



New South Wales

# **Children (Detention Centres) Amendment (Escorted Absences) Regulation 1999**

under the

Children (Detention Centres) Act 1987

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Children (Detention Centres) Act 1987*.

CARMEL MARY TEBBUTT, M.L.C.,  
Minister for Juvenile Justice.

## **Explanatory note**

The object of this Regulation is to amend the *Children (Detention Centres) Regulation 1995* so as to prescribe the circumstances in which the Director-General may allow a serious violent detainee to be absent from a detention centre on an escorted absence.

This Regulation is made under the *Children (Detention Centres) Act 1987*, including sections 23A and 45 (the general regulation-making power).

## **Children (Detention Centres) Amendment (Escorted Absences) Regulation 1999**

### **1 Name of Regulation**

This Regulation is the *Children (Detention Centres) Amendment (Escorted Absences) Regulation 1999*.

### **2 Amendment of Children (Detention Centres) Regulation 1995**

The *Children (Detention Centres) Regulation 1995* is amended as set out in Schedule 1.

### **3 Notes**

The explanatory note does not form part of this Regulation.

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## Schedule 1 Amendments

(Clause 2)

### [1] Clause 32 Definitions

Insert in alphabetical order:

***escorted absence*** means absence from a detention centre granted under section 23A of the Act.

***serious violent detainee*** means a person detained in a detention centre by reason of being charged with, convicted of or found guilty of a serious indictable offence.

### [2] Clause 33A

Insert after clause 33:

#### 33A Escorted absences

For the purposes of section 23A (1) (c) of the Act, a serious violent detainee is not eligible for escorted absence unless:

- (a) the Director-General is satisfied:
  - (i) that the purpose of the absence concerns an emergency with respect to a close relative of the detainee, and
  - (ii) that it is not practicable for special arrangements to be made within the detention centre to satisfy the purpose of the absence, and
  - (iii) that the escorted absence is necessary to avoid a serious threat to the emotional wellbeing of the detainee, or

(b) the Director-General is satisfied:

- (i) that the escorted absence is necessary to prepare the serious violent detainee for release from the detention centre, and
- (ii) that the serious violent detainee is due to be discharged from the detention centre within the next 8 weeks, and
- (iii) that the detainee is not ineligible for day leave under clause 34.

BY AUTHORITY