



Legislative Assembly

Crimes Amendment (Murder Of Police Officers) Bill Hansard

Extract

20/06/2002

Second Reading

Mr BROGDEN (Pittwater—Leader of the Opposition) [10.19 a.m.]:

That this bill be now read a second time.

The New South Wales Coalition has set a course for compulsory sentencing for violent crimes. We believe that the people of New South Wales are angry, frustrated and sick and tired of weak sentences from the courts. As part of the general policy approach, this bill will require that anybody who murders a police officer acting in the line of duty will go to gaol for life. We believe that, because of the nature of the job, police officers in New South Wales should be afforded extra protection under the law when they are on duty. When police officers are in uniform on duty or have recalled themselves to duty they put themselves forward when others step back. They put themselves in danger and do so to protect you, and me and the citizens of the State. The law should recognise that to murder a police officer is one of the most serious crimes in the State.

The Government has already acknowledged through legislation that there is a difference between assaulting an individual and assaulting a police officer. The maximum penalty for assaulting an individual is lower than that for assaulting a police officer. That policy came from this Government. The Government has already set in law the recognition that an offence against a police officer is of greater magnitude because of the nature of the role of a police officer than an offence against an ordinary citizen. Our bill goes one step further. It responds to the genuine community concern and anger and strong respect that the people of New South Wales have for the men and women who serve in the police force. Anybody who murders a police officer who is acting in the line of duty will go to gaol for life. It will be a compulsory sentence imposed by the court following a guilty verdict in a murder case.

It is in stark contrast to the weak approach to sentencing by the Government. This week the Government ran away from compulsory minimum sentencing and compulsory sentencing in general. The Premier does not want to talk about this. He argues that juries will not convict if there is a minimum compulsory sentence in place. He is wrong. It is my belief and that of the Coalition that jurors sitting in judgment, when given the opportunity, will not in any way balk at a guilty verdict if they know a compulsory sentence is in play. The Premier does not understand that the people of New South Wales want criminals to go to gaol; they want justice from our court system. The Premier does not understand and will not acknowledge that in the system he has allowed to flourish in his seven years in government, adequate justice is not coming out of our courts.

This is based on the tragic evidence that in the past seven years six police officers have been murdered in the course of their duty. They include Constable Peter Forsyth. The House and the people of New South Wales are familiar with the circumstances of that crime. That officer recalled himself to duty to stop a crime in progress. He was brutally murdered. The killer of Constable Peter Forsyth was sentenced to 27 years in gaol with a 20-year non-parole period. On appeal that sentence was reduced by nine years. Constable Forsyth's murderer will serve just 13 years in gaol for murdering a police officer. That is less than the average sentence for murder in New South Wales. If there is a single case that brings to attention the failure of the justice system to deal with the murder of police officers, it is the tragic death of Peter Forsyth. His family has to live with the understanding that the value the court has placed on his life was 13 years. That is not good enough.

Members on this side of the House say that murdering a police officer is one of the most serious crimes. We say it deserves a compulsory life sentence and it responds to community concerns about weak sentences and the need to give extra protection to our police. It responds also to an increasingly violent attitude of many criminals that police are regarded as fair game. We need to send a message to the community and to the criminals in our society that if you murder a police officer you go to gaol for life. We have to say to our police officers that we will stand by them. We should not forget the families. The families of police officers see their husband or wife, their father or mother, go out the door every morning, and in the past seven years they could have been one of the six police officers murdered on duty. They need to understand that Parliament, and a Liberal Party-National Party Coalition government, will stand by them. We will afford those officers and their families that safety.

We cannot allow our police to be concerned about their physical safety because of weak laws and weak courts. This bill is simple and short. It will amend the Crimes Act to require compulsory life sentences. It responds to community anger and concerns. The challenge to the Government is to put up a cogent argument against it. We are yet to hear from the Premier or his left-wing Attorney General any arguments that hold water against this legislation. We are told it will not work. Prove to us that it will not work. The Premier sought to argue that our sentencing policy is the same as those of the Northern Territory. That is not so. I have indicated clearly that we will not go to the election with a policy of minimum sentencing for property crimes. Our policy relates to violent crime. There is no link between this bill and the Northern Territory policy, but the Premier has failed to outline that. He is running from this

debate. If he were so confident about his position, if he were confident that this policy would not work, he would be arguing it in the public domain. But he has run a mile from arguing it in public. The Minister for Information Technology and his colleagues know that this bill responds to the community concerns about our justice system. The Premier's pathetic arguments in opposition to this bill simply do not hold water.

The ultimate judges will be the people of New South Wales. We look forward to the challenge at the next election to put forward different sentencing policies, to provide a contrast to the people between the Liberal-National Coalition and the Government. We represent the interests of city and country New South Wales. We respect our police officers. We believe the justice system should be tougher, and we believe that minimum sentences are an inadequate response to rising violent crime. The Government does not. It is tied down to a pathetic philosophical commitment in opposition to this bill and it does not hold water. We are yet to hear a cogent argument from the Premier. He does not want to talk about this issue.

We want to talk about it, because we want to send a message to our police officers that we stand by them and their families, and to the broader community that we respect police officers and the work they do. We know many of them are heroes; we know that terrible crimes happen to ordinary people. Those officers should not have to live in fear of violent crimes against them. Just yesterday we saw someone attempt to attack police officers in a stolen vehicle, swerving at a number of police cars. That could have resulted in the murder of a police officer. It is as simple as that. Some people in the State have a reckless disregard for the lives of police officers, for the jobs they do and the cover they provide to our community, yet there is no response from the Labor Government on this issue.

The Liberal and National parties are willing to go the extra step and tell the people of New South Wales that we will introduce compulsory sentencing: compulsory life sentences for people who murder police officers and compulsory minimum sentences for people who commit other violent crimes. We will do this in response to community concerns and because it sends a message to criminals that they will go to gaol if they commit violent crimes. In essence we hope it will be a deterrent and will stop people from committing violent crimes. For the seven years that Labor has been in government it has done nothing to stop violent crime. In fact, crime has increased dramatically under the Carr Labor Government and continues to rise.

There are two sides to this equation. One is the policing strategy and the other important one is the sentencing strategy. The Carr Government has fallen down time and again on its sentencing strategy. The only argument the Government has put up relates to guideline sentences. That is a weak argument because the courts take too long and judges can walk away from guideline sentences. Judges will not be able to walk away from our legislation, they will not be able to walk away from this Parliament, and they will not be able to walk away from the will of the people of New South Wales. I commend the bill to the House.