

Australian Capital Territory

Children and Young People (Therapeutic Support Panel) Appointment 2024 (No 9)

Disallowable instrument DI2024–51

made under the

Children and Young People Act 2008, Section 501E (Appointment of panel members)

EXPLANATORY STATEMENT

This explanatory statement relates to the *Children and Young People (Therapeutic Support Panel) Appointment 2024 (No 9)* as made by the Minister for Children, Youth and Family Services.

Overview

The *Children and Young People Act 2008* (the *Act*) among other things, governs the establishment, functions and membership of the Therapeutic Support Panel for Children and Young People (the Panel).

Under section 501E of the *Act*, the Minister must appoint at least 10, but not more than 12, members to the Panel.

In appointing a Member, the Minister must be satisfied of their relevant expertise or experience and must ensure the Panel membership represents a diversity of experience and expertise.

The Minister must also be satisfied of their suitability to be a Member, including considering relevant information of the kind mentioned in the *Act* in section 65 (1), definition of suitability information, paragraphs (a), (b) and (c) about the person.

Appointment

In accordance with section 501E of the *Act*, this instrument appoints Professor Alison Gerard as Member of the Panel.

Professor Alison Gerard is Professor in Law and Criminology and former Head of Canberra Law School at the University of Canberra. Prof Gerard is currently researching the criminalisation of young people in out-of-home care, state care and deportation. As a lawyer and criminologist, Prof Gerard has extensive experience working directly with children and young people in the criminal justice system, as well as families and criminal justice professionals. As a researcher, she has

documented and analysed systemic and structural barriers that may accelerate or reduce the likelihood that a young person will be involved in the criminal justice system. Prof Gerard has a PhD in Criminology, Master in International Humanitarian Action, Bachelor of Arts (Hons - Criminal Justice and Criminology) and Bachelor of Law (Hons).

The Minister for Children, Youth and Family Services is satisfied that Professor Alison Gerard has relevant expertise and experience as a criminologist and is suitable for appointment.

Professor Alison Gerard is appointed for a period of 4 years.

Consultation

Division 19.3.3 of the *Legislation Act 2001* (the ***Legislation Act***) applies as Professor Alison Gerard is not a public servant, is appointed for longer than 6 months, and will have functions beyond advising the Minister.

In accordance with section 228 of the *Legislation Act*, the Standing Committee on Health and Community Wellbeing has been consulted and noted the appointment.

Section 229 of the *Legislation Act* states that the instrument making an appointment to which division 19.3.3 applies is a disallowable instrument.