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a member with any violence or detriment of any kind to be caused to the member or any other person on the aircraft by the offender or by any other person with the intention of affecting the performance by the member of the member's functions or duties in connection with the operation of the aircraft or with the intention of lessening the member's ability to perform those functions or duties is guilty of a crime and is liable to imprisonment for 14 years.

339 Assaults occasioning bodily harm

- (1) Any person who unlawfully assaults another and thereby does the other person bodily harm is guilty of a crime, and is liable to imprisonment for 7 years.
- (3) If the offender does bodily harm, and is or pretends to be armed with any dangerous or offensive weapon or instrument or is in company with 1 or more other person or persons, the offender is liable to imprisonment for 10 years.
- (4) The *Penalties and Sentences Act 1992*, sections 108B and 161Q also state a circumstance of aggravation for an offence against this section.
- (5) An indictment charging an offence against this section with the circumstance of aggravation stated in the *Penalties and Sentences Act 1992*, section 161Q may not be presented without the consent of a Crown Law Officer.

340 Serious assaults

- (1) Any person who—
 - (a) assaults another with intent to commit a crime, or with intent to resist or prevent the lawful arrest or detention of himself or herself or of any other person; or
 - (b) assaults, resists, or wilfully obstructs, a police officer while acting in the execution of the officer's duty, or any person acting in aid of a police officer while so acting; or

- (c) unlawfully assaults any person while the person is performing a duty imposed on the person by law; or
- (d) assaults any person because the person has performed a duty imposed on the person by law; or
- (f) assaults any person in pursuance of any unlawful conspiracy respecting any manufacture, trade, business, or occupation, or respecting any person or persons concerned or employed in any manufacture, trade, business, or occupation, or the wages of any such person or persons; or
- (g) unlawfully assaults any person who is 60 years or more; or
- (h) unlawfully assaults any person who relies on a guide, hearing or assistance dog, wheelchair or other remedial device;

is guilty of a crime.

Maximum penalty—

- (a) for subsection (1)(b), if the offender assaults a police officer in any of the following circumstances—
 - (i) the offender bites or spits on the police officer or throws at, or in any way applies to, the police officer a bodily fluid or faeces;
 - (ii) the offender causes bodily harm to the police officer;
 - (iii) the offender is, or pretends to be, armed with a dangerous or offensive weapon or instrument—14 years imprisonment; or
- (b) otherwise—7 years imprisonment.

Examples of remedial device for paragraph (h)—

walking frame, caliper, walking stick and artificial limb

- (1C) The *Penalties and Sentences Act 1992*, sections 108B and 161Q also state a circumstance of aggravation for an offence against subsection (1)(b).

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- (1D) An indictment charging an offence against subsection (1)(b) with the circumstance of aggravation stated in the *Penalties and Sentences Act 1992*, section 161Q may not be presented without the consent of a Crown Law Officer.
- (2) A prisoner who unlawfully assaults a working corrective services officer is guilty of a crime, and is liable to imprisonment for 7 years.
- (2AA) A person who—
- (a) unlawfully assaults, or resists or wilfully obstructs, a public officer while the officer is performing a function of the officer's office; or
- Example—*
- A person unlawfully assaults an authorised officer under the *Child Protection Act 1999* while the officer is investigating an allegation of harm to a child under that Act.
- (b) assaults a public officer because the officer has performed a function of the officer's office;
- commits a crime.
- Maximum penalty—
- (a) if the offender assaults a public officer in any of the following circumstances—
- (i) the offender bites or spits on the public officer or throws at, or in any way applies to, the public officer a bodily fluid or faeces;
- (ii) the offender causes bodily harm to the public officer;
- (iii) the offender is, or pretends to be, armed with a dangerous or offensive weapon or instrument—14 years imprisonment; or
- (b) otherwise—7 years imprisonment.
- (2B) The *Penalties and Sentences Act 1992*, section 108B also states a circumstance of aggravation for an offence against subsection (2AA).

(3) In this section—

corrective services facility see the *Corrective Services Act 2006*, schedule 4.

corrective services officer see the *Corrective Services Act 2006*, schedule 4.

office includes appointment and employment.

prisoner see the *Corrective Services Act 2006*, schedule 4.

public officer includes—

(a) a member, officer or employee of a service established for a public purpose under an Act; and

Example of a service—

Queensland Ambulance Service established under the *Ambulance Service Act 1991*

(b) a health service employee under the *Hospital and Health Boards Act 2011*; and

(c) an authorised officer under the *Child Protection Act 1999*; and

(d) a transit officer under the *Transport Operations (Passenger Transport) Act 1994*.

working corrective services officer means a corrective services officer present at a corrective services facility in his or her capacity as a corrective services officer.

346 Assaults in interference with freedom of trade or work

Any person who assaults another with intent to hinder or prevent the other person from working at or exercising the other person's lawful trade, business, or occupation, or from buying, selling, or otherwise dealing, with any property intended for sale, commits a crime.

Maximum penalty—5 years imprisonment.