

NORTHERN TERRITORY OF AUSTRALIA

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Regulations 1988, No. 3\*

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Regulations under the *Criminal Law (Conditional Release of Offenders) Act*

I, ERIC EUGENE JOHNSTON, the Administrator of the Northern Territory of Australia, acting with the advice of the Executive Council, hereby make the following Regulations under the *Criminal Law (Conditional Release of Offenders) Act*.

Dated 22 January 1988.

E.E. JOHNSTON  
Administrator

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CRIMINAL LAW (CONDITIONAL RELEASE OF OFFENDERS)  
(HOME DETENTION ORDERS) REGULATIONS

1. CITATION

These Regulations may be cited as the Criminal Law (Conditional Release of Offenders) (Home Detention Orders) Regulations.

2. INTERPRETATION

In these Regulations, unless the contrary intention appears, "offender" means an offender who is subject to a home detention order.

3. CONDUCT OF OFFENDERS

During the period that a home detention order remains in force an offender shall -

- (a) be of good behaviour and not contravene or fail to comply with any law in force in the Territory;

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\* Notified in the *Northern Territory Government Gazette* on 1 February 1988.

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- (b) accept the supervision of a Surveillance Officer appointed in accordance with the Act and obey all reasonable directions of that Surveillance Officer;
- (c) reside at the premises or place specified in the order and not be absent from those premises or that place except to -
  - (i) attend, as approved by the Director, the offender's place of employment for the purpose of that employment;
  - (ii) attend a place for the purpose of obtaining urgent treatment from a medical practitioner, or a dentist within the meaning of the *Dental Act*; or
  - (iii) attend, as approved by the Director, at a place of religious worship or of business, or an educational or rehabilitation centre;
- (d) notify a Surveillance Officer, as soon as practicable, of any absence in accordance with paragraph (c)(ii) from the premises or place specified in the order;
- (e) proceed directly and by the shortest practicable route to and from any place the offender is, in accordance with paragraph (c), authorized to attend;
- (f) not visit any premises or place other than premises or a place approved by the Director in accordance with paragraph (c);
- (g) permit a Surveillance Officer to enter the premises or place specified in the order at any time of the night or day for the purposes of supervision;
- (h) accept, when required by the Director, telephone calls by a Surveillance Officer to the premises or place specified in the order and accept, when required by the Director, visits or telephone calls by a Surveillance Officer to the offender's place of employment;
- (j) attend counselling or courses at such times and places as directed by a Surveillance Officer;
- (k) not consume alcohol or any other drug (other than as prescribed by a medical practitioner, or a dentist within the meaning of the *Dental Act*) without the approval of the Director;

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- (m) undergo such tests as a Surveillance Officer may direct for the purpose of determining the presence of alcohol or other drugs in the offender's blood;
- (n) permit and not in any way obstruct a Surveillance Officer or any person in the company of a Surveillance Officer from entering the premises or place specified in the order or a building at that place;
- (p) permit and not in any way obstruct a Surveillance Officer conducting a search, as permitted by the Act, of -
  - (i) the offender;
  - (ii) the premises specified in the order; or
  - (iii) a building at the place specified in the order;
- (q) not disturb or interfere with any other person residing in the premises or at the place specified in the order;
- (r) not threaten, insult or use abusive language to a Surveillance Officer; and
- (s) not associate with any person specified in a direction given by a Surveillance Officer.

4. FORM

For the purposes of the Act and these Regulations, a home detention order shall be in accordance with the form in the Schedule.

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SCHEDULE

Regulation 4

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*Criminal Law (Conditional Release of Offenders) Act*

HOME DETENTION ORDER

WHEREAS, \_\_\_\_\_ of  
("the offender") came before the \_\_\_\_\_  
at \_\_\_\_\_ on \_\_\_\_\_ 19 \_\_\_\_\_ and was  
convicted of \_\_\_\_\_  
for which offence the offender was sentenced to serve a  
period of \_\_\_\_\_ imprisonment

AND WHEREAS the offender has consented to the making of  
this home detention order and to the terms and conditions  
of the home detention order NOW it is ordered and directed  
that that term of imprisonment be suspended subject to the  
conditions that the offender shall while this home  
detention order remains in force:

- (a) reside at \_\_\_\_\_ and shall  
not leave those premises/that place except as  
permitted by the Criminal Law (Conditional Release  
of Offenders) (Home Detention Orders) Regulations  
or with the prior approval of the Director of  
Correctional Services or a Surveillance Officer;
- (b) comply with this home detention order, the *Criminal  
Law (Conditional Release of Offenders) Act* and the  
*Criminal Law (Conditional Release of Offenders)*  
(Home Detention Orders) Regulations;
- (c) be subject to the supervision of a Surveillance  
Officer appointed in accordance with the *Criminal  
Law (Conditional Release of Offenders) Act*;
- (d) obey the reasonable directions of the Director of  
Correctional Services; and
- (e) (such other conditions, if any, as the court thinks  
fit and specifies here).

This home detention order shall remain in force during the  
period commencing on \_\_\_\_\_ 19 \_\_\_\_\_ and ending  
on \_\_\_\_\_ 19 \_\_\_\_\_ (unless it is earlier discharged,  
revoked or varied by this court).

Dated

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Clerk/Master of the Court

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I, \_\_\_\_\_, declare that I fully understand the terms and conditions of this home detention order and consent to the making of the home detention order and that I shall comply with the home detention order and with any directions given by the Director of Correctional Services or a Surveillance Officer.

Dated

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Offender

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