



Police Federation
of Australia

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Mr Roger Beale AO

Dear Mr Beale

**NATIONAL POLICE AUDIT:
SUBMISSION FROM THE POLICE FEDERATION OF AUSTRALIA**

The Police Federation of Australia (PFA) welcomes the opportunity to make this submission to your national audit of policing in Australia.

You will recall that at our meeting at Parliament House on 23 February we gave you the background to the Government's commitment to us to conduct a National Audit of Police Capability.

At that meeting we advised of our pre-2007 federal election submission to all political parties and the ALP's responses to the issues raised in that submission. Those commitments by the now Labor Government form a key plank of our submission to your current audit.

We also impressed upon you that our call for a National Workforce Planning Study, which ultimately saw the commitment for this audit given, was in response to what we believed was fast becoming a national crisis in police numbers, recruitment and retention. Our submission on this issue was never solely focused on the Australian Federal Police (AFP).

In our pre-election document we pointed out that –

“Based on our best estimates, police forces across Australia are going to need to recruit around 13,500 police officers in the next four years alone. This is to meet the needs so far identified for each jurisdiction and to replace retiring and departing personnel. The aging of the ‘baby boomers’, and the difficulties in recruitment and retention, are affecting the nation's police services in the same way it is impacting on the Australian Defence Force”.

We also indicated that –

“The PFA is convinced there is a need for a police workforce planning study to be undertaken in a national, coordinated, and sector-wide manner. The study would examine both current and longer-term issues relating to recruitment and sector sustainability, and would leverage previous research.

The PFA proposes that this national study be undertaken in collaboration with the Federal government and all state, territory and federal police forces and the PFA. We seek Federal government funds and support to conduct the study”.

As is evident, our position on this issue was always that of a national collaborative approach. On that basis we offer our support to ensure that outcome.

AUDIT OUTCOMES

At the outset we should identify some of the outcomes we would hope to see from your important audit, namely:

- Sworn police numbers in the AFP increasing progressively to meet the Australian Government's pre-election commitment, (recently confirmed in the 2020 Summit Response, April 2009);
- The audit forming the basis for, and leading onto, a national police workforce planning study to prepare policing for the next decade;
- Confirmation that powers reserved for sworn police officers, including in the AFP, will not be extended to other law enforcement employees;
- Support for the national police registration scheme and further professionalization of policing;
- Reform of the current model of policing of Australia's 11 major airports with responsibility firmly placed with the Australian Federal Police rather than the divided responsibility which currently applies; and
- Reform of the policing arrangements supporting the Northern Territory Emergency Response so that NT police are funded by the Australian Government to provide the additional police commitment.

In support of the outcomes we have suggested, we provide the following background and supporting information.

BACKGROUND AND SUPPORTING INFORMATION

In the lead up to the 2007 Federal election the Police Federation of Australia (PFA) sought commitments from all major political parties in relation to a

range of issues affecting policing and Australia's police officers. Those commitments were sought through a document titled *Law and Order in Australia: Policies for the Future* (see **Attachment 1**). As a result a number of commitments were given by the current Labor Government.

AFP Sworn Police Numbers:

You would no doubt be aware that as a result of our pre-election submission in respect to police numbers, the ALP conceded that,

"The Australian Federal Police are a world class force, but they are clearly stretched to the limit. Function creep and new and emerging threats mean we need a recruitment strategy for our Federal agents".

They went on to commit that,

"A Rudd Labor Government will increase the overall size of the Australian Federal Police by 500 sworn officers over five years – as part of a \$200 million, five-point federal policing plan.

Federal Labor will boost the number of sworn Federal Police by 500 while meeting the AFP's current recruitment targets.

Furthermore, as the AFP in recent years has not met its recruitment targets, a Rudd Labor Government will also commit \$5 million to an Australian Federal Police Recruitment and Retention program".

In the 2008-09 Budget, the Rudd Government funded an increase in AFP sworn police numbers of 30, but subsequently there were at least 199 voluntary redundancies. In addition, the AFP had to rely on 336 (April 2008) seconded State and Territory police for responsibilities at the major airports and in the IDG. The Australian Crime Commission has also had to cut by 100 staff, including investigative resources and police seconded from States and Territories and the AFP (73 and 13 respectively). (See **Attachment 2: National Analysis of Police Numbers as at 30 June 2008.**)

Clearly, the Rudd Government's commitment on sworn police numbers is not progressing in the direction promised.

National Police Workforce Planning Study:

The PFA also sought a commitment to a national workforce planning study.

In their response the ALP said,

"A Rudd Labor Government will undertake a comprehensive workforce planning study following the audit of police capability set out in Labor's five-point federal policing plan.

This will ensure the AFP has the real strength in police numbers required to keep Australia safe from federal crime and terrorism.

