

# **LEGAL AID, SENTENCING AND PUNISHMENT OF OFFENDERS ACT 2012**

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## **EXPLANATORY NOTES**

### **SUMMARY**

#### **Part 3: Sentencing and punishment of offenders**

##### ***Chapter 9: Offences***

49. **Chapter 9** creates new offences of threatening with an offensive weapon or an article with a blade or point thereby creating an immediate risk of serious physical harm with a maximum penalty of 4 years imprisonment. There will be a minimum sentence of 6 months imprisonment for persons aged 18 or over found guilty of this new offence (unless this would be unjust in all the circumstances) and a minimum sentence for persons aged 16 and 17 years old of a 4 month detention and training order (again, unless it would be unjust in the circumstances).
50. It creates a new offence of causing serious injury by dangerous driving and a criminal offence of squatting in a residential building.
51. It amends the Scrap Metal Dealers Act 1964, including by creating a new offence of buying scrap metal for cash. The new offence prohibits scrap metal dealers paying for scrap metal other than by cheque or by electronic transfer.
52. It contains provision amending section 76 of the Criminal Justice and Immigration Act 2008 (“the 2008 Act”) (reasonable force for the purposes of self-defence etc).