

Public Sector Management (Children and Young People) Delegation 2022 (No 1)

Notifiable instrument NI2022– 492

made under the

Public Sector Management Act 1994, section 20 (Delegation by Director-General)

1 Name of instrument

This instrument is the *Public Sector Management (Children and Young People) Delegation 2022 (No 1)*.

2 Commencement

This instrument commences on the day after it is made.

3 Delegation

- (1) I delegate my functions under the *Children and Young People Act 2008* mentioned in schedule 2, column 2 to the people identified by the corresponding code mentioned in column 1.
- (2) A person identified by a code in schedule 2, column 1 is the person occupying the position mentioned in schedule 1, column 2 in relation to the code.

4 Revocation

This instrument revokes the instrument of delegation pursuant to the provisions of the *Children and Young People Act 2008* signed by the Director-General on 20 August 2019.

Jo Wood
A/g Director General
Community Services Directorate
28 September 2022

Application of a delegation must be in consideration of policies, procedures or guidelines
Refer to the legislation for the complete details of the legislative provision outlined

Schedule 1
TABLE OF DELEGATIONS
Child and Youth Protection Services (CYPs)

| Column 1 | Column 2 |
|----------|--|
| Code | Positions |
| A | Deputy Director-General |
| | Executive Group Manager, Children, Youth and Families |
| | Executive Group Manager (Deputy), Children, Youth and Families |
| B | Executive Branch Manager, Child and Youth Protection Services |
| | Executive Branch Manager, Bimberi Residential Services |
| C | Deputy Centre Manager, Bimberi Residential Services |
| | Senior Director, Practice |
| | Senior Director, Performance |
| | Senior Director, Legal Services |
| | Senior Director, North/South |
| | Senior Director, CYRIS Business System |
| | Senior Director, Cultural Services |
| D | Operations Manager Intake/North/South/CMT |
| | Director, Practice |
| | Director, Practice Development |
| | Director, Performance |
| | Director, Relationships Management |
| | Director, Placement |
| | Director, Assessment and Support |
| | Principal Practitioner, Bimberi Residential Services |
| | Principal Therapist, Therapeutic Services |
| | Principal Practitioner, Cultural Services |
| | Senior Legal Officer |
| | Legal Officer |
| | Court Officer |
| | Principal Practitioner, North/South |
| | Operations Manager, Bimberi Residential Services |
| | Programs and Services Manager, Bimberi Residential Services |
| | Intelligence and Classifications Officer, Bimberi Residential Services |
| | Manager, Bimberi Community Residential Services |
| E | Team Leader, Intake/South/North/CMT |
| | Team Leader, Operational Policy, Audit and Compliance |
| | Team leader, Case Analysis |
| | Team Leader, Therapeutic Assessment and Planning |
| | Team Leader, Cultural Services |
| | Team Leader, Assessment and Support |
| | Practice Leader |
| | Relationship Coordinator |

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| Column 1 | Column 2 |
|----------|---|
| Code | Positions |
| | Operational Compliance Officer |
| | Senior Practitioner, Cultural Services |
| | Senior Practitioner, Melaleuca Place |
| | Executive Officer |
| | Senior Operational Policy, Audit and Compliance Officer |
| | Independent Case Conferencing Chair |
| | IMPACT Program/Prenatal Liaison Officer |
| | Family Law Court Liaison Officer |
| | Disability Liaison Officer |
| | CYPS Health Liaison Officer |
| | Senior Practitioner, North/South/CMT |
| | Assistant Director, Reportable Conduct |
| | Assistant Director, Compliance |
| | Unit Manager, Bimberi Residential Services |
| F | Social Worker |
| | Psychologist |
| | Interstate Liaison Officer |
| | Operational Policy, Audit and Compliance Officer |
| | Policy Officer |
| | Project Officer, IMS and Knowledge Portal |
| | Family Finding, Cultural Services Officer |
| | Case Manager |
| | Intake Officer |
| | Cultural Services Officer |
| | Family Finding, Cultural Services Officer |
| | Case Analysis Officer |
| | OneLink Liaison Officer |
| | Family Group Conference Facilitator |
| | Therapeutic Assessor |
| | Team Leader, Bimberi Residential Services |
| | Project Officer |
| | Reportable Conduct Officer |
| | Business Manager, Bimberi Residential Services |
| | Family Engagement Officer, Bimberi Residential Services |
| | Paraprofessional |
| G | Director, Operational Support |
| | Manager, Operational Support |
| | Assistant Manager, Operational Support |
| | Executive Assistant |
| | Team Leader, Operational Support |
| | Operational Compliance Support Officer |

Application of a delegation must be in consideration of policies, procedures or guidelines
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| Column 1 | Column 2 |
|----------|--|
| Code | Positions |
| | Operational Support Officer, Melaleuca Place |
| | Case Aid |
| | Practice Development Administration Officer |
| | Operational Policy, Audit and Compliance Support Officer |
| | Team Leader, Contract, Data and Reporting |
| | Contract, Data and Reporting Officer |
| | Legal Services Administration Officer |
| | Youth Workers, Bimberi Residential Services |
| | Sports and Recreation Officer, Bimberi Residential Services |
| | Business Support Officer, Bimberi Residential Services |
| | Operational Support Officer, Melaleuca Place |
| | Administrative Support Officer, Bimberi Residential Services |
| | Assistant Director, Aboriginal and Torres Strait Islander Training and Development Officer |
| | Administrative Support Officer |
| | Assessment Coordinator |
| | Operational Support Officer |
| | Reportable Conduct and Compliance Administration Officer |
| H | Assistant Director, CYRIS Governance and Business Process |
| | Assistant Director, CYRIS Release Quality |
| | Assistant Director, CYRIS Data Quality and Training |
| | Facilities and Services Manager, Bimberi Residential Services |
| | Facilities and Services Officer, Bimberi Residential Services |
| | Health and Safety Officer, Bimberi Residential Services |
| | Training Officer, Bimberi Residential Services |
| I | CYRIS Business System Officer |
| | CYRIS Project Officer |
| | Senior Technical Specialist |
| | CYRIS Project Officer |
| J | Student |
| | Graduate Administrative Assistant, Bimberi Residential Services |

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TABLE OF DELEGATIONS

Business Support to the Executive Group Manager, Children, Youth and Families (BS)

| Column 1 | Column 2 |
|----------|---|
| Code | Positions |
| A | Deputy Director-General |
| | Executive Group Manager, Children, Youth and Families |
| | Executive Group Manager (Deputy) , Children, Youth and Families |
| B | Executive Branch Manager, Child and Youth Protection Services |
| C | Senior Director, Business Support |
| D | Director, Complaints and Client Services |
| E | Assistant Director, Complaints and Client Services |
| | Executive Officer |
| | Assistant Director, Business Support and Client Services |
| F | Assistant Director, Risk and Compliance |
| | Director, Risk and Compliance |
| G | Ministerial Liaison and Project Officer |
| | Executive Assistant |
| | Assistant Director, Business Support and Communications |
| H | Graduate Administrative Assistant |

Application of a delegation must be in consideration of policies, procedures or guidelines
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TABLE OF DELEGATIONS
Support Services for Children (SSC)

| Column 1 | Column 2 |
|-----------------|---|
| Code | Positions |
| A | Deputy Director-General |
| | Executive Group Manager, Children, Youth and Families |
| | Executive Group Manager (Deputy), Children, Youth and Families |
| B | Executive Branch Manager, Support Services for Children |
| C | Senior Manager/Senior Director, Child Development Service |
| D | Centre Manager/Director, Gungahlin Child and Family Centre |
| | Centre Manager/Director, Tuggeranong Child and Family Centre |
| | Centre Manager/Director, West Belconnen Child and Family Centre |
| | Operations Manager/Senior Director, Child Development Service |
| E | Team Leader, Gungahlin Child and Family Centre |
| | Team Leader, Tuggeranong Child and Family Centre |
| | Team Leader, West Belconnen Child and Family Centre |
| | Clinical Leader, Child Development Service |
| | Executive Officer |
| F | Child and Family Worker |
| | Psychologist |
| | Physiotherapist |
| | Social Worker |
| | Speech Pathologist |
| | Occupational Therapist |
| | Early Childhood Teacher |
| | Early Years Engagement Officer, Child Development Service |
| | Early Years Engagement Officer, Child and Family Centres |
| | Executive Assistant |
| G | Allied Health Assistant |
| | Administrative Support Officer, Child Development Service |
| | Administrative Support Officer, Child and Family Centres |
| | Intake Officer, Child Development Service |
| | Corporate Administrative Officer |
| H | Graduate Administrative Assistant |

Application of a delegation must be in consideration of policies, procedures or guidelines
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TABLE OF DELEGATIONS
Director-General's Office (DGO)

| Column 1 | Column 2 |
|-----------------|--|
| Code | Positions |
| A | Deputy Director-General |
| B | Executive Officer to Director-General |
| C | Executive Officer to Deputy Director-General |
| D | Executive Assistant to Director-General |
| | Executive Assistant to Deputy Director-General |
| | Executive Support Officer |
| | Secretariat |

TABLE OF DELEGATIONS
Next Steps Reform and Strategy Implementation (NS)

| Column 1 | Column 2 |
|-----------------|---|
| Code | Positions |
| A | Deputy Director-General |
| | Executive Group Manager (Deputy), Children, Youth and Families |
| B | Executive Branch Manager, Next Steps Reform and Strategy Implementation |
| C | Senior Director |
| | Director |
| D | Project Officer |
| E | Executive Assistant |

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TABLE OF DELEGATIONS
Strategic Policy (SP)

| Column 1 | Column 2 |
|-----------------|---|
| Code | Positions |
| A | Deputy Director-General |
| | Executive Group Manager, Children, Youth and Families |
| | Executive Group Manager (Deputy), Children, Youth and Families |
| B | Executive Group Manager, Strategic Policy |
| | Executive Branch Manager, Policy and Service Design |
| | Executive Branch Manager and Chief Information Officer, Performance and Systems |
| C | Senior Director, Strategic Portfolio and Data Excellence |
| | Senior Director, Human Services Policy |
| D | Director, Human Services Policy |
| | Director, Strategic Portfolio and Data Excellence |
| E | Assistant Director, Human Services Policy |
| | Policy Officer, Human Services Policy |
| | Assistant Manager, Strategic Portfolio and Data Excellence |
| | Senior Data Officer, Strategic Portfolio and Data Excellence |

TABLE OF DELEGATIONS
Quality, Internal Audit and Regulation (QIAR)

| Column 1 | Column 2 |
|-----------------|--|
| Code | Positions |
| A | Deputy Director-General |
| B | Executive Branch Manager, Quality, Internal Audit and Regulation |
| C | Senior Director, Quality, Internal Audit and Regulation |
| | Senior Research and Review Officer, ACT Children and Young People Death Review Committee |
| | Executive Branch Manager, Senior Practitioner |
| D | Senior Regulatory Assessor |
| | Senior Investigator |
| E | Regulatory Assessor |
| | Investigator |

Application of a delegation must be in consideration of policies, procedures or guidelines
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TABLE OF DELEGATIONS
Corporate Services (CS)

| Column 1 | Column 2 |
|-----------------|--|
| Code | Positions |
| A | Deputy Director-General |
| | Executive Group Manager, Children, Youth and Families |
| | Executive Group Manager (Deputy), Children, Youth and Families |
| B | Executive Group Manager, Corporate Services |
| C | Executive Branch Manager, People, Capability and Culture |
| D | Senior Director, People, Capability and Culture |
| | Director, Risk and Compliance |
| E | Executive Officer |
| | Executive Branch Manager, Communication and Engagement |
| | Assistant Director, Employee Relations |
| F | Executive Assistant |

TABLE OF DELEGATIONS
Governance (G)

| Column 1 | Column 2 |
|-----------------|---|
| Code | Positions |
| A | Deputy Director-General |
| | Coordinator-General, for Family Safety |
| | Executive Group Manager, Children, Youth and Families |
| | Executive Group Manager (Deputy), Children, Youth and Families |
| B | Executive Group Manager, Strategic Policy |
| | Executive Group Manager, Inclusion and Participation |
| | Executive Group Manager, Housing ACT |
| | Executive Group Manager, Corporate Services |
| | Executive Branch Manager and Chief Information Officer, Performance and Systems |
| | Executive Branch Manager, Child and Youth Protection Services |
| | Executive Branch Manager, Bimberi Residential Services |
| | Executive Branch Manager, Support Services for Children |
| | Executive Branch Manager, Next Steps Reform and Strategy Implementation |
| | Executive Branch Manager, People Management |
| | Executive Branch Manager, Finance |
| | Executive Branch Manager, Office for Disability |
| | Executive Branch Manager, Quality, Internal Audit and Regulation |
| | Executive Branch Manager, Senior Practitioner |
| | Executive Branch Manager, Policy and Service Design |

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| Column 1 | Column 2 |
|----------|--|
| Code | Positions |
| | Executive Branch Manager, Office for Aboriginal and Torres Strait Islander Affairs |
| | Executive Branch Manager, Infrastructure and Contracts |
| | Executive Branch Manager, Policy and Business Transformation |
| C | Senior Director, Governance |
| D | Assistant Director, Freedom of Information Officer |
| | Directorate Liaison Officer |
| E | Freedom of Information Officer |
| F | Community Services Directorate Liaison Officer |

TABLE OF DELEGATIONS

Chief Minister, Treasury and Economic Development Directorate (CMTEDD)

| Column 1 | Column 2 |
|----------|----------------------------------|
| Code | Positions |
| A | Senior Project Technical Manager |

TABLE OF DELEGATIONS

ACT Health Directorate (HD)

| Column 1 | Column 2 |
|----------|------------------------|
| Code | Positions |
| A | Health Liaison Officer |

TABLE OF DELEGATIONS

ACT Education Directorate (ED)

| Column 1 | Column 2 |
|----------|---------------------------|
| Code | Positions |
| A | Education Liaison Officer |

Application of a delegation must be in consideration of policies, procedures or guidelines
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SCHEDULE 2

Children and Young People Act 2008

Note: The code mentioned in column 1 means the people occupying the positions identified in column 2 of schedule 1.

