

Policing (Killing a Police Dog) Amendment Bill

Member's Bill

Explanatory note

General policy statement

The purpose of this Bill is to amend the Policing Act 2008 to increase the penalty for killing a police dog, from a maximum of 2 years to a maximum of 5 years imprisonment.

Currently under section 53 of the Policing Act 2008 (Killing or injuring Police dogs), the penalty for anyone who intentionally kills, maims, wounds, or otherwise injures a police dog without lawful authority or reasonable excuse faces up to 2 years in jail, or a fine of up to \$15,000, or both.

This penalty is lenient compared to other jurisdictions. For killing a police dog the following penalties for imprisonment are in place: United States up to 10 years, Canada up to 5 years, and South Australia up to 5 years.

Clause by clause analysis

Clause 1 is the title clause.

Clause 2 is the commencement clause. It provides that this Bill comes into force on the day after the date on which it receives the Royal assent.

Clause 3 provides that the Bill amends the Policing Act 2008 (the **principal Act**).

Clause 4 replaces section 53 of the Policing Act 2008 with two separate offences: one of killing a Police dog, which is subject to a maximum penalty of 5 years' imprisonment, and a separate offence of injuring a Police dog with a maximum penalty of 2 years' imprisonment.

Matt Doocey

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The Parliament of New Zealand enacts as follows:

1 Title

This Act is the Policing (Killing a Police Dog) Amendment Act **2021**.

2 Commencement

This Act comes into force on the day after the date on which this Act receives the Royal assent. 5

3 Principal Act

This Act amends the Policing Act 2008 (the **principal Act**).

4 Section 53 replaced (Killing or injuring Police dogs)

Replace section 53 with:

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53 Killing Police dogs

A person who intentionally kills a Police dog without lawful authority or reasonable excuse commits an offence and is liable on conviction to imprisonment for a term not exceeding 5 years or a fine not exceeding \$15,000, or both.

53A Injuring Police dogs

A person who intentionally maims, wounds, or otherwise injures a Police dog without lawful authority or reasonable excuse commits an offence and is liable on conviction to imprisonment for a term not exceeding 2 years or a fine not exceeding \$15,000, or both.

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