

Police Officer Imprisoned for Avoiding RBT

A Sydney police sergeant has felt the full force of the law for using her rank and authority against a junior officer to avoid a random breath test.

Downing Centre District Court judge Christopher Hoy sentenced 50-year old Sarah Johnston to [16 months in prison](#) with a non-parole period of 12 months for [attempting to pervert the course of justice](#).

Ms Johnston, who was off duty at the time she was pulled over for a random breath test, drove away from the RBT without being tested after a short conversation with a rookie officer.

She avoided the breath test by using her authority over the junior officer. During the jury trial, probationary constable Tugcan Sackesen testified that he felt 'intimated' when Johnston directed him not to breath test her as it would be a 'conflict of interest'.

The court heard that the Senior Officer told the rookie: "Imagine if I blew over, which I won't because I'm not. But imagine if I did, the awkward situation it would put you in. Do you get what I mean?"

Having only been in the force for a year, the junior officer allowed Johnston to leave. Later that night, the senior officer bragged in a text message to a colleague: "I declined and gave the pro a lesson on RBT and in the job etiquette."

Ms Johnston had been drinking with other officers earlier in the evening, before she was pulled over for the RBT. She was not prosecuted for [driving under the influence](#), which is a charge that may be brought in the absence of a breath test.

But after complaints from others within the force and an internal investigation, a criminal prosecution was commenced for intent to pervert the course of justice – which is an offence under section [319 of the Crimes Act 1900](#) (NSW) carrying a maximum penalty of 14 years' imprisonment.

Bullying 'rife' in the force

Bullying, intimidation, 'pulling rank' and coercing other officers into 'cover ups' are certainly nothing new in police forces across Australia.

Recently we reported on the case of NSW police officer [Lucie Litchfield](#), who says she was pressured to lie in court about an incident involving two other officers who responded to an urgent call that a green Holden Commodore had escaped the scene of a violent home invasion, but inadvertently pulled over the wrong car.

When one of the male officers asked the occupants if they had any weapons, a passenger in the back seat produced a plastic toy dinosaur. The man was then forcibly pulled from the vehicle, kicked in the legs, and had his face shoved into the ground before being handcuffed. A second passenger was thrown into a retaining wall, where he hit his head and lost consciousness. The man 'came to' handcuffed with his face in the dirt.

Charges brought against the men were thrown out of court after officer Litchfield testified against her fellow officers despite being told to support their version of the events. Both passengers are now suing the NSW Police Force, and Ms Litchfield says she left the force after being shunned and bullied for telling the truth and refusing to cover up the [NSW police misconduct](#).

National problem

It seems that not a week goes by without reports of brutality,

intimidation and cover-ups by police officers across the country, including Ballarat in Victoria, several cases in the Gold Coast – and notably that of former Queensland Police Officer [Rick Flori](#) whose battle to clear his name is still ongoing.

The Australian Federal Police is also reported to be rife with bullying and intimidation. Internal investigations last year suggested that 62% of men and 66% of women reported being bullied in the workplace within the past five years.

Many officers said they felt it was against their interests to formally complain, and several of those who did complain went on to regret it.

Police policing themselves

Complaints against police officers are normally handled by internal investigators, which means that police are essentially are left to ‘police themselves’ – a practice criticised as ineffective in dealing with mounting evidence to suggest that our police forces are collectively suffering from a lack of accountability and a toxic culture.

It is not often that an officer is tried and convicted in a court of law. In sentencing Ms Johnston, the judge described her behaviour as ‘disgraceful.’