



An Bille um Cheartas Coiriúil (Ord Poiblí) (Leasú), 2019
Criminal Justice (Public Order) (Amendment) Bill 2019

Mar a tionscnaíodh

As initiated



**AN BILLE UM CHEARTAS COIRIÚIL (ORD POIBLÍ) (LEASÚ), 2019
CRIMINAL JUSTICE (PUBLIC ORDER) (AMENDMENT) BILL 2019**

Mar a tionscnaíodh

As initiated

CONTENTS

Section

1. Interpretation
2. Distinct offence of ramming emergency services vehicle
3. Minimum mandatory prison term for assaults on emergency services
4. Short title and collective citation

ACTS REFERRED TO

Criminal Justice (Public Order) Act 1994 (No. 2)

Criminal Justice (Public Order) Acts 1994 to 2011

Non-Fatal Offences Against the Person Act 1997 (No. 26)



**AN BILLE UM CHEARTAS COIRIÚIL (ORD POIBLÍ) (LEASÚ), 2019
CRIMINAL JUSTICE (PUBLIC ORDER) (AMENDMENT) BILL 2019**

Bill

entitled

An Act to provide for a mandatory prison sentence in respect of an assault on a member of the emergency services; to provide for the introduction of an offence of ramming an emergency services vehicle and to provide for a mandatory prison sentence in respect of such an offence, and for that purpose to amend the Criminal Justice (Public Order) Act 1994 and to provide for related matters. 5

Be it enacted by the Oireachtas as follows: 10

Interpretation

1. In this Act “Act of 1994” means the Criminal Justice (Public Order) Act 1994.

Distinct offence of ramming emergency services vehicle

2. The Act of 1994 is amended in Part II by the insertion of the following new section after section 18— 15

“Offence of ramming emergency services vehicle

18A. (1) It shall be an offence for a person to ram an emergency services vehicle using another vehicle.

(2) It shall be an offence to cause an emergency services vehicle to be rammed using another vehicle. 20

(3) A person guilty of an offence under subsection (1) or (2) shall be liable—

(a) having elected for summary disposal of the offence, on summary conviction, to a minimum term of imprisonment of 12 months, or

(b) on conviction on indictment, to a minimum term of imprisonment of 2 years or such greater term not exceeding 10 years, or to both imprisonment and a fine. 25

(4) A person may be found guilty of an offence under subsection (1) or (2) irrespective of whether—

(a) any person was in or near the emergency services vehicle concerned when it was rammed, 30

(b) any person was injured or adversely affected by the ramming of the emergency services vehicle,

(c) the offending person was driving, was a passenger in, or was outside the vehicle which caused an emergency services vehicle to be rammed, or

5

(d) the emergency services vehicle was visibly marked as being such a vehicle.

(5) In this section—

‘emergency services vehicle’ means any vehicle driven by a peace officer who was driving the vehicle in the course of his or her duties as a peace officer;

10

‘peace officer’ has the meaning assigned to it in section 19.”.

Minimum mandatory prison term for assaults on emergency services

3. The Act of 1994 is amended in section 19—

(a) by the insertion of the following after subsection (1):

15

“(1A) Any person who assaults a peace officer or a person providing medical services at or in a hospital—

(a) causing harm, or

(b) causing serious harm,

shall be guilty of an offence.”,

20

(b) by the insertion of the following after subsection (2):

“(2A) A person guilty of an offence under subsection (1A) shall be liable—

(a) having elected for summary disposal of the offence, on summary conviction, to a minimum term of imprisonment of 12 months, or

(b) on conviction on indictment, to a minimum term of imprisonment of 2 years or such greater term not exceeding 7 years, or to both imprisonment and a fine.”,

25

and

(c) by the insertion of the following new definitions in subsection (6):

“ ‘harm’ has the meaning assigned to it in section 1 of the Non-Fatal Offences Against the Person Act 1997;

30

‘serious harm’ has the meaning assigned to it in section 1 of the Non-Fatal Offences Against the Person Act 1997;”.

Short title and collective citation

4. (1) This Act may be cited as the Criminal Justice (Public Order) (Amendment) Act 2019.

35

(2) The Criminal Justice (Public Order) Acts 1994 to 2011 and this Act may be cited

together as the Criminal Justice (Public Order) Acts 1994 to 2019.

An Bille um Cheartas Coiriúil (Ord Poiblí)
(Leasú), 2019

BILLE

(mar a tionscnaíodh)

dá ngairtear

Acht do dhéanamh socrú maidir le pianbhreith phríosúnachta shainordaitheach i leith ionsaí ar chomhalta de na seirbhísí éigeandála; do dhéanamh socrú maidir le cion a thabhairt isteach arb éard é feithicil de chuid na seirbhísí éigeandála a sháinniú agus do dhéanamh socrú maidir le pianbhreith phríosúnachta shainordaitheach i leith cion den sórt sin, agus, chun na críche sin, do leasú an Achte um Cheartas Coiriúil (Ord Poiblí), 1994 agus do dhéanamh socrú i dtaobh nithe gaolmhara.

Na Seanadóirí Robbie Gallagher, Lorraine Clifford-Lee agus Diarmuid Mac Liam a thug isteach,

27 Feabhra, 2019

Criminal Justice (Public Order)
(Amendment) Bill 2019

BILL

(as initiated)

entitled

An Act to provide for a mandatory prison sentence in respect of an assault on a member of the emergency services; to provide for the introduction of an offence of ramming an emergency services vehicle and to provide for a mandatory prison sentence in respect of such an offence, and for that purpose to amend the Criminal Justice (Public Order) Act 1994 and to provide for related matters.

Introduced by Senators Robbie Gallagher, Lorraine Clifford-Lee and Diarmuid Wilson,

27th February, 2019

BAILE ÁTHA CLIATH
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR
Le ceannach díreach ó
FOILSEACHÁIN RIALTAIS,
52 FAICHE STIABHNA, BAILE ÁTHA CLIATH 2.
(Teil: 01 - 6476834 nó 1890 213434; Fax: 01 - 6476843)
nó trí aon díoltóir leabhar.

DUBLIN
PUBLISHED BY THE STATIONERY OFFICE
To be purchased from
GOVERNMENT PUBLICATIONS,
52 ST. STEPHEN'S GREEN, DUBLIN 2.
(Tel: 01 - 6476834 or 1890 213434; Fax: 01 - 6476843)
or through any bookseller.

€1.27

ISBN 978-1-4468-6371-8



9 781446 863718