



No. 24

THURSDAY, 20 SEPTEMBER 2018

- 1 The House met at Ten o'clock a.m.
- 2 ACKNOWLEDGEMENT OF TRADITIONAL PEOPLE. - The Speaker made a statement acknowledging the traditional people of the land.
- 3 PRAYERS AND REFLECTION. – The Speaker read Prayers.
- 4 QUESTIONS SEEKING INFORMATION. – In accordance with Standing Order No. 43, Questions without notice were asked.
- 5 PETITION. - Mr *Shelton* presented a Petition from approximately 133 citizens of Tasmania, requesting that the Minister for Infrastructure take urgent action to rezone an appropriate section of Claude Road adjacent to the Claude Road Cemetery to 60km per hour to make the road condition safe.

Which Petition was read and received.

- 6 PAPERS. – The Treasurer laid upon the Table of the House the following Paper:-
Return Under Section 19 of the Public Account Act 1986: June Quarter 2018.
- 7 PAPERS. – The Minister for Housing laid upon the Table of the House the following Papers:-
- (1) Answer to Question on Notice HA No. 3 of 2018.
 - (2) Answer to Question on Notice HA No. 4 of 2018.
 - (3) Answer to Question on Notice HA No. 5 of 2018.

- 8 BILL NO. 34. – The Attorney-General presented -

A Bill for an Act to amend the Crime (Confiscation of Profits) Act 1993 and the Crime (Confiscation of Profits) Regulations 2014

And Ms *Archer* having presented the said Bill, the same was read the First time and made an Order of the Day for tomorrow.

- 9 BILL NO. 38. –Ms *O'Connor* presented -

A Bill for an Act to amend the Animal Welfare Act 1993 for the purpose of banning factory farming techniques. greyhound racing, rodeos, and enacting various other animal welfare reforms

And Ms *O'Connor* having presented the said Bill, the same was read the First time and made an Order of the Day for tomorrow.

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10 MATTER OF PUBLIC IMPORTANCE: JOBS AND THE ECONOMY - Mr *Shelton* in accordance with Standing Orders, moved - That the House take note of the following matter:

Jobs and the Economy.

And the Question being proposed;

A Debate arose thereupon.

And the Question being put;

It was resolved in the Affirmative.

11 BILL NO. 37. - The Order of the Day being read for the Second reading of the Police Offences Amendment (Consorting) Bill 2018.

And a Motion being made, and the Question being proposed - That the Bill be now read the Second time. (The Minister for Police, Fire and Emergency Management)

A Debate arose thereupon.

12 LEAVE TO EXTEND A MEMBER'S SPEAKING TIME. – *Ordered*, - That Dr *Broad* have an extension of speaking time until One o'clock. (Minister for Police, Fire and Emergency Management)

13 BILL NO. 37. - And the Question being again proposed;

The House resumed the debate.

14 SUSPENSION OF SITTING. - At One o'clock the Speaker left the Chair.
At half-past Two o'clock the Speaker resumed the Chair.

15 BILL NO. 37. - And the Question being again proposed;

The House resumed the Debate.

And the Question being put;

It was resolved in the Affirmative.

And the Bill was, accordingly, read the Second time, and committed to a Committee of the whole House.

And the Speaker having left the Chair, the House resolved itself into the said Committee.

(In the Committee)

Clauses 1 to 4 agreed to.

Clause 5 read.

Amendment proposed (Dr *Woodruff*):

Page 4, in proposed new section 20A, in the definition of “convicted offender”, paragraph (e).

Leave out “means a person who has been convicted of a serious offence and who has attained the age of 18 years”.

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Insert instead: “means a person who has attained the age of 18 years and within the last five years has either;

- (a) been convicted of a serious offence; or
- (b) finished serving a prison sentence for a serious offence.”

Question put – that the Amendment be agreed to;

It passed in the Negative.

Clause 5 as read further considered.

To report progress and ask leave to sit again.

The House being resumed, Mr *Shelton* reported that the Committee had made progress in the Bill, and had directed him to ask leave to sit again.

Resolved, That this House will, at a later hour, again resolve itself into the said Committee.

16 SITTING TIMES. - *Ordered*, Pursuant to Sessional Order 18A that for this day's sitting the House not stand adjourned at Six o'clock and that the House continue to sit past Six o'clock. (The Minister for Health)

17 BILL NO. 37. - The House, according to Order, again resolved itself into a Committee on the Police Offences Amendment (Consorting) Bill 2018.

(In the Committee)

Mr *Brooks* took the Chair.

Clause 5 as read further considered

Amendment made (Dr *Broad*):

In proposed new section 20A, in the definition of “family member”, paragraph (e).

After “defendant” by inserting “, including a half-brother or half-sister of the defendant”.

Amendment proposed (The Minister for Police and Emergency Management):

After proposed new section 20E.

