

In Confidence

Office of the Minister for Social Development and Employment
Cabinet Appointments and Honours Committee

Children's Commissioner: Appointment

Proposal

- 1 This paper outlines my intention to recommend the Governor-General appoint Jane Searle as Children's Commissioner (the Commissioner) for a 5-year term.

Background

Commissioner role

- 2 The Commissioner is a highly visible and significant advocate and champion for the children and young people of New Zealand. The Commissioner's functions, duties and powers are set out in sections 20–25 of the Children's Commissioner Act 2022 (the Commissioner Act) and can be grouped into three areas:
 - 2.1 promoting the interests and well-being of children and young people
 - 2.2 promoting and advancing the rights of children and young people
 - 2.3 encouraging children and young people's participation and voices.
- 3 The Commissioner is also a 'National Preventative Mechanism' under the Crimes of Torture Act 1989. This means the Commissioner has responsibilities under the Optional Protocol to the United Nations Convention Against Cruel, Inhuman or Degrading Treatment or Punishment to examine places where children are detained and make any recommendations it considers appropriate.
- 4 Under section 7 of the Oversight of Oranga Tamariki System Act 2022, the Commissioner has common duties with the Independent Children's Monitor and Ombudsman when carrying out work relating to children and young people in the Oranga Tamariki system. The three entities work together closely to provide oversight of the Oranga Tamariki system.
- 5 The Commissioner is a corporation sole and an independent Crown entity for the purposes of the Crown Entities Act 2004 (the CE Act). Under the CE Act, independent Crown entity members are appointed by the Governor-General, for terms of up to 5 years, on the recommendation of the responsible Minister.

Appointment process

- 6 Sections 12 and 13 of the Commissioner Act impose specific elements on the appointment process. In summary:

- 6.1 in reaching a decision on who to recommend to the Governor-General, the responsible Minister must have regard to:
 - 6.1.1 candidates' knowledge and experience in children's and young people's rights and issues, knowledge and understanding of the Treaty of Waitangi, Māori knowledge, and knowledge and experience in tikanga Māori
 - 6.1.2 the required skills and leadership experience needed to carry out the role
 - 6.1.3 the recommendation from a nominations panel
 - 6.2 the nominations panel (at paragraph 6.1.3) is convened by the Ministry of Social Development's Chief Executive to assess candidates and make a recommendation to the responsible Minister. The panel must consist of persons who collectively have expertise and experience in working with children and young people, governance, appointment and recruitment, and Māori leadership
 - 6.3 candidates must have, as part of their application, the endorsement of one of the relevant agencies specified in the Children's Commissioner (Relevant Agencies) Regulations 2023.
- 7 Section 29 of the CE Act sets out that the responsible Minister may only recommend a person for appointment to an independent Crown entity who, in that Minister's opinion, has the appropriate knowledge, skills, and experience to assist the entity to achieve its objectives and perform its functions. For the Commissioner, I consider this encompasses skills and experience including:
- 7.1 a commitment to championing children's interests
 - 7.2 outstanding communication skills, including the ability to speak on sensitive and nuanced topics with the media, public and senior leaders
 - 7.3 the ability to exercise sound judgement at all times while remaining both politically neutral and being an independent advocate
 - 7.4 experience in providing strategic leadership, engaging others in a common vision, and setting clear policies and priorities
 - 7.5 the ability to develop, lead and maintain effective relationships with Ministers, other senior public service officials, and stakeholders.

Comment

- 8 The Commissioner role went through structural change in July 2025 as part of the Oversight of Oranga Tamariki System Legislation Amendment Act 2025 (the Amendment Act). The Chief Children's Commissioner of the previous Children and Young People's Commission was appointed Commissioner for a one-year term, expiring on 31 July 2026, as part of transitional provisions in the Amendment Act.

- 9 Given the series of changes the entity has been through over the last three years, I considered it important a full, open appointment process was undertaken to support public confidence in the process and the appointee.
- 10 I ask the Committee to note my intention to recommend Jane Searle for appointment as the Commissioner for a 5-year term.
- 11 Ms Searle has been Chief Executive of Child Matters, a prominent child safety charity, for 9 years. Her prior experience includes roles with fraud investigation firms and the New Zealand Police, and as a barrister and solicitor. Ms Searle has held a range of governance and advisory board roles and has contributed to specialist sector working groups.
- 12 Ms Searle demonstrates suitable senior levels of children's sector experience and knowledge, a strong ability to frame advocacy to support results and then prioritise to maximise impact. Ms Searle demonstrates the knowledge, skills, experience and mana required for the highly visible role as New Zealand's national advocate for children and young people.
- 13 Further information on Ms Searle is available in the Candidate CV Form attached to this paper.

Representativeness of appointment

- 14 The Commissioner is a corporation sole. I have taken into account the candidates' expertise, experience and representation when considering who to recommend for appointment.

Remuneration

- 15 As an independent Crown entity, the Commissioner's remuneration is determined by the Remuneration Authority (the Authority) on an individual basis. The incumbent Commissioner's remuneration is \$346,500 per annum. This figure is provided for indication only. The Authority will make a remuneration determination once the appointment is finalised.
- 16 The Commissioner is a full-time role. As a corporation sole, the Commissioner cannot, without the prior approval of the responsible Minister, hold any office of trust or profit or engage in any occupation for reward outside their responsibilities as a member of the corporation sole.

