addressing rights complaints by children (or their representatives).
- 3.6 Additionally, we recommend that the full text of the Convention should be incorporated into the Bill to ensure that all of the rights contained in the Convention are protected and realised, not just the select few highlighted in the Bill. This would strengthen the rights-based approach of the Commissioner's role as contemplated by the Bill, and ensure the Australian Government's compliance with its responsibilities as a signatory to the Convention.
- 3.7 **Recommendation:** The Commissioner should take an active rights-based approach to the performance of its duties, ensuring practical outcomes for the improved health and wellbeing of all children and young people in Australia. The full text of the Convention should be incorporated into the Bill to ensure that all of the rights contained in the Convention are protected and realised, not just the select few highlighted in the Bill.

4 A National Approach

- 4.1 In order to provide meaningful outcomes for children and young people in terms of their health and wellbeing, Australia must develop and implement a national framework for the protection and realisation of the rights of children and young people based on the

¹⁴ Section 19 of the *Commissioner for Children and Young People Act* (2006).

international framework set out in the Convention. This framework must be supported by legislative and administrative measures and implemented with adequate resources, including appropriate cross-governmental budgetary allocations. The intent of the framework should be to implement and safeguard the rights and wellbeing of children and young people in Australia. This framework would need to be an essential component of an overarching National Action Plan for Young Australians, currently being facilitated by ARACY.¹⁵

- 4.2 The role of the Commissioner within this framework should include advocacy and policy development, as well as the evaluation, monitoring and reporting roles contained in the Bill. It should also include assisting key Federal Government agencies to coordinate and strengthen their policies and practices to better meet the rights and needs of children and young people.
- 4.3 However, there may be difficulty in achieving agreement and co-operation between the various levels of government on policy issues and implementation. The Bill empowers the Commissioner with 'co-ordinating policies, programs and funding which impact on children and young people, between federal, state, territory and local governments'.¹⁶ Currently, every state and territory has a Commissioner or Guardian for children, each with differing functions. In these circumstances and given Australia's federal system of government, it is unclear how a national Commissioner will be able to secure co-operation between the levels of government to achieve practical outcomes for children and young people.
- 4.4 **Recommendation:** The role of the Commissioner should include participation in policy and other decision-making processes which impact upon children and young people. The creation of the role must form part of an ongoing effort to create a national framework for the protection and realisation of the rights of children and young people. This framework needs to relate to the work currently being undertaken by ARACY on the National Action Plan for Young Australians.¹⁷

5 Independence of the Commissioner

- 5.1 The requirement that the Commissioner be independent is essential to the effective functioning of the role, as it allows the Commissioner to focus on the interests of the

¹⁵ See <http://www.aracy.org.au/index.cfm?pageName=APYA>.

¹⁶ Section 9(1)(i) of the Bill.

¹⁷ See <http://www.aracy.org.au/index.cfm?pageName=APYA>.

children and young people it represents. However, the process for appointing the Commissioner under the Bill seems to reflect the process for the appointment of the Human Rights Commissioner under the Australian Human Rights Commission Act 1986 (Cth) – that is, appointment by the Governor-General, presumably on the advice of the Minister.¹⁸ This would seem to be inconsistent with the need for the Commissioner to be independent of the Minister.

- 5.2 In addition, the Bill does not state whether or not funding of the Commissioner will be dependent on outcomes set by the Government or whether it will be guaranteed. Nor does it state whether the Minister will revise reports made by the Commissioner to the United Nations before they are submitted. Both of these issues need to be addressed in order to ensure that the Commissioner is in fact independent of the Government and immune from partisan bias.
- 5.3 The Bill does not detail reporting responsibilities. It is essential that the position remain apolitical, and report to a broad constituency as the whole community are responsible for meeting the needs of children and young people. The Commissioner should therefore report directly to Parliament, as an independent officer of Parliament - similar to the Auditor General.
- 5.4 **Recommendation:** The Commissioner should report directly to Parliament, as an independent officer of Parliament. As such, funding for the work undertaken by the Commissioner should be structured in a way that does not place pressure on the Commissioner to satisfy the requirements of the Minister, but of the children and young people for whom and in whose interests they are supposed to act. The Minister should be required to present the Commissioner's reports to the United Nations or other international bodies without revision. The process for appointment of a Commissioner should be reconsidered to ensure independence.

