

Media Release

The Hon Jill Hennessy MP

Attorney-General

Minister for the Coordination of Justice and Community Safety – COVID-19

Minister for Workplace Safety



Thursday, 4 June 2020

LEGISLATION TO INCREASE MANSLAUGHTER SENTENCES PASSES

Legislation to increase the maximum penalty for manslaughter, child homicide and workplace manslaughter has passed Victorian Parliament.

The Crimes Amendment (Manslaughter and Related Offences) Bill 2020 increases the maximum penalty for these offences from 20 years to 25 years' imprisonment.

The Bill also creates a new offence for manslaughter committed by discharging a firearm, homicide by firearm, with a maximum penalty of 25 years' imprisonment and a standard sentence of 13 years.

This offence responds to cases where offenders are convicted of manslaughter after claiming they did not intend to discharge the firearm.

The new offence delivers on a commitment to the families of victims who were shot and killed by their current or former partners.

The maximum penalty represents the sentence that would be imposed for a 'worst category' instance of an offence, taking into account both the nature of the criminal conduct and the offender's circumstances.

The standard sentence represents the sentence that the government considers appropriate for an offence that falls in the middle of the range of seriousness (taking only objective matters into account). It indicates that sentences of more than 13 years should be imposed for serious offending.

Courts will maintain their discretion to impose an appropriate sentence by taking into consideration the seriousness of a particular offence and culpability of the offender.

Quotes attributable to Attorney-General Jill Hennessy

"We have increased the maximum sentence for manslaughter to ensure the range of sentencing available to courts appropriately reflects the broad range of culpability we see in these cases."

"Thank you to the families who have acted with dignity and determination in advocating for the new offence of homicide by firearm – the victims in these cases must not be forgotten."

"By boosting the maximum penalties we acknowledge the seriousness of these offences, and the ongoing trauma inflicted on the family and loved ones of victims."