

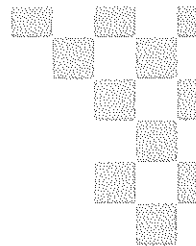


**Police
Federation
of Australia**



**ANNUAL
REPORT
2003/2004**





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Affiliates

BRANCH	MEMBERSHIP	NO. OF DELEGATES
New South Wales	15,678	7
Victoria	10,565	5
South Australia	3,911	3
Australian Federal Police	2,281	2
Tasmania	1,112	2
Northern Territory	986	1
Western Australia	4,793 (15)	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".

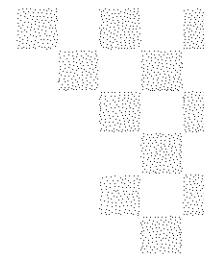
Associates

	MEMBERSHIP
Queensland	8,618
New Zealand	8,935

Office Bearers

President	Peter Alexander (South Australia)
Vice President	Jon Hunt-Sharman (Australian Federal Police)
Vice President	Shane Butler (Victoria) (resigned 4/10/04)
Treasurer	Vince Kelly (Northern Territory)
Executive Members	Ian Ball (New South Wales) (resigned 23/6/04) Bob Pritchard (New South Wales) (appointed 24/6/04) Randolph Wierenga (Tasmania) Michael Dean (Western Australia) (elected 7/4/04)
Associate Members	Queensland New Zealand

Staff

**Chief Executive Officer**

Mark Burgess

Office Administrator

Debbie Martiniello

**National Industrial
Consultant**

Chris Hayes

Meetings Conducted

Federal Council

10 and 11 November 2003
24 June 2004

Adelaide, South Australia
PFA Office Canberra (Special Meeting)

Executive

9 November 2003
11 November 2003
3 and 4 March 2004
22 March 2004
19 April 2004
3 June 2004
24 June 2004
7 July 2004
14 July 2004
11 and 12 August 2004
3 September 2004
16 September 2004
14 October 2004

Adelaide, South Australia
Adelaide, South Australia
PFA Office Canberra
Teleconference
Teleconference
Teleconference
PFA Office Canberra
Teleconference
Teleconference
PFA Office Canberra
Teleconference
Teleconference
Teleconference

Industrial Planning Committee

26 and 27 November 2003
23 June 2004
3 and 4 November

PFA Office Canberra
PFA Office Canberra
PFA Office Canberra

Women's Advisory Committee

4 and 5 March 2004
10 and 11 August 2004

PFA Office Canberra
PFA Office Canberra

President's Report

It once again gives me great pleasure to provide this annual report.

A perusal of it will again highlight a busy past 12 months and the achievements we continue to make on behalf of our membership. The report is being prepared in the shadow of a federal election and much of our work since early 2004 has centered on our lobbying role in the lead-up to it.

I thank Branches for their continued commitment and support.

The formation of the Western Australia Branch under its President Michael Dean has been a significant milestone and as we read this report in late 2004 the rules of the Queensland Branch are all but complete and ready to be endorsed. At that time, 50 000 Australian police will legitimately come under the banner of the Police Federation of Australia.



PFA President Peter Alexander

My report would not be complete if I did not take the opportunity to thank Ian Ball, the former NSW President, and Shane Butler, the former Victorian President and PFA Vice President, for their loyalty and support during their time in office. Both men gave sterling service to their respective Branches as well as the PFA and I wish them both well in their future endeavours.

The next five years will be important ones for the Federation, which is why I strongly support the development of a new strategic plan. As this organisation evolves, it is paramount to continue to set a clear strategic direction and I encourage all Branches to fully involve themselves in that process to ensure that we stay on track in the pursuit of our key objectives.

Again, I recognise the importance of our strong, ongoing relationship with the New Zealand Police Association and I thank them for their continued support of me personally and the Federation and its Branches.

To my fellow Executive members, I thank you for your ongoing support and to our staff, Mark Burgess, Debbie Martiniello and Chris Hayes I likewise recognise their efforts in performing at the highest level.

