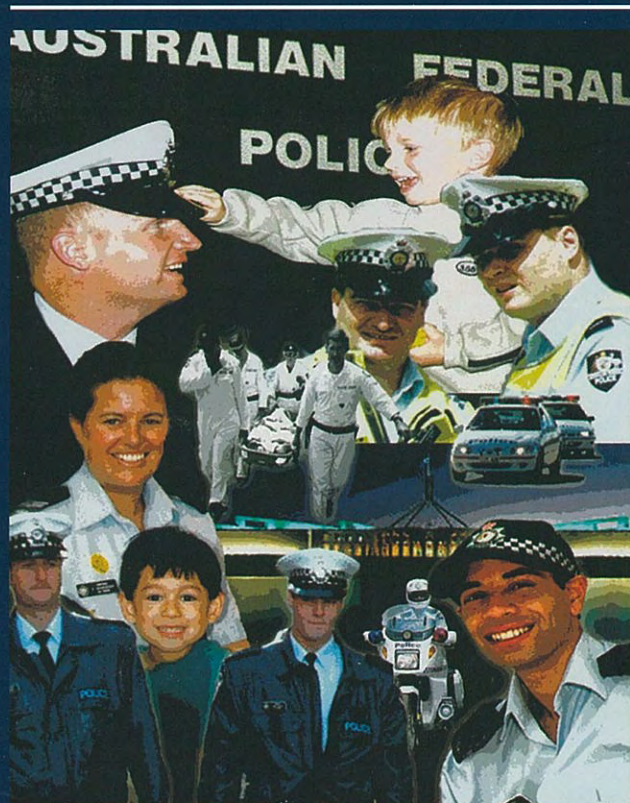


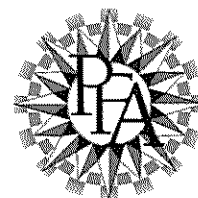


Police Federation of Australia



**ANNUAL
REPORT
2001/2002**

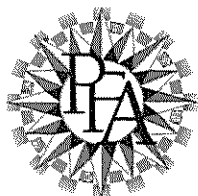
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Police Federation of Australia

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Police Federation of Australia

Affiliates

BRANCH	MEMBERSHIP	NO. OF DELEGATES
New South Wales	14,249	7
Victoria	10,423	5
South Australia	3,880	3
Australian Federal Police	1,993	2
Tasmania	1,093	2
Northern Territory	920	1
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	7,821
Western Australia	4,628
New Zealand	8,339

Officer Bearers

President	Peter Alexander (<i>South Australia</i>)
Vice President	Jon Hunt Sharman (<i>Australian Federal Police</i>)
Vice President	Leon Kemp (<i>Tasmania</i>)
Treasurer	Shane Butler
Executive Members	Ian Ball (<i>New South Wales</i>) Vince Kelly (<i>Northern Territory</i>)
Associate Members	Queensland Western Australia New Zealand
Chief Executive Officer	Mark Burgess
National Industrial Consultant	Chris Hayes

Meetings Conducted



Police Federation of Australia

Federal Council:

12 & 13 November 2001	Perth
3 October 2002	Hobart (Special Council Meeting)

Executive:

11 November 2001	Perth
26 February 2002	Hobart
17 & 18 June 2002	Canberra
15 July 2002	Teleconference
20 & 21 August 2002	Darwin
3 & 4 October 2002	Hobart

Industrial Planning Committee:

11 & 12 February 2002	Sydney
13 & 14 May 2002	Hobart
7 & 8 August 2002	Adelaide
29 & 30 October 2002	Adelaide

Women's Advisory Committee:

27 November 2001	Strategic Planning Meeting, Melbourne
18 – 20 February 2002	Melbourne
21 August 2002	Teleconference



Police Federation of Australia

President's Report

I submit this report at a significant time in the development of the Federation. At the time of writing, we are negotiating the purchase of a building in Canberra to provide us with a permanent base in the national capital.

Further to that, it is anticipated that the CEO will relocate to Canberra some time next year with plans to staff the office as soon as finances permit.

The new building will be more than symbolic; it will give us a real presence in the national capital for the first time and provide a base to facilitate our strategic political lobbying of the federal government.

Also pleasing to report, is the decision of the Western Australia Police Union to establish full branch status. The branch will have the composition and boundary of the Western Australia Police Service.



The fundraising efforts in our appeal for the families of the 60 police officers killed in New York as a result of the September 11 terrorist attacks last year were excellent. Collectively, the PFA sent cheques totalling \$128,733.44 to the appropriate New York funds.

The Federation is currently dealing with an extensive number of issues, more specifically outlined in the CEO's report, but they include federal funding for policing, police-specific superannuation issues, development of a "secondment package" for members working at the NCA/ACC, lobbying relative to DNA and paedophile legislation and police bravery awards to mention a few.

The ILEC conference to be held in Queensland in November, following the council meeting is the first international police union conference to be held in Australia and is a reminder of our international responsibilities and our development as a national body.

Notwithstanding the decision to purchase property in Canberra, it is important for us all to be aware that our CEO, Mark Burgess, and our Industrial Consultant, Chris Hayes, are doing an excellent job in their respective roles without the support of an administrative arm.

I thank all affiliates for making their full-time officials and staff available to assist in the day-to-day activities of the Federation.

However, we must ensure that we make provision in future years for the appropriate level of resourcing to enable the Federation to further evolve in the best interests of our 45,000 members.

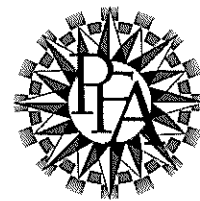
I again acknowledge the special relationship we continue to have with the New Zealand Police Association. Long may it continue.

In conclusion, I place on record my thanks to Mark Burgess for his commitment and efforts on behalf of the Federation which are of the highest order.

I also wish to acknowledge and thank on behalf of all Australian Police Leon Kemp, retiring President of the Tasmanian Branch, for his long term commitment and dedication to the PFA. Leon has not only held his Branch position for nine (9) years he has also served as the inaugural PFA President, and as Treasurer and Vice President.

I thank him for his personal support to me, but more importantly his constant drive to ensure the best interests of working police were always our key consideration.

Chief Executive Officer's Report



Police Federation of Australia

The PFA has been involved in a range of issues throughout the past 12 months in support of its Strategic Plan. They included –

NY Appeal Fund:

Following the September 11 attacks in New York, the Executive met by teleconference on 14 September to discuss the PFA co-ordinating a national fund raising exercise to support the families of those police who lost their life in the September 11 disaster.

The PFA commenced the “New York Police Appeal Fund with a \$20,000 donation.

The fund was closed in July 2002 & cheques totaling \$128,733.44 AUS were forwarded to:

- Port Authority Police World Trade Disaster Survivors Fund \$79,385.62 AUS
- NYC PBA Widows & Children's Fund \$49,347.82 AUS

Submissions to Parliamentary Inquiries:

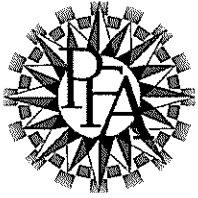
During the past 12 months the PFA have made submissions to the House of Representatives Standing Committees on Economics, Finance & Public Administration, inquiring into Local Government and Cost Shifting and Legal and Constitutional Affairs inquiring into Crime in the Community: Victims, Offenders and Fear of Crime.

The basis of the Local Government and Cost Shifting Inquiry was in response to comments made by the Hon Wilson Tuckey MP Minister for Regional Services, Territories and Local Government following his proposition that policing services could be decentralised to the Local Government level. That is, police officers, with full police powers employed by local governments.

Minister Tuckey met with the PFA Executive on Monday 17 June 2002 and outlined his proposal. He also indicated that he had referred his comments to the above committee for inquiry. In short, the PFA indicated its total opposition in its submission.

We argued that it is inappropriate for local government to directly employ police officers in this country, for a number of reasons:

- Constitutionally we believe there are numerous impediments to the proposal;
- Education, training and professional standards could be compromised;
- Local Government do not have the infrastructure to undertake the task;
- Who would conduct the training, both at recruit level and ongoing in-service?
- What would be the education standards?
- At what level would professional standards be set?
- There is a potential to bring all of these standards back to the lowest common denominator;
- Accountability mechanisms are in place within current policing arrangements, such mechanisms could be questionable within local government;
- Police officers currently have an array of oversight bodies. Who would oversight police officers employed by local council?
- Police officers as ‘constables of police’ have autonomy and discretion. Who would seek to give directions to police officers employed at local government level?
- What structures or processes would be in place if these police needed assistance from State/Territory/Federal resources?
- Who would determine what are local government police roles, priorities and responsibilities as opposed to those of state/territory/federal police?
- Would they be accepted as ‘registered’ member of the police profession, should the current pursuit of professional registration of police be achieved



Police Federation of Australia

Chief Executive Officer's Report

(Continued)

In respect to both submissions we also argued issues including research into the impact of drugs on crime, the Clinton Strategy in the United States where federal funds are made available for local policing initiatives, greater federal funding of operational policing at the State and Territory level, overseas research into crime prevention, concerns regarding private policing, consistency in legislation across jurisdictions and our view of the structure of the Australian Crime Commission.

Development of a PFA position on Justice, Community Safety and National Security:

The Executive has authorised the development of a position paper on Justice, Community Safety & National Security to be used strategically for political lobbying in the lead up to the next federal election.

Many of the issues we have previously raised, including those in submissions to the House of Representative committees mentioned in the report, will form the basis of that position paper.

In part, our submission regarding "Crime in the Community" relied on research conducted in the United States.

In a major report to the United States Congress in 1998, the issue of federal (US) funding for crime reduction was considered. A group of respected crime researchers reflected on the primary role of the government in funding crime prevention projects. They pointed out that these projects were most effective when targeted at those areas where youth violence is highly concentrated.

The report showed that not only should funding be targeted at trouble spots, but it should also be placed in the context of a multi-agency approach. Programs need to be innovative and developed at local areas. "A much larger part of the national crime prevention portfolio must be invested in rigorous testing of innovative programs, in order to identify the active ingredients of locally successful programs that can be recommended for adoption in similar high-crime urban settings nation-wide".

The report pointed out that "Most crime prevention results from informal and formal practices and programs located in seven 'institutional' settings".

These institutions appear to be "interdependent" at the local level, in that events in one of these institutions can affect events in others that in turn can affect the local crime rate.

The seven 'institutions' identified in the report are:

- Communities
- Families
- Schools
- Labor Markets
- Places (specific premises)
- Police
- Criminal Justice

It is clear from the report that federal intervention can be most usefully deployed to fund programs that bring together all (or combinations of) the seven institutions.

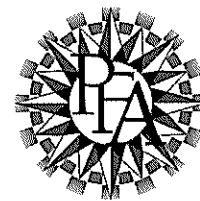
We have been arguing that the same applies to the Australian context. Federal funding to promote crime prevention programs through local funding may have a significant impact.

Local police know the needs of their particular community, but often have difficulty in developing programs in their communities through lack of funds. Creative and innovative projects that bring together as many of the seven institutions as possible may be an appropriate source of federal government funding.

These types of programs could operate in conjunction with local policing initiatives.

Chief Executive Officer's Report

(Continued)



Police Federation of Australia

To that end the PFA has previously recommended that the Australian Federal Government establish an "Innovations Grant Program" for programs aimed at local crime reduction.

The aim of such grants would be to bring together local representatives of the seven institutions identified in the US report to develop locally based programs for crime reduction and that it would be appropriate for local police to have a coordination role in such programs.

Underpinning the Police Federations policy position on Justice, Community Safety and National Security will be the formation of a national policy on supplementing and assisting local policing initiatives with federal government funding, as well as increasing funding to our Federal Police, thus ensuring that all parties who have an influence on local law enforcement share the burden.

It will also include a thorough examination of resource allocation formulae to ensure that all jurisdictions have sufficient resources to meet the needs of their local communities.

Canberra Property Purchase:

At the time of compiling this report we are actively seeking to purchase an office in Canberra. This will be the first office purchase by the PFA and will be our official headquarters into the future.

When we endorsed the PFA's Strategic Plan in August 2000, one of the key components of that plan was our ability to lobby effectively at the Federal level.

To ensure we could undertake that role, the decision was taken that we would ultimately locate the PFA's headquarters to Canberra. It is anticipated that in either late 2002 or early 2003, that will become a reality.

Superannuation/Optional early disengagement outstanding Reportable Fringe Benefits Tax issues:

At the Executive meeting in Canberra in June 2002 the Executive endorsed a strategy for the pursuit of Superannuation/Optional Early Disengagement and outstanding Reportable Fringe Benefits Tax issues.

In the lead up to the 2001 federal election, we received a written commitment from the Prime Minister to review the Government's position on Superannuation/Optional Early Disengagement & unresolved Reportable Fringe Benefits Tax issues.

Despite having sought meetings with the Assistant Treasurer Senator Helen Coonan to determine what action the Government will take in respect to the PM's commitments, we had no satisfaction, although we did meet with her staff.

In March we met with the Opposition spokesperson on Superannuation matters Senator Nick Sberry and he met with the Executive at their meeting in Canberra in June. He has since produced an ALP Superannuation Policy document and we have been invited to prepare a response to that policy document.

At the June Executive meeting we endorsed a lobbying campaign in marginal Lower House seats seeking support for our position on these important issues. This strategy involved branch Presidents and members visiting some 36 seats across all Australian States and Territories.

As this report is going to print we have just received correspondence from Senator Coonan indicating that the "...Government will not be making any changes to the preservation rules as they affect police".

To date we have had no response from the Government in respect to the FBT issues we had raised. It is therefore apparent that we will need to once again lift the profile of our concerns to encourage the Government to revisit their policy of this issue.



Police Federation of Australia

Chief Executive Officer's Report

(Continued)

National Police Memorial:

Following the commitment in September 2001 from the Government to construct a National Police Memorial in Canberra a committee was formed consisting of John Davies, Deputy Commissioner of the AFP as Chairperson, Bruce Wernham, Deputy Commissioner of the NT

Police representing the Police Commissioners and Mark Burgess CEO of the Police Federation representing Australian Police Associations/Unions.

At its inaugural meeting in May 2002 a comprehensive presentation was given by representatives of the National Capital Authority (NCA), who are responsible for memorial construction and management in the ACT. They volunteered their services to manage the project free of charge.

At a subsequent meeting in August, the decision was made to invite the NCA and the Police Legacy network to sit on the Steering Committee of the Memorial project.



In the initial presentation to the Committee the NCA indicated that they expected the total budget for the project would need to be \$2.4 million.

At the time of compiling this report the issue of funding is yet to be resolved, although an earlier recommendation from the Australasian Police Minister's Council had determined that the project should be funded in one-third shares between "the Police Associations, Commonwealth and the States/Territories".



As this would see a necessity for the PFA to raise \$800,000 towards the construction, we have not committed to this funding break up and the issue is still subject to debate.

