

Proclamation – Corrective Services (Promoting Safety) and Other Legislation Amendment Act 2024

Human Rights Certificate

Prepared in accordance with Part 3 of the *Human Rights Act 2019*

In accordance with section 41 of the *Human Rights Act 2019* (HR Act), I, Laura Gerber, Minister for Youth Justice and Victim Support and Minister for Corrective Services, provide this human rights certificate with respect to the proclamation made under the *Corrective Services (Promoting Safety) and Other Legislation Amendment Act 2024* (Promoting Safety Act).

In my opinion, the proclamation, as tabled in the Legislative Assembly, is compatible with the human rights protected by the HR Act. I base my opinion on the reasons outlined in this statement.

Overview of the Subordinate Legislation

The proclamation commences certain sections of the Promoting Safety Act. The sections commenced by the proclamation:

- amend the *Corrective Services Act 2006* (CS Act) to:
 - strengthen powers to respond to abuse of prisoner communication channels to protect the community from prisoners who seek to inflict harm from behind bars,
 - clarify the authority for corrective services officers to use body-worn cameras while in the community to promote the safety of frontline corrective services officers,
 - amend section 173A of the CS Act to clarify the limits of the chief executive's authorisation to use a prescribed surveillance device at a corrective services facility,
 - confirm arrangements for corrective services officers supporting proper officers of courts, and
- amend the *Child Protection (Offender Reporting and Offender Prohibition Order) Act 2004* and the *Police Powers and Responsibilities Act 2000* to enable the use of certain police powers for reportable child sex offenders being supervised under the *Dangerous Prisoners (Sexual Offenders) Act 2003* to strengthen community safety.

Human Rights Issues

Human rights relevant to the subordinate legislation (Part 2, Division 2 and 3 *Human Rights Act 2019*)

I have considered the human rights protected by the HR Act. The Human Rights Statement of Compatibility tabled with the Promoting Safety Act, as it relates to the sections to be commenced by the proclamation, continues to apply.

In my opinion, the proclamation to commence these sections does not engage or limit human rights.

Conclusion

I consider that the proclamation is compatible with the HR Act because it does not limit human rights.

THE HONOURABLE LAURA GERBER MP
Minister for Youth Justice and Victim Support
and Minister for Corrective Services

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