

2004

THE LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

(As presented)

(Mr Bill Stefaniak)

Sentencing Reform Amendment Bill 2004

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2004

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FOR THE AUSTRALIAN CAPITAL TERRITORY

(As presented)

(Mr Bill Stefaniak)

Sentencing Reform Amendment Bill 2004

A Bill for

An Act to reform the law about sentencing, and for other purposes

The Legislative Assembly for the Australian Capital Territory enacts as follows:

1 **Part 1 Preliminary**

2 **1 Name of Act**

3 This Act is the *Sentencing Reform Amendment Act 2004*.

4 **2 Commencement**

5 This Act commences on the day after its notification day.

6 *Note* The naming and commencement provisions automatically commence on
7 the notification day (see Legislation Act, s 75 (1)).

Part 2 Supreme Court Act 1933

3 Legislation amended—pt 2

This part amends the *Supreme Court Act 1933*.

4 New sections 37SA and 37SB

in part 2A, insert

37SA Guideline judgments

- (1) The Court of Appeal may, on its own initiative or at the request of the Attorney-General under section 37SB, give a guideline judgment to be taken into account by courts when sentencing offenders.
- (2) A guideline judgment may be given separately or in any proceeding that the Court of Appeal considers appropriate.
- (3) A guideline judgment may be given in a proceeding even if it is not necessary for deciding the proceeding.
- (4) A guideline judgment may be reviewed, varied or revoked in a later guideline judgment.
- (5) This section does not limit any power or jurisdiction that the Court of Appeal has apart from this section.

37SB Attorney-General may request guideline judgment

- (1) The Attorney-General may request the Court of Appeal to give a guideline judgment.
- (2) The request for a guideline judgment may include submissions about the proposed guidelines.

1 **Part 3 Crimes Act 1900**

2 **5 Legislation amended—pt 3**

3 This part amends the *Crimes Act 1900*.

4 **6 Offences against Act—application of Criminal Code etc**
5 **Section 7A, note 1**

6 *insert*

- 7 • s 28A (Setting trap etc)
- 8 • s 35A (Assault, stalking etc of police officer)
- 9 • s 35B (Obtaining personal information about police officer)
- 10 • s 35C (Stalking etc person associated with police officer)

11 **7 Manslaughter**
12 **Section 15 (2)**

13 *omit*

14 20 years

15 *substitute*

16 25 years

17 **8 Intentionally inflicting grievous bodily harm**
18 **Section 19**

19 *omit*

20 15 years

21 *substitute*

22 20 years

1	9	Recklessly inflicting grievous bodily harm
2		Section 20
3		<i>omit</i>
4		10 years
5		<i>substitute</i>
6		15 years
7	10	Wounding
8		Section 21
9		<i>omit</i>
10		5 years
11		<i>substitute</i>
12		15 years
13	11	Assault with intent to commit certain indictable offences
14		Section 22
15		<i>omit last mention of</i>
16		5 years
17		<i>substitute</i>
18		10 years
19	12	Acts endangering life etc
20		Section 27 (3) (f)
21		<i>omit</i>

1	13	Section 27 (3)
2		<i>omit</i>
3		10 years
4		<i>substitute</i>
5		20 years
6	14	Section 27 (3)
7		<i>renumber paragraphs when Act next republished under Legislation</i>
8		<i>Act</i>
9	15	Section 27 (4)
10		<i>omit</i>
11		15 years
12		<i>substitute</i>
13		25 years
14	16	Acts endangering health etc
15		Section 28 (2) (c)
16		<i>omit</i>
17	17	Section 28 (2)
18		<i>renumber paragraphs when Act next republished under Legislation</i>
19		<i>Act</i>

1	18	Section 28 (2)
2		<i>omit</i>
3		5 years
4		<i>substitute</i>
5		20 years
6	19	New section 28A
7		<i>insert</i>
8	28A	Setting trap etc
9	(1)	A person commits an offence if the person, with intent to kill or
10		inflict grievous bodily harm on a person—
11	(a)	places or sets a trap, device or thing capable of killing a person
12		or inflicting grievous bodily harm on a person; or
13	(b)	knowingly permits any trap, device or thing to continue to be
14		placed or set.
15		Maximum penalty: imprisonment for 10 years.
16	(2)	This section does not apply in relation to a trap, device or thing
17		placed or set in a dwelling for the protection of the dwelling.
18	20	Culpable driving of motor vehicle
19		Section 29 (2)
20		<i>omit</i>
21		7 years
22		<i>substitute</i>
23		14 years

