



Ministry
of Justice

The Right Honourable
Robert Buckland QC MP
Lord Chancellor & Secretary of
State for Justice

MoJ Ref: 82882

November 2020

Dear Sir/Madam,

ASSAULTS ON EMERGENCY WORKERS CONSULTATION

On 13 July, the Government launched a targeted consultation with representative groups for emergency workers, as defined by the Assaults on Emergency Workers (Offences) Act 2018, and other key stakeholders, including the judiciary, CPS and legal practitioners on doubling the maximum penalty for assaulting an emergency worker. We sought feedback on how the legislation is operating in practice and whether the current maximum penalty provides the courts with sufficient powers to reflect the severity of the offending. This consultation closed on 7 August 2020.

First, I would like to thank those who responded to the consultation, particularly those who shared personal experiences of emergency service workers. We received around 70 responses to the consultation from a range of professions including serving members and representative groups of emergency services, Police and Crime Commissioners, legal professionals, and members of the judiciary and magistracy.

The large majority of those who responded were in favour of doubling the maximum penalty from 12 months to 2 years to ensure that the law provides emergency workers with sufficient protection to enable them to carry out their duties, and so that the maximum penalty reflects the severity of the offence. The case for providing these additional sentencing powers has become stronger in light of the COVID-19 pandemic, as we have seen a rise in the number of assaults on emergency workers. We therefore intend to move at pace. After considering all of your responses to the consultation, the Government announced on 15 September that we will legislate in the near future to double the maximum penalty for assaulting an emergency worker.

More serious assaults committed against emergency workers will continue to be aggravated on sentence within the current statutory maxima for these offences, including assault occasioning actual bodily harm (five years' maximum penalty), assault occasioning grievous bodily harm (five years' maximum penalty) and assault occasioning grievous bodily harm with intent (maximum life imprisonment). This means that the courts are already required to treat such offences more seriously when they are committed against an emergency worker acting in exercise of their duty. We did not consult on changes to the penalties for these more serious offences.

I would like to take this opportunity once again to thank those of you who responded to this consultation, and for taking the time to share your views.

Yours sincerely

RT HON ROBERT BUCKLAND QC MP