

Australian Capital Territory

Official Visitor (Mental Health) 2018 Appointment (No 1)

Disallowable instrument DI2018- 139

made under the

Official Visitor Act 2012, s.10(1)(e)

EXPLANATORY STATEMENT

S.10(1)(e) of the *Official Visitor Act 2012* (OV Act) authorises the Minister to appoint at least one official visitor, for the purposes of the *Mental Health Act 2015*. The function of official visitors (OVs) is to work to protect human rights in different environments. OVs operate in ‘closed’ environments of youth and adult corrections and mental health and in ‘open’ environments including disability and homelessness services.

This instrument appoints Ms Kay Barralet, Mr Shannon Pickles and Ms Pamela Burton for the purposes of the *Mental Health Act 2015*. The Minister for Mental Health has recommended the re-appointments of Ms Barralet, Mr Pickles and Ms Burton as persons who are experienced and well-qualified.

As required under s. 10(2) of the OV Act, the appointing Minister has consulted with the operational Minister (being the Minister for Mental Health) and is satisfied on reasonable grounds that Ms Barralet, Mr Pickles and Ms Burton have suitable qualifications or experience to exercise the functions of official visitor for the purposes of the *Mental Health Act 2015*.

In accordance with section 228 of the *Legislation Act 2001*, the Standing Committee for Justice and Community Safety was consulted and has advised that it has no recommendation to make on the appointment.

Further, Ms Barralet, Mr Pickles and Ms Burton are not excluded from appointment by being a public employee or holding a relevant interest as defined under S.10(3) of the OV Act.

In addition, Ms Barralet, Mr Pickles and Ms Burton are not public servants as defined under the *Legislation Act 2001*.