- 1 **21 Section 29 (3)**
- 2 *omit*
- 3 4 years
- 4 *substitute*
- 5 11 years
- 6 **22 Possession of object with intent to kill etc**
- 7 **Section 33**
- 8 *omit*
- 9 5 years
- 10 *substitute*
- 11 10 years
- 12 **23 New sections 35A to 35C**
- 13 *insert*
- 14 **35A Assault, stalking etc of police officer**
- 15 (1) A person commits an offence if—
- 16 (a) the person assaults or stalks, harasses or intimidates another
- 17 person; and
- 18 (b) the other person is a police officer acting in the course of the
- 19 officer's duty.
- 20 Maximum penalty: imprisonment for 5 years.
- 21 (2) A person commits an offence if—
- 22 (a) the person assaults another person, and by the assault occasions
- 23 actual bodily harm; and

- 1 (b) the other person is a police officer acting in the course of the
2 officer's duty.
- 3 Maximum penalty: imprisonment for 7 years.
- 4 (3) A person commits an offence if—
- 5 (a) either—
- 6 (i) the person wounds another person; or
- 7 (ii) the person assaults another person, and by the assault
8 occasions grievous bodily harm; and
- 9 (b) the other person is a police officer acting in the course of the
10 officer's duty.
- 11 Maximum penalty: imprisonment for 20 years.
- 12 (4) Strict liability applies to subsections (1) (b), (2) (b) and (3) (b).
- 13 (5) For this section, an action is taken to be done to a police officer
14 acting in the course of the officer's duty, even if the officer is not on
15 duty at the time, if it is carried out—
- 16 (a) as a consequence of, or in retaliation for, something done by
17 the officer in the course of the officer's duty; or
- 18 (b) because the officer is a police officer.
- 19 (6) In a prosecution for an offence against subsection (1) in relation to
20 the stalking, harassing or intimidating of a police officer, it is not
21 necessary to prove that the officer apprehended or feared harm or
22 was harassed.
- 23 (7) In this section:
- 24 *stalk*—see section 35 (2).

- 1 **35B Obtaining personal information about police officer**
- 2 (1) A person commits an offence if—
- 3 (a) the person obtains personal information about a police
- 4 officer—
- 5 (i) as a consequence of, or in retaliation for, something done
- 6 by the officer in the course of the officer's duty; or
- 7 (ii) because the officer is a police officer; and
- 8 (b) the person intends to use the information, or allow its use, to
- 9 assault, stalk, harass or otherwise harm the officer.
- 10 Maximum penalty: imprisonment for 2 years.
- 11 (2) In this section:
- 12 *harm*—see section 35 (6).
- 13 *police officer* means a member of any Commonwealth, State or
- 14 Territory police force or service.
- 15 **35C Stalking etc person associated with police officer**
- 16 (1) A person commits an offence if—
- 17 (a) the person stalks someone (the *person stalked*) who is or has
- 18 been personally associated with a police officer; and
- 19 (b) the person intends to cause the person stalked harm or
- 20 apprehension or fear of harm; and
- 21 (c) the stalking is—
- 22 (i) as a consequence of, or in retaliation for, something done
- 23 by the officer in the course of the officer's duty; or

- 1 (ii) because the officer is a police officer.
- 2 Maximum penalty: imprisonment for 5 years.
- 3 (2) A person commits an offence if—
- 4 (a) the person obtains personal information about someone who is
- 5 or has been personally associated with a police officer; and
- 6 (b) the person obtains the information—
- 7 (iii) as a consequence of, or in retaliation for, something done
- 8 by the officer in the course of the officer's duty; or
- 9 (iv) because the officer is a police officer; and
- 10 (c) the person intends to use the information, or allow its use, to
- 11 cause the officer to fear personal harm or harm to a person who
- 12 is or has been personally associated with the officer.
- 13 Maximum penalty: imprisonment for 2 years.
- 14 (3) Without limiting subsection (1), a person is taken to have the intent
- 15 mentioned in the subsection if the person knows that, or is reckless
- 16 about whether, stalking the other person would be likely to cause
- 17 apprehension or fear of harm in the person stalked.
- 18 (4) In a prosecution for an offence against subsection (1), it is not
- 19 necessary to prove that the person stalked apprehended or feared
- 20 harm.
- 21 (5) In this section:
- 22 ***domestic relationship***—see the *Domestic Relationships Act 1994*,
- 23 section 3 (1).
- 24 ***harm***—see section 35 (6).
- 25 ***member of the family***, of a police officer, means a parent, step-
- 26 parent, parent-in-law, grandparent, child, stepchild, grandchild, son-
- 27 in-law, daughter-in-law, brother, sister, half-brother, half-sister,
- 28 brother-in-law, sister-in-law, uncle, aunt, nephew, niece or cousin of

