

c2018-128D  
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LEGISLATIVE COUNCIL

Crimes Amendment (Zoe's Law) Bill 2017

First print

Proposed amendments

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- No. 1 **Long title**  
Omit "a child in utero". Insert instead "the foetus of a pregnant woman".
- No. 2 **Change of name of bill**  
Page 2, clause 1. Omit "Zoe's Law". Insert instead "*Grievous Bodily Harm*".
- No. 3 **Definition of "grievous bodily harm"**  
Page 3. Omit Schedule 1 [1]. Insert instead:  
**[1] Section 4 Definitions**  
Insert "of not more than 24 weeks gestation" after "woman" where firstly occurring in the definition of *Grievous bodily harm* in section 4 (1).
- No. 4 **Offence of harming or destroying foetus of pregnant woman**  
Page 3, Schedule 1 [2]. Omit proposed section 41AA. Insert instead:  
**41AA Offences involving harm to or destruction of foetus of more than 24 weeks gestation**  
(1) A person who engages in any conduct that causes serious harm to, or the destruction of, the foetus of a pregnant woman, with intent to cause serious harm to the woman or any other person, is guilty of an offence.  
Maximum penalty: Imprisonment for 25 years.  
(2) A person who engages in any conduct that causes serious harm to, or the destruction of, the foetus of a pregnant woman, being reckless as to whether the conduct causes serious harm to the woman or any other person, is guilty of an offence.  
Maximum penalty: Imprisonment for 10 years.  
(3) This section does not apply:  
(a) to anything done in good faith by a medical practitioner, or a person acting under the direction of a medical practitioner, in the course of a medical procedure (including an abortion) performed by the medical practitioner, or  
(b) to anything done by or with the consent of the pregnant woman concerned.

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(4) For the purposes of this section, serious harm to or the destruction of the foetus of a pregnant woman includes serious harm or death occurring after birth, if the serious harm or death occurred during the pregnancy.

(5) In this section:

*foetus of a pregnant woman* means a foetus of more than 24 weeks gestation.

No. 5 **Dangerous driving offences**

Page 3, Schedule 1 [3]. Omit proposed section 52A (7A). Insert instead:

(7A) **Protection of foetus of pregnant woman**

A reference in this section and in section 52AA to the death of a person, or to grievous bodily harm to a person, includes a reference to the destruction of, or serious bodily harm to, the foetus of a pregnant woman of more than 24 weeks gestation.

No. 6 **Dangerous driving offences**

Page 3. Omit Schedule 1 [4].