Australian Capital Territory

**Public Sector Management (Court Procedures) Delegation 2019 (No 1)**

**Notifiable instrument NI2019–626**

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 (Court Procedures) Delegation 2019 (No 1)*.

**2 Commencement**

This instrument commences on the day after it is made.

**3 Delegation**

(1) I delegate my functions under the *Court Procedures Act 2004* 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 *Court Procedures Act 2004* signed by the Director-General on 3 July 2015.

Rebecca Cross

Director General

Community Services Directorate

20 August 2019

**Schedule 1**

TABLE OF DELEGATIONS

**Child and Youth Protection Services**

| **Column 1** | **Column 2** |
| --- | --- |
| **Code** | **Positions** |
| A | Deputy Director-General |
| Executive Group Manager, Children, Youth and Families |
| Executive Senior Branch Manager, Children, Youth and Families |
| B | Executive Branch Manager, Child and Youth Protection Services |
| Executive Branch Manager, Bimberi Residential Services |
| C | Deputy Senior Manager, Bimberi Residential Services |
| Senior Manager, Practice and Performance |
| Senior Manager, Legal Services |
| Senior Manager, North/South |
| Senior Manager Client Management System (CYRIS) |
| D | Manager, Operations/Intake |
| Manager, Operational Compliance and Support |
| Manager, Practice |
| Manager, Performance  |
| Manager, Relationships Management |
| Manager, Therapeutic Assessment  |
| Placements Coordinator |
| Principal Practitioner |
| Principal Therapist  |
| Senior Legal Officer |
| Narrabundah House Manager |
| Operations Manager, Bimberi Residential Services |
| Programs and Services Manager, Bimberi Residential Services |
| Family Engagement Officer, Bimberi Residential Services |
| E | Team Leader |
| Team Leader, Operational Policy, Audit and Compliance  |
| Team leader, Case Analysis |
| Team Leader, Therapeutic Assessment |
| Team Leader, Cultural Services  |
| Practice Leader |
| Relationship Coordinator |
| Senior Project Officer  |
| Senior Practitioner |
| Executive Officer |
| Social Worker, Melaleuca Place  |
| Psychologist, Melaleuca Place  |
| Allocations and Quality Assurance |
| Operational Compliance Officer |
| Legal Officer |
| Case Conferencing Chair |
| IMPACT Program/Prenatal Liaison Officer |
| Liaison Officer – Child and Youth Protection Services |
| Reportable Conduct Investigator  |
| Unit Manager, Bimberi Residential Services |
| F | Interstate Liaison Officer |
| Audit and Compliance and Operational Policy Officer |
| Case Manager |
| Cultural Services Officer  |
| Case Analysis Officers  |
| OneLink Liaison Officer  |
| Family Group Conference Facilitator |
| Intake Officer and Intake Coordinator |
| Therapeutic Assessor |
| Team Leader, Bimberi Residential Services |
| Project Officer |
| Sports and Recreation Officer, Bimberi Residential Services |
| Facilities and Services Manager, Bimberi Residential Services |
| Business Manager, Bimberi Residential Services |
| Graduate Administrative Assistant |
| G | Manager, Operational Support |
| Assistant Manager, Operational Support |
| Executive Assistant |
| Integrated Management System and Projects Officer |
| Client Management System Project Officer  |
| Team Leader, Operational Support |
| Operational Support Officer |
| Case Aid |
| Training and Development Administration Officer |
| Operational Compliance Support Officer |
| Allocations and Quality Assurance Officer |
| Contract Data and Reporting Officer |
| Legal Services Administration Officer |
| Youth Workers, Bimberi Residential Services |
| Youth Worker, Narrabundah House |
| Business Support Officer, Bimberi Residential Services |
| Administration Officer, Melaleuca Place |
| Administrative Support, Bimberi Residential Services |
| Training and Development Officer |
| Aboriginal and Torres Strait Islander Training and Development Officer |
| Manager, Training and Workforce Development |
| H | Facilities and Services Officer, Bimberi Residential Services |
|  I | Business Intelligence Officer |
| Senior Technical Specialist (CYRIS) |
| Senior Project Officer (CYRIS)  |
| Business Analyst (CYRIS) |
| Project Officer (CYRIS) |

**SCHEDULE 2**

Court Procedures Act 2004

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

| **Column 1** | **Column 2** |
| --- | --- |
| **Code** | **Delegated Provisions** |
|  |  | **Part 7A – Procedural provisions – proceedings involving children or young people** |
| ABCDEFG | Subject:Power and/or function:Reference: | Court proceedings involving children or young people not open to public(1) If a child or young person is the subject of a proceeding in a court, the following people are the only people who may be present at the hearing of the proceeding:(f) the director-general or an authorised person under the Children and Young People Act 2008.(3) The public advocate and the director-general may make submissions to the court about whether the court should require or permit a person to be present under subsection 72(1)(1) or exclude a person under subsection (2). section 72 |
| ABCDEFG | Subject:Power and/or function:Reference: | Participation of children and young people in proceedings(2) The court may ask the director-general responsible for the Children and Young People Act 2008 to assist the court by giving the child or young person sufficient information about the proceeding, in language and a way that the child or young person can understand, to allow the child or young person to take part fully in the proceedingsection 74A |
| ABCDEFG | Subject:Power and/or function:Reference: | Court may order a report about young person(1) A court hearing a criminal proceeding in relation to or against a child or young person may order the director general responsible for the Children and Young People Act 2008 to give the court a reportabout the child or young person.(2) A director-general given an order must, despite any other ACT law other than the Human Rights Act 2004, give a report.(3) In giving effect to the order, the director general may do, or arrange for someone else to do, 1 or more of the following:(a) visit and interview the child or young person;(b) interview a parent of the child or young person;(c) interview a schoolteacher or other person involved with the education or welfare of the child or young person;(d) require the child or young person to submit to being interviewed by a doctor or other named person.section 74D |
| ABCDEFG | Subject:Power and/or function:Reference: | Proceedings dismissed or adjourned for care and protection reasons(2) If a court acts under subsection (1), the court must, as soon as practicable but not later than 2 working days after the day it acts, give a statement of the reasons for the action to – (a) the director-general(4) The director-general must treat a statement of reasons given to the director-general under subsection (2) as if it were a [mandatory] report made under section 356, Children and Young People Act 2008 Section 74K |
| ABCDEFG | Subject:Power and/or function:Reference: | Director-General must report to court and public advocate(2) Not later than 15 days after the day the court adjourns the proceeding under section 74K(1), the director-general must tell the public advocate and the court, in writing - (a) what action the director-general has taken, is taking or proposes to take under the care and protection chapters in relation to the child or young person; or(b) if the director-general proposes to take no action under any care and protection chapter in relation to the child or young person – that the director-general proposes to take no action. section 74L |