

CLAUSE NOTES

Custodial Inspector Amendment (Protection from Reprisal) Bill 2025

Clause 1: Short Title

The Short title will be the *Custodial Inspector Amendment (Protection from Reprisal) Act 2025*.

Clause 2: Commencement

The Amendment Act will commence on the day on which it receives Royal Assent.

Clause 3: Principal Act

The *Custodial Inspector Act 2016* is referred to as the “Principal Act”.

Clause 4: Section 4 amended (Interpretation)

Amends the definition of *officer of the inspector* to include persons to whom functions or powers are delegated to under the proposed new section 10(aa) inserted by clause 5.

Clause 5: Section 10 amended (Delegation)

Introduces a new paragraph (aa) to provide that functions or powers can be delegated to any person appointed by the Inspector for the purposes of the carrying out of an inspection.

Clause 6: Section 15 amended (Inspection report)

Amends section 15 of the Principal Act to reallocate responsibility for tabling an inspection report from the Minister to the Custodial Inspector, and to shorten the period in which the report is to be tabled from 30 days after providing the Minister with a copy, to 7.

Clause 7: Section 17 amended (Inspector's access to prisoners and detainees)

Clarifies that officers of the Inspector, in addition to the Custodial Inspector, also have access to prisoners and detainees.

Clause 8: Section 24 amended (Disclosure of information)

Provides that the Custodial Inspector may disclose information to a public authority or the responsible Minister.

Clause 9: Section 25A inserted (Protection from reprisal)

Inserts a new section 25A into the Act to provide for penalties for a person who engages in reprisals against a person who discloses information for the purposes of the Principal Act.

Clause 10: Section 34 amended (Protection for provision of information)

Extends the protections for the provision of information to include disclosure of information for the purposes of the Act, so long as the disclosure was done in good faith.

Clause 11: Repeal of Act

The Act is repealed 365 days after all the provisions commence.