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
|--------------------------------------|--------------------------------------|----|---------------------------------|----|-----------------------|----|----|----|---|-----|--------|--|---|
| CYPS | BS | NS | SSC | SP | QIAR | ED | HD | CS | G | DGO | CMTEDD | Delegated Provisions | |
| | | | | | | | | | | | | Chapter 1 - Preliminary | |
| A B C D E F G H | A B C D E F G H | | A B C D E F G | | A B C D E | | | | | | | Subject: Power and/or function: Reference: | Aboriginal and Torres Strait Islander children and young people principle Identify any Aboriginal and Torres Strait Islander people or organisations providing ongoing support services to a child or young person or their family who are then able to make submissions to a decision maker making a decision under the Act. section 10(b) |
| A B C D E F G | A B C D E F G H | | A B C D E F G | | | | | | | | | Subject: Power and/or function: Reference: | Who is a significant person for a child or young person? Consider who is a significant person in a child or young person's life. section 14 |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
|---------------------------------|--------|----|--------|----|------|----|----|----|---|-----|--------|--|---|
| CYPS | BS | NS | SSC | SP | QIAR | ED | HD | CS | G | DGO | CMTEDD | Delegated Provisions | |
| A B C D E F G | | | | | | | | | | | | Subject: Power and/or function: Reference: | Daily care responsibility for children and young people For the making of decisions about the child or young person's daily care. section 19 |
| A B C D E F G | | | | | | | | | | | | Subject: Power and/or function: Reference: | Long-term care responsibility for children and young people For the making of long-term care responsibilities for a child or young person. section 20 |
| | | | | | | | | | | | | Chapter 2 - Administration | |
| A B | A B | | A B | | | | | | | | | Subject: Power and/or function: Reference: | Director-general instructions May make instructions for the management or operation of any administrative function under this Act. section 23(1) |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
|-----------------------|-------------|--------|--------|----|------|----|----|----|---|-----|--------|--|---|
| CYPS | BS | NS | SSC | SP | QIAR | ED | HD | CS | G | DGO | CMTEDD | Delegated Provisions | |
| A B | A B | | A B | | | | | | | | | Subject: Power and/or function: Reference: | Director-general may ask for assistance etc May ask a territory entity or an ACT education provider to provide assistance, facilities or services relevant to the physical or emotional wellbeing of a child or young person. section 25(1) |
| A B | A B | A B | A B | A | A | A | | A | A | | | Subject: Power and/or function: Reference: | Director-general must give identity cards An authorised person is a person whom the director-general has delegated a power under this Instrument of Delegation. Must give an authorised person an identity card stating details outlined in this section. section 26(3) |
| A B C D E | A B C | | A B | | | | | | | | | Subject: Power and/or function: Reference: | Official visitors – functions If the director-general is an operating entity for a visitable place must give any reasonable assistance the official visitor asks for to exercise the official visitor's functions at the place. section 39(c) |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
|-----------------------|--------|----|--------|----|--------|----|----|----|---|-----|--------|--|---|
| CYPS | BS | NS | SSC | SP | QIAR | ED | HD | CS | G | DGO | CMTEDD | Delegated Provisions | |
| A B C D E | A B | | A B | | A B | | | | | | | Subject: Power and/or function: Reference: | Director-general may approve suitable entity for purpose May in writing approve an entity as a suitable entity for a stated purpose. section 63(1) |
| A B C D E | | | | | A B | | | | | | | Subject: Power and/or function: Reference: | Director-general must consider suitability information etc Must consider each of the conditions outlined at section 64(1)(i to iii) in deciding whether the entity is a suitable entity for a stated purpose. May consider suitability information as outlined at section 65(1) (d to h). Must give written notice to the entity if considering suitability information under section 65(1) (d) or (e). section 64(1) and (2) |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
|----------------------------|----|----|-----|----|-------------|----|----|----|---|-----|--------|--|--|
| CYPS | BS | NS | SSC | SP | QIAR | ED | HD | CS | G | DGO | CMTEDD | Delegated Provisions | |
| A B | | | | | A B | | | | | | | Subject: Power and/or function: Reference: | Director-general must consider suitability information etc In deciding whether an organisation is a suitable entity for a care and protection purpose, the director-general must consider whether the organisation meets the criteria as outlined in this section. section 64(3) |
| A B C D E F | | | | | A B C | | | | | | | Subject: Power and/or function: Reference: | Director-general may require suitability information May, by written notice given to the entity, require the entity to give stated suitability information about the entity not later than a stated reasonable time. section 66(2) |
| A B C D | | | | | A B C | | | | | | | Subject: Power and/or function: Reference: | Director-general need not decide suitability if information not provided Director-general need not decide whether the entity is a suitable entity for a stated purpose. section 67(2) |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
|----------------------------|--------|----|--------|----|-------------|----|----|----|---|-----|--------|--|--|
| CYPS | BS | NS | SSC | SP | QIAR | ED | HD | CS | G | DGO | CMTEDD | Delegated Provisions | |
| A B C D E F | | | | | A B C | | | | | | | Subject: Power and/or function: Reference: | Director-general may require test etc May, by written notice given to the entity, require the entity to do any or all of the actions in section 68(2)(a to b) not later than a stated reasonable time. section 68(2) |
| A B C D | | | | | A B C | | | | | | | Subject: Power and/or function: Reference: | Director-general need not decide suitability if test not taken etc The director-general need not decide whether entity is a suitable entity for a stated purpose. section 69(2) |
| A B C D | A B | | A B | | | | | | | | | Subject: Power and/or function: Reference: | Director-general may employ etc suitable entity May appoint, engage, employ or authorise a suitable entity for a stated purpose (whether for payment or as a volunteer) for children under this Act. section 71 |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
|---------------------------------|--------|----|--------|----|-------------|----|----|----|---|-----|--------|--|--|
| CYPS | BS | NS | SSC | SP | QIAR | ED | HD | CS | G | DGO | CMTEDD | Delegated Provisions | |
| A B C D E F G | A B | | A B | | A B C | | | | | | | Subject: Power and/or function: Reference: | Suitable entities register Must establish a register of suitable entities for this Act. The register must include details for each suitable entity as outlined in this section. section 72(1) and (2) |
| | | | | | | | | | | | | Chapter 3 – Family group conferences | |
| A B C D E F | | | | | | | | | | | | Subject: Power and/or function: Reference: | What is a family group conference agreement? An agreement between the director-general and a relevant conference participant and for an agreement about a young person who is 15 years or older – the young person. section 76(1)(b and d) |
| A B C D E F | | | | | | | | | | | | Subject: Power and/or function: Reference: | What is a family group conference agreement? May be required to arrange a family group conference to review the family group conference agreement not later than a stated day. section 76(1)(e) |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
|----------------------------|----|----|-----|----|------|----|----|----|---|-----|--------|--|--|
| CYPS | BS | NS | SSC | SP | QIAR | ED | HD | CS | G | DGO | CMTEDD | Delegated Provisions | |
| A B | | | | | | | | | | | | Subject: Power and/or function: Reference: | Family group conference facilitator – appointment The director-general may appoint a person as a facilitator (a family group conference facilitator) for this Chapter. section 78 |
| A B C D E F | | | | | | | | | | | | Subject: Power and/or function: Reference: | Family group conferences- criteria May arrange for a family group conference about a child or young person if satisfied with conditions outlined under this section. section 80 |
| A B C D E F | | | | | | | | | | | | Subject: Power and/or function: Reference: | Family group conferences- criteria for review conference If a family group conference agreement is in force must arrange for a family group conference to review the family group conference agreement if required to do so in the agreement or asked to do so by the child or young person or a participant in the family group conference. section 81(2) |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
|----------------------------|----|----|-----|----|------|----|----|----|---|-----|--------|--|--|
| CYPS | BS | NS | SSC | SP | QIAR | ED | HD | CS | G | DGO | CMTEDD | Delegated Provisions | |
| A B C D E F | | | | | | | | | | | | Subject: Power and/or function: Reference: | Family group conferences - facilitator to organise If the director-general arranges a family group conference they must assign a family group conference facilitator to the conference. section 82(1) |
| A B C D E F | | | | | | | | | | | | Subject: Power and/or function: Reference: | Family group conferences- parties reach agreement Must be satisfied that a proposed family group conference agreement reached at a conference arranged under section 80(2) is in the best interests of the child or young person. section 85(3)(b) |
| A B C D E F | | | | | | | | | | | | Subject: Power and/or function: Reference: | Family group conference agreements- implementation Must implement the arrangements in a family group conference agreement (after receiving it) in a way that complies with the family group conference standards. section 90 |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
|---------------------------------|----|----|-----|----|------|----|----|----|---|-----|--------|--|--|
| CYPS | BS | NS | SSC | SP | QIAR | ED | HD | CS | G | DGO | CMTEDD | Delegated Provisions | |
| | | | | | | | | | | | | Chapter 4 – Criminal matters - General | |
| A B C D E F G | | | | | | | | | | | | Subject: Power and/or function: Reference: | Meaning of youth worker Youth worker is an authorised person to whom the director-general has delegated functions of a youth worker under the criminal matters chapters. section 96 |
| A B C D E F G | | | | | | | | | | | | Subject: Power and/or function: Reference: | Treating doctors - health service appointments Receive written directions from the treating doctor to protect the health of young detainees (including preventing the spread of disease at detention places). section 97(4) |
| A B C D E F G | | | | | | | | | | | | Subject: Power and/or function: Reference: | Treating doctors - health service appointments Must ensure that each direction from the treating doctor is complied with unless delegate believes on reasonable grounds that compliance would undermine security or good order at the detention place. section 97(5) |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
|------------------|----|----|-----|----|------|----|----|----|---|-----|--------|---|---|
| CYPS | BS | NS | SSC | SP | QIAR | ED | HD | CS | G | DGO | CMTEDD | Delegated Provisions | |
| A | | | | | | | | | | | | Subject: | Health professionals - non treating functions |
| B | | | | | | | | | | | | Power and/or function: | May authorise orally or in writing a health professional to exercise non treating functions under the criminal matters chapters (chapters 4 to 9). |
| C | | | | | | | | | | | | Reference: | section 98(1) |
| D | | | | | | | | | | | | | |
| E | | | | | | | | | | | | | |
| F | | | | | | | | | | | | | |
| G | | | | | | | | | | | | | |
| | | | | | | | | | | | | Chapter 5 – Criminal matters - Transfers | |
| A | | | | | | | | | | | | Subject: | Transfers within ACT - directions to escort officers |
| B | | | | | | | | | | | | Power and/or function: | May give directions to an escort officer in relation to a young detainee, including directions to take the young detainee into custody or to a place stated in the direction. |
| C | | | | | | | | | | | | Reference: | section 101(1) |
| D | | | | | | | | | | | | | |
| E | | | | | | | | | | | | | |
| F | | | | | | | | | | | | | |
| G | | | | | | | | | | | | | |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
|---------------------------------|----|----|-----|----|------|----|----|----|---|-----|--------|--|--|
| CYPS | BS | NS | SSC | SP | QIAR | ED | HD | CS | G | DGO | CMTEDD | Delegated Provisions | |
| A B C D E F G | | | | | | | | | | | | Subject: Power and/or function: Reference: | Transfers within ACT - orders to bring young detainees before court etc Must arrange for a young detainee or child or young person in the director-general's custody to be brought before a court or other entity in accordance with any order or direction (however described) of the court or entity. section 102(2) |
| A B C D E F G | | | | | | | | | | | | Subject: Power and/or function: Reference: | Arrangements for escorting people May make an arrangement for escorting a child, a young person or a young detainee with the director-general responsible for the Corrections Management Act 2007 and the Chief Police Officer. section 103 |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
|---------------------------------|----|----|-----|----|------|----|----|----|---|-----|--------|---|---|
| CYPS | BS | NS | SSC | SP | QIAR | ED | HD | CS | G | DGO | CMTEDD | Delegated Provisions | |
| A B C D E F G | | | | | | | | | | | | <p>Subject:</p> <p>Power and/or function:</p> <p>Reference:</p> | <p>Transfers within ACT - escorting young detainees etc - executing warrants of commitment or remand etc</p> <p>May make escort officers available to attend at a court or tribunal - a) to take a young detainee into custody; or b) to arrange for a young detainee to be kept in custody; or c) to transfer or otherwise deal with a young detainee.</p> <p>section 107(1)</p> |
| A B C D E F | | | | | | | | | | | | <p>Subject:</p> <p>Power and/or function:</p> <p>Reference:</p> | <p>Transfers within ACT - transfers to health facilities</p> <p>May direct that a young detainee be transferred to a health facility at a detention place, or outside a detention place. Must have regard to the advice of a treating doctor when considering whether to make a direction under subsection 1.</p> <p>section 109(1) and (2)</p> |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| A B C D E F | | | | | | | | | | | | Subject: Power and/or function: Reference: | Transfers within ACT - transfers to health facilities May direct an escort officer to escort the young detainee to or from the health facility, or while at the facility. section 109(3) |
| A B C D E F | | | | | | | | | | | | Subject: Power and/or function: Reference: | Transfers within ACT - transfers to health facilities The young detainee may be discharged only if the director-general directs that the young detainee be removed from the facility; or the health professional in charge of the young detainee's care approves the discharge. The director-general must have regard to the health of the young detainee when considering a direction under subsection (4). section 109(4) and (5) |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| A B C D E F | | | | | | | | | | | | Subject: Power and/or function: Reference: | Transfers within ACT - transfers to health facilities May give a direction for ensuring that a young detainee discharged from a health facility under subsection (4) is returned to a detention place stated in the direction. section 109(6) |
| A B C D E | | | | | | | | | | | | Subject: Power and/or function: Reference: | Transfer to mental health facility – notice of change in status The director-general must tell the director-general responsible for the <i>Mental Health Act 2015</i> in writing about any change in the young detainee's status as a young detainee. section 109A(2) |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| A B | | | | | | | | | | | | <p>Subject:</p> <p>Power and/or function:</p> <p>Reference:</p> | <p>Transfers within ACT - transfers of young detainees who become adults - transfers to correctional centres (under 21 years old)</p> <p>May direct that a young detainee serving a sentence of imprisonment or otherwise in custody at a detention place who is an adult be transferred to a correctional centre and considers the provisions outlined in this section. If a direction is given, the director-general may direct an escort officer to escort the young detainee to the correctional centre.</p> <p>section 111</p> |
| A B C | | | | | | | | | | | | <p>Subject:</p> <p>Power and/or function:</p> <p>Reference:</p> | <p>Transfers to correctional centres – 21 year old</p> <p>Must give the directions necessary to ensure that a young detainee who turns 21 years old is transferred to a correctional centre.</p> <p>section 112(2)</p> |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| CYPS | BS | NS | SSC | SP | QIAR | ED | HD | CS | G | DGO | CMTEDD | Delegated Provisions | |
| A B C D E F | | | | | | | | | | | | <p>Subject:</p> <p>Power and/or function:</p> <p>Reference:</p> | <p>Transfers within ACT - transfer - notifying people responsible for or nominated by young detainees</p> <p>If the young detainee is under 18 years the director-general must take reasonable steps to tell someone who has daily care or long-term care responsibility for the young detainee about the transfer.</p> <p>section 113(2)</p> |
| A B C D E F | | | | | | | | | | | | <p>Subject:</p> <p>Power and/or function:</p> <p>Reference:</p> | <p>Transfers within ACT - transfer - notifying people responsible for or nominated by young detainees</p> <p>If the director-general shares daily care responsibility or long-term care responsibility for the young detainee, the director-general must take reasonable steps to tell the other person. If the young detainee is 18 years or older, the director-general must take reasonable steps to tell the young detainee's nominated person about the transfer.</p> <p>section 113(3) and (4)</p> |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| A B | | | | | | | | | | | | <p>Subject:</p> <p>Power and/or function:</p> <p>Reference:</p> | <p>Interstate transfers - transfer arrangements</p> <p>If a transfer agreement is in force the director-general may make a transfer arrangement with a Minister of a State or a person authorised by this Minister for the transfer of a particular young offender from the ACT to the State or to the ACT from the State. May make a transfer arrangement with the Minister or a person authorised to fix a mistake in a transfer arrangement.</p> <p>section 116(1), (2) and (3)</p> |
| A B | | | | | | | | | | | | <p>Subject:</p> <p>Power and/or function:</p> <p>Reference:</p> | <p>Interstate transfers - power to arrange for transfers</p> <p>May make a transfer arrangement for the transfer of a young offender from the ACT to a State according to section 117.</p> <p>section 117</p> |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| A B C | | | | | | | | | | | | <p>Subject:</p> <p>Power and/or function:</p> <p>Reference:</p> | <p>Interstate transfers - transfer arrangements - facilities must be adequate</p> <p>May only make a transfer arrangement from a State to the ACT if satisfied that there are adequate facilities in the ACT.</p> <p>section 118</p> |
| A B C | | | | | | | | | | | | <p>Subject:</p> <p>Power and/or function:</p> <p>Reference:</p> | <p>Interstate transfers - custody of person on transfer order</p> <p>Must make a written transfer order if the transfer arrangement is for a transfer from the ACT to a State and in the custody of a transfer escort and must approve a transfer escort as per s120(2)(d).</p> <p>section 120</p> |
| A B C | | | | | | | | | | | | <p>Subject:</p> <p>Power and/or function:</p> <p>Reference:</p> | <p>Custody pending interstate transfer</p> <p>If the director-general makes a transfer arrangement for the transfer of a young offender from the ACT to a State, the young offender may be detained in a detention place until the young offender is delivered to the transfer escort.</p> <p>section 121</p> |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| A B C | | | | | | | | | | | | <p>Subject:</p> <p>Power and/or function:</p> <p>Reference:</p> | <p>Interstate transfers - transit through ACT - director-general may receive young offenders</p> <p>May receive at a detention place young offenders being transferred through the ACT under a transfer agreement.</p> <p>section 127</p> |
| A B C | | | | | | | | | | | | <p>Subject:</p> <p>Power and/or function:</p> <p>Reference:</p> | <p>Interstate transfers - transit through ACT - lawful custody for transit through the ACT</p> <p>May receive and detain a young offender brought into the ACT by a transfer escort (authorised by a transfer agreement) for a time as stated by the transfer escort and at the end of the time deliver the young offender into the custody of the transfer escort.</p> <p>section 128(3)</p> |
| A B C D | | | | | | | | | | | | <p>Subject:</p> <p>Power and/or function:</p> <p>Reference:</p> | <p>Revocation of transfer order—offence during transfer</p> <p>The Children’s Court may, on application by the director-general, revoke a transfer order in relation to a young offender.</p> <p>section 133(1)</p> |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| A B | | | | | | | | | | | | <p>Subject:</p> <p>Power and/or function:</p> <p>Reference:</p> | <p>Interstate transfers - revocation of transfer order by director-general</p> <p>May revoke a transfer order before the young offender is delivered into custody in the receiving State. If the transfer order is revoked the director-general may make a further transfer arrangement with the receiving State for the return of the young offender to the ACT.</p> <p>section 134</p> |
| A B C | | | | | | | | | | | | <p>Subject:</p> <p>Power and/or function:</p> <p>Reference:</p> | <p>Interstate transfers - revocation of transfer orders</p> <p>May consider reports etc from a person responsible for a young offender in the ACT or a person who has had custody, care or supervision of a young offender in the ACT or a State.</p> <p>section 135</p> |
| | | | | | | | | | | | | Chapter 6 – Criminal matters – Detention places | |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| CYPS | BS | NS | SSC | SP | QIAR | ED | HD | CS | G | DGO | CMTEDD | Delegated Provisions | |
| A B C D E F G | | | | | | | | | | | | Subject: Power and/or function: Reference: | Detention – chapter 6, definition of accredited person The director-general is an accredited person for a young detainee if the director-general has daily or long-term care responsibility for the young detainee. section 137(a) |
| A B C D E F G | | | | | | | | | | | | Subject: Power and/or function: Reference: | Definitions—chapter 6, definition of accredited person Approve a representative of an entity providing a service or program to the young detainee at a detention place as an accredited person. section 137(b) |
| A B C | | | | | | | | | | | | Subject: Power and/or function: Reference: | Detention places - minimum living conditions Must ensure that conditions at detention places meet at least the minimum standards as set out in section 141(1)(a-k). section 141(1) |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| CYPS | BS | NS | SSC | SP | QIAR | ED | HD | CS | G | DGO | CMTEDD | Delegated Provisions | |
| A B C | | | | | | | | | | | | Subject: Power and/or function: Reference: | Youth detention policies and operating procedures Decide on places other than a detention place where each youth detention policy and operating procedure may be made available for inspection. section 143(3)(b) |
| A B C | | | | | | | | | | | | Subject: Power and/or function: Reference: | Copies of Act, policies etc to be available for inspection at detention place Must ensure copies of the <i>Children and Young People Act 2008</i> and youth detention policies and operating procedures are available for inspection by young detainees at each detention place. section 144 |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| A B C D E F G | | | | | | | | | | | | Subject: Power and/or function: Reference: | Director-general directions May give reasonable directions in relation to a young detainee about anything related to the criminal matters chapters (chapters 4 to 9). May give a direction in relation to any provision set out in section 146(2)(a) to (c). A direction may be given orally or in writing and may apply to one, two or more young detainees. section 146 |
| A B C | | | | | | | | | | | | Subject: Power and/or function: Reference: | Prohibited areas Must take all reasonable steps to ensure that the prohibited area is brought to the attention of all young detainees. section 147(2) |
| A B | | | | | | | | | | | | Subject: Power and/or function: Reference: | Prohibited things Declare a thing to be a prohibited thing if the director-general believes on reasonable grounds that the declaration is necessary or prudent to ensure security or good order of a detention place. section 148 |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| CYPS | BS | NS | SSC | SP | QIAR | ED | HD | CS | G | DGO | CMTEDD | Delegated Provisions | |
| A | | | | | | | | | | | | Subject: | Declaration of emergency |
| | | | | | | | | | | | | Power and/or function: | May declare that an emergency exists in relation to the detention place. May make declarations for 2 or more consecutive periods in relation to the same emergency. The first declaration is a notifiable instrument. A declaration for a second or subsequent period in relation to the same emergency is a disallowable instrument. |
| | | | | | | | | | | | | Reference: | section 149 |
| A | | | | | | | | | | | | Subject: | Emergency powers |
| B | | | | | | | | | | | | Power and/or function: | While an emergency is declared in relation to a detention place the director-general may carry out 1 or more of the actions set out at section 150(1)(a) to (d). Must ensure that action taken under this section is necessary and reasonable. |
| C | | | | | | | | | | | | Reference: | section 150 |
| A | | | | | | | | | | | | Subject: | Arrangements with police |
| B | | | | | | | | | | | | Power and/or function: | May make arrangements with the chief police officer for police assistance in relation to the criminal matters chapters (chapters 4 to 9). |
| C | | | | | | | | | | | | Reference: | section 151 |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| A B C | | | | | | | | | | | | Subject: Power and/or function: Reference: | Assistance from other directors-general May ask another director-general for assistance in relation to the exercise of functions under the criminal matters chapters (4 to 9). section 152(1) |
| A B C D E F G | | | | | | | | | | | | Subject: Power and/or function: Reference: | Assistance from other directors-general A corrections officer providing assistance under s152 may exercise any function exercisable by a youth worker under the criminal matters chapters in accordance with any direction by the director-general. section 152(3) |
| A B C | | | | | | | | | | | | Subject: Power and/or function: Reference: | Inspection at detention places - relationship with other inspection laws May make arrangements with a person responsible for the exercise of functions under an inspection law to ensure the safety of an inspector or anyone else affected by the exercise of the function in relation to a young detainee or detention place. section 154(3) |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| A B C D E F | | | | | | | | | | | | <p>Subject:</p> <p>Power and/or function:</p> <p>Reference:</p> | <p>Inspection at detention places - relationship with other inspection laws</p> <p>Give a reasonable direction to a person exercising a function under an inspection law in relation to the safety of anyone at the detention place or security or good order at the detention place.</p> <p>section 154(4)</p> |
| A B C D E F G | | | | | | | | | | | | <p>Subject:</p> <p>Power and/or function:</p> <p>Reference:</p> | <p>Admission to detention places - authority for detention</p> <p>Before a young detainee is admitted to a detention place, the director-general must be given the warrant or other authority for the detention.</p> <p>section 156(2)</p> |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| A | | | | | | | | | | | | Subject: | Admission to detention places - detention - notifying people responsible for or nominated by young detainees |
| B | | | | | | | | | | | | Power and/or function: | |
| C | | | | | | | | | | | | | |
| D | | | | | | | | | | | | | |
| E | | | | | | | | | | | | | |
| F | | | | | | | | | | | | | |
| G | | | | | | | | | | | | Reference: | <p>If a young detainee is under 18 the director-general must tell someone who has daily care or long-term care responsibility for the young detainee about matters mentioned in this section. If the director-general and someone else share daily care or long-term care responsibility for the young detainee, the director-general must take reasonable steps to tell the other person about matters mentioned in this section. If a young detainee is 18 years or over the director-general must tell the young detainee's nominated person about the matters mentioned in this section.</p> <p>section 157</p> |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| A B C D E F G | | | | | | | | | | | | Subject: Power and/or function: Reference: | Admission to detention places - identification of young detainees May direct that all or any of the items at section 158(1)(a) to (d) be taken of or from the young detainee for the identification of the young detainee. section 158(1) |
