



Standing Committee on Justice and Community Safety

Inquiry into Annual and Financial Reports 2021-2022 **ANSWER TO QUESTION TAKEN ON NOTICE**

Asked by Mr Peter Cain MLA on 01 November 2022: Deputy Commissioner Gaughan took on notice the following question(s):

Reference: Hansard [uncorrected] proof transcript 01 November 2022 [PAGE 9]

In relation to:

THE CHAIR: Which states as far as you know right now and territory use these spit hoods?

Mr Gaughan: Well the biggest two at the moment that have spoken about it publicly are Queensland that have said they will no longer use them, and Northern Territory, they have said they will no longer use them on juveniles.

THE CHAIR: But everyone else uses them?

Mr Gaughan: I would have to take that on notice. I think as I said, the review will definitely look at the use of force policies, an alternative to how we can protect our members from people spitting at them.

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

The use of spit hoods is an operational decision that is for the AFP and for the safety of officers. Unlike other jurisdictions, the ACT Government does not have the power to regulate their use by the AFP. The Australian Capital Territory (Self-Government) Act 1988 prevents the regulation of services delivered by the AFP.

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

Signature:

Date: 4/12/2022

By the Minister for Police and Emergency Services, Mick Gentleman MLA