



Penalties for assaults on public officers

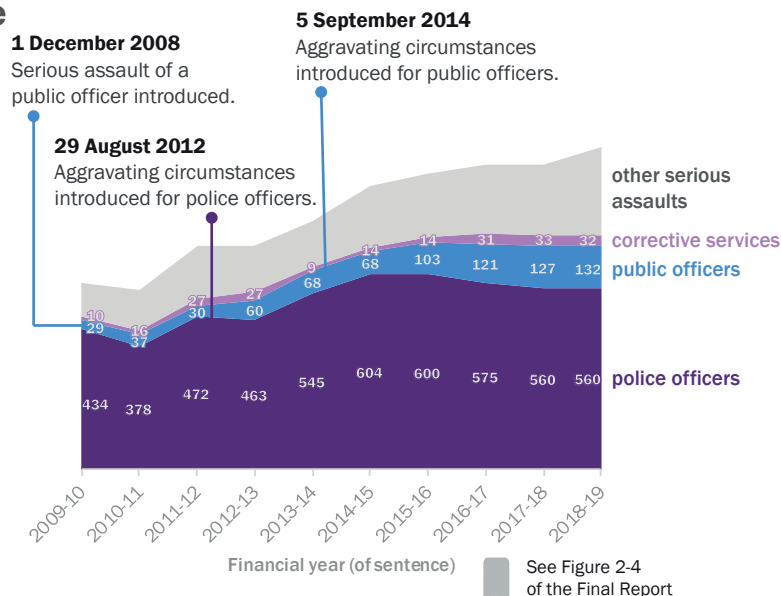
Data Highlights

Serious assaults: trends over time

There were **10,194** sentenced cases involving a serious assault from 2009–10 to 2018–19. In **7,932** of these cases, serious assault was the most serious offence sentenced.

Serious assaults of public officers grew from 29 cases in 2009–10 (when the offence was introduced) to 68 cases in 2013–14. Following the introduction of aggravating circumstances in 2014 the number of cases increased, rising to 132 cases in 2018–19.

In 2011–12 there were 472 cases sentenced for the serious assault of a police officer. Following the introduction of aggravating circumstances in 2012, this increased to 604 cases in 2014–15. However, the number of cases has decreased in recent years, dropping to 560 cases in 2018–19.



Serious assaults: victim occupations

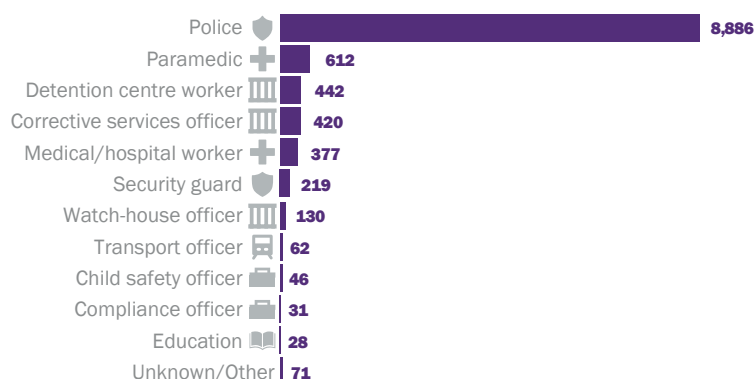
Analysis of court data, sentencing remarks, and police court briefs provided insight into the occupations of 'public officers' for cases sentenced as a serious assault.*

Police officers were, by far, the most common victim of serious assault. Paramedics were the next most common, followed by detention centre workers, corrective services officers, and medical/hospital workers.

It is important to note that some occupational groups are less likely to report a workplace assault to police — see section 11.1.1 of the Final Report. As such, this data is likely to be an undercount for some occupations.

* Includes 'public officers' under s 340(2AA) as well as people performing (or who performed) a duty at law under s 340(1)(c)-(d).

See Table 3-7 of the Final Report



Rates of assaults on public officers

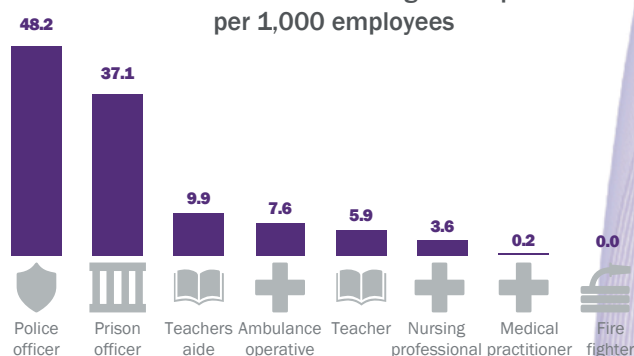
The Council obtained data from WorkCover and the Public Service Commission to calculate the rate of assaults for different occupations.

Police officers reported the highest rate of WorkCover claims resulting from the assault of a staff member, with 48.2 claims made per 1,000 employees. This was closely followed by prison officers, with 37.1 claims per 1,000 officers.

Teachers aides had a higher rate compared to teachers (9.9 per 1,000 and 5.9 per 1,000 respectively).

Ambulance operatives had a rate of 7.6 claims per 1,000 operatives, which was higher than nursing professionals (3.6 per 1,000) and medical practitioners (0.2 per 1,000).

