

Submission to

Queensland Sentencing Advisory Council

*Penalties for assaults on police and other
frontline emergency service workers,
corrective service officers and other public*

January 2020

Introduction

The Queensland Nurses and Midwives' Union (QNMU) thanks the Queensland Sentencing Advisory Council (the Council) for the opportunity to comment on the inquiry into *Penalties for assaults on police and other frontline emergency service workers, corrective service officers and other public officers* (the inquiry).

Nursing and midwifery is the largest occupational group in Queensland Health and one of the largest across the Queensland government. The QNMU is the principal health union in Queensland covering all classifications of workers that make up the nursing and midwifery workforce including registered nurses (RN), registered midwives (RM), enrolled nurses (EN) and assistants in nursing (AIN) and students who are employed in the public, private and not-for-profit health sectors including aged care.

Our more than 61,000 members work across a variety of settings from single person operations to large health and non-health institutions, and in a full range of classifications from entry level trainees to senior management. The vast majority of nurses and midwives in Queensland are members of the QNMU.

This year, 2020 will be dedicated to celebrating the International year of the Nurse and Midwife, in celebration of the 200th year anniversary of the birth of the founder of contemporary nursing, Florence Nightingale. The World Health Organisation (WHO) nominated Nurses and Midwives for their invaluable contribution to health care and to highlight the need for a strengthened Nursing and Midwifery workforce to achieve sustainable development goals (SDG) and universal health coverage. The QNMU is proud to embrace this opportunity to invest in the Nursing and Midwifery professions, particularly the investment into minimum safe staffing ratios and skill mix across all health sectors.

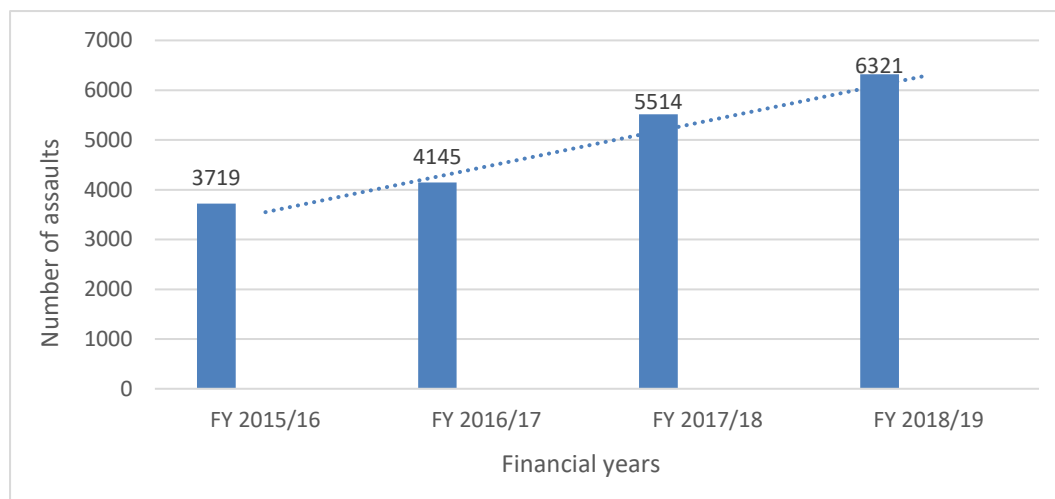
The QNMU supports the Council in determining the penalties and sentencing trends for offences involving assaults on public officers in Queensland and whether sentencing lengths have influenced assault numbers. We believe this component of regulatory provisions must be in tandem with policies, protocols and procedures that afford public officers' safety at work.

The QNMU will provide a general response to this inquiry from the view of our members, the nurses and midwives of Queensland.

General comment

Assaults on nurses, midwives, police, emergency service workers, corrective service officers and other public officers are unacceptable. Nurses and midwives are particularly vulnerable to assaults while at work as often the people they care for are unwell, upset, stressed, unpredictable and potentially volatile. The perpetrators of these assaults may not only be patients or residents but visiting family and friends and even bystanders.

Unfortunately, the risk of being assaulted while at work is becoming inherent in the work nurses and midwives do. Queensland Health (QH) reports that in Queensland Hospital and Health Services (HHS) acts of aggression towards individual staff members has been rising. Graph 1 shows the total number of reported acts of aggression towards individual staff members in the HHSs. It illustrates the steady increase in the number of recorded assaults since 2015/16 financial year to 2018/19 financial year (Queensland Government, 2019). We do note however, that a proportion of this increase is likely to relate to greater transparency within QH.



Graph 1: Reported assaults and serious assaults against QH staff.

The impact of these assaults in Queensland’s HHSs is far reaching, “There is a victim; an employee who is potentially injured physically, psychologically or emotionally in the course of their work” (Queensland Government, 2016, p.5). And there are other individuals such as colleagues and patients as well as the profession, the organisation and the overall quality of healthcare which can be negatively impacted by assaults (Queensland Government, 2016).

Workers have the right to feel safe at work. Whatever the cause of aggression is, whether it be intentional or unintentional, workers must be able to carry out their jobs but not at the expense of their personal safety.

The QNMU suggests that as part of this inquiry the Council consider not only public officers as health service employees under the *Hospital and Health Boards Act 2011* but extend to include those who work within private health facilities and private aged care facilities and agency nurses and midwives. We ask the Council to consider a new category of coverage for these healthcare workers other than 'public officers'.

If one of the purposes for the establishment of penalties for assaults is to deter people from assaulting, then the remit should be extended to include both the public and private sectors. The QNMU believes that by expanding penalties for assaults that take place in private healthcare facilities and private aged care facilities will not only provide all nurses and midwives legislative protection but also make a clear statement to the public that assaults on all nurses and midwives is not acceptable.

No level of violence is tolerable in any workplace and for our members this means that there must be no violence in their workplaces which are our hospitals and health services. Increasingly, health and aged care services are being delivered in the community including in people's homes, so strategies must be developed to ensure the safety of workers in these settings. In addressing assaults on public officers certainly penalties for offences is important. However, we also believe that penalties must be part of a multi-pronged approach in ensuring a safe work environment. It's about making sure there are safe systems at work to protect these workers from assaults.

References

Queensland Government. (Queensland Health). (2016). *Occupational violence prevention in Queensland Health's hospital and health services*. Retrieved from https://www.health.qld.gov.au/__data/assets/pdf_file/0024/443265/occupational-violence-may2016.pdf

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