



ANNUAL REPORT

2008-2009



CONTENTS

Affiliates/Associates	2
Office Bearers	3
Staff	3
Meetings Conducted	3
President's Report	4
Chief Executive Officer's Report	6
Affiliates' Reports	
New South Wales	42
Victoria	44
Western Australia	47
South Australia	51
Tasmania	55
Northern Territory	58
Australia Federal Police Association	61
Associates' Reports	
Queensland	67
Financial Statement	69
Treasurer's Report	69
Operating Report	70
Committee of Management's Certificate	72
Independent Audit Report	73
Balance Sheet	75
Income and Expenditure Account	76
Cash Flow Statement	77
Notes to and forming part of the Accounts	78

AFFILIATES

BRANCH	MEMBERSHIP Nos. @ 31/12/08 Rule 14 (d)	NO. OF DELEGATES
Australian Federal Police Assoc	3,645	3
New South Wales	15,420	7
Northern Territory	1,275	2
South Australia	4,468	3
Tasmania	1,247	2
Victoria	11,289	6
Western Australia	5,624	3

Rule 14 (b) "The number of delegates in each Branch shall be determined on the basis of one delegate for the first one thousand (1,000) financial members or part thereof, and one additional delegate for each succeeding two thousand five hundred (2,500) financial members or part thereof".

ASSOCIATES

	MEMBERSHIP
Queensland	10,099
New Zealand	10,588

TOTAL

Australasian jurisdictions	53,067
including New Zealand	63,655

OFFICE BEARERS

President	Vince Kelly (Northern Territory)
Vice President	Jon Hunt-Sharman (Australian Federal Police Association)
Vice President	Brian Rix (Victoria)
Treasurer	Randolph Wierenga (Tasmania)
Executive Members	Bob Pritchard (New South Wales)
	Mark Carroll (South Australia)
	Mike Dean (resigned 18/6/09) (Western Australia)
	Russell Armstrong (appointed 18/6/09)
Associate Members	Queensland
	New Zealand

STAFF

Chief Executive Officer	Mark Burgess
Office Administrator	Debbie Martiniello
Research & Policy Officer	Dianne Gayler

MEETINGS CONDUCTED

Federal Council:

13 and 14 November 2008	Melbourne, Victoria
18 June 2009	Perth, Western Australia (Special Federal Council)

Executive:

12 November 2008	Canberra
23 and 24 February 2009	Canberra
28 April 2009	Teleconference
18 June 2009	Perth
7 and 8 September 2009	Canberra

Industrial Planning Committee:

25 and 26 November 2008	Canberra
10 and 11 March 2009	Canberra
28 and 29 July 2009	Sydney

Women's Advisory Committee:

16 and 17 March 2009	Canberra
26 and 27 October 2009	Canberra

PRESIDENT'S REPORT

It is with a great deal of pleasure that I present my second report as the PFA President. It has been another interesting, challenging, and rewarding 12 months.



Vince Kelly (PFA President)

It is my view that thanks to the combined efforts of all our branches the Police Federation remains an organisation that is relevant at a national level and that has achieved some significant outcomes for Australia's 52,000 police.

Thanks largely to our CEO, Mark Burgess we maintain a highly visible presence in the nation's capital with all sides of politics. The number of submissions made by the Federation in relation to a variety of issues that impact on operational policing is testament to our continued relevance and is evidence of our position as the only truly national voice on policing.

The Federation's leadership and unity on issues as diverse as professional registration, unexplained wealth legislation, organised crime legislation, the roll out of Tasers, a proposed collaborative purchasing model for police equipment, and our interest in promoting the aspirations of Aboriginal Australians is testament to a cohesive approach based on consensus and logical argument.

I think it is appropriate to highlight the fact that the President of the Police Federation of Australia and of all our affiliates are seconded sworn Police Officers. This fact enhances our credibility across the community and we have a responsibility to ensure that this unique situation is not eroded. We remain the only truly democratic national voice on policing issues in Australia.

The last twelve months has seen further change in the leadership of one of our affiliates and the Queensland Police Union. In June of this year, Mike Dean retired after thirteen years at the helm of the West Australian Police Union. Mike was instrumental in ensuring that the Federation purchased an office in Canberra that reflected the aspiration of our Federation and our members. The building in inner Canberra is testament to his forthright views on that and many other issues.

I take this opportunity to welcome new WAPU President, Russell Armstrong, to his leadership role in the Union. Russell, who has 40 years of service as a Police Officer and as an active Police unionist, brings a wealth of experience to his challenging role.

I also welcome Ian Leavers to his new role as President of the Queensland Police Union. I am confident that Ian and the QPUE executive will make a Queensland Branch a reality early in 2010.

Many of you would be disappointed if I did not take this opportunity to again reiterate what I believe are the four central tenets of the PFA. It is essential that we not lose sight of these tenets as either individuals or organisations:

- the PFA is "as well as, not instead of" each jurisdiction;
- the PFA is based on goodwill and consensus;
- politics is people and people are politics; and
- the PFA leadership must constantly ask the question of ourselves — "What are we in the business of?"

Since we last met our Federation has actively participated in national debates and enquiries on a range of issues, including:-

- serious and organised crime;
- the professionalisation of policing and in particular police professional registration;

- the new national industrial environment;
- workers' compensation for police deployed overseas;
- a range of superannuation and taxation issues affecting police;
- direct member benefits;
- occupational Health and Safety for police;
- a range of industrial issues affecting police;
- issues affecting female officers including promoting greater participation of female members in their union;
- police uniform and equipment standards;
- issues affecting Indigenous Australians;
- greater recognition of police through medals;
- our role as an affiliate of the International Council of Police Representative Associations (ICPRA); and
- the proposed Human Rights Act.

The above highlights yet again the array of issues that we are currently dealing with on a national level, and through our branches, at a local level.

As I have observed in the past not all of the outcomes will be immediately relevant today, but in the longer term, decisions taken, or not taken today, could have serious ramifications in the years to come.

Of course the many achievements evident in this report and the vast array of other issues on our agenda cannot be progressed without the support of my fellow PFA Executive members and the combined professional resources of all Branches. My view is that the goodwill within the Federation continues to grow.

The fact that we are police unions/associations run by police for the good of police, policing, and the community, places us in a strong position. We not only have a real desire to support our individual members, we have a real and ongoing commitment to the police profession and by extension the broader community.

While we rely heavily on our branches for support, the Police Federation of Australia could not achieve any results without our dedicated and professional staff. I can only reiterate my comments from last year's report that as President I have experienced first-hand the enormity of the work undertaken by our staff. I continue to witness the respect they have in Parliament House and the Canberra bureaucracy and how our submissions to and appearances at various Parliamentary Committees are important and influential.

As a result our views continue to be regularly sought from a range of government departments and agencies. I also thank Debbie, Dianne and Mark for their ongoing personal support they have given me over the past 12 months in this role.

The next 12 months are again shaping as a very busy time. The 2010 Federal election will again give us an opportunity to place before all political parties the key issues for Australia's police. The preparation of our 2010 pre-election document will be discussed at length at the 2009 Federal Council meeting and decisions on key issues taken there will form the basis of our work over the ensuing three to four years.

I look forward to your ongoing support and believe that if we adhere to the four key tenets I outlined earlier we will continue to professionally represent the best interests of Australia's 52,000 police and policing.

Vince Kelly

President

CHIEF EXECUTIVE OFFICER'S REPORT



Mark Burgess (PFA CEO)

2007 Federal Election Commitments:

In last year's Annual Report we gave a detailed account of the key issues contained in our pre- election document *Law and Order in Australia: Policies for the Future* together with the commitments given by the ALP.

To coincide with the first anniversary of the ALP's election as the Australian Government (November 2008), we took the opportunity to assess the progress made on the commitments given regarding policing in Australia by writing to the Prime Minister providing an update on those commitments.

We pointed out in that correspondence that our dealings with respective Ministers had been constructive and fruitful and we noted in the assessment that many of their key commitments remain 'works-in-progress'.

Progress report on Government commitments at 24 November 2008

1. Federal Labor's Five Point Plan for the AFP:

- increase AFP sworn police by 500 sworn police over five years. The 2008-09 Budget provided \$191.9 million; \$5.3 million for 30 extra police in year 1; however 60 sworn police were made redundant. No real progress in reducing the AFP's reliance on seconding from State police forces (292 at 30 June 2008);
- planning for a Federal Audit of Police Capabilities was underway;
- AFP Retention and Recruitment Program established in first six months of Government via Additional Estimates with \$20 million over four years; and
- action to expand recruitment of Indigenous Australian commenced.

2. National Police Workforce Planning:

- no action until Federal Audit completed.

3. Reserve police powers for police:

- honored to date.

4. and 5. National Crime Database:

- CrimTrac supported; and
- national automated number-plate recognition system under investigation.

6. Support concept of a National Police Registration Scheme:

- the Minister put the matter on the agenda of Police Ministers' meeting in November 2008 and supported the PFA presenting its proposal to Ministers.

7. PFA Federal registration resolved by legislation.

8. Federal industrial relations powers:

- the Rudd Government has left open the referral of powers from various States;
- State employees and State-based tribunals remain (other than Victoria) and State police remain with State IR systems;
- commitment to end AWAs in policing has been met; and
- the Award Modernisation process is not affecting police at this stage.

9. Process of considering an AFP tribunal to resolve disputes is still to be actioned.

10. Review of workers' compensation journey claims is yet to begin.

11. Proposal to establish a panel to hear the PFA's case for access to superannuation for police from age 55 is yet to commence.

12. Proposal to extend the capped FBT concession to police not actioned. Henry Tax Review underway and may consider FBT matters.

13. Proposed National Police Service Medal being pursued by Ministers in consultation with the PFA.

14. International Deployment Issues:

- no progress to date on the proposal for an effective workers' compensation and rehabilitation regime for police serving overseas;
- no action on career security for police serving overseas who are displaced by unstable governments; and
- no action to date on a dispute resolution process for police in the IDG.

15. An effective relationship with the Minister for Home Affairs and his office has been established including regular meetings on an agreed agenda. In addition, ad hoc meetings with other Ministers have been facilitated by that office as required.

At the time of compiling this report we are assessing the continuing progress on these issues to coincide with the 2nd anniversary of Labor's election.

Meetings with Minister for Home Affairs

We had many scheduled meetings with the Minister for Home Affairs, Bob Debus MP and his successor from April 2009, Brendan O'Connor MP. We also developed strong and professional working relationships with their senior staff.

We generally managed to schedule meetings with the Minister prior to our quarterly Executive meetings allowing President Vince Kelly and Vice President Jon Hunt Sharman to accompany the CEO and PFA Policy and Research Officer, Dianne Gayler to the meetings. The key issues discussed at these meetings centred around, the pre-election document outlined above and any new issues as they arose. This process proved very effective in that we were able to report, in a timely manner, on key issues and outcomes direct to the PFA Executive.

Between the meetings with the Minister, PFA staff had regular meetings with Ministerial staff on a range of issues as they arose.

The full Executive also had an opportunity to meet with the Prime Minister during their February 2009 meeting in Canberra. At that meeting we again raised those key issues contained in our 2007 pre-election document.



PFA Executive meeting with Brendan O'Connor, Federal Government Home Affairs Minister

Meetings with Shadow Ministers

As with the Minister, we have also developed a strong working relationship with Shadow Ministers Sussan Ley MP and Jason Wood MP and their respective staff. As with the Minister, we also sought to meet with the Shadow Ministers in the lead up to PFA Executive meetings allowing the President and Vice President to also attend those meetings. Again the results of those meetings were then able to be relayed directly to the PFA Executive. The Executive also had the opportunity to meet with the Leader of the Opposition during their February 09 Executive meeting.



PFA Executive meeting with Leader of the Opposition, Malcolm Turnbull in February 2009

Parliamentary Inquiries

Parliamentary Joint Committee on the Australian Crime Commission - Inquiry into the legislative arrangements to outlaw serious and organised crime groups

The PFA made a joint submission to this Inquiry with the Australian Federal Police Association Branch and first appeared before the Inquiry in November 2008. After subsequent discussions with the Committee, the full PFA Executive met with the Committee in February 2009.

In our initial written submission we argued that there was a lack of legislation across jurisdictions specifically targeting serious and organised crime groups. We also noted that where legislation is in place or being proposed there appears no consistency in the legislation or proposals. As a result the PFA recommended that the committee should consider opportunities for the development of model legislation to be applied in each jurisdiction.

We argued that the outcome of such a process should lead to the implementation and harmonization of legislation across all jurisdictions strictly targeting the disruption, and restriction of the activities, of organised crime groups. We also argued that harmonised legislation would also prevent such groups moving from jurisdiction to jurisdiction to exploit loopholes or shortcomings in the law in various jurisdictions.

When we first appeared before the Committee we specifically proposed that the Committee work towards consistency in 'serious and organised crime' legislation across jurisdictions and, in particular, in 'unexplained wealth' legislation.

In February 2009 when the Executive met the full Committee we continued to advocate model 'unexplained wealth' legislation.

We argued that international research clearly identified unexplained wealth declarations as a new and effective tool against the transnational and national organised crime bosses.

We built our argument on three very clear objectives for the legislation –

1. To deter those who contemplate criminal activity by reducing the possibility of gaining, or keeping a profit, from that activity;
2. Prevent crime by diminishing the capacity of offenders to finance any future criminal activity that they might engage in; and
3. To remedy the unjust enrichment of criminals who profit at society's expense.

The two key aspects of the model supported by the PFA were that the laws not require a link to a particular criminal offence, and that the onus of proof be reversed - the unexplained wealth provisions.

We argued that unexplained wealth provisions have come about because organised crime bosses continue to operate while the authorities lack evidence to tie their retained wealth to criminal activities. Furthermore, as the burden of proof lies with the authorities, it remains difficult to prove a relationship between unexplained wealth and criminal conduct. Without an effective confiscation system the profit will remain with the organised crime syndicates. This is to the detriment of law abiding citizens and unjustly enriches criminals. The model we advocated allows for one of the greatest motivations for becoming involved and continuing to be involved in serious crime to be eliminated, but also allows ill gotten gains to be appropriately forfeited to the State.

In August 2009 the Committee handed down its Report and supported many of the recommendations made by the PFA including support for Commonwealth unexplained wealth legislation.

Senate Legal and Constitutional Affairs Committee - Inquiry into Crimes Legislation Amendment (Serious and Organised Crime) Bill 2009

The PFA made a joint submission to this Inquiry with the Australian Federal Police Association (AFPA) Branch of the PFA.

The Government introduced this Bill into Parliament following the Parliamentary Joint Committee on the Australian Crime Commission's Inquiry into the legislative arrangements to outlaw serious and organised crime groups. (see above)

While the PFA congratulated the Government when it announced its intention to introduce unexplained wealth legislation and continued to applaud the intention of the Government, we raised a number of concerns about the Bill as it was proposed. We indicated to the Committee that we were hopeful that the Bill would be model legislation that we could support nationally and in each jurisdiction, however we didn't believe the Bill met our expectations.

Our key concern was that it required a link to a Commonwealth offence before unexplained wealth provisions could be used. We also raised concerns that there appeared to be a number of constitutional issues which prevented it from being as effective as we would have envisaged. We sought the support of the Committee to investigate those matters and make recommendations in their report that would bring this Bill closer to the Northern Territory's Criminal Property Forfeiture Act 2002 which we believe should be the model unexplained wealth legislation in the country.

Senate Standing Committee on Education, Employment and Workplace Relations Inquiry into the Fair Work Bill 2008

The PFA made a submission and appeared before the Committee.

The key thrust of our submission related to the Fair Work Bill, the further Transitional Bill that had at that stage not been introduced to the Parliament and the Victorian Government's referral legislation. Our submission sought to raise the interrelated workplace relations issues affecting police of which the Fair Work Bill 2008 was to be an integral part.

We recognised the significant advances through the Fair Work Australia Bill as compared with the Work Choices legislation and supported the thrust of the submission to the Inquiry from the Australian Council of Trade Unions (ACTU). We did however raise a number of issues for police that we believed may arise as a result of the passage of the Bill.

We also pointed out to the Inquiry the IR commitments made by the Government to the PFA in the lead up to the 2007 election.

Our submission focused on:

- the extent to which the Fair Work Bill 2008 delivers on those undertakings; and
- the extent to which the legislative framework will impact on industrial relations for police.

Issues raised in that context included –

- The employment status of Police

In this section we relied on earlier research work carried out by Giuseppe Carabetta of Sydney University who appeared at the Inquiry with the PFA, and pointed out that the status of police has significant implications when industrial relations legislation is drafted based on "employee status".

- Freedom of Association

In relation to Freedom of Association, we pointed out that in the circumstances of Victorian Police there is a very real possibility that freedom of association is not adequately protected.

We argued that in relation to Section 4(6) of the Commonwealth Powers (Industrial Relations) Act 1996 that the scope of the referral in respect to freedom of association for non-federal employees may be much narrower than the protection offered to national system employees under Chapter 3 of the Fair Work Australia Bill. Section 4(6) refers only to the rights of employees to join or not join a union.

We argued that if the Victorian referral was maintained in its current terms it would leave a large proportion of workers in that state granted significantly less rights than the previous Howard Liberal Government was willing to extend pursuant to Work Choices. We therefore sought that the Committee ensure that the Victorian referral took these issues into account.

Particular issues affecting the AFP & Victoria Police

AFP:

We took the opportunity to pursue issues that we had raised in our 2007 pre-election document including a proposed AFP Tribunal.

We argued that Fair Work Australia, and the new system of Enterprise Agreements established under the Fair Work Bill 2008, would only have the capacity to deal with disputes arising out of matters that fall within the scope of such agreements. Therefore, only the remuneration and terms and conditions of service

of the AFP are covered. The Bill, we suggested, left out two significant areas of employment decision making without a specific mechanism for review: disciplinary/managerial decisions; as well as advancement/deployment decisions.

Our submission was that an AFP Tribunal should have jurisdiction over all aspects of the AFP Act that define the Commissioner's powers including the command and control sections of the AFP Act, the employment powers under the Act, and the provisions concerning disciplinary and managerial action under Part V of the AFP Act.

In particular, we argued the AFP Tribunal should have three (3) divisions and have jurisdiction to hear and determine all matters relating to:

- workplace relations;
- advancement and deployment; and
- discipline and managerial matters.

We also recommended that the AFP Tribunal be established under the AFP Act, consequently requiring an amendment to the Fair Work Bill 2008 limiting the operation of Fair Work Australia with respect to matters concerning the AFP.

Victoria Police:

In our submission we pointed out that the Commonwealth's powers in respect to IR issues for Victoria Police are constrained by the terms of the referral by the State of Victoria.

When powers over IR were referred to the Commonwealth by the State of Victoria, an extensive list of matters was explicitly not referred, including matters pertaining to workers' compensation, superannuation, occupational health and safety, apprenticeships, long service leave, days to be observed as public holidays and equal opportunity.

Section 5(1)(b) of the Commonwealth Powers (Industrial Relations) Act 1996 expressly identifies matters not referred in relation to police:

"Matters pertaining to the number, identity, appointment (other than matters pertaining to terms of conditions of appointment not referred to in this paragraph), probation, promotion, transfer from place to place or position to position, physical or mental fitness, uniform, equipment, discipline or termination of employment of law enforcement officers."