Labor is committed to conducting a federal audit of police capabilities in 2008 and would encourage all states and territories and the PFA to participate in a national policing white paper to establish a coherent and coordinated national policing strategy”.

Sworn police powers:

Another matter relevant to your work is the commitment we sought in relation to ensuring that police powers are not extended to non-sworn personnel and are reserved for sworn police officers.

In their response to the PFA the ALP said,

“Labor supports this proposal.

Labor recognises the unique role sworn police officers have in relation to the exercise of their authoritative powers. With these powers comes accountability.

Sworn police are accountable for their actions through the Australian Commission for Law Enforcement and Integrity Commission, the Ombudsman, the Coroner, the Director of Public Prosecutions and Police Internal Affairs. Police officers are professional, highly trained and subject to the oath of office.

Federal Labor believes it is unreasonable to confer sworn police powers on unsworn personnel. It is also unreasonable to hold unsworn personnel, in such a situation, to the same levels of probity without the requisite training.

The wider community would rightly express concern about sworn police powers given to unsworn personnel who are not subject to the same level of training and accountability as sworn police officers.

Australia’s federal police officers are operating in a new world of transnational and domestic crime, counter-terrorism, drug trafficking, identity fraud, high tech/computer crime, regional police keeping, money laundering, people smuggling, fraud, child pornography and paedophilia. These are complex areas that require the highest levels of professionalism, training and oversight”.

It is not appropriate for ‘pretend police’, employed on the cheap and having some, but not all, police powers to displace sworn police officers in our

agencies responsible for law enforcement, counter-terrorism, cyber crime and community safety.

Police Professional Registration:

Another important issue about which we sought a commitment from the ALP was in relation to the professionalization of policing by the establishment of a National Police Registration Board and Scheme as a collaborative effort between the Australian Government, the PFA and state and territory jurisdictions.

In its response the ALP stated it,

"...supports the concept of a national police registration scheme and will enter into negotiations with state and territory governments and police unions with a view to achieving this outcome".

The PFA has now developed and endorsed the ***PFA Framework for a National Police Registration Scheme, April 2009*** which will be presented to the Ministerial Council on Police and Emergency Management - Police at its June 2009 meeting. We have written to the Minister for Home Affairs, the Hon Bob Debus seeking his in principle support for the Framework.

AFP Responsible for Major Airport Policing

The PFA recently examined the police resources applied to policing the eleven major airports under the AFP's Unified Policing Model which is based on the AFP and State and territory police sharing responsibility for providing police resources for the airports under AFP control.

The **PFA submission to the Government's Aviation Green Paper** set out our findings (see **Attachment 3**). We concluded that the current model of airport policing is a failure and should be reformed so that the AFP has sole responsibility for major airport policing. Sadly, the fatal bashing at Sydney Airport allegedly by bikie gang members tends to confirm our view of the shortcomings of the current airport policing model.

It is worth remembering that Sir John Wheeler settled on the shared responsibility model because, at the time, the AFP did not have the police capacity to undertake the airport policing itself. In the PFA's view it is time the AFP developed the capacity to undertake that function in full.

Policing Arrangements for the NT Emergency Response

The former Government committed to providing 66 AFP officers to the Northern Territory Emergency Response and the current Government has

maintained that commitment, although that number has yet to be reached. Those officers serve in NT police uniforms under NT police command.

For a number of reasons, the PFA considers the additional police serving in NT, including in remote indigenous communities, should be NT police officers funded by the Australian Government. This is the model the Australian Government has used to enhance teacher numbers serving in remote indigenous communities under the NT intervention.

The rationale for our position is set out in our **PFA submission to the NTER Review Board at Attachment 4.**

Conclusion

The PFA is of the view that the above issues should underpin your audit. In particular, the Government saw the audit as a preliminary piece of work to inform the proposed "*comprehensive national workforce planning study*" and the "*national policing white paper to establish a coherent and coordinated national policing strategy*".

The PFA considers it vital that a national police workforce planning study commence at the earliest opportunity and establish the groundwork for a police workforce fully equipped for wide range of responsibilities expected of it in first half of the 21st Century within Australia and off-shore in places like East Timor, PNG and Afghanistan.

We also see the audit as a unique opportunity early in the term of the Rudd Government to reform the national arrangements for policing Australia's major airports which are not meeting the nation's security needs, and to improve upon the policing arrangements for remote indigenous policing under the Northern Territory Emergency Response.

Mark Burgess
Chief Executive Officer

Attachment 1: *Law and Order in Australia: Policies for the Future*

Attachment 2: *National Analysis of Police Numbers as at 30 June 2008.*

Attachment 3: *PFA Submission to the Aviation Green Paper, February 2009*

Attachment 4: PFA Submission to the NTER Review Board, August 2008