Question on Notice
No. 353
Asked on 12 March 2008

MR SPRINGBORG asked the Premier (MS BLIGH) -

QUESTION:

(1) How many instances of assaults on public servants, including police, have been reported to the Government in each of the past three years?
(2) Will she provide the location of each incident and whether charges were laid, convictions recorded, leave taken or compensation paid in each case?

ANSWER:

The Queensland Police Service (QPS) is charged with the responsibility of investigating assaults, no matter the profession of the complainant. The QPS do not keep central records of assaults committed against public servants as opposed to other members of the community.

As the Honourable Member would be aware, the Office of the Director of Public Prosecutions is responsible for the prosecution of most serious assault charges in Queensland.

I am advised that the Office of the Director of Public Prosecutions does not retain specific statistics as to the employer of specific complainants and no distinction is made in files between public servants and non-Government employees.

As assault on a police officer falls under a specific offence, I am able to advise the Honourable Member that there were 429 defendants who had convictions recorded in 2007, under s340(1)(b) of the Criminal Code. These people were found by the courts to have assaulted, resisted, or willfully obstructed, a police officer while acting in the execution of the officer's duty, or any person acting in aid of a police officer while so acting.

Of the 429 defendants who had a conviction recorded under s340(1)(b), 285 were sentenced to imprisonment, a further 18 received an Intensive Correction Order, and the remainder received a non custodial penalty such as community service or a fine. There are a wide range of behaviours that could constitute an offence under s340 (1)(b), including obstructing an officer in pursuit of an offender through to physically attacking an officer. The courts take these different behaviours into account when determining the appropriate penalty. The maximum penalty for a serious assault under s340 is seven years imprisonment.

The Government is committed to ensuring the safety of all public servants who every day provide support and services to the people of Queensland. As such, the Government is currently finalising amendments to the *Criminal Code* which, amongst other things, will propose to the Legislative Assembly an amendment to section 340(1)(e) which provides for the offence of serious assault on a person performing a duty imposed by law.

This amendment will clarify the provision to ensure it offers protection to a public officer performing a function of the officer’s office or employment, or if the person is performing a duty imposed by law. It is intended that this amendment will capture assaults on all public officers whilst they are on duty, rather than including a subsection to address every type of officer who may be at risk.