I look forward to the PFA's continued advancement in the interests of police and policing.

Peter Alexander

President

Chief Executive Officer's Report



PFA Chief Executive Officer Mark Burgess and
PFA Office Administrator Debbie Martiniello.

It gives me pleasure to submit this, my fourth Annual Report.

This is snapshot of the PFA's activities over a 12-month period and a document to track the history of the organisation's activities and achievements.

Superannuation Preservation Age Rules

Members would be aware that in last year's Annual Report I dealt with the PFA's ongoing lobbying on this issue and the support gained from the Police Commissioners' Conference. It must be noted that more than 30 000 of our members, ie more than 60% of our membership, are affected by this policy whereby members born after 1 July 1964 will not be able to retire and gain full access to their superannuation entitlements until they turn 60 years of age.

At the PFA Council Meeting in 2003 the following resolution was carried:

"That the police superannuation issues be referred to the sub committee to develop a strategic plan on greater commonwealth funding . Further on the issue of superannuation the sub committee incorporate in the superannuation component of the strategic plan issues such as:

- *Expert practitioners from Branches to assist in the compilation of a comprehensive submission on superannuation preservation age*
- *The development of a public media campaign*
- *A strategy targeted at lobbying of federal and state politicians*
- *The development of a communication strategy with members"*

As a result of that motion a sub-committee comprising the PFA's CEO, Chris Kennedy (VIC), Rod Harty (NSW), Paul Mullett (VIC), Michael Dean (WA), Winston McNamara (WA), Gary Wilkinson (QLD) and Ross Musgrove (QLD) was formed. An early decision by that committee was to concentrate our efforts on the superannuation issue first as opposed to that of Commonwealth funding. Therefore, a smaller working group of Chris Kennedy, Rod Harty, Winston McNamara and the CEO was tasked with preparing an in-depth superannuation "Issues Paper" to commence the process. Greg Chilvers (NSW) was seconded to that group to assist in its preparation. That paper ultimately formed the basis of a lobby kit titled "Retirement with Dignity for Australia's 50 000 Police". In February 2004, that kit was forwarded to all Federal Members and Senators, as well as all State parliamentarians.

We followed that process with a series of presentations to parliamentarians coinciding with our March and June 2004 Executive meetings as well as a range of meetings organised by Branches in parliamentarians' electorate offices.

It is pleasing to report that the 2004 Commissioners' Conference again reaffirmed its support for the PFA's call for an exemption from Superannuation Preservation Age rules and raised this issue directly with the Prime Minister at their Conference.

Several meetings were held with Senator Helen Coonan, Minister for Revenue and Assistant Treasurer; and in May she wrote to the PFA in the following terms:



Chief Executive Officer's Report

(Continued)

"Thank you for your representations on a range of superannuation and tax issues affecting police officers. It was useful to discuss some of these issues with you in our meetings on 11 March and 29 April and I thank you for the additional information you provided at our most recent meeting.

I acknowledge the Police Federation of Australia (PFA) concerns about the physical nature of police work and the risk of active police work to older officers. As a result of our meetings and the additional information you provided, I will investigate whether options could be put to Government to address concerns of the PFA. The proposals put forward by the PFA require careful consideration, particularly due to the potential precedent effect, the broader ramifications across Ministerial portfolios and, possibly, Commonwealth and State relationships. I will advise the PFA of the outcome of this process in due course".

As a result of that correspondence, we sought independent legal advice as a means of resolving this issue and that advice was subsequently provided to Senator Coonan's staff in early June and to the new Minister Mal Brough in early September.

In mid-July, portfolio responsibility for this issue passed to Mal Brough MP and on 19 July a meeting was sought with him:

"...as soon as possible to ensure that the key concerns of our members are considered by Government prior to the upcoming election."

Unfortunately, that meeting did not take place until September.

In August 2004, there was a further approach to the Prime Minister:

"The Federation believes it has an extremely sound and persuasive case for an exemption for police officers from the preservation rules and has put that case to you and your parliamentary colleagues with crystal clarity. We are keen to have your favourable answer so that it can be disseminated to our national membership before the forthcoming federal election.

