



Ms. Julie Dennett  
Committee Secretary  
Senate Legal and Constitutional Committee  
PO Box 6100  
Parliament House  
Canberra ACT 2600

Dear Ms. Dennett

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

The Association of Children's Welfare Agencies (ACWA) welcomes the opportunity to make a submission to the Inquiry into the Commonwealth Commissioner for Children and Young People Bill 2010.

ACWA is the NSW peak body representing non-government organisations who provide direct services to vulnerable children, young people and their families, particularly children who come in contact with the child protection system and children who access OOHC services.

ACWA welcomes the establishment of an independent statutory office of Commonwealth Commissioner for Children and Young People, to advocate at a national level for the needs, rights and views of people. ACWA has highlighted the need to establish an office of a national Commonwealth Commissioner in its submission to the review of the NSW Commission for Children and Young People Act 1998 (CCYP Act 1998) in May 2010.

In representing all children and young people broadly, ACWA advocates that the national Commonwealth Commissioner ensures that vulnerable children and young people, including children in the out of home care system and care leavers, are able to enjoy the same opportunities as their peers.

ACWA advocates that the responsibilities of a national Commonwealth Commissioner should be to:

- Address issues and improve outcomes for children and young people, particularly vulnerable children and young people
- Ensure the participation of children and young people

- Lead policy development on issues affecting children and young people
- Guide and input into the coordination of state and territory level policies and programs targeting children and young people
- Conduct research on international trends in child wellbeing and child protection, ensuring that policies in Australia reflect best practice
- Review existing legislation and conduct enquiries into issues affecting vulnerable children and young people
- Oversee and monitor the implementation of the National Framework for Protecting Australia's Children 2009-2020
- Oversee and monitor the National Standards for Out of Home Care, ensuring that standards are met and lead to better outcomes for children and young people in out of home care and care leavers
- Monitor, coordinate and report on Australia's obligations under the UN Convention on the Rights on the Child (CRC)
- Report on the status of children and young people to Parliament

In addressing issues affecting children and young people, the office of the national Commonwealth Commissioner should consult with representative groups including experts on child rights, Indigenous issues and disability issues. National representative groups, including the Secretariat of National Aboriginal and Islander Child Care (SNAICC), the Child and Family Welfare Association of Australia Inc. (CAFWAA) and National Disability Services (NDS) will be able to apply their knowledge and expertise in addressing issues affecting children and young people and coordinate the filtering up of issues from state-level representative groups.

As a final note, ACWA reiterates that the national Commonwealth Commissioner:

1. Represent all children while maintaining a particular focus on vulnerable children and young people
2. Be guided by principles outlined in the UN Convention on the Rights of the Child

Should you require further information, please contact Prasheela Karan, Policy Officer, on 02 9281 8822 or email [prasheela@acwa.asn.au](mailto:prasheela@acwa.asn.au)

Yours sincerely,

Sylvia Ghaly  
*Director of Policy and Membership*

3 December 2010