

[Act 1997 No 80]



New South Wales

# Crimes Amendment (Assault of Police Officers) Bill 1997

## Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.\*

### Overview of Bill

The object of this Bill is to amend the *Crimes Act 1900* to create new offences relating to assaults committed against police officers in the execution of their duty. The assaults are similar to those provided by sections 35 (Malicious wounding or infliction of grievous bodily harm), 59 (Assault occasioning actual bodily harm) and 61 (Common assault prosecuted by indictment) of the Act, but are dealt with by the Bill as aggravated cases of those offences.

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\* Amended in committee—see table at end of volume.

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## Outline of provisions

**Clause 1** sets out the name (also called the short title) of the proposed Act.

**Clause 2** provides for the commencement of the proposed Act on the date of assent.

**Clause 3** is a formal provision giving effect to the amendment to the *Crimes Act 1900* set out in Schedule 1.

### **Schedule 1     Amendment**

The Schedule inserts a new section 60 into the Act which provides for the punishment of 3 categories of assault committed against police officers while in the execution of their duty. The categories are:

- (a) assault not occasioning actual bodily harm (punishable by penal servitude for 5 years), and
- (b) assault occasioning actual bodily harm (punishable by penal servitude for 7 years), and
- (c) assault consisting of malicious wounding or inflicting grievous bodily harm (punishable by penal servitude for 12 years).

The section extends to a case where the assault is committed on an off-duty officer, if the assault is committed as a consequence of, or in retaliation for, actions undertaken by the officer in the lawful execution of the officer's duty.