I look forward to your early, favourable response so that it can be relayed comprehensively to our members".

In the lead-up to the Federal Election we again commenced a series of visits to marginal seats across the country as well as securing a meeting with Assistant Treasurer Mal Brough on 10 September and with Treasurer Peter Costello on 13 September.

In the weeks leading up to the election, correspondence was received from the Leader of the Opposition Mark Latham outlining their position:

"Under Labor, the access age for superannuation will remain unchanged except for police and other high risk, high stress occupations. Such occupations will have access to their superannuation at age 55 if a special case is made out before an independent panel

The independent panel will be able to decide the issue for each occupational class, and the panel's decision will then apply to all persons in that class who are born after 30 June, 1960".

There was also correspondence from the Federal Assistant Treasurer on behalf of the Government which proposed:

"...a re elected Coalition government will commit to undertaking, within the first six months of our next term of government, a review of the preservation age rules as they apply to police. This review, to be independently chaired, will also take into account the long term rigors of policing and the impact of any change on individuals' retirement incomes. The Government will specifically invite the PFA, the Police Commissioners, and trustees of the police superannuation funds to make a contribution to this review".

Chief Executive Officer's Report

(Continued)

While the PFA would have preferred to see both the Government and Opposition provide an immediate commitment that police would be able to continue to access their full superannuation at 55, the Federation is confident of convincing either the Opposition's 'independent' panel or the Government's review of the merits of our argument.

These commitments from both parties enabled the PFA to send out the respective letters and a circular to all members outlining what each party had committed to assist members, their families and supporters to make an informed decision when voting.

National Police Memorial

At the time of compiling this report, the development of a National Police Memorial was close to a reality. While the Memorial's official dedication is not planned until Police Remembrance Day 2006, many of the issues which have slowed progress are close to resolution.

In respect to funding the \$2.4 million Memorial, the Commonwealth, State and Territory jurisdictions, and the PFA have now all agreed on a three-way split – one-third from the Commonwealth, one-third from all State and Territory jurisdictions and the remaining one-third from the PFA through its affiliates, ie \$800,000 from each of the three groups.



Above:
The National Police Memorial site on the shore of Lake Burley Griffin.

Right:
An aerial view of the National Police Memorial site showing its location relative to Parliament House and the Australian War Memorial.



Chief Executive Officer's Report

(Continued)

The PFA Executive, after much discussion and meetings with Police Credit Unions, agreed to split its \$800 000 contribution on a pro rata basis among its affiliates and associates dependent on their member numbers. Consequently, the following contribution amounts were determined:

• Queensland	\$ 142 650
• New South Wales	\$ 256 415
• AFPA	\$ 38 390
• Victoria	\$ 178 815
• Tasmania	\$ 19 410
• South Australia	\$ 66 725
• Northern Territory	\$ 15 765
• Western Australia	\$ 81 960

TOTAL

\$800 130



Justice Minister Chris Ellison and Territories Minister Jim Lloyd announce the Canberra site for the National Police Memorial.

In an endeavour to raise the funds, the PFA established the "National Police Memorial" company and each of the Branch Presidents became Directors of the company.

Application was sought for Deductible Gift Recipient Status, meaning that donations will be tax deductible with Tax Exempt Status. That application has been approved.

The PFA was also required to apply in every State and Territory for an 'authority to fundraise'. As a result of approval of all of the above applications, members and supporters of the Police Memorial will be able to make tax deductible donations to the Memorial to assist in raising the \$800 000.

Many of the contentious issues surrounding the Memorial have been resolved by the National Police Memorial Steering Committee. That Committee, set up under the Australasian Police Minister's Council (APMC), comprises:

- Deputy Commissioner AFP John Lawler, Chair representing the APMC
- Deputy Commissioner NT Bruce Wernham, representing the Police Commissioners
- Assistant Commissioner Dick Conder, QLD
- Senior Assistant Commissioner Dick Adams, NSW
- Chief Superintendent Phil Holder, representing Australian Police Legacy organisations
- Mark Burgess CEO of the PFA, representing all Australian Police Unions/Associations.

