

CUSTODIAL INSPECTOR AMENDMENT (PROTECTION FROM REPRISAL) BILL 2025

This Public Bill originated in the House of Assembly, and, having this day passed, is now ready for presentation to the Legislative Council for its concurrence.

h.w. Ross
LAURA ROSS, Clerk of the House
24 September 2025

(Brought in by Cecily Ann Rosol MP)

A BILL FOR
Amendments : clauses 6(3) and 10
**An Act to amend the *Custodial Inspector Act 2016* to
provide for protections from reprisal**

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:

**The Legislative Council has this day
agreed to this Bill with amendments.**

1. Short title

This Act may be cited as the *Custodial Inspector
Amendment (Protection from Reprisal) Act 2025*.

Cliffhams
Clerk of the Council
2 Dec 2025

2. Commencement

This Act commences on the day on which this
Act receives the Royal Assent.

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- (b) by omitting from subsection (5) “responsible Minister” and substituting “Inspector”;
 - (c) by omitting from subsection (5)(a) “30 days” and substituting “7 days”;
 - (d) by omitting from subsection (5)(b) “30-day” and substituting “7-day”;
 - (e) by omitting from subsection (6)(a) “30-day” and substituting “7-day”;
 - (f) by omitting from subsection (6) “responsible Minister” and substituting “Inspector”.

7. Section 17 amended (Inspector’s access to prisoners and detainees)

Section 17 of the Principal Act is amended as follows:

- (a) by omitting from subsection (1) “Inspector” and substituting “Inspector or an officer of the Inspector”;
- (b) by omitting from subsection (2)(a) “Inspector” and substituting “Inspector or an officer of the Inspector”;
- (c) by omitting from subsection (2)(b)(i) “Inspector” and substituting “Inspector or an officer of the Inspector”;

Clause 6

First Amendment

Page 5, clause 6, paragraph (c)

Leave out "7"

Insert instead "14"

Second Amendment

Same page, ^{same clause}~~clause 6~~, paragraph (d)

Leave out "7"

Insert instead "14"

Third Amendment

Same page, ^{same clause}~~clause 6~~, paragraph (e)

Leave out "7"

Insert instead "14"

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in paragraph (a), (b) or (c) in
relation to –

another person because the other person
has provided, is providing or may in the
future provide information, whether true
or false, to the Inspector, or an officer of
the Inspector, for the purposes of this
Act.

Penalty: Fine not exceeding 240 penalty
units or imprisonment for a term
not exceeding 2 years, or both.

10. Section 34 substituted

Section 34 of the Principal Act is repealed and
the following section is substituted:

34. Protection for provision of information

A person who provides information
under this Act or of their own volition for
the purposes of this Act, in so far as the
information is provided in good faith,
whether the information is true or false –

- (a) does not incur any civil or
criminal liability; and
- (b) cannot be held to have breached
any code of professional etiquette
or ethics, or to have departed
from any accepted standard of
professional conduct; and

Clause 10

Amendment

Page 7, clause 10, after "is substituted:"

Leave out everything after "is substituted:".

Insert instead the following: at the foot of the clause.

34. Protection for provision of information

(1) This section applies if a person provides information to the Inspector or an officer of the Inspector –

(a) as requested or required by the Inspector or an officer of the Inspector under this Act; or

(b) of their own volition for the purposes of this Act.

(2) In so far as the information referred to in subsection (1) is provided in good faith, whether the information is true or false, the person –

(a) does not incur any civil or criminal liability; and

(b) cannot be held to have breached any code of professional etiquette or ethics, or to have departed from any accepted standard of professional conduct; and

(c) cannot be held to have contravened any Act –

in respect of the provision of that information.