| A B C D E F G | | | | | | | | | | | | Subject: Power and/or function: Reference: | Admission to detention places - information - entitlements and obligations Must take reasonable steps to explain to the young detainee all matters outlined at this section as soon as practicable after a young detainee is admitted to a detention place. Must arrange for the assistance of an interpreter if the young detainee is unable to communicate with reasonable fluency in English. Must tell a diplomatic or consular representative of a foreign country about the detention of a national of that country, if asked by the young detainee or if the director-general considers in the best interests of the young detainee. section 159(1), (3) and (5) |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| A B C D E F G | | | | | | | | | | | | Subject: Power and/or function: Reference: | Admission to detention places - initial assessment Must ensure that each young detainee admitted to a detention place is assessed as outlined in this section. Must ensure that any ongoing needs and risks are addressed in the young detainee's case management plan (if any). section 160 |
| | | | | | | | | | | | | Subject: Power and/or function: Reference: | Health assessment A treating doctor who makes an assessment or reviews an assessment made under section 160 must give a report of the assessment to the director-general. section 161(4) |
| A B C D E | | | | | | | | | | | | Subject: Power and/or function: Reference: | Admission to detention places - alcohol and drug tests on admission May direct the young detainee orally or in writing to provide a test sample. section 162(1) |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| CYPS | BS | NS | SSC | SP | QIAR | ED | HD | CS | G | DGO | CMTEDD | Delegated Provisions | |
| A B C D | | | | | | | | | | | | Subject: Power and/or function: Reference: | Admission to detention places - security classification Must arrange for a young detainee to be given a security classification under section 190 as soon as practicable after young detainee's admission. section 163 |
| A B C D E F G | | | | | | | | | | | | Subject: Power and/or function: Reference: | Admission to detention places - case management plan Must arrange for a case management plan to be prepared for a young detainee as soon as practicable after young detainee's admission. May prepare a case management plan for a young detainee at a detention place who is a young remandee. section 164 |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| A B C D E F G | | | | | | | | | | | | Subject: Power and/or function: Reference: | Admission to detention places - entries in register of young detainees Must ensure on admission that details of each young detainee are entered in the register of young detainees. section 165 |
| A B C D E F G | | | | | | | | | | | | Subject: Power and/or function: Reference: | Requirements and considerations about placement and separation of young detainees Must ensure in placing a young detainee that conditions as outlined in section 166(2)(a) to (c) are followed. Subsection (2) does not apply if the director-general believes on reasonable grounds that another placement will be in the best interests of all affected detainees. When deciding where to place a young detainee must consider matters outlined at section 164(4)(a) to (d). May consider any security classification given to the young detainee under s163. section 166 |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| A B C | | | | | | | | | | | | <p>Subject:</p> <p>Power and/or function:</p> <p>Reference:</p> | <p>Living conditions at detention places - food and drink</p> <p>Must ensure that food and drink provided for young detainees meets requirements outlined in section 167(1)(a) to (c). Must ensure that allowance is made for religious, spiritual and cultural needs of young detainees in relation to food and drink. Must ensure if a particular diet is prescribed for a young detainee that diet is provided.</p> <p>section 167</p> |
| A B C | | | | | | | | | | | | <p>Subject:</p> <p>Power and/or function:</p> <p>Reference:</p> | <p>Living conditions at detention places – clothing</p> <p>Must ensure that clothing provided for young detainees is in accordance with section 168.</p> <p>section 168</p> |
| A B C | | | | | | | | | | | | <p>Subject:</p> <p>Power and/or function:</p> <p>Reference:</p> | <p>Living conditions at detention places - personal hygiene</p> <p>Must ensure the entitlements for each young detainee regarding facilities and personal hygiene as outlined in this section are provided.</p> <p>section 169</p> |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| A B C | | | | | | | | | | | | Subject: Power and/or function: Reference: | Living conditions at detention places - sleeping areas Must ensure that entitlements for each young detainee regarding sleeping places as outlined in this section are provided. section 170 |
| A B C | | | | | | | | | | | | Subject: Power and/or function: Reference: | Treatment of convicted and non-convicted detainees The director-general must make a policy or operating procedure providing for different treatment of convicted young detainees and non-convicted detainees. section 171(1) |
| A B C | | | | | | | | | | | | Subject: Power and/or function: Reference: | Living conditions - access to open air and exercise Must ensure that young detainees have access to open air and exercise in accordance with conditions as outlined in this section. section 172 |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| A B C | | | | | | | | | | | | Subject: Power and/or function: Reference: | Living conditions - communication with family and others Must ensure that adequate opportunities are provided for young detainees to be able to remain in contact with family and others according to this section. section 173 |
| A B C | | | | | | | | | | | | Subject: Power and/or function: Reference: | Living conditions - telephone calls Must ensure that each detention place has telephone facilities for use by young detainees. Must pay for telephone calls made by a young detainee unless on reasonable grounds it is appropriate for the young detainee to pay for the calls. section 174(1) and 174(4) |
| A B C D E F G | | | | | | | | | | | | Subject: Power and/or function: Reference: | Living conditions - telephone calls May give directions denying or limiting the use of a telephone by a young detainee in accordance with criteria as outlined in this section. section 174(6) |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| A B C | | | | | | | | | | | | Subject: Power and/or function: Reference: | Living conditions – mail Must ensure, as far as practicable, that young detainees can send and receive as much mail as they wish. section 175(1) |
| A B C D E | | | | | | | | | | | | Subject: Power and/or function: Reference: | Living conditions -mail A young detainee may send mail to, and receive mail from any family member, significant person or other person nominated by the young detainee by written notice given to the director-general. May give directions denying or limiting the sending or receiving of mail by a young detainee on grounds outlined in section 175(4)(a) and (b). section 175(2) and 175(4) |
| A B C | | | | | | | | | | | | Subject: Power and/or function: Reference: | Living conditions - news and education Must ensure, as far as practicable, that young detainees have reasonable access to news and information, a library service and education or training as outlined at section 176(1)(a) to (c). section 176(1) |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| CYPS | BS | NS | SSC | SP | QIAR | ED | HD | CS | G | DGO | CMTEDD | Delegated Provisions | |
| A B C D E F G | | | | | | | | | | | | Subject: Power and/or function: Reference: | Living conditions - news and education Must, as part of a young detainee's case management plan, approve a young detainee participating in academic, vocational or cultural education or training if satisfied it would benefit the young detainee in one of the ways in (2)(a),(b) or (c). section 176(2) |
| A B C | | | | | | | | | | | | Subject: Power and/or function: Reference: | Living conditions - visits by family members Must ensure that each detention place has suitable facilities for young detainees to receive visits from family members and significant people. section 177(1) |
| A B C D E F G | | | | | | | | | | | | Subject: Power and/or function: Reference: | Living conditions - visits by family members May give directions denying or limiting a visit on grounds outlined in section 177(4)(a) and (b). section 177(4) |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| CYPS | BS | NS | SSC | SP | QIAR | ED | HD | CS | G | DGO | CMTEDD | Delegated Provisions | |
| A B C | | | | | | | | | | | | Subject: Power and/or function: Reference: | Living conditions – contact with accredited people Must ensure that a young detainee has adequate opportunities for contact with an accredited person - by telephone, mail or visit. section 178(1) |
| A B C D E F G | | | | | | | | | | | | Subject: Power and/or function: Reference: | Living conditions - contact with accredited people May give directions denying or limiting a young detainee's contact with an accredited person on the grounds outlined in this section. section 178(3) |
| A B C D E F G | | | | | | | | | | | | Subject: Power and/or function: Reference: | Visits - protected communication Must not listen to, or record, a communication at a visit between a young detainee and any of the people listed in this section. section 179 |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| A B C | | | | | | | | | | | | Subject: Power and/or function: Reference: | Living conditions - health care Must ensure that young detainees have a standard of health care as outlined at section 180(1)(a) to (d). Must ensure that young detainees have access to health services as outlined at section 180(2)(a) to (d). section 180 |
| A B C D E F G | | | | | | | | | | | | Subject: Power and/or function: Reference: | Director-general's consent to medical treatment for young detainees May consent to medical treatment for the young detainee if delaying the treatment until a person who has daily care responsibility can be located would be detrimental to the young detainee's health. section 181 |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| CYPS | BS | NS | SSC | SP | QIAR | ED | HD | CS | G | DGO | CMTEDD | Delegated Provisions | |
| A B C D E F | | | | | | | | | | | | Subject: Power and/or function: Reference: | Living conditions - injury etc notifying people responsible Must tell a person who has daily or long-term care responsibility about the condition if the young detainee is under 18. Must tell the nominated person about the condition if young detainee is 18 or over. section 182 |
| A B C | | | | | | | | | | | | Subject: Power and/or function: Reference: | Living conditions - religious, spiritual and cultural needs Must ensure provision is made for the religious, spiritual and cultural needs of young detainees and reasonable access to people and services as outlined in this section. section 183(1) and (2) |
| A B C D E | | | | | | | | | | | | Subject: Power and/or function: Reference: | Living conditions - religious, spiritual and cultural needs May give directions denying or limiting a young detainee's access to religious services and practices according to this section. Section 183(3) |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| A B C D E F G H | | | | | | | | | | | | Subject: Power and/or function: Reference: | Compliance with director-general's directions A young detainee must comply with any direction given under the criminal matters chapters to the young detainee by the director-general. section 184 |
| A B C D E F G | | | | | | | | | | | | Subject: Power and/or function: Reference: | Management and security - register of young detainees Must keep a register of each young detainee at a detention place. The register must contain all details listed in section 185(2)(a) to (p). section 185 |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| CYPS | BS | NS | SSC | SP | QIAR | ED | HD | CS | G | DGO | CMTEDD | Delegated Provisions | |
| A | | | | | | | | | | | | Subject: | Management and security - health reports |
| B | | | | | | | | | | | | Power and/or function: | May ask a relevant director-general for a written report about a young detainee's health. Must ensure that a treating doctor assesses the health report from a relevant director-general, and includes a statement of the young detainee's condition (a health schedule) in the young detainee's case management plan. The health schedule must include information outlined in section 186(5)(a) to (b). Must ensure that the relevant director-general's health report and the health schedule is available only to people authorised by the director-general. |
| C | | | | | | | | | | | | Reference: | section 186 |
| D | | | | | | | | | | | | | |
| E | | | | | | | | | | | | | |
| F | | | | | | | | | | | | | |
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| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| A B C D E F | | | | | | | | | | | | <p>Subject:</p> <p>Power and/or function:</p> <p>Reference:</p> | <p>Management and security - use of medicines</p> <p>May approve the use of a medicine, other than a prescription only medicine, by a young detainee. May seek the advice of a treating doctor before approving the use of a medicine, other than a prescription only medicine, by a young detainee.</p> <p>If use of a medicine is approved, the director-general must ensure that the details of the approval, and the reasons for it, are recorded in the young detainee register.</p> <p>section 187</p> |
| A B C D E F G | | | | | | | | | | | | <p>Subject:</p> <p>Power and/or function:</p> <p>Reference:</p> | <p>Case management plans - scope etc</p> <p>Must maintain an individual case management plan for each young detainee other than a young remandee. May maintain an individual case management plan for a young detainee who is a young remandee.</p> <p>section 188</p> |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| A | | | | | | | | | | | | Subject: | Transgender and intersex young detainees - sexual identity |
| B | | | | | | | | | | | | Power and/or function: | May choose the sex the young detainee is to be identified with if the young detainee fails/refuses to make a choice themselves. |
| C | | | | | | | | | | | | | May, on application by the young detainee, approve a change in the sex the young detainee chooses to be identified with. Must obtain a report by a non-treating doctor or non-treating health professional about the young detainee's sexual identity before making a decision under the provisions of this section. |
| D | | | | | | | | | | | | | May obtain a report by a non-treating doctor or non-treating health professional about the young detainee's sexual identity on other grounds outlined in this section. Must give the young detainee written notice of a decision made under this section and ensure that the young detainee's chosen sex is entered in the register of young detainees. |
| E | | | | | | | | | | | | Reference: | |
| F | | | | | | | | | | | | | section 189 |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| A B C D | | | | | | | | | | | | <p>Subject:</p> <p>Power and/or function:</p> <p>Reference:</p> | <p>Management and security - security classification – basis</p> <p>Must give a young detainee a security classification. May review the classification at any time. When deciding a young detainee's security classification must consider issues outlined at this section.</p> <p>section 190</p> |
| A B C D E F G | | | | | | | | | | | | <p>Subject:</p> <p>Power and/or function:</p> <p>Reference:</p> | <p>Management and security - property of young detainees</p> <p>May allow a young detainee's property to be brought into a detention place. May give directions imposing conditions in relation to the property. Must ensure that the register of young detainees includes details of the property each young detainee has at a detention place.</p> <p>section 191</p> |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| A B C | | | | | | | | | | | | Subject: Power and/or function: Reference: | Management and security - possession of prohibited things Can approve the young detainee's possession of a prohibited thing. section 192(2) |
| A B C D E F G H | | | | | | | | | | | | Subject: Power and/or function: Reference: | Mandatory reporting of threats to security etc at detention place A person must report to the director-general in the circumstances described at section 193(1). section 193(2) |
| A B C | | | | | | | | | | | | Subject: Power and/or function: Reference: | Trust accounts of young detainees Must ensure that money belonging to a young detainee is held for the detainee in a trust account. May deduct amounts from a young detainee's trust account for payment of any fine or reparation that must be paid as a result of disciplinary action against the young detainee. section 194 |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| A B C D E F G | | | | | | | | | | | | <p>Subject:</p> <p>Power and/or function:</p> <p>Reference:</p> | <p>Management and security - register of searches and uses of force</p> <p>Must keep a register of searches carried out and incidents involving the use of force. The register must contain all details listed in section 185(1)(2)(a) to (h) and any other details the director-general considers relevant.</p> <p>section 195</p> |
| A B C D E F G H | | | | | | | | | | | | <p>Subject:</p> <p>Power and/or function:</p> <p>Reference:</p> | <p>Monitoring - general considerations</p> <p>Must ensure that considerations outlined in section 197(a) to (g) are balanced appropriately when exercising a function under this division.</p> <p>section 197</p> |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| A B C D E F G H | | | | | | | | | | | | Subject: Power and/or function: Reference: | Notice of monitoring Must ensure that each person who enters a detention place is aware that they may be monitored, by people and electronically, and that their actions and voice may be recorded. section 198 |
| A B C D E F G | | | | | | | | | | | | Subject: Power and/or function: Reference: | Monitoring at detention places May arrange for any part of a detention place to be monitored for any activity. section 199 |
| A B C D E F | | | | | | | | | | | | Subject: Power and/or function: Reference: | Monitoring telephone calls etc May monitor or record an electronic communication with a young detainee other than a protected electronic communication and must tell the parties to the communication that it might be monitored and recorded. Must give information to the chief police officer if the communication reveals information about the commission of an offence. section 200 |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| A B C D E F G | | | | | | | | | | | | Subject: Power and/or function: Reference: | Monitoring ordinary mail May open and search a young detainee's mail, other than protected mail. May read a young detainee's ordinary mail only on the grounds outlined in section 201(2)(a to d). section 201(1) and (2) |
| A B C D E | | | | | | | | | | | | Subject: Power and/or function: Reference: | Monitoring protected mail May open and search a young detainee's protected mail in the young detainee's presence on grounds outlined in section 202(1)(a) or (b). Must not read a young detainee's protected mail without the young detainee's written consent. section 202 |
| A B C D E F G | | | | | | | | | | | | Subject: Power and/or function: Reference: | Mail searches – consequences Must give information to the chief police officer if a search of a young detainee's mail reveals information about, or evidence of the commission of an offence. section 203(2) |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| A B C D E | | | | | | | | | | | | Subject: Power and/or function: Reference: | Segregation - notice of segregation directions - safe room and other Must prepare a notice of a segregation direction. The notice must be given to the people outlined in section 207(2)(a to d). section 207 |
| A | | | | | | | | | | | | Subject: Power and/or function: Reference: | Designation of safe rooms The director-general may in writing declare a part of a detention place to be a safe room pursuant to the criteria outlined in this section. section 208 |
| A B C D E | | | | | | | | | | | | Subject: Power and/or function: Reference: | Segregation - safe room May direct that a young detainee be segregated from other young detainees by separate confinement in a safe room on the grounds outlined in this section. Must revoke the direction if the grounds for making the direction no longer exist. section 209 |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| A B C D E | | | | | | | | | | | | <p>Subject:</p> <p>Power and/or function:</p> <p>Reference:</p> | <p>Safe room segregation directions – privacy</p> <p>The confining of a young detainee under a safe room segregation direction and any force used to compel compliance with the direction, must not be done in the presence or sight of another young detainee. This does not apply if the director-general believes on reasonable grounds that the grounds outlined in section 210(2)(a) and (b) exist.</p> <p>section 210(2)</p> |
| A B C D E | | | | | | | | | | | | <p>Subject:</p> <p>Power and/or function:</p> <p>Reference:</p> | <p>Review of safe room segregation directions</p> <p>Must review a safe room segregation direction in accordance with this section and after reviewing, the director-general must carry out one of the actions listed in this section. May make more than one further safe room segregation direction after a review.</p> <p>section 211</p> |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| A B C D E | | | | | | | | | | | | Subject: Power and/or function: Reference: | Other segregation - safety and security May direct that a young detainee be segregated from other young detainees if the segregation is necessary to ensure safety and security. Must revoke the direction if the protection is no longer necessary or prudent. section 212 |
| A B C D E | | | | | | | | | | | | Subject: Power and/or function: Reference: | Other segregation - protective custody May direct that a young detainee be segregated from other young detainees if the segregation is necessary or prudent to protect the young detainee's custody. Must revoke the direction if the protection is no longer necessary or prudent. section 213 |
| A B C D E | | | | | | | | | | | | Subject: Power and/or function: Reference: | Other segregation – health May direct that a young detainee be segregated from other young detainees on health grounds outlined in this section. Must revoke the direction if the protection is no longer necessary or prudent. section 214 |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| A B C D | | | | | | | | | | | | <p>Subject:</p> <p>Power and/or function:</p> <p>Reference:</p> | <p>Internal review of segregation directions</p> <p>May review a segregation direction at any time. Must review the direction under the circumstances outlined at this section. After reviewing the original segregation direction may confirm, revoke or make a further direction. If the direction is a health segregation direction must have regard to any advice by a treating doctor. May make more than one further segregation direction after a review.</p> <p>section 217</p> |
| A B C | | | | | | | | | | | | <p>Subject:</p> <p>Power and/or function:</p> <p>Reference:</p> | <p>Notice of decision about segregation direction</p> <p>External reviewer must give prompt written notice of the external reviewer's decision to the director-general.</p> <p>section 221(2)(d)</p> |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| CYPS | BS | NS | SSC | SP | QIAR | ED | HD | CS | G | DGO | CMTEDD | Delegated Provisions | |
| A B C D | | | | | | | | | | | | Subject: Power and/or function: Reference: | Register of segregation directions Must keep a register containing details in relation to each segregation direction as outlined in this section. The register must be available for inspection by any of the people identified in this section. section 222 |
| A B C D E F G | | | | | | | | | | | | Subject: Power and/or function: Reference: | Use of force - managing use of force Must make arrangements to ensure that the use of force in relation to the management of young detainees is always a last resort and in accordance with division 6.6.4. and must ensure that youth detention officers do not use force without first considering conditions at section 223(2)(a) and (b). section 223(1) and (2) |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| A B C D E F G | | | | | | | | | | | | <p>Subject:</p> <p>Power and/or function:</p> <p>Reference:</p> | <p>Use of force - managing use of force</p> <p>Must give notice to a treating doctor or a nurse if force is used in relation to a young detainee, unless the force is a planned use of restraint as outlined in this section.</p> <p>Must make arrangements to ensure that a young detainee injured by the use of force under division 6.6.4 is examined by a treating doctor as soon as practicable and that appropriate health care is available to the young detainee. Must ensure the give a young detainee the opportunity to be examined by a treating doctor after any use of force in relation to the young detainee.</p> <p>section 223(4), (5) and (6)</p> |
| A B C | | | | | | | | | | | | <p>Subject:</p> <p>Power and/or function:</p> <p>Reference:</p> | <p>Managing use of force</p> <p>The director-general must make a youth detention policy or operating procedure in relation to the use of force, including the provisions of this section.</p> <p>section 223(7)</p> |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| A B C D E F G | | | | | | | | | | | | Subject: Power and/or function: Reference: | Authority to use force A youth worker may use force under this division if the officer believes on reasonable grounds that the purpose for which the use of force may be used cannot be achieved in another way and force is necessary and reasonable to circumstances as outlined in this section. section 224(b)(i) |
| A B C D E F G | | | | | | | | | | | | Subject: Power and/or function: Reference: | Use of force - use of restraint Must ensure that the use of force involving a restraint is proportionate to the circumstances as outlined at 226(2)(a) to (c). section 226(2) |
| A B C D | | | | | | | | | | | | Subject: Power and/or function: Reference: | Use of force - use of restraint Must ensure that restraints are only used by youth workers trained to use them and in accordance with a youth detention policy or operating procedure that applies to their use. section 226(3) |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| A B C | | | | | | | | | | | | Subject: Power and/or function: Reference: | Use of force - monthly reports Must ensure as soon as practicable after the end of each month a youth worker gives the director-general a report summarising the incidents (if any) during the month that involved the use of force in relation to a young detainee. section 227 |
| A B C D E F G H | | | | | | | | | | | | Subject: Power and/or function: Reference: | Access to detention places - visiting conditions Must bring the visiting conditions to the attention of visitors at a detention place as outlined in this section. section 229 |
| A B C D | | | | | | | | | | | | Subject: Power and/or function: Reference: | Taking prohibited things etc into detention place Exception to offence to take a prohibited thing etc into a detention place if the action is approved by the director-general. section 230(2) |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| A B C D E F G H | | | | | | | | | | | | Subject: Power and/or function: Reference: | Access to detention places - directions to visitors May, orally or in writing, give a direction to a visitor at a detention place to ensure compliance with visiting conditions or for security or good order at a detention place. section 231(1) |
| A B C D E F G H | | | | | | | | | | | | Subject: Power and/or function: Reference: | Access to detention places - directions to leave detention place etc May direct a person at a detention place not to enter the place or to leave the place. May give the direction only on the grounds outlined in section 232(2)(a)(i) to (iv). section 232 |
| A B C D E F | | | | | | | | | | | | Subject: Power and/or function: Reference: | Access to detention places - removing people from detention place May direct a youth worker to enforce a direction under section 232 if the person given the direction contravenes the direction. section 233(1) |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| A B C | | | | | | | | | | | | <p>Subject:</p> <p>Power and/or function:</p> <p>Reference:</p> | <p>Maintenance of family relationships - director-general may allow young child to stay with young detainee</p> <p>May, by direction, allow the young detainee to have contact with or care for the child in a detention place. Must not give a direction unless conditions in section 234(3)(a) and (b) are satisfied.</p> <p>section 234(2) and (3)</p> |
| A B C | | | | | | | | | | | | <p>Subject:</p> <p>Power and/or function:</p> <p>Reference:</p> | <p>Director-general may allow young child to stay with young detainee</p> <p>The director-general may make a youth detention policy or operating procedure about the arrangements to apply in relation to a young detainee having contact with, or caring for, a child in a detention place.</p> <p>section 234(4)</p> |

