

ACTS AMENDMENT (ASSAULTS ON POLICE OFFICERS) BILL 2008

Explanatory Memorandum (E267)

(Introduced by Mr Johnson, MLA)

Synopsis: The Purpose of this Bill is to amend two Acts in a number of respects such that minimum mandatory sentences are introduced for offences that seriously assault police and other public officers. Furthermore, anyone found guilty of seriously assaulting a public officer will not be able to have the offence recorded as a spent conviction.

Clause 1 Provides the short title of the bill

Clause 2 Indicates that the Act will come into operation when it receives the Royal Assent.

Clause 3 Indicates the amendments in Part 2 are to *The Criminal Code*.

Clauses 4 and 5 It is proposed to amend *The Criminal Code* to:

- Provide that a minimum mandatory term of imprisonment of not less than 9 months be imposed in circumstances where a public officer is assaulted and as a result of that assault bodily harm is inflicted upon the public officer.
- Provide that a minimum mandatory term of imprisonment of not less than 12 months be imposed in circumstances where a public officer is assaulted and as a result of that assault grievous bodily harm is inflicted upon the public officer.
- The summary conviction penalty for serious assaults on public officers establishes a minimum mandatory term of imprisonment of not less than 3 months.

Clause 6 Indicates the amendment in Part 3 is to the *Sentencing Act 1995*.

Clause 7 It is proposed to amend the *Sentencing Act 1995* to:

- Provide that an offender that is guilty of seriously assaulting a public officer will not be able to have the offence recorded as a spent conviction.