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## AUSTRALIAN FEDERAL POLICE ASSOCIATION MEDIA RELEASE

### AFPA DISAPPOINTED OVER POLITICISATION OF SPIT HOODS

The Australian Federal Police Association (AFPA) is disappointed with the inflammatory statement issued by the ACT Human Rights Commission (HRC) concerning the use of spit hoods in the territory. The AFPA is especially disheartened by the HRC blatantly politicising this issue and ignoring the long history of the safe use of spit hoods in policing.

Public service departments remaining apolitical is a bedrock of Australian government convention. It is disappointing that the HRC, a part of the ACT Public Service, is being used for political purposes.

AFPA President Alex Caruana was scathing of the HRC and said that they had grossly misquoted ACT Chief Police Officer Neil Gaughan.

“Deputy Commissioner Neil Gaughan never stated that data on the use of spit hoods couldn’t be provided. What he said was that capturing this data is a manual process.

“It is easy for them to criticise from the safety and comfort of their airconditioned offices - I would encourage the HRC executives to spend an entire week in a police car going from job to job with members of ACTP to see how professional they are when they are dealing with their own safety and human rights being infringed on, whilst at the same time putting their bodies and lives on the line to keep the rest of the ACT community safe.

“In the video posted by the HRC, it is evident how impractical, unsafe, and useless face shields are in these kinds of situations. Most importantly, you can see how difficult it is to safely secure the shield on a person. I emphasise safety. It is also evident how quickly these shields can become weapons, further endangering my members. It is time to start thinking of the safety and human rights of AFPA members and the community as much as criminals’. If the spit hoods are not to be used, the ACT government and the HRC must agree to mandate blood and saliva testing of all offenders who spit at police officers, emergency services personnel, teachers and of course our community members. Putting the safety of violent offenders above that of police and the public does not meet community expectations. My members are citizens and taxpayers as well.”

The AFPA also draws attention to the *ACT (Self-Government) Act 1988* and notes the Act has the following:

***23 Matters excluded from power to make laws***

*(1) Subject to this section, the Assembly has no power to make laws with respect to:*

*(a) the acquisition of property otherwise than on just terms;*

*(c) the provision by the Australian Federal Police of police services in relation to the Territory;*

*(d) the raising or maintaining of any naval, military or air force;*

*(e) the coining of money;*

*(g) the classification of materials for the purposes of censorship.*

“How will the Attorney-General circumvent section 23(c)? Arguably any restriction on ACT Policing using spit hoods affects how the AFP delivers policing services to the ACT. Even more importantly, why should he try? The COVID pandemic certainly isn’t over – the Government should be on board with social distancing, and in those cases where distancing isn’t possible, making barrier protection available and effective in line with what every public health body around the country is advocating for” Mr Caruana said.

“Mask mandates are still a very recent memory for all of Canberra’s citizens; this kind of hysterical commentary from the HRC seeks to hide the fact that spit hoods are simply modified masks designed to protect people.

“The ACT Attorney-General should be more concerned with how the ACT judicial system is under-utilising bail and sentencing provisions and the resulting scourge of bail breaches that are making the community feel unsafe instead of this storm in a teacup.

“I think everyone needs to take a step back and understand that spit hoods aren’t something new to Canberra. Following on from my comments made yesterday, these are a well-established last resort used only to protect my members, the public and first responders. They are not tools used to coerce, scare, or punish people.”

**For comments – contact the AFPA on (02) 62851677 or [afpa@afpa.org.au](mailto:afpa@afpa.org.au)**