In respect to the site of the memorial, the NCA has recommended that an area of Kings Park, just off Kings Avenue be the preferred site. This appears to be the best available location, but at the time of writing the site has not been formally confirmed.

The issue of the definition of "killed or died on duty" is yet to be discussed by the committee, but is recognised as one of the more difficult decisions that will need to be made during the

development process. Already it is evident from material provided from respective jurisdictions, that differing definitions are used across the country.

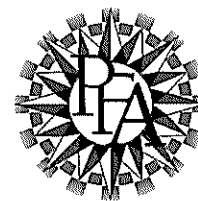
It is anticipated that the Memorial will be ready for dedication in late 2004.

Development of the Police Profession:

The PFA is represented on the Australasian Police Professional Standards Council (APPSC) by our National President Peter Alexander. Greg O'Connor is also on the Council representing the New Zealand Police Association. The other members of the Council are the Australasian Police Commissioners (Australia & New Zealand) with Fiji being an Associate member.

Chief Executive Officer's Report

(Continued)



Police Federation of Australia

The Chairperson is Chief Commissioner Christine Nixon from Victoria.

Earlier this year the Council changed its name from the Australasian Police Education Standards Council to the Australasian Police Professional Standards Council. This arose as the direction of Council changed to become involved in more than just the development of competencies and educational standards. It is now involved in the development of other professional standards progressing police professionalism and ultimately police professionalisation.

At a Special Council meeting in late July the Council endorsed its Secretariat, in addition to its current outputs, to ".....co-ordinate and manage the development of ethical, service delivery and individual professional development standards within the context of agreed role competencies". It further agreed to change the committee and sub committee roles and structure as proposed in the paper "Progressing Policing Towards A Profession – A Discussion Paper".

The APPSC Committee structure and roles were rationalised to ensure minimum additional standing committees. The APPSC Steering Committee is now the only permanent committee, taking on continuing roles of quality assurance and responsibility for overseeing various project groups.

The CEO is the PFA representative on that committee and Greg O'Connor represents the NZ Police Association.

The overall strategy is geared to further professionalise police service delivery, progress professionalisation through a series of achievable steps and to identify, develop and agree on Australasian policing professional standards.

Following the first of the new Steering Committee's meetings in late July a number of key recommendations were made to the APPSC Council.

They were on-going projects of –

- Continued Competency and Training Development to establish endorsed competencies describing all appropriate functions of police service delivery.
- VET Qualifications Framework Review – reviewing existing Police vocational qualifications in the Public Safety Training Package to ensure contemporary qualifications are and continue to be appropriately endorsed under the Australian Quality Training Framework (AQTF).

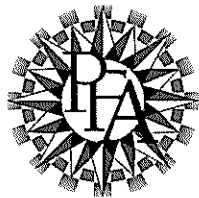
New projects –

- To establish an Australasian Police Service Delivery Code of Conduct.
- To establish an Australasian Police educational standard for confirmation or permanent appointment of Constables.
- To establish standards of personal integrity, education & performance as a requisite for entry into the Police Profession.
- To identify a mobility model and enabling mechanisms to facilitate inter-jurisdictional mobility at rank.
- To establish higher education qualifications as part of an Australasian Police Education Qualifications Framework (APEQF).
- Establish strategies and processes for transition of training and education delivery from the vocational to the tertiary sector.

Moves to establish the Australasian Crime Commission (ACC) to replace the National Crime Authority:

Following the leaders' summit on Terrorism & Multi-Jurisdictional Crime in April 2001, the move from the National Crime Authority (NCA) to the creation of the Australian Crime Commission (ACC) was announced.

From the beginning, as the leaders left Parliament House in Canberra and gave their statements to the awaiting press, it was evident that one issue that was unclear from the deliberations was that of what, if any, investigative role the new body would perform.



Police Federation of Australia

Chief Executive Officer's Report

(Continued)

The Commonwealth representatives went to great lengths to play down a future investigative role for the ACC whilst the State and Territory leaders talked up the continuance of an investigative function.

At that time there were some 120 police from all jurisdictions, State, Territory and Federal, on secondment to the NCA. It was the view of the PFA that a body with strong investigative powers not available to State, Territory or Federal Police, staffed by experienced police from all jurisdictions with specialist capabilities should be maintained and the costs of such arrangement be met by the Commonwealth.

Our rationale for having the 'in house' capabilities to investigate major organised crime was, 'who else will do it'?

If it was left to individual State and Territory police forces, then it wouldn't happen. Apart from the fact that their resources are already stretched to the limit, much of their focus is on community crime and it is difficult to devote resources to wide ranging, resource intensive, lengthy operations targeting large scale organised crime targets.

If it is left to the Federal Police, our argument was that likewise, their resources were also stretched; they are numerically small, are already focused on a range of Commonwealth interests and cannot be expected to put State and Territory interests ahead of those of the Commonwealth.

The ACC on the other hand we proposed, should be a National body focused on National crime on behalf of the States, Territories and the Commonwealth as opposed to Federal crime. In this way it would allow the jurisdictions to participate equally in tackling the more complex and difficult organised crime on a systematic basis.

Another pertinent reason for ensuring investigations are undertaken by a select group of police attached to the ACC is to ensure that investigations, many of which go on for months if not years, do not have a 'revolving door' of police investigators working on them during their life, thus ensuring confidentiality and the security of operations are not compromised.

The PFA therefore argued that the ACC should have an intelligence & investigative function performed by sworn police and be staffed by employees of police services on secondment from all jurisdictions.

We also argued that the Chairman/CEO of the ACC should have a strong, lengthy law enforcement background, preferably being a current senior serving police officer and that the Board should be made up predominantly of all Police Commissioners and chaired by the Commissioner of the AFP.

The PFA publicly stated that the debate over the demise of the NCA and its replacement by the ACC had the potential to become merely a political debate between State and Territory Governments, and the Commonwealth. We believe that it was vital that individual political or jurisdictional interests be put aside. The decision on the future of the ACC was one that was important to all Australians and any decision made must be in our best National interest.

It was therefore pleasing to note that in August 2001 agreement was reached between the States, Territories and the Commonwealth to form the new body, the ACC. The agreement contained almost all of the issues the PFA had campaigned on.

Police from all jurisdictions would work at the ACC on secondment from their home jurisdictions, it would have both an investigative and intelligence function, Police Commissioners would make up eight of the 13 voting members of the Board with the Commissioner of the AFP as the Chairman and the Chief Executive Officer would be ".....an individual with a strong law enforcement background". Finally, in respect to funding, the Commonwealth would maintain current levels of funding.

The issue of the development of the ACC was again a good example of the ability of the PFA to lobby at all levels of Government in an endeavour to achieve an outcome in the best interest of policing and our nation.

Chief Executive Officer's Report

(Continued)



Police Federation of Australia

Review of Veteran's Entitlements Act:

On 10 July 2002 the PFA coordinated a hearing of the Review of Veteran's Entitlements Committee in Sydney at the NSW Police Association Office.

The PFA, in conjunction with Mr. Norm Webber, a retired Chief Inspector from NSW representing UNCIVPOL, developed a comprehensive submission to that committee on behalf of all police who have previously, currently or in the future, will serve in overseas peace keeping missions.

The submission reported that 1,871 Australian police officers had so far served a total of 2,453 tours of duty in 11 separate missions throughout the world:

- UNFICYP – Cyprus 1964-
- UNBRO – Thailand 1989
- UNINAM – Namibia 1989-90
- UNTAC – Cambodia 1992-93
- UNOSOM – 11 Somalia 1993-95
- UNOMOZ – Mozambique 1994
- Multi National Force – Haiti 1994
- Truce Monitoring – Bougainville 1997-98
- Peace Monitors – Solomon Islands 2000-02
- UNAMET – East Timor 1999-2000
- UNTAET – East Timor 2000 –



Three have been killed, a number wounded and many others are suffering the effects of their duties, performed whilst generally unarmed, under circumstances of extreme danger in locations of squalor and non existent hygiene, operating without the benefit of ancillary services that accompany military units.

They have been subject to civil war, air attack, minefields, snipers, crossfire, taken hostage, been threatened with death, taken 'prisoner of war', stoned spat upon, assaulted and insulted. They have witnessed and investigated horrendous crimes against humanity.

In respect to our claim for greater coverage under the Veteran's Entitlement Act, the Australian Military were granted 'warlike' benefits in:

- Somalia
- Cambodia
- UNAMET – East Timor
- UNTAET – East Timor (early deployment)

At the same time Australian police were deployed in the same circumstances as the military, unarmed and have never been considered for 'warlike' benefits under the Act.

A number of recommendations were made in our report and given to the Committee. They included:

- A separate Part within the Act dedicated wholly to Police to acknowledge and deal with the specific 'veterans' requirements of overseas policing.
- That a special definition of 'extraordinary overseas policing' be included. Such definition to include **policing circumstances not met in Australia.**
- That a special definition of 'overseas policing' be included in the Act where the policing circumstances are of a lesser degree than 'extraordinary'.
- That the Commissioner of the AFP be given the responsibility of recommending to the Minister for Veteran's Affairs of any UN Mission involving Police that should be declared an 'extraordinary overseas Policing' Mission.
- That any police officer serving in such a mission be entitled to 'full' coverage and benefits under the Act.



Chief Executive Officer's Report

(Continued)

It is anticipated that the committee will report to the Minister for Veteran's Affairs by the end of the year and we look forward to our submission being given favorable consideration in that report.

International Law Enforcement Council 2002:

Throughout the year we have been actively planning the ILEC Conference to be held following our PFA Council Meeting in Queensland on 14 and 15 November.

At the time of compiling this report we have responses to invitations from –

- Police Federation of England and Wales
- Association of Garda Sergeants and Inspectors
- Denmark Police Association
- Fraternal Order of Police
- Scottish Police Federation
- British Transport Police Federation
- Police Federation of Northern Ireland
- Combined Law Enforcement Association of Texas
- Canadian Police Association
- National Association of Police Organisations
- New Zealand Police Association
- Two representatives from each Australian jurisdiction

Issues listed for the agenda include –

- Private Sector involvement in Policing
- Independent Elements in Police Complaints
- The use of IT in Police Federations & Unions
- Resourcing and allocation, Erosion of Policing Core Functions, Individual contracts for police and chiefs of police lack of independence
- International Security including – Law enforcement on aircraft and Chemical/Biological attacks on mass transport systems
- 20 year retirement/disengagement/police pensions
- Licensing/Registration of Police Officers
- Future directions of Police and Police Unions

This is the first time the PFA has hosted an international conference of this nature, with delegates representing some one million law enforcement officers from across the world.

Consistency in DNA & other appropriate Legislation:

The PFA has continued, through its branches, to lobby respective State and Territory governments to ensure that DNA legislation is consistent across the country.

In March 2002 we met with representatives of the Justice Minister's and Attorney General's offices to highlight the shortcomings in legislation in the some of the jurisdictions.

Issues highlighted in that meeting, where inconsistencies exist included –

- The Range of Offices for which persons can be tested
- Informed Consent
- Safeguards in –
 - Providing a portion of DNA to a person sampled & a copy of DNA analysis results
 - Matching requirements
 - Penalties for misuse
- Registration of orders
- Destruction requirements
- Recognition of what is lawfully taken from other jurisdictions

This issue will continue to be pursued until consistency in legislation is achieved.

Chief Executive Officer's Report

(Continued)



Police Federation of Australia

Police Bravery Awards:

At the 2001 Federal Council meeting we endorsed the development of the concept of the Australian Police Bravery Awards. Over the past 12 months we have been working to make this a reality.

At the time of compiling this report we are confident we have secured the support of a major media organisation to promote the awards through their Australia wide network.

We are hopeful of being able to publicly announce the inauguration of such an award in the near future.

Registration of Paedophiles:

At the June 2002 Executive meeting the President gave a report to the Executive on legislation that has been enacted in Canada (Christopher's Law).

The Executive endorsed the concept of a sex offenders register being developed on a national basis and authorised research to be undertaken in each jurisdiction, as well as federally, looking at current available legislation and any other strategies that may be in place at present.

This issue has been identified as one the PFA will pursue with vigor over coming months and lobby all levels of Government to support such a register being developed and implemented nationally.

Conclusion:

As is evident from the array of issues that have just been reported on, as well as those included in the Industrial and Women's Advisory Committee sections of this report, we have identified numerous matters to pursue on behalf of our membership.

The PFA's Strategic Plan, endorsed by the 2000 Federal Council meeting is being utilised to underpin decisions of the Executive on all of these important issues. I foreshadow, that I believe it will be important to revisit that plan at the 2003 Federal Council Meeting, to ensure that the issues identified in 2000 are still relevant to our operations beyond 2003.

Perhaps the most important strategic decision we will make in the near future is the purchase of a property in Canberra. It is a major decision, not only in that it will entail the PFA going into considerable debt, it will be the first time since the inception of the PFANZ, that collectively we have made such a decision.

Our decision to support the purchase of a property should be a clear message to all State, Territory and Federal political parties, and the police forces of this country, that the PFA, on behalf of its 45,000 members, will be a national voice on all issues affecting policing.

In closing I thank the members of the Executive and their respective branches for their support over the past 12 months. I appreciate the fact that your staff, in every office across the country, has been extremely helpful and co-operative.

The decision to allow me to run a 'virtual' office over the past two years, whilst allowing us to consolidate and bank a considerable amount of money, with a view to the ultimate purchase of a property in Canberra, has not been without it difficulties in respect to secretarial support and the amount of travel required of the President and the CEO.

The issue of secretarial support will be overcome when we move into premises in Canberra. The amount of travel required of officials is one that will need to be considered by the Executive.

I owe special thanks to Peter Alexander for his tireless effort and support. Peter has been available 24 hours a day seven days a week and has never backed away from his commitments as our



Police Federation of Australia

Chief Executive Officer's Report

(Continued)

National President. He is always willing to make the hard decisions and always totally committed to supporting others who have done likewise. His guidance and counsel are an important factor in the achievements the PFA have made under his stewardship. All members of the Federation owe him a great deal.

I would also like to publicly acknowledge the support given to me by our retiring Vice President Leon Kemp from Tasmania. Leon was the inaugural President of the PFA when the High Court's decision took effect on 1 January 1998, having previously served as President of the PFANZ. Since 1998 he has also served as Treasurer and Vice President of the PFA.

His guidance and wisdom, together with his vast corporate knowledge of the PFA and previously the PFANZ will be sorely missed. Although he may have come from one of the smaller affiliates, I cannot recall an occasion where Leon's counsel was not sought prior to any decision being taken by the PFA. On behalf of all members I wish Leon and Maria well in retirement.

The next 12 months will see a new phase in the PFA's history in our move to the nation's capital. Something we have talked about for so long is about to become a reality and I believe that the full potential of the PFA will be realised in the ensuing years as a result of that decision.