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| A B C D E | | | | | | | | | | | | <p>Subject:</p> <p>Power and/or function:</p> <p>Reference:</p> | <p>Alcohol and drug testing of young detainees</p> <p>May direct a young detainee to provide a stated kind of test sample. May give a young detainee a direction about the way the young detainee must provide the test sample. Must, after receiving the results of any test conducted on the test sample, give notice of the results to the young detainee and persons who are nominated by or who have responsibility for the young detainee.</p> <p>section 237</p> |
| A B C D E | | | | | | | | | | | | <p>Subject:</p> <p>Power and/or function:</p> <p>Reference:</p> | <p>Effect of positive test sample by young detainee</p> <p>May have regard to the positive test sample in making any decision in relation to the management of the young detainee.</p> <p>section 238(2)</p> |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| CYPS | BS | NS | SSC | SP | QIAR | ED | HD | CS | G | DGO | CMTEDD | Delegated Provisions | |
| A B C D E | | | | | | | | | | | | Subject: Power and/or function: Reference: | Young detainees - local leave directions May, in writing, direct that a young detainee be taken from a detention place to another place in the ACT subject to conditions in section 240(3)(a) to (b). section 240 |
| A B C D E | | | | | | | | | | | | Subject: Power and/or function: Reference: | Young detainees - local leave permit Must give the young detainee a written local leave permit to be absent for the purpose for which the local leave direction was given or any other appropriate purpose. section 241 |
| A B C | | | | | | | | | | | | Subject: Power and/or function: Reference: | Interstate leave permits May by written notice give a young detainee leave to travel to and from, and remain in, another State on the grounds outlined in section 242. section 242 |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| A B C D E F G | | | | | | | | | | | | Subject: Power and/or function: Reference: | <p>Lawful temporary absence from detention place</p> <p>Young detainee who is absent from a detention place under a direction by the director-general, including a direction under section 109 or 111, is taken to be in the director-general's custody and escort officer's custody, if under escort.</p> <p>section 245(1)(a)</p> |
| | | | | | | | | | | | | Chapter 7 – Criminal matters – Search and seizure at detention places | |
| A B C D E | | | | | | | | | | | | Subject: Power and/or function: Reference: | <p>Searches - use of search dog</p> <p>May direct a youth worker to use a search dog to assist in conducting a search if the assistance of the dog would minimise the intrusiveness of the search.</p> <p>section 249(1) and (2)</p> |
| A B C | | | | | | | | | | | | Subject: Power and/or function: Reference: | <p>Searches – use of search dog</p> <p>An operating procedure may make provision in relation to the use of search dogs under this chapter.</p> <p>section 249(4)</p> |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| A B C D E F | | | | | | | | | | | | Subject: Power and/or function: Reference: | Notice of strip and body searches Must ensure that a person who has daily or long-term care responsibility is told about a search if it is to be conducted on a young detainee who is under 18. Must ensure that a person who is the young detainee's nominated person is told about a search if it is to be conducted on a young detainee who is 18 or over. section 251 |
| A B C D E F | | | | | | | | | | | | Subject: Power and/or function: Reference: | Scanning, frisk and ordinary searches – directions May direct a youth worker to conduct a scanning, frisk or ordinary search of a young detainee. section 252(1) |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| A | | | | | | | | | | | | Subject: | Requirements for scanning, frisk and ordinary searches |
| B | | | | | | | | | | | | Power and/or function: | |
| C | | | | | | | | | | | | | Requirement for a frisk search of a young detainee to be conducted by a youth worker of the same sex as the young detainee does not apply if the director-general believes on reasonable grounds that— |
| D | | | | | | | | | | | | | (a) there is an imminent and serious threat to the personal safety of the young detainee or someone else; and |
| E | | | | | | | | | | | | | (b) compliance with subsection (3) would exacerbate the threat. |
| F | | | | | | | | | | | | Reference: | section 253(4) |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| A B C D | | | | | | | | | | | | <p>Subject:</p> <p>Power and/or function:</p> <p>Reference:</p> | <p>Strip searches</p> <p>May direct a youth worker to strip search a young detainee if the strip search is necessary for an initial assessment under section 160 but must be conducted according to section 254(2). May arrange for the search to be conducted in the presence of a support person according to section 254(3)(a) to (c). In making a decision must have regard to the young detainee's age, maturity, developmental capacity and any known history.</p> <p>section 254</p> |
| A B C D E F G | | | | | | | | | | | | <p>Subject:</p> <p>Power and/or function:</p> <p>Reference:</p> | <p>Strip searches of young detainees under 18 years old – no-one with parental responsibility available</p> <p>Must ensure that the strip search is conducted in the presence of a support person as outlined at section 255(2)(a) and (b).</p> <p>section 255(2)</p> |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| A B C D E F G | | | | | | | | | | | | Subject: Power and/or function: Reference: | Strip searches of young detainees under 18 years old – no-one with parental responsibility available A strip search on admission may continue in the absence of a support person if the director-general directs the support person to leave under section 256 (2). section 255(3)(b) |
| A B C D E F | | | | | | | | | | | | Subject: Power and/or function: Reference: | Strip searches on admission - directing person to leave May direct the person to leave the search area if that person is preventing or hindering the conduct of the search. section 256(2) |
| A B C D E F | | | | | | | | | | | | Subject: Power and/or function: Reference: | Strip searches - removing people from search area May direct a youth worker to enforce a direction to leave if the person given the direction contravenes the direction. section 257(1) |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| CYPS | BS | NS | SSC | SP | QIAR | ED | HD | CS | G | DGO | CMTEDD | Delegated Provisions | |
| A B C D | | | | | | | | | | | | Subject: Power and/or function: Reference: | Strip searches directed by director-general May direct a youth worker to strip search a young detainee only on the grounds outlined in section 258(1)(a) to (b). section 258(1) |
| A B C D E F G | | | | | | | | | | | | Subject: Power and/or function: Reference: | Youth workers at strip searches The requirement in subsection (1) (b) that a youth worker be the same sex as the young detainee does not apply if the director-general believes on reasonable grounds that there is an imminent and serious threat to the personal safety of the young detainee and compliance with the requirement would exacerbate the threat. section 260(4)(a) |
| A B C D | | | | | | | | | | | | Subject: Power and/or function: Reference: | Body searches directed by director-general May direct a non-treating doctor to conduct a body search of a young detainee on the grounds outlined in this section. section 264 |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| A B C D E F | | | | | | | | | | | | Subject: Power and/or function: Reference: | Obligations of director-general before body searches If a body search is proposed to be directed must ensure all conditions outlined in this section are met. section 265 |
| A B C D E F | | | | | | | | | | | | Subject: Power and/or function: Reference: | People present at body searches May direct 1 or more youth workers to be present during the search and each must be the same sex as the young detainee. section 266(3) |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| A B C D E F | | | | | | | | | | | | <p>Subject:</p> <p>Power and/or function:</p> <p>Reference:</p> | <p>People present at body searches</p> <p>Requirement in section 266(3) does not apply if director-general believes the conditions in section 266(5) exist. Must make a decision about the search being conducted in the presence of a person who has daily or long-term care responsibility if the young detainee is under 18, having regard to the matters in subsection (7). May arrange for a support person to be present if the young detainee is over 18.</p> <p>section 266(5), (6), (7) and (8)</p> |
| A B C D E F | | | | | | | | | | | | <p>Subject:</p> <p>Power and/or function:</p> <p>Reference:</p> | <p>Body searches of young detainees under 18 - no-one with parental responsibility available</p> <p>Must ensure that the body search is conducted in the presence of a support person as outlined in this section.</p> <p>section 267(2)</p> |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| A B C D E F G | | | | | | | | | | | | Subject: Power and/or function: Reference: | Body searches of young detainees under 18 - no-one with parental responsibility available The body search may continue in the absence of a support person if the young detainee does not agree to a support person being present or director-general directs the support person to leave under section 268(2). section 267(3)(b) |
| A B C D E F | | | | | | | | | | | | Subject: Power and/or function: Reference: | Body searches - directing people to leave May direct a person to leave a body search if that person is preventing or hindering the conduct of the search. section 268(2) |
| A B C D E F | | | | | | | | | | | | Subject: Power and/or function: Reference: | Body searches - removing people from search area May direct a youth worker to enforce a direction if the person given the direction contravenes the direction. section 269(1) |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| CYPS | BS | NS | SSC | SP | QIAR | ED | HD | CS | G | DGO | CMTEDD | Delegated Provisions | |
| A B C D E F | | | | | | | | | | | | Subject: Power and/or function: Reference: | Help for body searches If a non-treating doctor conducting a body search asks the director-general for assistance, may direct a youth worker or authorise someone else to be present at the search to assist in the conduct of the search. The assistant must be the same sex unless the director-general believes that the circumstances in (4)(a) and (b) arising. section 270 |
| A B C D E F G | | | | | | | | | | | | Subject: Power and/or function: Reference: | Body searches - rules about young detainees' clothing Must ensure that the young detainee is left with, or given, appropriate clothing to wear if their clothing is seized during a body search. section 271(3) |
| A B C D E F | | | | | | | | | | | | Subject: Power and/or function: Reference: | Searches of people other than detainees May direct a youth worker to conduct a scanning, frisk or ordinary search of a person at a detention place who is not a young detainee. section 274(1) |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| A B C D E F | | | | | | | | | | | | Subject: Power and/or function: Reference: | Searches - premises and property May, at any time, direct a youth worker to search premises and property at a detention place as outlined in section 275(1)(a) to (c). section 275(1) |
| A B C D E F G | | | | | | | | | | | | Subject: Power and/or function: Reference: | Searches of young detainee cells - privileged material May make arrangements for the secure storage of privileged material for young detainees. section 276(3) |
| A B C D E F G | | | | | | | | | | | | Subject: Power and/or function: Reference: | Seizing mail etc May seize anything in a young detainee's protected or other mail as outlined in section 280(1) to (2) only if the document is not privileged. If privileged must return the document immediately. section 280 |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| A B C D E F G | | | | | | | | | | | | Subject: Power and/or function: Reference: | Seizing property – general May seize property as outlined in this section. May seize a document only if the director-general believes that the document is not privileged. section 281(1)(a) |
| A B C | | | | | | | | | | | | Subject: Power and/or function: Reference: | Seizing property – general May give written approval for a person to possess a prohibited thing. section 281(1)(a) |
| A B C D E F G | | | | | | | | | | | | Subject: Power and/or function: Reference: | Notice of seizure Must prepare and give written notice of a seizure. section 282(1) and (2) |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| CYPS | BS | NS | SSC | SP | QIAR | ED | HD | CS | G | DGO | CMTEDD | Delegated Provisions | |
| A B C D | | | | | | | | | | | | Subject: Power and/or function: Reference: | Forfeiture of things seized Decides if a thing seized is forfeited to the Territory. May deal with a thing forfeited to the Territory or disposed as considered appropriate. section 283 |
| A B C D | | | | | | | | | | | | Subject: Power and/or function: Reference: | Return of things seized but not forfeited If a thing is seized and not forfeited or not kept as evidence of an offence or a behaviour breach it must be returned to its owner. section 284 |
| | | | | | | | | | | | | Chapter 8 – Criminal matters – Discipline at detention places | |
| A B C D E | | | | | | | | | | | | Subject: Power and/or function: Reference | Definitions –chapter 8 - administrator An administrator is an authorised person to whom the director-general has delegated functions of an administrator under this chapter. section 286 |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| A B C D E F G | | | | | | | | | | | | <p>Subject:</p> <p>Power and/or function:</p> <p>Reference:</p> | <p>Definitions –chapter 8 - support person for a young detainee</p> <p>A person can be a support person for a young detainee if the young detainee chooses the person to assist the young detainee or represent the young detainee's interests and the director-general considers the person is capable of assisting the young detainee or representing the young detainee's interests; and it is in the young detainee's best interests for the person to be the young detainee's support person.</p> <p>section 286</p> |
| A B C D E F G | | | | | | | | | | | | <p>Subject:</p> <p>Power and/or function:</p> <p>Reference:</p> | <p>Meaning of behaviour breach</p> <p>A behaviour breach is contravening a direction by the director-general.</p> <p>section 287(1)(a)</p> |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| A B C | | | | | | | | | | | | Subject: Power and/or function: Reference: | Meaning of behaviour breach A behaviour breach is being in a prohibited area without the director-general's approval. section 287(1)(b) |
| A B C | | | | | | | | | | | | Subject: Power and/or function: Reference: | Meaning of behaviour breach A behaviour breach is making, possessing, concealing, knowingly consuming or dealing with a prohibited thing, without the director-general's approval. section 287(1)(f) |
| A B C | | | | | | | | | | | | Subject: Power and/or function: Reference: | Meaning of behaviour breach A behaviour breach is possessing or dealing in things without the director-general's approval. section 287(1)(o) |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| A B C D E F | | | | | | | | | | | | Subject: Power and/or function: Reference: | Meaning of unauthorised medicine for section 287 A medicine is an unauthorised medicine for a young detainee if the director-general has not approved the use of the medicine by the young detainee under section 187. section 287(2) |
| A B C D E F | | | | | | | | | | | | Subject: Power and/or function: Reference: | Meaning of investigator An investigator for the part means an authorised person to whom the director-general has delegated functions of an investigator under this part. section 291 |
| A B C | | | | | | | | | | | | Subject: Power and/or function: Reference: | Appointment of investigators May appoint a person to be an investigator for this part. section 292 |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| A B C | | | | | | | | | | | | Subject: Power and/or function: Reference: | Reporting and investigation procedures The director-general must make reporting and investigation procedures, consistent with this Act, about the making, recording and investigation of allegation reports in consideration of matters referenced in this section. section 294 |
| A B C | | | | | | | | | | | | Subject: Power and/or function: Reference: | Behaviour management framework The director-general must establish a behaviour management framework for dealing with minor behaviour breaches and the framework must provide for issues as outlined at this section. section 297(1) and (3) |
| A B C D E | | | | | | | | | | | | Subject: Power and/or function: Reference: | Disciplinary action by administrator - right to contact support person Must ensure that an accused detainee has access to facilities to contact a support person as soon as practicable. section 300(3) |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| A B C D E | | | | | | | | | | | | Subject: Power and/or function: Reference: | Meaning of review officer for div 8.4.2 Review officer means an authorised person to whom the director-general has delegated functions of a review officer under this division. section 303 |
| A B C D E | | | | | | | | | | | | Subject: Power and/or function: Reference: | Right to contact support person—internal review Must ensure that the accused detainee has access to facilities to contact and consult with a support person as soon as practicable. section 304(3) |
| A B C D E | | | | | | | | | | | | Subject: Power and/or function: Reference: | Right to contact support person—external review Must ensure that the accused detainee has access to facilities to contact a support person as soon as practicable and to consult with a support person. section 310(3) |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| A B C | | | | | | | | | | | | <p>Subject:</p> <p>Power and/or function:</p> <p>Reference:</p> | <p>External reviewer's powers after external review</p> <p>The external reviewer must give prompt written notice of the external reviewer's decision under this section to the director-general.</p> <p>Must credit to the accused detainee's trust account any amount deducted from the account to pay a fine (for a behaviour breach) that the external reviewer has reduced or set aside.</p> <p>Must take steps to provide a reasonable remedy to the accused detainee if the external reviewer's decision reduces or sets aside a behaviour management consequence.</p> <p>section 314(2), (4) and (5)</p> |
| | | | | | | | | | | | | Chapter 9 – Criminal matters – Conduct of disciplinary reviews | |
| A B C | | | | | | | | | | | | <p>Subject:</p> <p>Power and/or function:</p> <p>Reference:</p> | <p>Notice of disciplinary review</p> <p>Must be given written notice by the review officer of a review in relation to an accused detainee.</p> <p>section 324(1)</p> |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| A B C D E | | | | | | | | | | | | Subject: Power and/or function: Reference: | Notice of disciplinary review Must offer to provide assistance to the accused detainee and tell the accused detainee about entitlements. section 324(4) |
| A B C D | | | | | | | | | | | | Subject: Power and/or function: Reference: | Review officer may require official reports Must comply with a written notice from the review officer to give the review officer a written report about the accused detainee. section 326(1)(a) |
| A B C D | | | | | | | | | | | | Subject: Power and/or function: Reference: | Notice of disciplinary hearing The review officer for a review in relation to an accused detainee must give written notice of a hearing for the review to the accused detainee and the director-general. section 330(1) |
| | | | | | | | | | | | | Chapter 10 – Care and Protection – General | |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| A B C D E F | | | | | | | | | | | | Subject: Power and/or function: Reference: | Age – proof of age to be sought before action is taken Authority to inquire about the age of a person being dealt with under the Care and Protection chapters before dealing with the person as a child or young person. section 337 |
| A B C D E F | D E | | | | | | | | | | | Subject: Power and/or function: Reference: | Age – application of Care and Protection chapters if no proof of age If unable to find out a person's age and the person appears to the Children's Court, the director-general or a police officer to be a child or young person then the person may be dealt with under the Care and Protection chapters as if the person were a child or young person. section 338 |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| A B C D E F | D E | | | | | | | | | | | Subject: Power and/or function: Reference: | Age – Care and Protection chapters stop applying if person discovered to be an adult Applies if the Court, the director-general or a police officer has dealt with a person as a child or young person and finds out that the person is not a child or young person. section 339 |
| | | | | | | | | | | | | Part 10.4 Approved care and protection organisations | |
| | | | | | A B C D E | | | | | | | Subject: Power and/or function: Reference: | Monitoring approved care and protection organisation's on-going suitability. The director-general may monitor an approved care and protection organisation's ongoing suitability to be an approved care and protection organisation, may require a report from the organisation. section 352F |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| CYPS | BS | NS | SSC | SP | QIAR | ED | HD | CS | G | DGO | CMTEDD | Delegated Provisions | |
| | | | | | A B C D E | | | | | | | Subject: Power and/or function: Reference | Complaints about approved care and protection organisations' non-compliance – receiving a complaint. A person may make a complaint to the Director –General in writing. A complaint may be made orally in exceptional circumstances. The director-general must make a written record as soon as practicable. If the complaint does not contain the complainant's name and address, the director-general need not report to the complainant under other provisions of the Act. section 352H |
| | | | | | A B C D E | | | | | | | Subject: Power and/or function: Reference: | Withdrawing a complaint. A complaint may be withdrawn by the complainant in writing to the director-general. The director-general need not but may take further action on the complaint and need not report to the complainant on the results of taking action. section 352I |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| | | | | | A B C D E | | | | | | | <p>Subject:</p> <p>Power and/or function:</p> <p>Reference:</p> | <p>Complaints-further information and verification</p> <p>The director-general may at any time require a complainant to give further information or verify all or part of the information by statutory declaration. If the complainant does not reply after a reasonable period of time, the director-general need not, but may, take further action on the complaint.</p> <p>section 352J</p> |
| | | | | | A B C D E | | | | | | | <p>Subject:</p> <p>Power and/or function:</p> <p>Reference:</p> | <p>Complaints - Investigation</p> <p>The director-general must take reasonable steps to investigate each accepted complaint. Before investigating, the director-general must advise the complainant in writing and tell the approved care and protection organisation in writing that the complaint is to be investigated, including details of the complaint. However, the director-general must not disclose a particular detail if it may have an adverse effect on the complainant but may give general detail.</p> <p>section 352K</p> |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| | | | | | A B C D E | | | | | | | Subject: Power and/or function: Reference | Complaints – no further action The director-general must not take further action on a complaint if the complaint lacks substance, is frivolous, vexatious or not made genuinely, or has been adequately dealt with. section 352L |
| | | | | | A B | | | | | | | Subject: Power and/or function: Reference: | Complaints – action after investigation After investigation, if satisfied that the organisation is non-compliant, give the organisation a non-compliance notice, or a non-compliance direction, or an intention to cancel notice. If the director-general is not satisfied that the organisation is non-compliant; the director-general must tell the complainant that the director-general will take no further action on the complaint. This does not prevent the director-general from taking further action if the director-general later becomes satisfied that the organisation is non-compliant. section 352M |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| | | | | | A B | | | | | | | Subject: Power and/or function: Reference | Intervention – Non-compliance Notice If the director-general suspects on reasonable grounds that the organisation is non-compliant or likely to become so, a non-compliance notice may be given in writing to the organisation. section 352N |
| | | | | | A B | | | | | | | Subject: Power and/or function: Reference: | Non-compliance direction A non-compliance direction may be given by the director-general in writing, describing the non-compliance action and the action to be taken, or not taken, to end the non-compliance. The direction may be given following a non-compliance notice or if the director-general considers the non-compliance would be better dealt with by a direction than by a notice. section 352O |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| | | | | | A | | | | | | | <p>Subject:</p> <p>Power and/or function:</p> <p>Reference:</p> | <p>Intervention – suspension if child or young person unsafe</p> <p>If the director-general believes a child is receiving a service from an approved care and protection organisation and the child is unsafe and the exercise of the director-general's powers under this section is necessary, the director-general may give the approved care and protection organisation a written notice suspending approvals under s63 for care and protection purposes for a period no longer than 28 days.</p> <p>section 352P(1) and (2)</p> |
| | | | | | A | | | | | | | <p>Subject:</p> <p>Power and/or function:</p> <p>Reference:</p> | <p>Intervention – suspension if child or young person unsafe</p> <p>If the director-general gives a safety suspension notice, the director-general must take reasonable steps to tell a person with daily care responsibility for each child or young person affected by the suspension.</p> <p>section 352P(5)</p> |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| | | | | | A B | | | | | | | <p>Subject:</p> <p>Power and/or function:</p> <p>Reference:</p> | <p>Intervention - <i>intention to cancel</i> notice</p> <p>A <i>intention to cancel</i> notice may be given by the director-general in writing, stating that the organisation may give a written submission within 28 working days to the director-general to show cause why the approval should not be cancelled. The direction may be given following a non-compliance direction or if the Director-general considers the non-compliance would be better dealt with by an <i>intention to cancel</i> notice than by a non-compliance direction or notice.</p> <p>The director-general must take reasonable steps to tell a person with daily care responsibilities for each child/young person likely to be affected about the notice.</p> <p>section 352Q</p> |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| | | | | | A | | | | | | | <p>Subject:</p> <p>Power and/or function:</p> <p>Reference:</p> | <p>Intervention - cancellation</p> <p>After the provision of an <i>intention to cancel</i> notice, the director-general must consider any submission made by the organisation and may consider any other relevant matter. The director-general must cancel the organisation's approval or revoke <i>the intention to cancel</i> notice.</p> <p>The director-general must tell the organisation and anyone else who was told of the intention to cancel notice if the decision is to revoke.</p> <p>section 352R</p> |
| | | | | | A | | | | | | | <p>Subject:</p> <p>Power and/or function:</p> <p>Reference:</p> | <p>Intervention – cancellation notice</p> <p>The director-general must give written notice to the organisation cancelling the approval starting on the date stated in the notice. When giving such a notice, the Director-general must take reasonable steps to tell a person with daily care responsibility for each child likely to be affected by the cancellation.</p> <p>section 352S</p> |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| | | | | | A B | | | | | | | Subject: | Surrendering approval |
| | | | | | | | | | | | | Power and/or function: | An approved care and protection organisation may surrender the approval by giving written notice to the Director-general. The surrender takes effect only after the Director-general notifies the organisation that the surrender has been accepted. |
| | | | | | | | | | | | | Reference: | section 352U |
| | | | | | A B | | | | | | | Subject: | Approved care and protection organisations register |
| | | | | | | | | | | | | Power and/or function: | The director-general must keep a register of approved organisations, including specified details listed in this section. The Register must be publicly accessible. |
| | | | | | | | | | | | | Reference: | section 352V |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| | | | | | | | | | | | | Chapter 11 – Care and Protection – reporting, investigating and appraising abuse and neglect | |
| A B C D E F | D E | | | | | | | | | | | Subject: Power and/or function: Reference: | Director-general to act on child concern report On receiving a child concern report, must consider the report; carry out an initial assessment of the matters raised in the report to decide if the child or young person may be in need of Care and Protection; and take the action considered appropriate in relation to the initial assessment. section 360 (2)(a to c) |
| A B C D E F | D E | | | | | | | | | | | Subject: Power and/or function: Reference: | Care and Protection considerations May take reasonable steps to obtain further information about the matters raised in the report to carry out an initial assessment e.g. a home visit. section 360(3) |
| A B C D E F | D E | | | | | | | | | | | Subject: Power and/or function: Reference: | Director-general to act on child concern report May also carry out the actions outlined in section 360(4)(a to h). section 360(4) |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| A B C D E | D E | | | | | | | | | | | Subject: Power and/or function: Reference: | Director-general to act on child concern report Must decide that the child concern report is a child protection report if on reasonable grounds there is a suspicion that the child or young person may be in need of Care and Protection. section 360(5) |
| A B C D E F | D E | | | | | | | | | | | Subject: Power and/or function: Reference: | Director-general action on child protection report Must take the action considered appropriate in relation to the child protection report and may carry out any of the actions outlined in this section. section 361 |
| A B C D E F | D E | | A B C D E F | | | | | | | | | Subject: Power and/or function: Reference: | Prenatal reporting - anticipated abuse and neglect May with the consent of the pregnant woman take the action considered appropriate in relation to the prenatal report. Also, may carry out any of the actions outlined in this section with consent of the pregnant woman. section 362(3) and (4) |

