

House of Representatives

# Supplementary Order Paper

Tuesday, 13 April 2021

Protection for First Responders and Prison Officers Bill

*Proposed amendment*

Hon Mark Mitchell, in Committee, to move the following amendment:

*Clause 6*

In *clause 6*, after *new section 85A* (page 3, after line 13), insert:

**85B Minimum sentence must be cumulative on existing sentence of imprisonment**

- (1) This section applies if—
  - (a) **section 85A** applies; and
  - (b) at the time of sentencing, the offender is detained under an existing determinate sentence of imprisonment.
- (2) The court must direct that any sentence of imprisonment imposed in respect of an offence against section 189A of the Crimes Act 1961 is to be imposed cumulatively on any other determinate sentence of imprisonment, unless the court considers that would be manifestly unjust.

### **Explanatory note**

This Supplementary Order Paper amends the Protection for First Responders and Prison Officers Bill to require that the mandatory minimum sentence of imprisonment required under *new section 85A* of the Sentencing Act 2002 must be imposed cumulatively on an offender's existing determinate sentence if the offence occurs during an offender's imprisonment under that sentence.