Industrial Report



Police Federation of Australia

Report on activities of Industrial Planning Committee:

As indicated in the meetings section of this report, the IPC has met on four occasions since our last Council meeting and has been responsible for dealing with a range of issues that have either been raised direct through the IPC or referred to the IPC by the Executive.¹¹¹

Those priority issues include:

Road Spikes:

The IPC raised the matter of road spikes in respect to OH&S issues and also in respect to potential legal liability of police who lay road spikes resulting in an injury to an offending driver or passenger.

This matter has been referred to the Australasian Centre for Policing Research for a potential research project.

Development of a 'Secondment Package' for members working at the NCA/ACC:

Chris Hayes outlines the issue in more detail in his report and our willingness to negotiate with NCA Management to seek an appropriate outcome to this matter.

A sub committee consisting of Paul Mullet (Victoria), Jon Hunt Sharman (AFPA) and Mark Burgess and Chris Hayes (PFA) have been tasked with this matter for report back to the Executive.

Contemporary Industrial Platform:

The IPC has for some time been discussing the possibility of the development of a 'Contemporary Industrial Platform' that would involve the development of a 'Model Terms & Conditions' Working Paper. As we work through negotiations with the NCA re a Secondment Package, model terms and conditions will become evident.

A sub committee consisting of –

- | | |
|-------------------|-----------------|
| • Angela Bradford | Tasmania |
| • Mark Carroll | South Australia |
| • Chris Kennedy | Victoria |
| • Craig Shannon | AFPA |
| • Chris Hayes | PFA |
| • Mark Burgess | PFA |

has been formed to work on this issue. The Executive also tasked this same sub committee with developing a secondment package for the NCA, in conjunction with the sub committee outlined in the previous item, utilizing the work they are carrying out in respect to Model Terms & Conditions.

Angela Bradford from Tasmania put a tremendous amount of work into the development of a comparison paper taking into account the terms & conditions of employment across all jurisdictions. This document is currently being used by the sub committee.

It is planned that such a document can be used in future Enterprise Bargaining negotiations across jurisdictions allowing them to seek the best terms and conditions on offer for their respective members.

First Response Vehicle Standards:

For some time the issue of a 'national standard' for police vehicles has been discussed at all levels of the PFA.



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Industrial Report

(Continued)

In November 2001 the Victorian Police Force hosted a Police Vehicle Safety Symposium in conjunction with Monash University's Accident Research Centre to which a number of branches sent representatives. That symposium focused on issues such as –

- Rollover risk
- Division vans/prisoner transport vehicles
- Construction/modification risks
- Duty of Strategies

The reasons motivating the PFA was that there had historically been a number of accidents in which members had been killed and seriously injured which brought into question the vehicles being used. It was also recognised that they are one of the most important tools in the delivery of modern policing. They are the 'office' of many front line police officers and they represent approximately \$250 million in capital expenditure for police organisations across the country.

Des Berwick, Executive Officer from the Australasian Centre for Policing Research and Peter Walsh, Executive General Manager of the Standards Division of Standards Australia were invited to the May IPC meeting in Hobart where the issue of the development of Standards Australia, registering a standard for First Response Police Vehicles was discussed.

As a result of those discussions the PFA has now completed a formal proposal to Standards Australia for the development of a standard for First Response Police Vehicles, the development of a Handbook and a Product Specification. We are currently awaiting advice from Standards Australia as to the next steps in this process.

PFA Website:

In last year's annual report the issue of the development of a PFA Website was raised. I am pleased to report that by the time this year's report is released the website will be functional.

Late in 2001 we called for tenders for the site based on functional specifications determined by the IPC. In March 2002 the tender was awarded to Vectra Corporation, a company based in Adelaide South Australia.

The website will provide a secure site for branches professional staff to access material that previously needed to be collated each time it was required. Confidential material such as legal advisings, research work 'not for publication' and any other material that would not generally be made available to the general public will be able to be access by staff through this secure section.

The site will also provide links to other affiliated organisations.

Report by Chris Hayes – Industrial Consultant to the PFA –

Enterprise Bargaining:

In my report to Council last year and largely inspired by the then recent Victorian police wage dispute, I drew attention to some of the fundamentals of enterprise bargaining under a decentralised wages system and questioned whether such a system was capable of meeting the expectations of police and the police force alike.

We have witnessed the transition from a system that was able to rely on various centrally determined standards or benchmarks regardless of whether they were established at a state or federal level, to a system where priorities and outcomes are supposed to reflect the discrete nature of the business or enterprise. A system where even the terminology has changed and industry standards have now been replaced by enterprise specific outcomes.

In effect, the system of enterprise bargaining is a natural derivative of the principle of supply and demand. It therefore follows that in a decentralised system of bargaining, the parties are able to enhance their positions by the applying of some measure of force.

Industrial Report

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Hence, as an integral part of the enterprise bargaining system, the parties were provided with the legal access to protected industrial action and at the same time, the minimisation of any external intervention. In other words, the new system envisaged that the parties would if necessary thrash out their own outcome therefore one not imposed upon them by the industrial courts and tribunals.

As this system had its genesis in the private sector, both unions and management had a greater preparedness to take decisions that clearly reflected supply and demand. No greater example of this was seen in Hunter Valley Coal dispute that developed into the defining enterprise bargaining test case. Despite a lengthy strike which was responded to by the colliery owners by an even longer lockout, the Industrial Relations Commission refused to terminate the bargaining period and clear the way for arbitrated result.

The Commission's position was on the basis that the parties were entitled to bring, notwithstanding its veracity, industrial action to enhance their position and force an outcome. While some saw the courts position or lack thereof as clearly sanctioning "the law of the jungle," the IRC nevertheless correctly interpreted the statutory position in relation to enterprise bargaining.

Under enterprise bargaining, where negotiations between the parties may be arduous and to the point of involving major industrial action, it is the process that is expected to produce an outcome suitable or sustainable to the enterprise. In other words, a value is ultimately determined to reflect the weight of the party's' respective negotiating position.

Hence, it is of little wonder that the public sector finds the practical application of enterprise bargaining a little difficult and in respect to some police jurisdictions, absolutely foreign.

As I drew your attention to last year, *"so much for enterprise bargaining when state and territory governments can determine public sector wage outcomes and then simply declare as a matter of policy that police will not be treated any differently to any other public servant. It is little wonder why disputes such as the one currently in progress in the Victorian Police Force have developed. ... when it comes to be evaluated the net worth of these qualities, governments seem more often than not determined to invoke public sector wages policy in order to effectively prevent enterprising bargaining for a specific and unique section of the workforce"*.

This year we have once again seen a government seemingly committed to enterprise bargaining, turn the tables when it comes to a police union. Perhaps more accurately, in their recent effort to legislatively remove and prevent police from availing themselves of protected industrial action in furthering their claims, the Queensland Government effectively turned the table over.

Again in the eye of government, police are different from all other categories of employees for the purpose of integrity, discipline and fulfilling community expectations, but when it comes to wage negotiations, police are expected to fall in with government's determined wage policy. The attitude of the Queensland Government is not uncommon among state governments, but mandating police from access to the tools of enterprise bargaining is a new development.

Preventing police from effectively value adding their negotiating position has a clear and detrimental effect on any negotiated outcome.

The International Labour Organisation (ILO) in 1998 adopted a Declaration on Fundamental Principles and Rights at Work. The Declaration provides in clause 2 that *"The International Labour Conference declares that all Members, even if they have not ratified the Conventions in question, have an obligation arising from the very fact of membership in the Organization to respect to promote and to realise, in good faith and in accordance with the Constitution, the principles concerning the fundamental rights which are the subject of those Conventions, namely freedom of association and the effective recognition of the right to collective bargaining...."*

ILO Conventions 87 (Freedom of Association) and 98 (Right to Organise and Bargain Collectively) provide the basis for contemporary enterprise bargaining.



Industrial Report

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Convention 87 requires member states to take steps to encourage and promote collective bargaining while Convention 98 sets out certain guarantees regarding the right to organise. Both of these Conventions permit member states to decide the extent to which the guarantees they provide apply to the police. Article 9 of Convention 87 and Article 5 of Convention 98 provide:

*"The extent to which the guarantees provided for in this Convention shall apply to the Armed Forces and the **Police** shall be determined by national laws or regulations."*

It was on this basis that the NZ Police Association received advice that Government could move to restrict the right of sworn members of the police to engage in collective bargaining (including striking).

"However, the jurisprudence of the ILO discusses the measures that ought to be put in place where the right to strike is removed for employees in the public service, and it is this jurisprudence that could be of assistance to the Association, at least by analogy given the stated desire of the Government (expressed in the documents forwarded to me) to more closely align the New Zealand Police with state sector employees".

The Freedom of Association Committee of the Governing body of the ILO has had cause to discuss restrictions being placed on the right to strike in the public service. In paragraph 533 of its Digest of Decisions (1996) the Committee noted:

*"The Committee has acknowledged that the right to strike can be restricted or even prohibited in the Public Service or in essential services insofar as a strike there could cause serious hardship to the National Community and provided that the limitations are accompanied by **certain compensatory guarantees**."*

It is in relation to the compensatory guarantees that the Northern Territory Police Association relied in pursuing a revision to the police Arbitral Tribunal. The ILO Committee went on to indicate:

*549. In mediation and arbitration it is essential that all the members of the bodies entrusted with such functions should not only be **strictly impartial** but, if the confidence of both sides, on which the successful outcome even of compulsory arbitration really depends, is to be gained and maintained, **they should also appear to be impartial** both the employers and to the workers concerned."*

*547. As regards the nature of appropriate guarantees in cases where restrictions are placed on the right to strike in essential services and the public service, restrictions on the right to strike should be accompanied by **adequate, impartial and speedy conciliation and arbitration proceedings** in which the parties concerned can take part at every stage and in which the awards, once made, are fully and promptly implemented."*

546. Where the right to strike is restricted or prohibited in certain essential undertakings or services, adequate protection should be given to the workers to compensate for the limitation thereby placed on their freedom of action with regard to disputes affecting such undertakings and services."

Clearly, it is envisaged that the provision of an independent arbitration tribunal must have an unfettered power to determine on merit so as to ensure that the collective position of police is not adversely affected by virtue of removing their ability to value add their negotiations through the deployment of industrial action. In other words, the Arbitral component must not place police in less favourable position than might be reasonably achieved in enterprise bargaining.

Simply by constructing a situation at law to effectively remove police from enterprise bargaining or even forcing police to a general industrial tribunal, restricted by allowable matters or commonly applied wage principles, may not properly satisfy the ILO provision.

Hence, in relation to arbitral bodies, the PFA has consistently sought that where enterprise bargaining is restricted or not practical, police should have access to a discrete arbitral tribunal, with special understanding of policing as well as industrial relations and a body that police are confident in leaving their matters for a prompt determination.

Industrial Report

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In particular, establishing a tripartite Police Arbitral Tribunal, as was achieved in the Northern Territory, apart from ensuring the tribunal is sufficiently seized of police knowledge and understanding of the policing environment, also instills confidence by all parties in the processes and indeed the decisions of such a body.

As a result of issues raised above, the Police Association of Tasmania has also requested the PFA to assist in developing a proposal for the establishment of a Tasmanian Police Tribunal. To date there has been reasonable resistance from the service and presumably the Office of Public Employment for the creation of a police specific Tribunal.

Essentially the argument advanced by the Service is that police have access to the Tasmanian Industrial Commission and as such that jurisdiction could adequately attend to police industrial issues.

However as a constitutional issue, the Industrial Commission has only a qualified jurisdiction conferred upon it as opposed to one emanating out of an employment relationship of police. Ordinarily, this might be seen as going some distance in achieving the same objectives in so far as having a generic system of industrial relations apply to policing.

However, in participating in industrial relations, unlike any other groupings of employees, police are either statutorily barred or affected by their oath of office from fully availing themselves of the industrial ability to improve their negotiating position.

Following a number of meetings with the Tasmanian Government in conjunction with a review of the Police Act, as well as the police service participation in a recent disciplinary matter before the Industrial Commission, there now seems positive signs of interest on the part of the Government in respect to a police tribunal.

The Police Association of Tasmania is not seeking to avoid enterprise bargaining but rather to give greater impetus to negotiated outcomes by underpinning discussions with the parties having access to a discrete tribunal and having a police focus on industrial relations.

NCA Secondment Agreement:

As has been mentioned in the earlier section of this report, during the course of 2002 the PFA has been involved in discussions with the management of the NCA with a view to standardising secondment provisions applying throughout the Authority in respect to State and Territory police members.

In approaching the PFA, The NCA raised the existence of administrative difficulties implicit in current practice of seconding police on home jurisdictions and the effects it has on operational management within the NCA.

Under the current arrangements, officers seconded from state and territory jurisdictions operate in the NCA on their respective home jurisdictions conditions of employment. As such, all wage differentials, state and territory specific conditions as well as the local conditions under which various allowances are paid and time off is accrued are all respected and adhered to by the NCA in the operational deployment of secondees.

Having regard to operational budgets, operations co-coordinators have been taking home jurisdiction differentials into account when allocating duties and assessing operational commitment. For instance, as call-out provisions differ between jurisdictions, the NCA operations co-coordinator will opt for the officer whose state conditions are less favourable and therefore having a lesser budgetary effect on the operation allocation.

While this is overly simplistic, when overtime conditions, annual leave requirements and monetary allowance triggers are taken into account, NCA decision-making may ultimately compromise operational planning in favour of the cheapest alternative and from the PFA prospective, engaging discriminative practices amongst police members.



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Industrial Report

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As the PFA is publicly seen as representing police on a cross jurisdictional basis and has the industrial capacity to cover all sworn police and therefore all secondees, the NCA sought to establish an understanding with the PFA as to the development of a set of common conditions.

During the period of secondment, the NCA does not become the actual employer of seconded police, as this remains the statutory obligation of the home state Commissioner. Therefore, the NCA approach is not a negotiation, but more an effort to establish a template of conditions of employment in which all secondees could fairly and equally be accommodated during their period with the NCA.

It is in relation to determining a common template of conditions that fits well with one of the key tasks allocated to the Industrial Planning Committee of the PFA, namely to address a national benchmark of police conditions. In attempting to establish a structure that can accommodate police from all Australian jurisdictions it will in itself achieve a similar outcome in respect to benchmarks, if not the actual establishment of the conditions, the provision of a monetary incentive in lieu thereof.

In an effort to develop upon the NCA's position, particularly the recognition of the PFA as being uniquely placed to represent police from every Australian jurisdiction, and indeed the legal recognition of the industrial coverage of police under the federal *Workplace Relations Act 1996*, the NCA and ourselves have been examining a number of options. The NCA originally had legal advice that their aims could be accommodated by the development of contracts made pursuant to *Part VID* of the Act (AWA's). In face of serious objection from the PFA and every affiliate, this option was abandoned.

In its place, and as a more effective remedy, the PFA has proposed the establishment of an industrial agreement pursuant to Section 170 LK of the *Workplace Relations Act 1996* this section provides that an employer may make an agreement with an organisation of employees where the latter is legally entitled to represent the industrial interests of members.

