

1 Feb. 2023



AUSTRALIAN FEDERAL POLICE ASSOCIATION MEDIA RELEASE

INADEQUATE SENTENCING FOR ASSAULTING POLICE

The Australian Federal Police Association (AFPA) is appalled by the decision to fine a convicted offender just \$600 for assaulting a police officer.

AFPA President Alex Caruana said that the person appeared before the ACT Magistrates Court last week after assaulting a police officer and possessing a prohibited weapon.

“The assault of the police officer was apparent, and the magistrate referenced this in his findings. Yet, this magistrate has then inexplicably decided to issue the person a \$600 fine.

“What message does this convey to the community and every ACT Policing officer? It tells them that the ACT judiciary doesn’t support them, and people now know that they can assault a police officer and may only receive a monetary fine.

“This sentence makes a mockery of the legislation and again shows the low bar of sentencing in the ACT,” Mr Caruana said.

Section 26A of the Crimes Act 1900 (the legislation relating to assaulting a frontline community provider) allows a maximum of two years imprisonment.

The AFPA is also disturbed by the magistrate’s decision not to proceed with a conviction for possessing a knife, despite this offence being established by the evidence submitted.

“Carrying knives in public has been an offence in every Australian jurisdiction for a very long time, as this invariably stems from a plan to quickly and lethally inflict injury on other people.

“To whittle wood, clean fish or open cartons isn’t a reasonable excuse to carry a knife in public. Why did the magistrate not convict this offence? This means police won’t receive reliable intelligence or an accurate name check in the jurisdiction he resides — as the offence will not appear on his criminal record.

“It is situations like this that strengthen our resolve for a complete review of the ACT judiciary, including sentencing and bail outcomes,” Mr Caruana said.

For comments:

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