



New South Wales

Crimes Amendment (Murder of Police Officers) Act 2011 No 20

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Crimes Amendment (Murder of Police Officers) Act 2011 No 20

Act No 20, 2011

An Act to amend the *Crimes Act 1900* with respect to mandatory life sentences for the murder of police officers. [Assented to 23 June 2011]

The Legislature of New South Wales enacts:**1 Name of Act**

This Act is the *Crimes Amendment (Murder of Police Officers) Act 2011*.

2 Commencement

This Act commences on the date of assent to this Act.

3 Amendment of Crimes Act 1900 No 40**Section 19B**

Insert after section 19A:

19B Mandatory life sentences for murder of police officers

- (1) A court is to impose a sentence of imprisonment for life for the murder of a police officer if the murder was committed:
 - (a) while the police officer was executing his or her duty, or
 - (b) as a consequence of, or in retaliation for, actions undertaken by that or any other police officer in the execution of his or her duty,and if the person convicted of the murder:
 - (c) knew or ought reasonably to have known that the person killed was a police officer, and
 - (d) intended to kill the police officer or was engaged in criminal activity that risked serious harm to police officers.
- (2) A person sentenced to imprisonment for life under this section is to serve the sentence for the term of the person's natural life.
- (3) This section does not apply to a person convicted of murder:
 - (a) if the person was under the age of 18 years at the time the murder was committed, or
 - (b) if the person had a significant cognitive impairment at that time (not being a temporary self-induced impairment).
- (4) If this section requires a person to be sentenced to imprisonment for life, nothing in section 21 (or any other provision) of the *Crimes (Sentencing Procedure) Act 1999*

or in any other Act or law authorises a court to impose a lesser or alternative sentence.

- (5) Nothing in this section affects the obligation of a court to impose a sentence of imprisonment for life on a person convicted of murder in accordance with section 61 of the *Crimes (Sentencing Procedure) Act 1999*.
- (6) Nothing in this section affects the prerogative of mercy.
- (7) This section applies to offences committed after the commencement of this section.

[Second reading speech made in Legislative Council on 26 May 2011

Agreement in principle speech made in Legislative Assembly on 2 June 2011]

BY AUTHORITY