

LEGISLATIVE ASSEMBLY

CORRECTIONS LEGISLATION AMENDMENT BILL 2025

(Amendments and New Clauses to be moved by Mr David Southwick)

1. Clause 1, page 2, line 12, after "offences" insert "and penalties for certain prison offences".
2. Clause 30, lines 18 and 19, after "custodial worker on duty" insert "or another person employed or engaged to work in a prison while working in the prison".

NEW CLAUSES

3. Insert the following clauses to follow clause 30—

'30A New section 50A inserted

After section 50 of the **Corrections Act 1986** insert—

"50A Use of handcuffs if prisoner is suspected of certain prison offences

- (1) If a prisoner is suspected of committing a prison offence under section 50(1) that is a prison offence referred to in paragraph (a) of the definition of *prison offence*, the prisoner must be restrained by the use of handcuffs when the prisoner is being moved under escort from one place to another in the prison for the specified period.
- (2) The specified period is—
 - (a) until the disciplinary officer decides to take no further action under section 50(4); or
 - (b) the disciplinary officer records the offence in the register under section 50(5) but does not charge the prisoner with the prison offence; or
 - (c) if steps are taken to have the matter dealt with under the criminal law under section 50(5A) or 51(d), until the outcome of the police investigation; or
 - (d) until the charge is determined at the Governor's hearing under section 53.
- (3) A prisoner who is subject to the use of handcuffs under subsection (1) may appeal to the Governor at any time to have the requirement in that subsection waived for the remainder of the specified period."

30B Governor's hearing

After section 53(4) of the **Corrections Act 1986** insert—

"(4A) If the Governor finds that the prisoner is guilty of a prison offence referred to in paragraph (a) of the definition of ***prison offence***, the Governor must impose on the prisoner a penalty of requiring the prisoner to be restrained by the use of handcuffs when the prisoner is being moved under escort from one place to another in the prison for a period of not less than 3 months after the date of the finding." !.