The AFP provides the Secretariat and the National Capital Authority advice on the design competition, construction and other technical aspects of the memorial.

Key issues which had to be resolved included whether officers' names would be included on the Memorial. After some intense discussion with jurisdictions, the PFA and Police Legacy organisations seeking advice from their constituents around the country, the decision was made to include names.

The issue of the Commemorative Intent also prompted much debate. The commemorative intent is a statement about the memorial which will assist potential designers when developing their designs for judging. At the time of compiling the report, the proposed commemorative intent stated:

"The National Police Memorial commemorates those who have been killed on duty and recognises the police contribution to the Australian Community

The Memorial should capture a range of policing elements including:

- *Courage, duty and integrity*
- *The perpetual need to serve the community*
- *The unpredictable nature of policing*
- *The strength, unity and common purpose of police; and*
- *Local, national and international aspects"*

Chief Executive Officer's Report

(Continued)

As a result of the meetings the PFA has been asked to collate the names of the some 700 police officers who have died as a result of their duties as well as developing a criteria for future inclusion of names on the memorial. That process will be undertaken in conjunction with the AFP secretariat.

On Police Remembrance Day 2004, the Minister for Justice and Customs Senator Chris Ellison and Minister for Local Government, Territories and Roads Jim Lloyd announced the selection of a Kings Park site. This decision was also supported by the Federal Opposition.

Both Ministers paid tribute to the PFA's work to get the Memorial planning to this stage.

A further meeting of the Steering Committee will make recommendations to the APMC which it is anticipated will endorse the calling for a national design competition before the end of the year.

Fundraising for the PFA's \$800 000 contribution will then commence.

Parliamentary Inquiries

Federal Funding

In the 2001-2002 Annual Report, I detailed PFA submissions to the House of Representatives Standing Committees on Crime in the Community and Local Government and Cost Shifting. Both those inquiries have now reported.

In respect to the *"Local Government and Cost Shifting Inquiry"* the final report noted the PFA's issues, particularly in respect to the United States where we identified that best practice and effective policing occurs in large well resourced agencies. Likewise it noted our objection to local government undertaking the role as employers of sworn police. It also noted our concerns about the lack of professional regulation of the private security industry and our objection to the proliferation of private policing as opposed to public policing arguing that the people who would suffer most would be those who could not afford their own policing service.

The report, unfortunately, stopped short of making recommendations on greater Commonwealth funding of state, territory or federal police agencies as proposed by our submission.

The *"Crime in the Community Inquiry"* inquiry met in various parts of the country but in early August 2004, the Labor Party members of the committee resigned en masse.

The PFA was disappointed that although representing 50 000 Australian police officers and making a substantial submission to the Inquiry, it was never asked to appear and give evidence. The first the PFA knew of the Inquiry's termination and preparation of a report was through a newspaper account.

During the committee hearings in May 2004 the Federal Government announced its National Crime Prevention Program and following the winding up of the committee, the Federal Opposition, in September, also launched its Safer Suburbs: Stronger Communities Program. Both programs had \$50 million budgets.

The Crime in the Community Inquiry recommended:

"The Committee applauds the National Community Crime Prevention Programme because it allocates funding directly from the commonwealth to local community initiatives, and recommends that further funding be made available under this program"

Both the Government and the Opposition have claimed as their idea Commonwealth funding of local community-based projects. In reality, both parties have used the PFA's ideas raised in submissions to the above two inquiries.

Central to our submissions was our argument that the Federal Government could no longer contend that crime in our communities was a State/Territory issue and therefore not a Commonwealth responsibility.

Local police, we suggested, knew the needs of their particular communities but often had difficulty in developing programs through lack of funds. We proposed that a Federal government should fund 'creative and innovative projects' which could operate in conjunction with local policing initiatives.



Chief Executive Officer's Report

(Continued)

Our submission went on to suggest the establishment of an "Innovations Grant Program" for projects aimed at local crime reduction and we identified that local police should have a coordination role.

