

# Domestic Violence Agencies (Council) Appointment 2013 (No 2)

## Disallowable Instrument DI2013– 33

made under the

*Domestic Violence Agencies Act 1986*, sections 6 (Membership of council) and 6A (Chairperson of council)

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### EXPLANATORY STATEMENT

Section 5(1) of the *Domestic Violence Agencies Act 1986* (the Act) states that the objective of the Domestic Violence Prevention Council (the Council) is to reduce the incidence of domestic violence offences. Section 5(2) of the Act sets out the functions of the Council. Under paragraph 5(2)(c), one of these functions is to advise the Minister on any matter relating to domestic violence.

Section 6 of the Act stipulates that the Council is constituted by the Domestic Violence Project Coordinator and twelve other members appointed by the Minister. Paragraph 6(2)(a) specifies that the appointed members must consist of six or more community members, including at least:

- one person who the Minister considers is capable of representing the views of people of Aboriginal and Torres Strait Islander descent; and
- one person who the Minister considers is capable of representing people of non-English speaking background; and
- one representative of the Domestic Violence Crisis Service Incorporated.

Paragraph 6(2)(b) of the Act states that the Council membership must also consist of other people who are statutory office holders, public servants or police officers.

The *Legislation Act 2001* (the *Legislation Act*), section 229 states that the instrument making an appointment, to which division 19.3.3 applies, is a disallowable instrument.

Section 227 of the *Legislation Act* provides that division 19.3.3 does not apply to those appointees who are public servants. The people appointed by the instrument are not public servants and as a result the Standing Committee on Justice and Community Safety has been consulted

In accordance with section 6(3) of the Act, this instrument states the capacity in which each person is appointed.

The Minister considers that Mr Greg Aldridge, Ms Bronwyn Leslie, Ms Sue Salthouse and Ms Chrystina Stanford are familiar with the views and interests of the community on matters relating to domestic violence and are capable of representing those views and interests as required by section 6(4) of the Act.

The Minister considers that Ms Mirsada Draskovic is capable of representing the views and interests of people of a non-English speaking background on matters relating to domestic violence as required by section 6(2)(a)(ii) of the Act.

Ms Mirjana Wilson is appointed as a representative of the Domestic Violence Crisis Service Inc as required by section 6(2)(iii). The Minister considers that Ms Wilson is familiar with the views and interests of the community on matters relating to domestic violence and is capable of representing those views and interests as required by section 6(4) of the Act.

The Minister considers that the position, 'Officer in Charge of Crime Prevention' at ACT Policing, includes experience dealing with matters that are relevant to the functions of the council and by virtue of attaining this position the person has the experience and expertise that would assist the council to exercise its functions as required by section 6(6).

Section 7 of the Act specifies that the term of appointment for any member of the Council must not exceed three years.

The following members appointed by disallowable instrument DI2011-292 'Domestic Violence Agencies (Council) Appointment 2011 (No 1)' have resigned from the Council:

- Ms Dennise Simpson;
- Ms Corey Heldon;
- Mr Simon Rosenberg;
- Ms Kate Emma McMullan; and
- Ms Anna Saxon- Taylor.

Under section 210 of the Legislation Act the member's signed notice of resignation to the appointer ends their appointment to the Council.