

Report



**MINISTRY OF SOCIAL
DEVELOPMENT**
TE MANATU WHAKAHIAO ORA

Date: 21 April 2026 **Security Level:** IN CONFIDENCE
To: Hon Louise Upston, Minister for Social Development and
Employment
File Reference: REP/26/3/244

Children's Commissioner – Nomination panel advice and selection of preferred candidate

Purpose of the report

1. This report provides advice from the statutory nomination panel (the panel) on the assessment of the candidates for the role of Children's Commissioner (the Commissioner). Having regard to the panel's advice, you are asked to select the candidate you wish to recommend to the Governor-General for appointment.

Recommended actions

It is recommended that you:

- 1 **note** that in reaching a decision on who to recommend to the Governor-General for appointment as Commissioner, the Children's Commissioner Act 2022 (the Act) requires you to have regard to:
 - a. 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 experience in tikanga Māori
 - b. the required skills and leadership experience to carry out the role
 - c. the panel's recommendation
- 2 **note** that the panel assessed all 10 applicants for the role of Commissioner and interviewing a shortlist of four candidates, to reach a view that Dr Claire Achmad, **s 9(2)(a)** and Jane Searle are all suitable for appointment, offering differing attributes as set out in paragraphs 11–14 of this report

- 3 **note** officials are available to discuss the candidates and appointment options, including appointment term, to support your consideration of the role
- 4 **agree** to advise the Ministry of Social Development (MSD), via your office, of the candidate you wish to recommend for appointment and your preferred appointment term

Agree / Disagree

- 5 **note** that, once we have been advised of your preferred candidate, we will provide your office with a draft Cabinet Appointments and Honours Committee (APH) pack to support Ministerial consultation.



Sacha O'Dea
Deputy Chief Executive
Strategy and Insights

24/4/26

Date



Hon Louise Upston
Minister for Social Development and
Employment

20260427

Date

Background

2. The term of the current Commissioner expires on 31 July 2026. You agreed to an open appointment process, which resulted in 10 applications [REP/26/2/083 refers]. The list of all applicants is included as Appendix 1. The list includes a summary of employment and governance roles for the last five years.
3. The Act requires applications be reviewed by the panel (convened by MSD's Chief Executive), to make a recommendation to you. The panel's advice is one part of the matters you must have regard to in considering who to recommend to the Governor-General for appointment.
4. The panel convened for the current appointment process consisted of:
 - a. Sacha O'Dea (Chair)
 - b. Iona Holsted, former Secretary of Education
 - c. Wayne Blissett, Chair of the Independent Children's Monitor's Māori Advisory Group.

Statutory requirements in selecting your preferred appointee

5. The Act requires that, in reaching a decision on who to recommend to the Governor-General for appointment, you must have regard to:
 - a. 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 experience in tikanga Māori
 - b. the required skills and leadership experience to carry out the role
 - c. the panel's recommendation.
6. The Act requires applications include an endorsement from a relevant organisation specified in the Children's Commissioner (Relevant Agencies) Regulations 2023. All candidates had at least one relevant endorsement. Dr Achmad had 49 endorsements. For brevity endorsement letters have not been included with this report but can be provided on request.
7. The Crown Entities Act 2004 (the CE Act) sets out that a 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.
8. The Commissioner position description (attached as Appendix 2) sets out the range of attributes sought for the role, to satisfy both the Act and the CE Act. In summary, the key aspects are:
 - a. in strongly championing children's wellbeing, the ability to
 - use evidence to reach informed decisions and identify practical solutions
 - lead in a persuasive way to convince others to take action

- b. the ability to build effective relationships with children and young people, Ministers, iwi, Māori organisations, other senior leaders and experts
- c. the ability to provide strategic leadership, engage others in a common vision, and set clear priorities.

Nomination panel advice

9. The panel assessed all applications, and interviewed a shortlist of four candidates to explore their expertise and experience in greater detail:
 - a. Dr Claire Achmad
 - b. s 9(2)(a)
 - c. [REDACTED]
 - d. Jane Searle.
10. The covering letter and CV for each shortlisted candidate are attached for your review as Appendices 3–6.
11. The panel particularly probed the four candidates:
 - a. ability to frame advocacy to support results
 - b. strength of advocacy for accountability
 - c. ability to prioritise both personally and as an organisational leader to maximise impact.
12. Based on the interviews and application material, the nomination panel considered that Dr Achmad, s 9(2)(a) and Ms Searle are each suitable for appointment, demonstrating appropriate experience, expertise and knowledge in line with the sought attributes. s 9(2)(a)
13. Dr Achmad, s 9(2)(a) and Ms Searle all demonstrated suitable senior levels of sector experience and knowledge, a strong ability to advocate as part of the wider accountability cycle, and the mana required for a highly visible role.
14. The following table summarises the differing key features of the three candidates. Officials are available to discuss the candidates in more detail to assist consideration of who to recommend to the Governor-General for appointment.

