

Australian Capital Territory

Official Visitor (Children and Young People) Appointment 2017 (No. 1)

Disallowable instrument DI2017-225

made under the

Official Visitor Act 2012, section 10(1)(a)

EXPLANATORY STATEMENT

Section 10(1)(a) of the *Official Visitor Act 2012* (the Act) authorises the Minister to appoint at least two official visitors (OV) for the purposes of the *Children and Young People Act 2008*, including one official visitor who is an Aboriginal or Torres Strait Islander person. The function of official visitors 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 in the ‘open’ environments including disability and homelessness services.

This instrument appoints Ms Tracey Whetnall and Ms Narelle Hargreaves OAM as official visitors for the purposes of the *Children and Young People Act 2008*. Ms Whetnall is an experienced official visitor with more than six experience as OV for the purposes of the *Corrections Management Act 2007* and the *Children and Young People Act 2008*. Ms Hargreaves is an experienced official visitor with more than six years experience as OV for the purposes of the *Disability Services Act 1991* and the *Children and Young People Act 2008*.

Ms Whetnall has demonstrated a commitment to supporting Aboriginal and Torres Strait Islander 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.

Mrs Hargreaves OAM has worked in education for many years, including as a school principal and a director within the public service. She has experience as an advocate including as an Official Visitor, and as Chair of the ACT Children and Youth Services Council. Her commitment to the ACT community has been evident in various roles such as her current position as Chair of the Canberra/Nara Sister City Committee.

As required under subsection 10(2) of the Act, the appointing Minister has consulted with the Operational Minister (being the Minister for Disability, Children and Youth) and is satisfied on reasonable grounds that Ms Whetnall and Ms Hargreaves OAM have suitable qualifications and experience to exercise the functions of official visitor for the purposes of the *Children and Young People Act 2008*.

Ms Whetnall and Ms Hargreaves OAM are not public servants as defined under the *Legislation Act 2001* and are not excluded from appointment by being a public employee or holding a relevant interest as defined under s.10(3) of the Act.

Clause 4 of this instrument revokes the appointment of Mr William Bashford. Mr Bashford advised the Operational Minister of his resignation on 14 February 2017.

As required by the Legislation Act, the Standing Committee on Justice and Community Safety has been consulted on the appointment. The Committee has advised that it has no comment on the appointment of Ms Whetnall and Ms Hargreaves OAM as official visitors.