



D. J. MORRIS

11 November 2010

Dear Secretary

**Commonwealth Commissioner for Children and Young People Bill 2010**

This is a submission in relation to the above inquiry being undertaken by the Committee.

Clause 14(1) of the Bill provides as follows:

**The Commissioner holds office for the period specified in the instrument of appointment. The period must not exceed five years.**

The recent events in Tasmania relating to the office of the Commissioner for Children make it imperative that such statutory office-holders are appointed for a period longer than the life of a Parliament.

In Tasmania the Commissioner for Children last month published a report generally critical of the actions of the State Government and 24 hours later it was announced that he was not to be re-appointed. In the Tasmanian legislation the appointment period is three years.

I appreciate that the general intent of the Bill is that a Commissioner be appointed for a five year period, but I believe that the discretion for the Minister to recommend any shorter period to the Governor-General should be removed.

I submit that the Committee should recommend that clause 14(1) of the Bill specify a 5 year term, not allow a shorter period. This will enhance the independence of the Commissioner. Other provisions of the Bill allow for resignation and for termination of the appointment by the Governor-General in specific circumstances.

Yours sincerely

The Secretary  
Committee on Legal and Constitutional Affairs  
The Senate  
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