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| A B C D E F | D E | | A B C D E F | | | A | A | | | | | Subject: Power and/or function: Reference: | Prenatal reporting - anticipated abuse and neglect May also without the consent of the pregnant woman give advice to the person who made the report about appropriate assistance for the pregnant woman that the person may consider. section 362(5) |
| A B C D E F | D E | | A B C D E F | | | A | A | | | | | Subject: Power and/or function: Reference: | Prenatal reporting - anticipated abuse and neglect May also ask the pregnant woman to consent to the director-general giving prenatal information to a prenatal information sharing entity and/or asking for prenatal information from a prenatal information sharing entity. section 362(6) |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| A B C D E F | D E | | A B C D E F | | | A | A | | | | | Subject: Power and/or function: Reference: | Prenatal reporting - anticipated abuse and neglect If the pregnant woman does not consent may give and/or receive prenatal information only on the grounds that the child may be in need of Care and Protection after the child is born. section 362(7) |
| A B C D E F | D E | | A B C D E F | | | A | A | | | | | Subject: Power and/or function: Reference: | Prenatal reporting - anticipated abuse and neglect Must ensure that any action taken under section 362 is appropriate and consistent with the pregnant woman's human rights. section 362(9) |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| A B C D E F | D E | | | | | | | | | | | Subject: Power and/or function: Reference: | What is a Care and Protection appraisal? The director-general may carry out one or more of the following activities; a visual examination; an interview; giving information to someone; asking someone to give information to the director-general; making enquiries about the child; arranging a Care and Protection assessment; asking the child to attend a stated place at a stated time; asking the child to comply with an arrangement made for the appraisal. section 366(b) |
| A B C D E F | D E | | | | | | | | | | | Subject: Power and/or function: Reference: | Care and Protection Assessments Undertaking a Care and Protection assessment including a social assessment, a medical assessment, a dental assessment, a psychological examination, a paediatric or developmental assessment, a psychiatric assessment or an assessment of the person's parenting capacity. section 367(a) |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| A B C D E F | D E | | | | | | | | | | | Subject: Power and/or function: Reference: | Care and Protection appraisal – power to carry out carry out a care and protection appraisal of a child or young person if the child concern report about the child or young person is a child protection report under section 360 (5). Section 368(1) |
| A B C D E F | D E | | | | | | | | | | | Subject: Power and/or function: Reference: | Care and Protection appraisal - only with agreement or appraisal order Power to carry out a Care and Protection appraisal on reasonable grounds that the child or young person may be in need of Care and Protection subject to the conditions set out in 368(3)-(6). section 368(2) |
| A B C D E F | D E | | | | | | | | | | | Subject: Power and/or function: Reference: | Care and Protection appraisal - only with agreement or appraisal order Must keep a written record of an agreement to an appraisal obtained under section 368(3)(b) that is given orally. section 368(6) |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| A B C D E F | D E | | | | | | | | | | | <p>Subject:</p> <p>Power and/or function:</p> <p>Reference</p> | <p>Care and Protection appraisal - obtaining agreement etc</p> <p>When seeking an agreement to an appraisal under section 368 (2) (a) (i), the person must be told the purpose of the appraisal; if included in the appraisal the kind of Care and Protection assessment; and that the agreement may be refused. If agreement is refused, the kind of appraisal the director-general may carry out under section 371.</p> <p>section 369(1)</p> |
| A B C D E F | D E | | | | | | | | | | | <p>Subject:</p> <p>Power and/or function:</p> <p>Reference:</p> | <p>Care and Protection appraisal - obtaining agreement etc</p> <p>A written record of the agreement to the appraisal must be kept.</p> <p>Section 369(3)</p> |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| A B C D E F | D E | | | | | | | | | | | Subject: Power and/or function: Reference: | Care and Protection appraisal - obtaining agreement etc When notifying a person for section 368 (2) (a) (ii), the person must be told the purpose of the appraisal; and if included in the assessment the kind of care and protection assessment. Section 369(4) |
| A B C D E | D E | | | | | | | | | | | Subject: Power and/or function: Reference: | Care and protection appraisal—obtaining agreement not in best interests of child or young person etc Need not seek the agreement of a parent or other person who has daily care responsibility for the child or young person if the conditions set out in section 370(1) apply. section 370(2) |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| A B C D E F | D E | | | | | | | | | | | Subject: Power and/or function: Reference: | Visual examination etc without agreement If section 370 applies, may visually examine or interview the child or young person without the agreement of a parent or other person who has daily care responsibility. If the child or young person is a student at a school, a patient at a health facility or being cared for by a childcare service may enter the school, health facility or childcare service to visually examine or interview the child. Must tell the person in charge the purpose of entry and show identification. section 371(1) and (2) |
| A B C D E F | D E | | | | | | | | | | | Subject: Power and/or function: Reference: | Visual examination etc without agreement After a visual examination or interview must take reasonable steps to tell at least 1 parent or other person who has daily care responsibility that the examination or interview has been carried out. Need not tell a person if satisfied that doing so would be likely to put the child at significant risk of abuse or neglect and jeopardise a criminal investigation. section 371(3) and (4) |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| A B C D E F | D E | | | | | | | | | | | Subject: Power and/or function: Reference: | What is a temporary parental responsibility provision? May provide for the director-general to enter and search any place the Director-general believes on reasonable grounds the child or young person is, to find the child or young person. section 373(b) |
| A B C D E F | D E | | | | | | | | | | | Subject: Power and/or function: Reference: | Appraisal orders - application by director-general May apply for an appraisal order for a child or young person under the conditions outlined in section 376 (a to b). section 376 |
| A B C D E F | D E | | | | | | | | | | | Subject: Power and/or function: Reference: | Appraisal orders – urgent applications Copy of urgent appraisal order application must be given to the child or young person; each parent of the child; each other person who has daily care or long-term responsibility of the child; the public advocate. section: 377(2) |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| A B C D E F | D E | | | | | | | | | | | Subject: Power and/or function: Reference: | Appraisal orders – who must be given application Copy of an appraisal order application must be given to the child or young person; each parent of the child or young person; each other person who has daily care responsibility, or long-term responsibility of the child or young person; the public advocate. section: 379(1) |
| A B C D E F | D E | | | | | | | | | | | Subject: Power and/or function: Reference: | Appraisal orders - extension application May apply to the Children’s Court for an extension of an appraisal order. An application for extension must state the details set out in section 385(2)(a and b). section 385(1) |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| A B C D E F | D E | | | | | | | | | | | Subject: Power and/or function: Reference: | Appraisal orders – who must be given extension application? Copy of application for extension of appraisal order must be given to the child or young person; each parent of the child; each other person who has daily care or long-term responsibility of the child; the public advocate. section: 386 |
| | | | | | | | | | | | | Chapter 12 – Care and Protection – Voluntary agreements to transfer or share parental responsibility | |
| A B C D E F | | | | | | | | | | | | Subject: Power and/or function: Reference: | Registration of family group conference agreements that transfer or share parental responsibility - application May apply to the Children’s Court to register the family group conference agreement stated in section 390(1) and must give the public advocate a copy of the application. section 390(2) |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| A B C D E | D E | | | | | | | | | | | Subject: Power and/or function: Reference: | Voluntary agreement to share parental responsibility with director-general - what is a voluntary care agreement? Means a written agreement between the director-general and a parent of the child or young person; or someone else who has daily or long-term care responsibility for the child. Means a written agreement for either or both daily or long-term care responsibility for the child to be shared between the director-general & the parent or other person. section 394(1) |
| A B C D E F | D E | | | | | | | | | | | Subject: Power and/or function: Reference: | Voluntary care agreements - who may initiate? May start negotiations for making or ending a voluntary care agreement. section 395(a) |
| A B C D E F | D E | | | | | | | | | | | Subject: Power and/or function: Reference: | Voluntary care agreements - who are parties? Is a party to a voluntary care agreement. section 396(1)(a) |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| A B C D E F | D E | | | | | | | | | | | Subject: Power and/or function: Reference: | Voluntary care agreements - director-general's criteria May enter into a voluntary care agreement only if satisfied that the conditions outlined in section 397(a to d) have been met. section 397 |
| A B C D E F | D E | | | | | | | | | | | Subject: Power and/or function: Reference: | Voluntary care agreements - extension Power to extend a voluntary care agreement on the conditions set out in 400(1)(a) and (b). section 400 |
| A B C D E F | D E | | | | | | | | | | | Subject: Power and/or function: Reference: | Voluntary care agreements - early ending As a party to the agreement may, before the agreement ends, end the agreement by giving written notice to the other parties. section 401 |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| A B C D E F | D E | | | | | | | | | | | Subject: Power and/or function: Reference: | Voluntary care agreements – return of child or young person If a voluntary agreement ends, must return the child or young person as soon as practicable after the day the voluntary agreement ends to a former caregiver of the child or other person as agreed between the parties to the agreement. section 402(1) and (2) |
| | | | | | | | | | | | | Chapter 13 – Care and Protection and therapeutic protection – Emergency situations | |
| A B C D E F | D E | | | | | | | | | | | Subject: Power and/or function: Reference | Emergency action - criteria for taking emergency action May take emergency action for a child or young person on reasonable grounds. section 406(1) and (2) |
| A B C D E F | D E | | | | | | | | | | | Subject: Power and/or function: Reference: | Emergency action - assistance May use whatever assistance is necessary and reasonable to take emergency action. section 407 |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| A B C D E F | D E | | | | | | | | | | | Subject: Power and/or function: Reference: | Emergency action - certain people must be told Authority to direct a police officer taking emergency action for a child as to what place or person to deliver the child. section 408(1)(c) |
| A B C D E F | D E | | | | | | | | | | | Subject: Power and/or function: Reference: | Emergency action – certain people must be told If the director-general takes emergency action, or is told that a police officer has taken emergency action, the director-general must tell each parent of the child or young person; each other person who has daily care or long-term responsibility of the child; the public advocate; the Children’s Court. section: 408(3) |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| A B C D E F | D E | | | | | | | | | | | Subject: Power and/or function: Reference: | Emergency action - daily care responsibility after action If emergency action is taken the director-general has daily care responsibility. If a police officer takes emergency action and tells the director-general about the emergency action then the director-general has daily care responsibility. section 409(1) and (3) |
| A B C D E F | D E | | | | | | | | | | | Subject: Power and/or function: Reference: | Emergency action - daily care responsibility after action May authorise a police officer to exercise daily care responsibility for a child or young person on behalf of the director-general. section 409(4) |
| A B C D E F | D E | | | | | | | | | | | Subject: Power and/or function: Reference: | Reporting of transfers If emergency action is taken may keep daily care responsibility for the child or young person without an order of the Children's Court for the period stated in section 410 (a or b). section 410 |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| A B C D E F | D E | | | | | | | | | | | Subject: Power and/or function: Reference: | Care and Protection appraisal and placement If the director-general has daily care responsibility may make the arrangements for the Care and Protection of the child or young person outlined in section 411(a and b). section 411 |
| A B C D E F | D E | | | | | | | | | | | Subject: Power and/or function: Reference: | Emergency action – contact with the family If the director-general has daily care responsibility (under the emergency action chapter) the director-general must, as far as practicable, allow reasonable contact between the child and family member as and significant people unless the contact would create a risk of harm to the child or young person. section 412 |
| A B C D E F | D E | | | | | | | | | | | Subject: Power and/or function: Reference: | Emergency action – application for orders If the director-general applies for certain orders specified in the section, the director-general needs to give a copy of the application to the people outlined in this section. section 413 |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| A B C D E F | D E | | | | | | | | | | | <p>Subject:</p> <p>Power and/or function:</p> <p>Reference:</p> | <p>Emergency action – return of child or young person</p> <p>If the director-general has daily care responsibility under the emergency action provisions and at the end of the period for which the director-general may keep responsibility and none of the orders listed have been made, the director-general must deliver the child to the people identified in this section.</p> <p>section 415</p> |
| A B C D E F | D E | | | | | | | | | | | <p>Subject:</p> <p>Power and/or function:</p> <p>Reference:</p> | <p>Emergency action release order – who must be given application</p> <p>A copy of the application for an emergency action release order must be given by the applicant to the child or young person; each parent of the child; each other person who has daily care or long-term care responsibility and the Public Advocate.</p> <p>section: 419</p> |
| | | | | | | | | | | | | Chapter 14 – Care and Protection – Care and Protection orders | |

