

Passed by both Houses



New South Wales

Crimes Amendment (Murder of Police Officers) Bill 2011

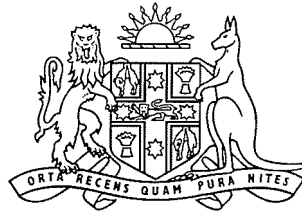
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I certify that this PUBLIC BILL, which originated in the LEGISLATIVE COUNCIL, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.

Legislative Council
2011

Clerk of the Parliaments



New South Wales

Crimes Amendment (Murder of Police Officers) Bill 2011

Act No , 2011

An Act to amend the *Crimes Act 1900* with respect to mandatory life sentences for the murder of police officers.

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.