Insert the following section:

20F Review of Division

- (1) The Minister is to review the operation of this Division, and complete the review, within 5 years after the commencement of this Division.
- (2) The Minister is to cause a report on the outcome of the review to be tabled in each House of Parliament within 10 sitting-days of that House after the review is completed.

Question proposed – that the Amendment be agreed to;

Amendment to the amendment proposed (Dr *Broad*)

In proposed new section 20F, subsection (1):

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- (1) Leave out the word “Minister” and insert instead the word “Ombudsman”;
- (2) Leave out the word “5 years” and insert instead “2 years”; and
- (3) Add the words “and each 4 years thereafter” after the words “commencement of this Division”.

Dr *Broad*, *by leave*, withdrew the Amendment to the Amendment.

Amendment to the Amendment proposed (Dr *Broad*)

In proposed new section 20F, subsection (1):

- (1) Leave out the word “Minister” and insert instead the word “Ombudsman”; and
- (2) Leave out the word “5 years” and insert instead “4 years”.

Question put - that the Amendment to the Amendment be agreed to;

It was resolved in the Affirmative.

Question put that the Amendment as amended be agreed to;

It was resolved in the Affirmative

Clause 5, as amended, further considered.

Amendment proposed (Dr *Broad*)

In proposed new section 20A, in the definition of “family member”, after paragraph (f).

By inserting the following new paragraphs:

- “(g) a grandparent of the defendant;
- (h) an aunt, uncle, first cousin, nephew or niece of the defendant;
- (i) for an Aboriginal defendant, a person who, under Aboriginal tradition, is regarded as a family member of the defendant.”

Question put - that the Amendment be agreed to;

The House divided.

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AYES 11

Ms Archer
Mr Barnett
Ms Courtney
Mr Ferguson
Mr Gutwein
Ms Hickey
Mr Hidding
Mr Jaensch
Mrs Petrusma
Mr Rockliff
Mr Shelton (Teller)

NOES 11

Mr Bacon
Dr Broad
Ms Butler
Ms Haddad
Ms Houston
Mr O'Byrne
Ms O'Byrne
Ms O'Connor
Ms Standen
Ms White
Dr Woodruff
Ms Butler (Teller)

PAIRS

Mr Hodgman

Ms Dow

DEPUTY CHAIR OF COMMITTEES GIVES CASTING VOTE. – The Deputy Chair of Committees, Mr *Brooks*, said: “The numbers being equal, I vote with the Noes.”

It passed in the Negative.

Clause 5, as amended, further considered.

Amendment proposed (Dr *Woodruff*)

In proposed new section 20A, in the definition of “serious offence”, paragraph (c).

After “Misuse of Drugs Act 2001” by inserting “,except for an offence under Division 3 of Part 3”.

Question proposed – that the Amendment be agreed to;

It passed in the Negative.

Clause 5, as amended, further considered.

Amendments proposed (Dr *Woodruff*)

In proposed new section 20C, subsection (1).

First Amendment

To leave out “5 years” insert instead “3 years”

Second Amendment

To leave out “5-year period” and insert instead “3-year period”.

Question put – that the Amendments be agreed to;

It passed in the Negative.

The Chair of Committees took the Chair.

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Clause 5, as amended, further considered.

Amendment proposed (Dr *Broad*)

In proposed new section 20C, subsection (3), after paragraph (g).

By inserting the following new paragraphs:

- “(h) consorting that occurred for the purposes of attending a cultural or religious gathering;
- (i) consorting that occurred for the purposes of an Aboriginal cultural event.”

Question put – that the Amendment be agreed to;

It passed in the Negative.

Clause 5, as amended, further considered

Amendment proposed (Dr *Woodruff*)

In proposed new section 20E (2).

Leave out paragraph (c).

Question put – that the Amendment be agreed to;

It passed in the Negative.

Clause 5, as amended, agreed to.

Clauses 6 to 9 agreed to.

Title agreed to

Bill to be reported with Amendment.

The House being resumed, Mr *Shelton* reported that the Committee had gone through the Bill, and made Amendments thereto.

Ordered, That so much of the Standing Orders be suspended as prevents the Bill being now read the Third time. (The Minister for Police, Fire and Emergency Management)

Ordered, That the Bill, as amended in Committee, be now taken into consideration.
And the Amendments were, accordingly, read and agreed to

Ordered, That the Bill be now read the Third time.
And the Bill was, accordingly, read the Third time.

18 BILL NO. 37. - A Message to the Legislative Council. -

MR PRESIDENT

The House of Assembly hath passed a Bill, intituled “A Bill for an Act to amend the Police Offences Act 1935 in relation to consorting and for related purposes”.

to which the House desires the concurrence of the Legislative Council.

House of Assembly, 20 September 2018.

SUE HICKEY, *Speaker.*

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The House adjourned at fourteen minutes past Eight o'clock.

SHANE DONNELLY, *Clerk of the House*.

MEMBERS. - All present during the day except Mr *Hodgman*.