Further, there may also be a prospect of using Section 170 LL, which deals with the making of a 'Greenfield' agreement. Under this section, the agreement must be made prior to the employment of any person whose work would be subject to the agreement. Given the establishment of the Australian Crime Commission and the fact that any agreement will be intended to cover future secondees rather than existing employees, 170 LL may prove to be more beneficial in its industrial application.

Both the PFA and the NCA/ACC management will continue to explore the establishment of common secondment provisions with a view to ensuring that such provisions are not detrimental to the conditions of state and territory jurisdictions. The PFA will provide the affiliates with clear options as to content and process. This matter has been given priority within the IPC.

Community & Public Sector Union (CPSU) Rule change:

The CPSU has made application to the Federal Industrial Registrar to vary their eligibility rule in response to proposed changes by the Federal Government in respect to command and control of the Australian Protective Service (APS).

The CPSU currently has coverage, albeit not exclusive coverage, of APS personnel. The extent of actual membership within the ranks of the APS is unknown at present. Under the changes announced by the Government, the APS will come under the control of the Australian Federal Police (AFP). This change in the departmental responsibility significantly impacts on the constitutional coverage of the CPSU and conversely invokes the PFA's rules on eligibility as it applies to employees of the AFP.

Under the terms of a demarcation order issued by the Full Bench of the Australian Industrial Relations Commission on 1 November 1990, the Commission granted exclusive coverage of all

Industrial Report

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persons who are members, staff members or special members of the AFP to the AFPA. In giving effect to this exclusion, the Commission varied the rules of the Public Sector Unions to prohibit their ability to enroll as members personnel of the AFP

Under the auspices of following their APS members to the AFP, the CSPU is attempting a broad variation of its rules which, if granted, also has the effect of providing coverage of persons who act under various Commonwealth statutes including taxation, social welfare, employment services, family assistance and child support, immigration, health, defence, security customs and public employment.

The PFA's objection to the CSPU rule change is based upon our view that it would allow the CSPU to enroll as members, employees of the AFP who were seconded or otherwise engaged by a commonwealth department operating under any of the abovementioned statutes, and follow such persons back to the AFP.

It is our intention to fully preserve the coverage of the PFA's membership rule and to ensure that the AFPA Branch is not adversely impacted upon by any rule change of the CSPU and further, ensure the integrity of the demarcation order providing the AFPA with exclusive coverage within the AFP is protected.

Having filed our objection and the matter being mentioned before the Registrar, we expect to continue discussions with the CSPU during the later part of 2002.

As an aside, under the terms of the demarcation order, should the Government proceed with its decision to place the APS under the AFP, the PFA would be entitled to enroll all transferred personnel as members.



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Women's Advisory Committee Report

The PFA WAC has enjoyed a successful year in 2001 – 2002. The annual conference was hosted by the Victorian branch of the PFA and held in Melbourne from 18 – 20 February 2002 inclusive. All branches and affiliates of the PFA sent delegates to the conference.

As has been practice of recent conferences, the first day of the conference was held as an 'open day' with women members of the Victorian branch invited to attend and hear a range of speakers on a range of topics. The conference received a great deal of public profile through city and regional media. Approximately 90 women from Victoria attended. The speakers were Victorian Chief Commissioner Christine Nixon; ACTU President Sharan Burrow, RMIT Professor Belinda Probert, Phil Cleary, Felicity Hampel QC and Age Associate Editor Pamela Bone.

The topics were diverse and dealt with women and networks; Australia's segregated workforce and pay inequity; women and family responsibilities; women and their treatment by the law; women in male dominated professions and industries; and women and their place from a global perspective. The theme of this day was the structural and systemic issues facing women in policing, industry and society, and that if women are to achieve equality, changes to structural barriers need to be made, and systemic bias needs to be addressed.

It is not enough for women to simply 'get together and talk' Women need to understand the structural and systemic issues to then tackle them. A formal dinner was held on the first night with Professor Marcia Neave, Chair of the Victorian Law Reform Commission as guest speaker on the topic of sexual assault law.

The PFA WAC conference then continued with its own agenda for the following two days. The major issues arising from the conference were the priority matters which the PFA WAC needed to address in 2002. The priorities were resolved to be:

- The pursuit of employee funded child care system was identified by the Conference as a key issue.
- That a Protocol and Operating procedure be adopted for the PFA WAC and presented to the Executive of the PFA in June 2002. PFA CEO Mark Burgess undertook to develop this document
- That the issue of women's deployment in policing and any resulting pay equity issues be addressed through research, and that funding for such research be sought from the Federal Office for the Status of Women. PFA CEO, Mark Burgess undertook to make contact with the Office for the Status of Women to see if the topic would fit under criteria for research grants.
- The "Model Conditions of Employment" matrix be updated, and that a special emphasis is adopted with respect to child care funding/facilities
- That the PFA WAC consider sending a delegate to give a paper to the next scheduled "Women in Male Dominated Occupations and Industries Conference. PFA CEO Mark Burgess undertook to report to the PFA executive on this item.
- The *Anna Stewart Memorial Project* was again used by the Victorian and South Australian Branches as a formal mentoring program. The PFA WAC resolved to develop further mentoring models.

The priority issues to be pursued for 2002 were resolved to be *Women and Promotion (or the lack of it); Return from maternity leave and implications of part time work in terms of financial and training implications*. Each branch/affiliate was to undertake its own research for report to the 2003 conference

The 2003 conference is to be hosted by the Queensland Police Union of Employees.

There was a "changing of the guard" with respect to the official position of PFA WAC. The Chair for the past three years, Tasmanian delegate Kate Fitzgerald resigned from the position as

Women's Advisory Committee Report

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Chair as she is to retire from Tasmania Police in early 2003. The PFA WAC noted Kate's invaluable contribution to PFA WAC from its inception and she will be sadly missed by all delegates.

The new Chair is now Janet Mitchell from Victoria. The PFA executive also deemed that the Secretariat should have a direct link with the PFA and so PFA CEO Mark Burgess was appointed Secretariat in late 2001 and held this role throughout the 2002 conference.

PFA WAC has continued to be a strong and viable voice for women in police unions in Australia. The inclusion of PFA CEO Mark Burgess as the Secretariat has allowed a more direct line of communication with the PFA and its Branches and Affiliates.





State/Territory Reports

NEW SOUTH WALES

The Executive of the NSW branch of the PFA has met on nine occasions and fulfilled all its statutory and reporting obligations during 2001-2002.

The past 12 months have been a period of reform, restructure and renewal in both the NSW branch and the NSW police.

NSW Branch:

As a result of the 2001 Police Integrity Commission (PIC) Operation JETZ in relation to aspects of police promotions, four Executive members initially stood aside from their elected roles within the NSW branch and ultimately resigned as members of the Executive.

The branch responded to the damning allegations and evidence by undertaking a three-pronged consultative process with the membership. This was by way of open meetings facilitated in person by President Ian Ball, a member survey and member focus groups.

Resulting from this intense process, a special conference of the branch delegates was held in December of that year and unanimously accepted sweeping changes to the electoral system and Executive structure, which were designed to reform and restructure and prevent any re-occurrence of what had been revealed at PIC.

These changes were in place for the 2002 Branch Biennial Conference and have seen the Executive reduced in total from 27 to 17.

Each of the 11 geographic Regions is now guaranteed one Executive member elected directly by and accountable to the membership of that region. The Commissioned Officers' (state-wide) Region is also guaranteed one Executive Member and the Specialist (state-wide) Region two Executive Members (due to the numbers of members within this Region) – again elected directly by and accountable to their respective region memberships.

Any Executive member who transfers from their region of their own volition is now required to stand down from the Executive and a new election will ensue in that region. Similarly, any Region Executive member who is promoted to Commissioned Officer rank is also required to stand down from the Executive and again a new election will ensue in that particular region.

As part of the reforms, at the Biennial Conference the Delegates elect the President, Vice President and Treasurer – thus resulting in a Branch Executive of 17.

This down-sizing of Executive representation will of necessity change the way in which the new Executive operates and represents the membership and poses fresh challenges for the NSW branch in the next term.

The restructure and reform of the NSW branch will ensure that never again is it compromised in the manner which was revealed at PIC.

As an adjunct to the reform members of the Branch Executive no longer sit alongside the Chair and representatives of the Police Commissioner on the Government and Related Employees Appeal Tribunal (GREAT) in relation to promotional appeals in the NSW Police. These are now heard and determined by GREAT consisting of the Chair sitting alone.

NSW Police:

A new Minister, a new name, a new Commissioner and a new structure. This has been the lot of policing in NSW in the past 12 months.

The new Minister, Michael Costa, is a former secretary of the NSW Labor Council (the peak trade union body in this state) and is a Member of the Legislative Council representing the Australian Labor Party in the upper house of State Parliament.

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Known as the NSW Police Service since 1988, it has now become the NSW Police and is known as “the Force” – a reference to the original organisational name dating from 1862.

Former Police Association of NSW Junior Vice President and Life Member, Ken Moroney has been appointed as the 19th Commissioner of Police and has set about stamping his mark on his stewardship of the NSW Police. A new era of co-operation and consultation between the NSW branch and the Commissioner is envisaged with an increased emphasis on people management and leadership within the NSW Police.

The formal structure of the NSW Police has also changed some five years after the last restructure with a reduction in geographic Regions from 11 to five and a new State Crime Command. This will also have an eventual impact on the way in which the NSW branch represents its members throughout the state and through its future regional electorates.

During the year two of our members – Glenn McEnallay and Chris Thornton – were killed on duty in separate incidents, again highlighting the professionalism of our comrades and the inherent dangers of policing. May they rest in peace.

Office Team Structure:

The NSW branch has previously committed to the “organising” ethos of trade unionism under the name of Branch Focus. As part of this on-going process an internal office restructure based on the creation of multi-disciplinary teams and an Information Organising Centre (IOC) has been put into place.

The teams – comprised of an organiser, an industrial officer and a legal officer – have been created to support the activities of our local officials and activists in their various workplace branches and regions, whilst at the same time maintaining the important subject-matter expertise available within the union.

Similarly the IOC has improved our response to member enquiries from the field and enabled office staff to focus on organising opportunities, projects and major issues.

This office restructure will be both on-going and subject to monitoring and evaluation as we strive to achieve “best practice” based on the organising model.

Tripartite Committee:

As a result of the 2000 Biennial Conference, the Tripartite Committee was set up to deal with human resource issues in policing. Comprised of senior representatives of the NSW branch, NSW Police and the Government’s police ministry, it has ensured a co-ordinated approach to the resolution of endemic police human resource problems.

Some of the tangible results which have impacted on the working lives of our brothers and sisters include:–

- Employee Assistance Program (EAP) – an out-sourced and statewide service supplied by an independent and external professional provider, which is available to members and their families, 24 hours a day, seven days a week. The EAP also ensures that a trauma response programme is available to our members involved in police critical incidents. EAP preliminary figures indicate that usage rate is nearly double that of the industry average.
- Promotions – a new system of promotion to the non-commissioned and commissioned officer ranks came into force from 1 January 2002. A computerised technical and professional knowledge examination known as the PQA (pre-qualifying assessment) will be conducted in February and August annually. The PQA consists of a series of mandatory questions, followed by specific questions for the ranks of Sergeant/Senior Sergeant, Inspector/Chief Inspector and Superintendent. Successful PQA applicants for commissioned officer ranks are then required to meet the standard at either the Middle Manager (Inspector) or Senior Manager (Superintendent) Assessment Centres prior to making written application



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for merit-based promotion, however, successful PQA applicants for Sergeant/Senior Sergeant do not have to attend at Assessment Centres prior to their making written application for merit-based promotion.

The final step for applicants is the interview, following which a weighted score from each component of the process will determine the selection and order of merit. Any member unsuccessful at the PQA has to wait until the next round to re-sit same, whilst applicants not meeting the standard at the respective Assessment Centres have to wait 12 months prior to re-attending. PQA results are valid for three years and those of the Assessment Centres for five years.

The Tripartite Committee is on-going and other issues currently under consideration include sick leave, welfare, rehabilitation, transfer, tenure, deployment and resource allocation.

Police Minister's Advisory Council:

One of the first acts of the new Minister was the establishment of a Police Minister's Advisory Council (PMAC) and our branch President sits as a member of same.

An initiative being trialed is the Supplementary Policing Proposal which is an extension of the current User Pays Scheme. Under this trial, our members are being afforded the opportunity to work legitimate secondary employment as uniform police, but being paid for by the commercial sector. Industrial, legislative and professional concerns have been resolved and the trial is proceeding.

Occupational Health and Safety:

The NSW branch has successfully negotiated with the Workcover Authority to commence prosecutions of the NSW police under the Occupational Health and Safety Act in respect to two matters – the murders of members Peter Addison and Robert Spears at Crescent Head in 1995 and also on behalf of 16 members serving as weapons trainers and who had tested positive for elevated blood lead levels.

In relation to the former, the NSW Police entered a plea of guilty and was subsequently fined \$220,000. In relation to the latter, the NSW Police has also entered a guilty plea but the presiding justice has reserved his decision at this time.

A new Occupational Health and Safety Act takes effect late 2002 and the NSW branch is in receipt of a \$100,000 training grant from the Workcover Authority to implement an appropriate workplace training programme for branch officials and activists in respect to the new legislation and the revised Workers' Compensation arrangements.

The NSW branch has also approached the Attorney-General with a view to having the Director of Public Prosecutions seek from the Court of Criminal Appeal appropriate sentencing guidelines for the judiciary and magistracy in respect to serious assaults on our members in the course of their duty. We anticipate a successful outcome in this matter.

We have also been involved in the current trials of new uniforms for NSW Police. These first major changes to the uniform itself in some 30 years have the potential to provide a practical and modern outcome for our members.

State Election:

March 2003 sees the next state election. Law and order of course will be a priority for both the government and the opposition. The NSW branch has put all parties on notice that our members will not be used as political footballs during the forth-coming campaign.

The branch will be focusing its efforts on maximising outcomes for our members and the community of this state ahead of the competing party political agendas.

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Moving Forward:

The NSW branch is committed to moving forward over the next term on behalf of our members and our fraternal comrades in the PFA.

For those of you who are seeking further information on branch activities, please refer to our website www.pansw.org.au or feel free to contact the branch on telephone no. 0292656777 (Eaglenet 57070 on the NSW network) or alternatively by mail at P.O. Box A.1097 Sydney South 2000 NSW. The office is located at Level 4, 154 Elizabeth Street Sydney.



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VICTORIA

The Victoria branch of the Police Federation of Australia is the organisation through which we operate in respect to our major industrial matters and national matters affecting our membership. The Victoria Branch Executive has continued to meet on a monthly basis. The issues for discussion have primarily centred on matters related to Enterprise Bargaining 2001 which was successfully concluded with certification and the Agreement registered before the Australian Industrial Relations Commission on 20 December 2001.

