

(No. 135.)



1885.

PARLIAMENT OF TASMANIA.

OFFENCES AGAINST THE PERSON BILL,
1885. [No. 22.]

PETITIONS FOR INCREASED PROTECTION TO YOUNG
FEMALES.

Presented by Members of the House of Assembly, and ordered by the House to
be printed, October 15, 1885.



To the Honorable the Speaker and Members of the House of Assembly of Tasmania, in Parliament assembled.

The humble Petition of the undersigned,

SHOWETH :

THAT the Laws which deal with Social Morality are, in their opinion, defective, and require both amendments and alterations.

Your Petitioners respectfully pray :—

I. That Clause 48, of "The Act to consolidate and amend the Legislative enactment relating to Offences against the Person" (27 Vict. No. 5), and Clause 49 of "The Criminal Law Procedure Act, 1873" (37 Vict. No. 6) be amended, so as to raise the age from 12 years to 16 years, under which age it shall be a misdemeanour unlawfully or carnally to know, or attempt to know, any girl.

II. That it be enacted "That no child under the age of 16 years shall be deemed capable of consenting to any indecent assault."

III. That the seduction of a female pupil by her teacher or tutor, or by any master, teacher, or tutor of the school which she attends, be made a misdemeanour.

IV. That seduction of a female under 18 years of age by the master in whose employ she may be, whether as governess, shopwoman, domestic servant, or in any other capacity, or by a manager or foreman, or person in authority over female *employés*, be made a misdemeanour.

V. That the necessary powers be given to the police for taking females under 21 years of age out of brothels.

VI. That necessity of proof of loss of service be abolished in cases of civil action for seduction, and the parent, or legal guardian, or administrator of charitable grants be enabled to sue the seducer for all damage done, either to the woman or her family, leaving the jury to assess the amount.

VII. That in accordance with the recent report and recommendation of the House of Lords' Committee for the Protection of young Girls, of which Earl Cairns, late Lord Chancellor, was President—"The Court or Magistrate may order the Court to be cleared during the hearing of any charge, trial, or application in connection with cases of rape, defilement, the seduction of women and girls, unnatural offences, obscenity, and indecency of any kind."

VIII. "That for any person or persons to aid, encourage, or harbour any female who is under the age of 18 years in a life of prostitution be made a misdemeanour, proof of age to rest with the defendant."

IX. Your Petitioners would also be thankful for any further amendment of the Law your wisdom may suggest which would tend to protect still further the virtue of young females, and which would secure the more efficient administration of the Acts bearing on Social Morality.

And your Petitioners, as in duty bound, will ever pray, &c.

Here follow 12 signatures.

[Presented by Mr. Hart, 11th September, 1885.]

To the House of Assembly of Tasmania, in Parliament assembled.

The Petition of the Religious Society of Friends,

RESPECTFULLY SHOWETH :

THAT a Bill is now under the consideration of the House of Assembly, entitled "A Bill to amend the Law relating to Offences against the Person."

That in the said Bill thirteen years is named as the age of consent.

That, as a section of the community uniting with our fellow Christians in all matters affecting its moral and religious well-being, we feel alarmed at legislation which we fear will be practically an encouragement to immorality.

That in the judgment of your Petitioners the age above-named is far too low.

That in dealings in respect to property no bond or agreement entered into by persons of tender years would be recognised by law.

That an offence against the person of a ward in chancery is criminal in the eye of the law.

That your Petitioners respectfully submit that at present the sacred rights of young women are by the laws of the land less regarded than the rights of property.

That girls in poor circumstances, who have no proper parental protection, should certainly have such protection as the State can give, and that the matter referred to in the proposed Bill (far outweighing monetary considerations) is to them as their very life.

That the Government already recognises its duty in regard to the children of the poor in the laws respecting compulsory education.

That unless the State retain its care of the girls until they reach a responsible age, by protecting them from allurements (the consequences of which they cannot fully realise), all that may have been previously effected for them is of little avail; therefore, may not the importunate cry now be raised to Parliament by such poor helpless children, "Deliver us from evil."

That your Petitioners respectfully direct the attention of the House of Assembly to the fact that persons who are labouring to promote the moral and religious welfare of girls in the lower walks of life find their efforts almost always frustrated by the many incitements to immorality which beset girls above the age of thirteen years.

That such experience is widely spread is, in the view of your Petitioners, abundantly evident, in that in all centres of population in England large meetings have been held urging that eighteen years should be the earliest age of consent.

Your Petitioners therefore earnestly solicit the House of Assembly to increase the protection which the Government gives to young women, by advancing the age of consent to a period more in accord with the time of life when in all matters (excepting the one herein referred to) an agreement by them is recognised in a court of law.

[Signed by a Committee appointed to represent the Religious Society of Friends in Tasmania.]

To the Honorable the Speaker and the Honorable the Members of the House of Assembly in Tasmania, in Parliament assembled.