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| A B C D E F | D E | | | | | | | | | | | Subject: Power and/or function: Reference: | Care and Protection order - application by director-general May apply to the Children's Court for a Care and Protection order. section 424 |
| A B C D E F | D E | | | | | | | | | | | Subject: Power and/or function: Reference: | Care and Protection order - application by others If another applicant applies to the Children's Court for a Care and Protection order may appear and be heard in the proceeding. section 425(3) |
| A B C D E F | D E | | | | | | | | | | | Subject: Power and/or function: Reference: | Care and Protection orders – who must be given application A copy of the application must be given by the applicant to the child or young person; each parent of the child or young person; each person who has daily care or long-term care responsibility; the Public Advocate. section 427(1) |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| A B C D E F | D E | | | | | | | | | | | Subject: Power and/or function: Reference: | Care and Protection order - cross application for different provisions As a party to a proceeding for a Care and Protection order may cross-apply for a different provision to be included in the order, different terms in a provision or a different order on grounds as outlined in this section. section 428(1) |
| A B C D E F | D E | | | | | | | | | | | Subject: Power and/or function: Reference: | Interim Care and Protection matters - court ordered meeting Must attend a court ordered meeting for a Care and Protection order for a child or young person. section 432(1)(a) |
| A B C D E F | D E | | | | | | | | | | | Subject: Power and/or function: Reference: | Interim Care and Protection orders The Children's Court may make an order if an application for a Care and Protection order has been made to the court but not finally decided & the court believes on reasonable grounds that the child is in need of Care and Protection. section 433(1) |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| A B C D E F | | | | | | | | | | | | <p>Subject:</p> <p>Power and/or function:</p> <p>Reference:</p> | <p>Interim Care and Protection orders -revocation or amendment</p> <p>As the applicant to the proceeding for a Care and Protection order may apply to the Court for revocation or amendment of an interim Care and Protection order subsequently made by the court. Must give a copy of the application in accordance with this section.</p> <p>section 435(2)</p> |
| A B C D E F | D E | | | | | | | | | | | <p>Subject:</p> <p>Power and/or function:</p> <p>Reference:</p> | <p>What is an assessment order?</p> <p>An order authorising the director-general to arrange for the Care and Protection assessment of a person in relation to a child.</p> <p>section 436(a)</p> |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| A B C D E F | D E | | | | | | | | | | | <p>Subject:</p> <p>Power and/or function:</p> <p>Reference:</p> | <p>Care and Protection assessment - terms of reference</p> <p>Must (unless the assessment order states otherwise) decide the matters to be assessed in the Care and Protection assessment and choose an authorised assessor to make the assessment. May include any matter relevant to the assessment, must consult with the parties and must consider the criteria outlined at s437(4).</p> <p>section 437(1), (2), (3) and (4)</p> |
| A B C D E F | D E | | | | | | | | | | | <p>Subject:</p> <p>Power and/or function:</p> <p>Reference:</p> | <p>Care and protection assessment – report after making</p> <p>An authorised assessor who carries out a care and protection assessment must, when completed, give the director-general a written report of the assessment and any records made by the assessor carrying out the assessment. The director-general must file the report with the Children’s Court.</p> <p>section 439</p> |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| A B C D E F | D E | | | | | | | | | | | Subject: Power and/or function: Reference: | Assessment orders - application by party As a party to a proceeding for a Care and Protection order may apply for an assessment order on the grounds outlined in this section. section 443(1) |
| A B C D E F | D E | | | | | | | | | | | Subject: Power and/or function: Reference: | Assessment orders – who must be given application Copy of application must be given to the child or young person; each parent of the child; each other person who has daily care or long-term responsibility of the child; the public advocate. section 445(1) |
| A B C D E F | D E | | | | | | | | | | | Subject: Power and/or function: Reference: | Assessment orders - extension application As a party to a proceeding for a Care and Protection order may apply to the Children’s Court for extension of an assessment order on reasonable grounds that the assessment cannot be properly carried out unless the order is extended. section 450 |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| A B C D E F | D E | | | | | | | | | | | Subject: Power and/or function: Reference: | Care plans For a care plan, consider who would be the best person to have a stated aspect of parental responsibility for the child or young person and propose how to ensure the living arrangements for the child are as stable as possible. section 455(b) |
| A B C D E F | D E | | | | | | | | | | | Subject: Power and/or function: Reference: | Care plans - stability proposals If a care plan includes a proposal to place the child or young person in kinship or foster care, must prepare a stability proposal that outlines how to ensure long-term placement in a safe, nurturing & secure environment. section 456(2) and (3) |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| A B C D E F | D E | | | | | | | | | | | Subject: Power and/or function: Reference: | Orders under Domestic Violence and Protection Orders Act - DVPO interim protection orders As a party to the proceeding for a Care and Protection order can apply to the Children's Court for the making of a DVPO interim protection order. section 459(3)(b) |
| A B C D E F | D E | | | | | | | | | | | Subject: Power and/or function: Reference: | Orders under Domestic Violence and Protection Orders Act - DVPO final protection orders As a party to the proceeding for a Care and Protection order can apply to the Children's Court for the making of a DVPO final protection order. section 460(2)(b) |
| A B C D E F | | | | | | | | | | | | Subject: Power and/or function: Reference: | Extension and amendment applications Power to apply to extend or amend a Care and Protection order. section 466(1) |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| A B C D E F | | | | | | | | | | | | Subject: Power and/or function: Reference: | Revocation applications Power to apply to revoke a Care and Protection order. section 467(1) |
| A B C D E F | D E | | | | | | | | | | | Subject: Power and/or function: Reference: | Parental responsibility provisions - what is a parental responsibility provision? May direct that a stated person has daily care responsibility for the child. May direct that a stated person has long-term care responsibility. May direct that parental responsibility is shared. May state that a person who has long-term care responsibility must consult with each other person who shares long-term care responsibility in making a decision about a long-term matter for the child or young person. section 474 |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| A B C D E F | D E | | | | | | | | | | | Subject: Power and/or function: Reference: | What is a long-term parental responsibility provision This provision means that parental responsibility is transferred (daily and long-term) for the child to the director-general or another stated person. section 479(b) |
| A B | | | | | | | | | | | | Subject: Power and/or function: Reference: | Enduring parental responsibility provision - financial contribution May provide financial or other assistance to the person to whom the provision transfers parental responsibility for the child or young person. section 483 |
| A B C D E F | D E | | | | | | | | | | | Subject: Power and/or function: Reference: | What is a residence provision? Authorises a person to decide where or with whom a child must live and may include directions including that a stated person must not live at the same premises as the child, and/or that a stated person may live with the child only subject to stated conditions. section 484 |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| A B C D E F | D E | | | | | | | | | | | <p>Subject:</p> <p>Power and/or function:</p> <p>Reference:</p> | <p>Contact provisions - what is a contact provision?</p> <p>Authorised to decide with whom the child or young person may have contact and to decide any conditions for the contact.</p> <p>section 485(b)</p> |
| A B C D E F | D E | | | | | | | | | | | <p>Subject:</p> <p>Power and/or function:</p> <p>Reference:</p> | <p>What is a drug use provision?</p> <p>A drug use provision for a stated person in a Care and Protection order or interim Care and Protection order, means a provision about usage of drugs by the stated person. Includes conditions including that the stated person undergo drug testing as directed by the director-general in accordance with the drug testing standards.</p> <p>section 488(c)</p> |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| A B C D E F | D E | | | | | | | | | | | Subject: Power and/or function: Reference: | Supervision provisions - what is a supervision provision? State reasonable times and places that the people stated in a supervision provision under section 489(2)(a) must report to the director-general. section 489(2) |
| A B C D E F | D E | | | | | | | | | | | Subject: Power and/or function: Reference: | Supervision provisions - what is a supervision provision? May be allowed entry to stated premises for the purpose of supervising the Care and Protection of the child or young person. section 489(2)(c) |
| A B C D E F | D E | | | | | | | | | | | Subject: Power and/or function: Reference: | What is a specific issues provision? A provision about the Care and Protection of a child which includes one of more directions; that a stated entity must do a stated thing; that a stated entity must not do a stated thing; that a stated entity must comply with a stated condition. section 492 |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| A B C D E F | D E | | | | | | | | | | | Subject: Power and/or function: Reference: | Annual review reports - what is an annual review report? For an annual review report consider the existing arrangements for the Care and Protection of the child or young person are in the best interests of the child or young person. section 494(b) |
| A B C D E F | D E | | | | | | | | | | | Subject: Power and/or function: Reference: | Annual review report - prepared at least annually Must prepare an annual review report for a reviewable Care and Protection order for a child or person as stated in this section. section 495 |
| A B C D E F | D E | | | | | | | | | | | Subject: Power and/or function: Reference: | Annual review report - consultation Must arrange a meeting with the people outlined in this section to discuss the matters proposed to be included in the report before the report is finalised. section 496(2) |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| A B C D E F G | D E | | | | | | | | | | | <p>Subject:</p> <p>Power and/or function:</p> <p>Reference:</p> | <p>Annual review report - must be given to certain people</p> <p>Must give an annual review report to each of the people listed in this section. May also give the report to someone else so that the other person can give the report to a person mentioned in subsection (1). Before giving the report to someone mentioned in subsections (1) or (2) may make minor alterations to the report to protect the privacy of a person named in the report.</p> <p>section 497(1), (2) and (3)</p> |
| A B C D E F G | D E | | | | | | | | | | | <p>Subject:</p> <p>Power and/or function:</p> <p>Reference:</p> | <p>Annual Review Report – must be given to certain people</p> <p>If requested by the Children’s Court, the director-general must also give an annual review report for a care and protection order for a child or young person to the Children’s Court.</p> <p>section 497(1A)</p> |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| A B C D | | | | | | | | | | | | Subject: Power and/or function: Reference: | Annual review report - application for waiver of obligation to give report to someone May apply to the Children's Court for an order waiving the need to give an annual review report to someone mentioned in section 497(a, b or c). section 498(1) |
| | | | | | | | | | | | | Chapter 15 – Care and Protection – Director-general has aspect of parental responsibility | |
| A B C D E F | | | | | | | | | | | | Subject: Power and/or function: Reference: | Director-general may provide assistance May provide any of the services listed in section 503(1)(a to h) if the director-general has parental responsibility. section 503(1) |
| A B C D E F | | | | | | | | | | | | Subject: Power and/or function: Reference: | Director-general may provide assistance May arrange for financial or other assistance if the director-general stops having parental responsibility. section 503(2) |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| A B C D E F | | | | | | | | | | | | Subject: Power and/or function: Reference: | Director-general sharing long-term care responsibility May apply to the Children's Court for an order about a long-term matter when another person who has long-term care responsibility disagrees with the director-general's proposed decision about the matter. section 504 |
| A B C D E F | | | | | | | | | | | | Subject: Power and/or function: Reference: | Consult about long-term care If the director-general has long-term care responsibility for a child or young person, the director-general must, as far as practicable, have regard to the views and wishes of any person who previously had long-term care responsibility for the child or young person. Section 505 |
| A B C D E | | | | | | | | | | | | Subject: Power and/or function: Reference: | Public Advocate to be told about abuse in care The director-general must give the Public Advocate a report about the incident and what action (if any) the director-general has taken because of the appraisal. 507(2) |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| A B C D E F | D E | | | | | | | | | | | Subject: Power and/or function: Reference: | Director-general may place child or young person with out of home carer May place child or young person with an out of home carer if the director-general has daily care responsibility for the child or young person. section 512(1) |
| A B C D E F | D E | | | | | | | | | | | Subject: Power and/or function: Reference: | Priorities for placement with out of home carer – Aboriginal or Torres Strait Islander child or young person If placing an Aboriginal child or young person under section 512, must place the child or young person with a kinship carer as outlined in this section. May place an Aboriginal child or young person with any of the out of home carers listed in section 512(2)(a - e). section 513(1) and (2) |
| A B C D E F G | | | | | | | | | | | | Subject: Power and/or function: Reference: | Approved carers – individual may apply An individual may apply to the director-general for approval as an approved carer. section 514A |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| A | | | | | | | | | | | | Subject: | Approved carers – director-general may approve |
| B | | | | | | | | | | | | Power and/or function: | The director-general may, in writing, approve a person as a carer (an <i>approved carer</i>) if satisfied that the person is an appropriate person to care for children or young people. If the director-general orally authorises a person under s516 or s518 in relation to a child or young person, the director-general may, at the same time, orally approve the person as an approved carer. If the director-general orally approves the person as an approved carer, must, as soon as practicable, approve the person in writing. |
| C | | | | | | | | | | | | Reference: | The director-general may approve a person as an approved carer only if the person is registered under the Act to engage in a regulated activity described in that Act, schedule 1, section 1.1 (Child protection services); or the person is to be authorised as a kinship carer under section 516; and may engage in a regulated activity as a kinship carer under the Working with Vulnerable People) Act , section 16 (when unregistered person may be engaged in regulated activity – kinship carer). |
| D | | | | | | | | | | | | | |
| E | | | | | | | | | | | | | section 514B (1), (2) and (3) |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| A | | | | | | | | | | | | Subject: | Approved carers – criteria for approval |
| B | | | | | | | | | | | | Power and/or function: | In deciding whether a person is an appropriate person to care for children, the director-general must consider matters listed in s65(1) suitability information except for paragraph (d) about the person and each adult member of the household and other matters as outlined in this section. |
| C | | | | | | | | | | | | Reference: | |
| D | | | | | | | | | | | | | |
| E | | | | | | | | | | | | | section 514C |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| CYPS | BS | NS | SSC | SP | QIAR | ED | HD | CS | G | DGO | CMTEDD | Delegated Provisions | |
| A | | | | | | | | | | | | Subject: | Approved carers – further information, references etc |
| B | | | | | | | | | | | | Power and/or function: | The director-general may by written notice given to the person, require the person to provide stated information about the person not later than a stated reasonable time, provide a stated reference or report no later than a stated reasonable time or undergo a stated test or medical examination not later than a stated reasonable time. A notice must tell a person that giving false or misleading information is an offence under the Criminal Code, part 3.4. If the director-general has given a person a notice under this section and the person does not comply, the director-general need not decide whether the person is an appropriate person to care for children or young people. |
| C | | | | | | | | | | | | Reference: | section 514D |
| D | | | | | | | | | | | | | |
| E | | | | | | | | | | | | | |

