



New South Wales

Crimes Legislation Amendment (Assaults on Retail Workers) Act 2023 No 11

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Crimes Legislation Amendment (Assaults on Retail Workers) Act 2023 No 11

Act No 11, 2023

An Act to amend the *Crimes Act 1900* to create new offences in relation to assaults on, and other actions in relation to, retail workers; and to amend the *Criminal Procedure Act 1986* to provide for certain of the new offences to be triable summarily. [Assented to 13 July 2023]

The Legislature of New South Wales enacts—

1 Name of Act

This Act is the *Crimes Legislation Amendment (Assaults on Retail Workers) Act 2023*.

2 Commencement

This Act commences on the date of assent to this Act.

Schedule 1 Amendment of Crimes Act 1900 No 40

Part 3 Offences against the person

Insert after section 60E—

Division 8C Assaults etc against retail workers

60F Definitions

In this division—

retail worker means a person whose duties primarily involve working in an area of a shop open to the public.

shop means the whole or a part of a building, place, stall, structure, tent, vehicle or yard in which goods are sold, or offered or exposed for sale, by retail, including by auction.

60G Assault and other action against retail workers

- (1) A person who assaults, throws a missile at, stalks, harasses or intimidates a retail worker in the course of the worker's duty, although no actual bodily harm is caused to the worker, commits an offence.
Maximum penalty—imprisonment for 4 years.
- (2) A person commits an offence if the person—
 - (a) assaults a retail worker in the course of the worker's duty, and
 - (b) by the assault, causes actual bodily harm to the worker.Maximum penalty—imprisonment for 6 years.
- (3) A person commits an offence if the person by any means—
 - (a) wounds or causes grievous bodily harm to a retail worker in the course of the worker's duty, and
 - (b) is reckless as to causing actual bodily harm to the retail worker or another person.Maximum penalty—imprisonment for 11 years.
- (4) For this section, an action is taken to be carried out in relation to a retail worker in the course of the worker's duty, even if the worker is not on duty at the time, if the action is carried out as a consequence of, or in retaliation for, actions undertaken by the retail worker in the course of the worker's duty.

Schedule 2 Amendment of Criminal Procedure Act 1986 No 209

[1] Schedule 1 Indictable offences triable summarily

Insert “, 60G(2)” after “60E(2)” in Table 1, item 2.

[2] Schedule 1, Table 2, item 1

Insert “, 60G(1)” after “60E(1) and (4)”.

[Second reading speech made in—
Legislative Assembly on 21 June 2023
Legislative Council on 29 June 2023]