Candidate	Differing features
Dr Claire Achmad	s 9(2)(a), s (9)(2)(g)(i)

Candidate	Differing features
s 9(2)(a)	s 9(2)(a), s (9)(2)(g)(i)
Jane Searle	

Appointment aspects to consider with the candidates

- The following appointment aspects may be helpful to consider when reviewing the candidates, including as potential ways to help address areas for development. Officials are available to discuss the different aspects and their options with you, alongside any discussion about the candidates.

Appointment term

- An individual can be appointed as Commissioner for a term of up to 5 years. When considering your preferred appointee, it would be helpful to also consider the length of their term and whether an appointment for a shorter period would provide a useful point to then review performance.

Option for a Deputy Commissioner

- The Act includes provision for the appointment of a Deputy Children's Commissioner (Deputy). A Deputy is appointed by the Governor-General on your recommendation after consultation with the Commissioner.
- A Deputy with complementary experience and expertise could be an option for assisting a preferred Commissioner appointee in the leadership of the entity and managing advocacy relationships. Selection and appointment of a Deputy would need to be confirmed after the Commissioner appointment is completed but could be discussed informally in advance with the intended appointee.
- There would be a remuneration cost for the entity. As with the Commissioner, a Deputy's remuneration would need to be set by the Remuneration Authority. To give a sense of the potential cost, the incumbent Commissioner's total remuneration is approximately \$346,500 per annum.

20. There would need to be appropriate messaging around a Deputy's appointment to help ensure the public is clear the Commissioner remains the leading advocate for children and young people in New Zealand.

Mentor or peer support

21. An external mentor or peer support from a well-established public sector chair or chief executive could be organised for the Commissioner with the assistance of the Public Service Commission. The mentor or peer would be selected based on the specific area for Commissioner development.
22. This approach would provide the Commissioner with a useful sounding board for both specific issues and for overall personal development. It could be used either alongside or instead of appointing a Deputy. The latter has the advantage of avoiding the ongoing remuneration cost involved with a Deputy.

Expectation setting

23. The panel noted it would be helpful for you to set clear expectations for how all parts of the Oranga Tamariki oversight system are expected to work together. MSD can work with your office at the appointment documentation stage to draft suitable content for the Commissioner appointment letter.

Next steps

24. If you wish to speak with any of the candidates to assist in your consideration, we can work with your office to arrange meetings or calls. Following your consideration of the above matters and the appended materials, please advise MSD via your office of your preferred candidate to recommend to the Governor-General for appointment.
25. Once we have your preferred candidate and view on appointment term, we will complete referee checks and then provide your office with a draft APH pack to support Ministerial consultation.

Appendices

Appendix 1: Summary of applicants for the role of Children's Commissioner

Appendix 2: Children's Commissioner 2026 position description

Appendix 3: Application letter and CV for Dr Claire Achmad

Appendix 4: Application letter and CV for s 9(2)(a)

Appendix 5: Application letter and CV for s 9(2)(a)

Appendix 6: Application letter and CV for Jane Searle

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Appendix 1: Summary of applicants for role of Children’s Commissioner

Candidate	Current and recent roles (last five years)
Dr Claire ACHMAD	Employment • Children’s Commissioner (2025–present) • Chief Children’s Commissioner, Children and Young People’s Commission (2023–2025) • Chief Executive Officer, Social Service Providers Aotearoa (2021–2023) Governance • Special Advisor, Child Identity Protection (2021–present) • Member, Gymnastics New Zealand Steering Committee (2021–2023)
s 9(2)(a)	

Candidate	Current and recent roles (last five years)
s 9(2)(a)	
Jane SEARLE	Employment • Chief Executive Officer, Child Matters (2017–present), previously General Manager (2015–2017) Governance • 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)

Children's Commissioner

Position Description, 2026

The Commissioner role

The Children's Commissioner (the Commissioner) is a highly visible and significant advocate and champion for the children and young people of New Zealand.

The Commissioner's role is set out in the [Children's Commissioner Act 2022](#) and can be grouped into three areas:

- promoting the interests and well-being of children and young people
- promoting and advancing the rights of children and young people
- encouraging children and young people's participation and voices.

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 National Convention Against Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT) to examine places where children are detained and make any recommendations it considers appropriate.

The Commissioner is a corporation sole and an independent Crown entity for the purposes of the [Crown Entities Act 2004](#). Being a corporation sole means the Commissioner holds the responsibilities of a crown entity board under that Act as well as being its administrative head.

Workload and remuneration

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.

The [Remuneration Authority](#) is responsible for determining and reviewing the remuneration for the Commissioner. The level of remuneration will reflect the nature of the role, and the skills and experience of the appointee.

Actual and reasonable travel and other expenses incurred in carrying out the Commissioner role are paid in accordance with the [Cabinet Fees Framework](#).

