

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

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

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	

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Column 1	Column 2
Code	Positions
	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

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Column 1	Column 2
Code	Positions
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)

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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
A B C D E F G	Subject: Power and/or function: Reference:	<p>Court proceedings involving children or young people not open to public</p> <p>(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).</p> <p>section 72</p>
A B C D E F G	Subject: Power and/or function: Reference:	<p>Participation of children and young people in proceedings</p> <p>(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 proceeding</p> <p>section 74A</p>

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Column 1	Column 2	
Code	Delegated Provisions	
A B C D E F G	Subject: Power and/or function: Reference:	<p>Court may order a report about young person</p> <p>(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 report about the child or young person.</p> <p>(2) A director-general given an order must, despite any other ACT law other than the Human Rights Act 2004, give a report.</p> <p>(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:</p> <p>(a) visit and interview the child or young person;</p> <p>(b) interview a parent of the child or young person;</p> <p>(c) interview a schoolteacher or other person involved with the education or welfare of the child or young person;</p> <p>(d) require the child or young person to submit to being interviewed by a doctor or other named person.</p> <p>section 74D</p>
A B C D E F G	Subject: Power and/or function: Reference:	<p>Proceedings dismissed or adjourned for care and protection reasons</p> <p>(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 –</p> <p>(a) the director-general</p> <p>(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</p> <p>Section 74K</p>

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Column 1	Column 2	
Code	Delegated Provisions	
<p>A B C D E F G</p>	<p>Subject:</p> <p>Power and/or function:</p> <p>Reference:</p>	<p>Director-General must report to court and public advocate</p> <p>(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 -</p> <p>(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</p> <p>(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.</p> <p>section 74L</p>