

AUSTRALIAN CAPITAL TERRITORY

*Legal Aid Act 1977*

APPOINTMENT

**Instrument No. 193 of 1998**

EXPLANATORY STATEMENT

**Section 6 of the *Legal Aid Act 1977* established the Legal Aid Commission (A.C.T.) which consists of a President and Commissioners appointed by the Attorney-General, all of whom are part-time.**

Section 7 provides for the following persons to be appointed to the Commission:

- a President;
- a Commissioner to represent the Minister;
- a Commissioner nominated by the Attorney-General for the Commonwealth to represent him or her;
- a Commissioner nominated by the Council of the Bar Association;
- a Commissioner nominated by the Council of the Law Society;
- a Commissioner nominated by the Executive Committee of the Council of Social Service of the Australian Capital Territory; and
- a Commissioner who, in the opinion of the Minister, is a person who, by reason of qualifications, training or experience, will be able to afford specialist assistance to the Commission in the performance of its function.

The Chief Executive Officer of the Legal Aid Office is, *ex officio*, a Commissioner.

The functions of the Commission are to provide legal assistance in accordance with the Legal Aid Act and in accordance with any funding agreements between the Territory and other jurisdictions for the provision of legal assistance by the Commission. Legal assistance may be provided by the Commission by arranging for the services of private legal practitioners to be made available at the expense of the Commission or by making available the services of officers of the Commission.

Mr Tom Sherman AO has had a distinguished career in the field of Law. Since 1996, when he also conducted an inquiry on behalf of the Minister for Foreign Affairs into the deaths of Australian journalists in East Timor, he has been a Visiting Fellow of the Centre for International and Public Law of the Faculty of Law of the Australian National University. Between 1992 and 1996 he was Chairman of the National Crime Authority. He had previously (1989-1992) been the Chairman of the Electoral and Administrative Review Commission of Queensland and (1984-1989) the Australian Government Solicitor. Between 1969 and 1984 he held various professional positions in the Commonwealth Attorney-General's Department as well as the position of Chief Legal Advisor to the Trade Practices Commission.

The attached instrument appoints Mr Thomas Anthony Sherman AO as the President of the Legal Aid Commission (A.C.T.). The appointment expires on 30 June 2001.

The appointment has been referred to the Legislative Assembly's Standing Committee on Justice and Community Safety in accordance with the *Statutory Appointments Act 1994*. The Committee made no comment on the appointment.

Circulated by the authority of Mr Gary Humphries MLA, Attorney-General