Term of office

As an independent Crown entity, under the Crown Entities Act the Commissioner is appointed for a term of up to five years by the Governor-General on the recommendation of the Minister for Social Development and Employment (the Minister).

Appointment process

In reaching a decision on who to recommend to the Governor-General, the Children's Commissioner Act requires the Minister to have regard to:

- 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 experience in tikanga Māori
- the skills and leadership experience needed to carry out the role
- the recommendation from a nominations panel.

The nominations panel is convened by the Ministry of Social Development's Chief Executive to assess candidates and make a recommendation to the 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.

The Children's Commissioner Act requires candidates to have, as part of their application, the endorsement of one of the relevant agencies specified in the [Children's Commissioner \(Relevant Agencies\) Regulations 2023](#), namely:

- a national organisation that represents Māori, particularly Māori welfare
- an organisation that has the mandate to represent an iwi
- an organisation that works with or for children and young people, including (without limitation) any organisation focused on advocacy for children and young people, and their rights
- an organisation focused on services or support of children and young people, including (without limitation) any organisation focused on their health and well-being, and disability services or support
- an organisation led by children or young people
- an organisation that represents the views and ideas of children and young people, including (without limitation) the views and ideas of children or young people with experience of care.

The Children's Commissioner office, Mana Mokopuna

Under the Crown Entities Act and the Children's Commissioner Act, the 'Children's Commissioner' refers to both the Commissioner role and the entity they lead. However, the entity is generally referred to as the Children's Commissioner office, [Mana Mokopuna](#), to help avoid confusion.

An Executive Director provides the day-to-day management of the office, which is based in Wellington and has approximately 40 staff providing monitoring, advocacy, policy, corporate and communications expertise to support the Commissioner in fulfilling their statutory functions and duties. Funding is through a dedicated appropriation in Vote Social Development.

Oversight of the Oranga Tamariki system

Under the [Oversight of Oranga Tamariki System Act 2022](#), the Commissioner has common duties with the [Independent Children's Monitor](#) and [Ombudsman](#) duties 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, through three core functions:

- system-level advocacy for all children and young people – provided by the Commissioner
- strong, independent monitoring – provided by the Independent Children's Monitor
- an independent complaints and investigation function – provided by the Ombudsman.

Guidance and induction

The Public Service Commission has general guidance for [Crown entity board members](#) on the frameworks, duties and expectations that apply (noting that the Commissioner is a board of one). A specific induction programme is provided for an appointee to the role of Commissioner.

Information on the person appointed as Commissioner is collected and securely held by the Public Service Commission in a specialist system, 'AppointNet'. For more details, please see the [AppointNet privacy statement](#).

Disqualification

Certain people are disqualified from being the Commissioner under section 30 of the Crown Entities Act 2004.

- A person who is an undischarged bankrupt.
- A person who is prohibited from being a director or promoter of, or being concerned or taking part in the management of, an incorporated or unincorporated body under the Companies Act 1993, or the Financial Markets Conduct Act 2013, or the Takeovers Act 1993.
- A person who is subject to a property order under the Protection of Personal and Property Rights Act 1988 or a personal order under that Act that reflects adversely on the person's competence to manage their affairs in relation to their property or capacity to make or communicate decisions relation to their personal care and welfare.
- A person who has been convicted of an offence punishable by imprisonment for a term of 2 years or more, or who has been sentenced to imprisonment for any other offence, unless that person has obtained a pardon, served the sentence, or otherwise suffered the penalty imposed on the person.
- A member of Parliament.

Person profile

The Commissioner must have senior-level experience in advocacy and leadership and be able to build relationships with children and young people, Ministers, iwi, Māori organisations, government agencies, national and international organisations, and a range of experts and advocates.

Advocacy

- A commitment to championing children's interests.
- The ability to positively influence opinions and behaviours of stakeholders and the public.
- The ability to understand and engage with complex issues and situations and use research and data to reach informed decisions.
- Outstanding communication skills, including the ability to speak on sensitive and nuanced topics with the media, public and senior leaders.
- Knowledge of, and experience in, children's and young people's rights and issues, including knowledge of New Zealand and international law on children's rights
- Knowledge and understanding of the Oranga Tamariki system.
- An understanding of the Treaty of Waitangi and knowledge of, and experience in, tikanga Māori.
- Knowledge and recognition of the social, cultural, and religious values of different cultural and ethnic groups in New Zealand.
- The ability to exercise sound judgement at all times while remaining both politically neutral and being an independent advocate.

Leadership

- Experience in providing strategic leadership, engaging others in a common vision, and setting clear policies and priorities.
- The ability to develop, lead and maintain effective relationships with Ministers, other senior public service officials, and stakeholders.
- Knowledge of public sector accountability processes and an understanding of the relationship between Ministers, Crown entities and Parliament.
- The ability to lead and communicate in a clear, persuasive, and impactful way, to convince others to embrace change and take action.
- Being able to connect with and inspire people, to build a highly motivated, engaged and respectful team.