



New South Wales

Crimes Amendment (Assault of Emergency Services Workers—3 Strikes Sentencing) Bill 2020

Explanatory note

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

Overview of Bill

The object of this Bill is to establish minimum penalties for assaults and certain other offences against emergency services workers.

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 to the proposed Act.

Schedule 1 Amendment of Crimes Act 1900 No 40

Schedule 1[3] defines the term *emergency services worker* for the purposes of Part 3, Division 8A of the *Crimes Act 1900*. The definition includes persons previously included in the definition of law enforcement officers, such as police officers and correctional officers, and includes new classes of persons, such as firefighters, paramedics, medical practitioners, nurses and midwives. **Schedule 1[1]–[2], [6]–[12] and [14]** make consequential amendments.

Schedule 1[4] establishes 3 tiers of offences against emergency services workers as follows—

- (a) Tier 1 offence—assault, throw a missile at, stalk, harass or intimidate an emergency services worker while in the execution of the worker’s duty, without causing actual bodily harm,

- (b) Tier 2 offence—assault an emergency services worker while in the execution of the worker’s duty, causing actual bodily harm,
- (c) Tier 3 offence—wound or cause grievous bodily harm to an emergency services worker while in the execution of the worker’s duty, and is reckless as to causing actual bodily harm to the worker or another person.

Schedule 1[5] makes a consequential repeal.

Schedule 1[13] establishes minimum penalties for the offences against emergency services workers in Part 3, Division 8A of the *Crimes Act 1900*. The proposed sentencing scheme provides for increased minimum penalties for subsequent offences.