6 Participation

- 6.1 One of the functions of the Commissioner under the Bill is to proactively involve children and young people in decisions that affect them.¹⁹ Participation by children and young people in decision-making which affects them is one of the fundamental requisites for dealing with a range of issues related to health and wellbeing, as well as

¹⁸ Section 8A(1) of the *Australian Human Rights Commission Act 1986* (Cth); s 13(1) of the Bill.

¹⁹ Section 9(1)(g) of the Bill.

citizenship and democracy. This has been recognised as a key issue internationally through UNICEF and across Australia and New Zealand in the context of agendas for children and young people. However, in some jurisdictions within Australia, there appears to be a gulf between policy and practice.

6.2 Several issues exist with regard to the participation of children and young people under the Bill:

- a) children and young people appear not to have been directly consulted on the Bill, and the Inquiry process itself is largely inaccessible to children and young people;
- b) the Bill does not fully address how children and young people will be involved in decisions affecting them; and
- c) the Bill fails to explain the extent to which the views and opinions of children and young people will be taken into account.

6.3 If the participation of children and young people is to be meaningful, the Bill should require the Commissioner not only to listen to the views of children and young people, but also present those views on their behalf where they do not otherwise have an opportunity to express themselves.

6.4 Accordingly, where the Bill contemplates a role for the Commissioner in legal proceedings on behalf of children or young people, it should clearly state that the Commissioner be required to represent the views of the child or young person involved.

6.5 **Recommendation:** The meaningful participation of children and young people in the decision-making processes which impact upon them is an essential element of an effective child rights-based approach. Children and young people reliant on the Commissioner to hear and represent their views should feel confident that their voices will be heard.

7 Complaints

7.1 According to the United Nations Committee on the Rights of the Child, independent national human rights institutions 'must have the power to consider individual complaints and petitions and carry out investigations, including those submitted on

behalf of or directly by children'.²⁰ This power is essential to promoting and protecting the rights of children, and has typically been a primary function of national children's commissioners around the world.

- 7.2 A fundamental aspect of a child rights-based approach is enabling children to exercise their right to express their views in all matters affecting them, and to directly seek redress for violations of their rights under the Convention. The power of the Commissioner to receive and investigate potential rights violations in the form of a national complaints mechanism fits squarely within the rights-based approach. It also accords with the Commissioner's functions under the Bill, in particular, providing national leadership in monitoring and advocating for the wellbeing of children and young people,²¹ promoting the rights of all children and young people nationally to meet Australia's international obligations,²² and proactively involving children and young people in decisions affecting them.²³
- 7.3 Moreover, a national complaints mechanism co-ordinated by the Commissioner will assist in streamlining and simplifying the avenues of domestic complaints-handling. The process of making complaints about rights violations in Australia is complicated. Currently, children and young people can make complaints about some human rights breaches only.²⁴ The process by which an individual lodges their complaint depends on both the nature of the complaint and the organisation against which their complaint is directed. A national, child-friendly complaints mechanism that enables individual complaints to be made directly to the Commissioner will give children and young people real opportunities to address violations of their rights, and help them to overcome existing procedural barriers.
- 7.4 The Australian Government is presently considering a draft text of a third optional protocol to the Convention which would establish an individual complaints mechanism at the international level in relation to alleged violations of the Convention. Should Australia become a signatory to this optional protocol, children (or their advocates) will need to exhaust available domestic remedies before taking their complaint to the

²⁰ The Committee on the Rights of the Child, *The Role of Independent National Human Rights Institutions in the Protection and Promotion of the Rights of the Child: General Comment No. 2*, CRC/GC/2002/2, 15 November 2002 at para 13.

