

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 make miscellaneous reforms of the criminal law. In particular, the Bill:

(a) increases the penalty for recklessly causing grievous bodily harm from 7 years to 10 years (and from 10 years to 14 years in the case of an offence committed in company), and

(b) removes “malicious” as a fault element for offences under the Act and replaces it with the modern fault element of “intention” or “recklessness”, and

(c) replaces existing blackmail/extortion offences with offences based on the Model Criminal Code, and

(d) ensures that for all offences under the Act the infliction of grievous bodily harm includes causing a person to contract a grievous bodily disease, and

(e) extends the offence of breaking and entering dwelling-houses or certain other commercial or government buildings and committing (or intending to commit) a serious indictable offence to buildings of any kind.

The Bill also makes a number of amendments by way of statute law revision (including the repeal of superseded offences and spent procedural provisions, and the re-arrangement of offences in the Act).

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. The amendment increasing the penalty for the reckless infliction of grievous bodily harm is to commence on assent.

Clause 3 is a formal provision giving effect to the amendments to the *Crimes Act 1900* set out in Schedules 1 and 2.

Clause 4 is a formal provision giving effect to the consequential amendments of other Acts set out in Schedule 3.

Clause 5 is a formal provision that declares that explanatory notes in the proposed Act do not form part of the Act.

Clause 6 provides for the repeal of the proposed amending Act once all of its amendments have commenced.

Schedules 1–3 contain the amendments to the *Crimes Act 1900* and other Acts. An explanation of each amendment is set out in the Schedule after the amendment concerned.