



Honourable Yvette D'Ath MP
Attorney-General and Minister for Justice
Leader of the House

In reply please quote: 572305/4; 4991167

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Mr Neil Laurie
The Clerk of Parliament
Parliament House
George Street
BRISBANE QLD 4000

Dear Mr Laurie

I refer to e-Petition 3187-19 and Paper Petition 3224-19, tabled in the Legislative Assembly on 22 October 2019 titled *Protect Our Prison Officers*.

I thank the Member for Maryborough for his advocacy on this important issue. I acknowledge that corrective services officers work in difficult and dangerous environments with some of the most challenging and complex people in our society and should be afforded the highest level of protection in the workplace.

Currently, section 340 of the Criminal Code creates an offence for assaulting a broad range of persons including police, other frontline emergency service workers and corrective services officers and includes circumstances of aggravation which increase the maximum penalty for offences committed against particular persons. In addition to section 340, offences against the same group of persons involving more serious injuries, for example grievous bodily harm (section 320) or wounding (section 323), are charged under those particular provisions of the Criminal Code which already carry a maximum penalty of 14 years and seven years imprisonment respectively.

Importantly, where an offender assaults a corrective services officer while in custody, section 156A of the *Penalties and Sentences Act 1992* requires the offender be sentenced to a cumulative term of imprisonment in addition to the term they were serving at the time of the offence.

I understand that despite the current offences in the Criminal Code, assaults on corrective services officers, police and other frontline emergency service workers, such as paramedics and hospital emergency department staff continue to raise concern for the safe working environment of these officers as well as the adequacy of penalties imposed on offenders convicted of these offences.

Given these concerns, and the broad range of persons and circumstances to which section 340 of the Criminal Code currently applies, I intend to make a reference to the Queensland Sentencing Advisory Council (QSAC) to review the suitability of and penalties imposed for assaults on police, corrective service officers, other frontline emergency service workers and public transport drivers.

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The QSAC is an independent statutory body that plays an important role in promoting consistency in sentencing, stimulating balanced public debate on sentencing issues and strengthening public confidence in the justice system by educating and incorporating informed public opinion into the process. The QSAC also has an important research function and publishes information about sentencing that informs Parliament, the courts and the general community about sentencing issues.

Membership of QSAC comprises legal experts and community advocates with extensive experience in criminal law, domestic and family violence, victims of crime, Aboriginal and Torres Strait Islander justice issues and youth justice. You can find out more information about the QSAC and its work online at: www.sentencingcouncil.qld.gov.au.

In the interim, the Government will continue to monitor the effectiveness of the relevant legislation to ensure it remains responsive.

I thank the petitioners for bringing their concerns to the attention of the House.

Yours sincerely


YVETTE D'ATH MP
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