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| A | | | | | | | | | | | | Subject: | Approved carers – expiry and renewal of approvals |
| B | | | | | | | | | | | | Power and/or function: | The director-general must not issue an approved carer approval for longer than 5 years. A person may apply to the director-general to renew the approval for a period not longer than three years. The application must be in writing and received by the director-general at least 30 days before the approval expires. The director-general may extend the time for making an application and the approval remains in force until the application is decided. |
| C | | | | | | | | | | | | Reference: | section 514 E |
| D | | | | | | | | | | | | | |
| E | | | | | | | | | | | | | |

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|---|--|--|--|--|--|--|--|--|--|--|--|--|------------------------|--|
| A | | | | | | | | | | | | | Subject: | Approved carers—revocation of approval |
| B | | | | | | | | | | | | | Power and/or function: | <p>The director-general may revoke a person's approval as an approved carer if satisfied that the person is no longer an appropriate person to care for children or young people; or has not adequately cared for or protected a child or young person; or has failed to comply with a direction of the director-general in exercising daily care or long-term care responsibility for any child or young person.</p> <p>Before revoking a person's approval, the director-general must give the person written notice including reasons; and tell the person that the person may make a submission, in writing, not later than 14 days after the day the notice is given to the person. Submissions must be considered along with any other relevant matter.</p> <p>A decision under this paragraph is a reviewable decision (see s 839).</p> <p>The director-general may also revoke a person's approval if the person asks the director-general to revoke the approval.</p> |
| C | | | | | | | | | | | | | Reference: | Section 514EA |
| D | | | | | | | | | | | | | | |
| A | | | | | | | | | | | | | Subject: | Kinship carer - specific parental authority |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| CYPS | BS | NS | SSC | SP | QIAR | ED | HD | CS | G | DGO | CMTEDD | Delegated Provisions | |
| B C D E | | | | | | | | | | | | <p>Power and/or function:</p> <p>Reference:</p> | <p>The director-general may authorise (a specific parental authority), orally or in writing a family member or significant person, of the child or young person to exercise daily or long-term care responsibility for the director-general. However this authorisation may only be made if satisfied that the family member or significant person is an approved carer (s514B) and agrees to exercise the responsibility for the director-general.</p> <p>section 516(2) and (3)</p> |
| A B C D E | | | | | | | | | | | | <p>Subject:</p> <p>Power and/or function:</p> <p>Reference:</p> | <p>Foster carer - specific parental authority</p> <p>The director-general may authorise (a specific parental authority), orally or in writing a person to exercise the daily or long-term care responsibility for the director-general (a foster carer). However this authority may only be made if satisfied that the person is an approved carer (s514B) and agrees to exercise the responsibility for the director-general.</p> <p>section 518(2) and (3)</p> |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| CYPS | BS | NS | SSC | SP | QIAR | ED | HD | CS | G | DGO | CMTEDD | Delegated Provisions | |
| A B C D | | | | | | | | | | | | <p>Subject:</p> <p>Power and/or function:</p> <p>Reference:</p> | <p>Residential care service - general parental authority</p> <p>If the director-general has daily care or long-term responsibility for a child, the director-general may authorise (a general parental authority), in writing, an approved residential care organisation to exercise the daily care or long-term care responsibility for the director-general (a residential care service). However, this authorisation may only be made if the organisation agrees to exercise the responsibility for the director-general for any child or young people.</p> <p>section 520(1), (2) and (3)</p> |
| A B C D E F | | | | | | | | | | | | <p>Subject:</p> <p>Power and/or function:</p> <p>Reference:</p> | <p>Out of home carer must be given copy of authorisation and any relevant court orders</p> <p>Must, as soon as practicable, authorise the person or entity in writing if the person or entity has been authorised orally and must give the person or entity a copy of the written authorisation and any relevant court order about the child or young person.</p> <p>section 521(1) and (2)</p> |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| A B | | | | | | | | | | | | <p>Subject:</p> <p>Power and/or function:</p> <p>Reference:</p> | <p>Revocation of residential care service's authorisation</p> <p>May revoke an approved residential care organisation's authorisation under section 520 as a residential care service if satisfied of conditions in this section. May also revoke an entity's authorisation if the entity requests the revocation. Must follow actions in this section before revoking an entity's authorisation.</p> <p>section 524(1), (2), (3) and (4)</p> |
| A B C D E F | | | | | | | | | | | | <p>Subject:</p> <p>Power and/or function:</p> <p>Reference:</p> | <p>Information must be kept after placement ends</p> <p>Can ask a care entity for a child or young person to give the personal information or records about the child or young person kept by the care entity.</p> <p>section 528(3)(a)</p> |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| A B C D E F | | | | | | | | | | | | Subject: Power and/or function: Reference: | Child or young person must have access to information If a care entity keeps personal information or records and the care entity has not given the personal information or records to the director-general - may authorise the care entity to give the child or young person access to the personal information and records if in the best interests of the child or young person. section 529(2) |
| | | | | | | | | | | | | Chapter 15 – Transition to Adulthood | |
| A B C D E F | | | | | | | | | | | | Subject: Power and/or function: Reference: | Transition Plans – when prepared The director-general must prepare a transition plan for a young person who is in out of home care and at least 15 years old and take steps to ensure the transition plan is implemented. The plan must be prepared in consultation with the young person. The director-general may consult other people and must give the young person and others consulted an opportunity to comment on the director-general's proposal. section 529D and 529E |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| A B C D E F | | | | | | | | | | | | <p>Subject:</p> <p>Power and/or function:</p> <p>Reference:</p> | <p>Transition plans – review – with parental responsibility</p> <p>The director-general must review the transition plan at least once a year and in consultation with the young person. The director-general may consult the out of home carer and anyone else implementing a proposal or who may assist about the plan.</p> <p>section 529F</p> |
| A B C D E F | | | | | | | | | | | | <p>Subject:</p> <p>Power and/or function:</p> <p>Reference:</p> | <p>Transition plans – review without parental responsibility</p> <p>The director-general must take reasonable steps to ask the young person, at least once a year, whether they agree to reviewing the transition plan. If the young person agrees to a review, the director-general must review the plan in consultation with the young person and with the agreement of the young person, other people.</p> <p>section 529G</p> |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| A B C D E F | | | | | | | | | | | | <p>Subject:</p> <p>Power and/or function:</p> <p>Reference:</p> | <p>Transition plans – review – young adults</p> <p>The director-general must take reasonable steps to ask the young adult, at least once a year, whether they agree to the director-general reviewing the plan. If agreed, the director-general must review the plan in consultation with the young adult and others the young adult agrees.</p> <p>section 529H</p> |
| A B C D E F | | | | | | | | | | | | <p>Subject:</p> <p>Power and/or function:</p> <p>Reference:</p> | <p>Assistance generally</p> <p>The director-general may provide services the director-general considers appropriate to a young person or young adult who was previously in out of home care and as outlined in the provisions of this section.</p> <p>section 529I(1)</p> |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| A B C D E | | | | | | | | | | | | Subject: Power and/or function: Reference: | Financial assistance – young person or young adult The director-general may provide financial assistance to a young person, or young adult, who was previously in out of home care in accordance with the provisions of this section. section 529J |
| A B C D | | | | | | | | | | | | Subject: Power and/or function: Reference: | Financial assistance - previous out of home carer The director-General may provide financial assistance to the previous carer in accordance with the provisions of this section. section 529JA |
| A B C D E F | | | | | | | | | | | | Subject: Power and/or function Reference: | Entitlement to personal items A young person or young adult who has left out of home care is entitled to have and keep, free of charge, all the young person or young adult's personal items held by the director-general or an out of home carer for the young person or young adult. section 529K |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| A B C D E F | | | | | | | | | | | | Subject: Power and/or function Reference: | Access to protected information The director-general may, if satisfied on reasonable grounds that it is in the young person's interests to give the young person access to the protected information held by the director-general and direct the out of home carer to give the young person access to the protected information held by the out of home carer. The direction given to the out of home carer may be conditional. section 529L(2) and (3) |
| A B C D E F | | | | | | | | | | | | Subject: Power and/or function Reference: | Access to protected information – young adult A young adult who has left out of home care is entitled to have access, free of charge, to protected information about the young adult held by the director-general or an out of home carer for the young adult. section 529M |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| A B C D E F | D E | | | | | | | | | | | Subject: Power and/or function Reference: | Access to protected information – support and assistance If a young person or young adult seeks access to protected information, the director-general must provide an appropriate person to support and assist the young person or young adult accessing the information. section 529N |
| | | | | | | | | | | | | Chapter 16 – Care and Protection – Therapeutic protection of children and young people | |
| A B C D E F | | | | | | | | | | | | Subject: Power and/or function: Reference: | Therapeutic protection only under therapeutic protection order or for emergency action May confine a child or young person at a therapeutic protection place only under conditions outlined in this section. section 531 |
| A B C D E F | | | | | | | | | | | | Subject: Power and/or function: Reference: | What is a therapeutic protection order? Transfers daily care responsibility for the child to the director-general for the period of confinement. section 532(b) |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| A B C D E F | | | | | | | | | | | | Subject: Power and/or function: Reference: | What is a risk assessment? Means an assessment by the director-general about whether there will be significant risk of significant harm to the child or someone else; the risk of harm arises from the child's conduct and the risk of harm is imminent. section 534(1) |
| A B C D E F | | | | | | | | | | | | Subject: Power and/or function: Reference: | Therapeutic protection orders - what is a therapeutic protection plan? To reduce the likelihood of the child or young person engaging in harmful conduct in the future arrange a plan in consultation as far as practicable with the people listed in this section to include confinement details outlined in this section. section 536 |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| A B C D E F | | | | | | | | | | | | Subject: Power and/or function: Reference: | Therapeutic protection orders - what is a transition plan? Develop a plan for when the child or young person is no longer subject to therapeutic protection order. Include proposals outlined in subsection (b). section 538 |
| A B C D | | | | | | | | | | | | Subject: Power and/or function: Reference: | Applications for therapeutic orders - application by director-general May apply to the Children's Court for a therapeutic protection order if satisfied that the criteria for making an order are met. section 539 |
| A B C D E F | | | | | | | | | | | | Subject: Power and/or function: Reference: | Therapeutic protection orders – who must be given application Copy of application must be given to the child or young person; each parent of the child; each other person who has daily care or long-term responsibility of the child; the public advocate. section 541(1) |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| A B C D E F | | | | | | | | | | | | Subject: Power and/or function: Reference: | Interim therapeutic protection order - criteria for making On application by the director-general the Children's Court may make an interim therapeutic protection order as outlined. section 544 |
| A B C D E F | | | | | | | | | | | | Subject: Power and/or function: Reference: | Review of therapeutic protection orders - initial review within 4 weeks Must review the operation of a therapeutic protection order not later than 4 weeks after the order is made. section 553(2) |
| A B C D E F | | | | | | | | | | | | Subject: Power and/or function: Reference: | Review of therapeutic protection orders - ongoing review at least each 4 weeks Must review the operation of a therapeutic protection order not later than 4 weeks after the initial review and each ongoing review. section 554(2) |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| A B C D E F | | | | | | | | | | | | Subject: Power and/or function: Reference: | Review - views to be considered In carrying out the review must consider the views of the people listed in s555(2)(a to f). section 555(2) |
| A B C D E F | | | | | | | | | | | | Subject: Power and/or function: Reference: | Review report Must prepare a review report about the operation of the therapeutic protection order. Must give a copy of the review report to the people listed in this. section 556(2) and (3) |
| A B C D | | | | | | | | | | | | Subject: Power and/or function: Reference: | Director-general's actions after review If the director-general decides that the therapeutic protection order should be extended, amended or revoked, the director-general must apply to the Children's Court for the order to be extended, amended or revoked and must give a copy of an application as outlined in the Act. sections 557(2), (3) and (4), 558, 560, 564, 565, 566, 567 |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| A B C D E F | A B C D E | | A B C D E F | | | | | | | | | Subject: Power and/or function: Reference: | Children and young people in therapeutic protection - visits by accredited people – who is an accredited person? Is an accredited person for a child or young person in therapeutic protection. section 576 |
| A B C | | | | | | | | | | | | Subject: Power and/or function: Reference: | Therapeutic protection place - exclusion of matters from declaration etc May exclude from a therapeutic protection place declaration any matter that would be likely to disclose the location of a therapeutic protection place. Must disclose the location of a therapeutic protection place to the people entitled under section 634(1) to have access to the therapeutic protection register. section 626 (1) and (2) |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| A B | | | | | | | | | | | | <p>Subject:</p> <p>Power and/or function:</p> <p>Reference:</p> | <p>Authorisation of operating entity for therapeutic protection place</p> <p>May authorise an entity to be an operating entity for a therapeutic protection place if satisfied that the entity meets requirements under section 628 (a and b).</p> <p>section 628</p> |
| A B | | | | | | | | | | | | <p>Subject:</p> <p>Power and/or function:</p> <p>Reference:</p> | <p>Suspension of operating entity's authorisation</p> <p>May suspend an entity's authorisation as an operating entity for a therapeutic protection place on grounds outlined in this section. May suspend the authorisation under this section. After the end of 28 days after notice of suspension is given must consider any submission made by the entity and either revoke the suspension or give the entity notice of the intention to revoke the authorisation under section 630.</p> <p>section 629(1), (2), (3) and (4)</p> |

