



LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

QTON No. 24

STANDING COMMITTEE ON JUSTICE AND COMMUNITY SAFETY

JEREMY HANSON CSC MLA (CHAIR), MARISA PATERSON MLA (DEPUTY CHAIR), JO CLAY MLA

Inquiry into referred 2019–20 Annual and Financial Reports and Budget Estimates 2020-21
ANSWER TO QUESTION TAKEN ON NOTICE
25 FEBRUARY 2021

Question taken on notice by the Commissioner of ACT Corrective Services, Mr Jon Peach, p.59 of Uncorrected Transcript:

Asked by Mrs Kikkert MLA:

In relation to: **Discretion to house remand and sentenced detainees together**

(Preamble – MRS KIKKERT: It does not say anything about delegating that decision to Jon Peach or anyone else. It says, you are responsible for that direction.

Mr Glenn: *So, Mrs Kikkert, there will be other provisions in the Legislation Act, and elsewhere, which create the structure for the delegation of powers that are provided in legislation. We can provide that if you like—*

THE CHAIR: *Yes so it—)*

If you could provide that, that would be wonderful.

How many times has the delegable function (Section 20 of Public Sector Management Act) to house remand and sentenced detainees been enacted?

Mick Gentleman MLA: The answer to the Member's question is as follows:—

Section 20 of the *Public Sector Management Act 1994* and part 19.4 of the *Legislation Act 2001* underpin the framework for the delegation of powers that are provided within ACT legislation.

Placement of detainees is an operational matter informed by consideration of a range of factors to ensure the safety, security and good order of the AMC. The detainee's status (remand or sentenced) is one factor taken into account in this assessment process.

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

Signature:

Date: 15/3/2021

By the Minister for Corrections, Mick Gentleman MLA