

TASMANIA

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**SENTENCING AMENDMENT (ASSAULTS ON  
FRONTLINE WORKERS) BILL 2016**

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**CONTENTS**

1. Short title
2. Commencement
3. Principal Act
4. Section 16A amended (Mandatory imprisonment for offence causing serious bodily harm to certain frontline workers)
5. Repeal of Act



**SENTENCING AMENDMENT (ASSAULTS ON  
FRONTLINE WORKERS) BILL 2016**

*(Brought in by the Minister for Health, the Honourable  
Michael Darrel Joseph Ferguson)*

**A BILL FOR**

**An Act to amend the *Sentencing Act 1997***

Be it enacted by Her Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:

**1. Short title**

This Act may be cited as the *Sentencing Amendment (Assaults on Frontline Workers) Act 2016*.

**2. Commencement**

This Act commences on the day on which this Act receives the Royal Assent.

**3. Principal Act**

In this Act, the *Sentencing Act 1997*\* is referred to as the Principal Act.

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\*No. 59 of 1997

*Sentencing Amendment (Assaults on Frontline Workers) Act  
2016  
Act No. of*

s. 4

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**4. Section 16A amended (Mandatory imprisonment for offence causing serious bodily harm to certain frontline workers)**

Section 16A of the Principal Act is amended as follows:

- (a) by inserting the following subsection before subsection (1):

(1AA) In this section –

*ambulance officer* means –

- (a) an officer of the Ambulance Service, within the meaning of the *Ambulance Service Act 1982*; and
- (b) an authorised officer, within the meaning of that Act; and
- (c) a volunteer ambulance officer, within the meaning of that Act;

*child safety officer* means a person who is a State Service officer, or a State

*Sentencing Amendment (Assaults on Frontline Workers) Act 2016*  
*Act No. of*

s. 4

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Service employee,  
employed or appointed to  
provide services, related  
to the protection of  
children, under the  
*Children, Young Persons  
and Their Families Act  
1997*;

***correctional services officer***  
means –

- (a) a correctional officer, within the meaning of the *Corrections Act 1997*; and
- (b) a probation officer, within the meaning of that Act; and
- (c) a person who administers or provides all or part of a community corrections program referred to in section 88 of that Act; and
- (d) a person who is a State Service officer, or a State Service employee,

*Sentencing Amendment (Assaults on Frontline Workers) Act  
2016  
Act No. of*

s. 4

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and who, pursuant to section 66 of that Act, is made available to, and serves, the Parole Board established under section 62 of that Act; and

- (e) any other person who is appointed or employed for the purposes of that Act;

*frontline worker* means –

- (a) a correctional services officer; and
- (b) an ambulance officer; and
- (c) a police officer; and
- (d) a medical or social services officer;

*medical or social services officer* means –

- (a) an enrolled nurse; and

*Sentencing Amendment (Assaults on Frontline Workers) Act 2016*  
*Act No. of*

s. 4

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- (b) a registered nurse;  
and
  - (c) a person who is registered under the *Health Practitioner Regulation National Law (Tasmania)* in the midwifery profession; and
  - (d) a child safety officer.
- (b) by omitting from subsection (1)(a) “police officer” twice occurring and substituting “frontline worker”;
- (c) by omitting from subsection (1)(b) “police officer” and substituting “frontline worker”;
- (d) by omitting from subsection (2) “police officer” twice occurring and substituting “frontline worker”;
- (e) by inserting the following subsections after subsection (9):
- (10) For the purposes of this section, a frontline worker –
    - (a) who is a volunteer ambulance officer is taken to be on duty when he or

*Sentencing Amendment (Assaults on Frontline Workers) Act  
2016  
Act No. of*

s. 4

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she is performing, attempting to perform, or supporting the performance of, a function relating to the provision of ambulance services, within the meaning of the *Ambulance Service Act 1982*, pursuant to a direction of the Commissioner of Ambulance Services, within the meaning of that Act; or

- (b) who is an ambulance officer by virtue of paragraph (a) or (b) of the definition of *ambulance officer* in subsection (1AA) is taken to be on duty when he or she is performing, attempting to perform, or supporting the performance of, a function relating to the provision of ambulance services, within the meaning of the *Ambulance Service Act 1982*; or



*Sentencing Amendment (Assaults on Frontline Workers) Act 2016*  
*Act No. of*

s. 5

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- (c) who is a medical or social services officer is taken to be on duty when he or she is acting, or at a place, in the course of his or her appointment or employment as such an officer; or
  - (d) who is a correctional services officer is taken to be on duty when he or she is acting, or at a place, in the course of his or her appointment or employment as such an officer.
- (11) Nothing in subsection (10) is to be taken to limit the circumstances in which a frontline worker is on duty for the purposes of this section.

## **5. Repeal of Act**

This Act is repealed on the three hundred and sixty fifth day from the day on which it commences.