

Australian Capital Territory

Mental Health (Principal Official Visitor) Appointment 2016 (No 2)

Disallowable instrument DI2016-84

made under the

***Mental Health Act 2015*, s 210 (Appointment of principal official visitor)**

EXPLANATORY STATEMENT

Section 210 of the *Mental Health Act 2015* authorises the Minister to appoint one official visitor as the principal official visitor for the purposes of the *Mental Health Act 2015*. The function of an official visitor is to ensure the adequacy of services and the appropriateness and standards of facilities provided at a visitable place for the assessment and treatment of people with mental disorder or a mental illness.

An official visitor also enquires into the extent to which people receiving treatment, care or support for mental disorder or a mental illness at a visitable place are being provided the best possible treatment, care or support appropriate to their needs in the least possible restrictive environment and least possible intrusive manner consistent with the effective giving of that treatment, care or support.

An official visitor also works to protect the human rights of people at those facilities.

The principal official visitor undertakes the role of official visitor and additionally oversees the exercise of the functions of official visitors.

This instrument reappoints Ms Sue Connor as the principal official visitor for the purposes of the *Mental Health Act 2015*. Ms Connor has a strong understanding of the needs of persons in mental health institutions and extensive experience and skills in the care of people with mental illness.

Ms Connor is not excluded from appointment by being a public employee or by being the holder of a relevant interest as defined under section 10(3) of the Official Visitor Act. Ms Connor qualifies as being the principal official visitor as she is an official visitor.

Ms Connor is not a public servant as defined under the *Legislation Act 2001*.

As required by the Legislation Act, the Standing Committee on Health, Ageing, Community and Social Services has been consulted on the appointment. The Committee has advised that it has no comment on the appointment of Ms Connor as the principal official visitor.