

NORTHERN TERRITORY OF AUSTRALIA

CRIME VICTIMS ADVISORY COMMITTEE ACT 1990

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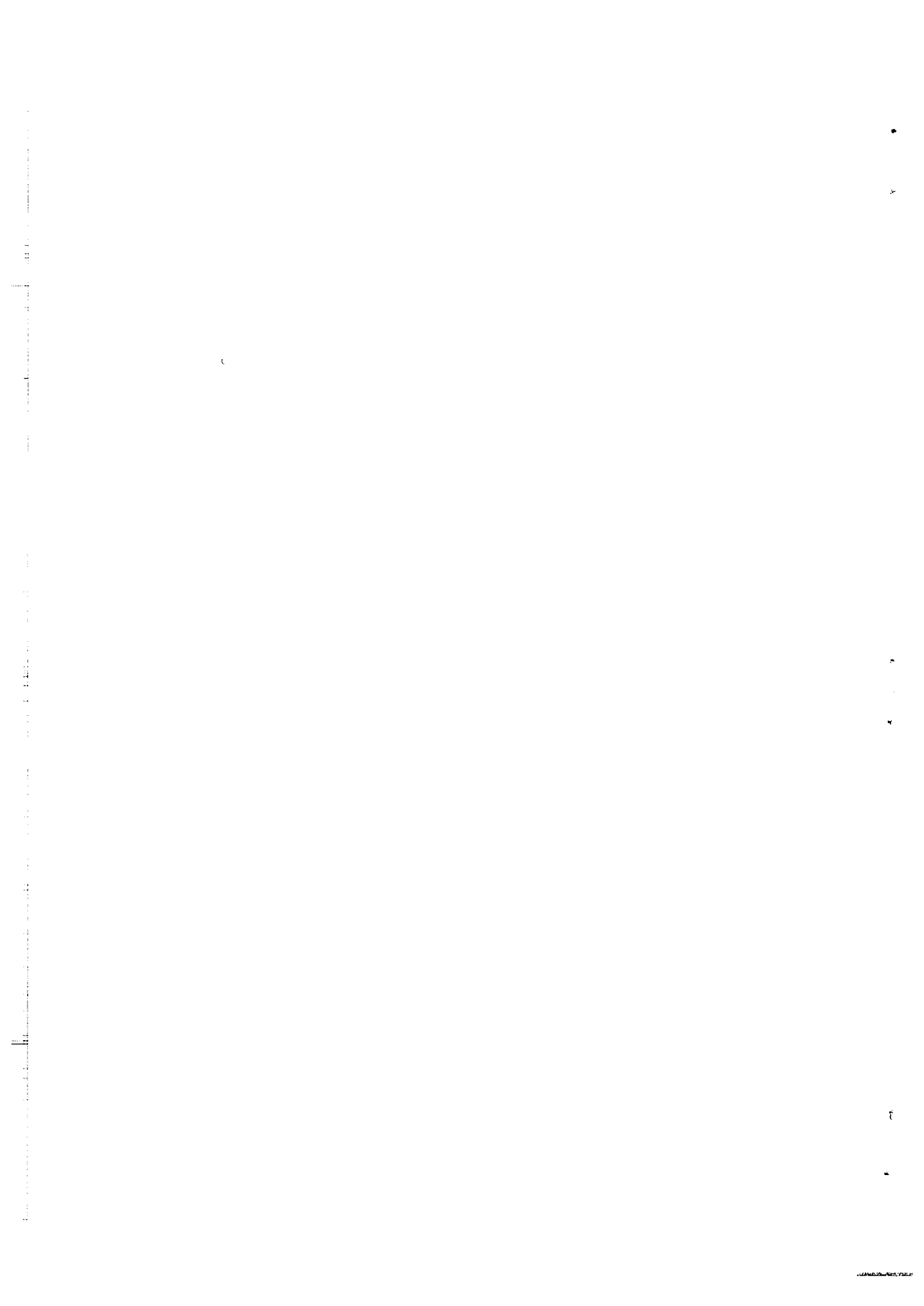
No. 12 of 1990

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# NORTHERN TERRITORY OF AUSTRALIA

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No. 12 of 1990

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## AN ACT

to establish a committee to advise the Minister on certain matters affecting or relating to victims of crimes, and for related purposes

[Assented to 12 April 1990]

**B**E it enacted by the Legislative Assembly of the Northern Territory of Australia, with the assent as provided by the *Northern Territory (Self-Government) Act 1978* of the Commonwealth, as follows:

1. SHORT TITLE

This Act may be cited as the *Crime Victims Advisory Committee Act 1990*.

2. COMMENCEMENT

This Act shall come into operation on a date to be fixed by the Administrator by notice in the *Gazette*.

3. DEFINITIONS

"Chairman" means the Chairman of the Committee;

"Committee" means the Crime Victims Advisory Committee established by section 4;

"member" means a member of the Committee.

4. CRIME VICTIMS ADVISORY COMMITTEE

(1) There is hereby established a committee by the name of the Crime Victims Advisory Committee the members of which shall be -

(a) a person appointed by the Minister to be a member and the Chairman of the Committee who, in

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the opinion of the Minister has qualifications or experience as a legal or medical practitioner, psychologist, psychiatrist or counsellor relevant to his or her appointment as Chairman;

- (b) the Departmental Head for the time being of the department of the Public Service primarily responsible to the Minister for the administration of justice, or that person's nominee;
- (c) the Commissioner of Police, or the Commissioner's nominee;
- (d) the Departmental Head for the time being of the department of the Public Service primarily responsible to the relevant minister for the administration of correctional services, or that person's nominee;
- (e) the Departmental Head for the time being of the department of the Public Service primarily responsible to the relevant minister for the administration of health or social welfare and nominated by the Minister as the relevant department for the purpose of this paragraph, or that person's nominee; and
- (f) 6 other persons appointed by the Minister of whom -
  - (i) 2 shall be appointed from amongst persons recommended for appointment by organizations approved under subsection (2);
  - (ii) one shall be a medical practitioner not employed by the Commonwealth or the Territory; and
  - (iii) one shall be a legal practitioner not employed by the Commonwealth or the Territory.