We argued that the cumulative effect of those provisions was to create a complex and uncertain operating environment in respect to industrial relations for police. This impinges on the capacity of the parties - the PFA, the Victoria Police Force and the State of Victoria - to manage industrial relations for police. We sought the support of the Commonwealth to address that issue.

We also sought that in respect to agreement making and matters pertaining, at least for the purposes of the referral, we argued that there should be no fetters placed on the capacity of the parties to enter into agreement about matters in respect of the employment relationship.

Other submissions

The PFA made a number of other submissions to important Government inquiries and committees which are dealt with later in this report under specific topics.

Professionalisation:

The PFA's proposal for a national police registration scheme was a key focus of our work in 2008-09. The office was assisted in this by the Professionalisation Sub-committee and by an in-house PFA working group.

We can report significant progress in 2009 on this issue which has been on the agenda of the PFA, Commissioners and Police Ministers for nearly two decades.

The PFA finalised the ***PFA Framework for a National Police Registration Scheme***, April 2009. The PFA framework was endorsed by the Executive at its April 2009 meeting as PFA policy.

After submitting the PFA framework to Australia's Police Ministers, the President and CEO were invited to make a presentation on the proposal to the regular meeting of the Ministerial Council on Police and Emergency Management – Police (MCPEM-P) in Perth in June 2009. We proposed in our paper presented to MCPEM-P that we have a joint working group to consider and further develop the proposed national registration scheme.

It would not be an exaggeration to say that there was significant resistance particularly amongst some Police Commissioners, but also from some Ministers, to the registration concept. Nevertheless, we were able to marshal sufficient support around the MCPEM-P table to achieve the kind of working party we had proposed.

The Ministerial Council resolved as follows:

'MCPEM-P agreed to set up a working party to report back on progress in 2010 on the feasibility of a proposal for a National Police Registration Board taking into account:

- Cost implications;
- Encouraging basic standards to enable inter-jurisdictional mobility;
- Chief Commissioners have full employment and discipline power, including setting of standards in their jurisdiction; and
- Automatic deregistering of any member dismissed in a jurisdiction.

MCPEM-P agreed that SOG should establish the Working Party and include the PFA.'

At the September 2009 Senior Officers Group (SOG), meeting, which consists of Commissioners and other senior level jurisdictional bureaucrats as well as a representative of Commonwealth Attorney-General's Department, the Terms of Reference and the composition of the Working Group were finalised.

The final Terms of Reference agreed upon are set out in the following letter from the Chair of SOG –

MINISTERIAL COUNCIL ON THE ADMINISTRATION OF JUSTICE

Comprising the Ministerial Council for Police and Emergency Management (Police & Emergency Management),
the Intergovernmental Committee of the Australian Crime Commission and
the Corrective Services Ministers' Conference

SOG Chair

Mr Mark Burgess
Chief Executive Officer
Police Federation of Australia
Level 1, 21 Murray Crescent
GRIFFITH ACT 2603

Dear Mr Burgess

Thank you for your letter of 24 August 2009 in relation to the formation of the National Police Registration Feasibility Working Group (NPRWFG).


At the MCPEMP Senior Officers' Group meeting on 10 September 2009 agreement was reached on the terms of reference and membership of the NPRWFG. A copy of the terms of reference and membership are attached for your information.

The NPRWFG will be chaired by the Queensland Commissioner for Police, Mr Bob Atkinson APM.

The Chair will contact all members of the NPRWFG shortly to discuss the process for moving forward with this work.

Thank you for your interest in these matters.

Yours sincerely



KARL J O'CALLAGHAN APM
COMMISSIONER OF POLICE
CHAIR, MCPEMP SOG

18 September 2009

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Attorney-General's Department, 3-5 National Circuit, BARTON ACT 2600

**MCPEMP Senior Officers Group
Meeting 6 (September 2009)**

**National Police Registration Scheme Working Group
Terms of Reference**

1. In accordance with the MCPEMP-P resolution at Meeting No. 5, SOG has established a working group to examine and report on the feasibility of a National Police Registration Scheme (NPRS) The Working Group will;
 - (a) Having regard to:
 - (i) cost implications
 - (ii) encouraging basic standards to enable inter-jurisdictional mobility
 - (iii) Commissioners having full employment and discipline power, including setting of standards in their jurisdiction, and
 - (iv) automatic deregistering of any member dismissed in a jurisdiction.
 - (b) Assess and evaluate the benefits and disadvantages, including whether the benefits claimed could be achieved without establishing a NPRS.
 - (c) Identify and evaluate:
 - (i) models of operation
 - (ii) legal requirements
 - (iii) resource requirements
 - (iv) governance, systems, structures and functions.
2. Membership of the Working Group
 - a. The Working Group shall comprise representatives from:
 - (i) South Australia Police
 - (ii) New South Wales Police Service
 - (iii) Australian Federal Police /
Australian Government Attorney-General's Department
 - (iv) A representative from any other jurisdiction(s)
 - (v) ANZPAA
 - (vi) Police Federation of Australia

**MCPEMP Senior Officers Group
Meeting 6 (September 2009)**

**National Police Registration Scheme Working Group
Terms of Reference**

- b. Persons with expertise in the field may be coopted as required.
- c. The Working Group will seek the endorsement of the SOG for key aspects of the work they are to undertake and will provide a final report to be considered by SOG.
- d. The following have observer status on the Working Group
 - (i) New Zealand Police Association
- e. ANZPAA will provide secretariat and research support for the Working Group as required.

The Executive decided that the President and CEO would represent the PFA on the Working Group which would also include the New Zealand Police Association.

This step marks the beginning of what could be a lengthy process of developing the kind of professional registration arrangement which will safeguard and enhance the police profession into the future.

National Industrial Issues:

The National IR System

This year saw the end of the former government's Work Choices regime and the introduction of the Rudd Government's new arrangements – through the *Fair Work Act 2009*.

It has necessitated monitoring of developments throughout the year in terms of legislation, and the process of Award Modernisation which has caused difficulties for the union movement. At the close of the reporting period a number of jurisdictions have indicated that they are to refer to the Commonwealth power over their private sector workforce, so that the private sector would be part of the national Fair Work regime. This is likely to be the case for all jurisdictions other than Western Australia.

Police working in State police forces continue to operate under State laws and awards or agreements, with the exception of Victoria which had previously referred its IR powers over State employees to the Commonwealth. In future years, other States may be persuaded to follow the Victorian approach, so the shape of the IR system or systems will continue to be a feature of the PFA's work program.

See further information in sub-committee reports.

National Deployment Issues:

Overseas Workers' Compensation

The PFA has been pursuing the PFA policy of having effective workers' compensation and rehabilitation legislation and arrangements in place for AFP officers, and seconded State and Territory police, serving on overseas deployments, particularly with the International Deployment Group.

The Rudd Government, in its pre-election policy commitment to the PFA, undertook to examine the feasibility of covering AFP officers under the *Military Rehabilitation and Compensation Act 2004* and ensuring equivalent benefits to those provided to the military.

The Minister for Veterans' Affairs, Alan Griffin MP announced in June 2009 the Terms of Reference for the Review of Military Compensation Arrangements. The issue of coverage for AFP officers was included as follows:

'Consider the suitability of access to military compensation schemes for members of the Australian Federal Police who have been deployed overseas

- Consider whether the current arrangement to develop an 'enhanced' scheme under the SRCA remains appropriate.
- Consider whether it is appropriate for members of the Australian Federal Police who have been deployed on high-risk overseas operations to have access to the MRCA.
- Consider whether it is appropriate to develop a standalone compensation scheme for members of the Australian Federal Police who have been deployed on high-risk overseas operations.'

The Review is expected to report to the Minister by 31 March 2010. The Review Steering Committee has been given the capacity to address priority issues in a timely way, and we have argued in our submission to the Review that this particular Term of Reference should be addressed at the outset and resolved quickly. We put this view because if the Steering Committee finds in March 2010 that the AFP should NOT be covered under the military scheme, we will have lost 12 months and not achieved effective coverage.

As to which of the three options for coverage of the AFP officers should be adopted, our submission argued strongly for a stand-alone scheme covering AFP officers on high risk overseas deployments.

Under this approach:

- The scheme can be tailored for AFP circumstances and needs;
- It can be modeled on the military scheme with comparable benefits, DVA administration, and with any necessary modifications;
- We avoid being a 'pimple on a pumpkin' on the military scheme with little regard for AFP needs;
- We overcome opposition from defence and veterans' organisations which do not support AFP coverage under the military scheme which from their point of view is a hard-won, exclusive arrangement.

It is pleasing to report that this year we have seen the beginning of action to address this longstanding matter of concern.

Superannuation and Taxation

During the reporting period the PFA made five submissions on superannuation and tax issues to various inquiries being undertaken by the Federal Government, most particularly:

- The Henry Review of the Taxation System;
- The Harmer Review of Retirement Incomes Policy; and, most recently,
- The Cooper Review of Superannuation governance, efficiency, structure and operation.

The key issues covered in those submissions were:

- Increasing the 9% level of compulsory employer superannuation contributions to 15% over a period of time;
- Extension of the Fringe Benefits Tax concession available to certain health and ambulance workers to police; and
- More flexible arrangements for the preservation age at which superannuation benefits can be accessed, so that police could access their superannuation from age 55.

The Cooper Review was precluded from considering lifting the 9% compulsory employer contribution but on the 21 August 2009 the new Minister for Financial Services, Superannuation and Corporate Law, Chris Bowen, in an interview with The Australian, called for a national debate on whether the compulsory superannuation level should be lifted from 9%. Previously the Henry Review had in an interim report said the 9% was adequate. The Minister is now suggesting that 'adequate' might not be 'good enough'.

Since the Government has re-opened this issue, we propose to make a further submission on this issue, again proposing an increase to 15%.

The three issues identified above are on-going issues for the PFA at least until the Henry Review on Tax reports in December 2009, the Cooper Review reports in mid-2010, and the Government decides what taxation and superannuation reforms it will support.

PFA Sub-Committees

Sub-Committee

- Professionalisation
- National Industrial Issues
- Member Services
- Policy
- National Deployment Issues
- Superannuation
- Occupational Health and Safety
- Industrial Planning Committee
- Womens' Advisory Committee

Chair/Sponsor

Vince Kelly
 Brian Rix
 Mike Dean/Russell Armstrong
 Vince Kelly
 Jon Hunt-Sharman
 Mark Carroll
 Mike Dean/Russell Armstrong
 Bob Pritchard
 Randolph Wierenga

The key issues pursued by the sub-committees are reported on below and in various other parts of this report.

Professionalisation

Professional Registration:

The issue of professional registration has been discussed earlier in this report.

APPSC/ANZPAA:

We have continued to meet as a member of, and provide our support to, the Australasian Police Professional Standards Council (APPSC). Following the APPSC meetings we have continued to be invited to meet with the Australia and New Zealand Police Advisory Agency (ANZPAA) when police profession matters are discussed.

We have also used the APPSC meeting to raise a range of broader policing issues with Commissioners that don't strictly fit into the professionalization debate.

The PFA supports the continuation of APPSC in its current form.

National Industrial Issues

In an earlier section of this report we reported on developments with Fair Work Australia.

In particular we continued to monitor the issue of Award Modernisation, particularly as it may apply to the Victoria, AFPA and NT Branches.

Australian Research Council (ARC) Grant Application with Giuseppe Carabetta (Sydney University):

In last year's Annual Report we reported on our continuing liaison and work with Sydney University Academic Giuseppe Carabetta, as well as the 2007 Federal Council resolution endorsing the PFA's support for Giuseppe's application for an ARC Grant. The title of Carabetta's proposed research was "*Employment and the Law in Australian policing: Options for the development of a new police industrial relations law model*".

We were advised during this reporting period that he had been unsuccessful in that Grant application. That was a disappointing outcome for Giuseppe, the PFA and police generally.

The study, we argued, had the potential to play a key role in informing future directions in police industrial relations (IR) law in Australia. Its findings would have had a number of concrete benefits including improved police IR law practices, greater certainty and stability in police IR laws, a greater degree of satisfaction on the part of those who participate in the police IR system, and a more secure foundation for operational policing. The study would also have assisted the Commonwealth and the States in deciding on the future role of State governments and their employees under the new national IR system.

The planned project had three central objectives:

- i. To critically examine and assess the nature, scope and effectiveness of the current police IR law arrangements in all Australian police jurisdictions, with a view to identifying common efficiency, equity and structural issues;
- ii. To identify principles that, with the benefit of a clear and secure foundation, would be capable of achieving a stable, integrated police IR law framework in Australia; and
- iii. To develop and propose options for an optimal police IR law model for Australia, within the framework of the Government's broader IR policy agenda.

In undertaking its activities, the project was also to consider:

(a) the potential legal and constitutional barriers of all Australia's police officers operating in a national, unitary system of industrial relations;

(b) the impact that such a system is likely to have on the command and control powers of police commissioners; and

(c) the impact that such a system will have on the various state and territory governments in relation to dealing with future police industrial issues.

As a result of being notified our application was unsuccessful we have agreed with Carabetta to resubmit the application. We understand that this new application may have the support of several other leading labour law academics as well.

Member Services

A meeting of Secretaries/CEOs was held during the year to look at a range of member benefit issues as well as the use of our economies of scale to get better deals when purchasing equipment for the PFA and its Branches.

As a result of that meeting it was agreed that we first embark on a process of identifying key items of equipment and stores that all Branches purchase throughout the year and attempt to negotiate attractive deals with suppliers. The issue of direct member benefits through programs was also discussed and remains on the agenda for further consideration.

UNISON telco deal

Since reporting in the last Annual Report, the NSW Branch has entered into a contract with the PFA and Unison to provide members with access to discounted rates for home and mobile phone as well as internet services. A number of other branches are now considering taking up the deal as their current contracts expire.

Policy

During the year the PFA continued to refine its policies and develop a PFA Policy Manual.

That Manual has now been broken down into two documents –

- Administration Policies
- General Policies
 - Professional issues
 - Industrial issues
 - OH&S

The PFA is endeavouring to develop national policies and get national agreement on as many key issues as possible.

National Deployment Issues

See above

Superannuation

See above

Occupational Health and Safety

The Rudd Government has also embarked on a process of harmonizing OH&S legislation across the Commonwealth and all States and Territories. The risk in this process is that the Workplace Relations Ministerial Council or individual jurisdictions may use harmonization as a chance to move to the lowest common denominator and/or cheapest in terms of OH&S obligations.

This process has therefore involved the PFA and the Sub-Committee in closely following developments, attending ACTU meetings to discuss emerging issues, and convening its own meetings to devise our strategy for dealing with issues of concern.

The key issue for the PFA is discussion in the Ministerial Council of a proposed exemption from liability for police employers in the case of certain police operations.

This concern arises from Recommendation 82 of the National Review into Model Occupational Health and Safety Laws.

That recommendation stated –

The model Act should define a “business or undertaking” in broad terms, but provide for the exemption of specific organisations or activities or specific types of organisations or activities in a Schedule to the model Act or in Regulations.

The Workplace Relations Ministerial Council (WRMC) responded –

Agree in principle, subject to qualifications outlined below.

*The definition should be robust enough so that exemptions are not required, or in very limited circumstances such as matters relating to national security, Australia's defence and **certain police operations**.*

There is no useful discussion in either review report as to what the “certain police operations” for which exemptions would be provided, would be. This is an issue of real concern to Australia’s police.

An Officer’s Oath of Office compels them, upon pain of criminal sanction, to put their lives at risk in the pursuit of policing services to the community: that is, the protection of life and property and the prevention of crime. Due to that Oath of Office, police officers should be afforded the utmost protection.

A National Survey of Police, conducted for the Police Federation of Australia (PFA) by Sydney University, showed that 45% of police officers surveyed disagreed with the statement “I am confident that I’m not going to get injured or sick as a result of my work” as opposed to only 18% of the wider Australian workforce who disagreed with the statement.

Policing involves the performance of what is often times very dangerous work in a highly fluid and rapidly changing environment, at locations as diverse as is the Australian community and landscape. Police officers are inevitably dependent upon a detailed and thorough risk management approach to the planning and delivery of every aspect of their work and to every police premises, item of plant or item of equipment they use at work. Everything they do is dependent on hazard identification and risk management: the levels of staffing within a particular command; the staffing and physical resources necessary for a particular planned operation; the selection of appropriate police appointments and personal protective equipment (such a firearms, bullet resistant vests, radio communication devices and the like), the selection and design of various police vehicles and premises, to name but a few examples.

The very nature of policing calls upon police officers to step into harm’s way to protect the Australian community. It is inherently risky and individual police are subject to strict lines of command and control. The safety of individual police is necessarily dependent upon the risk assessments and planning of the organisational hierarchy.

The general duty imposed upon employers under the Model Law, as recommended by the National Review as appropriate to the entirety of the Australian workforce, is to ensure the health, safety and welfare of workers arising from their business or undertaking, *so far as is reasonably practicable*.

We argued that the hardworking men and women of Australia’s police forces should have exactly the same rights and their “employer”, the Governments of the Commonwealth and the various States and Territories, should be subject to the same duties. In fact, where work is high risk then the employer owes a higher duty of care to their employee. The PFA has therefore opposed any exemptions which could reduce the OH&S obligations of police employers.

We are currently seeking clarification from the Deputy Prime Minister as to the circumstances in which she would consider it is ever appropriate for a Government to be released from its responsibility to ensure the health, safety and welfare of its police, so far as is reasonably practicable. I will make a submission on the Harmonised OH&S Exposure Draft.

The OH&S Sub-committee will continue its work on harmonization to protect the interests of our police.

Industrial Planning Committee (IPC)

The IPC has once again been a vitally important channel for jurisdictions to:

- compare notes on member remuneration, allowances, terms and conditions, rosters and trade-offs; and
- identify key issues to be addressed collectively or by individual jurisdictions.

It is particularly effective because its membership is the association/union industrial officers who are at the negotiating table when the actual bargaining takes place for Australia's 52,000 police officers. Sub-Committee members always report on any new enterprise bargaining agreement or award, which means innovations introduced in any one jurisdiction are shared across the country.

At each of the three meetings held during the year the CEO reported on the range of issues and policies being pursued by the PFA so that members have a comprehensive overview of national matters of interest.

A number of matters of national importance were considered including:

- impact of the Global Financial Crisis and State and Territory Budget cuts on police;
- the Fair Work Bill and Victoria's referral of power to the Commonwealth;
- the Award Modernisation process and its potential impact on police.

Many issues directly affecting frontline police were considered during the year, namely:

- length of shifts;
- single officer patrols;
- part-time work policies;
- the Police at Work Project;
- potential economies from national uniform and equipment initiatives and problems e.g. vests;
- OH&S and Workers' Compensation – step down provisions, arbitration of refused claims, management of psychological injuries and psychological wellbeing;
- Police dealing with community mental health problems;
- tasers;
- cross-border police patrols;
- a proposal for research into police deaths;
- the PFA Website – details of awards and agreements;
- Union coverage of AFP IDG members;
- DNA testing for crime elimination purposes and integrity testing; and
- Police uniform issues – comfort and safety issues.

It is evident from the length and breadth of the issues of relevance to the IPC, that this is a most useful PFA Sub-Committee which is of particular value to PFA Branches and their jurisdictions.