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| A B | | | | | | | | | | | | <p>Subject:</p> <p>Power and/or function:</p> <p>Reference:</p> | <p>Revocation of operating entity's authorisation</p> <p>May revoke an entity's authorisation under section 628 as an operating entity for a therapeutic protection place on grounds outlined in this section. May also revoke an entity's authorisation if the entity asks to have the authorisation revoked. Before revoking an entity's authorisation must follow actions outlined in this section.</p> <p>section 630(1), (2) and (3)</p> |
| A B C D E F | | | | | | | | | | | | <p>Subject:</p> <p>Power and/or function:</p> <p>Reference:</p> | <p>Therapeutic protection register - who may have access?</p> <p>May have access to a therapeutic protection register.</p> <p>section 634(1)</p> |
| | | | | | | | | | | | | Chapter 17 – Care and Protection – Interstate transfer of orders and proceedings | |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| A B C D E F | | | | | | | | | | | | <p>Subject:</p> <p>Power and/or function:</p> <p>Reference:</p> | <p>Interstate transfer of ACT child welfare orders - transfers of orders by director-general - director-general may transfer child welfare order</p> <p>May transfer a child welfare order (the home order) for a child or young person to a participating State under conditions outlined in this section. May include in the interstate order any condition that could be included in a child welfare order in the relevant participating State. Must decide the period for which an interstate order is to remain in force and stated in the order.</p> <p>section 643(1), (2) and (4)</p> |
| A B C D E F | | | | | | | | | | | | <p>Subject:</p> <p>Power and/or function:</p> <p>Reference:</p> | <p>Children's Court transfer - application</p> <p>May apply to the Children's Court for an order transferring a child welfare order to a participating State.</p> <p>section 648(1)</p> |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| A B C D E F | | | | | | | | | | | | Subject: Power and/or function: Reference: | Interstate transfer of ACT child welfare proceedings - applications May apply to the Children's Court for an order transferring a child welfare proceeding pending in the Court to the State Children's Court of a participating State. section 658(1) |
| A B C D E F | | | | | | | | | | | | Subject: Power and/or function: Reference: | ACT registration of interstate child welfare orders Must file a copy of the interstate child welfare order in the Children's Court for registration if a child welfare order is transferred to the ACT under an interstate law. section 666(1) |
| A B C D E F | | | | | | | | | | | | Subject: Power and/or function: Reference: | ACT registration of interstate child welfare orders - application for revocation May apply to the Children's Court for revocation of the registration of the order. section 669(2) |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| A B C D E F | | | | | | | | | | | | Subject: Power and/or function: Reference: | ACT registration of interstate child welfare proceedings Must file a copy of the documents listed in section 672 (1)(a and b) in the Children's Court for registration if a child welfare proceeding is transferred to the ACT under an order under an interstate law. section 672(1) |
| A B C D E F | | | | | | | | | | | | Subject: Power and/or function: Reference: | ACT registration of interstate child welfare proceedings - application for revocation May apply to the Children's Court for revocation of the registration of the order. section 675(2) |
| | | | | | | | | | | | | Chapter 18 – Care and Protection – Police assistance | |
| A B C D E F | D E | | | | | | | | | | | Subject: Power and/or function: Reference: | Assistance in carrying out orders etc - police assistance May ask the chief police officer for assistance in carrying out any of the actions listed in this section. section 679(1) |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| A B C D E F | | | | | | | | | | | | Subject: Power and/or function: Reference: | Assistance in carrying out orders etc - seized things may be kept until matter completed If something is seized under section 680(1)(b) – (police powers) may keep the thing until the action is completed and any proceeding arising out of the action is finalised. section 681 |
| A B C D E F | | | | | | | | | | | | Subject: Power and/or function: Reference: | Safe custody – parental responsibility to director-general Director-general has the daily care responsibility for a child or young person taken into safe custody under a safe custody warrant. section 683 |
| A B C D E F | | | | | | | | | | | | Subject: Power and/or function: Reference: | Safe custody warrant - application May apply to a magistrate for a safe custody warrant if on reasonable grounds the criteria for issuing the safe custody warrant are satisfied. section 685(1) |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| A B C D E F | | | | | | | | | | | | <p>Subject:</p> <p>Power and/or function:</p> <p>Reference:</p> | <p>Safe custody warrant - content</p> <p>A safe custody warrant must state; the name of the child; the order for which the safe custody warrant is issued; that the director-general may with necessary and reasonable assistance and force, enter stated premises and exercise the director-general's powers under this part; and the hours when the premises may be entered and the date.</p> <p>section 687(1)</p> |
| A B C D E F | | | | | | | | | | | | <p>Subject:</p> <p>Power and/or function:</p> <p>Reference:</p> | <p>Safe custody warrant - application made other than in person</p> <p>May apply for the warrant before the application is sworn. The director-general must complete a form of warrant (the warrant form) and write on it - the magistrate's name and the date and time the magistrate issued the warrant and the warrant's terms.</p> <p>section 688(3) and (5)</p> |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| A B C D E F | | | | | | | | | | | | Subject: Power and/or function: Reference: | Safe custody warrant - announcement before entry Must, before anyone enters premises under a safe custody warrant, follow actions outlined in this section. section 689(1) |
| A B C D E F | | | | | | | | | | | | Subject: Power and/or function: Reference: | Safe custody warrant - placement of child or young person Can decide placement of a child taken into safe custody under a safe custody warrant if no place is stated in the warrant. section 692(b) |
| A B C D E F | | | | | | | | | | | | Subject: Power and/or function: Reference: | Safe custody - matter must be brought to court promptly If a child or young person is taken into safe custody under a safe custody warrant must ensure that the matter is brought before the Children's Court not later than 1 working day after the day the child or young person is taken into safe custody. section 694(1) |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| A B C D E F | | | | | | | | | | | | Subject: Power and/or function: Reference: | Application - oral applications A person may, with the leave of the court, make an oral application under this Act for a proceeding before, during or after the hearing of the proceeding. section 698(1) |
| A B C D E F | | | | | | | | | | | | Subject: Power and/or function: Reference: | Application - withdrawal or discontinuance A person who has applied to a court for an order under the Care and Protection chapters may withdraw or discontinue the application. section 699(1) |
| | | | | | | | | | | | | Chapter 19 - Care and Protection – Provisions applying to all proceedings under Care and Protection chapter | |
| A B C D E F | | | | | | | | | | | | Subject: Power and/or function: Reference: | Parties - hearing in party's or other person's absence If someone makes an application under the Care and Protection chapters, the person may, at the same time, seek the leave of the court to have the application heard in the absence of any other party or person who must be given a copy of the application. section 701(1) |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| A B C D E F | | | | | | | | | | | | Subject: Power and/or function: Reference: | Parties - application for removal of party A party to a proceeding under the Care and Protection chapters (the <i>applicant</i>) may apply to the court for an order that another party to the proceeding be removed as a party. The applicant must give a copy of the application to each party to the proceeding and the public advocate. section 706 |
| A B C D E F | | | | | | | | | | | | Subject: Power and/or function: Reference: | Parties - representation Delegate or authorise someone to appear on the director-general's behalf. section 709(2) |
| A B C D E F | | | | | | | | | | | | Subject: Power and/or function: Reference: | Orders - by agreement Parties to an application under the Care and Protection chapters may file with the court draft order (the draft consent order). The draft consent order must be signed. section 719 |
| | | | | | | | | | | | | Chapter 19A – Children and Young People Death Review Committee | |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| A B C | A B C D | | A B | A B C D E | | | | | | | | Subject: Power and/or function: Reference: | Providing the Committee with information The director-general responsible for administering the <i>Children and Young People Act 2008</i> must give the Children and Young People Death Review Committee information as outlined at s727N(2) and other information requested in writing by the Committee. section 727O |
| | | | | | | | | | | | | Chapter 21 – Employment of children and young people | |
| | A B C D E F | | | | | | | | | | | Subject: Power and/or function: Reference: | Director-general may prohibit employment The director-general may by written notice given to an employer prohibit the employer from employing, or continuing to employ, a child named in the notice if the director-general believes the employment is, or is likely to be, contrary to the best interests of the child or young person. section 788 |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| | A B C D E F | | | | | | | | | | | <p>Subject:</p> <p>Power and/or function:</p> <p>Reference:</p> | <p>Director-general may state conditions of employment</p> <p>The director-general may, by written notice, give an employer stated conditions in relation to the employment of a child or young person named in the notice, that must be complied with to ensure the employment is not contrary to the best interests of the child or young person.</p> <p>section: 790</p> |
| | A B C D E F | | | | | | | | | | | <p>Subject:</p> <p>Power and/or function:</p> <p>Reference:</p> | <p>Exception to s 795—employment in light work</p> <p>Section 795(1) does not apply to the employment of a child or young person in light work for more than 10 hours per week if (a) the employment is light work, and (b) the proposed employer has, at least 7 days before the day the employment starts, told the director-general in writing about the employment.</p> <p>section 796(2)</p> |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| CYPS | BS | NS | SSC | SP | QIAR | ED | HD | CS | G | DGO | CMTEDD | Delegated Provisions | |
| | A B C | | | | | | | | | | | <p>Subject:</p> <p>Power and/or function:</p> <p>Reference:</p> | <p>High risk employment—employer may apply for permit</p> <p>An employer may apply in writing to the director-general to employ and child or young person in high risk employment.</p> <p>section 799(2)</p> |
| | A B C | | | | | | | | | | | <p>Subject:</p> <p>Power and/or function:</p> <p>Reference:</p> | <p>High risk employment permit—decision on application</p> <p>If an application for high risk employment permit is received – may issue a permit only if satisfied that the proposed employment is not likely to harm the child’s health, safety, personal or social development (including by sexual or financial exploitation). The permit may be subject to conditions and the director-general need not decide if insufficient information is included in the application.</p> <p>section: 800</p> |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| CYPS | BS | NS | SSC | SP | QIAR | ED | HD | CS | G | DGO | CMTEDD | Delegated Provisions | |
| | A B C D E | | | | | | | | | | | Subject: Power and/or function: Reference: | High risk employment permit—further information May request further information at any time about the application for permit or the employment of the child or young person. section: 802(2) |
| | | | | | | | | | | | | Chapter 22 – Research involving children and young people | |
| A B | A B | A B C D E | A B | A B | A B | | | | | | | Subject: Power and/or function: Reference: | Approval of research projects - generally May approve a research project only if satisfied of the conditions outlined in section 807(2)(a and b). In deciding whether to approve a research project may have regard to a recommendation made by an ethics committee approved under section 810. section 807(1), (2) and (3) |
| A B | A B | A B C D E | A B | A B | A B | | | | | | | Subject: Power and/or function: Reference: | Approval of research projects - child or young person to take part May approve a research project that involves a child or young person taking part in the project only if satisfied of the conditions outlined in this section. section 809(2) |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| CYPS | BS | NS | SSC | SP | QIAR | ED | HD | CS | G | DGO | CMTEDD | Delegated Provisions | |
| | | | | | | | | | | | | Chapter 24 – Appeals and review | |
| A B C D E F | | | | | | | | | | | | Subject: Power and/or function: Reference: | Appeals to Supreme Court - Care and Protection chapters May appeal as a party to the proceeding in which the decision was made. section 836(2) |
| A B C D E F | D E | | | | | | | | | | | Subject: Power and/or function: Reference: | ACAT review – review of decisions – chapter 15, 20 If the director-general makes a reviewable decision listed in this division for chapter 2, 15 and 21 must give written notice of the decision to each person mentioned in the table, column 3 for the item. section 839(A) |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| CYPS | BS | NS | SSC | SP | QIAR | ED | HD | CS | G | DGO | CMTEDD | Delegated Provisions | |
| | | | | | | | | | | | | Chapter 25 – Information secrecy and sharing | |
| A B C D E F G H I J | A B C D E F G H | | A B C D E F G H | | | A | A | D | A B C D E F | | A | Subject: Power and/or function: Reference: | Sharing protected information - Minister or director-general giving information to person about the person May give a person protected information held about the person. section 850 |
| A B C D E F G H I J | A B C D E F G H | A B C D E | A B C D E F G H | | | A | A | A B D E F | A B C D E F | A B C D | A | Subject: Power and/or function: Reference: | Sharing protected information - Minister or director-general giving information in best interests of child or young person May give someone protected information about a child or young person if giving the information is in the best interests of the child or young person. Before giving protected information, the Minister must ask the director-general for advice about giving the information and consider any advice given by the director-general. section 851(1) |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| CYPS | BS | NS | SSC | SP | QIAR | ED | HD | CS | G | DGO | CMTEDD | Delegated Provisions | |
| A B C D E F G H I J | A B C D E F G H | A B C D E | A B C D E F G H | | | A | A | D | A B C D E F | A B C D | A | Subject: Power and/or function: Reference: | Sharing protected information - Minister or director-general giving information in best interests of child or young person An information sharing entity may ask the director-general for information the director-general may give the information sharing entity under this section. section 851(3) |
| A B C D E F G H I J | A B C D E F G H | A B C D E | A B C D E F G H | A B C D E | | A | A | D | A B C D E F | A B C D | A | Subject: Power and/or function: Reference: | Sharing protected information - director-general giving information to person under corresponding provisions May give protected information to any person who is exercising a function under a provision of a State law corresponding (or substantially corresponding) to a provision under this Act. section 852 |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| CYPS | BS | NS | SSC | SP | QIAR | ED | HD | CS | G | DGO | CMTEDD | Delegated Provisions | |
| A B C D E F | A B C D E F | A B C D E | A B C D E G H | A B C D | | A | A | D | | A B C D | | Subject: Power and/or function: Reference: | Director-general - giving information to researcher May give protected information to a researcher for an approved research project. Information may be about the child or young person, his or her family or someone else. section 855(1) and (2) |
| A B C D E F G | D E | | | | | A | A | | | A B C D | | Subject: Power and/or function: Reference: | Sharing protected information - director-general giving information to authorised assessor May give an authorised assessor for a care and protection assessment protected information in relation to the child or other person, who is the subject of the assessment. section 856(1) |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
|--|---------------------------------|-----------------------|--------------------------------------|----------------------------|-----------------------|----|----|----------------------------|----------------------------|------------------|--------|--|--|
| CYPS | BS | NS | SSC | SP | QIAR | ED | HD | CS | G | DGO | CMTEDD | Delegated Provisions | |
| A B C D E | A B C D E | | | | | | | A B C D E | | A B C D | A | Subject: Power and/or function: Reference: | <p>Director-general – giving information to commissioner for fair trading</p> <p>The director-general may give the commissioner for fair trading protected information if satisfied on reasonable grounds that the information is relevant to the exercise of the commissioner’s functions under the <i>Working with Vulnerable People Act</i>.</p> <p>This section does not limit the information that the director-general may otherwise give to the commissioner under this Act or any other territory law.</p> <p>Section 856A (1) and (2)</p> |
| A B C D E F G H I J | A B C D E F G | A B C D E | A B C D E F G H | A B C D E F | A B C D E | A | A | A B C D E F | A B C D E F | A B C D | A | Subject: Power and/or function: Reference: | <p>Sharing safety and wellbeing information - Minister or director-general giving information to information sharing entity</p> <p>May give an information sharing entity (as outlined in section 859 (1)(i) for a child or young person safety and wellbeing information in relation to the child or young person.</p> <p>section 860(1)</p> |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
|--|---------------------------------|-----------------------|--------------------------------------|----------------------------|------|----|----|----|----------------------------|------------------|--------|--|--|
| CYPS | BS | NS | SSC | SP | QIAR | ED | HD | CS | G | DGO | CMTEDD | Delegated Provisions | |
| A B C D E F G H I J | A B C D E F G | A B C D E | A B C D E F G H | A B C D E F | | A | A | | A B C D E F | A B C D | A | Subject: Power and/or function: Reference: | Minister or director-general - giving safety and wellbeing information to information sharing entity An information sharing entity may ask the director-general for information the director-general can give the information sharing entity under this section. section 860(2) |
| A B C D E F G H I J | A B C D E F G | A B C D E | A B C D E F G H | | | A | A | | A B C D E F | A B C D | A | Subject: Power and/or function: Reference: | Sharing safety and wellbeing information - director-general asking for information from information sharing entity May ask an information sharing entity for a child or young person to give safety and wellbeing information in relation to the child or young person. section 862(1) |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
|---------------------------------|-----------------------|----|-----|----|------|----|----|------------------|---|-----|--------|--|--|
| CYPS | BS | NS | SSC | SP | QIAR | ED | HD | CS | G | DGO | CMTEDD | Delegated Provisions | |
| A B C D E F G | A B C D E | | | | | A | A | | | | | Subject: Power and/or function: Reference: | Sharing safety and wellbeing information - care teams May declare that the director-general and a group of other people and entities are a care team for a child or young person. section 863(1) |
| A B C D E F | D E | | | | | A | A | | | | | Subject: Power and/or function: Reference: | Care teams - sharing safety and wellbeing information May include members of a care team only if satisfied of the conditions outlined at section 863(2). section 863(2) |
| A B C D E | A C D E | | | | | | | A B C D | | | | Subject: Power and/or function: Reference: | Request reportable conduct information The head of a designated entity may ask another child safety information sharing entity or designated entity, in writing, to give the requesting entity reportable conduct information in relation to a child, young person or class of child or young person. section 863B |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
|----------------------------|-------------|----|--------|----|------|----|----|-----------------------|---|-----|--------|---|--|
| CYPS | BS | NS | SSC | SP | QIAR | ED | HD | CS | G | DGO | CMTEDD | Delegated Provisions | |
| A B C D E | A B C | | | | | | | A B C D | | | | <p>Subject:</p> <p>Power and/or function:</p> <p>Reference:</p> | <p>Unsolicited provision of information – reportable conduct</p> <p>The head of a designated entity may, on the providing entity's own initiative, give reportable conduct information to another child safety information sharing entity or designated entity if the providing entity is satisfied on reasonable grounds that giving the information is relevant for the receiving entity as outlined under this section.</p> <p>Section 863CA</p> |
| A B C D E F | A B F | | A B | | | | | A B C D E | | | | <p>Subject:</p> <p>Power and/or function:</p> <p>Reference:</p> | <p>Giving protected information to police</p> <p>The director-general must give protected information to the chief police officer if a matter has been referred to the chief police officer under section 360 (4) (c).</p> <p>The director-general may otherwise give protected information to the chief police officer if satisfied that the information is materially relevant to an investigation a police officer is carrying out.</p> <p>section 865A (1) and (2)</p> |
| | | | | | | | | | | | | Chapter 26 - Miscellaneous | |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
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| CYPS | BS | NS | SSC | SP | QIAR | ED | HD | CS | G | DGO | CMTEDD | Delegated Provisions | |
| A B C D E F | A B C D E F | | A B | | | | | A B C D E | | | | Subject: Power and/or function: Reference: | Confidential report of contravention of Act The person may report (in a confidential report) the suspicion, and the reasons for the suspicion to the director-general. section 876(2) |
| A B C D E | A B C D | | A B | | | | | | | | | Subject: Power and/or function: Reference: | Provision of information to Public Advocate If the Public Advocate makes a request of an ACT child welfare service under subsection 1, the service must comply with the request promptly. section 879(2) |
| A B C | | | | | | | | | | | | Subject: Power and/or function: Reference: | Evidentiary certificates - director-general - parental responsibility Can sign a certificate stating any of the matters outlined in section 881. section 881 |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
|------------------|----|----|-----|----|--------|----|----|----|---|-----|--------|--|--|
| CYPS | BS | NS | SSC | SP | QIAR | ED | HD | CS | G | DGO | CMTEDD | Delegated Provisions | |
| A B C | | | | | | | | | | | | Subject: Power and/or function: Reference: | Evidentiary certificates - director-general - custody etc Can sign a certificate stating any of the matters outlined in section 882(1)(a) to (i). section 882(1) |
| A B C | | | | | | | | | | | | Subject: Power and/or function: Reference: | Evidentiary certificates - director-general - custody etc Can sign a certificate stating any matter prescribed by regulation. section 882(4) |
| A D | | | | | B D | | | | | | | Subject: Power and/or function: Reference: | Approved care and protection organisations Can delegate Care plans, Annual review reports – parental responsibility provisions, placement with out-of-home care carer, approval of carers, Transition plans, entitlement to personal items and access to protected information and care teams sharing safety and wellbeing information to approved care and protection organisation. section 883A(1) |

| Column 1 - Codes | | | | | | | | | | | | Column 2 | |
|------------------|----|----|-----|----|--------|----|----|----|---|-----|--------|--|---|
| CYPS | BS | NS | SSC | SP | QIAR | ED | HD | CS | G | DGO | CMTEDD | Delegated Provisions | |
| A D | | | | | B D | | | | | | | Subject: Power and/or function: Reference: | Subdelegations – approved care and protection organisations Approve a responsible person who has been delegated a function under section 883A may subdelegate the function to the occupant of a position in the responsible person's organisation. section 883B |
| A D | F | | | | B D | | | | | | | Subject: Power and/or function: Reference: | Register of subdelegations Ensure a register of responsible persons, their delegations and any subdelegations is maintained which can be inspected within a reasonable time requested by the director-general. section 883C |