Section 24

- 1 the officer or of a person married to, or in a domestic relationship
2 with, the officer.
- 3 ***personally associated***—a person is ***personally associated*** with a
4 police officer if the person—
- 5 (a) is married to or in a domestic relationship with the officer; or
6 (b) has an intimate relationship with the officer, whether or not of
7 a sexual nature; or
8 (c) is living in the same household or residential facility as the
9 officer; or
10 (d) is in a relationship with the officer that involves dependence or
11 ongoing paid or unpaid care; or
12 (e) is a member of the officer's family.
- 13 ***police officer*** means a member of any Commonwealth, State or
14 Territory police force or service.
- 15 ***stalk***—see section 35 (2).

16 **24 Abduction of young person**
17 **Section 37**

- 18 *omit*
19 5 years
20 *substitute*
21 10 years

1	25	Neglect etc of children	
2		Section 39 (1), penalty	
3		<i>omit</i>	
4		2 years	
5		<i>substitute</i>	
6		5 years	
7	26	Section 39 (3), penalty	
8		<i>omit</i>	
9		1 year	
10		<i>substitute</i>	
11		5 years	
12	27	Alternative verdicts for certain offences against the	
13		person	
14		Section 49, table, item 10	
15		<i>omit</i>	
16	28	Section 49, table, item 11	
17		<i>renumber as item 10</i>	
18	29	Section 49, table	
19		<i>insert</i>	
	11	section 35A (1) (a) (Assault, stalking etc of police officer) if the offence charged is an assault	section 26
	12	section 35A (1) (a) if the offence charged is stalking	section 35

Section 30

13	section 35A (2)	(a) section 23 (b) section 24 (c) section 26
14	section 35A (3) (a) (i)	section 21
15	section 35A (3) (a) (ii)	(a) section 20 (b) section 21 (c) section 23 (d) section 24 (e) section 25 (f) section 26

1 **30 Sexual assault in the first degree**
2 **Section 51 (1)**

3 *omit*
4 17 years
5 *substitute*
6 25 years

7 **31 Section 51 (2)**

8 *omit*
9 20 years
10 *substitute*
11 life

12 **32 Sexual assault in the second degree**
13 **Section 52 (1)**

14 *omit*
15 14 years
16 *substitute*
17 20 years

1	33	Section 52 (2)
2		<i>omit</i>
3		17 years
4		<i>substitute</i>
5		25 years
6	34	Sexual assault in the third degree
7		Section 53 (1)
8		<i>omit</i>
9		12 years
10		<i>substitute</i>
11		15 years
12	35	Section 53 (2)
13		<i>omit</i>
14		14 years
15		<i>substitute</i>
16		18 years
17	36	Sexual intercourse without consent
18		Section 54 (1)
19		<i>omit</i>
20		12 years
21		<i>substitute</i>
22		15 years

1	37	Section 54 (2)
2		<i>omit</i>
3		14 years
4		<i>substitute</i>
5		18 years
6	38	Sexual intercourse with young person
7		Section 55 (1)
8		<i>omit</i>
9		17 years
10		<i>substitute</i>
11		20 years
12	39	Maintaining a sexual relationship with young person
13		Section 56 (5)
14		<i>omit</i>
15		7 years
16		<i>substitute</i>
17		10 years
18	40	Act of indecency in the first degree
19		Section 57
20		<i>omit</i>
21		15 years
22		<i>substitute</i>
23		20 years

