

Serial 39
Sentencing Amendment Bill 2022
Ms Finocchiaro

A Bill for an Act to amend the *Sentencing Act 1995* to provide for mandatory sentencing of offenders for assaults to police or workers

NORTHERN TERRITORY OF AUSTRALIA

SENTENCING AMENDMENT ACT 2022

Act No. [] of 2022

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NORTHERN TERRITORY OF AUSTRALIA

Act No. [] of 2022

An Act to amend the *Sentencing Act 1995* to provide for mandatory sentencing of offenders for assaults to police or workers

[Assented to [] 2022]
[Introduced [] 2022]

The Legislative Assembly of the Northern Territory enacts as follows:

1 Short title

This Act may be cited as the *Sentencing Amendment Act 2022*.

2 Commencement

This Act commences on the day after the day on which the Administrator's assent to this Act is declared.

3 Act amended

This Act amends the *Sentencing Act 1995*.

4 Section 78CA amended (Offence levels)

(1) Section 78CA(3)(b)(ii)

omit

offence.

insert

offence;

(2) After section 78CA(3)(b)

insert

- (c) an offence against section 188A or 189A of the Criminal Code if the offence is not a level 5 offence or level 4 offence.

5 Section 78DC replaced

Section 78DC

repeal, insert

78DC Level 3 offence – first offence

The court must impose a term of actual imprisonment if:

- (a) a court finds an offender guilty of a level 3 offence; and
- (b) in the case of an offence mentioned in section 78CA(3)(a) or (b) – the victim suffers physical harm as a result of the offence; and
- (c) the offender has not previously been convicted of a violent offence.

6 Repeal of Act

This Act is repealed on the day after it commences.