



Standing Committee on Legal and Constitutional affairs

Parliament House

CANBERRA 2600

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

Head Office  
60-64 Bay Street  
Ultimo NSW 2007  
(02) 9218 2300

Administration Fax  
(02) 9281 0441

Marketing Fax  
(02) 9281 0526

[www.barnardos.org.au](http://www.barnardos.org.au)

GPO Box 9996  
Sydney NSW 2001

DX 11801 Sydney  
Broadway

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A Company Limited  
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ABN 18 068 557 906

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CFN 13840

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Dear Commissioner for children and young people,

Barnardos Australia supports the establishment of a Federal Children's Commissioner and the need for the Commissioner to report directly to Parliament. This is a long overdue initiative.

In relation to the current Bill there are a few areas which we would like to have reconsidered.

We believe that it is important for the Commissioner to take a role in the National Framework for Protecting Australian Children up to 2020 and continuing to monitor progress after 2020. In particular the Commissioner should have a role for Standards in out of home care. Standards compliance and future development should be a core the function of the Commissioner because this function should be independent from existing bureaucracies. While some States, most noticeably New South Wales have existing mechanisms for monitoring standards, this does not occur in all jurisdictions. We believe that it is a core role for the Commissioner to point out where existing mechanisms are not adequate and could even be offered voluntarily to those agencies offering out of home care.

We believe that a clause should be added to the Bill which will indicate that the highest priority is for those children and young people in greatest need. It would be of great concern if the work of the Commissioner was not to deal with the most disadvantaged as first priority and we believe that Indigenous children and young people need to be specifically mentioned.

We are concerned that the age limit of 18 may prevent action in the area of aftercare for young people who have not had adequate preparation for independent living after growing up in care. Perhaps a capacity to expand jurisdiction for those under the age of 25 years, who have not yet reached independence.

We would like to see the Commissioner with an ongoing obligation to consult with children and young people.

Yours sincerely,

Louise Voigt Chief Executive Officer