Also, it dealt with formulating a national policy on supplementing and assisting local policing initiatives via federal government funding.

The \$50 million over four years promised by both parties is only a small amount compared to the current \$20 billion cost of recurrent expenditure of all policing jurisdictions over that same period. It is a start, however, and recognition by both parties that a Federal Government does have a responsibility to local law and order.

We believe that the policies of both sides need refinement and the PFA will continue to lobby all political parties to ensure provision of adequate federal funds to supplement local law and order and crime prevention initiatives.

We have also called for a major strategic defence-style white paper into long-term AFP scope of mission and funding to support it. The AFP's role has changed forever. Major infrastructure decisions are now needed to prepare it for the coming decade. The Government needs to articulate the AFP's future role and a consultative review process is required to target staffing numbers. Current tied funding short-term budget supplementation is not adequate and sells short the men and women of the AFP.

Building and Construction Industry Inquiry

The PFA made a submission to the *"Senate Employment, Workplace Relations and Education References Committee inquiry into the Building and Construction Industry"*.

It was predicated on criticisms which had previously been levelled at police for alleged actions/inactions in disputes on building and construction sites and at general protests.

Our submission was divided into four key parts – police discretion, resource implications of industrial disputes, the formation of the Australian Building and Construction Commissioner (ABCC), and police training.

On police discretion, we argued that police need to take into account a range of issues when making a determination to take action, particularly in the case of general protests. One of the key issues was the safety of others as well as police themselves.

Resource implications are another area which requires due consideration. We argued, "...is it fair on the rest of the community that they are deprived of policing services due to a dispute potentially over the commercial interests of a particular company or a group of employees?"

The PFA raised concerns about the ABCC's proposed powers, particularly coercive ones which might be used in what could be considered a normal industrial dispute. Some of the proposed powers were far in excess of those bestowed on police in the normal course of their duty and may be at the discretion of the respective Minister. Other issues of concern were the training of persons attached to the ABCC in relation to their powers, and the integrity regime that they might or might not operate under and the role of the ABCC in potentially overseeing police operations in these areas.

The final issue we raised was training of police on policing industrial disputes. We argued that at present there was no such specific training available.

In its conclusion, the PFA advocated changes to the Workplace Relations Act restoring Australian Industrial Relations Commission powers to compel a conciliation process which might take some of the burden away from police who are frequently called to police protracted industrial disputes.

Military Rehabilitation and Compensation Bill 2003

A further submission was made to the *"Senate Foreign Affairs, Defence and Trade Committee inquiring into the Military Rehabilitation and Compensation Bill 2003"*. A report on this submission and its impact on police will be explored in the Multi-Jurisdictional Operations section of this report dealing with the Veteran's Entitlements Act.

Chief Executive Officer's Report

(Continued)

Multi-Jurisdictional Operations

There is a number of issues which were on the PFA's agenda over the past 12 months that come under the heading of multi-jurisdictional operations. They include:

International Deployment Group

In February 2004, the Prime Minister announced that the Federal Government would fund the establishment of an International Deployment Group (IDG). It was suggested that such a group would comprise 400 – 500 police from all Australian Police jurisdictions.

In early April, the Prime Minister attended the Pacific Islands Forum in New Zealand. Subsequently, he announced that Australia was part of a review in the Pacific Islands Region proposing to overhaul its transport services and to consider measures to improve trade, judicial and administrative standards and law enforcement.

The review had warned that current cooperation between the 16-member Pacific Islands Forum was not strong enough to deal with the challenges of globalisation and security facing the many tiny nations. It is understood the review proposed a stronger regional thrust on law enforcement and security.

During this time the Australian Federal Police, at the behest of the Government, had been briefing State and Territory Commissioners about the proposed IDG.

The IDG's mission is to allow the AFP to strategically meet its international obligations in places such as Solomon Islands, Timor Leste (East Timor), Cyprus and missions in Papua New Guinea and possibly Jordan. Concerns had also been raised that police in the future may be required to be deployed to countries such as Iraq as part of the IDG.

