

LEGISLATIVE COUNCIL

Crimes (Serious Crime Prevention Orders) Bill 2016

First print

Proposed amendment

No. 1 **Defence for contravention of serious crime prevention order**

Page 5, clause 8. Insert after line 33:

- (2) It is a defence to a prosecution for an offence against this section if the defendant proves that:
 - (a) the defendant knew certain circumstances existed, and
 - (b) it was reasonable for the defendant to act as the defendant did in those circumstances.
- (3) In determining whether it was reasonable for a defendant to act as the defendant did, the court may take into account the following matters and any other matters that the court considers relevant:
 - (a) the seriousness of the potential serious crime related activity or activities to which the serious crime prevention order related,
 - (b) any purpose for which the defendant claims to have been acting,
 - (c) any authority by which the defendant claims to have been acting.