The highly successful outcome that was EB 2001 came about through dedication, commitment and sheer hard work of the Executive, Delegates, Administration and most importantly, the broader membership. There is no doubt that without this collaborative approach to achieving a successful outcome to EB 2001, the result would not have been nearly so pronounced for our members. This result has established our position as a legitimate and influential lobby group within the political process.

Through the imposition of 22 protected industrial work bans during the latter part of EB 2001, together with a rally in the Treasury Gardens, we demonstrated to Government and others that we were a strong and responsible industrial body prepared to actively represent our members. The successful outcome of EB 2001 culminated in a great year. However, there is still much work to be done.

Emanating from EB 2001 is the establishment of 14 joint working parties comprising membership and management representation. We have continued to work with the Victoria Police Force in terms of achieving the best possible outcome for our members as the result of these joint working parties.

Whilst a successful outcome from these joint working parties is important to all members, particularly the members who are directly affected by these outcomes, it is considered that the Resource Allocation Criteria joint working party is very important in terms of establishing with Government and Opposition parties the importance of a properly resourced Police Force.

We have undertaken considerable work and effort using delegates, the Executive, Administration and the National Institute of Economic and Industrial Research to clearly and credibly establish a position whereby we can put our resourcing needs before Government.

On a national level, the PFA continues to become a more relevant body in terms of representing approximately 45,000 Police officers throughout Australia. The PFA is in the process of establishing an office in Canberra where it can more readily lobby the Government and Opposition Party politicians on issues of national importance to our members, particularly matters relating to superannuation and Commonwealth legislation affecting our membership.

We remain committed to the national body. The collective bargaining power of PFA affiliates has established the policing profession as an influential lobby group at a national level. We consider that the move to Canberra will enhance the reputation of the PFA in terms of representing its members nationwide.

The process of preparation for EB 2006 has commenced. We are taking into account changing work practices of our members and other matters relating to positive outcomes for our members leading into EB 2006.

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SOUTH AUSTRALIA

All affiliates continue to operate in an uncertain industrial environment and a business environment still feeling the effects of 11 September 2001.

It has also been a frustrating year for the SA branch of the PFA (hereinafter referred to as 'the branch') owing to an apparent lack of commitment by the employer, over a long period, to satisfy industrial issues. This resulted in the branch raising the issue with the Premier and the Police Minister in an attempt to resolve the large number of outstanding industrial disputes and grievances. Subsequently, the Police Commissioner advised the branch that he has now restructured his industrial relations function in an effort to streamline his operations.

Enterprise Agreements:

We are still progressing issues agreed between the Commissioner for Public Employment and the branch in Enterprise Agreement 2001 (EA 2001).

Progress on some of these issues includes:

- **On-call guidelines – clause 8 of the EA**

The parties agreed to develop guidelines for the application of on-call/recall arrangements. The branch and SAPOL have agreed to guidelines. The Office for the Commissioner of Public Employment is in the process of lodging a variation to the EA to include these guidelines. It is expected they will become Attachment Four of the EA in the very near future.

- **One- and two-person stations – clause 12 of the EA**

The parties agreed to develop guidelines to support working arrangements for members in these stations. The parties have been unable to agree to the guidelines. The matter has been listed in the South Australian Industrial Relations Court and Commission (SAIRC). A voluntary conference has been held and the parties continue to work through the issues of dispute in conciliation with the SAIRC.

- **Senior sergeants – clause 13 of the EA**

The parties agreed to undertake a review of all senior-sergeant roles and responsibilities during the life of the EA with a view to including any outcomes in the next EA. The branch has held discussions with the Commissioner for Public Employment and the Commissioner of Police. The Commissioner of Police has undertaken to advise, in the near future, of his position regarding the methodology to be applied to undertake the review. When the parties have agreed on the methodology to be used to conduct the review, all senior sergeants will be advised on the process for individual submissions to the review.

- **Salary sacrifice – clause 16 of the EA**

Salary sacrifice has been introduced by virtue of the South Australian Government Wages Parity Enterprise Agreement.

- **Flexible working arrangements – clause 17.1 of the EA**

The parties agreed to work together to conduct a trial in the expansion of the flexible rostering concept to enable ordinary hours of work to vary from the current eight hours per day to a range between six to 10 hours. The details of the trial will be developed in consultation with the parties. This issue has yet to be discussed.

- **Voluntary flexible working arrangements (VFWA) – Clause 17.5 of the EA**

An examination of the potential to provide access to VFWA – including career breaks – was to be concluded by SAPOL by June 30, 2002. This did not occur. The branch notified a dispute to progress the matter. SAPOL advised on July 23, 2002, that it had examined this issue and draft policy and procedures had been formulated within HR Service for consideration by the senior executive group. On August 5, 2002, the branch requested the timeframes in which SAPOL expected to have this issue dealt with so that access to the VFWA for members could be expedited. SAPOL is yet to provide that advice.



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- **Promotional qualifications framework (PQF) – clause 17.7 of the EA**

The PQF has been introduced. Parts of the PQF have never been agreed to by the branch – in particular the creation of a “Board”. This matter is currently before the SAIRC.

- **Management of absenteeism – clause 17.10 of the EA**

SAPOL was to develop strategies to improve the management of absenteeism, provide support and assistance where appropriate, and identify patterns of sickness which may identify potential work-related stressors. The branch has not received any information from SAPOL regarding this issue.

Matters being progressed with SAPOL vide the Grievance and Dispute Avoidance Procedures of EA 2001 include:

- Prosecution Staffing
- Uniforms – City Watch House
- Name Badges

The branch is also preparing its claim for Enterprise Bargaining round four which will provide for a first wage increase from 1 July 2004. Emerging themes already identified for the fourth round of bargaining are:

- Base wage increases
- Family friendly policies/initiatives
- Recognition of expertise
- Career opportunities – promotion – pathways
- Superannuation

Staffing Levels:

The last 12 months has seen the continuation of increased recruiting beyond natural attrition, with members now at the nearly 4,000 level. This was as a result of the branch’s staffing campaign and must be maintained by the new government as a matter of priority. The issue of minimum staffing levels must also be addressed.

Legal Issues:

Dismissals – Cadets –

In the matter of *STONE V COMMISSIONER FOR PUBLIC EMPLOYMENT*, the Industrial Relations Court of SA was asked to determine a Question of Law regarding whether the Industrial Relations Commission had jurisdiction to hear an alleged unfair dismissal of a police cadet. The branch funded this matter as we had another four dismissed cadets alleging they were unfairly dealt with.

As a result of the judgement delivered on 13 June 2002, the Industrial Court determined that the SAIRC was “deprived of jurisdiction to determine the applicant’s application because the Police Act 1998 and the Police regulations 1999 provide a complete code in respect of the applicant’s dismissal, such that s 106 of the Industrial Act (Application for relief) has no application.”

Consequently, police cadets have no right of appeal on being dismissed. The branch is seeking legislative amendments to the Police Act so that this injustice is rectified.

Dismissals – Probationary Constables –

The branch is currently funding the dismissals by SAPOL of two Probationary Constables. If a probationary constable is terminated under Section 27 of the Police Act then that member may appeal to the Police Review Tribunal constituted by a magistrate for a review of the decision, with a further appeal (for both sides) to the Administrative and Disciplinary Division of the District Court. In proceedings before the tribunal the parties are afforded a reasonable

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opportunity to call or give evidence, examine or cross-examine witnesses and to make submissions to the Tribunal. Unlike promotional reviews, the parties are entitled to be represented by legal practitioners.

These dismissals are the first of this type under the Police Act 1998. These cases have the potential to provide the membership with clear authority regarding procedural issues when members are alleged to be performing at a level not considered appropriate for permanent appointment.

The branch's strategic plan has strategies in place relative to:

Lobbying and Influencing:

The branch's intention is to increase its lobbying and influencing capability to ensure the key decision-makers appreciate the needs and concerns of our members.

Marketing and Communication:

This strategy will see the further development of a marketing and communication plan that reviews services, promotes services and enhances the profile, reputation and esteem of the branch's members.

Financial Management:

This strategy will review operations to ensure the long-term financial independence and commercial sustainability of the branch.

Industrial and Legal Services:

To provide a range of industrial and legal services that attends to the priority needs of members.

Organisation Development:

To develop a branch culture, structure, professional leadership and management style which aligns with the needs of members. Business tools are extremely important in facilitating the services that we provide to our members. During the year we undertook a comprehensive review of our telephone needs and capability. As a result of this review the branch has installed a completely new telephone backbone.

Our new system provides for ISDN technology that, in turn, will provide for continued cost savings for telephone usage and also give us the capability of providing direct in-dial numbers to all staff. There are obvious administrative efficiencies in providing a telephone system of this nature.

The branch's online solution is now provided by an ADSL line. The best news is that, to date, the installation of this faster and more efficient technology has been achieved at no additional cost to the organisation.

Visitors to our office cannot help but notice the new desktop computers that have been installed. In keeping with the technology replacement program that was instituted some four years ago, our entire computer system was replaced at the expiration of the former lease. The advantages of implementing this program have certainly come to fruition because in addition to the obvious benefit of technology upgrade it has been achieved at a lower cost to the organisation.

Our latest technology acquisition has recently been installed. We have purchased an archiving and imaging system – this is a system that is capable of providing for the truly paperless office. However, that is not our aim in utilising this technology – the greatest advantage for the branch in obtaining the software is in providing a search capability for all incoming hardcopy



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documents as well as the digital versions that are stored on our computers. The solution that we have purchased and installed last week is currently used by the Scottish Police Federation, the Dutch National Police and, closer to home, the HHH inquiry – among others.

The business plan provides the pathway to achieve the above strategies.

Legislation:

The branch is involved in ongoing lobbying of members of parliament relative to legislation regarding issues which include DNA, a paedophile register and assaults on police. The branch is continuing its push for legislative change to Section 65 of the Police Act and has proposed amendments to the section to the Police Minister.

We have also put proposals to government for legislative change in regard to an aspect of the Freedom of Information Act and several other aspects of the Police Act. In addition to those issues we are about to enter into negotiations with the Police Commissioner regarding several other matters that might well result in a bipartite approach to government for additional legislative change.

The branch has also made a substantial submission to the new government's reviews of the state's industrial relations and occupational, health, safety and welfare systems.

Country Housing:

This issue continues to become more difficult owing to amongst other reasons, the change in the face of our workforce. The branch Country Housing Sub-committee has been re-formed and will progress issues associated with housing over the coming months including standards, location and rental charges. In-roads have been achieved in that the branch now has representation at Real Estate Management (REM) as to the allocation of government-provided housing to our members.

An ongoing review will continue by the branch and REM to improve the standard of housing allocated to our members. Strategies will be formulated to support REM in an endeavour to access government funds to provide housing that is appropriate to our members' needs.

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TASMANIA

This report opens with the sad news that the longstanding President of the Tasmanian Branch, Sergeant Leon Kemp is to retire from the Police Service on 4 October 2002 on the grounds of ill health. In conjunction with his retirement he has also relinquished his position of President of this organisation. Leon has been a police officer for 34 years and on the Executive of the Police Association of Tasmania (PAT) and later the Branch Executive for 20 consecutive years, nine of which were as President.

Leon's time on the PAT and branch executive was underpinned by a commitment to the values of unionism and the protection and advancement of members' interests. As a caring person he was always available to assist members in distress.

Locally, Leon was a great advocate for the concept of national unionism for police and when the PFA was established he was a strong supporter of what he believed it could deliver to members in Tasmania and nationally. There is no doubt that the Tasmanian Branch has advanced under his leadership and his contribution has been invaluable in establishing a viable and relevant organization.

Vice President, Sergeant Kate Fitzgerald has been appointed as President for the remainder of the term until 31 December 2002.

Nominations were recently called for the branch positions of President, Vice Presidents number one and two, Treasurer and Trustees (three positions) whose terms of office commence on 1 January 2003. The following members were elected unopposed: Sergeant Randolph Wierenga, President; Sergeant Pat Groves, Vice President number one; Constable Pat Allen, Vice President number two; and Constable Kerry McNaughton, Treasurer. The election of Trustees will proceed to ballot.

Last year's branch report covered the introduction of the new police award. In the last 12 months a number of items arising from the award have been implemented. The "hard to fill isolated positions" provisions have generally been well accepted with the effect being that these positions now appear easier to fill as a result of the sweeteners on offer including items such as pay television.

A Specialist Squad Allowance has been implemented to recognise the additional secondary skills and responsibilities of Search and Rescue, Special Operations Group, Negotiators and Bomb Disposal. This has prompted a push from Operational Instructors to have their additional skills and responsibilities recognised similarly.

A Front Line Competency Allowance has been implemented from September this year to recognise those members who are fully validated and operational and to encourage those who are not, to progress to that status.

The no extra claims commitment associated with our award expires in January 2004 and the branch has commenced preparations to make the next claim. The Victorian branch of the PFA has already offered its wealth of knowledge and material support to assist us in progressing this matter. The PFA National Office has also pledged its support with regard to our claim as it has done with previous claims. This support is very welcome and demonstrates the national credentials of the PFA. The Tasmanian Branch Conference in April 2003 will be the launch of our campaign.

The DNA sampling of members became a prominent issue during the reporting period. The Police Commissioner called on members to give samples so that they could be put on a separate database for crime scene elimination purposes. The branch opposed provision of samples initially, on the grounds that it was not satisfied that the information gathered was secure as it relied on an undertaking by the Commissioner and while that in itself may be sufficient today, with the passing of time that guarantee may not hold.

The branch maintained that for ongoing protection there was a need for appropriate legislation to be enacted to provide incontrovertible safeguards to those members who may wish to provide



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a sample for elimination purposes. Other fundamental issues are that members should never be compelled by any means or pressured to give samples; it should always be a personal choice and that those who decline should not be disadvantaged. This view is premised on the fact that this is not a law and order issue but an employment relations' issue and whilst employers generally cannot legally compel their employees to provide samples, nor should the Commissioner.

Last year's report referred to the preparation of new police service legislation and the branch's concern that there may be an attempt to reduce appeal rights especially with regard to dismissal. This process is continuing although a draft has as yet, not been seen by the branch. Notwithstanding this, there is now more certainty in the process as the Government through the Police Minister and Public Safety has stated that there will be no reduction to members current appeal conditions.

The above commitment was received during the recent election campaign that comfortably returned a majority Labor Government. The branch also sought a commitment that the new Government would agree to introduce a salary nexus arrangement for police with the average of what is paid in other states and territories; this was not forthcoming and the rationale will probably be the basis of the next claim.

The branch attempted to introduce a death insurance scheme for members during the period. Members were consulted and were supportive of the proposal and the necessity to increase subscriptions to allow it to occur. The proposal did not go ahead on the basis that it excluded members on sick leave from full cover from its inception contrary to what the Branch was led to believe, that all members would have full coverage from day one.

Members of this branch continue to have a vital interest in superannuation matters and improving the schemes to take into account the rigours of policing. There is more of an appreciation now of the impediments of commonwealth law on this issue and the need to address the matters through the PFA with the Federal Government.