Women's Advisory Committee (WAC)



PFA WAC meeting with former Police Officer and Federal Minister for Ageing Justine Elliott in Parliament House in March 2009

The WAC had two two-day meetings this year, in March and October 2009, both of which were held in Canberra. Attendance from jurisdictions was consistently good.

At each meeting the WAC members provided up-to-date information and new initiatives from their jurisdictions on the regular agenda items, namely:

- The model working conditions matrix which identifies conditions particularly affecting police women;
- The women-friendly union matrix which identifies union arrangements that specifically encourage women's participation; and
- Women's participation rates in police unions.

WAC noted that Bernie Zimmerman had been nominated by the PFA Executive to the ACTU's Women's Committee.

In addition, the WAC focused on a number of important new policy issues affecting women police officers.

Survey of Part-Time Workers:

In last year's report we reported on the WAC's survey of part-time workers. Following a report to the PFA Executive a proposed PFA Policy on part-time work was referred to the PFA's Policy Sub-Committee and it has now been endorsed into the PFA Policy Framework.

The Report was also provided to the Minister for Home Affairs, Bob Debus MP who referred it to ANZPAA for further action.

The WAC decided to keep this matter as a standing item on its agenda.

Pay Equity Submission:

In last year's report we also reported on our submission to the House of Representatives Standing Committee on Employment and Workplace Relations Inquiry into Pay Equity and Female Workforce Participation. The WAC was instrumental in developing that submission.

As reported, the submission drew on early findings from the Police at Work report and the results of the Part-Time Work Survey. The pay inequity in police services mirrors that found in the wider workforce and, in the case of police, is probably due to the clustering of women's employment in certain areas of the forces and to interrupted careers due to child rearing responsibilities.

The CEO, Prue Burgan and Dianne Gayler gave evidence to the House of Representatives Committee in support of the submission. The Committee's inquiry is continuing.

WAC members agreed to present the pay equity submission and the part-time work report to the heads of their Police Force HR departments.

The WAC again decided to keep this matter as a standing item on its agenda.

Uniforms and Accoutrements:

WAC began consideration of difficulties with uniforms and belts and vests suitable for women police officers having regard to matters like body shape, weight, climate and comfort. Members compared equipment and accoutrement using samples and photographs.

WAC proposed that the PFA conduct research through its new Uniform and Equipment Standards Committee into the uniform and equipment issues with a view to developing a set of national standards.

This matter was reported to the Executive and referred to that Committee for action.

Child Care and Paid Maternity Leave:

The WAC strongly supported the ACTU campaign for paid maternity leave to be introduced by the Australian Government and members were encouraged to advocate in support amongst their fellow officers.

Options for improving access of police officers to child care services were discussed. The special difficulties police officers face in securing child care include long and unfriendly rostered hours of work.

The WAC plans to discuss these issues with the Federal Minister responsible for child care at its next meeting.

Uniforms and Equipment



Mark Butler MP, Mark Carroll (SA Branch President), Mark Burgess (PFA CEO), Vince Kelly (PFA President)

Following the formation of this sub-committee at the 2008 Federal Council it has been working on two key strategies –

- The development of an Advisory Council on police uniforms and equipment; and
- A strategy to support a collaborative purchasing model across police jurisdictions.

In support of both these concepts we wrote to and raised the matter with the Minister for Home Affairs and he referred the issue to ANZPAA. We also took the opportunity to raise the issues at both the ANZPAA Board meeting and the Commissioner's Conference seeking Commissioner's support for the proposal and we met with Mark Butler MP who was on the Federal Parliamentary Joint Committee of Public Accounts and Audit that was specifically tasked by the Federal Finance Minister to look at the issue of government procurement. Mr. Butler referred us to the Australian Procurement and Construction Council (APCC) who provided timely and worthwhile advice that we used in our presentations to Commissioners. At the time of writing this report we are not aware of how this issue has been progressed by ANZPAA.

Subsequently the sub-committee has formed a working group which has developed a draft framework document for the establishment of a "National Police Uniform and Equipment Advisory Council". This document will be presented to the 2009 Federal Council for endorsement.

Other activities in 2008 – 2009

Development of the Queensland Branch

We have continued to work closely with the Queensland Police Union who has indicated their desire to work with the PFA to establish a PFA Branch in Queensland.

We have developed a draft set of rules for the proposed Queensland Branch which we are using as the basis for discussion. The QPU have indicated to the PFA Executive that they are working towards having the rules completed in time for the QPU Annual Conference in March 2010.

Sydney University – Workplace Research Centre Study

We have continued to support both the Australia at Work and Police at Work projects through the Sydney University's Workplace Research Centre.

Australia at Work:

Australia at Work is a five year study of over 8,000 participants in the Australian labour- market which will assess the impacts of changes and their perceptions of working life.

Police at Work:

The Police at Work study is a supplementary piece of research to the Australia at Work project that tracks the working conditions of almost 1,000 police officers over a five year period. This research involves telephone interviews with police association members in New South Wales, the Australian Federal Police, Victoria and the Northern Territory. The study is representative of all police officers in these jurisdictions due to a high union density of around 98 per cent. Both the studies use similar research instruments enabling comparisons of police officers to the wider Australian workforce.

*Key Findings: The Second **Police at Work** Report*

The findings from Police at Work continue to add value to the debate around how to improve the working lives of police officers. Some key issues to come from the 2nd wave of the study include –

- Police officers are more likely to report increasing workloads than the wider Australian workforce. While the majority of officers are paid for working 'standard hours' (i.e. 35 to 40 hours), only half of officers work within these hours in a usual week;
- Work intensification and lack of control over working hours are issues for police officers across all the jurisdictions studied. Reports of work intensification is more common among police officers who also feel they aren't in control of their working hours;
- The proportion of police officers who feel they are at risk of workplace injury or illness has risen since 2007, with close to half of all officers in 2008 feeling at risk. Concerns about health and safety appear to be linked to particular working times (such as nights and weekends);
- When compared to the wider Australian workforce, police officers are more likely to report financial difficulties; with over two thirds of police officers in 2008 saying they are 'coping or finding it difficult to get by';
- Almost all police officers report having debts, such as credit cards and mortgages to pay, with around one in five officers not always paying their debts on time; and
- Women who are police officers are much less likely to have unpaid work obligations, such as caring and studying, compared to other Australian female employees. The study findings suggest that women may leave the police force when they start to have children.

During 2008 we were able to use the first survey results in a number of instances. In particular the outcomes were vital to our submission and appearance before the Federal Parliament's Standing Committee on Employment and Workplace Relations Inquiry into Pay Equity and Female Workforce Participation and in letters we wrote to the Deputy Prime Minister about OH&S concerns. The report was also used by several jurisdictions in negotiations with their respective police departments and governments over police officer's terms and conditions of employment. We anticipate that during 2010 the second report in particular will assist us in arguing nationally about appropriate Occupational Health and Safety coverage for police officers. I am also aware that a number of jurisdictions will use the outcomes in discussions about members' shifts, particularly shift rotations and shift lengths.

None of this would be possible without the ongoing support of our survey participants whose input is extremely valuable.

Northern Territory Emergency Response

The PFA was again heavily involved in discussions and submissions regarding the NT Emergency Response begun in 2007 under the former Government and continued, with various modifications, under the Rudd Government.

There have been a series of reviews of the NTER and consultations culminating in Federal Budget decisions and new 'Closing the Gap' initiatives to benefit Indigenous people and communities.

Federal Budget for Policing in NT Communities

In the 2009 -10 Federal Budget, the Government announced \$807.4 million over three years for measures started under the NT Emergency Response. That figure included \$156.6 million over three years to be provided to the NT Government to maintain the increased police numbers in the prescribed remote indigenous communities.

As a result, in 2009 -10 the AFP continues to provide up to 66 AFP officers to supplement NT Police resources and, from 2009 -10, the additional funds will enable the NT Government to expand its police force to take up that role in remote stations. The Australian Government is also funding construction of five permanent police stations and maintaining the ACC National Indigenous Child Abuse Task Force for one more year. By agreement, the NT Government is expanding opportunities for indigenous people, men and women, to join the Police Force.

The changes to the provision of extra police in remote communities via the NT Police Force are exactly what the PFA proposed to the Minister in several submissions we made on the NTER.

Macklin Discussion Paper

The Minister released a report on the Australian and NT Governments' response to the NTER Review which included material on law and order and policing.

In addition, the Minister released a Discussion Paper called Future Directions for the NTER. The paper proposed changes to the alcohol restrictions along the lines of the changes we suggested in several of our submissions.

The Discussion Paper also invited comment on the special powers of the Australian Crime Commission.

AG and Police Ministers' Roundtable and Conference: Indigenous Justice Issues

In line with the Government's overall theme of "Closing the Gap" on Indigenous disadvantage, the Standing Committee of Attorneys-General (SCAG) has begun to focus on Indigenous Justice, and how to "Close the Gap" in that area as well. SCAG and Police Ministers from all jurisdictions are convening a Roundtable and a Conference to map out changes and programs.

The President and CEO discussed the proposed Roundtable and Conference with the Minister for Home Affairs, Brendan O'Connor and he is open to ideas from the PFA about how to make these initiatives most effective.

These initiatives are likely to influence policing in Indigenous communities in all jurisdictions, not just the NT. As such, it is important that we seek to influence SCAG members and Police Ministers in positive directions which we favour and are likely to work.

We are preparing a submission to the Minister with suggestions focusing on:

- indigenous crime prevention strategies;
- positive community development initiatives that build esteem and hope;
- drug and alcohol reduction and treatment strategies;
- diversionary programs for young offenders and non-custodial alternatives to prison;
- programs to address recidivism; and
- mentoring programs for Indigenous young people.

During the reporting year, the PFA President, Vince Kelly, spoke at a number of forums including the biennial ACTU National Congress, the ASU delegates conference and the MUA NT delegates meeting on Indigenous policing issues highlighting issues of concern regarding remote area policing, the need to engender hope into Indigenous communities, and the 'pluses and minuses' of the NT emergency response.

National Police Memorial

The PFA continues to play a key role in being the liaison point between the wider police family and the National Police Memorial.

An enormous amount of work has taken place over the past twelve months to enhance the Honour Roll which can be found on the National Police Memorial website. Until now, the information in the entries in the Honour Roll was limited to that contained on the touchstones on the memorial wall. We have now added additional information such as dates of birth, circumstances of the deaths and in a large number of cases, photographs of the fallen members. As we are now finding, family members accessing the Honour Roll and making contact with us to provide more information, images and tributes to be added to the Honour Roll which will continue to be enhanced in the future by families.

The National Police Memorial website now also contains a gift shop in which members and the public are able to purchase items such as the National Police Memorial tie, scarf and lapel pin. All funds go straight back into the National Police Memorial account which will be used for future development of the website and Honour Roll.

National Police Service Medal

In December 2008 we were advised by Senator the Hon John Faulkner Special Minister of State and Cabinet Secretary that the Queen had given in principle support for the National Police Service Medal (NPSM). It was agreed that the operational date for the new medal would be 30 October 2008. During the almost 12 months since that announcement we have had ongoing discussions with government over the issue.

In August 2009 we provided the Government with our final submission on the issue. In that submission we concluded that all of the key issues had been resolved with the exception of the transitional arrangements from the National Medal to the National Police Service Medal.

NATIONAL POLICE SERVICE MEDAL (NPSM)



MEDAL DESIGN.

The medal is 38mm in diameter and is finished in cupro nickel with the Crown of the Sovereign located on the suspender bar. The obverse (front) of the medal features the Federation Star representing the Commonwealth of Australia. The Federation Star is located inside a circular chequered band, known as the Sillitoe Tartan, which is the internationally recognized symbol of Police Forces. The chequered band is unbroken and surrounds the star, signifying the unity and cooperation between each of the individual State, Federal and Territory Police Forces, which thereby join together as a shield to protect the entire Commonwealth. The reverse of the medal features the words 'FOR SERVICE AS AN AUSTRALIAN POLICE OFFICER' and two sprigs of golden wattle which is Australia's national floral emblem. A raised plinth is centrally located on the reverse for the recipient's details.

Medal Ribbon:

The medal ribbon draws inspiration from Police awards under both the Imperial and Australian Honors and Awards systems and is coloured blue, white and gold – the traditional colours signifying Police service and long service. On the outer edges of the ribbon are two red stripes which acknowledge the volatile and dangerous nature of police work and the requirement for Police to go out armed to protect the community. By the nature of their duties, Police face danger daily – and the two red stripes recognizes that they are in effect, always on 'active service'.

Clasp & Rosette:

The Clasp features the chequered pattern of the Sillitoe Tartan. In the centre of the Clasp is a miniature depiction of the medal. The Rosette consists of a miniature depiction of the medal.

Proposed Medal design in August 2009 submission

We argued in our submission that this issue would create a greater level of interest, review and potentially complaint if it is not progressed appropriately mindful of the existing landscape and the expectations of the police and wider community. The consistent position of the PFA in general terms has been that the NPSM should operate on the following basis:

- be awarded to all sworn members of Australia's federal, state or territory police agencies upon completion of 15 years *ethical and diligent service*;
- clasps should be awarded upon completion of a further 10 years *ethical and diligent service*;
- the medal should be awarded without prejudice to a previous award of the *National Medal*; and
- members who do not fulfill 15 years should be able to have that time added to any other eligible service to the award of the *National Medal*.

In discussions with government two opposing concepts or models for the transitional arrangements between the National Medal and the NPSM were initially discussed with a third option provided in the PFA's final submission. These were the:

- 'With Prejudice' model;
- 'Defence Precedent' model; and
- 'Alternate Commissioners' model.

The Department of Prime Minister and Cabinet's preferred option has consistently been –

- all sworn police attaining 15 years ethical police service on or after 30 October 2008 will be awarded the NPSM;
- those who have attained 15 years eligible service between 14 February 1975 and 29 October 2008 inclusive and who have been awarded the National Medal retain the *National Medal*;
- any police member who has been awarded the *National Medal* will be required to serve an additional 15 years ethical police service to be awarded the NPSM;
- any clasps already awarded for the *National Medal* would be surrendered; and
- those who do not fulfill 15 years police service to the NPSM would be able to have that time added to any other eligible service to the award of the *National Medal*.

In our comment to that proposal we argued –

- the model creates new rules which will be unique to the police award rather than applying existing practices;
- requires serving members currently with 15 or more years' service to serve for at least 30 years prior to receiving the NPSM; and
- the model does not take in to account previous transitional arrangements.

The PFA's proposed model, which was supported by Police Commissioners, was –

- all sworn police attaining 15 years ethical police service on or after 30 October 2008 will be awarded the NPSM alone;
- those who have attained 15 years eligible service between 14 February 1975 and 29 October 2008 inclusive who have been awarded the *National Medal* and are serving on or after 30 October 2008 will also be awarded the NPSM; and
- those who do not fulfill 15 years police service to the NPSM should be able to have that time added to any other eligible service to the award of the *National Medal*.

In support of our position we argued –

- ADF transition from National Medal to DFSA provides the only example of a transition from the *National Medal* to a replacement Australian award;
- ADF transition from *National Medal* to DFSA was on a without prejudice basis;
- ADF transition from Imperial awards to *National Medal* was on a without prejudice basis;
- ADF members currently receive two awards for 15 years service being the ADM and DLSP; and
- calculation of less than 15 years police service into *National Medal* meets the comments made in letter from Minister and also mirrors ADF entitlements under the current *National Medal*.

As earlier indicated, in an endeavor to reach an outcome in our discussions with government, we proffered an alternative proposal based on discussions with Queensland Commissioner Bob Atkinson. We called this option the Alternate Commissioner's Model which the PFA supported. It was –

- all sworn police serving as at 30 October 2008 who have or had a continuous or combined total of sworn service of 15 years prior to the 30 October 2008 will be awarded the NPSM;
- that any such officer who has died since 30 October 2008 will be eligible to receive the NPSM posthumously;
- that sworn police officers in any of the Australian Police Departments who have not been awarded the National Medal
 - a. continue to be also eligible for the National Medal as well as the NPSM; or
 - b. be only eligible for the National Medal in addition to the NPSM if such service is not police service
- that no officer who has received the *National Medal*/clasps be required to return the *National Medal*/clasp in order to receive the NPSM or be allowed to exchange the *National Medal* for the NPSM;
- that officers in option (b) above who have not received the *National Medal* are able to elect if they wish to receive the *National Medal* or NPSM;
- that officer's may continue to receive a clasp to the *National Medal* if they would not otherwise qualify for the NPSM;
- that eligibility for the first clasp to the NPSM for officers in option (b) commences on 30 October 2008;
- that if option (b) is adopted, officers completing 15 years service on or after the 30 October 2008 will only be eligible for the NPSM; and
- that an officer whose aggregate service for qualification for the *National Medal* is 15 years but is based on a mix of police service and some other eligible service can apply for the *National Medal* in circumstance where they will not complete the 15 years policing service required for the NPSM.

The PFA supported this option as it maintained the status of the National Medal in the honours system by retaining police as awardees.

At the time of writing this report the resolution of the issue is still outstanding.

Conspicuous Service Medal

Consistent with the issue raised in the 'matters for ongoing dialogue'– 'recognition through national and international medals'– section of our 2007 pre-election document "*Law and Order in Australia: Policies for the Future*", we wrote to the Prime Minister proposing the establishment of a tranche of complimentary awards within the Australian Honours System that would recognise outstanding meritorious service by members of Australian Police Forces and other Emergency Service workers.

Currently the Honours system recognises non-warlike actions in the Australian Defence Force (ADF) with Conspicuous Service decorations however there is no award to recognise acts by police, fire, ambulance and like response and recovery agencies. Current awards available to individuals within these agencies are restricted by quota, require a career of such service over some years, or require an act of bravery. Nor is there any scope to recognise collective or 'group' conduct or acts, other than for acts of bravery.

The Imperial Honours system used by the Australian Government until 1975 had provision to recognise such acts. Overseas, the Canadian system has specific awards in this class of endeavour and the New Zealand system has provision to also recognise such feats. The Australian system unfortunately has not kept pace with its contemporaries providing for a similar class of recognition.

The letter was written just after the Victorian Bush Fire Emergency and noted that in that disaster there were likely a number of events and acts of individuals that were worthy of recognition but that may not qualify for recognition under the Australian Bravery Decorations. We also pointed out that there have been other events in the recent past in which many Australians have distinguished themselves but not been able to be recognised formally by the honours system. They included Cyclone Larry Queensland 2006, the Indian Ocean Tsunami 2004, the Canberra Bush Fires 2003, and the Bali Bombings 2002. We provided a number of tangible examples during these events.

We also suggested that there are no doubt other examples of outstanding service which are worthy of particular recognition that do not happen during the course of such large scale events. A significant contribution to a community-based programme is a simple example. Indeed, during many of these events, the military have been able to utilise the conspicuous service decorations to recognise members of its services for their actions, working alongside members of other organisations that cannot be recognised in such a manner because the awards simply don't exist for civilians.

For police, the current awards system only recognises long standing contributions on a restricted basis dependent upon the size of their organisation under a quota system. And such recognition, unlike the military conspicuous service awards, can only be awarded once.

We proposed the creation of a suite of awards for Police and other Emergency Services workers that may also be made available to members of the wider community. We argued that these awards should be similar to the ADF Conspicuous Service Awards and consistent with such a proposal we suggested that the awards should consist of a Cross, Medal, Commendation and Group awards in line with the current suite of awards in recognition of bravery.

