



Standing Committee on Justice and Community Safety

Inquiry into the Administration of Bail in the ACT ANSWER TO QUESTION TAKEN ON NOTICE

Asked by Mr Peter Cain MLA on 18 June 2024: Mr Doug Boudry, Deputy Chief of Police took on notice the following question:

Reference: Hansard [uncorrected] proof transcript [18 June 2024] [PAGE 45–46]

In relation to:

THE CHAIR: In particular, I am interested in when the bail application was made, was the state of the charge such that it was in the category of presumption in favour of bail, neutral presumption or against bail?

Mr Boundary: Yeah, thanks. Thanks, Chair. My understanding is it will be neutral under that—if you have a look at family violence offences, it is generally neutral under the Bail Act section, I think it is 9F.

THE CHAIR: That was the case in this particular circumstance?

Mr Boundary: That is my understanding. Section 9F provides provisions where there should be the presumption against bail for family violence offences. That was the case in this one. However, he was, obviously through the court, was granted bail conditions.

THE CHAIR: Do you recall what those conditions were in particular? I mean, it is a tragic case. I am not trying to highlight for any reason, but to understand how the process can be improved. Do you recall what the conditions were on that bail or happy to take that on notice?

Mr Boundary: Yeah, if I can take that on notice.

ACT Policing: The answer to the Member's question is as follows:

The bail conditions granted by the Court in response to the arrest made by ACT Policing on 12 March 2022, prior to the victim being murdered on 15 April 2022, included:

1. Reside at his own residence in Coombs ACT.

2. Not assault, harass, threaten or intimidate the victim.
3. Not to contact, directly or indirectly, by any means the victim.
4. Not to be within 100 metres of the victim or her residence in Melba, ACT.

Approved for circulation to the Standing Committee on Justice and Community Safety

Signature:

A handwritten signature in black ink, appearing to read 'Peter Whowell', written over a light blue horizontal line.

Date: 5 July 2024

Mr Peter Whowell - Executive General Manager – Corporate, ACT Policing