The humble Petition of the Bishop of Tasmania and of the undersigned Clergymen of the Church of England in Tasmania,

HUMBLY SHOWETH :

THAT in the fifth Section of a Bill to amend the Law relating to Offences against the Person, which has been read in your Honorable House, it is provided that whosoever shall carnally know or abuse any girl above thirteen years and under fourteen years of age shall be guilty of a misdemeanour.

That your Petitioners are of opinion that girls above fourteen years need legal protection, and that the proposed limit of age is insufficient.

That your Petitioners therefore humbly pray that the age of sixteen may be substituted for fourteen in the fifth Section of the Bill.

And your Petitioners, as in duty bound, will ever pray.

Here follow 17 signatures.

*To the Honorable the Speaker and Members of the House of Assembly,
Tasmania, in Parliament assembled.*

We, the undersigned, Ministers and Office Bearers of the Wesleyan Church, Melville-street, Hobart, in
Quarterly Meeting assembled,

RESPECTFULLY SHOWETH :

THAT a Bill is now under the consideration of the House of Assembly, entitled "A Bill to amend the Law relating to Offences against the Person."

That in the said Bill fourteen years is named as the age under which no child shall be deemed capable of consenting to any indecent assault.

That in the judgment of your Petitioners the age above named is far too low.

Your Petitioners therefore pray that your Honorable House will still further increase the protection which it is proposed to extend to females by increasing the age of consent to sixteen years.

And your Petitioners, as in duty bound, will ever pray, &c.

Here follow 16 signatures.

[Presented by Mr. Archer, 7th October, 1885.]

To the Honorable the House of Assembly of Tasmania, in Parliament assembled.

The humble Petition of the undersigned Laymen of the Congregation and Parish of St. John the Baptist, Goulburn-street, Hobart, in Tasmania.

SHOWETH :

THAT in the fifth section of a Bill to amend the Law relating to Offences against the Person, which has been read in your Honorable House, it is provided that whosoever shall carnally know or abuse any girl above thirteen years and under fourteen years of age shall be guilty of a misdemeanour.

Your Petitioners are of opinion that girls above fourteen years need legal protection, and that the proposed limit of age is insufficient.

Your Petitioners therefore pray that the age of sixteen may be substituted for fourteen in the fifth section of the Bill.

Here follow 28 signatures.

*To the Honorable the Speaker and Members of the House of Assembly in Tasmania,
in Parliament assembled.*

The humble Petition of the undersigned Clergymen of the Church of England in Tasmania,

HUMBLY SHOWETH :

THAT in the fifth section of "A Bill to amend the Law relating to Offences against the Person," which has been read in your Honorable House, it is proposed that whoever shall carnally know or abuse any girl above thirteen years and under fourteen years of age shall be guilty of a misdemeanour.

That your Petitioners are of opinion that girls above fourteen years need legal protection, and that the proposed limit of age is insufficient.

That your Petitioners therefore humbly pray that the age of sixteen may be substituted for fourteen in the fifth section of the Bill.

And your Petitioners, as in duty bound, will ever pray.

Here follow 15 signatures.

*To the Honorable the Speaker and Members of the House of Assembly,
in Parliament assembled,*

RESPECTFULLY SHOWETH :

THAT a Bill is now under the consideration of the House of Assembly, entitled "A Bill to amend the Law relating to Offences against the Person."

That in the said Bill fourteen years is named as the age under which no child shall be deemed capable of consenting to any indecent assault.

That in the judgment of your Petitioners the age above named is far too low.

Your Petitioners therefore pray that your Honorable House will still further increase the protection which it is proposed to extend to females by increasing the age of consent to sixteen years.

And your Petitioners, as in duty bound, will ever pray, &c.

Here follow 16 signatures.

*To the Honorable the Speaker and Members of the House of Assembly
of Tasmania, in Parliament assembled.*

The humble Petition of the undersigned,

SHOWETH :

That the Laws which deal with Social Morality are, in their opinion, defective.

Your Petitioners respectfully pray—

1. That it be enacted that no child under the age of 16 years shall be deemed capable of consenting to any indecent assault.
2. That for any person or persons to aid, harbour, or encourage any girl under the age of 16 years in a life of prostitution be made a misdemeanour,—proof of age to rest with defendants.

And your Petitioners, as in duty bound, will ever pray, &c.

Here follow 138 signatures.

Similar petition presented on the 13th October, by Mr. Belbin, 603 signatures; Mr. Rooke, 56 signatures; Mr. Gellibrand, 43 signatures; Mr. Salier (from the Ladies Christian Association), 23 signatures; Mr. Gray, (from Synod of Presbyterian Church of Tasmania), 2 signatures. 14th October, Mr. Belbin, 50 signatures; Mr. Salier, 54 signatures. 20th October, Mr. Burgess, 23, 24, 22 signatures; Mr. Bird, 45 signatures. 21 October, Mr. Hart, 138 signatures. 22 October, Mr. Belbin, 115 signatures; Mr. Gray, (Minister of Wesleyan Church), 1 signature.