²¹ Section 9(1)(a) of the Bill.

²² Section 9(1)(b) of the Bill.

²³ Section 9(1)(g) of the Bill.

²⁴ See paragraph 4(d) of the Discussion Paper of the Australian Human Rights Commission.

Committee on the Rights of the Child. Simplifying the process of making human rights complaints at a domestic level will enable domestic remedial action as envisaged by this optional protocol to be accessible by all children and young people in Australia. (We note that it is commonplace within complaints-based jurisdictions for Commissioners to retain discretion to report complaints to other more appropriate avenues of address. This should ensure that the Commissioner would not be inundated with complaints best dealt with elsewhere.)

- 7.5 Accordingly, we recommend that the Commissioner should be responsible for receiving and investigating individual complaints about alleged breaches of child rights under the Convention through the implementation of a child-specific complaints mechanism. It is essential that this complaints mechanism promote and facilitate participation by, and consultation with, children and young people in developing appropriate, child-friendly procedures. Contrary to existing adult-designed complaints mechanisms that tend to discourage children from making complaints, the Commissioner's complaints mechanism should empower the individual child or young person to exercise their right to express their views and be heard in relation to matters affecting them. It should encourage children and young people to feel confident that their concerns about rights violations can be addressed. Furthermore, it should be readily accessible by all children and young people through appropriate mediums such as the internet, and must operate in a way that does not disadvantage those living in regional or remote areas of Australia. It will, of course, need to be adequately resourced.

- 7.6 **Recommendation:** The Commissioner's role should include receiving and investigating individual complaints about alleged breaches of child rights under the Convention through the implementation of a child-specific, child-friendly complaints mechanism. This complaints mechanism should empower children and young people to directly voice their concerns about rights violations and be adequately resourced.

8 Juvenile Justice

- 8.1 There is a focus in the Bill on 'promoting and protecting the rights of children and young people in immigration detention',²⁵ yet all forms of youth detention should be specified. This is particularly significant in the context of juvenile justice, given the high

²⁵ Section 9(1)(d) of the Bill.

rates of youth detention in some Australian jurisdictions. These rates are very high not only on a per capita basis but also relative to the numbers of police within those jurisdictions. The over-representation of Indigenous youth in justice systems is of particular concern.

- 8.2 **Recommendation:** The Commissioner should be required to promote and protect the rights of children and young people in all forms of detention, not just immigration detention.

9 Child Care and Protection

- 9.1 All children and young people placed within care and protection systems should be supported and have their rights protected. While the Second Reading speech acknowledges Australia's National Framework for Protecting Children, this Bill makes no connection with that Framework. This is contrary to the New Zealand legislation which links the Children's Commissioner's role to that of child protection policies and practices. Notwithstanding system differences, in New Zealand the Commissioner is required to 'act as an advocate for children's interests, rights, and welfare generally... and to advance and monitor the application of the Convention by departments of State and other instruments of the Crown'.²⁶ Under the New Zealand legislation, there are also specific functions of having 'to monitor and assess – the policies and practices of the department [of Children, Young Persons and their Families]' and 'to encourage the development, within the department, of policies and services that are designed to promote the welfare of children and young persons'.²⁷ We would like to see a clause such as this applied to all Commonwealth Departments.
- 9.2 It is recognised that while the States and Territories have primary responsibility for the "tertiary end" child protection systems, there is an opportunity for the Commissioner to add value to the National Framework for Protecting Australia's Children, particularly as it relates to national leadership and federally coordinated initiatives.
- 9.3 **Recommendation:** The rights and wellbeing of all children and young people in the various care and protection systems around Australia should be included in the focus of the Commissioner's work, where these needs can be addressed at a Federal level.

²⁶ <http://www.educationalleaders.govt.nz/Problem-solving/Education-and-the-law/Quasi-judicial-officers/Children-s-Commission>

²⁷ <http://www.justice.govt.nz/publications/global-publications/d/directory-of-official-information-december-2009/alphabetical-list-of-entries-1/c/childrens-commissioner>

State or Territory issues should not be included in the scope of work, and should be referred to appropriate agencies (e.g. State-based Children's Commissioners).

