

TASMANIA

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**JUSTICE AND RELATED LEGISLATION  
(MISCELLANEOUS AMENDMENTS) BILL 2025**

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**JUSTICE AND RELATED LEGISLATION  
(MISCELLANEOUS AMENDMENTS) BILL 2025**

*(Brought in by the Minister for Justice, the Honourable Guy  
Barnett)*

**A BILL FOR**

**An Act to amend the *Coroners Act 1995*, the *Corrections Act 1997*, the *Tasmanian Civil and Administrative Tribunal Act 2020* and the *Workers Rehabilitation and Compensation Act 1988***

Be it enacted by Her Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:

**PART 1 – PRELIMINARY**

**1. Short title**

*This Act may be cited as the *Justice and Related Legislation (Miscellaneous Amendments) Act 2025*.*

**2. Commencement**

- (1) Except as provided in this section, the provisions of this Act commence on the day on which this Act receives the Royal Assent.
- (2) Parts 2 and 5 commence on a day or days to be proclaimed.

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Part 1 – Preliminary

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**3. Repeal of Act**

This Act is repealed on the first anniversary of the day on which the last uncommenced provision of this Act commenced.

## **PART 2 – CORONERS ACT 1995 AMENDED**

### **4. Principal Act**

In this Part, the *Coroners Act 1995*\* is referred to as the Principal Act.

### **5. Section 58C inserted**

After section 58B of the Principal Act, the following section is inserted in Part 8:

#### **58C. Certain records to be provided to senior next of kin in certain circumstances**

(1) In this section –

*coronial authority*, in respect of a deceased person, means –

- (a) the Chief Magistrate; or
- (b) the coroner who has jurisdiction to investigate the death of the deceased person;

*coronial record* means any of the following records in relation to an investigation of a death under this Act:

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\*No. 73 of 1995

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Part 2 – Coroners Act 1995 Amended

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- (a) the following records, if held by the Magistrates Court (Coronial Division):
  - (i) a report, in respect of the investigation or death, that is prepared by, or on behalf of the State Forensic Pathologist or a pathologist, or medical practitioner, approved under section 35;
  - (ii) any other record or document, including any photograph, that –
    - (A) contains evidentiary material from the investigation; or
    - (B) is made under this Act in relation to the

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investigation  
or death; or

(C) is made as  
part of an  
autopsy  
performed  
under  
section 36 in  
relation to the  
death;

(iii) a transcript, or  
recording, of oral  
evidence given to  
the court in  
respect of the  
investigation;

(b) a record referred to in  
paragraph (a) if the record  
is able to be provided  
lawfully to the  
Magistrates Court  
(Coronial Division) under  
this Act or any other Act.

(2) The senior next of kin of a deceased  
person may request to be provided with a  
copy of one or more coronial records  
prepared in respect of the deceased  
person.

(3) A request under subsection (2) –

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Part 2 – Coroners Act 1995 Amended

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- (a) is to be made in writing to a coronial authority; and
  - (b) may relate to a specific coronial record, or all coronial records, prepared in respect of the deceased person to whom the request relates.
- (4) A coronial authority may not refuse a request under subsection (2), in respect of a coronial record, unless the coronial authority is satisfied, on reasonable grounds, that –
- (a) the coronial record is unable to be released by virtue of section 57, or another provision of this Act or any other Act; or
  - (b) the release of the coronial record would be likely to prejudice –
    - (i) the investigation of a breach, or possible breach, of the law; or
    - (ii) the enforcement or proper administration of the law; or
    - (iii) the fair trial of a person; or



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- (c) the release of the coronial record would be contrary to national security or personal security.
- (5) If a coronial authority is satisfied that subsection (4) applies in respect of a coronial record, the coronial authority may redact or modify a copy of the record to the extent necessary, in the opinion of the coronial authority, to enable the record to be released under this section.
- (6) If a coronial authority releases a coronial record under this section to a senior next of kin, the coronial authority may impose such conditions, on the release of the record, as the coronial authority considers reasonable in the circumstances including, but not limited to, restrictions on the publication or use of the record.
- (7) A person provided with a copy of a coronial record under this section must comply with the conditions imposed, in respect of the coronial record, under this section.

