



STUART GRIMLEY MP

Member for Western Victoria
State Leader of Derryn Hinch's Justice Party



MEDIA RELEASE

16 October 2019

Upholding the Rights of Assaulted Emergency Services Workers

Derryn Hinch's Justice Party has called on the Andrews Government to prioritise the safety of emergency workers by ensuring the justice system holds perpetrators to account, as intended by the *Justice Legislation Miscellaneous Amendment Bill 2018*.

A Justice Party colleague of Stuart Grimley MP, Tania Maxwell MP today introduced a motion to defend emergency services workers who are experiencing assaults with little repercussion for perpetrators.

The motion was voted down by the Government and cross-bench MP's including Animal Justice Party's Andy Meddick, Fiona Patten, Liberal Democrats, Greens and Sustainable Australia.

Mr Grimley said it was "outrageous" that a Government could state that if you assault a first responder you can "expect to go to jail" then less than 12 months later not support a motion calling for closing this loophole.

Further, Daniel Andrews [stated just last month](#) that "if we have to further tighten these laws then we will", however their Government failed to support this motion today.

The motion follows policy changes in both 2014 and 2018 that were supposed to deliver clear punishments to those found guilty of assaulting emergency service workers, with compulsory six month custodial sentences.

The motion was raised after the sheer number of abhorrent assaults on emergency workers and the wide use of the 'special reasons' provisions in the Sentencing Act, which has essentially become a loophole used by legal defence teams and the courts in avoiding mandatory custodial sentence for perpetrators.

This subjective provision gives greater rights to those who assault our protectors over the trauma and suffering of those assaulted while simply doing their job.

The motion called on the Government to consider the need for further legislative changes to better safeguard emergency workers from assault and prevent perpetrators from avoiding mandatory minimum sentences.

The motion referenced multiple cases in the past year in which offenders involved in serious violence against emergency workers have not attracted a mandatory minimum sentence.

They include Glenn Main who received just a \$5,000 fine after repeatedly bashing a police officer in a pub and then resisting arrest in a high profile local case in Queenscliff, on the Bellarine Peninsula.



STUART GRIMLEY MP

Member for Western Victoria
State Leader of Derryn Hinch's Justice Party



MEDIA RELEASE

The Police Association reports more than 2,300 assaults on Victoria Police officers last year and the Ambulance Union estimates up to 13 paramedics are physically or verbally assaulted every day on the job.

Quotes attributable to Stuart Grimley MP:

“How anyone could not support our emergency service workers in their time of need it is outrageous.

The loophole in the current legislation is allowing our emergency services workers to be assaulted without adequate repercussions for perpetrators.

It is a community expectation that if you attack our emergency services workers, you will receive jail time however this commitment by the State Government has not been upheld.

As a police officer until late last year, I know the risks of the job and not one emergency services worker deserves to be assaulted while protecting the community.

The “special reasons” provision is being taken advantage of by the offenders and the courts and its resulting in inadequate sentencing that does not meet community expectations.”

MOTION:

That this House —

- (1) acknowledges the selfless dedication and commitment of the State's emergency workers to ensure community safety;*
- (2) reaffirms that emergency workers have the right to be protected, just as the Victorian community expects them to protect us, from injury and harm;*
- (3) expresses its concern at the continued proliferation of attacks on these workers;*
- (4) confirms its commitment to the need for mandatory minimum sentences for assaults on emergency workers;*
- (5) reinforces a very clear message to all Victorians that violence against emergency workers will not be tolerated;*
- (6) calls on the Government to consider the need for further legislative changes that —*
 - (a) better safeguard emergency workers from assaults; and*
 - (b) more effectively prevent the perpetrators of such assaults from avoiding mandatory minimum sentences in Victorian courts.*

Stuart Grimley MP – Media Adviser:

Olivia Nicholls

0459 419 755

Olivia.nicholls@parliament.vic.gov.au