During the period law and order issues have been concern to the community with the then branch President, Leon Kemp taking a prominent role in the debate over sentencing and parole practices. The debate prompted the Government to establish the Tasmanian Law Reform Institute to enquire into these matters. It has released a discussion paper that is generally opposed by the branch as an apologist's view of the system.

Members' concerns regarding the carrying and use of offensive weapons in public have been allayed to a degree with the introduction of legislation prohibiting such activity without "lawful excuse" and providing the power to stop, detain and search those suspected of carrying without warrant. While this is seen as positive the Government's refusal to implement what are regarded as national standards covering the ownership and possession of these items is regrettable.

Membership remains in excess of 99 per cent and the branch continues to be financially viable.

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NORTHERN TERRITORY

This year's annual conference endorsed a review of the structures of the NT Police Association. The review will be conducted in early 2003 by Gowan Carter and Mark Burgess. It is hoped the review will provide the mechanism for our association to grow stronger.

The association is also currently reviewing our financial position and developing a plan. While we are reviewing our structures we must soon make a decision on our future accommodation. Irrespective of the review's outcome, we need to upgrade and expand our office.

The first sittings of the Police Arbitral Tribunal took place on 23 July 2002. The association took the opportunity to update the tribunal of our concerns and issues we felt were of most importance to our members.

At the opening of the tribunal, the Commissioner briefed Michael Grant and he raised concerns about the appointment of Chris Hayes to the tribunal and the possibility of bias. The chair allowed the department to raise these issues but did not seem impressed by the approach.

The Commissioner's approach was hostile to us, the tribunal and in my view the minister. It was ill advised and given that Chris Hayes has been our nominee for some months the Commissioner had ample opportunity to raise his concerns with the Government and us.

At the tribunal we presented a report on the state of the Consent Agreement and our view of the world. A number of issues were flagged and I believe that if the Commissioner is reticent in progressing these issues we will get a sympathetic hearing from the tribunal.

Due to the tack taken by the Commissioner at the tribunal the association contacted the Government to voice our displeasure and was assured the Government was committed to the restructured tribunal process and had every faith in all of the Minister's appointments including Chris Hayes.

A further issue of importance is the current interpretation of the rate at which the housing allowance is paid. The rate is being held at an artificially lower level due to an agreement between the Commissioner of Police and the Housing Commission. We have asked the Government to give priority to its election promise to **"restore the basis of the 1991 police housing allowance"**.

The Government may not be able to fund the Chief Minister's promises in relation to housing. The Police Minister has offered to directly negotiate with us to develop a formula that is indexed and that cannot be artificially held down.

In relation to the physical protection of our members the Government has increased the amount payable on death under the Work Health Act. However, as the Association has previously stated the Commissioner cannot for all the goodwill in the world provide a safe work place for police officers. There are still a number of anomalies created by the Act which require attention.

This situation is compounded for new members in our force who cannot access the old government superannuation schemes and therefore cannot access death and disability components of those schemes. In the current competitive policing environment, superannuation benefits are a condition of service closely monitored by potential recruits.

The Government appears to have grasped our concerns relating to death and disability cover for our members who have joined since August 1999, however, as indicated the government appears unwilling to address this issue through superannuation reform.

The current Consent Agreement provides a vehicle for Government to address this issue realistically. We have asked the Government to assist us to develop a proposal consistent with the current Consent Agreement. The government has indicated that defined benefit schemes will not be revisited.

I hope that the co-operative relationship we have developed with the Government will produce a quick and acceptable resolution.



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The Commissioner is in the process of establishing the "Continuous Improvement Program". This program appears similar to many which have been established in other jurisdictions. The Association supports the Commissioner in his desire to encourage continued improvement in the police force. The association has reminded the Commissioner of the Management of Change provisions contained in the consent agreement in the hope that real consultation occurs during the life of this program.

The demands on police resources have continued to increase. Both this and the previous government have broadened the role of police in Territory society. Areas such as the Juvenile Diversion Program, School-Based Policing Program and Domestic Violence Programs continue to impact on police resources. Proposed new police stations at Kintore and in the Darwin rural area will also place extra demands on police resources.

The Government has also introduced strong asset confiscation legislation and anti-drug legislation. Again, unless the police force has adequate human and other resources the enforcement of this legislation will be problematic.

Further demands are being placed on human resources by the establishment of the continuous improvement program. Increased human resources will be required to ensure that effective in-service training, which the Commissioner has acknowledged has been almost non-existent, can be delivered.

If the Government expects police to carry out all of these functions, then an increase in police numbers is required. If Government does not accept our figure of 150 the Association believes an independent review should be conducted to establish the level required.

Our members have a right to be fully protected by Government in the event of injury or when they are prosecuted as a result of their employment or in the execution of their duty. A number of recent failed prosecutions of our members have highlighted the inadequacies in this area.

Superannuation is just one of a number of issues to be resolved under the terms of the 2001 Consent Agreement which is current until July 2005. The Agreement identifies numerous important issues that must be addressed in that period and the association hopes that with the goodwill of the Government and the Commissioner, under the oversight of the restructured tribunal, outstanding matters will be resolved.

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QUEENSLAND

The Queensland Police Union has had a very busy year culminating in our successful Enterprise Bargaining negotiations and campaign.

The Beattie Government's original Enterprise Bargaining offer of 3% per year would have seen the majority of Queensland Police being paid the lowest on mainland Australia. Our union executive determined that we needed to engage in a public campaign to highlight our plight to the public and garner their support. At our annual conference in April our union allocated up to \$1 million dollars for a war chest to progress our claims.

A number of television, radio and press advertisements were made during the course of the campaign which proved very effective in convincing the Beattie Government that Queensland Police deserved to be paid inline with our interstate colleagues.

Some of these ads can be viewed at our website www.qpu.asn.au.

The campaign continued for five weeks during which we managed to get a new theme running every week.

Mass meetings of members were held in Cairns and Townsville. The Townsville meeting was attended by the Presidents of every Australian Police Union or Association. We have been told anecdotally that this effort on the part of our interstate colleagues had a significant affect on Premier Beattie who was holding a regional parliament sitting in Townsville at the same time.

The unity exhibited by the Police Federation Members rocked the Beattie Government and let them know in no uncertain terms that as Australian Police we stand as one when face with adversity.

The Newspoll findings of the 27 September show that during our campaign Peter Beattie ranking as preferred Premier dropped from 70% down to 61%. Given that prior to this campaign Peter Beattie was seen largely as untouchable and with very consistent polling which indicated he was the most popular political leader in the country, our campaign always had enormous odds to overcome.

Queensland Police continue to be under-funded in terms of capital works and overtime budgets. Over the past year we have highlighted these funding shortfalls in an attempt to get the Beattie Government to properly address these issues.

Overtime restrictions are impacting directly on operational requirements in most areas of the state.

In March this year Queensland hosted the Commonwealth Heads of Government meeting at Coolool on the Sunshine Coast. Because of the heightened level of security preparedness required after September 11 2001 a leave embargo was instituted and almost 4000 Queensland Police were engaged in venue and VIP security.

CHOGM was the largest security operation ever undertaken in Queensland and logistically very demanding. Our union was called on by members twenty four hours a day to intervene and resolve many transport and accommodation problems.

Our union has also welcomed Phil Hocken as General Secretary following the retirement of Merv Bainbridge. Phil had held positions as Vice President and Northern Region Executive Member prior to being elected by a very comfortable majority as General Secretary.

Phil's vast experience will serve our union well into the future for while we have won the Enterprise Bargaining battle there are many more issues which we must confront in the coming year.

Finally, a heartfelt thanks to all members of the PFA and CEO Mark Burgess for their terrific support over the past year.

Gary Wilkinson
General President
QPUE



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WESTERN AUSTRALIA

The past year in WA has seen a great deal of activity within the policing environment. Key changes and modernisation continue at a frantic speed and while the union supports many changes the pace precludes performance reviews on some of the new developments.

To compare policing today to five years ago, would have you believe you were in another country.

WA policing due to many factors has become a true bureaucrat's delight due to cut-backs in supervisors, civil service staff and the burdens imposed by extremes in process. Many police officers believe the service focus and ethic is being lost.

A very positive achievement for WA policing was the opening of the \$75 million new Police Academy at Joondalup. In every way WA is leading the country in the training and member development. I would encourage other states and territories to inspect the facilities, you will be impressed.

The tragic events in New York and Washington on 11 September 2001, and its effects on law enforcement and community safety world-wide are still being felt. Among the heavy loss of life were 65 law enforcement personnel. Our heartfelt condolences were extended to their families and colleagues. Police across Australia rallied to the cause and established a fund to assist the families of those officers who paid the ultimate sacrifice.

The understanding, empathy and concern shown by Australian police to fellow colleagues elsewhere in the world shows that policing throughout the world comprises an international family.

In relation to the tragic events and aftermath of September 11, the WA Police Union was pleased to welcome, special guest for this year's annual conference, NY Police Department Detective Jeffrey Vlack.

We invited Jeffrey to provide a direct insight into September 11 and its aftermath from the perspective of a working NY cop.

From the moment the crisis began to unfold, NYPD members rushed to the scene, exhibiting the highest possible levels of bravery and professionalism. The rescue mission which took place immediately after the terrorist attack saved more than 25,000 people in the World Trade Centre complex, in what must have been the greatest rescue effort ever seen.

Jeffrey gave us a firsthand perspective of one of the most infamous acts in history and of the very important and largely forgotten work of NY police in coping with that disaster. The Crime Scene management and competence is truly a best practise model for police throughout the world.

Growth

Since our last report the WA Police Union has grown in every sense and the daily tangible returns to our members, are a source of pride and credit to all union office holders and employees.

Achievements

From a macro position there are three outstanding achievements for the past 12 months which will provide great benefit to the vast majority of members. These are the current EBA, the coverage of officers through the Occupational Safety and Health Act and Dismissal and Appeal Legislation.

Enterprise Agreement 2001

The Enterprise Agreement 2001 was a major breakthrough for members on the long-standing issue of country incentives. The agreement to finally discard the immovable 26 degrees south latitude and provide the 44-hour week to Kalgoorlie is only the start of more specially tailored incentives needed for individual stations throughout the state.

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The annual allowances now in place for hard-to-fill category stations are a very good beginning. At long last, consideration is being given to local economic and social factors in each location. Importantly the percentage increases were obtained without trade-offs.

Occupational Safety and Health Act

Police and Emergency Services Minister Michelle Roberts recently introduced legislation into state parliament which will provide full coverage for all WA police officers under the Occupational Safety and Health Act.

I am also pleased to congratulate Police Administration for their hard work and positive stance and preparedness to work alongside the union in what has been an excellent working relationship. The professionalism and expertise of the union staff and consultants who assisted drafting the amendments was exceptional.

Such legislation is critical for members of the WAPS. In such a high risk profession, safety and health must be the ultimate consideration. These positive changes will not happen overnight but they will impact heavily on policing.

Police of the future will recognise these events as significant and a momentous year for policing.

Dismissal and Appeal Legislation

The one issue which has historically polarised police is the subject of the Police Commissioner's powers to dismiss officers (section 8).

We would all be aware of the difficulties of such unfettered and unaccountable powers and the perceived unfairness in some circumstances. The lack of precise information as how Commissioners' come to their decisions, often prohibited by various laws, has made the entire process even more untenable.

Members concerns about the accountability of such decisions are reasonable and consistent with modern employment practises.

The very secrecy of the Section 8 process in WA over the years has left a legacy of extreme suspicion. The frequent use of this power has created an extreme rift between Police Administration and ordinary police officers.

I am pleased to advise members that after negotiations with Police Commissioner Barry Matthews and Police Minister Michelle Roberts, an agreement in principle has been reached on legislation which will provide full appeal rights before the State Industrial Relations Commission.

This legislation will enshrine a full merit based appeal process and provides the authority for Police Administration to be overruled, and reinstatement to take place if a case is not proven.

The proposed legislation will provide a full process leading to the dismissal and appeal and provide for issues such as the Notice of Intention, Right of Response, Resignation, Ministerial Role and special directions as to the functions of the IRC.

The important principle of "No Suspension without Pay" was accepted by all parties.

While I cannot preempt the parliamentary process, I am very pleased that such a controversial and complex problem finally seems to be close to final resolution.

The necessity for such legislation should be very apparent to those who have observed police industrial relations throughout Australia. The principle of being seen to provide a fair go through due process is extremely critical to police who live and work in such an accountable environment.

I strongly believe that in the future this major breakthrough will allow the Police Commissioner to confidently undertake the responsibilities of his office and that members can trust the process to provide a fair and responsible appeal.



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Legal

On the legal front, union Vice-President and chairperson of the Legal Committee Christopher Cassidy, together with the union's in-house legal team of Carol Adams and Michelle Ridley provide an outstanding legal service.

Whether it was the safer trains, academy training or random breath test issues the professionalism and the dedication of the team was applauded by all those involved.

Not only from a financial perspective but from a one-stop union shop, the in house legal service continues to be an outstanding success.

Preparation for the Royal Commission has been intensive. Various articles and publications have been distributed to assist members with their rights and obligations.

Welfare strategies have been implemented, so that members have appropriate support should they need it.

The "Honest Cops" campaign will continue throughout the royal commission period. The Government's position of supporting individual police officers at the Kennedy Royal Commission with solicitors is welcomed. Obviously, this is a great relief for the union which has up to now always carried the burden of such costs.

Every member is being provided with competent counsel and the union will continue to protect the integrity and reputations of all honest police both legally and publicly. The union will work tirelessly to ensure that members' rights to due process, procedural fairness and natural justice are protected.

I am very confident that corruption is not endemic and that the integrity of the service and its reputation for honesty, efficiency and hard work will not be sullied.

The union's position on corruption is clear. It does not condone corruption. It never has. It seeks a service clear of any such taint. It supports the role of the Kennedy Royal Commission and cooperates accordingly and has encouraged any member who can assist to do so.

I am pleased to report that the police service and the union continue normal operations through what is a trying period and we have requested members to stand by the service and allow the normal presumption of innocence to apply to any member appearing at the royal commission.

The prolonged and detailed strategic approach to the commission was worthwhile with the union receiving constant praise from members and their families. The facilities at the royal commission are first class and provide much needed respite for those attending.

I must acknowledge the extremely valuable assistance of the NSW Police Association particularly Ian Ball and Phillip Tuncheon. The wealth of advice and experience so generously provided was of immense assistance.

EBA 4 (June 2002)

The **challenges** for the next EBA negotiations due in June 2003 include a substantial percentage pay increase, overlapping pay scales, ratio-to-rank improvements and country incentives

We will also push for reform of the internal grievance system. The current process does not have a good reputation and has been tainted by delays and unresolved issues.

In many cases all that is required is an apology or non-financial reparation. Currently, the system has become bogged down in controversy and frustration results. Conciliation is not that difficult.