The Government's response whilst not being fully supportive of our proposal we believe has left the door open for ongoing dialogue on this important issue. We have taken the position at this time that it is best to endeavour to finalise the National Police Service Medal before re-embarking on a process of lobbying for the introduction of Conspicuous Service Awards for police and other emergency service workers.

International Council of Police Representative Associations (ICPRA)



Delegates at the 2008 ICPRA Conference held in New Zealand

The PFA has continued to be affiliated with the ICPRA with CEO Mark Burgess serving on the Executive Committee and New Zealand Police Association President Greg O'Connor serving as President. The ICPRA last met in New Zealand in October 2008 and the next meeting is scheduled for May 2010 in Denmark.

Key issues being pursued through the Executive Committee and at the 2010 meeting include –

- Developing a relationship with the Police Division of the United Nations Department of Peacekeeping Operations to ensure that our members' health, safety and welfare is appropriately catered for whilst serving on UN operations;
- Possible affiliation with the International Labour Organisation;
- Assisting the development of Police Unions in developing countries;
- Organised Crime issues;
- Current Global Financial Crisis and its impact on police;
- Developing a set of ICPRA rules and incorporating the organisation; and
- Developing a Communications Plan and producing a regular E Newsletter.
(The News- letter is currently being produced by the PFA on behalf of the ICPRA.)



International Council of Police Representative Associations

E-Newsletter

Issue No. 1

May 2009

Future Events:

**Police Federation of
England and Wales
Annual Conference**
12-14 May 2009
Bournemouth, UK

**Canadian Police
Association
Annual General Meeting**
3-5 September 2009
Toronto, Ontario

**New Zealand Police
Association Annual
Conference**
14-16 October 2009
Wellington, New Zealand

**Police Federation of
Australia Annual
Conference**
16-17 November 2009
Canberra, Australia

ICPRA Biennial Conference
26-28 May 2010
Copenhagen, Denmark

In this issue:

"Loyalists Should Disarm Now"

Terry Spence, Chairman of Police Federation For Northern Ireland

ICPRA Joint Project with Royal Swaziland Police

Greg O'Connor, President, New Zealand Police Association

The "Lithuanian Trade Union of Constables and Police Employees" fights against the government.

Claus Redder Madsen, the Police Union in Denmark

Police Labour Relations in Swaziland – a Trade Union View

Khanyakwezwe Mhlanga, Secretary General, Swaziland Police Union

ICPRA Presentation to Royal Swaziland Police

Joe Grant, General Secretary, Scottish Police Federation

Australian Government Audit of Police Capabilities

Mark Burgess, Chief Executive Officer, Police Federation of Australia

The Impact of Migration on Quality Public Services

Bernard Machakela, Manager: Communication, South African Police Union

Government Promise of at Least 2,500 More Front-line Police Officers

Dale Kinnear, Director of Labour Services, Canadian Police Association

US Attorney General Addresses Police Union Leaders at Harvard

"A Committed Response to Murder"

Alan Burnside, Police Federation of Northern Ireland

New Zealand's Policing Act 2008: Will the global recession put workforce modernisation to the test?

Luke McMahon, New Zealand Police Association Communications Manager-
Strategic Adviser

Proposed Charter of Human Rights in Australia

Mark Burgess, Chief Executive Officer, Police Federation of Australia

Current members of the ICPRA are –

- South Africa Police Union
- Portuguese National Police Union
- Association of Garda Sergeants and Inspectors (Ireland)
- Police Federation of England and Wales
- Police Federation for Northern Ireland
- New Zealand Police Association
- Scottish Police Federation
- Garda Representative Association (Ireland)
- Police and Prisons Civil Rights Union (POPCRU)
- Police Federation of Australia
- Fraternal Order of Police (US)
- Canadian Police Association
- EuroCop – European Confederation of Police
- Police Union of Denmark
- British Transport Police Federation
- Cook Islands Police Association

This group represents in excess of 1.5 million police officers.

Human Rights Consultation

The Australian Government appointed a panel headed by Father Frank Brennan to conduct a national consultation about human rights in Australia, and whether new human rights protections should be introduced.

On 20 May 2009, the PFA made a submission to the National Human Rights Consultation. Our submission received page 2 coverage in *The Australian*.

The Police Federation of Australia (PFA), representing Australia's 52,000 police officers, has a substantial interest in any proposal to introduce specific Commonwealth human rights legislation which would operate alongside existing Commonwealth, State and Territory laws. That substantial interest stems from police being responsible for law enforcement and community safety in each jurisdiction in Australia.

The Terms of Reference for the consultation required that 'the options identified should preserve the sovereignty of the Parliament and not include a constitutionally entrenched bill of rights'.

Rights charter opens police to 'legal risks'

Paul Maley

22.5.09
AUST



Brennan

A CHARTER of rights could involve a wholesale reinterpretation of existing criminal law and expose police officers to new legal risks.

Australia's peak police association, the Police Federation of Australia, has spoken out against the push to adopt a federal charter of rights, arguing that existing safeguards are more than adequate.

In its submission to the national charter of rights consultation process, the federation said a charter could create fresh legal uncertainty.

It argued that an enunciation of individual rights could clash with provisions in existing laws, leaving courts, rather than parliaments, with the job of determining whose rights should hold sway. "For example, coercive powers in national security laws requiring alleged suspects to answer police questions may be found to be incompatible with the right to silence or privacy," the federation said.

"It is not clear that the community would prefer an alleged criminal or corrupt official's right to silence to take precedence over protection of the community."

The validity of existing laws could also be subject to challenge, the federation said.

"The most concerning aspect of an overarching human rights act against which other existing legislation must be judged is that it means existing laws will on occasions need to be reinterpreted," the federation said.

In December, the federal Government appointed a four-person panel headed by Jesuit intellectual Frank Brennan to begin a six-month community consultation process on how best to protect and promote

rights. The Government has rejected adopting a bill of rights — a constitutional amendment that enshrines rights.

But it has held open the possibility of adopting a model similar to the one in force in Victoria and the ACT. Victoria's charter of rights is an act of parliament that enshrines certain freedoms, rights and responsibilities.

Laws passed by parliament must be accompanied by a "statement of compatibility" to ensure they do not conflict with the principles set down in the charter. Government departments are similarly bound.

The federation said courts could also claim a new role in "reading down" existing legislation to ensure its compatibility with a rights charter. "It is this 'reading down' by unelected judges that is of major concern to the PFA," the federation said.

"We believe that striking the delicate balance between competing rights and responsibilities is something that should be the responsibility of democratically elected members of our parliaments, not judges."

University of New South Wales professor of law and charter advocate George Williams played down the federation's concerns. He said a charter would probably have an impact on the powers available to police only in cases where those powers were vague or ambiguously worded.

Nor was it likely to affect police on the beat. "It doesn't work at that level, where you deal with individual police officers," Professor Williams said.

Therefore, the PFA assumed that, at most, what might be developed is specific Commonwealth human rights legislation to operate alongside existing Commonwealth and State laws.

Regrettably, the *National Human Rights Consultation Background Paper*, 2008 provided very little guidance as to:

- what such Commonwealth human rights legislation might look like and what rights would be protected;
- how it might operate;
- what powers and responsibilities might fall to the Executive, the Parliament and the Judiciary; and
- what effect the scheme might have on public officials such as police officers.

Much of the public debate proceeded on the assumption that Australia does not presently have much in the way of human rights protections. On the contrary, in fact our constitution, statute law, ratified international law, and common law, variously at Commonwealth, State and Territory levels, include a range of vitally important human rights protections. These have been developed and evolved over the course of more than a hundred years. The result is that we have a reasonably well developed and widely understood body of law which has had the benefit of decades of refinement and enhancement by our Parliaments and statutory interpretation by our courts at various levels.

The PFA submission expressed our strong support for these human rights protections.

We noted that police officers do not share all of these rights because legislation governing police put in place various scrutiny and accountability mechanisms as a counter-balance to police powers that are in place to protect the public interest.

In many instances, the human rights we have are qualified or limited in varying degrees by other laws (and by statutory interpretations by the courts) in ways which balance those rights with the protections needed by society as a whole such as the need to protect national security, maintain law and order and protect public health. In other words, few of the human rights are absolute or unqualified.

Given the long established need to strike a delicate balance between the need to protect individual human rights and the need to protect the interests of society as a whole, we expressed our preliminary view that it would be unwise to comprehensively legislate for a tranche of human rights which might over-ride the societal interests protected by our laws.

The most concerning aspect of an overarching Human Rights Act against which other existing legislation must be judged is that it means existing laws will on occasions need to be re-interpreted. This re-interpretation changes the meaning and application of existing laws in ways that we cannot know in advance (that is when a Human Rights Act is enacted). So legislation passed by our Parliaments with meaning debated, known and possibly interpreted by the courts potentially has a new and more limited meaning necessitated by the new human rights protections.

The result of this approach is that:

- the meaning of existing law can change, for example by reducing protections for society as a whole in order to enhance individual rights; or
- the pre-existing law will be declared incompatible and may need to be re-visited and revised by the executive and the legislature.

The end result of this process of re-interpretation of statute law in the light of new human rights law is that judges will be re-writing legislation. In effect, the new Human Rights Act becomes a 'super Act' over-riding and potentially changing existing laws without any Government or Parliamentary process or scrutiny.

It is this 'reading down' by un-elected judges that is of major concern to the PFA. We believe that striking the delicate balance between competing rights and responsibilities is something that should be the responsibility of democratically elected members of our Parliaments, not judges.

Of particular concern to the Police Federation of Australia, and our members, is the potential of a human rights Act to interfere with protections provided under existing Commonwealth, State and Territory laws for officers undertaking their duties.

In various jurisdictions, numerous statutes exclude police officers from liability they might otherwise face in the course of carrying out their duties lawfully. Police officers are faced with situations on a daily basis where, in upholding the law, they could be said to be infringing on the human rights of citizens.

Conclusion

The PFA summarised its preliminary view as follows:

1. By and large human rights are well protected in Australia by our strong democratic institutions, legal system, culture, supported by police services upholding law and order. The PFA strongly supports Australia's current system of human rights protections;
2. To the extent that any additional specific human rights need to be developed and protected, the government and the Parliament should proceed in an evolutionary way to enact specific legislation as they have done recently with privacy protection and the rights of same-sex couples not to be discriminated against;
3. It would be unwise to empower the nation's courts and judges to re-interpret or re-write existing laws in a manner consistent with human rights laws and thus enable a 'reading down' of other Australian laws;
4. Any further development of proposals for a comprehensive human rights law should set out the implications of such an approach, particularly for pre-existing laws, and the advantages and disadvantages of this course of action.
5. Any proposed Commonwealth Human Rights Act would need to include provisions to ensure that protections provided for police undertaking their lawful duties are safeguarded, including protection against liability for breach of human rights in the course of undertaking their lawful duties.
6. To further enhance human rights protections in Australia it would be preferable to strengthen the scrutiny of human rights by the Parliament and the Standing Committee for the Scrutiny of Bills.

Tasers

As we reported in the 2007-08 Annual Report, the PFA has developed and continued to update a *Taser: Frequently Asked Questions* fact sheet to provide Branches with up-to-date Taser information. The document has also been provided to all police departments for their use.

Since the PFA developed a coordinated national approach on Tasers, through our document, we have been in a far better position to deal with the frequent media inquiries about Taser use, and alleged misuse and over-use, which have arisen repeatedly in a number of jurisdictions. This process has ensured that we have a like message when PFA Presidents and our spokespeople speak on such a high profile and emotive issue. It also ensures that the public can have greater confidence that our position is well thought out, warranted and consistent.

We wrote to the Chair of the Senior Officer's Group (SOG) (Police Commissioners and other senior government officials) requesting that they place the issue of Tasers on their agenda and seeking that they invite us to make a presentation to SOG in an endeavour to encourage them to take a leadership role on the issue of Tasers and develop a national policy on their use.

We argued in our correspondence that the PFA is **NOT** suggesting that a national policy on Tasers would mandate the introduction of Tasers in jurisdictions where they are not in use, but rather that the policy would set out agreed policy and guidelines on Taser use.

We argued that it is not in the interests of police forces around the country to have different policies, practices and cultures of use with Tasers given that the public interest and media coverage associated with their use is national, and indeed, international.

We are currently awaiting a response to our proposal.

PFA E-News

Over the past 12 months we have produced four E-Newsletters which have been distributed widely amongst PFA Executive, Womens' Advisory Committee, Industrial Planning Committee and other branch executive and staff members.

**Police Federation of Australia**



No. 4 / 2009

E-News

In this issue ...

Upcoming PFA Events:

- OH&S Sub-Committee**
– Tues 28 July (10am) – Sydney
- Industrial Planning Committee**
– Tues 28 (2pm) & Wed 29 July – Sydney
- PFA Executive**
– Mon 7 & Tue 8 Sept – Canberra
- Womens' Advisory Committee**
– Mon 26 & Tues 27 October – Canberra
- Federal Council**
– Mon 16 & Tues 17 November – Canberra
- Industrial Planning Committee**
– Mon 7 & Tues 8 December – Canberra

- Proposed National Police Registration Scheme – Presentation to Ministerial Council (Police Ministers)
- New Federal Government Minister for Home Affairs
- Serious & Organised Crime – Unexplained Wealth
- Speech to Human Rights Debate
- Report on Executive Meeting
- Report from NT Police Commissioner about formaldehyde in shipping containers
- Workers' Compensation – PFA Submission to the Review of Military Compensation
- Superannuation – PFA Submission
- Police Numbers – Australian Federal Police Recruitment
- Key Issues Polling
- Tasers
- ACTU
 - ACTU Welcomes New IR System
 - Organising, Education and Campaign Centre – 2009 Courses
- 2009 Income Tax Returns by Members

This newsletter and its contents are not for public distribution. E-News has been written specifically for the PFA Executive, Branch Secretaries, Industrial Planning and Womens' Advisory Committees and distribution should be kept within your organisation.

July 2009www.pfa.org.auPage 1

Conclusion

Once again the 2008-09 year has been very busy. The second year of a newly elected government has provided us with many opportunities to put our issues on the agendas of both the Government and the Opposition.



PFA Executive meeting with Prime Minister in February 2009

At our February Executive meeting we met separately with both the Prime Minister Kevin Rudd and the Leader of the Opposition Malcolm Turnbull, an opportunity very few organizations could boast. Both men were very receptive to the issues we raised. This is a continued example of the ability of the PFA to reach the highest levels of Government.

Next year will be a federal election year. Already we have commenced work on our 2010 pre- election document and the content will be discussed at length at this years' Federal Council Meeting. We will also take the opportunity later this month to provide a progress report to the Government on their 2007 pre-election commitments on the 2nd anniversary of their election.

Our success would not be possible without our dedicated staff. Debbie Martiniello and Dianne Gayler provide immeasurable support both to me and the whole Executive. The quality of our submissions and the professionalism with which the PFA conducts its business is in large part attributable to their work ethic and their professionalism.

I also take this opportunity to thank President Vince Kelly for his untiring support and commitment. Likewise the rest of the Executive and their Branch staff ensure that the PFA, although small in staff numbers, has a large pool of professional support to call on when required.

Many challenges confront us. The continued national drive in IR, OH&S and Workers' Compensation will be but a few. However, as the President has pointed out in his Report, our cohesion and national focus sees us better placed than all others to meet those challenges. Our logo, **"The National Voice of Policing"** is well deserved. There was no better example than when we took our National Framework for Police Professional Registration to the Ministerial Council. When every President walked into the room united, Minister's had no option but to support our recommendation for a Working Group to investigate the issue. There will no doubt be many similar issues in the years to come.

As I indicated last year, the pace of change is not slowing, it is only gathering momentum. The PFA on behalf of its 52,000 members is well placed to meet the challenges thanks to its dedicated officials and officers at the state, territory and federal level.

Mark Burgess

Chief Executive Officer

AFFILIATES' REPORTS

NEW SOUTH WALES

The Branch has been involved in a large number of issues over the past 12 months including the retention of the state Industrial Relations System and assisting the ACTU and Unions NSW in their campaign to protect occupational Health and Safety Laws.



Bob Pritchard (President NSW)

However, the most significant issue dealt with has been the 2009 Salary Negotiations. These were undertaken in the midst of the Global Financial Crisis and with a State Government determined to impose on Police Officers a public sector wages policy that provided funding for 2.5% pa salary increases and any additional increases coming from "Salary Related Savings". We were the last public sector group in the wage round with salary increases achieved by others in the order of 4% per annum for three year agreements.

In order to achieve these increases the Government demanded a range of draconian trade offs of critical conditions such as the Workers Compensation Top Up Payment and Shift Allowances. In addition our Death and Disability Scheme, established in 2005, was under considerable threat in terms of proposals for both an increase in member contributions and reductions in benefits. This had the effect of galvanizing the membership in a way never before seen and the campaign shifted from a pay deal to one where we were determined to protect our member's entitlements.

Our claim had been structured following a comprehensive consultative process involving member surveys and focus groups, forums of Branch officials as well as Delegates to our May 2008 Biennial Conference. This involvement of the membership was critical as they had considerable buy in to the claim and were especially angry at the approach taken by the Government.

The Branch had also determined to adopt a progressive communications strategy by the commissioning of a web site www.keepourcops.org.au and asking members and supporters to sign on to the site in that way commit themselves to the campaign. This also allowed us use on line video, email and text messaging to keep members fully informed **directly** throughout the campaign. In past negotiations there has always been the difficulty of getting **our** message and information out to the membership as well as the public. This medium removed that problem and ensured our communications were not limited or filtered by the mass media.

The Keep Our Cops website was an overwhelming success, not just in terms of keeping police across the state informed, but also in the way it helped us engage supporters – members of the public so appreciative of the hard work the men and women in blue do that they were willing to become involved. It also proved to be a vital tool in letting our politicians know that police and members of the public across the state were not happy with what they originally put on the table, and that there was no way we were going to stand for it.

The campaign was launched in December 2008 and within days we had thousands of people signed up. Then, as we needed to apply pressure on the government, we introduced the online actions – petitions, email your MP actions and competitions. Here's an overview of a few of the key statistics:

- we put out about 20 video messages throughout the campaign;
- on the day that the Branch Executive met to discuss the government's offer, we were able to make a video explaining the contents of the offer and outlining the next steps. Even though it ran for a long seven minutes, over 2,000 people watched that video over the following weekend.;
- over 43,000 people visited the site at least once;

- over 19,000 people signed up to receive our regular email updates. Those people received about 40 emails throughout the campaign, keeping them informed of the latest news as it happened; and
- about 20,500 people completed the online actions. From the petition to keep our Death and Disability entitlements, to emailing their local MP to ask them to support the campaign, the Premier and his staff could not help but notice his inbox filling up with emails from people all over NSW asking him to give police a fair go.

In addition to the online actions Branch members were very active in lobbying their local politicians - delegations visited MPs across the state, asking them whether or not they support NSW police. As a result of the emails from the community, and the personal visits from police, over 50 MPs signed up as supporters of the campaign. A number of Government backbenchers even broke ranks with their party to voice their support for police.

Keep Our Cops bumper stickers were attached to the backs of cars and signs all over the state. We ran a competition on the website to find the most creative bumper sticker placement – and discovered that we had supporters as far a field as Greece and Singapore.

