

Australian Capital Territory

Inquiries (Board of Inquiry—Criminal Justice System) Amendment Appointment 2023

Notifiable instrument NI2023–232

made under the

Inquiries Act 1991, s 5 (Appointment of Board of Inquiry)

EXPLANATORY STATEMENT

Pursuant to s 5 of the *Inquiries Act 1991*, the Executive has the power to appoint 1 or more people as a board of inquiry to inquire into a matter stated in the instrument of appointment.

On 1 February 2023 the Executive appointed Walter Sofronoff KC as the Board of Inquiry to inquire into the matters specified in the Terms of reference at SCHEDULE 1 to instrument NI2023-49.

This instrument operates to amend Schedule 1 of the appointment of Walter Sofronoff KC in the following way:

1. To amend subparagraph D.(c.) to read as follows:
 - c. Whether the Director of Public Prosecutions failed to act in accordance with his duties or acted in breach of his duties in:
 - i. making his decisions to commence, to continue and to discontinue criminal proceedings against Mr Lehrmann; and
 - ii. his conduct of the preparation of the proceedings for hearings; and
 - iii. his conduct of the proceedings.

2. To amend subparagraph E. to read as follows:

The Board will report to the Chief Minister by 31 July 2023.

These amendments are intended to clarify the parameters of the inquiry and ensure that the Board of Inquiry has sufficient time to finalise the report.