The Advance Promotion System must be reformed – inequity, process breaches and perceived nepotism are not a good foundation for any system. The Police Service has an obligation to review the entire process.

State/Territory Reports

(Continued)



Police Federation of Australia

Incremental pay scales (Chicago model) is perhaps the most important EBA objective and in a very stagnant promotional environment is a key incentive to avoid the loss of very valuable officers and provide a clear career path. Country incentives remains a high priority.

Finance

From a financial perspective, examination of our financial position should hearten all members. The union has never been stronger financially and strong budgeting policies have ensured responsible and planned growth. Financial strength must always be the cornerstone for any successful organisation.

More Police

The Government has delivered the first 100 of its promised 250 extra police in its first year of office and this achievement deserves acknowledgment. The Police Executive and the Academy have worked hard to train and equip these officers and hopefully there will be some relief on the front line.

The capital works program is encouraging with the new Kensington and Newman police stations due for completion this year and the union continues to direct the Government's attention to areas of concern.

Executive Council

The Union Executive Board has met on 26 occasions over the past year and when one considers the additional obligations to committees, branch meetings and general members complaints, the Directors should be applauded for their dedication and commitment to their fellow police officers. The diverse attitudes, characters and forthright natures of the Board of Directors made sure that all issues were comprehensively and fairly debated. I thank them for being people of great principle and compassion.

This organisation would not survive without the efforts of our volunteers and we must acknowledge our Branch Officials.

My executive members **Christopher Cassidy, Russell Armstrong** and **Mervyn Lochart** have been an immense support to the organisation and me and I recognise their unwavering friendship and support. On many occasions over the past year they have deputised for me at various activities and stood solidly with me in representing the aspirations of the members.

The next 12 months will be particularly testing for the service and members. However, the positive aspects of the Kennedy Royal Commission should not be overlooked. This Commission provides a major opportunity to reform and re-shape the police service for the benefit of members and the community.

We need to focus on this opportunity and ensure that for the future of the Service and the community, we make positive use of the commission produce an organisation which is better for its members and the public.

Reflecting on the past year, I am proud of and very satisfied with the performance of the WA Police Union, the staff, Directors and branch officials. I wish to acknowledge the outstanding efforts and output of our PFA Secretary Mark Burgess.

I would also take this opportunity to thank my counterparts and organisations from across Australia and New Zealand for their friendship and continuing support. I feel privileged to be in the company of such committed and outstanding people.



Police Federation of Australia

State/Territory Reports

(Continued)

NEW ZEALAND

The New Zealand Police Association continues to enjoy and benefit from our contacts with all Australian Police Unions and our affiliation with the Police Federation of Australia.

We acknowledge the work of the President and Chief Executive as they continue to progress the authority of the PFA as an influential national body able to represent all Police in Australia. The planned re-location of the PFA offices to Canberra will enhance this role, as does the formal representation on the Australasian Police Professional Standards Council (formerly known as APESC).

Tragically we lost a member in July when Detective Constable Duncan Taylor was shot and killed while attending an armed confrontation. We appreciate the support and attendance at his funeral of our Australian colleagues. A trust fund established for Duncan's family has raised in excess of \$150,000.

In New Zealand our year started with an intensive lobbying campaign to counter attempts made to amend our Police Act to legislate against funding inadequacies and pay fixing, police discipline, transfers and the constitutional relationship between the Commissioner and the Minister. Ultimately our lobbying has ensured the proposed legislative changes included the retention of fairness and equity across these areas.

This exercise was followed by a prompt pay round settlement in December, for general adjustments of three per cent over a 19 month term plus the retention of performance pay in addition to this. Two other key anomalies for specific groups of members have also since been resolved during the term of this agreement.

Police discipline remains a key consideration. A comprehensive Code of Conduct for sworn members has now been completed to replace the existing regime of the internal police tribunal, regulations and general instructions. This code, once properly implemented, should simplify significantly most performance and disciplinary matters for members. It should also alleviate the continued growth in legal assistance we have experienced over recent years.

We have continued with our support for Constable A, the member who is facing a private prosecution for murder following a work related shooting in 2001. This prosecution has reinforced the need for both the protection of the identity of a member involved in fatal shootings and changes to the law on private prosecutions against members found by subsequent investigation to simply be carrying out their duty.

Recruitment and retention of staff in Auckland, New Zealand's largest city, has come to a head over the past six months with staff levels consistently up to 10 per cent below establishment. After repeated refusals to acknowledge there is a problem the administration has at last accepted there is a staffing crisis in parts of this metropolitan location.

A number of strategies are being implemented, including UK recruitment, police cadets and resources temporarily deployed from other locations, to alleviate this problem. However we still believe they are failing to address the key issue of retention of existing staff, equally important as recruitment initiatives, and are pursuing additional remuneration to reward members for policing in this location.

We continue to provide a wide range of welfare and financial services and benefits for Association members through the Police Welfare Fund.

Our holiday homes network has expanded further this year to 43 homes, with further growth planned.

Our insurance's and mortgages portfolios continue to grow with profits and commissions being retained within the fund for members while our health insurance continues to be the best long term value product available in New Zealand.

The Association continues to enjoy a very positive public profile and ensures the voice of frontline police remains heard in an environment increasingly influenced by bureaucrats and academics with little understanding of policing but all the answers on how Police should operate. The New Zealand Police Association, like others around the world, has a responsibility to ensure the voice not only of frontline police but also the public affected by ill-informed decision makers is heard.

State/Territory Reports

(Continued)



Police Federation of Australia

AUSTRALIAN FEDERAL POLICE ASSOCIATION

This year has proved yet another significant milestone for the Australian Federal Police Association. In general terms, the consolidation of the previous couple of years has proved successful and the National Executive and employees have now helped rebuild the Association back to a point of financial and industrial strength.

At this current time, the AFPA now has more members than it has had for many years, is financially sound having restored its administration to best practice standards, and enjoys significant influence and credibility in Government and with senior management in the Australian Federal Police.

These efforts have only been possible because the AFPA Representatives on the ground and our employees have shown uncompromising dedication to the organisation and the professionalism of the membership.

National Council set agenda for growth:

In early 2002, the AFPA National Council met over several days to consider the future for the organisation. Arising out of this meeting was a 10 point plan for growth and activism that has underpinned our activities all year and for the coming future.

A summary of the National Council agenda and developments is as follows:

The AFPA will ensure extensive member consultation during the development of the 2002-2005 Certified Agreement through the use of the joint AFPA/AFP working parties. A model accepted by the AFP management is currently in train with working parties being established involving all AFPA Zones and Representatives and incorporating members at the workplace level. This model is a vastly more participative model than management accepted for the last certified agreement.

The AFPA is committed to ensuring that the current restructure of Federal & National Law Enforcement (NCA, ABCI, APS, OSCA etc) is consistent with the AFPA's submission to the Senate Inquiry into the AFP & NCA (available from www.afpa.org.au). The AFPA model has been nicknamed the "NICLE model" derived from the concept of a Nationally Integrated Commonwealth Law Enforcement model.

This position has underpinned the AFPA efforts on the establishment of the Australian Crime Commission and our lobbying of both the PFA and other governmental stakeholders on the structure for the new organisation. This position and an updated revision of the NICLE model were incorporated in the Associations submission to the current House of Representatives inquiry into Crime (also available for download from the AFPA website.)

The AFPA will ensure that all AFPA members are protected during the transition of the APS into an operational division of the AFP and that enhanced career & mobility opportunities are developed for all members under this structure. The Association has conducted ongoing negotiations with AFP and APS management on this issue and has moved to recruit APS officers across all areas to participate in the Association and to assist in the successful transition.

All APS employees are currently recruited as "Associate" members pending their full employment with AFP and the AFPA has continued to roll-out a comprehensive delegates structure across the APS, headed up by an appointed Vice-President, Spiro Kalliris who sits as a non-voting member of the AFPA National Executive as a transitional move. The AFPA is now the largest (if not sole) representative of the new APS ASO employees who are largely drawn from State Police and Military services.





Police Federation of Australia

State/Territory Reports

(Continued)

The AFPA gave evidence in the Senate Inquiry into the APS Bill and included a substantial section on the APS transitional issues into its recent submission to the House of Representatives.

The AFPA will continue lobbying to ensure that our recommendations (which remain outstanding), as presented in the AFPA submission to the Senate Inquiry into the AFP & NCA, are accepted and implemented by Government.

The AFPA has actively represented members at the Independent Review into AFP use of Managerial Action/Disciplinary Processes conducted by Justice Fisher. The review was established in response to management mis-use of the managerial action process on disciplinary matters. The Association has made a substantial submission to the review and has been a full participant in the process.

Final recommendations are still forthcoming although the Association is confident that members will be substantially advantaged by the final amendments to the existing processes. Getting this review established was a significant success for the AFPA.

The AFPA has been actively representing members in the Joint Review of Advancement & Promotion Processes (on Joint Selection Committee's and Joint Recommending Committee's etc). Earlier this year, the AFP sought to introduce public selection processes for AFP Level 15 Co-ordinators as a pre-cursor to open selections for all positions. The AFPA opposed this model as it had been implemented unilaterally and failed to protect the career aspirations of AFP employees.

After a significant campaign, the AFPA and AFP commenced a joint review of appropriate processes that is now almost concluded with an agreed policy for future selections and promotions that protects the operation of best practice merit based selection and recognises the AFP employee's rights and needs within the process. A final agreement on this is pending.

The AFPA is continually increasing the public and political awareness of the AFPA through our lobbying and via AFPA assistance to community projects. The Association works closely with the ACT Government on crime prevention activities in support of the daily activities of our ACT police members. Several AFPA officials have played a strong role in establishing the Canberra Services Club as a venue for police employees and employees of the armed services and these efforts in conjunction with our regular submissions to all governments on law enforcement matters have increased the AFPA activities and profile substantially. All of these activities are to be ongoing.

In the last 12 months the AFPA has continued expanding and enhancing member legal assistance to cater for the rapid expansion of civil suits against AFPA members in the course of their AFP duties & the significant increase in the rejection of Comcare claims. This has been both necessary and a core obligation for the AFPA in meeting member needs.

The AFPA is moving to replace the AFPA membership fee rate with a fairer & equitable model of one per cent of each individual's base salary plus any composite/higher duties allowances which is to be capped at \$650 p.a. This is subject to the AFP payroll systems being able to implement the new model. The National Executive/Council consider this model for fees as both more equitable and simpler to administer (having had some administrative issues with the current operation).

The AFPA has continued expanding the variety of discount and member services through strategic alliances with appropriate organisations. The AFPA is about to issue cd-rom membership cards. This year the AFPA has conducted Harvey Norman discount nights for members in Melbourne and Canberra with other states to roll-out over coming months.

We have moved to a more strategic alliance with the ACTU endorsed Members Equity organisation to introduce better financial service options for our national membership. Our ongoing relationship with AUSPOL Health and Manchester Unity continues to develop strongly.

State/Territory Reports

(Continued)



Police Federation of Australia

AFPA board of reference win on overtime dispute:

The AFPA achieved a significant win before the AIRC Board of Reference on a dispute relating to the AFP's failure to recognise overtime payments.

This decision addressed operational roles in community policing and the application of the overtime and flexible time procedures. It was in resolution of the dispute between the parties as to the application of the overtime entitlements and the certified agreement four hour provisions. The decision acknowledges that at no time was it intended that employees not be paid for legitimate time worked.

The AFPA considers this a major success after several failed efforts to get ACT police management to address the issue through mutual agreement. The impact of the outcome was estimated between \$1.4 – \$1.9 million in back payments.

Recruit Salary result:

After discussions between the AFPA and the AFP, the AFP approved the increase of the training salary from Grade 4.1 to Grade 6.1 as of 1 March 2002. This was a major increase in take home pay for our new members.

This result ensures that AFP members in training will receive training income above the salaries of other government and police services.

As part of our good-will, the AFPA provides free membership to AFP members during their initial training (16 weeks).

New Advancement Strategy:

The National Executive signed off on a new advancement strategy. Members who are performing roles covered by the Advancement Strategy will be able to access the Advancement Strategy's accelerated movement. That is, one increment advancement for fully effective assessments, two increment advancement for highly effective and three increment advancement for excellent ratings obtained during their "Employment Management Program" year.

They will be paid their substantive grade level which will progress along the learning path from Grade 7.1 to 10.3. Grade 7 and 8 employees will be subject to a "Learning EMP" rating of fully effective, highly effective and excellent supported by specific learning matrices to assist them.

Roles outside the Advancement Strategy will be paid at role classification Jobsite Grade level. Incumbents whose substantive grade is lower than the role being performed will receive higher duties.

Grade 7, Grade 8, Grade 9 sworn members deployed to roles outside the Advancement Strategy will be paid the full value of the role (i.e. if appropriate higher duties). However the individual's substantive grade level advancement (per the EMP process) will vary depending on whether it is "employee initiated" deployment or whether it is "management directed" deployment.

Members subject to "employee initiated" deployment move one increment at a time each EMP year. Members who are "management directed" into roles outside the Advancement Strategy will still be able to access the Advancement Strategy's accelerated movement.

This new policy will underpin a broader overhaul of the classification and advancement strategy through the current Certified Agreement negotiations.

Proceeds of crime legislation:

The AFPA organised a long campaign on the Commonwealth Proceeds of Crime legislation during the year and provided a detailed submission to the Senate Constitutional and Legal Committee, and gave evidence in relation to the Proceeds of Crime Bill earlier this year. A supplementary submission was provided with further evidence given, followed by out of session questions and answers from the committee to the AFPA.



Police Federation of Australia

State/Territory Reports

(Continued)

The AFPA commenced lobbying politicians from all sides of politics in relation to our concerns and the AFPA contacted the Prime Minister directly in relation to the Bill. The Government clearly reacted to our concerns and amendments to the Proceeds of Crime Bill were put forward which now satisfy most of our concerns.

Consistent with the AFPA's previous submissions, the AFPA strongly supported the new amendments in relation to:—

- The inclusion of the Telecommunications Intercept (TI) Act material for civil forfeiture proceedings;
- The broadening of the definition of "Financial Institution" to include Casinos and TABs;
- Civil forfeiture of the instruments of terrorism;
- Amendments to the money laundering offences.

The AFPA also supported the new amendment in relation to:

- The preferential use of overseas restrained assets in relation to the legal assistance provisions.

A special hearing of the Senate Constitutional and Legal Committee was convened allowing the AFPA National President to provide final evidence in relation to the new amendments. The Committee ascertained that the AFPA was now willing to support the Bill compared to our previous position of opposing the Bill.

The Committee noted a number of AFPA concerns that were still outstanding such as the failure to include "Unexplained Wealth Declarations" and our request that the Proceeds of Crime be available to fund the tactical operation and administration of the Bill.