The Branch was forced into taking workplace action to progress the claim. For a total of four weeks, officers used their discretion in issuing fines to people for a range of minor offences, including traffic matters, as well as criminal, rail and boating infringements. It was estimated that this action cost the Government more than \$8 million dollars in revenue.

A series of mass meetings around the state generated considerable interest in the media. In addition we engaged in some limited paid radio adds with a message about the government trying to strip our entitlements and we had news story after news story supporting our campaign.

Despite all this action it was clear that the Government was determined to continue with their proposals to strip police of their critical entitlements. The Branch was left with no alternative but to call a mass meeting outside Parliament House the day Parliament was to resume for its Spring sittings. Then, with just days until more than 5000 police and supporters were expected to turn out to the rally, the State Government cracked and finally came to the table with an offer the Branch Executive believed merited membership consideration.

Ultimately the membership voted overwhelmingly by 83% to accept the offer which protects critical entitlements and provides for pay rises of 4% per annum over 2 years. This first 4% pay rise is backdated to 1 July 2009. Critically the offer also proposes no changes to the Death and Disability Scheme for at least 2 years. There are also some important improvements to working conditions such as increasing the minimum break between shifts from 8 to 10 hours, the introduction of a capacity to purchase additional annual leave and take Career Breaks. Some changes to Transfer Compensation and Travelling Allowances have been agreed however these are better outcomes than apply to other public sector workers.

This has been the most significant campaign the Branch has been engaged in and unarguably the most difficult. The member involvement and support has been critical and will stand the Branch in good stead in future negotiations. Importantly the next wage round will be conducted at about the time of the next state election providing a strategic advantage to seek commitments from both sides of politics.

Bob Pritchard

President

AFFILIATES' REPORTS

VICTORIA

Branch President's 2009 annual report



Brian Rix (President VIC)

The Victoria Police Branch of the Police Federation of Australia is the organisation through which we deal with industrial issues and matters of national importance for our members and police officers in other Australian police jurisdictions.

Preparations for EB 2011 are well underway. It is important for us to achieve a result in our negotiations around EB 2011 to properly recognise increasing levels of accountability and stress for our members working in an under-resourced environment. Our members should be amply rewarded by the government and the Victoria police force in EB 2011 for the work they do keeping Victorians safe. The first steps in negotiating an EB 2011 outcome commenced on 29 January 2009, with an extensive series of workplace meetings beginning with our members attached to Melbourne west police station and workplaces throughout the Victoria police centre. Those workplace meetings continued throughout the months of February, March and April culminating in us conducting further research in developing the log of claims, using member feedback as a basis for this work.

In March 2009, the government announced that it had revised its public sector pay policy, reducing it from 3.25% per annum to 2.5% with scope only for productivity increases beyond this level. The branch has held a long standing view that it is impossible to create productivity increases within the policing sector. It is unethical to expect our members to contribute to productivity increases by way of the issue of increased penalty notices, for example, simply to meet the government's bottom line. Policing has already been cut to the bone by the current state government and an expectation that productivity increases exist in policing is a further indication that this government is out of touch with what is happening within our profession.

We intend to undertake further workplace visits towards the end of this year to further assist us in ensuring that the preparation of the log of claims is in accordance with member expectations. It is expected that the March 2010 delegates' conference will endorse a draft log of claims with the executive ratifying the log of claims at its April 2010 meeting. As is always the case, a general meeting of members will be held to endorse the EB 2011 log of claims to meet our longstanding commitment to members that we will include them at every step of the way in ensuring that the EB 2011 outcome reflects their expectations. We will commence formal negotiations with the Victoria police force on the EB 2011 log of claims in December 2010.

There has been much disputation around the EB 2006 'excessive hours' outcome for our members on commuted overtime. In July 2008, the Australian industrial relations commission handed down a decision supporting the police association's view, that the 'excessive hours' penalty for members should be 120% of the base hourly rate. In a clear backlash to its employees, the Victoria police force appealed this decision, as a result of which the Australian industrial relations commission determined the penalty should be just 50% of the base hourly rate. It has long been the case that many senior representatives of the Victoria police force have interpreted commuted overtime as being an excuse to recall members to duty and to require them to work unreasonably excessive hours without proper remuneration, which in our view, is a clear case of exploitation of our members on commuted overtime. There continue to be inconsistencies applied by the employer to the definition of 'excessive hours' and the manner in which it is applied. The 'excessive hours' penalty was, in our opinion, a practical method to limit the hours worked by members, with

significant penalty provisions providing a disincentive to the employer to require our members to perform non-urgent tasks, simply on the basis that they are in receipt of commuted overtime. We are disappointed that this matter was appealed. It continues to cause confusion and disaffection in many workplaces.

A key component of EB 2006 was an expansion of the career structure and range of duties of protective services officers. It is testament to the work undertaken by the police association and the Victoria police force that has brought some very worthwhile initiatives to reality. Our PSO members are, of course, the primary beneficiaries of this work. This effort has culminated in a new and improved career structure for all PSOs, introduces in-situ progression, creates a new supervisory rank, provides access to additional incremental progression, provides salary increases through translation to the new structure in-situ, introduces new increments and expands the range of duties our PSO members can perform, which will of course, provide them with greater job variety. We are continuing our work in holding the state government to account in fulfilling its commitment to allow our PSO members into the defined benefits superannuation scheme. This has been a needlessly long and arduous path due to the state government continuing to delay the introduction of having our PSO members on their proper superannuation entitlements. The work around the PSO career structure culminated in a celebration held at the police academy on Sunday 1 February 2009, at which our PSO members were presented with new insignias.

The issue of policing at Melbourne Airport continues to be a concern for our members temporarily attached to the Australian Federal Police (AFP) to perform security work that ought to be undertaken by the AFP, without recourse to stripping state policing organisations of already scant resources. Whilst the Australian Government has met the necessary funding arrangements to ensure that additional police are recruited to replace our members temporarily attached to Melbourne Airport, the fact remains that experienced members are being taken from the front line to perform duties at Melbourne Airport which ought to be undertaken by their federal counterparts. The Police Association, the Victoria Police Force and the Australian Federal Police have been working through a number of issues, including a failure to pay our members allowances in line with the Australian Federal Police workplace agreement. Uncertainty in terms of the return of members performing airport duties to Victoria Police Force and concern regarding emergency services super contributions, have been successfully worked through, although further work remains to be undertaken to ensure that the rights and entitlements of our members are properly enshrined. The morale lowering confusion around rights and entitlements at work on the part of our members seconded to the Australian Federal Police to work at Melbourne Airport could have been avoided. The then federal government engaged in a knee jerk reaction to deploy state police at federal airports as a result of terrorist activities occurring overseas without engaging in proper consultation with the relevant stakeholders.

There has been much work undertaken on the development of a professional registration model for Australian police officers that has been managed by the Police Federation of Australia, with the assistance of a professionalisation sub-committee reporting to the PFA executive. At the centre of the push for registration is that police professionals should own the profession, not state governments and not police commissioners. It is our view, that police officers should have a registration system that will enable us to have our professional status properly recognised and ensure that those professional standards are met and maintained. Representatives of the PFA had an opportunity to put the case for a national registration model to the Ministerial Council for Police and Emergency Management on Friday 19 June 2009. The PFA intends to continue its push to have the professional status of police officers throughout Australia properly recognised.

Finally, the Branch was very pleased to host the PFA Federal Council delegates' meeting held in Melbourne between the 12 and 14 November 2008. The national agenda included the professionalisation of policing and dealing with the creation of harmonised laws with regard to outlaw motorcycle gangs. The council meeting also heard from the Commonwealth Minister for Home Affairs, the Hon. Bob Debus MP, the Opposition Shadow Spokesperson for Justice and Customs, Ms Sussan Ley MP, as well as the ACTU Secretary, Geoff Lawrence. The Police Federation of Australia is the peak police union body in Australia. It has much work to do on a national level to continue to improve rights and entitlements around national issues, particularly relating to superannuation and other federal government responsibilities.

Brian Rix

President

AFFILIATES' REPORTS

WESTERN AUSTRALIA

Union's excellent progress on legislation, wages, conditions – but continuing action required.

July 1st 2009 saw the departure of long-standing WA President Michael Dean who after 13 years decided to retire. His achievements over this period have paved the way for a strong Union in Western Australia. I was elected by the Board of Directors to the position of General President of the WA Police Union and commenced in that role on 1 July 2009 after the past 15 years in an executive position with the Union. I have two new executive members - Denis Hayden, General Vice President and Jon Groves, Vice President - while Merv Lockhart remains as Treasurer.

In the period under review, the WA Police Union has recorded excellent progress across the board – legislation, wages, and conditions – with perhaps the standout achievement being the introduction in September of mandatory sentencing for assaults on police officers.

Concurrently with the vigorous Union campaign for mandatory sentencing, the organisation also achieved an excellent wages outcome for the two-year period from 1 July 2009.



*Russell Lee Armstrong
(President WA)*

Mandatory Sentencing

With the number of assaults on police increasing, the introduction of mandatory sentencing for assaults on officers has been a major Union achievement. While the Liberal-Nationals Government had committed itself to mandatory imprisonment legislation for all serious assaults on police, the matter had to be progressed in an environment where some sections of the community, including some defence lawyers, expressed strong opposition to the measure.

A major impetus for mandatory sentencing occurred early in 2009 with the outrage and disgust at the District Court not guilty verdict over the assault of Constable Matt Butcher at Joondalup. Police officers were incensed at what occurred and felt abandoned by the justice system which, in the Matt Butcher instance, produced what many people saw as a travesty of justice.

While mandatory sentencing would not have changed anything in relation to Const Butcher's assault, this legislation now should have a significant deterrent effect given all the assaults on police every year which go unpunished despite guilty verdicts being recorded.

The need for this legislation is seen in the 19 per cent increase in reported assaults on police officers in the past three years. Such attacks take an emotional and physical toll on police whose job it is to enforce the law and protect the public in dangerous situations.

The long-awaited legislation took effect from midnight on 21 September. Both the Government and the Labor Opposition are to be congratulated on its passage through Parliament and the Union is particularly grateful for the huge community support it received at our mandatory sentencing rally at Parliament House on 17 March. This rally, attended by several thousand people and members, was the culmination of a major media and political drive to force the issue to a successful conclusion.

It was the irrepressible push from the Union and the community at large which proved decisive in ensuring that the Parliament approved these measures. This legislation will be one of the most important initiatives towards improving the role of police officers on the front line.

Unfortunately, soft sentencing by the courts over the years has allowed the disgraceful situation to develop where police officers have become punching bags. But with this legislation in place, the Union hopes that those who might offend will get the message that if they assault a police officer and cause bodily harm they will go to jail. The situation is now crystal clear – assault an officer and you go to jail.

Industrial Agreement Provides 8.16% Over Two Years

Negotiations for a new industrial agreement to apply from 1 July 2009 could scarcely have come at a worse time for the Union given the impact of the Global Financial Crisis and consequent action by the WA Government to save funds through budget cuts forced by reduced revenue from a slower resources sector.

It was in this adverse environment that the Union had to obtain an acceptable outcome for its members. While the Union from the outset sought 5% + 5% + 5% in a three-year deal, the Government played hardball offering a paltry and totally unacceptable 3%, 3.25% and 3.25%. The Union clearly pointed out that its members were very angry with such an offer which was completely out of alignment with other recent public sector wage increases, some of which had been 20% over three years.

Given the Government's intransigence on the matter, the Union decided to commence in May an industrial campaign to mobilise public opinion and force the Government to produce a realistic wage offer.

This WORK-TO-RULE campaign required members to work only as required by their agreement including no voluntary return to duty for public events, reporting for duty only during rostered hours of duty and ceasing any and all informal unpaid availability arrangements which operate in some areas.

By early June, the Union decided to escalate its campaign to include such measures as issuing cautions in lieu of infringements for traffic offences where appropriate, and ensuring that members completed one job before beginning the next one.

After these strong industrial initiatives, the Government was forced into further negotiations which resulted in a departure from its previous position of wanting only a three-year deal to one which would be for two years with 4% + 4% and no trade-off's in any conditions of employment.

The Board's analysis of the situation was that no further or better offer was likely to be obtained and recommended the offer to members. The offer was put to a vote of members and at the conclusion of the ballot on 25 June, 91% of the membership had voted for its acceptance. This was seen as an excellent result for all members given the particular economic climate and the Government's drive to cut all public sector spending.

Post-service medical and other expenses for former officers

The Union's very long campaign for justice for its members forced to retire medically unfit through a work-caused injury or illness finally saw success in the period under review and is one of the most significant Union successes ever.

It covers the medical and pharmaceutical costs of affected former officers, easing the financial burden of their long-term treatment and medication and will significantly improve their situations as these costs can be very large. The Act has retrospective application allowing claims back to July 2007.

Unfortunately, some affected officers have found themselves excluded from the medical benefits on the basis of having previously accepted even the most meagre financial settlement for possible future medical expenses. This exclusion was never intended and the Union is seeking to correct this unintended consequence and restore access for all former police officers to whom the legislation applies.

When it is considered that the matter was knocked back by so many governments over the years and that it was solely the efforts of the Union which doggedly lobbied for these changes, the implementation of this legislation is an outstanding achievement.

Government Budget Cuts

The Government's attempts in the context of a national economic slowdown and reduced State receipts from the resources sector to cut expenditure has had major impacts on policing. Most significantly, it demanded of all agencies a 3% budget cut and for WA Police this was compounded by its additional demand of a 10% reduction in the Government vehicle fleet.

These cuts – particularly that to the vehicle fleet – soon bit into policing services and eroded service delivery throughout the State. Mobility, especially in the State's vast regional areas, is critical to police services and the reduction of 140 vehicles in WA Police's fleet has hit hard at our members' capacity to deliver quality services to the West Australian public. Any reduction to vehicle numbers instantly means less service and slower response times.

The Union expects continuing Government spending constraints which will adversely affect expenditure for new and replacement stations and other facilities, and it is likely that there will be delays or postponements for some projected capital works and resourcing.

Members demand action on sub-standard stations

Members' dissatisfaction is rising over the sub-standard facilities of many police stations and facilities throughout the State and has led to demands for Worksafe inspections and audits of the worst buildings.

The Union has consistently identified safety issues at various stations but authorities appear not to have taken this information seriously. While members of Parliament and Government Ministers work in modern, comfortable buildings police have to put up with old, overcrowded offices with electrical, armoury and structural problems which pose daily dangers to those working there.

Successive governments have not done anything about these issues and members are dismayed at the lack of follow-up from Worksafe.

This Government has a lot to answer for in this matter, including where the \$34 million went which was set aside for the replacement Carnarvon station and the disappearance of \$12 million for the new Secret Harbour station.

Police should not have to work in sub-standard conditions in 2009 compared to the palatial facilities enjoyed by many public servants and members of Parliament. Consequently, the Union will increase the pressure on all relevant authorities to improve the standard of accommodation for officers throughout the State.

Failed Promise On Rents For Regional Housing

It has been most unfortunate for our country members that the Government's commitment to rent subsidy for regional housing has been jettisoned completely and without explanation. This was due to come into effect from 1 July 2009 but has disappeared without trace. The promise by Nationals leader and Minister for Regional Development Brendon Grylls was "...that essential workers are offered housing incentives to work in the regions."

If it had been implemented it would have meant that rents would reduce by 50 per cent after a year of regional service, a further 25 per cent after the second year and after completing three or more years of continual service in a regional area officers would not pay rent in GROH accommodation.

This is a major matter for the one-third of the Union membership which is stationed in regional areas and the Union intends to pursue the matter vigorously on their behalf.

While such matters as rostering, leave provisions, TOIL, discipline and management action plans continued to concern many members, the Union sees major challenges ahead in the areas of resourcing and replacement of outdated stations and other facilities. It will be campaigning hard for much more realistic resourcing and improved capital works funding in the next State budget.

Russell Lee Armstrong

General President

AFFILIATES' REPORTS

SOUTH AUSTRALIA

As police, we all share a common bond of service and sacrifice. And, as the branch highlighted in its recent Annual Conference, police place themselves "in harm's way" to protect the communities in which they work and live. Police, by their oath of office, frequently have to put themselves in harm's way to protect the community. And it is this loyalty to the oath which places our members in a unique role in the community – quite separate from other emergency-service workers.

Police deal with a vast range of issues every day. Their work is highly scrutinized and the level of violence they face is unparalleled. In harm's way... I think the community probably underestimates the level of violence in general, and assaults on police in particular, that officers confront every day. And those assaults can range from a push or shove by an intoxicated nightclub reveller to the fatal shooting of an officer intervening in domestic violence. All of this violence can stem from many different causes – drug and alcohol abuse, overly liberal licensing laws, family breakdown, unemployment, mental illness, emotional trauma, financial hardship... Police certainly don't look forward to fending off assailants and confronting violent offenders. What we need to do as a society is understand how dangerous and how confronting this part of the job is for police, and support them accordingly.

In harm's way... it is not just about violence. It is about protection, sacrifice, courage – those selfless acts to deliver on the promise to assist the public in emergency situations.

Our keynote speaker was Jeff Baumbach, president of the New York/New Jersey Port Authority Police Lieutenants Benevolent Association. Jeff reminded us all of the sacrifice members of the Port Authority Police made on September 11 and the profound effect on those left behind. The Port Authority police were the first law enforcement personnel to respond to the terrorist attacks, and quickly rushed into the burning buildings to help rescue thousands of employees who had arrived at work moments earlier. Some of them climbed high up into the burning towers to assist those who were seriously injured or trapped.

Thirty-seven Port Authority police personnel were killed in the line of duty that day. Our conference was able to honour them as it did our own members who put their bodies on the line... in harm's way.

The year in review has been fast-paced, with a great deal achieved. The committee of management was returned in April for a four-year term and focused its energy on the continual review of association services so as to ensure the organisation's ongoing relevance to a new generation of police.

More member services

To broaden the suite of services to members, the committee has moved to modernize its infrastructure and member services. This is essential if the branch is to keep pace, as it does, with the robust environment of police industrial relations. Outlined below is a range of areas that the branch has brought change to.

1. Group life insurance benefit increase

The branch group life insurance (GLI) benefit rose from \$104,000 to \$200,000 in July.

2. PASAweb upgrade

The branch has engaged a local software company to undertake a complete redesign of PASAweb.



Mark Carroll
(President SA)

The revitalized site will use a content management system to create a safe member-only area for the delivery of useful, contextual and entertaining information. It will be launched in January 2010.

3. Building Renovations

The association has renovated the second floor of its Carrington St building. This renovation has enclosed the courtyard so as to provide new office space, library, archive room, amenities, and a meeting room. The committee is now considering refurbishing parts of the Police Club.

4. New employee position – membership liaison officer

The branch has employed former delegate Darren Cornell as its member liaison officer. Darren is on leave without pay from SAPOL for a period of four years. The role will be to provide initial advice to members on human-resource and industrial issues relevant to police employment.

5. Police Journal

The redesign of the Police Journal – the branch's flagship publication – occurred in January. We have been delighted with the response from members to it and the modernization of the content has given more members an active voice in the publication. I congratulate associate editor Brett Williams for his efforts in producing a high-quality publication.