10 Education

- 10.1 The requirement that the Commissioner promote public education programs related to early childhood development²⁸ is a positive step, but does not go far enough to encourage awareness amongst the community and business sectors of the needs and rights of all children and young people. While the Bill specifies 'promoting public education programs about, and ensuring strong investment in, early childhood development', there are no specific functions concerning other age groups such as middle childhood (9-14 years) and adolescence or youth (15-17 years).
- 10.2 It is suggested that this public education program should be NGO-led (to enable ongoing participation by those in the 'sector', philanthropy and business, as well as government), be long term, much broader in its approach, and based on best evidence social marketing techniques. ARACY has been working on such an approach,²⁹ and it is recommended that child rights-based public education be one component of this broader public education strategy.
- 10.3 As a part of the national framework for addressing the wellbeing of children and young people, Australia should develop and implement an education strategy that provides children, young people and the wider Australian community with the knowledge and skills to be able to use that framework. This should involve, amongst other things, the inclusion of human rights education in the curricula of primary and secondary schools and human rights training in all tertiary educational and training institutions. This should also take into account accessibility issues to English language resources by considering the needs of linguistic minorities and Indigenous children and young people.
- 10.4 NCYLC and ARACY have been using web-based resources for many years and more recently social media to promote and encourage others to promote broader public education on, and engagement with, the rights and needs of children and young people.³⁰ We suggest that the Commissioner support the further development of such

²⁸ Section 9(1)(f) of the Bill.

²⁹ See <http://www.changeforchildren.net.au/community-effort>

³⁰ For example, Lawstuff (www.lawstuff.org.au), LawMail (www.lawstuff.org.au/lawmail), and Change for Children (www.changeforchildren.net.au/community-effort).

programs, as well as use such programs as a model for any education program they may seek themselves to undertake.

- 10.5 **Recommendation:** The Commissioner should be required to promote public education programs related to all age groups to increase community awareness of children's rights. Such a program should involve close engagement with the community, including through web-based resources and social media, and should highlight the importance of realising the rights of children and young people to improving their overall health and wellbeing. This education should be consistent with a much broader NGO-led community engagement strategy to improve understanding of the needs of children and young people (particularly early childhood development), similar to that proposed by ARACY.³¹

11 Research

- 11.1 In relation to s 9(c)(iii) of the Bill, we submit that the Commissioner should not conduct research themselves; rather, the Commissioner should collate and use existing data and research across a broad range of disciplines to develop initiatives that best serve the needs of children and young people. The Commissioner should also identify areas for further research, and ensure that Australian data collection mechanisms are adequate and appropriate.
- 11.2 While there is currently some work being undertaken to identify gaps in research relating to children and young people, particularly for early childhood,³² the Commissioner potentially has an important role to play in advocating the need for greater investment in:
- research on children and young people of all ages, in particular, research which closes the gap between data and policy or real practice;
 - effective data collection on children's health, wellbeing, development and participation in order to accurately monitor progress towards implementation of children's rights. This may include obtaining comparable international data on child and youth wellbeing in Australia, particularly as it relates to emotional and social wellbeing; and

³¹ <http://www.changeforchildren.net.au/community-effort>

³² ARACY, Early Childhood Development Research Gaps, available at: http://www.aracy.org.au/index.cfm?pageName=early_childhood.

- promoting collaborative research to improve the wellbeing of children and young people.

11.3 **Recommendation:** Rather than conducting research themselves, the Commissioner should collate and use existing research across a broad range of disciplines, identify areas for further research relating to children and young people, and ensure that data collection mechanisms are adequate and appropriate. The Commissioner should be involved in advocating for greater investment in research and monitoring (indicator) data on children and young people.

We thank the Senate and the Committee for the opportunity to comment on this most significant development. Should the Committee require anything further, please do not hesitate to contact us.

Yours sincerely

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