Appointment process and consultation

- 17 I can confirm that an appropriate process has been followed, in line with the Commissioner Act, CE Act and Public Service Commission appointment guidelines.
- 18 In summary, the process comprised seeking applications through advertising, invitations to government nomination services and an invitation to the National Caucus and Coalition parties. Applications were then assessed in line with the statutory considerations outlined in paragraphs 6–7, including due

consideration by a nomination panel, to enable me to reach a decision on who to propose for appointment.

- 19 I have completed ministerial consultation on my proposed appointee.

Conflicts of interest

- 20 Appropriate enquiries concerning conflicts of interest have been carried out in accordance with the CE Act and Public Service Commission appointment guidelines. Ms Searle has no declared interests. Probity checks have been completed with no issues identified.
- 21 As a corporation sole, the Commissioner has robust disclosure and conflict processes in place. Should any conflicts arise during Ms Searle's term, they will be managed and escalated to the responsible Minister as appropriate.

Communications

- 22 I intend to issue a media release once the appointment process is complete. An appointment notice will also be placed in the *New Zealand Gazette*, in accordance with the CE Act.

Recommendation

- 23 It is recommended that the Committee note my intention to recommend the Governor-General appoint Jane Searle as Children's Commissioner for a 5-year term.

Hon Louise Upston

Minister for Social Development and Employment

APH Organisation Form

Organisation and Responsible Portfolio

Children’s Commissioner

Social Development and Employment

Brief Outline of the Functions and Responsibilities of the Organisation

The purpose of the Children’s Commissioner (the Commissioner) is set out in the Children’s Commissioner Act 2022. This is to promote and advance the rights, interests, and participation of children and young people and to improve their well-being within (without limitation) the context of their families, whānau, hapū, iwi, and communities.

The Commissioner is an independent Crown entity responsible to the Minister for Social Development and Employment. The Commissioner was established as a corporation sole on 1 August 2025, following the disestablishment of the Children and Young People’s Commission by the Oversight of Oranga Tamariki System Legislation Amendment Act 2025.

Current Membership

Name	Gender Identity	Region	Ethnicities (and Iwi if applicable)	Date of original appointment	Expiry date of present term
Dr Claire Achmad	F	Wellington	New Zealand European, Indonesian	1 August 2025	31 July 2026

Candidate CV Form

Name	Jane SEARLE
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The Position

Organisation/Entity	Children's Commissioner
Position	Children's Commissioner
Term	Five years
Payment	Remuneration to be determined by the Remuneration Authority after appointment.

How the Candidate Meets the Needs of the Position

Skills and attributes the candidate will bring to the position	• Senior advocacy experience as Chief Executive of Child Matters, a national charitable trust focused on educating and supporting communities to protect children and young people from harm. • Extensive knowledge and experience in children's and young people's rights and issues, including children and young people's safety and wellbeing. • Senior leadership experience, including 9 years as a chief executive, and governance experience on a range of community-based organisations. • Demonstrated knowledge and understanding of the Treaty of Waitangi and experience in tikanga Māori, particularly through chief executive and governance roles. • Legal expertise as a barrister and solicitor, with wider justice sector experience.
Possible conflicts of interest	None
Proposals for conflict management	While no conflicts of interests are currently known, in the event a conflict does arise, the Children's Commissioner (the entity) has processes in place to manage and escalate the conflict as required.

The Candidate

Name	Jane SEARLE
Address	s 9(2)(a)
Ethnicity(s)	New Zealand European
Age range	s 9(2)(a)
Gender	F
Current or most recent employment	Chief Executive, Child Matters (2017–present)
Government board appointments held	None
Private and/or voluntary sector board appointments held	- Member, Whānau Fund (2023–2024) - Deputy Presiding Member, Sacred Heart Girls' College, Hamilton (2022–present) - Member, Tautoko Tane Male Survivors Aotearoa (2022–present) - Member, Tautoko Tane Male Support Services Waikato (2021–present) - Member, Advisory Board, Specialist Rehabilitation Services (2019–2022) - Member, The Good Collective (2019–2021)
Qualifications and experience	<i>Qualifications</i> - Community and Leadership Programme, University of Waikato (2017) - Accredited Local Counter-Fraud Specialist, United Kingdom (2005) - Diploma of Policing (1997) - Admitted as a Barrister and Solicitor of the High Court of New Zealand (1994) - Bachelor of Laws, University of Waikato (1994) <i>Employment experience</i> - General Manager, Child Matters, (2015–2017) - Manager, Investigation and Training Division, Watchdog Security Group (2007–2015) - Team Leader, Counter-Fraud Division, Parkhill Audit Agency United Kingdom (2005–2007) - Detective, Child Abuse Team, Criminal Investigation Branch, New Zealand Police (2001–2005) - Constable, New Zealand Police (1997–2000) - Barrister and Solicitor, Sharpe Tudhope (1995–1997)

	<i>Advisory group experience</i> • Member, Trafficking in Persons Plan of Action Reference Group, Ministry of Business, Innovation and Employment • Member, Social Sector Commissioning Compliance Working Group, Oranga Tamariki • Member, Waikato Data Project • Member, Modern Slavery and Worker Exploitation Advisory Group
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Date: 9 / 06 / 2026