

Australian Capital Territory

Official Visitor (Children and Young People) 2015 Appointment (No 2)

Disallowable instrument DI2015-249

made under the

Official Visitor Act 2012, s10(1)(a) (Appointment)

EXPLANATORY STATEMENT

Section 10(1)(a) of the *Official Visitor Act 2012* authorises the Minister to appoint at least two Official Visitors for the purposes of the *Children and Young People Act 2008* one of whom must be an Aboriginal and Torres Strait Islander person. The function of Official Visitors (OVs) is to work to protect human rights in different environments. OVs operate in the ‘closed’ environments of youth and adult corrections and mental health, and as a result of changes made by the *Official Visitor Act 2012*, OVs also operate in the ‘open’ environments including disability and homelessness services.

This instrument reappoints Tracey Whetnall, an Aboriginal and Torres Strait Islander person, and Mrs Narelle Hargreaves OAM as Official Visitors for the purposes of the *Children and Young People Act 2008*.

Ms Whetnall is an experienced Official Visitor and is currently appointed as the Aboriginal and Torres Strait Islander Official Visitor for the purposes of the *Children and Young People Act 2008* and has a strong understanding of the needs of Aboriginal and Torres Strait Islander people. Her current term expires on COB 7 October 2015.

Ms Whetnall has demonstrated a commitment to supporting Aboriginal and Torres Strait Islander young people throughout her career, including as a Director of *Gugan Gulwan* Aboriginal Youth Corporation and while working on programs helping children and families. She has a strong understanding of the justice system and is on call 24 hours a day as a volunteer to attend police interviews with young Aboriginal detainees.

Ms Whetnall has suitable qualifications and experience to exercise the functions of the Aboriginal and Torres Strait Islander Official Visitor for the *Children and Young People Act 2008*.

The Minister for Children and Young People has expressed his support for the reappointment of Mrs Narelle Hargreaves OAM as Official Visitor for the purposes of the *Children and Young People Act 2008* advising that she is appropriately qualified and experienced.

Mrs Hargreaves is currently appointed as Official Visitor for the purposes of the Children and Young People Act. Her current term expires on COB 7 October 2015.

Mrs Hargreaves is an experienced Official Visitor having a strong understanding of the needs of children and young people.

As required under subsection 10(2) of the Official Visitor Act, the appointing Minister has consulted with the Operational Minister (the Minister for Children and Young People) and is satisfied, on reasonable grounds, that Ms Whetnall and Mrs Hargreaves have suitable qualifications or experience to exercise the functions of Official Visitor for the purposes of the *Children and Young People Act 2008*. Ms Whetnall also meets the additional suitability requirement under Section 10(1)(a) of the *Official Visitor Act 2012*, being an Aboriginal and Torres Strait Islander person.

Further, Ms Whetnall and Mrs Hargreaves are not excluded from appointment by being public employees or holding a relevant interest as defined under subsection 10(3) of the Official Visitor Act.

In addition, Ms Whetnall and Mrs Hargreaves are not public servants as defined under the *Legislation Act 2001*.

As required by the Legislation Act, the Standing Committee on Justice and Community Safety has been consulted on these reappointments. The Committee has advised that it has no comment on the reappointment of Ms Whetnall or Mrs Hargreaves as Official Visitors.