



File No: QFS/15769
Ref No: 02115-2020
Your Ref: 592302/1; 5188417

20 July 2020

Mr John Robertson
Chair
Queensland Sentencing Advisory Council



Dear Mr Robertson

Thank you for your letter dated 7 May 2020 including an invitation for Queensland Fire and Emergency Services (QFES) to make a submission in response to the Queensland Sentencing Advisory Council's Issues Paper: Penalties for assaults on public officers (the Issues Paper).

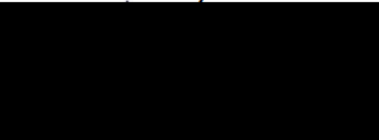
QFES is very concerned about the potential for assaults of all kinds on our workforce, and supportive of efforts to ensure appropriate deterrence is in place. As noted in a submission to council in January 2020, it is fortunate that assaults on QFES frontline workers are not a common occurrence. Therefore, QFES is not in a position to comprehensively comment on certain matters raised in the Issues Paper, such as the length or effectiveness of the current sentencing terms, or possible alternative sentencing practices.

While QFES is comfortable that the definition of public officer under Schedule 1 section 1 of the *Criminal Code Act 1899* (the Code) sufficiently encompasses the QFES workforce made up of personnel employed under the *Fire and Emergency Services Act 1990*, the *Public Service Act 2008* and volunteers, the key matter for this agency raised in the Issues Paper relates to defining a public officer as per section 340(3) of the Code, and whether the current definition should be expanded to expressly recognise other occupations.

QFES suggests that the definition requires reform to ensure all QFES personnel are appropriately covered, particularly given the diversity of the QFES workforce and how it is established under the legislation. This is particularly relevant for Rural Fire Service, State Emergency Service and other volunteers. QFES recommends these volunteer groups be acknowledged under this section, given the services provided to Queensland communities.

Detailed feedback has been provided at officer level between QFES and council staff as per the attached response, however should you require further information in relation to this matter, please contact [REDACTED].

Yours sincerely



Greg Leach
Commissioner
Enc.



Office of the
Commissioner

**Queensland Fire and
Emergency Services**

Emergency Services Complex
125 Kedron Park Road Kedron
GPO Box 1425 Brisbane
Queensland 4001 Australia
Telephone 13 QGOV
Website www.qfes.qld.gov.au
ABN 93 035 163 778