(2) The Minister may approve such organizations providing counselling and assistance in the Territory as the Minister thinks fit for the purpose of the organization recommending to him or her persons involved in the day to day operations of those organizations in the Territory to be appointed as members under subsection (1)(f)(i).

(3) The Minister shall not make an appointment under subsection (1)(f)(ii) or (iii) until after the Minister has consulted such organizations representing the interests of legal or medical practitioners, as the case may be, in the Territory.

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the opinion of the Minister has qualifications or experience as a legal or medical practitioner, psychologist, psychiatrist or counsellor relevant to his or her appointment as Chairman;

- (b) the Departmental Head for the time being of the department of the Public Service primarily responsible to the Minister for the administration of justice, or that person's nominee;
- (c) the Commissioner of Police, or the Commissioner's nominee;
- (d) the Departmental Head for the time being of the department of the Public Service primarily responsible to the relevant minister for the administration of correctional services, or that person's nominee;
- (e) the Departmental Head for the time being of the department of the Public Service primarily responsible to the relevant minister for the administration of health or social welfare and nominated by the Minister as the relevant department for the purpose of this paragraph, or that person's nominee; and
- (f) 6 other persons appointed by the Minister of whom -
  - (i) 2 shall be appointed from amongst persons recommended for appointment by organizations approved under subsection (2);
  - (ii) one shall be a medical practitioner not employed by the Commonwealth or the Territory; and
  - (iii) one shall be a legal practitioner not employed by the Commonwealth or the Territory.

(2) The Minister may approve such organizations providing counselling and assistance in the Territory as the Minister thinks fit for the purpose of the organization recommending to him or her persons involved in the day to day operations of those organizations in the Territory to be appointed as members under subsection (1)(f)(i).

(3) The Minister shall not make an appointment under subsection (1)(f)(ii) or (iii) until after the Minister has consulted such organizations representing the interests of legal or medical practitioners, as the case may be, in the Territory.

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(4) Subject to this Act, the Chairman and members appointed under subsection (1)(f) hold office for 2 years from the date of their appointment but are eligible for reappointment.

### 5. RESIGNATION AND REMOVAL OF MEMBER FROM OFFICE

(1) A member may resign office by writing under his or her hand addressed to the Minister.

(2) The Minister may terminate the appointment of a member -

(a) for misbehaviour or incapacity; or

(b) where the member is appointed under section 4(1)(f)(i), if the organization on whose nomination the member was appointed advises the Minister, in writing, that the member is no longer involved in the day to day operation of the organization in the Territory.

(3) If a member -

(a) becomes bankrupt, applies to take the benefit of any law for the relief of bankrupt or insolvent debtors, compounds with his creditors or makes an assignment of his remuneration for their benefit;

(b) becomes of unsound mind;

(c) is convicted of an offence punishable by imprisonment;

(d) is absent, except on leave granted by the Minister, from 3 consecutive meetings of the Committee;

(e) ceases to hold the qualification, including the professional qualification, in respect of which he or she was appointed as a member; or

(f) ceases to reside in the Territory,

the Minister shall terminate the appointment of the member.

### 6. MEETINGS OF COMMITTEE

(1) The Committee shall meet as and when necessary but so that not more than 6 months shall elapse between any 2 consecutive meetings of the Committee.

(2) Meetings of the Committee may be convened by the Chairman by notice in writing to the other members of the Committee, and shall be held at the time and place specified in the notice.

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(3) Where the Minister requests the Chairman to do so, the Chairman shall convene a meeting of the Committee.

(4) At a meeting of the Committee 7 members constitute a quorum.

(5) The Chairman shall preside at all meetings of the Committee at which he or she is present but in the absence of the Chairman the members present shall elect one of their number to preside at the meeting.

(6) A question arising at a meeting of the Committee shall be determined by a majority of votes of the members present and voting.

(7) The Chairman or member presiding at a meeting of the Committee has a deliberative vote only and, in the event of an equality of votes, the question shall be decided in the negative.

(8) The Committee shall keep a record of its proceedings.

(9) Subject to this section, the procedure at meetings of the Committee shall be as the Committee determines.

(10) No act or proceeding of the Committee is invalidated by reason only of -

- (a) a defect in the appointment of a member;
- (b) a disqualification of a member;
- (c) a defect in the convening of a meeting; or
- (d) a vacancy or vacancies in the membership of the Committee.

7. FUNCTIONS AND POWERS OF COMMITTEE

(1) The functions of the Committee are -

- (a) to advise the Minister on matters affecting the interests of victims of crime;
- (b) to investigate, report and make recommendations to the Minister on matters referred to it by the Minister;
- (c) to disseminate information relating to matters affecting the interests of victims of crime;
- (d) to be a forum for the co-ordination of organizations involved in, and initiatives in, the delivery of services to victims of crime, including, but not limited to, services by the Territory; and

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- (e) such other functions as are imposed on it by the Minister or by or under this or any other Act.
  - (2) The Committee has such powers as are necessary to enable it to carry out its functions.
  - (3) The Minister may, in referring a matter to the Committee as provided by subsection (1)(b), require the Committee to deliver its report by a specified time and the Committee shall provide the report accordingly.
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