



THE LAW SOCIETY
OF NEW SOUTH WALES

Our ref: CLC:RHrg1980746

19 October 2020

Ms Wendy Tuckerman MP
Chair
Legislative Assembly Committee on Law and Safety
Parliament House
Macquarie Street
Sydney NSW 200

By email: lawsafety@parliament.nsw.gov.au

Dear Ms Tuckerman,

Inquiry into assaults on members of the NSW Police Force – questions taken on notice

On 25 September 2020, Ms Musgrave appeared on behalf of the Law Society and gave evidence before the Legislative Assembly Committee on Law and Safety (Committee), as part of its Inquiry into assaults on members on the NSW Police Force.

We have received a transcript of Ms Musgrave's evidence. We note that Ms Musgrave took questions on notice at pages 5-6, which we have responded to below.

How could the Law Society help in strategising how solutions could be derived? Could they dig down into those particular areas, see the causes and come up with policies and strategies that may assist?

You indicated that law enforcement and custodial sentencing should not be the solution to resolve this issue. How can the Law Society help to get that message out or advise on policies and alternatives to capture the situation before it ends up in a custodial sentence?

The Law Society is a member organisation representing the interests of more than 36,000 solicitor members, and has dual representative and regulatory functions.

We would be happy to engage with other stakeholders such as the NSW Bureau of Crime Statistics and Research, the Department of Communities and Justice, the NSW Sentencing Council and the Aboriginal Legal Service as part of a process to consider alternative solutions.

We note that people who assault police officers often have issues with drug and alcohol use and mental illness.¹

¹ Legislative Assembly, Committee on Law and Safety, *Violence against emergency services personnel*, 2017, p8.

The Law Society has long advocated for the NSW Government to increase the availability of rehabilitation services for people with drug and alcohol issues. We also support increased diversion at all stages of the criminal justice system for people with cognitive and mental health impairments.

Rehabilitation and diversion can benefit both the offender and the wider community by addressing the causes of offending and reducing offending behaviour, including the incidence of assaults on members of the NSW Police Force.

The Law Society can disseminate information to the profession via our weekly Monday Briefs email and also by way of our journal, the *LSJ*. These various forms of communication could be used as a means to circulate any coverage of the Committee's recommendations and the Government response.

If you require any further information please contact Ms Rachel Geare, Senior Policy Lawyer, on (02) 9926 0310 or at rachel.geare@lawsociety.com.au.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'R Harvey', with a stylized flourish at the end.

Richard Harvey
President