

Consultation launched on doubling maximum sentence for assaulting an emergency worker

- Consultation seeks views on increasing maximum penalty from 12 months to two years in prison
- Ministers deliver on manifesto commitment to consult on tougher sentences
- Maximum sentence could be doubled for the second time in two years

In 2018 this Government changed the law (Assaults on Emergency Workers (Offences) Act 2018) so that anyone found guilty of assaulting a police officer, firefighter, prison officer or paramedic faced a maximum of 12 months in prison. Judges must also consider tougher sentences for more serious offences – such as GBH or sexual assault – if the victim was an emergency worker.

Now the Government is seeking views from stakeholders, including representative bodies from the emergency services and the judiciary, on whether the maximum penalty should be doubled to two years behind bars.

It delivers on a manifesto commitment to consult on tougher sentences, with ministers determined to recognise the debt of gratitude the public feels towards our emergency workers – for the courage, commitment and dedication they show every day in carrying out their duties, including during the Covid-19 pandemic.

Justice Secretary & Lord Chancellor, Rt Hon Robert Buckland QC MP, said:

Being punched, kicked or spat at should never be part of the job for our valiant emergency workers who put their lives on the line to keep the public safe.

Now more than ever they must be able to do their extraordinary work without the fear of being attacked or assaulted, which is why we're determined to look at how our laws can protect them further.

We will continue to do everything in our power to protect our police, prison officers, firefighters and paramedics – and ensure

those who seek to harm them feel the full force of the law.

Home Secretary, Rt Hon Priti Patel MP, said:

Our police officers, firefighters and other emergency workers go above and beyond every single day – running towards danger to protect us all.

They are our frontline heroes who put their lives on the line every single day to keep us safe, and yet some despicable individuals still think it's acceptable to attack, cough or spit at these courageous public servants.

This consultation sends a clear and simple message to the vile thugs who assault our emergency workers – you will not get away with such appalling behaviour and you will be subject to the force of the law.

The consultation will run for four weeks and, depending on the response to the consultation, legislation could be brought forward – which would see the maximum sentence for assaulting an emergency worker doubled for the second time in two years.

Assault can cover acts such as a push, shove or being spat at. When an emergency worker is seriously injured, prosecutions will take place under more serious offences such as ABH, GBH, or attempted murder that have far longer sentences.

Notes to Editors:

- The Assaults on Emergency Workers (Offences) Act modified the offence of common assault or battery where it is committed against emergency workers acting in the course of their functions, with a maximum penalty of 12 months imprisonment. This doubled the maximum penalty for common assault from 6 to 12 months for those who assault emergency workers, including police, prison staff, custody officers, fire service personnel, search and rescue workers and frontline health workers.
- The Assaults on Emergency Workers (Offences) Act also created a statutory aggravating factor. This means that when a person is convicted of a range of offences including sexual assault, assault occasioning actual bodily harm (ABH), assault occasioning grievous bodily harm (GBH) and manslaughter, the judge must consider the fact that the offence was committed against an emergency worker as an aggravating factor meriting an increase in the sentence within the maximum allowed for the particular offence.
- In line with the manifesto commitment, this consultation, which will run

for around four weeks, will focus on whether the maximum penalty for this offence should be increased from 12 months to 2 years.

- In 2019, more than 11,000 people were prosecuted for assaulting an emergency worker, with a quarter of those found guilty receiving a suspended sentence or immediate custody.