




Speech by
Ian Kaye

MEMBER FOR GREENSLOPES

Hansard Tuesday, 21 August 2012

CRIMINAL LAW AMENDMENT BILL

 **Mr KAYE** (Greenslopes—LNP) (3.49 pm): I rise today to speak with great pleasure on the Criminal Law Amendment Bill 2012. In particular I would like to speak to the amendments that relate to police. This bill has provisions in it which I think are vitally important. As many in this House are aware, in my previous life before I came to this place I was a serving member of the Queensland Police Service. I worked on the front line for my entire service and have seen the good, the bad and the hideously ugly. This bill is not about punishing those people who do the right thing; it is about making sure those who do the wrong thing are punished appropriately. This was a commitment that we on this side of the House made in our election campaign and we are determined to deliver on this. This bill sees an increase in the non-parole period for multiple murders from 20 to 30 years imprisonment, inserts a new minimum non-parole period of 25 years imprisonment for the offence of murder of a police officer and increases the maximum penalty for the offence of serious assault of a police officer from seven years imprisonment to 14 years.

In my role as a police officer, I was expected to uphold the law and make sure those who broke it were dealt with accordingly. Unfortunately, and more frequently, we have seen police officers become victims of crime themselves. Officers have been spat on, bitten, run down with motor vehicles, physically assaulted and in some cases killed whilst performing their duties. As has been previously mentioned, we only have to cast our minds back a short time to the tragic death of Senior Constable Damian Leeding. I will quote from the explanatory notes—

... the amendments give effect to the Government's commitment that Queensland's criminal laws provide strengthened protection to police officers acting in the performance of their duties. The penalty increases for the murder of a police officer and the serious assault of a police officer reflect the important role performed by police officers in maintaining civil authority and the dangers faced by them in the discharge of their civic duties.

Before people jump up and down about police getting any extra powers or having the courts come down on the side of the good and decent in society, I would like to point out that this is only an increase in the maximum sentence for seriously assaulting a police officer whilst performing their duties. I wonder if those people have had excrement thrown on them or a needle waved in their face, like former colleagues of mine. I would like to give the House a couple of examples of things which I have witnessed and been a victim of. In my 23 years of service, I have been punched, kicked, spat on and threatened with knives, a crossbow and firearms. I have seen police so badly assaulted that you cannot recognise them as one of your mates. Yes, police day in and day out knowingly place themselves in harm's way for the protection of all Queenslanders. Some argue that it is their job, but no-one—no-one—has the right to assault or treat our police like punching bags.

I could speak for a long time in this House listing the various assaults on police that I have witnessed or been the subject of. I was also involved in the process of returning assaulted officers to work through one of the extraneous duties I had in being a return-to-work coordinator. Through this work, I saw the emotional effect on police and their families. The Queensland Police Service is the thin blue line. The police are charged with keeping civil authority and helping those in need. When one of those officers is threatened, assaulted or killed and the offender is not punished accordingly, we are all affected. It sends a message, and that message is not a good one.

Police work is not just arresting a person or solving a crime; it is getting that offender before the court and the law being applied and, where so found guilty, them being convicted and punished. When an offender assaults a police officer in the execution of their duty and is not punished accordingly, what is to stop that offender committing the same crime again or escalating their actions next time? We lose good officers. Following assaults, officers may go on restricted duties, unable to be operational for periods of time, or in some cases they face medical retirements. Some just simply resign, and who can blame them.

I speak from personal experience when I say that police work is tough both mentally and physically. You can be faced with myriad high-stress situations for your entire shift. When an officer is assaulted, it can affect not only them but their families as well. As has been raised by a few other speakers in the House, the officers who are exposed to bodily fluids are required to undergo months of testing, unable to hug their partner or their children until they are cleared for fear of passing on some terrible disease.

I will now speak to the amendment of the PPRA to introduce a mandatory minimum penalty of \$5,000 and a two-year licence disqualification for the offence of evading police under section 754. Those on the other side of the House would be pleased to know that under their watch hoons and offenders driving stolen vehicles regularly failed to stop for police. With the changes to the police pursuits policy under the previous government, offenders just snub their noses at police and simply drive faster or more dangerously, knowing that police will not follow and that there were no suitable repercussions. I myself on numerous times in the 12 months leading up to the election simply waved goodbye as offenders sped off, knowing that I would not pursue. I then had to create an evade police occurrence and I like many other police thought, 'Why bother? This is a lot of work for a penalty that is inadequate.' This amendment will not only ensure that offenders are appropriately punished for the seriousness of the offence; it will also have a preventative effect once potential offenders become aware of the penalties.

I have heard a few comments in the House by some speakers about ambulance and fire officers. I am not saying that they are not deserved. However, I and many of my colleagues regularly were called to attend jobs because the fire brigade and the ambulance would not attend until the police went in first. They would wait for 45 minutes if they had to and the police, rightly so, went in first because they were most suited to deal with the situation. Whilst others can run away, the police have no choice—they stand their ground or they go forwards.

The police have been crying out for legislative protection for many years, but the former government did not listen. Those on the other side of the House might be interested to know that it was commonly said amongst my former colleagues—and these were their words, not mine—that the only thing the Labor government gave them was a drawn-out process, more paperwork, red tape, frustration and, honestly, a feeling that the government hated the police. It takes a special person to become and remain a Queensland police officer. We as a government need to look after and support our police, and the Newman government is doing just that. I commend the bill to the House.