1 **41 Act of indecency in the second degree**
2 **Section 58**

3 *omit*

4 12 years

5 *substitute*

6 15 years

7 **42 Act of indecency without consent**
8 **Section 60 (1)**

9 *omit*

10 5 years

11 *substitute*

12 10 years

13 **43 Section 60 (2)**

14 *omit*

15 7 years

16 *substitute*

17 15 years

18 **44 Acts of indecency with young people**
19 **Section 61 (1)**

20 *omit*

21 12 years

22 *substitute*

23 15 years

Section 45

1	45	Abduction
2		Section 63
3		<i>omit</i>
4		10 years
5		<i>substitute</i>
6		14 years
7	46	Employment of young people for pornographic purposes
8		Section 64 (1)
9		<i>omit</i>
10		10 years
11		<i>substitute</i>
12		14 years
13	47	Possession of child pornography
14		Section 65 (1)
15		<i>omit</i>
16		5 years
17		<i>substitute</i>
18		7 years
19	48	Using the Internet etc to deprave young people
20		Section 66 (1), penalty, paragraph (a)
21		<i>omit</i>
22		5 years
23		<i>substitute</i>
24		7 years

1 **49 Section 66 (1), penalty, paragraph (b)**

2 *omit*

3 10 years

4 *substitute*

5 12 years

6 **50 Section 66 (2), penalty**

7 *omit*

8 100 penalty units, imprisonment for 5 years

9 *substitute*

10 200 penalty units, imprisonment for 7 years

11 **51 Aiding prisoner to escape**
12 **Section 159**

13 *omit*

14 5 years, a fine of \$10 000

15 *substitute*

16 7 years, 200 penalty units

17 **52 Escaping**
18 **Section 160**

19 *omit*

20 5 years, a fine of \$10 000

21 *substitute*

22 10 years, 200 penalty units

- 1 **53** **Section 341**
- 2 *omit everything before paragraph (a), substitute*
- 3 **341** **Purposes to which court to have regard**
- 4 In deciding a sentence to be imposed, the court must have regard to
- 5 the following purposes:
- 6 **54** **Section 341 (a)**
- 7 *omit*
- 8 or
- 9 **55** **Section 341 (b)**
- 10 *omit last mention of*
- 11 or
- 12 **56** **Section 341 (c) and (d)**
- 13 *omit*
- 14 or
- 15 **57** **Section 341 (e) and (f)**
- 16 *substitute*
- 17 (e) to protect the community from the offender.

1	58	Matters to which court to have regard
2		Section 342 (1)
3		<i>omit everything before paragraph (a), substitute</i>
4	(1)	In deciding the sentence to be imposed on a person, a court must
5		have regard to any of the following matters that are relevant and
6		known to the court:
7	59	Section 342 (1) (i)
8		<i>omit</i>
9		cultural background,
10	60	Section 342 (1) (j) and (m)
11		<i>omit</i>
12	61	Section 342 (1) (q)
13		<i>substitute</i>
14		(q) current sentencing practice in other States;
15	62	Section 342 (1) (s)
16		<i>omit</i>
17	63	Section 342 (1)
18		<i>renumber paragraphs when Act next republished under Legislation</i>
19		<i>Act</i>
20	64	Section 342 (2)
21		<i>substitute</i>
22	(2)	The court may have regard to any other matter the court considers
23		appropriate.

- 1 **65** **New section 342A**
- 2 *insert*
- 3 **342A** **Guideline judgments**
- 4 (1) In deciding the sentence to be imposed on a person for an offence, a
- 5 court must have regard to any relevant guideline judgment.
- 6 (2) If a court imposes on a person a sentence that is inconsistent with a
- 7 relevant guideline judgment, the court must give written reasons for
- 8 the inconsistency.
- 9 (3) This section is in addition to and does not limit section 342.
- 10 (4) In this section:
- 11 *relevant guideline judgment*, for an offence, means a judgment of
- 12 the Court of Appeal that is expressed to contain guidelines to be
- 13 taken into account by courts sentencing offenders.
- 14 **66** **Victim impact statements**
- 15 **New section 343 (2A)**
- 16 *insert*
- 17 (2A) If a victim impact statement by a victim is tendered in respect of an
- 18 offence and the victim asks the court to allow the victim to read it to
- 19 the court, the court must allow the victim to read the statement.
- 20 **67** **Matters not to be taken into account**
- 21 **Section 344 (1) (d) and (e)**
- 22 *omit*
- 23 **68** **Section 344**
- 24 *renumber paragraphs when Act next republished under Legislation*
- 25 *Act*

1	69	Restriction on imposing sentences of imprisonment
2		Section 345
3		<i>omit</i>
4	70	Summary disposal of certain cases
5		Section 375 (1) (b)
6		<i>substitute</i>
7		(b) an offence punishable by imprisonment for not longer than
8		15 years.
9	71	Section 375 (2) (c)
10		<i>omit</i>
11		\$10 000
12		<i>substitute</i>
13		\$50 000
14	72	Section 375 (10)
15		<i>omit</i>
16		2 years nor impose a fine exceeding \$5 000
17		<i>substitute</i>
18		5 years nor impose a fine exceeding \$10 000
19	73	Section 375 (11)
20		<i>omit</i>
21		6 months nor impose a fine exceeding \$1 000
22		<i>substitute</i>
23		2 years nor impose a fine exceeding \$5 000

Part 4 Criminal Code 2002

74 Legislation amended—pt 4

This part amends the *Criminal Code 2002*.

