Crimes (Assault Causing Death) Amendment Bill
Member’s Bill

Explanatory note

General policy statement
This Bill creates a new offence that would allow for a specific “king-hit” or “coward’s punch” type offence in response to a number of deaths where the individual killed was assaulted and tragically died later in hospital as a result of their injuries. Those convicted of the so-called “one punch” assaults will receive a maximum sentence of 20 years imprisonment.

Clause by clause analysis

Clause 1 is the Title clause.
Clause 2 is the commencement clause. It provides that the 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 Crimes Act 1961 (the principal Act).
Clause 4 inserts new section 168A to create an offence of assault causing death.
The Parliament of New Zealand enacts as follows:

1 Title
This Act is the Crimes (Assault Causing Death) Amendment Act 2018.

2 Commencement
This Act comes into force on the day after the date on which it receives the Royal assent.

3 Principal Act
This Act amends the Crimes Act 1961 (the principal Act).

4 New section 168A inserted (Assault causing death)
After section 168, insert:

168A Assault causing death
(1) Every one is liable to imprisonment for a term not exceeding 20 years who—
   (a) assaults any other person with intent to hit the other person with any part of the person’s body or with an object held by the person; and
Cl 4

Crimes (Assault Causing Death) Amendment Bill

(b) the assault is not authorised or excused by law; and
(c) the assault causes the death of the other person.

(2) For the purposes of this section, an assault causes the death of a person whether the person is killed as a result of the injuries received directly from the assault or from hitting the ground or an object as a consequence of the assault.

(3) In proceedings for an offence under subsection (1) it is not necessary to prove that the death was reasonably foreseeable.