Penalty: Fine not exceeding 50 penalty units.

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Part 3 – Corrections Act 1997 Amended

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**PART 3 – CORRECTIONS ACT 1997 AMENDED**

**6. Principal Act**

In this Part, the *Corrections Act 1997*\* is referred to as the Principal Act.

**7. Section 68 amended (Statutory non-parole period)**

Section 68(2)(b) of the Principal Act is amended by omitting “an order under section 19 of the *Sentencing Act 1997*” and substituting “a declaration under section 7 of the *Dangerous Criminals and High Risk Offenders Act 2021*”.

**8. Section 69 amended (Prisoner not to be released on parole in certain circumstances)**

Section 69(2) of the Principal Act is amended by omitting “section 19 of the *Sentencing Act 1997*” and substituting “section 7 of the *Dangerous Criminals and High Risk Offenders Act 2021*”.

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\*No. 51 of 1997

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*Act No. of 2025*

Part 4 – Tasmanian Civil and Administrative Tribunal Act 2020 Amended

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**PART 4 – TASMANIAN CIVIL AND  
ADMINISTRATIVE TRIBUNAL ACT 2020 AMENDED**

**9. Principal Act**

In this Part, the *Tasmanian Civil and Administrative Tribunal Act 2020\** is referred to as the Principal Act.

**10. Section 98 amended (Representation)**

Section 98(3) of the Principal Act is amended as follows:

- (a) by omitting from paragraph (b) “Act; or” and substituting “Act.”;
- (b) by omitting paragraph (c).

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\*No. 24 of 2020

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**PART 5 – WORKERS REHABILITATION AND  
COMPENSATION ACT 1988 AMENDED**

**11. Principal Act**

In this Part, the *Workers Rehabilitation and Compensation Act 1988\** is referred to as the Principal Act.

**12. Section 3 amended (Interpretation)**

Section 3(1) of the Principal Act is amended as follows:

- (a) by omitting the definition of *accredited person* and substituting the following definition:

*accredited person* means –

- (a) in relation to the issuing of a certificate under this Act –
- (i) a nurse practitioner acting in accordance with section 77I; and
- (ii) a person accredited under section 77C; and

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\*No. 4 of 1988

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- (b) in any other case, a person accredited under section 77C;
- (b) by inserting the following definition after the definition of *notified dispute*:

*nurse practitioner* means a person registered under the Health Practitioner Regulation National Law (Tasmania) in the nursing profession who is endorsed by the Nursing and Midwifery Board of Australia to practise as a nurse practitioner;

**13. Section 77I inserted**

After section 77H of the Principal Act, the following section is inserted in Division 2A:

**77I. Nurse practitioner taken to be accredited in certain circumstances**

- (1) A nurse practitioner is taken to be an accredited person for the purpose of issuing a certificate under this Act if the nurse practitioner –
  - (a) is employed, or engaged, as a nurse practitioner –
    - (i) in an emergency department of a public hospital, or private

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hospital, within the meaning of the *Health Service Establishments Act 2006*; or

(ii) in prescribed circumstances or for a prescribed purpose; and

(b) in issuing the certificate, is acting in accordance with that employment or engagement and within the scope of practice that applies to the nurse practitioner in that employment or engagement; and

(c) issues the certificate in accordance with the protocol in force, under subsection (3), at the time when the certificate is to be issued.

(2) The Secretary of the responsible Department in relation to the *Health Service Establishments Act 2006* is to prepare a protocol that specifies the circumstances in which, or the conditions under which, a nurse practitioner may issue a certificate under this Act.

(3) A protocol prepared under subsection (2) –

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- (a) must be approved by both of the following, before the protocol is in force:
  - (i) the Secretary of the responsible Department in relation to the *Health Service Establishments Act 2006*;
  - (ii) the Board; and
- (b) comes into force 7 days after it has the approvals required under paragraph (a) or on such later day as is specified in the protocol; and
- (c) is to be published on the website maintained by, or on behalf of, the Department responsible for the *Health Service Establishments Act 2006* while the protocol is in force.