75 New section 318A

insert

318A Carjacking

(1) A person commits an offence if the person—

- (a) assaults someone else with intent to take a motor vehicle; and
- (b) takes and drives the motor vehicle, or takes the motor vehicle for the purpose of driving it, without the consent of the owner or person in lawful possession of the motor vehicle.

Maximum penalty: imprisonment for 10 years.

(2) A person commits an offence if the person—

- (a) takes and drives a motor vehicle, or takes a motor vehicle for the purpose of driving it, without the consent of the owner or person in lawful possession of the motor vehicle; and
- (b) someone else is in or on the motor vehicle.

Maximum penalty: imprisonment for 10 years.

(3) A person commits an offence against this subsection if the person commits an offence against subsection (1) or (2) in circumstances of aggravation.

Maximum penalty: imprisonment for 14 years.

- 1 (4) For subsection (3), a person commits an offence in *circumstances of*
2 *aggravation* if—
3 (a) the person is in company with someone else; or
4 (b) the person is armed with an offensive weapon or instrument; or
5 (c) the person inflicts actual bodily harm on someone else.
6 (5) In this section:
7 *motor vehicle*—see *Road Transport (General) Act 1999*, dictionary.

8 **76 False accounting**
9 **Section 350 (1), penalty**

10 *omit*
11 7 years
12 *substitute*
13 10 years

14 **77 False statement by officer of body**
15 **Section 351 (1), penalty**

16 *omit*
17 7 years
18 *substitute*
19 10 years

1 **Part 5** **Rehabilitation of Offenders**
2 **(Interim) Act 2001**

3 **78** **Legislation amended—pt 4**

4 This part amends the *Rehabilitation of Offenders (Interim) Act 2001*.

5 **79** **Court to set nonparole period**
6 **Section 31 (1), note**

7 *substitute*

8 *Note 1* Section 31A provides for standard nonparole periods for certain
9 offences.

10 *Note 2* Section 43 provides that, if the person is released on parole, the
11 sentence is not discharged unless the parole is completed without the
12 parole order being revoked.

13 **80** **New section 31A**

14 **31A** **Standard nonparole period**

15 (1) When setting a nonparole period under section 31 (1) in relation to
16 an offence for which there is a standard nonparole period, the court
17 must set the standard nonparole period as the nonparole period for
18 the offence unless the court considers that there are reasons for
19 setting a nonparole period for the offence that is longer or shorter
20 than the standard nonparole period.

21 (2) When setting the nonparole period for the offence, the court may
22 have regard to any relevant aggravating circumstance mentioned in
23 subsection (3) (other than a circumstance that is an element of the
24 offence) and any relevant mitigating circumstance mentioned in
25 subsection (4).

(3) Aggravating circumstances to which the court may have regard include the following:

- (a) the victim is a police officer, emergency services worker, correctional officer, judicial officer, health professional, health or community worker or teacher and the offence arose because of the victim's occupation;
- (b) the offence involved the actual or threatened use of violence;
- (c) the offence involved the actual or threatened use of a weapon;
- (d) the offender has a record of previous convictions;
- (e) the offence was committed in company with someone else;
- (f) the offence involved gratuitous cruelty;
- (g) the injury, emotional harm, loss or damage caused by the offence was substantial;
- (h) the offence was motivated by hatred for or prejudice against a group of people to which the offender believed the victim belonged;

Examples

- 1 people of a particular religion, racial or ethnic origin
- 2 people who speak a particular language
- 3 people of a particular sexual orientation
- 4 people of a particular age
- 5 people with a disability

Note An example is part of the Act, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see Legislation Act, s 126 and s 132).