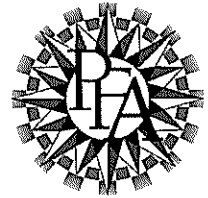
The Committee suggested that those matters could be addressed during the review of the implementation of the Bill once enacted. The AFPA supported that position. The final legislation now enjoys AFPA endorsement.

Under Remuneration Claims:

The AFPA has been involved in a long running dispute on work value and remuneration for a large number of AFP employees. To date there has been in excess of 385 AFPA members who have been successful in their claims. The results have seen these members advanced 2-4 grade points in salary with an average outcome in the vicinity of \$10,000 per person after adjustments against their EMP assessments. There are still some outstanding cases to be resolved with independent workplace assessments and possible review by the AIRC Board of Reference.

Financial Statement

for the year ended 30 June 2002



Police Federation of Australia

Treasurer's Report:

It is with pleasure that I prepare this report to the 2002 Police Federation of Australia Council.

I draw your attention to the Income and Expenditure Account for the year ended 30 June 2002. You will note from that report that since 1 July 2000 our accumulated funds have increased from \$29,116 to \$300,298, including an increase over the past 12 months of \$134,799.

The decision taken by the Executive two years ago to restructure the PFA and its operations has paid significant dividends in respect to accumulated funds. What is extremely pleasing to report is that we have been able to do that, at the same time, improve the services provided by the PFA.

We are now well placed to undertake the long planned purchase of a property in Canberra. Had the hard decision not been taken back then, we might never have had that opportunity.

I am also pleased to report that the financial reporting and up to date budget reporting arrangements introduced by the Treasurer and CEO has made it very easy for the Executive to make informed decisions on the expenditure of funds.

You will note in the accounts that the total expenditure for the 2001/02 year is consistent with that of 2000/01. The slight increase in expenditure can be directly related to the decision to develop a PFA Website, and the initial payments for the development of that site fall into this reporting period. You will also note that we have enjoyed a consistent net surplus over the past two reporting years.

I take this opportunity to thank all of the branches for the prompt payment of their monthly affiliation fees. This has enabled us to operate effectively knowing that each month we are guaranteed of our projected income.

I am sure you will agree that the 2001/02 financial statement places us in a good position to move the PFA forward and make some of the tough financial decisions that confront us in the confidence that we can continue to meet our financial obligations.

A handwritten signature in black ink, appearing to read 'Shane Butler'.

Shane Butler
Treasurer



Police Federation of Australia

Financial Statement

for the year ended 30 June 2002 (Continued)

Committee of Management's Certificate:

We, Ian Ball and Shane Butler, being two members of the Committee of Management of the PFAdo state on behalf of the Committee and in accordance with a resolution passed by the Committee that:

- In the opinion of the Committee of Management, the attached accounts show a true and fair view of the financial affairs of the Federation as at 30 June 2002.
- In the opinion of the Committee of Management, meetings of the Committee were held during the year ended 30 June 2002, in accordance with the rules of the Federation.
- To the knowledge of any member of the Committee, there have been, during the year ended 30 June 2002, no instances where records of the organization or other documents (not being documents containing information made available to a member of the Federation under Sub-Section 274[2] of the Workplace Relations Act, 1996), or copies of those records or documents, or copies of the rules of the Federation, have not been furnished, or made available, to members in accordance with the requirements of the Workplace Relations Act, 1996, the Regulations thereon, or the rules of the Federation.
- The Federation has complied with Sub-Sections 279[1] and [6] of the Act in relation to the financial accounts in respect of the period ended 30 June 2002 and the Auditor's Report thereon.

SIGNED AT SYDNEY this 20th day of September, 2002

A handwritten signature in black ink, appearing to read 'Ian Bull', enclosed within a simple oval border.

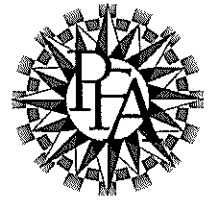
Ian Bull

A handwritten signature in black ink, appearing to read 'Shane Butler', enclosed within a simple oval border.

Shane Butler

Financial Statement

for the year ended 30 June 2002 (Continued)



Police Federation of Australia

Accounting Officer's Certificate:

I, Mark Burgess, being the officer responsible for keeping the accounting records of the PFA, certify that as at 30 June 2002 the number of members of the Federation was 32558.

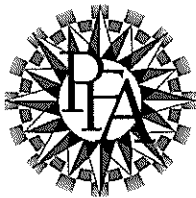
In my opinion:

- The attached accounts show a true and fair view of the financial affairs of the Federation as at 30 June 2002.
- A record has been kept of all monies paid by, or collected from members and all monies paid or collected have been credited to the bank account to which those monies are to be credited, in accordance with the rules of the Federation.
- Before any expenditure was incurred by the Federation, approval of the incurring of the expenditure was obtained in accordance with the rules of the Federation.
- With regard to funds of the Federation raised by compulsory levies or voluntary contributions from members, or funds other than the general fund operated in accordance with the rules, no payments were made out of any such fund for purposes other than those for which the fund was operated.
- No loans or other financial benefits, other than remuneration in respect of their full time employment with the Federation, were made to persons holding office in the Federation.
- The register of the Federation was maintained in accordance with the Workplace Relations Act, 1996.

SIGNED AT SYDNEY this 20th day of September, 2002

A handwritten signature in black ink that reads 'M A Burgess'.

Mark Burgess



Police Federation of Australia

Financial Statement

for the year ended 30 June 2002 (Continued)

Independent Audit Report:

To the members of the Police Federation of Australia.

Scope:

I have audited the financial accounts of the PFA for the year ended 30 June 2002. The Federation's Board of Management and Accounting Officer are responsible for the preparation and presentation of the financial accounts and the information they contain. I have conducted an independent audit of these financial accounts in order to express an opinion on them to the members of the Federation.

My audit has been conducted in accordance with Australian Auditing Standards to provide reasonable assurance as to whether the financial accounts are free of material misstatement. My procedures included examination, on a test basis, of evidence supporting the amounts and other disclosures in the financial accounts, and the evaluation of accounting policies and significant accounting estimates.

These procedures have been undertaken to form an opinion as to whether, in all material respects, the financial accounts are presented fairly in accordance with Australian Accounting Standards, other mandatory professional reporting requirements and statutory requirements so as to present a view of the Federation which is consistent with my understanding of its financial position and the results of its operations.

The audit opinion expressed in this report has been formed on the above basis.

Audit Opinion:

I have received all the information and explanations required for the purposes of my audit.

In my opinion:

- There were kept by the Federation in respect of the period under review, satisfactory records detailing the sources and nature of income of the Federation [including income from members] and the nature and purposes of expenditure, and
- The attached accounts are prepared in accordance with Section 273 of the Workplace Relations Act, 1996. The accounts have been prepared from the accounting records of the Federation and are properly drawn up so as to give a true and fair view of:

[a] the financial affairs of the Federation as at 30 June 2002; and

[b] the income and expenditure and surplus of the Federation for the year ended on that date; and are in accordance with Applicable Accounting Standards and other mandatory professional reporting requirements.

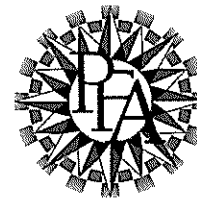
SIGNED AT SYDNEY this 20th day of September, 2002

A handwritten signature in black ink, appearing to read 'Loi Kah Tsia'.

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 2002 (Continued)



Police Federation of Australia

POLICE FEDERATION OF AUSTRALIA

NOTES TO AND FORMING PART OF THE ACCOUNTS FOR THE YEAR ENDED 30 JUNE 2002

1. STATEMENT OF ACCOUNTING POLICIES

The accounts have been prepared in accordance with Statements of Accounting Concepts, other mandatory professional reporting requirements and the Workplace Relations Act, 1996. The accounts have also been prepared on the basis of historical costs and do not take into account changing money values or, except where stated, current valuations of non current assets. The accounting policies have been consistently applied, unless otherwise stated.

The following is a summary of the significant accounting policies adopted by the economic entity in the preparation of the accounts.

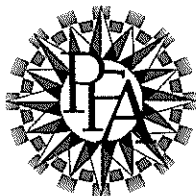
- a) Depreciation of fixed assets is calculated on the straight line basis in order to write the assets off over their useful life.
- b) Provision for employee benefits in the form of Long Service Leave and Accrued Annual Leave have been made for the estimated accrued entitlements of all employees on the basis of their terms of employment.

Long Service Leave has been calculated with reference to period of service and current salary rates.
- c) No provision for Income Tax is necessary as the income of the Federation is exempt from Income Tax under Section 50 – 15 of the Income Assessment Act.

2. INFORMATION TO BE PROVIDED TO MEMBERS OR REGISTRAR

In accordance with the requirements of the Workplace Relations Act, 1966 the attention of members is drawn to the provisions of Sub-Sections (1), (2) and (3) of Section 274 which read as follows:-

- (1) A member of an organization, or a Registrar, may apply to the organization for specified prescribed information in relation to the organization.
- (2) An organization shall, on application made under Sub-Section (1) by a member of the organization or a Registrar, make the specified information available to the member or Registrar in such manner, and within such time, as is prescribed.
- (3) A Registrar may only make an application under Sub-Section (1) at the request of a member of the organization concerned, and the Registrar shall provide to a member information received because of an application made at the request of the member.



Financial Statement

for the year ended 30 June 2002 (Continued)

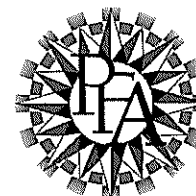
Police Federation of Australia

Police Federation of Australia **Balance Sheet as at 30th June 2002**

	<u>Notes</u>	<u>2002</u>	<u>2001</u>
<u>Accumulated Funds</u>		\$300,298	\$165,499
<u>Represented by</u>			
<u>Current Assets</u>			
PCU Easy Access account		94868	65684
PCU Savings accounts		239252	101191
PCU membership fees		10	10
Sundry debtors	3	600	19536
Amounts due from branches	4	-	4032
		<u>334730</u>	<u>190453</u>
<u>Non Current Assets</u>			
Plant & Equipment	21934		
Less provision for depreciation	<u>18682</u>	3252	5526
Motor vehicle	37695		
Less provision for depreciation	<u>8952</u>	<u>28743</u>	<u>34397</u>
		<u>31995</u>	<u>39923</u>
Total Assets		<u>366725</u>	<u>230376</u>
<u>Less Current Liabilities</u>			
Trade creditors and accruals	5	49290	51224
Provision for annual leave	6	4067	1719
Provision for long service leave	7	6470	2794
Provision for GST		6600	9140
Total liabilities		<u>66427</u>	<u>64877</u>
Net assets		<u>\$300,298</u>	<u>\$165,499</u>

Financial Statement

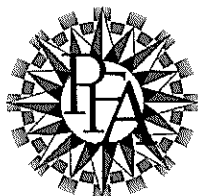
for the year ended 30 June 2002 (Continued)



Police Federation of Australia

Police Federation of Australia
Income & Expenditure account
For the year ended 30th June 2002

	<u>Notes</u>	<u>2002</u>	<u>2001</u>
<u>Income</u>			
Affiliation fees from branches		574477	564610
Interest received		6599	3061
Profits from sale of NRMA shares		-	1812
		<u>\$581,076</u>	<u>\$569,483</u>
<u>Less expenditure</u>			
Audit and accounting fees	8	20353	17800
Annual leave	6	10851	1719
ACTU Affiliation fees		55889	54186
Bank charges and duties		253	883
Computer and software expenses		15455	4847
Delegation expenses		152164	144599
Depreciation		6789	6953
FBT		36868	17502
General office expenses		28275	15305
Insurances		2270	4234
Legal fees		3236	7812
Long Service Leave	7	3676	3815
Loss on disposal of assets		1139	5330
Motor vehicle expenses		5082	4301
Rents and storage		1136	16064
Salary & packaging		88805	99402
Superannuation		8270	19048
Telephone		5766	9300
Total Expenditure		<u>446277</u>	<u>433100</u>
Net Surplus for the year		134799	136383
Accumulated funds at beginning of year		165499	29116
Accumulated funds at end of year		<u>\$300,298</u>	<u>\$165,499</u>



Police Federation of Australia

Financial Statement

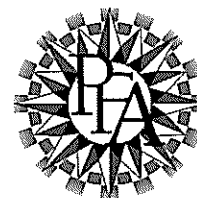
for the year ended 30 June 2002 (Continued)

Police Federation of Australia
Notes To and Forming Part of The Account
For the year ended 30th June 2002

	2002	2001
3. <u>Sundry debtors</u>		
Tax refund due from ATO	\$600	\$19,536
4. <u>Amount due from branches</u>		
Northern Territory Police Association	-	1191
Australian Federal Police Association	-	2841
	<u>\$ -</u>	<u>\$4,032</u>
5. <u>Creditors and accruals</u>		
Staff superannuation	10421	-
PAYG re staff wages	4122	17608
Audit and accounting fees	16500	17100
Various consulting and expenses	18247	16516
	<u>\$49,290</u>	<u>\$51,224</u>
6. <u>Provision for Annual Leave</u>		
Balance as at 1.7.2001	1719	16002
Less paid during the year	[8503]	[8278]
	<u>[6784]</u>	<u>7724</u>
Overprovision written back to wages	-	[7724]
	<u>[6784]</u>	<u>-</u>
Add additional provision for the year	10851	1719
Balance as at 30.6.2002	<u>\$4,067</u>	<u>\$1,719</u>
7. <u>Provision for Long Service Leave</u>		
Balance as at 1.7.2001	2794	56981
Add additional provision for the year	3676	3815
	<u>6470</u>	<u>60796</u>
Less paid during the year	-	[58002]
Balance as at 30th June 2002	<u>\$6,470</u>	<u>\$2,794</u>
8. <u>Auditor's Remuneration</u>		
Audit fees	8250	8500
Other services	12103	9300
	<u>\$20,353</u>	<u>\$17,800</u>
9. <u>Delegation expenses</u>		
Consultancy	56311	49520
Conference	41400	35094
Executive Expenses	45132	38258
Lobbying	9321	21727
	<u>\$152,164</u>	<u>\$144,599</u>
10. <u>Cash Reconciliation</u>		
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	<u>\$334,130</u>	<u>\$166,885</u>

Financial Statement

for the year ended 30 June 2002 (Continued)



Police Federation of Australia

Police Federation of Australia
Notes To and Forming Part of The Account
For the year ended 30th June 2002

	<u>2002</u>	<u>2001</u>
11. Cash Flow from Operating Activities		
Receipt from members	634044	617985
Sale of NRMA shares	-	1812
Interest received	6599	3061
TOTAL Cash Received from operating activities	<u>640643</u>	<u>622858</u>
Less operating activities expenses and payment of employee entitlement	<u>473398</u>	<u>576315</u>
Net increase in cash held	<u>167245</u>	<u>46543</u>
Cash at beginning of financial year	166885	120342
Cash at end of financial year	<u><u>\$334,130</u></u>	<u><u>\$166,885</u></u>



Police Federation of Australia

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**Police Federation
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