Legislative agenda

On all matters that affect the police service, we have vigorously lobbied state and federal politicians. During the year in review the branch has lobbied for changes to:

- the *Road Traffic Act* to acknowledge and distinguish police driving from that of the public in high-risk/high-speed pursuit/urgent-duty driving;
- the *Police Act* and *Regulations* to cater for injury on duty provisions;
- mandatory jail terms for serious assaults on police; and
- the *Correctional Services Act* as it relates to parole issues.

Association uniform submission

The branch has highlighted the critical need for appropriate front-line uniform. The Commissioner announced a review and the branch forwarded its general-duties uniform review submission to him on behalf of members in April. The Government, Opposition and minor parties have also received copies of the comprehensive document.

Further, the branch is assisting in actively seeking the establishment of a national police uniform and equipment standards advisory council to eventually deliver better and safer uniform and equipment to all police.

Enterprise bargaining sixth round

Improvement to members wages and conditions in enterprise bargaining is the branch's core function. Committee will leave no stone unturned to ensure a successful enterprise agreement for all members.

The enterprise bargaining agenda was discussed in detail at our conference. Negotiations for a new agreement can commence from 1 January, 2010. The current agreement has a life extending until 30 June, 2010. There is a guaranteed pay increase in the next agreement to apply from the beginning of the first pay period on or after 1 July, 2010.

Finance

Our operating budget continues to be set entirely from our subscription-based income. Our operating surplus for the last financial year, as opposed to the minor deficit reported last year, has been as a result of the rental income achieved from the first floor and a period during which our entire wages budget, prior to the appointment of the member liaison officer, was not expended.

Our financial position is sound.

Legal

The amendments to the Workers Compensation legislation have indeed, as anticipated last year, impacted reasonably heavily on the association. It is likely that this situation will continue for several years until the legislation is adequately litigated.

Delegates and branch structure

The Police Association branch structure provides a dependable and consistent instrument within our organisation. Liaison among committee of management, association staff, delegates and members, has been excellent. Issues raised have been well researched and primed for additional action. Our members continue to contact their respective delegates in relation to their individual matters.

The branch structure, consisting of our nine branches, has been designed on both geographical and functional representation. New workplaces that are formed by the employer are placed into existing workgroups. Our workgroups are attached to branches.

The police disciplinary process

Disciplinary matters have increased significantly in the last year and still remain a significant workload and cost to the association. A number of delegates have been trained to assist, support and accompany members during the disciplinary process including interviews. Delegates continue to attend interviews with members in relation to these matters.

Police Officers Award – section 99 review

After commencing in 2000, the review of the Police Officers Award pursuant to section 99 of the *Fair Work Act 1994* (SA), was completed this year. The section 99 review was finalised via consent, with the Order of the South Australian Industrial Relations Commission being settled on August 19, 2009. The award's operative date, as varied by the section 99 review, became the first pay period on or after July 30, 2009.

The section 99 review involved a significant and comprehensive exercise in reformatting the entire document and renumbering clauses. Wherever possible, the award is now gender-neutral.

The personal leave and parental leave "model clause declarations" delivered in the decision of *Work and Family Test Case* [2006] SAIRComm 7 (March 9, 2006) by the South Australian Industrial Relations Commission were incorporated into the award.

Parental leave and leave for the provision of family care has not previously been provided for within the award. Now, however, the award entitles members to both.

After members have exhausted their paid personal leave they are also entitled to unpaid personal leave for a period agreed upon by them and their employer.

In the absence of such an agreement, an employee is entitled to take up to two days (up to a maximum of 16 hours) of unpaid leave per occasion, provided that notice and evidentiary requirements have been satisfied.

It is important to note that the section 99 review has resulted in no existing award conditions of service being sacrificed.

Workers compensation

Changes to the *Workers Compensation and Rehabilitation Act 1986*, implemented by the state government, have meant that members' entitlements for workplace injuries have been impacted. These changes include a reduction to members' entitlements to income maintenance in the event they are either partially or totally incapacitated for work, whether on a temporary or permanent basis. Under the legislation, a member's entitlement to income maintenance has been altered such that:

- for the first 13 weeks (the first entitlement period), a member is entitled to 100 per cent of his or her notional weekly earnings;
- for week 14 up to week 26 (the second entitlement period), a member is entitled to 90 per cent of his or her notional weekly earnings; and
- for week 27 to week 130 (the third entitlement period), a member is entitled to 80 per cent of his or her notional weekly earnings.

Thereafter, members cease to be entitled to income maintenance unless they remain totally incapacitated or they are working to their maximum capacity.

Women's Plan 2009

The Police Association Women's Branch has been meeting throughout the year to discuss various issues brought to its attention. The Women's Branch has recently finalised the issues it wishes to put forward through the Women's Plan 2009, for the upcoming enterprise bargaining negotiations.

One of the issues the branch would like to progress is an increase of four weeks, to 18 weeks, of paid maternity leave. Earlier this year, the federal government announced a government-funded maternity leave scheme which would allow women needing to take time off work due to pregnancy to receive payment of 18 weeks' minimum wage as maternity leave. Currently, female police officers are entitled to 14 weeks' paid maternity leave as per the South Australia Police Enterprise Agreement 2007.

Mark Carroll

President

AFFILIATES' REPORTS

TASMANIA

I am pleased to provide this report which gives an overview of the activities of the Tasmanian Branch and its associated body the Police Association of Tasmania. The events in the 12 months since the writing of the last report could easily be described as extraordinary.

Who is the Commissioner?

Firstly, a look at what has occurred at the very top of the Police Service. The Commissioner of Police was investigated for a criminal offence and stood down. The Deputy Commissioner was appointed the Acting Commissioner. In the absence of an independent investigative body, the investigation was conducted by the Deputy Commissioner with advice from other government agencies. At the conclusion of the investigation the Director of Public Prosecution (DPP) advised that it was appropriate to indict the Commissioner. Shortly after, the Premier decided to appoint the recently retired Commissioner as an interim Commissioner, whilst the matter concerning the stood down Commissioner was determined. In conducting this action it appears that the Premier did not consult with the Acting Commissioner nor did he consult with the Association. The reactions of the members to this move were overwhelmingly negative. Large numbers attended meetings around the State condemning the move.

It also appears that there was no consultation with the Director of Public Prosecution (DPP) who then described the proposed appointment as 'not appropriate'. This resulted in a very public standoff between the Premier and the DPP. It seems as quickly as it was decided to appoint the retired Commissioner as interim Commissioner the decision was made not to proceed with that appointment. The Premier later described his handling of this matter as his biggest mistake of 2008.

If you thought the matter ended there then you would be mistaken. The stood down Commissioner appeared in the Supreme Court recently and argued successfully for a 'stay' in proceedings. Expecting to return to work his ambitions were dashed with the Premier flagging the existence of internal Code of Conduct matters and the DPP announcing that he would seek leave to appeal to the High Court concerning the decision of the Supreme Court. No doubt there are further twists and turns in this matter.

The Global Financial Crisis

The 'global financial crisis' also presented some interesting manoeuvres from the Government. In attempts to address the expected budget shortfall, leaked Treasury documents indicated that police numbers would be cut. The resulting outcry brought denials from the Government and they moved to 'quarantine frontline services' including police.

The next move was to expect that public servants would forego, for at least twelve months, pay increases agreed to within Enterprise Agreements. With examples of what many perceived as excessive Government spending on the one hand, the request for workers to forego hard fought for pay increases was never going to succeed.

With 'frontline' services quarantined and deferment of pay increases not gaining the agreement of unions, government departments were faced with a mixture of strategies to reduce spending. What has occurred within policing is a reduction in shift hours for certain areas resulting in a reduction in shift payments, a



*Randolph Wierenga
(President TAS)*

reduction in availability payments, a reduction in the vehicle fleet, a reduction in IT services, the removal of some public service positions resulting in frontline officers being placed in those roles, and a general tightening of the belt. Whilst we all appreciate the need for restraint these measures cannot be sustained without affecting services to the community.

The Government has also proposed that future wage agreements will be limited to 1%, 1% and 2.5% over the next three years and it will also remove any nexus arrangements. With the EBA for police expiring in June 2010, negotiations will prove very interesting. With many signs indicating that the 'global financial crisis' may have been overstated it is time for the government to revisit this restrictive policy.

Uniform

What a difference twelve months can make. Last year I reported on the resistance of the Police Department to make any real changes to the uniform. In a move that met with universal approval, the Acting Commissioner approved the wearing of jumpers outdoors! For over ten years it had been decreed that in the State with the coldest climate in the nation, jumpers, a source of warmth, could only be worn indoors!

A Uniform Review Committee was established in consultation with, and with the participation of, the Association. It has been deliberating for 6 months now and there are high expectations that it will deliver a practical, functional, operational uniform reflecting the needs of police officers on the front line.

Workers' Compensation

The weekly payment 'step down' provision continues to cause concern among members. The Association made a submission to a Government review that the outcome for members injured on duty is plainly unjust. The review stated that the 'step down' provisions as they related to police officers needed to be addressed. The Government has finally released its response to the review with a proposed decrease in the 'step down' and an increase in the time before the 'step down' comes in to play. The Opposition to their credit has introduced an amendment to the legislation which will remove the 'step down' provisions for police officers in certain circumstances. The State has a responsibility to protect and properly compensate police officers who are injured whilst protecting the community.

Conducted Energy Devices

There has been a growing call amongst front line police to be issued with Conducted Energy Devices (CED's). They have watched developments in other jurisdictions on this matter. CED's are an effective and safe piece of equipment that improves the safety of police and the community. Calls to the government to issue CED's to frontline police were met with an 'It's up to the Police Administration' response. The Police Administration is currently considering its response.

Integrity and Ethics Commission

Politics is always interesting! The maxim that nothing is more unstoppable than an idea whose time has come certainly appears true in the case of an Integrity Commission in Tasmania. Responding to community outcry at the level of governance in the State, a joint select committee was convened and after lengthy hearings recommended the establishment of an Integrity and Ethics Commission. The Government undertook to implement the findings of the select committee prior to the next State election which is due in March 2010. The Association does not oppose an Integrity Commission in principle but, as with many things, the devil will be in the detail. Extremely high levels of scrutiny and accountability are not foreign to police officers on a daily basis and placing other areas including politicians under similar levels of accountability and scrutiny should be a positive development.

The Tasmanian Branch looks forward to 2010 with a number of significant events set to occur. The Branch will hold a conference in early 2010. A State election is set down for March 2010 and the EBA for police officers is due for renegotiation in June 2010.

Randolph Wierenga

President

Tasmania Branch

AFFILIATES' REPORTS

NORTHERN TERRITORY

Overview

The 2009 calendar year has been another busy year for the Northern Territory Branch due to the finalisation of a number of matters arising from our 2008 Consent Agreement, ongoing management of housing entitlements and a related dispute, the negotiation of a new Duty Superintendents agreement and the ongoing Federal Government Intervention (including the review process).

The details of our industrial activities are provided below however the dye has been cast for the 2011 agreement with the minority Henderson Government announcing a 2.5% wage cap for all public sector wage movements from 2009 to 2012, including police.



Vince Kelly (President NT)

There is little doubt that this policy position is peremptory and will be difficult to sustain when our wage negotiations commence as scheduled in February 2011. The Territory government can not seriously expect to compete with alternate employers such as the Australian Federal Police, the Queensland Police, and the Australian Public Service with such a narrow and apparently non-negotiable starting point. Our branch will be well prepared for these negotiations irrespective of the early signs of an intransigent government.

In July of this year our Branch undertook a wide ranging survey of our members. The purpose of this survey was to assess our members' views of the Police Force generally, including police management, the direction of our Branch, and as part of our initial preparations for the 2011 Consent Agreement negotiations. The return on this survey was 51% of our membership which in statistical terms is a significant sample.

It was encouraging for the Branch that 82% of members rate the Branch performance, (on a scale of 1 to 10), between 6 and 10. The average rating was 7.2.

Members surveyed rate the Branch most favorably when it comes to communicating with members (79% total good), supporting members with problems (75%) and protecting members' entitlements (72%). Members rate the Association positively when it comes to campaigning, specifically in terms of negotiating wages and conditions (68%) and campaigning publicly on police issues (64%).

One of the real areas of concern for our Association was the response by members in relation to senior management. On a scale of 1 to 10, 68% of members rated senior management performance at 5 or less - the average was 4.3. 75% of respondents indicated that they believed police management were overly concerned with statistics and, of most concern, only 20% of members felt they were supported by management, 18% believed management understood members' issues, and 12% did not think management led by example.

The other statistic that is of significant concern is that 33% of respondents indicated they would not apply for promotion as they believe the promotion system is not merit based.

Commissioner Paul White resigned from his position as of 16 October 2009 and his successor, (who is not known at the time of writing), faces some real challenges in this regard.

Industrial Outcomes – 2008 Consent Agreement

2008 Forensic Services Career Path Consent Agreement

The 2008 Forensics Agreement was ratified by the Police Arbitral Tribunal on 17 November 2008. The Agreement is effective from 1 August 2008.

The ratification of this Agreement was the result of lengthy negotiations between this Association and representatives of the Commissioner. These negotiations were conducted in good faith and with minimal interference from the Office of the Commissioner for Public Employment.

The Agreement clears the way for members employed in Forensic Services to pursue a financially and professionally rewarding career path with progression based on knowledge and skills relevant to that area of expertise.

New Territory Duty Superintendent Consent Agreement

A new Duty Superintendent Consent Agreement was ratified in May 2009. The agreement provides Superintendents working in that capacity an extra 5% allowance for having to work a continuous 24 hour roster. This is over and above the penalties those members receive for working nightshifts, weekends and public holidays.

The Agreement only came about following our Association's notification of a dispute with the Police Arbitral Tribunal (PAT) and a protracted negotiation period following an attempt by the Commissioner to introduce a new "Duty Superintendent" regime that included a 5 line 24 hour roster with our Branch.

The action taken by this Association in the PAT forced the Commissioner to negotiate a new consent agreement known as the Territory Duty Superintendent Consent Agreement 2008.

Negotiations over this Agreement were more problematic than those over the Forensics CA, due largely to the need to engage more closely with the Office of the Commissioner for Public Employment. Our concern in relation to the complete lack of understanding of the Police profession by OCPE representatives was again highlighted during these negotiations.

Other Industrial Matters

During the previous twelve months our branch has resolved a number of other matters flowing from the 2008 Consent Agreement, including:

- access to increased General Duties Allowance Pine Creek;
- amendments to Remote Locality Bonus Provisions; and
- ongoing rewrite of Determination 1/2000.

The Branch has also made submissions in relation to the Public Interest Disclosure Bill 2008 and the Review of the Public Sector Employment and Management Act.

In respect to the latter, one of the major points that our branch stressed was the need for this Association to be able to negotiate terms and conditions directly with the Commissioner of Police and Treasury officials, without interference or unnecessary input from the Office of the Commissioner for Public Employment. There is no legal or, in our view, practical requirement for the inclusion of the OCPE in police wage negotiations.

Police Officers are not employees pursuant to PSEMA. Police Officers as independent holders of the Office of Constable should be able to negotiate directly through the branch with the Commissioner of Police. OCPE representatives continue to display a bias against Police Officers and a complete lack of understanding of the unique policing profession.

Police Arbitral Tribunal – ongoing disputes

There are currently three disputes that we are pursuing in the Police Arbitral Tribunal (“the PAT”):

- housing;
- frontline rosters; and
- College Accommodation Standards.

Both the Housing and Frontline roster disputes continue to be dealt with to the satisfaction of our Branch, with the PAT simply maintaining a watching brief on developments. The latter dispute is in preliminary mediation stages.

Police Discipline and Performance Management

Our Branch has been advocating the development of a modern Performance Management System since at least 1996. Further, our Association made extensive submissions to the O’Sullivan Review on the state of the NT Police discipline system which shares many characteristics with discipline systems that have been discredited by successive Royal Commissions in Queensland, New South Wales and Western Australia.

The current NT Police discipline system was reviewed and restructured in 2007 in consultation with our Association. However, our Association expressed real concerns during that process that the proposed system would fail to deliver real change in a meaningful way. The changes in 2007 were policy changes and the underlying legislative deficiencies remain.

The current application of disciplinary measures by Police management in the workplace continues to be archaic, inconsistent, adversarial in nature, and an inappropriate mechanism to manage a modern police force.

Our Association wrote to Government on 2 October 2008 in relation to a number of problems identified with the Police Administration Act disciplinary provisions and followed that up with further written concerns earlier this month. At this stage we have received no response to those submissions.

It is our view that the extraordinary number of members who have been dismissed in recent years is a direct result of a fundamentally flawed discipline and performance management system.

Our position is that any changes should have a legislative basis to ensure members are treated fairly, appropriately and in a consistent manner by management and that management have the ability to effectively manage the police force.

Our branch believes an independent review of the disciplinary provisions of the Police Administration Act is essential to ensure our members’ rights are properly and adequately protected.

Conclusion

The above summary highlights that 2010 will be another challenging year for the branch. These challenges will be multiplied by the phasing out of AFP officers from the Territory jurisdiction under the NT Emergency Response. The real policing challenge for our members and our Branch is to ensure that we continue to make a valued contribution to improving the lives of the many disadvantaged Aboriginal people who live across our community.

The work of our members, of course, will run parallel to our ongoing efforts to protect the industrial, legal, and personal rights of our members and their families.

AFFILIATES' REPORTS

AUSTRALIAN FEDERAL POLICE ASSOCIATION

2009 has been a year of consolidation for the Australian Federal Police Association (AFPA) Branch of the Police Federation of Australia (PFA).

Under the Liberal Coalition Government the Australian Federal Police (AFP) underwent major expansion of role and function, particularly in the areas of domestic and regional national security. The AFP experienced fundamental change and expansion of operations. There were many challenges for the AFPA as we kept our organisation abreast of the functional and organisational reforms of the AFP.

The significant expansion of the International Deployment Group (IDG), the establishment of the AFP Counter Terrorism function (CT), and the AFP responsibility for the 11 CTFR designated airports, led to numerous employment and professional issues being raised by our membership.

The AFP expansion has included a significant change in the AFP employment mix with the AFP employing/engaging a large number of non sworn staff, Protective Service Officers, lateral Police Officers and seconded Police from all State and territory jurisdictions. This has placed significant strain on the AFPA National Office staff, particularly in relation to servicing these new members who have been engaged under various employment terms and conditions and/or deployed to remote localities nationally and internationally.

The AFPA National Office staff has excelled in providing timely and accurate professional advice to our multifaceted membership, many of whom were unfamiliar with the AFP as an employer and the unique command powers available to the AFP Commissioner.

In 2009 we have seen the 'brakes' applied to the AFP both in terms of expansion and in terms of budget allocation. The newly elected federal Labor Government took swift budgetary action as the global economic crisis impacted on Australia. The Labor Government increased the efficiency dividend that applies to all federal government agencies by 1%. This put significant unforeseen budgetary pressures on the AFP.

Leading up to the 2009/10 Budget round it was anticipated that the federal Labor Government would slash funding for most federal agencies and that the AFP was at risk due to its significantly expanded budget and function under the Liberal Coalition Government.

Over the last year the change in the economic environment has provided different challenges for the AFPA. On one hand it has provided a time for consolidation of our operations and an opportunity to review our processes as AFP staffing numbers and functions have stabilized leading to a decrease in membership employment issues/disputes. On the other hand it created challenges in relation to the AFP cutting expenditure and staffing levels to attempt to address the additional 1% efficiency dividend. The additional 1% efficiency dividend, in part, led to the AFP offering and employees accepting some 200 voluntary redundancies.

