



**Instrument to delegate functions of the Human Rights
Commission as a constituent member of the ACT National
Preventative Mechanism (ACT NPM)**

*Monitoring of Places of Detention (Optional Protocol to the
Convention Against Torture) Act 2018*

*Monitoring Places of Detention (Optional Protocol to the
Convention Against Torture) Regulation 2024*

*Monitoring Places of Detention (Optional Protocol to the
Convention Against Torture) ACT National Preventative
Mechanism Guidelines 2025 (No 1)*

Legislation Act 2001

Human Rights Commission Act 2005

1 Commencement

This instrument commences on 18 December 2025.

**2 ACT NPM functions and the power of the Human Rights Commission
to delegate**

- a. Section 8I of the *Monitoring of Places of Detention (Optional Protocol to the Convention Against Torture) Act 2018* empowers the ACT NPM to delegate a function to a member of staff of the ACT NPM.
- b. The *Monitoring Places of Detention (Optional Protocol to the Convention Against Torture) ACT National Preventative Mechanism Guidelines 2025 (No 1)*, a notifiable instrument signed by the ACT NPM as a body exercising its powers in fulfilment of section 199(1) of the *Legislation Act 2001* states:

The head of each of the ACT NPM members may delegate powers of the MPD (OPCAT) Act to appropriate officers within their organisations.
- c. The Human Rights Commission is a member of the ACT NPM pursuant to clause 2 of the *Monitoring of Places of Detention*

3 Delegation of ACT NPM functions

- a. The President of the Human Rights Commission, acting under section 18F of the Human Rights Commission Act 2005, hereby delegates the powers and functions of the ACT NPM contained in the *Monitoring of Places of Detention (Optional Protocol to the Convention Against Torture) Act 2018* to the commissioners and staff members listed in the Schedule.
- b. The Human Rights Commission exercises its function of delegation as a body in accordance with section 199(1) of the *Legislation Act 2001*. The Human Rights Commission hereby resolves, in accordance with the procedures stipulated under Division 3.9 of the *Human Rights Commission Act 2005*, and as a member of the ACT NPM, to delegate the powers and functions of the ACT NPM to each person who occupy the positions of commissioner or staff member as listed in the Schedule from time to time.

Note: the Legislation Act 2001 defines “occupy” in relation to a position to include holding the position, acting in the position or exercising the functions of the position.



Dr Penelope Mathew
President and
Human Rights Commissioner



Jodie Griffiths-Cook
Public Advocate and
Children and Young People
Commissioner



Karen Toohey
Discrimination, Health Services, and
Disability and Community Services
Commissioner

Schedule

Position	Position #
President and Human Rights Commissioner	P44001
Public Advocate and Children and Young People Commissioner	P10079
Discrimination, Health Services, and Disability and Community Services Commissioner	P09938
SOG A, Senior Director, Human Rights Law and Policy	P45284
Legal 1, Human Rights Legal & Policy	P20801
Legal 1, Human Rights Legal & Policy	P48982
SOG A, Senior Director, Public Advocate	P56952
SOG A, Senior Director, Children and Young People	P56972
SOG C, Senior Adviser, Children and Young People	P57261
SOG A, Senior Director, Complaint Services	P52838
SOG B, Senior Investigator & Conciliator	P09941
Legal 1, Human Rights Legal Adviser	P44883
SOG B, Senior Investigator & Conciliator	P49992
SOG B, Senior Investigator & Conciliator	P62846
ASO 6, Senior Intake and Review Officer	P09944
SOG B, Senior Investigator & Conciliator	P62847
SOG C, Investigator & Conciliator	P62544
SOG C, Investigator & Conciliator	P09941
SOG C, Investigator & Conciliator	P09943
SOG C, Investigator & Conciliator	P51453
SOG C, Investigator & Conciliator	P11395