

Australian Capital Territory

Crimes (Sentence Administration) (Sentence Administration Board) Appointment 2015 (No 2)

Disallowable instrument DI2015–288

made under the

Crimes (Sentence Administration) Act 2005, s 174(1)(c) (Appointment of board members)

EXPLANATORY STATEMENT

The *Crimes (Sentence Administration) Act 2005* (the Act), amongst other things, governs the constitution and functions of the Sentence Administration Board of the ACT (the Board). The Board's functions are detailed under section 172 of the Act, and sections 171, 173 and 174 provide for the establishment and membership of the Board. Under section 174 of the Act, the Minister is required to appoint a chairperson; at least one deputy chairperson (and not more than two deputy chairpersons) and not more than eight other members to the Board.

A non-judicial member of the Board is appointed on a part-time basis and paid a per diem rate according to determination of the ACT Remuneration Tribunal.

This instrument appoints Ms Deborah Evans as a non-judicial member of the Board. Ms Evans is not a public servant. Ms Evans' valuable experience in the human services and justice sectors, with a particular focus on working with Aboriginal and Torres Strait Islander people, is expected to assist the Board in its functions.

Instrument DI2015-41 is revoked and replaced by this instrument due to an inaccuracy in the Explanatory Statement as highlighted by the Standing Committee on Justice and Community Safety's Scrutiny Report 31, which outlined Ms Evans' appointment under s 174(1)(b) of the Act, rather than correctly under s 174(1)(c). The Standing Committee Justice and Community Safety's Scrutiny Report 31 also recommended a statement be included about whether the appointment is a public servant.

This instrument revoking DI2015-41 does not affect the validity of Ms Evans' appointment to the Board from 13 April 2015, but rectifies the inaccuracy in the previous Explanatory Statement, and clarifies that Ms Evans' is not a public servant.