In the lead up to the 2009/10 federal budget, the most challenging task for the AFPA was to maintain the federal Government's commitment to expand the AFP by 500 net sworn police officers over 5 years. Extensive lobbying of the Government, the Opposition and utilization of the media, led to the Prime Minister Kevin Rudd reaffirming his election commitment that he made to the AFPA and the PFA.



*Jon Hunt-Sharman
(AFPA National President)*

The subsequent result of AFPA and PFA lobbying was that the AFP 2009/10 budget remained largely unchanged with funding remaining allocated in out years for the 500 sworn police officers. This was a significant achievement when most other federal government agencies suffered significant budget and staffing cuts.

From a professional perspective we have retained a close working relationship with the Rudd Labor Government. We have enjoyed access to senior Ministers including the Prime Minister. The AFPA has had regular meetings with the Attorney-General and the former and current Ministers for the Home Affairs portfolio.

Over the last year the AFPA has also enjoyed a healthy relationship with the AFP. This extends from senior management, including the former AFP Commissioner Mick Keelty and the current AFP Commissioner Tony Negus, to operational levels including functional managers and key decision makers within the AFPs Human Resource area. This has enabled us to continue to resolve a range of professional, employment, legal and industrial matters without the need for external action.

I would like to congratulate and welcome our newly elected delegates to the AFPA. Our delegates play a pivotal role in representing the interests of our members. They also provide crucial guidance to the AFPA national office including our strategic direction. I would like to thank all delegates for their ongoing efforts in this regard.

In 2008 the AFPA developed its strategic direction for 2009-2012. The AFPA identified our operations on four “pillars” covering Profession, Employment, Life and Welfare. The National Council then set out ambitious goals to be achieved within those four pillars over the four year cycle.

Over the last 12 months the AFPA has made major gains in all four areas. The below is a summary:-

Profession

- With the leadership of the PFA we have pursued the establishment of a National Police Registration Board and Scheme. This has led to the Ministerial Council for Police and Emergency Management – Police (MCPEMP) in June 2009 resolving to establish a working party to report back on the feasibility of the PFA proposal by 2010.
- During 2009/10 federal budget round we obtained confirmation in person from the Prime Minister that the additional 500 net Police Officers as promised by the Rudd Government would continue to be delivered and budget retained in the out years.
- The AFPA presented a detailed submission and provided evidence before the Federal Audit of Police Capabilities on behalf of our membership. This submission consolidated various professional and employment issues previously raised in various forums by the AFPA and we are anticipating a positive result for our membership.
- The AFPA has argued for an increase of Protective Service Officers powers in a number of forums including various Parliamentary inquiries.
- The AFPA has publicly supported the establishment of a National Crime Database.
- We have provided input to the AFP Working Party on AFP Retention and Recruitment and the AFP Employment Opportunities Working Group.
- We have continued to pursue the establishment of an AFP Tribunal under the AFP Act with submissions to various Parliamentary inquiries.
- With the leadership of the PFA we have continued to pursue a police specific National Police Service Medal.

- With the assistance of the PFA we have sought the adoption of the Northern Territory & Western Australian 'unexplained wealth' provisions into Commonwealth Proceeds of Crime legislation. This has been supported by the Parliamentary Joint Committee on the Australian Crime Commission and subsequently the Attorney General has introduced into Parliament the Crimes Legislation Amendment (Serious and Organised Crime) Bill No.1, 2009 which includes 'unexplained wealth' provisions within the limitations of the Australian Constitution.
- The AFPA has sought specific Commonwealth Organised Crime fighting legislation and provided an 'in camera' submission to the Inquiry into the legislative arrangements to outlaw serious and organised crime groups and then to the Attorney General at his request. Subsequently the Attorney General has recently introduced the Crimes Legislation Amendment (Serious and Organised Crime) Bill No.2, 2009 which includes enhanced money laundering, bribery and drug importation offences and specific offences criminalising associating with persons involved in organised criminal activity, as well as those who support, commit crimes for or direct the activities of a criminal organisation.
- The AFPA has sought Joint Parliamentary Oversight of AFP Management (administration & managerial processes only) in various forums including the Justice Clarke inquiry. Late last year the Attorney General accepted the recommendation of Justice Clarke to establish Joint Parliamentary Oversight of AFP Management with the legislative amendments to be put before Parliament this year.
- With the assistance of the PFA, the AFPA has lobbied the Government and stakeholders for the AFP to have sole responsibility for Airport Policing and CTFR and are awaiting the findings of the Federal Audit of Police Capabilities.
- The AFPA engaged and persuaded decision makers and legislators to enhance ACT criminal legislation. This has led to a Government Report to the ACT legislative Assembly in June 2009 which supports the AFPA's recommendations on legislative reform.
- We have engaged and persuaded decision makers and legislators to expand the definition of Murder under Section 12 of the Crimes Act 1900 (ACT) with Crimes (Murder) Amendment Bill 2008 being passed by the Legislative Assembly of the ACT in mid 2009.
- The AFPA has provided input into various amendments to Commonwealth criminal legislation.
- The AFPA continues to have a close professional relationship with all political parties.
- The AFPA has lobbied the federal Government on AFP resourcing and the Governments funding commitments originally made in 2008 federal Budget to ensure their implementation over the five year budget cycle.
- We have lobbied Government and Opposition for the AFP to be exempt/partially exempt from the Commonwealth efficiency dividend and are awaiting the findings of the Federal Audit of Police Capabilities.
- The AFPA has lobbied Government and stakeholders for the AFP to have sole responsibility for Airport and Port Policing including Uniform/CTFR function. We are awaiting the findings of Federal Audit of Police Capabilities.
- We have monitored the potential restructure of federal law enforcement and have made representations to protect the roles and functions currently held by the AFP through various submissions and inquiries. The AFPA is awaiting the findings of Federal Audit of Police Capabilities.

Employment

(Industrial)

- The AFPA has funded our ongoing commitment to the University of Sydney Police@Work survey that independently measures AFP terms & conditions against the policing industry.
- We have funded an independent review of AFP salary levels for SES.
- The AFPA has commenced development of an alternative AFP salary structure for consideration during 2012 CA negotiations.
- The AFPA has commenced development of an alternative AFP promotional system for consideration by the AFP during 2012 CA negotiations.
- The AFPA has given evidence before the AIRC Award Modernisation Committee arguing for the retention of the AFP Award as the policing industry award.
- The AFPA sort a review of ATO Ruling DET 16 to ensure members receive favourable tax treatment whilst deployed overseas. The review of the ATO Ruling has now led to beneficial tax treatment for AFP employees.
- The AFPA resolved with the AFP the practical application of ATO Tax Ruling for Living Away from Home Allowance with a favourable outcome for our members.
- The AFPA resolved with the AFP the practical application of the AFP Travel Policy again with a favourable outcome for our members.
- The AFPA has successfully achieved a joint AFPA/AFP Deployment Assistance Allowance review.
- The AFPA has pursued the development of a transparent AFP process to recognize qualifications and experience and are awaiting the findings of the federal audit of policing capabilities.
- The AFPA has pursued the development of inter jurisdictional mobility policy for the policing sector through the PFA.
- The AFPA has participated in a review of AFP ranks to ensure national consistency within policing.

(Legal)

- The AFPA has achieved an ACLEI and AFPA protocol for members re ACLEI Interviews and Hearings.
- The AFPA has lobbied for appropriate legislative safeguards for DNA testing of AFP employees.
- We have opposed the introduction of random and targeted Integrity testing by the AFP and have raised our concerns with decision makers including the Minister for Home Affairs and the ACLEI Commissioner. We have flagged that if it is to be introduced the AFPA would only support targeted Integrity Testing supported by legislation to ensure appropriate safeguards for AFP employees.

(OH&S)

- The AFPA has explored the general issue of Taser type devices for AFP operational employees.
- The AFPA has lobbied for the establishment of a national Automated Number Plate Recognition (ANPR) system.
- With the assistance of the PFA, we have lobbied the federal Government for Military Rehabilitation Compensation Act (MRCA) type legislation specifically for AFP employees deployed internationally.
- The AFPA has monitored the review into OH&S legislation harmonization.

- The AFPA has sought the retraction of the current AFP branding exercise in relation to PSO uniforms and vehicles on OH&S and professional grounds. We have raised our concerns in a number of forums and directly with the Minister for Home Affairs. We are awaiting the findings of Federal Audit of Police Capabilities.
- We achieved an AFP OH&S Committee review in relation to IDG equipment standards.
- The AFPA has funded an independent survey into members health implications as a result of overseas service utilising Monash University.
- We have commenced negotiations in regards to funding an independent Wellbeing@work survey of members.

Life

- The AFPA has reviewed AUSPOL Health entitlements to ensure that they are market competitive and additional benefits have been achieved for members as a result of successful negotiations.
- We have encouraged members to take advantage of the AUSPOL Health Plan as it is very market competitive.
- The AFPA has explored discount domestic transport arrangements for members travelling to and from work. Discount arrangements have been put in place for Melbourne based AFPA members. Other work areas are under review.
- The AFPA has negotiated the doubling of the discounted Voluntary Life Assurance cover for member and spouse up to a maximum of \$1.1 million each.

Welfare

- The AFPA has funded a new service for AFPA members – \$5,000 bereavement financial assistance for members upon the death of their legal spouse. We are currently exploring expanding the benefit for the education of dependent children.
- The AFPA has explored increasing \$100,000 Group Cover Life Assurance benefits and is currently developing an expanded model of welfare benefits for members.
- The AFPA has funded continuation of Group Cover \$10,000 Trauma (critical injury & illness) assistance for members.
- We have funded up to \$1,000 per week journeyman cover and are currently developing a higher amount for members who lose income due to injury.
- The AFPA has agreed to fund up to \$1,000 per week for members who have loss of income due to extensive time off due to serious physical illness when all other entitlements and income are exhausted.
- We achieved inclusion of Protective Service Officers with the Dept of Veterans Affairs re Non-Liability Health Care Eligibility.

The Year ahead

The AFPA believes that protecting and indeed enhancing the Policing profession is paramount. We must establish policing as a profession ensuring recognition of the unique skills required to meet community expectations of our role. Our greatest challenge in relation to the Policing profession is protecting the independent office of Constable.

Police Associations/Unions have a crucial role of protecting the principles of police accountability to our respective parliaments, including the requirement for transparency and independence of administrative review of policing. Without these processes the independent office of Police Constable is undermined. The PFA is performing a pivotal role in coordinating this combined effort to enhance and protect the policing profession including the independent office of Constable.

The AFPA will continue to seek legislative reform and public policy to enhance policing capability and to protect our members in relation to executing their law enforcement and national security duties.

The AFPA will continue to strive to ensure appropriate conditions of employment covering remuneration, safety, and working environment of our members. Demand on our legal department will remain constant. The AFPA Industrial and Legal teams will continue to be involved in ongoing member referrals, CA and OH&S enforcement, legal reform, public inquiries, government reviews and representation in criminal matters and in relation to employment law and AFP Act.

The AFPA will continue to seek products and services not normally available or reasonably affordable to members utilising our collective bargaining power. The AFPA welcomes the recent decision of the PFA Federal Executive to explore national discounts through the PFA. The AFPA looks forward to future arrangements being developed utilising the significant membership base of the PFA.

Welfare Services are a key part of being a member of the AFPA. The Welfare of our members is paramount. The wellbeing of AFPA members and their families takes precedence and I am proud of the services and support that the AFPA offers in this regard. In 2010 the AFPA intends to significantly expand our unique welfare benefits for our members.

The AFPA will also continue to underwrite the charitable activities of AUSPOL Welfare Foundation which can assist any Australian police employee including past employees, and their families in times of need. AUSPOL Welfare Foundation has made a number of donations to Police employees and their families over the last 12 months including donations to State Police as well as Federal Police, complimenting local legacy arrangements.

Conclusion

In conclusion, I would like to take the opportunity to thank the Police Federation of Australia Federal Executive for the support they have given to the AFPA Branch. I look forward to working with the Federal Executive during 2010.

I would also like to thank my colleagues in the various Police Associations/Unions around Australia for their comradeship and support over the past year.

Importantly, I would like to thank the Police Federation of Australia Chief Executive Officer Mark Burgess, for his efforts in raising public and political awareness of the importance of law enforcement in Australia, including the important role of the Australian Federal Police and our members.

Finally, I would like to thank the AFPA Branch Delegates, the AFPA National Executive, the AFPA CEO Jim Torr and the AFPA National Office staff for their dedication and support of AFPA members.

Jon Hunt-Sharman

AFPA National President

ASSOCIATES' REPORTS

QUEENSLAND

This has been another year of major changes within the Queensland Police Union of Employees. I was elected General President of the Union in July of this year after the resignation of Cameron Pope. Mick Gerrard is the newly elected Vice President, Des Hansson the new Treasurer and three regions (Central, Metro North and Southern) have newly elected executive members. We also significantly expanded the Union's in-house legal section and implemented several other administrative improvements.

I now look forward to a sustained period of stability within the Union so that as a united team we can face and overcome the significant issues that confront the Union in coming years.

These issues include:

Disciplinary Matters

The Crime and Misconduct Commission (CMC) recently released its "Dangerous Liaisons" report ostensibly about corruption within the Queensland Police Service. Despite this very public release that garnered significant media coverage, the CMC publically conceded that there was insufficient evidence to proceed against the majority of officers under investigation and a large number of those officers charged with misconduct were found not guilty. Despite having a right to appeal these findings, the CMC chose not to act, but has not hesitated to make a number of public comments criticising the Queensland Police Service.

In addition to this report, a spate of recent off-duty incidents involving our members (including drink driving and a 'nude run') have attracted much adverse coverage causing the Queensland Police Service to take a much harsher stance in disciplinary proceedings. By imposing hefty sanctions (which are likely to be overturned on appeal) gives a public perception that the Commissioner is getting tough on members. This approach was quite apparent by the implementation on 1st July of a penalty matrix for drink driving that recommends demotion or dismissal for certain offences that would previously have been dealt with by way of reprimand.

Critical Incident Teams

Whilst the Union has always attended any critical incidents involving members, we have adopted a more formalized approach with the creation of a Critical Incident Team (CIT).

The team comprises the General President, at least one Union official, the Union's lawyers and the media officer. The CIT is on call 24 hours a day, 7 days a week and will attend incidents anywhere throughout the State. Two immediate benefits of the CIT are that it is easier to promote this initiative to the membership and ensure that they contact the Union whenever there is an incident and this ensures that we arrive at the scene at the same time as the Ethical Standards Command.



Ian Leavers
(President QLD)

Industrial

The last 5% wage rise of the EBA5 came through on 1 July this year, with negotiations for EBA6 to commence early next year. This looks to be the toughest Enterprise Bargaining round yet, with the Queensland Government furiously selling assets because it is virtually bankrupt; a wages policy of 2.5% per annum; open discussion within Treasury about targeting Police Superannuation and a hard line approach already evidenced in the Teacher's negotiations.

Tasers

After the recent unfortunate death of a person following a Taser deployment, there was much media comment, debate about the accuracy of Taser data downloads and numerous calls for their withdrawal altogether. The QPS introduced new policies in relation to deployment and training but thankfully retained Tasers as a use of force option. The QPS, however, did not support our call for cameras to be fitted to all Tasers, but did agree to commence a trial. Unfortunately, it appears that the only impediment to attaching cameras to all Tasers is cost – but at what cost to our members who have to face false allegations.

Membership of the PFA

One of the consequences of the fore mentioned changes within the QPUE has been our failure to progress the issue of full membership of the PFA. Whilst we still need to resolve a few internal issues before we can proceed, I would like to assure all members that this issue is a priority for me.

Ian Leavers

General President

Queensland Police Union of Employees

FINANCIAL STATEMENT

for the year ended 30 June 2009

TREASURER'S REPORT

I am once again pleased to provide this financial report to members.

The attached financial statements once again indicate the strong financial position of the PFA. Our accumulated funds as at 31 June 2009 have increased by \$123,172 to \$909,820 whilst the debt on our building has decreased by \$54,910 to \$334,117.

During this reporting period we have also significantly increased our provisions for Long Service Leave and Annual Leave ensuring that all employee entitlements are accounted for in our accounts.

Members will note that our total income for 2009 decreased by \$116,420 however this was directly attributable to Branches and the PFA not being required to continue to fund the ACTU's Work Choices Campaign Levy. Our total affiliation fees from Branches rose by \$58,840 during the reporting period however the PFA continued to pay all airfares and other associated meeting costs for all Executive, IPC and WAC meetings as well as the cost for sub-committee Chairs to attend all sub-committee meetings. The Executive has also endorsed the PFA taking over all accommodation costs for Executive, IPC and WAC meetings from the beginning of the 2009-10 financial year.

I am also pleased to report that the PFA is working with Branches to coordinate a collaborative approach to purchasing a range of items for the PFA and our Branches. An approach of that nature should assist in great savings in all of our budgets.

I once again thank our Office Administrator Debbie Martiniello and our Auditor Tom Tsia for the professional and diligent way that they administer the PFA accounts. After having visited the PFA office earlier this year whilst the auditor was doing the books, members can be assured of the rigorous review that our accounts receive from Mr Tsia. He specifically complimented our office administration for the quality of our account keeping.

In closing I once again thank the staff at the PFA office and my fellow Executive for their support during the year and commend the accounts to you.

Randolph Wierenga

Treasurer

FINANCIAL STATEMENT

for the year ended 30 June 2009 (continued)

OPERATING REPORT

- a. The PFA's principal activities throughout the year were determined by the 2008 Federal Council Meeting and have been coordinated by the Federal Executive. They included:
- The continued pursuit of commitments given by the Federal Government in the lead up to the 2007 Federal Election. Those issues included –
 - A commitment to increase the sworn officer levels of the AFP;
 - A commitment to support and fund a National Police Workforce Planning Study;
 - A commitment to ensure police powers are not extended to non-sworn personnel and are reserved for sworn police;
 - A commitment to sufficient recurrent funding for CrimTrac;
 - A commitment to a scoping exercise for an Automatic Number Plate Recognition system;
 - A commitment to support and fund the establishment of a National Police Registration Board and Scheme;
 - A commitment to a range of industrial issues including any referral of powers to the Commonwealth, maintaining state based industrial; arrangements for police, refraining for introducing AWA's and phasing out any existing AWA's, issues around award modernisation, a police tribunal for the AFP and reversing the Comcare journey claims decision of the previous Government;
 - An exemption from standard superannuation preservation age requirements;
 - A commitment to amend taxation legislation to provide police with the same capped FBT concessions as available to ambulance services and public and non-profit hospitals;
 - A commitment to a National Police Service Medal;
 - A commitment to a range of workers compensation issues relating to overseas service; and
 - A commitment to regular meetings to discuss relevant issues
 - Submissions to various Parliamentary Inquiries
 - The operation of a range of PFA sub committees including:
 - Professionalisation sub Committee
 - National Industrial Issues sub committee
 - Member Services
 - Policy
 - National Deployment Issues
 - Superannuation
 - Occupational Health & Safety

- Work on establishing the Queensland Branch of the Police Federation of Australia
- Work with Sydney University on the Australia at Work and Police at Work Studies
- Continued work on the National Police Memorial and its website
- Participation in the International Council of Police Representative Associations (ICPRA) Executive Committee.

