

# Criminal Law (Coercive Control and Affirmative Consent) and Other Legislation Amendment Bill 2023

Amendments during consideration in detail to be moved by  
The Honourable the Minister for Health, Mental Health and Ambulance  
Services and Minister for Women

## 1 After clause 10

Page 19, after line 20—

*insert—*

### **10A Amendment of s 227A (Observations or recordings in breach of privacy)**

Section 227A(3), definition *consent*—

*omit, insert—*

***consent*** means free and voluntary agreement by a person with the cognitive capacity to make the agreement.

## 2 Clause 22 (Amendment of s 552B (Charges of indictable offences that must be heard and decided summarily unless defendant elects for jury trial))

Page 40, line 20, '(1) Section'—

*omit, insert—*

Section

## 3 Clause 22 (Amendment of s 552B (Charges of indictable offences that must be heard and decided summarily unless defendant elects for jury trial))

Page 40, lines 25 to 29—

*omit.*

## 4 Clause 57 (Insertion of new pt 9, div 14)

Page 81, line 22 to page 82, line 1—

*omit, insert—*

**57 Insertion of new pt 9, div 14A**

Part 9—

*insert—*

**Division 14A Criminal Law (Coercive Control and Affirmative Consent) and Other Legislation Amendment Act 2023**

**160A Application of s 21 to proceedings**

**5 Clause 59 (Insertion of new pt 6B)**

Page 84, line 20, ‘Subsection (1)’—

*omit, insert—*

Subsection (2)

**6 Clause 59 (Insertion of new pt 6B)**

Page 84, line 33, ‘Subsection (1)’—

*omit, insert—*

Subsection (2)

**7 Clause 60 (Insertion of new s 161)**

Page 104, line 30, ‘division 14’—

*omit, insert—*

division 14A

**8 Clause 64 (Insertion of new s 162)**

Page 109, line 9, ‘division 14’—

*omit, insert—*

division 14A

**9 Clause 66 (Insertion of new s 163)**

Page 110, line 28, ‘division 14’—

*omit, insert—*

division 14A

**10 Clause 69 (Insertion of new pt 6C)**

Page 129, after line 9—

*insert—*

(f) may have regard to any cultural considerations relevant to the applicant or complainant; and

**11 Clause 69 (Insertion of new pt 6C)**

Page 129, line 10, ‘(f)’—

*omit, insert—*

(g)

**12 Clause 70 (Insertion of new ss 164–169)**

Page 139, line 23, ‘division 14’—

*omit, insert—*

division 14A

**13 Clause 73 (Insertion of new s 170)**

Page 144, line 23, ‘division 14’—

*omit, insert—*

division 14A