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True Crime Australia › Police & Courts

Police demand tougher penalties to stop violence against emergency personnel

The state's police union is mounting a campaign for tougher laws and increased penalties for offenders who assault police and other emergency service workers in the line of duty.

Exclusive · Nigel Hunt
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Police Association of South Australia President Brian Harmer (centre) with Senior Constables Paul Jeffs (left) and Jason Schmidt at the Adelaide Magistrates Court. Picture: Tom Roberts

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A new law with harsher penalties specifically targeting offenders who assault police and other emergency service workers is urgently needed to stem the hundreds of attacks each year, the state's police union says.

In a major push for legislative change, the SA Police Association is also seeking changes to sentencing laws to prevent anyone convicted of such crimes from receiving a suspended sentence.

There were 1404 assaults against police that injured 1327 officers in 2016 and 2017.

Officers say incidents are increasingly becoming more violent and sustained.

Association president Mark Carroll has written to Attorney-General Vickie Chapman seeking support for the new measures to increase the deterrent factor for would-be offenders.

"Police are firmly of the view the current legislative regime covering this important issue is significantly inadequate," Mr Carroll said.

Sgt Felice Jeffries pictured today. Picture: Tom Hanley

The current maximum penalty for assaulting a police officer is $10,000 or two years, jail. The Association is seeking the creation of an offence in the Criminal Law Consolidation Act that specifically deals with assaults against police, other emergency services workers and public health workers with "sizable potential penalties substantially increased from those that presently apply".

It also wants the Sentencing Act amended to make assaults against emergency services workers "designated offences" to ensure suspended sentences are rarely applied by the courts and the need to protect such workers is an enshrined purpose of sentencing.

"Policing is an inherently difficult and dangerous profession that has been made even more difficult with the scourge of methamphetamine that is infecting society," Mr Carroll said.

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"It is vital for police and other emergency services workers that the law provides an effective deterrent to would-be offenders by ensuring appropriately severe penalties. Regrettably, the current legislation does not serve this purpose."

The Association is mounting a public awareness campaign, consisting of commercials, billboards and posters on drink coasters in hotels and bars – traditional violence hot spots.

Alarmingly, the 1337 injuries to officers resulted in 1298 days lost from work and workers compensation claims costing $630,970 in 2016 and $490,600 in 2017.

Ambulance officers have also come under increased pressure from assaults, with have almost tripled from 52 in 2015-12 to 140 in 2017-18.

Patrol Constables Jason Swann said he is concerned that officers were "not being the protectors they used to be" and is supporting Mr Harmer's calls. Picture: Tom Roberts

Mr Carroll said police understood and accepted the dangers of their role and the reality that such incidents could never be eliminated.

"We just want fair and reasonable support when we are attacked and that begins with strengthening laws and penalties that cover assaults against police and all emergency services and frontline workers," he said.

"Let's remember that cops put their lives on the line for us. Those who think it's okay to attack cops need the strongest possible deterrent."

"In instances where a police officer, or indeed any other emergency service worker, has been assaulted, a custodial sentence should be on the table. Circumstances in which sentences are suspended should be very, very limited," he said. "There no doubt the community stands with us on this issue.

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If criminals are not deterred by penalties for violence against police officers, they certainly won't be deterred by the penalties for violence against the general community.

"If police officers are assaulted in the course of serving the community, it is reasonable to expect that the repercussions will back us up. It is reasonable to expect that laws protecting us will be strong enough – and exercised. And it is reasonable to expect that someone convicted of assaulting a police officer will receive a penalty harsh enough to send a very strong message to the community at large."

Mr Carroll said the Association expected Ms Chapman, who in 2015 supported the union against unfair workers compensation legislation, to support its call for the legislative changes.

Ms Chapman yesterday said she was considering if changes to laws were needed and was liaising with relevant stakeholders, including Police Minister Corey Wingard.

"The Marshall Liberal Government has always backed in our emergency services when it comes to their safety and wellbeing," she said. "The Government will always work with all emergency services to ensure their safety."

We deserve justice, say victims

Mandatory minimum sentences should be introduced for any offender convicted of assaulting an emergency services worker, according to two police officers savagely beaten in the line of duty.

The officers also believe suspended sentences for such offenders should be taken off the table as an option for a sentencing judge.

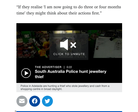
Traffic officer Senior Constable Paul Jeffs, 60, and patrol officer Tash Smith, 45, are just two of the 750 or so police officers assaulted in the line of duty annually.

Both believe current legislation has not kept pace with social change that has affected the work of police officers — and all emergency service workers — and new laws are needed to reflect this.

"I would definitely say over the past six or seven years it has changed completely with what we have to deal with," Sen Constable Smith said.

"Drugs, particularly methamphetamine, are now a huge problem for us. The penalties have not kept up with what is happening and the times.

"These offenders are assaulting police officers and emergency service workers and merely walking out of the courts after having it dismissed, without a conviction or receiving a suspended sentence."



Senior Constables Paul Jeffs (left) and Tash Smith (middle) with Senior Constable Paul Jeffs, left, was attacked in 2016. Picture: AAP / Brenton Edwards

Sen Constable Jeffs, who was bashed in 2015, said the methamphetamine scourge had manifested in police encountering more more drivers affected by drugs, with the ratio of drink drivers to drug drivers now "something like 10 to one".

Sen Constable Smith, who had three she smashed when bashed by an offender armed with an iron pole in 2017, said the lack of support for police was also reflected on some social media sites.

"There is an expectation is part of the job, but I don't think anyone goes to work expecting to have their ribs broken or a gun pulled on them or getting bashed," she said.

Sen Constable Jeffs said he believed there should be a minimum mandatory prison term attached to the offence of assaulting police.

"There should be a baseline for assaulting an emergency service worker and an offender should expect to do that time, plus more depending on the gravity of the offending," he said.

Sen Constable Smith said she believed suspended sentences should be an exception only and "very people imposed, several".

"If that happens, it would not take long for many people to conform," she said.

"If they realise I am now going to do three or four months time! they might think about their actions first."

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