For a full report on the PFA's 2008/09 activities the Annual Report is available on the website www.pfa.org.au

- b There have been no significant changes in the financial affairs of the PFA during the past year.
- c. A member may resign from membership of the Federation by notice in writing addressed and delivered to the Secretary of the member's Branch, Zone Secretary or Chief Executive Officer, as per PFA Rule 11 (b).
- d. No officers of the PFA hold any position in relation to Superannuation entities.
- e. Prescribed information as per Regulation 159:
 - i. At the 30 June 2009 the PFA had 42,968 members.
 - ii. At 30 June 2009 the PFA had three (3) employees.
 - iii. Committee of Management 1/7/08 – 30/6/09

Vince Kelly	(Northern Territory)
Jon Hunt Sharman	(Australian Federal Police)
Brian Rix	(Victoria)
Randolph Wierenga	(Tasmania)
Mark Carroll	(South Australia)
Michael Dean	(Western Australia) resigned 18/06/09
Russell Armstrong	(Western Australia) appointed 18/06/09
Bob Pritchard	(New South Wales)

For Committee of Management:



Vince Kelly

President

Dated this 7th day of September 2009

FINANCIAL STATEMENT

for the year ended 30 June 2009 (continued)

COMMITTEE OF MANAGEMENT'S CERTIFICATE

On the 7th day of September 2009, the Committee of Management of the Police Federation of Australia passed the following resolution in relation to the general purpose financial report (GPFR) of the reporting unit for the financial year ended 30 June 2009.

- a. the committee of Management declares in relation to the GPFR that in its opinion:
- b. the financial statements and notes comply with the Australian Accounting Standards;
- c. the financial statements and notes comply with the reporting guidelines of the Industrial Registrar;
- d. the financial statements and notes give a true and fair view of the financial performance, financial position and cash flows of the reporting unit for the financial year to which they relate;
- e. there are reasonable grounds to believe that the reporting unit will be able to pay its debts as and when they become due and payable;
- f. during the financial year to which the GPFR relates and since the end of that year:
 - i. meetings of the committee of management were held in accordance with the rules of the Federation including the rules of a branch concerned; and
 - ii. the financial affairs of the reporting unit have been managed in accordance with the rules of the Federation including the rules of the branch concerned; and
 - iii. the financial records of the reporting unit have been kept and maintained in accordance with the RAO Schedule and the RAO Regulations; and
 - iv. the financial records of the reporting unit have been kept, as far as practicable, in a consistent manner to each of the other reporting units of the Federation; and
 - v. the information sought in any request of a member of the reporting unit or a Registrar duly made under section 272 of the RAO Schedule has been furnished to the member of Registrar; and
 - vi. there has been compliance with any order for inspection of financial records made by the Commission under section 273 of the RAO Schedule.

For Committee of Management: Randolph Wierenga

Treasurer

Signature:



Date: 7th day of September 2009

FINANCIAL STATEMENT

for the year ended 30 June 2009 (continued)

INDEPENDENT AUDIT REPORT

To the members of the Police Federation of Australia

Report on the Financial Statement

I have audited the accompanying financial report of the Police Federation of Australia for the year ended 30th June 2009 which comprises the balance sheet, the income statement, statement of changes in equity, statement of cash flow, a summary of significant accounting policies and other explanatory notes and the Committee of Management statement.

Committee of Management's Responsibility for the Financial Report

The Committee of Management is responsible for the preparation and fair presentation of the financial report in accordance with Australian Accounting Standards (including the Australian Accounting Interpretations) and the Workplace Relation Act 1996. This responsibility includes designing, implementing and maintaining internal control relevant to the preparation and fair presentation of the financial report that is free from material misstatement, whether due to fraud or error; selecting and applying appropriate accounting policies and making accounting estimates that are reasonable in the circumstances.

Auditor's Responsibility

My responsibility is to express an opinion on the financial report based on my audit. I have conducted my audit in accordance with Australian Auditing Standards. These Auditing Standards require that I comply with relevant ethical requirements relating to audit engagements and plan and perform the audit to obtain reasonable assurance whether the financial report is free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial report. The procedures selected depend on the auditor's judgement, including the assessment of the risks of material misstatement of the financial report, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial report in order to design audit procedures that are appropriate in the circumstances but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by the management as well as evaluating the overall presentation of the financial report.

I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my audit opinion.

Independence

In conducting my audit, I have complied with the applicable independence requirements of the Australian professional ethical pronouncements, including those of the Institute of Chartered Accountants in Australia.

Audit Opinion

In my opinion, the financial report of the Police Federation of Australia is in accordance with the Workplace Relation Act 1996 including:

- i. Giving a true and fair view of the Federation's financial position as at 30 June 2009 and of its performance for the year ended on that date and
- ii. Complying with Australian Accounting Standards (including the Australian Accounting Interpretations) and the requirements imposed by Part 3 of Chapter 8 of Schedule 1 (RAO Schedule) of the Workplace Relations Act 1996.

SIGNED AT CANBERRA this 7th day of September 2009



LOI KAH TSIA, B. Com., F.C.A.

Chartered Accountant
Registered Company Auditor
Suite 201, 2nd Floor
309 Pitt Street
SYDNEY NSW 2000

FINANCIAL STATEMENT

for the year ended 30 June 2009 (continued)

BALANCE SHEET AS AT 30 JUNE 2009

	Notes	2009	2008
Accumulated Funds		<u>\$909820</u>	<u>\$786648</u>
Represented by			
Current Assets			
PCU Easy Access account	3	\$103619	\$94595
PCU Market Link account	3	153607	108458
PCU Savings Plus account	3	35917	25036
PCU membership fees	3	10	10
Cash on hand	4	69	14
Other Debtor	6	9562	1643
Amounts due from branches	5	<u>20238</u>	<u>5740</u>
		<u>323022</u>	<u>235496</u>
Non Current Assets			
Property - 21 Murray Crescent Griffith ACT	7	996249	1016581
Plant & Equipment	19621		
Less provision for depreciation	<u>14026</u>	5595	7224
Motor vehicle	38690		
Less provision for depreciation	<u>3385</u>	<u>35305</u>	<u>32621</u>
		<u>1037149</u>	<u>1056426</u>
Total Assets		<u>1360171</u>	<u>1291922</u>
Less Current Liabilities			
Trade creditors and accruals	8	38498	49400
PCU loan secured over property	7	334117	389027
Provision for annual leave	9	9676	11008
Provision for long service leave	10	57155	48547
Provision for GST		<u>10905</u>	<u>7292</u>
Total liabilities		<u>450351</u>	<u>505274</u>
Net Assets		<u>\$909820</u>	<u>\$786648</u>

FINANCIAL STATEMENT

for the year ended 30 June 2009 (continued)

INCOME STATEMENT FOR THE YEAR ENDED 30 JUNE 2009

	Notes	2009	2008
Income			
Campaign funds		-	128615
Affiliation fees from branches		838543	779703
Interest received		6442	6632
Rents received		38632	39574
Other Income		1791	-
Research contributions		40000	87304
		<u>\$ 925408</u>	<u>\$ 1041828</u>
Less expenditure			
Audit and accounting fees	11	21200	20700
Annual leave	9	21167	22295
ACTU Affiliation fees	12	68634	68638
Bank charges and duties		217	156
Computer and website design		38548	35288
Delegation expenses	13	170484	201838
Depreciation	14	28020	8431
FBT		16701	19463
General office expenses	15	20763	18700
Industrial relations campaign		-	128615
Insurances		10405	10309
Legal fees		3255	11575
Long service leave	10	8608	11121
Loss on disposal of assets		13583	-
Motor vehicle expenses		7465	9716
National Memorial expenses	16	9712	1245
Property expenses	17	60757	58048
Research expenses	18	60000	140000
Salary & packaging		148569	151452
Superannuation		86017	68389
Telephone		8131	7994
Total Expenditure		<u>802236</u>	<u>993973</u>
Net Surplus for the year		123172	47855
Accumulated funds at beginning of year		786648	738793
Accumulated funds at end of year		<u>\$ 909820</u>	<u>\$ 786648</u>

FINANCIAL STATEMENT

for the year ended 30 June 2009 (continued)

STATEMENT OF CHANGES IN EQUITY FOR THE YEAR ENDED 30 JUNE 2009

	Retained Earnings	Total
Balance as at 1st July 2007	738793	738793
Net surplus for the year	47855	47855
Balance as at 30th June 2008	786648	786648
Net surplus for the year	123172	123172
Balance as at 30th June 2009	\$ 909820	\$ 909820

FINANCIAL STATEMENT

for the year ended 30 June 2009 (continued)

NOTES TO AND FORMING PART OF THE ACCOUNTS FOR THE YEAR ENDED 30 JUNE 2009

I. STATEMENT OF SIGNIFICANT ACCOUNTING POLICIES

The financial report is a general purpose report that has been prepared in accordance with Australian Accounting Standards, Accounting interpretations, other authoritative pronouncements of the Australian Accounting Board and the requirements of the Workplace Relations ACT 1996.

The financial report covers the Police Federation of Australia (the Federation) as an individual entity. The financial report has been prepared on an accruals basis and is based on historical costs and do not take into account changing money values or except where stated. Cost is based on the fair values of the consideration given in exchange for assets. The accounting policies have been consistently applied unless otherwise stated.

The following is a summary of the significant accounting policies adopted by the Federation in the preparation of the financial report.

Accounting Policies

a. Income Tax

The Federation is registered under the Workplace Relations Act 1996 and is considered to be exempt from income tax including capital gains tax, by virtue of the provision of section 50-15 of the Income Tax Assessment Act.

b. Cash and Cash Equivalents

Cash and cash equivalents include cash on hand, deposits held at call with the Police Credit Union.

c. Investment Property

Investment property comprising land and building is held primarily for its own use as an office. All tenant leases are held on an arm's length basis. Investment property are carried at fair value, determined annually by the Committee of Management based on prices in an active market for similar property in the same location.

FINANCIAL STATEMENT

for the year ended 30 June 2009 (continued)

NOTES TO AND FORMING PART OF THE ACCOUNTS FOR THE YEAR ENDED 30 JUNE 2009

d. Property, Plant and Equipment

Each class of property and equipment is carried at cost or fair value less, where applicable, any accumulated depreciation and impairment losses.

Property

Land and building is carried at cost. The carrying amount is reviewed annually by the Committee of Management to ensure it is not in excess of the recoverable amount from these assets. The recoverable amount is assessed on the basis of the expected net cash flows which will be received from the assets employment and subsequent disposal. The expected net cash flows have not been discounted to present values in determining recoverable amounts.

Plant and Equipment

All other items of plant and equipment are also recorded at cost less depreciation and impairment losses

The carrying amount of plant and equipment is reviewed annually by the Committee of Management to ensure it is not in excess of the recoverable amount from those assets. The recoverable amount is assessed on the basis of the expected cash flows which will be received from the assets employment and subsequent disposal. The expected net cash flows have not been discounted to present value in determining recoverable amounts

Depreciation

The depreciation rates and method are based on their estimated useful lives commencing from the time it is held ready for use. The depreciation rates and method used for each class of depreciable assets are:-

Asset Class	Depreciation Rate	Depreciation Method
Buildings and renovations	2%	Straight Line
Office Plant and Equipment	7.5%-20%	Straight Line
Motor vehicles	15%	Straight Line

The asset's residual values and useful lives are reviewed, and adjusted if appropriate, at each balance sheet date.

An asset's carrying amount is written down immediately to its recoverable amount if the asset's carrying amount is greater than its estimated recoverable amount.

Gains and losses on disposals are determined by comparing proceeds with the carrying amount. These gains or losses are included in the Income Statement.

FINANCIAL STATEMENT

for the year ended 30 June 2009 (continued)

NOTES TO AND FORMING PART OF THE ACCOUNTS FOR THE YEAR ENDED 30 JUNE 2009

e. Employee Entitlements

Provisions for employee benefits in the form of Long Service Leave and Accrued Annual Leave have been made for the estimated accrued entitlements of all employees on the basis of their terms of employment. Long Service Leave has been calculated with reference to period of service and current salary rates. Contributions made by the Federation to an employee superannuation fund are charged as expense in the income statement when incurred.

f. Leases

Lease payments for operating leases, where substantially all the risks and benefits remain with the lessor are charged as expenses in the Income Statement in the periods in which they are incurred.

g. Goods and Services Tax (GST)

All incomes, expenses and assets are recognised net of the amount of GST. All debtors and creditors in the balance sheet are shown inclusive of GST.

2. INFORMATION TO BE PROVIDED TO MEMBERS OR REGISTRAR

In accordance with the requirements of the Workplace Relations Act 1996, the attention of members is drawn to the provisions of sub-Sections (1), (2) and (3) of Section 272 which read as follows:

1. A member of a reporting unit, or a Registrar, may apply to the reporting unit for specified prescribed information in relation to the reporting unit to be made available to the person making the application.
2. The application must be in writing and must specify the period within which, and the manner in which, the information is to be made available. The period must not be less than 14 days after the application is given to the reporting unit.
3. A reporting unit must comply with an application made under subsection (1).

FINANCIAL STATEMENT

for the year ended 30 June 2009 (continued)

NOTES TO AND FORMING PART OF THE ACCOUNTS FOR THE YEAR ENDED 30 JUNE 2009

3. Statement of Cash Flows For the Year Ended 30 June 2009

	2009	2008
Cash Reconciliation		
For the purpose of the Statement of Cash Flows, cash at the end of the financial year is reconciled to the following items in the Balance Sheet.		
Cash with financial institutions	\$ 293153	\$ 228099
Cash Flow from Operating Activities		
GST Received	93076	101813
Receipts from Members	825363	774485
Interest Received	6442	6632
Rents Received	32375	38080
FBT Refund ATO	2471	-
Campaign Funds Received	-	128615
Research Contributions Received	40000	87304
Reimbursements and other income	57743	14202
Total Cash Received	1057470	1151131
Less Cash Flow from Investing & Financial Activities		
Payment of GST Expenses on Acquisition	51251	63752
Payment of GST to ATO	42529	44710
Payment of Industrial Relations Campaign Funds	-	128615
Payment of Employee's Entitlement	259248	233637
Payment of Loans to PCU	78000	78000
Payment of ACTU Affiliation Fee	68634	68638
Payment of Purchase of Office Equipment	-	1335
Payment of Motor Vehicle	38690	-
Payment of Other Expenses	434892	489713
Payment of FBT	19172	19463
Total Expenditure	992416	1127863
Net Increase in Cash Held	65054	23268
Cash at the Beginning of Financial Year	228099	204831
Cash at the End of the Financial Year	\$ 293153	\$ 228099

FINANCIAL STATEMENT

for the year ended 30 June 2009 (continued)

NOTES TO AND FORMING PART OF THE ACCOUNTS FOR THE YEAR ENDED 30 JUNE 2009

	2009	2008
4. Cash on Hand		
Petty Cash	\$ 69	\$ 14
5. Amount due from branches		
Police Association of South Australia	6162	5740
Queensland Police Union	14076	-
	<u>\$ 20238</u>	<u>\$ 5740</u>
6. Other Debtor		
Rental Debtor – by tenant	8525	1643
National Police Memorial	1037	-
	<u>\$ 9562</u>	<u>\$ 1643</u>
7. Property-at-cost		
21 Murray Crescent Griffith ACT		
Settled on 24.1.2003	1016581	1016581
Less Accumulated Depreciation	20332	-
	<u>\$ 996249</u>	<u>\$ 1016581</u>
8. Creditors and accruals		
Staff superannuation	-	2013
PAYG re staff wages	3294	3445
Audit & accounting fees	22550	22000
Various expenses	12654	21942
	<u>\$ 38498</u>	<u>\$ 49400</u>
9. Provision for Annual Leave		
Balance as at 1.7.2008	11008	7966
Add additional provision for the year	21167	22295
	<u>32175</u>	<u>30261</u>
Less paid during the year	22499	19253
Balance as at 30.6.2009	<u>\$ 9676</u>	<u>\$ 11008</u>
10. Provision for Long Service Leave		
Balance as at 1.7.2008	48547	37426
Add additional provision for the year	8608	11121
Balance as at 30.6.2009	<u>\$ 57155</u>	<u>\$ 48547</u>

FINANCIAL STATEMENT

for the year ended 30 June 2009 (continued)

NOTES TO AND FORMING PART OF THE ACCOUNTS FOR THE YEAR ENDED 30 JUNE 2009

	2009	2008
11. Auditor's Remuneration		
Audit fees	8000	7500
Other services	13200	13200
	<u>\$ 21200</u>	<u>\$ 20700</u>
12. ACTU Affiliation Fees		
Normal affiliation fee	<u>\$ 68634</u>	<u>\$ 68638</u>
13. Delegation Expenses		
Consultancy fees	-	26380
Conference expenses	49323	39659
Executive expenses	74734	78289
IPC	11575	10807
WAC	6796	11296
APPSC/PSITAB	3648	8426
Federal Council	24408	26981
	<u>\$ 170484</u>	<u>\$ 201838</u>
Delegates are not paid any fees or allowances to attend conferences or executive meetings	-	-
14. Depreciation		
Building	20332	-
Plant and Equipment	1629	2014
Motor Vehicle	6059	6417
	<u>\$ 28020</u>	<u>\$ 8431</u>
15. General Office Expenses		
Filing fees	817	1159
Police Superannuation Administrative fees	299	244
Printing, stationery & postage	8677	6692
Sundry office	6407	6620
Storage	1983	1485
Welfare assistance	2000	2500
Commissions - PANSW	580	-
	<u>\$ 20763</u>	<u>\$ 18700</u>

FINANCIAL STATEMENT

for the year ended 30 June 2009 (continued)

NOTES TO AND FORMING PART OF THE ACCOUNTS FOR THE YEAR ENDED 30 JUNE 2009

	2009	2008
16. National Police Memorial Expenses		
Ties & other	7011	-
Graphic design website expenses	1775	145
Executive expenses	-	1100
Administration Fees	865	-
Courier Fees	61	-
	<u>\$9712</u>	<u>\$1245</u>
17. Property Expenses		
Cleaning & waste disposals	3000	2500
Council rates	9732	9504
Insurance	1840	1712
Interest - PCU	23089	26547
Land tax	10667	9242
Light & power	2495	2379
Repairs & maintenance	7258	4031
Lease Expenses – Stamp Duties, Searches	646	-
Security	541	541
Water rates	1489	1592
	<u>\$60757</u>	<u>\$58048</u>
18. Research Expenses		
Paid to University of Sydney	<u>\$60000</u>	<u>\$140000</u>

FINANCIAL STATEMENT

for the year ended 30 June 2009 (continued)

NOTES TO AND FORMING PART OF THE ACCOUNTS FOR THE YEAR ENDED 30 JUNE 2009

	2009	2008
19. Employees Benefits		
Employees benefit to holders of office		
Wage and salary	-	-
Annual leave paid to employees	-	-
Annual leave provision	-	-
Long service leave paid	-	-
Long service leave provision	-	-
Superannuation	-	-
 Employees benefit to employees (other than holders of office)		
Wage and salary	148569	151452
Annual leave paid to employees (see note 9)	22499	19253
Annual leave provision (see note 9)	11008	22295
Long service leave paid	-	-
Long service leave provision (see note 10)	8608	11121
Superannuation	86017	68389



ANNUAL REPORT

2008-2009



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