

LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY

WRITTEN QUESTION

Mrs Finocchiaro to the Attorney-General and Minister for Justice:

Police and Justice Arrangements

7. Is it the Northern Territory Government's policy that when a breach of a court order—such as the breach of a bail undertaking—is detected by a government department, staff member or employee, that breach is to be reported to Police immediately?
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ANSWER

Breach of Court Order

With the exception of bail breaches, the majority of breaches detected by Community Corrections are dealt with internally through an application to the court or Parole Board.

Community Corrections' response to breaches of court or parole orders will vary depending on a number of factors such as:

- the offenders level of risk posed to the community;
- their individual order requirements; and
- the specific circumstances of the breach.

Response protocols for serious breaches do include escalation to Police if the situation is high risk.

Breach of bail

Part 7 of the *Bail Act* contains no provision for a Probation and Parole Officer (or other delegate of the Commissioner for Correctional Services) to initiate any proceeding for failure to comply with a condition of a bail order. This authority sits solely with Police to either arrest without warrant under section 38, and/or to proceed with a charge of a breach of bail offence. As such, it is Community Corrections' policy and practice to provide a prompt notification to Police.