

Summary Offences (Piercing and Scarification Bill) – 19 Feb 2009

second reading

Mr PEDERICK (Hammond) (11:04): I, too, rise to support this bill. I note that it was introduced by the Hon. Dennis Hood on 24 September 2008. He had introduced a similar bill in June 2007 which lapsed when parliament was prorogued but, obviously, this bill has passed the other place this time.

The bill will bring a lot of things into line with tattooing legislation. Currently, under section 21A of the Summary Offences Act, it is illegal to tattoo a minor. This bill will make it an offence to pierce any part of the body of a minor unless the minor is accompanied by a parent or guardian who provides consent. The bill extends the existing prohibition in section 21A to include tattooing and scarifying.

Scarification involves cutting the flesh or branding it with words, designs or the like, and this practice is becoming increasingly popular. This practice was not dealt with in a select committee report to which I will refer later. The history of bills regarding this matter dates back to 2001, when the member for Fisher introduced an almost identical bill.

It did pass through the Assembly but had not passed when parliament was prorogued for the 2002 election. In July 2002, John Rau introduced an extended bill which also included a provision requiring a three-day cooling-off period with medical codes of practice, etc.

The bill that the member for Enfield introduced passed the Assembly in October 2002, but it was amended in the other place before it lapsed. It was subsequently restored, amended and returned to the house in 2004. Thence, it was sent to a select committee, which produced an extensive report tabled on 19 October 2005. Although the report recommended legislation, the member for Enfield's bill was never progressed.

The member for Enfield's bill did expressly exclude the piercing of ear lobes, which I think is a sensible position to take. However, the original position taken by the Hon. Dennis Hood in the other place treated the piercing of ear lobes in the same way as piercing other parts of the body. In his view, all piercing is abhorrent and should be performed on a minor only in the presence of a parent.

However, there is nothing in the report of the select committee or any other material that suggests that piercing ear lobes is a practice that requires regulation. Our philosophy on this side of the house as Liberals is for minimal regulation and only where necessary. We favour freedom and parental responsibility ahead of compulsion.

However, a fair case has been made for treating body piercing in the same way as tattooing and scarification, and I do not think a case has been made for controlling the piercing of ear lobes. I note that the Hon. Dennis Hood accepted the amendment to exclude the piercing of ear lobes from the bill.

Over time, through your youth and moving forwards in life, you see some interesting piercings on people. It seems to be a habit of some young people to have so much metal in their heads that they would never get through an airport metal detector. You might see up to a dozen piercings in someone's face.

Personally, I do not find it very attractive. I ran into a person the other day who had quite a large metal object inserted into their cheek, which I thought was quite interesting and, consequently, I think it is a good thing that this bill will control what minors can do.

In tattooing, we have seen some interesting things. We have seen recently, in a TV ad, a grandmother showing an old faded tattoo. They are with you for life unless you go to a lot of trouble, and I think you would still be scarred to some extent from removing them. People need to be aware of what is involved in piercing. I have certainly been made aware of people piercing themselves in some very interesting places for all sorts of reasons, and that should be regulated under this bill as well. I commend the bill with amendment.