



**AN BILLE UM IONSAITHE AR OIBRITHE ÉIGEANDÁLA,
2012**

ASSAULTS ON EMERGENCY WORKERS BILL 2012

Mar a tionscnaíodh
As initiated

ARRANGEMENT OF SECTIONS

Section

1. Interpretation.
 2. Special provision in relation to Offences against Emergency Workers whilst on duty.
 3. Minimum Period of Imprisonment for Offences to which section 4 applies.
 4. Short title and commencement.
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ACTS REFERRED TO

Garda Siochana Act 2005	2005, No. 20
Local Government Act 2001	2001, No. 37
Non-Fatal Offences Against the Person Act 1997	1997, No. 26



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2012
ASSAULTS ON EMERGENCY WORKERS BILL 2012

BILL

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entitled

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AN ACT TO REVISE THE LAW RELATING TO NON-FATAL
OFFENCES AGAINST THE PERSON BY IMPOSING
SPECIFIC TERMS OF IMPRISONMENT ON PERSONS
FOUND GUILTY OF ASSAULTING MEMBERS OF THE
EMERGENCY SERVICES WHILST ON DUTY.

BE IT ENACTED BY THE OIREACHTAS AS FOLLOWS:

1.—(1) In this Act—

Interpretation.

“child” means any person under the age of 16 years;

“emergency worker” means:

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(a) any member of the Garda Síochána as provided for in the
Garda Síochána Act 2005;

(b) any employee of the Health Service Executive providing
an ambulance service for the transportation of seriously
ill people to hospital or between hospitals;

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(c) any employee of a private ambulance transport service
providing an ambulance service for the transportation of
seriously ill people to hospital or between hospitals;

(d) any member of the Civil Defence Ambulance Corps;

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(e) any employee of a Local Authority established under the
Local Government Act 2001 and who are members of a
fire crew travelling to or from the scene of a fire;

(f) any medical practitioner or nurse providing medical care
in the Accident and emergency ward of a public or private
hospital;

30 “Assault Causing Serious Harm” has the meaning afforded to it by
section 4 of the Non-Fatal Offences Against the Person Act 1997;

“Threats to Kill or Cause Serious Harm” has the meaning afforded to it by section 5 of the Non-Fatal Offences Against the Person Act 1997;

“An Injury of Another caused by the Piercing of the Skin of that Other with a Syringe” has the meaning afforded to it by section 6 of the Non-Fatal Offences Against the Person Act 1997. 5

Special provision in relation to Offences against Emergency Workers whilst on duty.

2.—(1) This Bill applies to:

- (a) an assault causing serious harm to an emergency worker whilst he or she is on duty; or
- (b) a threat to kill or cause serious harm to an emergency worker whilst he or she is on duty; or 10
- (c) an injury to an emergency worker whilst he or she is on duty caused by the piercing of that emergency worker with a syringe.

Minimum Period of Imprisonment for Offences to which section 4 applies.

3.—(1) Where a person (other than a child) is convicted of an offence to which *section 2* applies, the Court— 15

- (a) shall in passing sentence specify as being a minimum period of imprisonment to be served by that person a period of not less than 5 years.

(2) *Subsection (1)* of this section shall not apply where the Court is satisfied where there is exceptional and specific circumstances relating to the offence, or the person convicted of the offence, which would make a sentence of not less than 5 years imprisonment unjust in all the circumstances and for this purpose the Court may have regard to any matters it considers appropriate, including— 20 25

- (a) whether that person pleaded guilty to the offence and, if so:
 - (i) the stage at which he indicated the intention to plead guilty and,
 - (ii) the circumstances in which the indication was given, and 30
- (b) whether that person materially assisted in the investigation of the offence.

Short title and commencement.

4.—This Act may be cited as the Assaults on Emergency Workers Act 2012 and shall come into operation one month after its passing. 35