

DRAFT SECOND READING SPEECH

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Sentencing Amendment (Assaults on Off-Duty Police) Bill 2018

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Madam Speaker, the Government made clear before the last election that we would re-introduce legislation to ensure that off-duty police officers have the same legal protections as on-duty police officers.

This Bill fulfils that election commitment.

It is unacceptable that police officers are subject to violence. Violence against police officers shows contempt for the law, for their authority as law enforcers, and for the norms of our society.

Police officers do a vital, difficult and dangerous job. They support us by ensuring that we are a society ruled by law and order and, in turn, the law must support them.

We must do all that we can to support the safety and welfare of our police officers, including when officers are not on duty. In fact, off-duty police officers may be more vulnerable to violence because they are not as well-equipped and do not have the same support as they have when on-duty.

Nobody should be assaulted at work and nobody should be targeted when they have finished work because of what they have done during the course of their work.

Violence has serious effects, whether the violence is directed against police officers or against members of the public. It can and does undermine health and wellbeing, and negatively impacts our sense of safety and security. It can result in temporary or permanent injury, disability and death.

Victims of violence are at an increased risk of psychological harms including depression, post-traumatic stress disorder, anxiety and substance abuse. There are financial costs associated with violence: health costs, court costs, and costs to workplaces that must replace absent workers.

The proposed amendments contained in this Bill will help to vindicate the dignity of police officers subject to violence, express the community's disapproval of such offending, and provide as much protection as possible to off-duty police officers who are vulnerable to violence.

This Bill amends section 16A of the Sentencing Act 1997.

Section 16A provides for mandatory minimum terms of six months' imprisonment for offenders convicted of offences committed in relation to an on duty police officer, where the police officer suffers serious bodily harm caused by, or arising from, the offence.

The Bill amends section 16A by extending the existing mandatory minimum sentencing provision to police officers who are not on duty when the offence is committed, providing the offence was committed solely or partly because the police officer was a police officer.

It is entirely reasonable and consistent in principle that off-duty police officers should have the same protection that exists for on-duty police officers. There are no circumstances in which police officers should be targeted and assaulted because of their job.

Courts will retain a discretion not to impose the mandatory minimum term of imprisonment where there are exceptional circumstances.

Madam Speaker, the Government is determined to do all we can to support and protect police officers, whether they are on or off-duty.

I commend the Bill to the House.