Rate of WorkCover claims involving a workplace assault per 1,000 employees



See Figure 2-1 of the Final Report



Penalties for assaults on public officers

Data Highlights

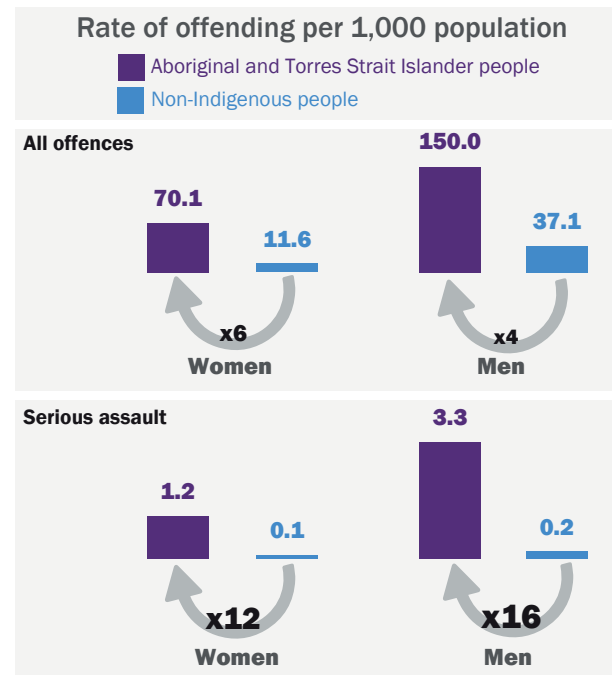
Serious assaults: Overrepresentation

In Queensland, Aboriginal and Torres Strait Islander people are overrepresented in the criminal justice system.

70.1 out of every 1,000 Aboriginal and Torres Strait Islander women are sentenced for a criminal offence. This is six times higher than the rate for non-Indigenous women.

The issue of overrepresentation is much more pronounced for the offence of serious assault. Aboriginal and Torres Strait Islander women are 12 times more likely to be sentenced for serious assault compared to non-Indigenous women. Aboriginal and Torres Strait Islander men are 16 times more likely to reoffend compared to their non-Indigenous counterparts.

As part of this review, the Council undertook additional work to understand what might be driving this particular level of overrepresentation. This work involved targeted consultation with key stakeholders, an expert report from an Aboriginal and Torres Strait Islander academic, and qualitative analysis of sentencing remarks to understand the circumstances and context of these assaults.



See Table 3-5
of the Final Report

Serious assaults: Custodial penalties

In the Magistrates Courts, which have a three-year limit on maximum penalties, 64.8 per cent of serious assaults on public officers resulted in a custodial penalty.

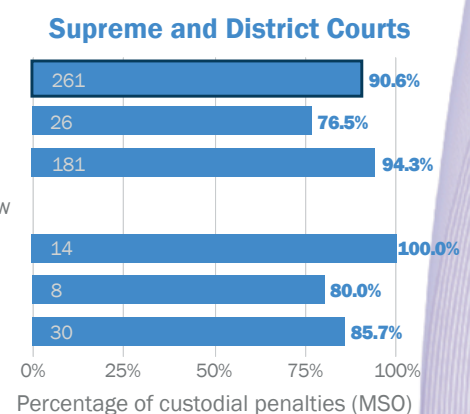
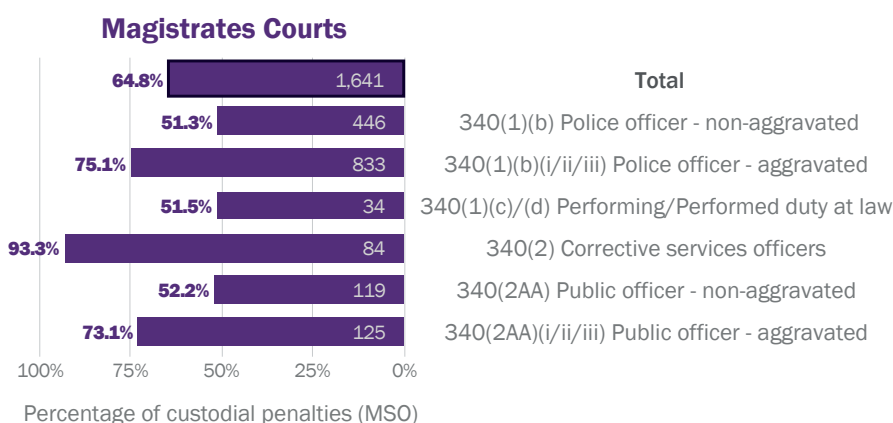
Almost all serious assaults of a working corrective services officer sentenced in the lower courts resulted in a custodial penalty (93.3%).

Cases with circumstances of aggravation were more likely to result in a custodial sentence. In the lower courts, a custodial penalty was imposed for aggravated serious assaults on police officers in 75.1 per cent of cases, compared to 51.3 per cent for non-aggravated serious assaults.

In the Supreme and District Courts, which deal with the most serious criminal cases, 90.6 per cent of serious assaults on public officers resulted in a custodial penalty.

All assaults of corrective services officers resulted in a custodial penalty for cases sentenced in the higher courts (100%).

In the higher courts, a custodial penalty was imposed for aggravated serious assaults on police officers in 94.3 per cent of cases, compared to 76.5 per cent for non-aggravated serious assaults.



See Figure 7-1
of the Final Report