

50C. Powers and duties of community corrections officers

- (1) A community corrections officer may give such reasonable directions to an accused subject to a home detention condition as are necessary for the proper administration of the condition and any other condition imposed on the grant of bail to the accused including, without limiting the generality of the foregoing, directions as to —
 - (a) when the accused may leave the place where he is required by the home detention condition to remain;
 - (b) the period of any authorised absence from the place where he is required by the home detention condition to remain;
 - (c) when the accused shall return to the place where he is required by the home detention condition to remain;
 - (d) the method of travel to be used by the accused during any absence from the place where he is required by the home detention condition to remain; and
 - (e) the manner in which the accused shall report his whereabouts.
- (2) For the purpose of ascertaining whether or not an accused is complying with a home detention condition or any direction given pursuant to subsection (1), a community corrections officer may, at any time —
 - (a) enter or telephone the place where the accused is required by a home detention condition to remain;
 - (b) enter or telephone the accused's place of employment or any other place where the accused is permitted or required to attend; or
 - (c) question any person at any place referred to in paragraph (a) or (b).
- (3) A person who —
 - (a) hinders a person exercising powers under subsection (2); or
 - (b) fails to answer a question put pursuant to subsection (2)(c) or gives an answer that the person knows is false or misleading in a material particular,commits an offence.
Penalty: \$2 000 and imprisonment for 12 months.
- (4) A community corrections officer —
 - (a) shall keep such records and make such returns and reports in relation to accused persons subject to home detention conditions as the CEO (Justice) directs; and
 - (b) shall make any records relating to a defendant subject to a home detention condition available on the request of the CEO (Justice) to him.

[Section 50C inserted by No. 61 of 1990 s. 11; amended by No. 31 of 1993 s. 9; No. 50 of 2003 s. 37(3); No. 84 of 2004 s. 82, 83(3).]