- (i) the offence was committed without regard for public safety;
- (j) the offence was committed while the offender was on bail in relation to an offence or alleged offence;

- 1 (k) the offender abused a position of trust or authority in relation
2 to the victim;
- 3 (l) the victim was vulnerable because of age or occupation;
- 4 **Examples**
- 5 1 the victim was very young or old
- 6 2 the victim had a disability
- 7 3 the victim was a taxi driver, bank teller or service station attendant
- 8 *Note* An example is part of the Act, is not exhaustive and may extend,
9 but does not limit, the meaning of the provision in which it
10 appears (see Legislation Act, s 126 and s 132).
- 11 (m) the offence involved multiple victims or a series of criminal
12 acts;
- 13 (n) the offence was part of a planned or organised criminal activity.
- 14 (4) Mitigating circumstances to which the court may have regard
15 include the following:
- 16 (a) the injury, emotional harm, loss or damage caused by the
17 offence was not substantial;
- 18 (b) the offence was not part of a planned or organised criminal
19 activity;
- 20 (c) the offender was provoked by the victim;
- 21 (d) the offender was acting under duress;
- 22 (e) the offender does not have any record, or any significant
23 record, of previous convictions;
- 24 (f) the offender was a person of good character;
- 25 (g) the offender is unlikely to reoffend;
- 26 (h) the offender has good prospects of rehabilitation, whether
27 because of age or otherwise;

- 1 (i) the offender has shown remorse for the offence by making
2 reparation for any injury, loss or damage or in any other way;
- 3 (j) the offender was not fully aware of the consequences of his or
4 her actions because of the offender's age or any disability;
- 5 (k) a plea of guilty by the offender;
- 6 (l) if the offender is tried on indictment—the degree of pre-trial
7 disclosure by the defence for the purposes of the trial;
- 8 (m) the degree to which the offender has assisted, or undertaken to
9 assist, law enforcement authorities in the prevention, detection
10 or investigation of, or in a proceeding in relation to, the offence
11 concerned or any other offence.
- 12 (5) If the court sets a nonparole period that is different to the standard
13 nonparole period for the offence, the court must give written reasons
14 for the difference.
- 15 (6) The *standard nonparole period* for an offence mentioned in
16 column 2 in table 31A is the period mentioned in column 3 of the
17 same item.

18 **Table 31A Standard nonparole periods**

column 1 item	column 2 offence	column 3 period
1	offence against <i>Crimes Act 1900</i> , section 12 (Murder), other than an offence to which item 2 applies	20 years
2	offence against <i>Crimes Act 1900</i> , section 12 (Murder), if the victim is a police officer, emergency services worker, correctional officer, judicial officer, health professional, health or community worker or teacher and the offence arose because of the victim's occupation	25 years
3	offence against <i>Crimes Act 1900</i> , section 19 (Intentionally inflicting grievous bodily harm)	5 years

column 1 item	column 2 offence	column 3 period
4	offence against <i>Crimes Act 1900</i> , section 27 (4) (b) (Acts endangering life etc)	7 years
5	offence against <i>Crimes Act 1900</i> , section 51 (2) (Sexual assault in the first degree)	15 years
6	offence against the Criminal Code, section 44 (Attempt), if the offence attempted is murder	10 years
7	offence against Criminal Code, section 310 (Aggravated robbery)	7 years
8	offence against Criminal Code, section 311 (Burglary), if the offender has been convicted of a burglary offence in the previous 5 years	1 year
9	offence against Criminal Code, section 312 (Aggravated burglary), if serious injury is caused to a person	7 years
10	offence against Criminal Code, section 318A (1) or (2) (Carjacking)	3 years
11	offence against Criminal Code, section 318A (3) (Carjacking) (which is about carjacking in aggravated circumstances)	5 years
12	offence against <i>Drugs of Dependence Act 1989</i> , section 164 (2) (Sale or supply) if the quantity of the drug to which the offence relates is at least 50 times the quantity prescribed as a trafficable quantity	15 years
13	offence against <i>Drugs of Dependence Act 1989</i> , section 164 (2) (Sale or supply) if the quantity of the drug to which the offence relates is at least 30 but less than 50 times the quantity prescribed as a trafficable quantity	10 years
14	offence against <i>Drugs of Dependence Act 1989</i> , section 164 (2) (Sale or supply) if the quantity of the drug to which the offence relates is at least 20 but less than 30 times the quantity prescribed as a trafficable quantity	5 years

Endnotes

1 Presentation speech

Presentation speech made in the Legislative Assembly on 2004.

2 Notification

Notified under the Legislation Act on 2004.

3 Republications of amended laws

For the latest republication of amended laws, see www.legislation.act.gov.au.

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