The IDG would be responsible for provision of personnel and support to United Nations peacekeeping and peace monitoring missions, regional multilateral law enforcement capacity building missions and Bilateral law enforcement capacity building programs which fall under the responsibility of the AFP's Law Enforcement Cooperation Program (LECP).

Unfortunately, neither the PFA nor its Australian Federal Police Association (AFPA) Branch was privy to any discussions or negotiations on the proposed conditions of deployment. We were ultimately provided with a Memorandum of Understanding between the AFP and individual police jurisdictions concerning the terms and conditions of deployment of police from jurisdictions other than the AFP and a copy of the IDG (Determination No 1 of 2004), the terms and conditions of employment for AFP personnel who will be part of the IDG.

We wrote to the AFP Commissioner and all State and Territory Commissioners outlining our concerns about the proposal.

We sought a meeting with the AFP and requested that State and Territory Police Commissioners not sign the MOU until such time as a number of the issues we raised had been resolved.

Among our concerns were:

- No provision for common terms and conditions of employment
 - We argued that all deployed police should be on common terms and conditions
- Uncertainty on workers compensation provisions
 - With the proposed 'full stopping' of the Veteran's Entitlements Act (VEA) following the introduction of the Military Rehabilitation Compensation Act from 1 July 2004, police in the IDG would have had no appropriate workers compensation coverage
- Occupational, Health, Safety, Welfare & Support issues
 - Concerns were raised about the ability of the AFP and jurisdictions to provide appropriate OH and S, welfare and other support to members with such long periods of attachment (ie 60, 80 and 100-week deployments)
- Infrastructure/support
 - We were concerned about emergency evacuation provisions



Chief Executive Officer's Report

(Continued)

The PFA Executive signed off on a proposed claim on the AFP in respect to the IDG. At the time of compiling this report it is hoped to finalise the claim on a "Without Prejudice" basis, due to the AFP refusing to agree to common terms and conditions (see next section). The claim included:

Remuneration

The PFA sought a common salary band for all IDG members. Historically, common salary bands have applied on all overseas deployments. We argued that the way forward was to utilise the AFP and AFPA agreed job evaluation and role-sizing tool Jobsize.

Jobsize indicated that the figures identified were not inconsistent with previous International deployments. We also used the earlier Determinations set by the AFP Commissioner to identify the salary Band level and the composite that should be applied.

Unfortunately, the AFP would not move on its position and made a subsequent offer to the PFA on an increased Extended Unaccompanied Overseas Service Allowance.

Ultimately this offer was accepted by the PFA on a "Without Prejudice Basis" as we still believed that the ideal outcome for members would be a common salary spine.

Composite Allowances (Overtime/Penalties/Loadings)

For a composite to apply to the IDG, we again relied heavily on previous Commissioner Determinations. In that respect we sought a 45% composite for Co-ordinators and 65% for all Team Leaders and Team Members. We also sought maintenance of a 90% composite in any agreement in case the AFP wanted to change shift patterns and hours of work once members embarked on deployment. We also identified the hours and flexibility purchased in relation to the Composites that were allocated to the IDG by codifying the Composite hours and flexibility consistent with AFP workplaces. This would enable AFP management to allocate the appropriate Composite to reflect intended work patterns/flexibility required.

After some discussion agreement was reached on the Composite allowances to apply to the IDG consistent with the PFA claim.

Workers Compensation

In respect to Workers Compensation, we argued that no lesser coverage than that afforded by the VEA should apply to all IDG deployments.

Following the intervention of the Justice Minister and Minister for Veteran's Affairs we are confident IDG members will be guaranteed coverage by the VEA, although as part of our claim we are seeking a written commitment to that affect.

We have also been arguing that as a result of the proposed 'full stopping' of the VEA and the advent of the Military Rehabilitation Compensation Act, a new police-specific Act should be developed.

At the time of compiling this report, the PFA hopes that the Government will make a positive announcement about the establishment of such an Act following the election.

Return-to-Positions in Australia

On the right of return to a member's position in Australia following deployment with the IDG, this was judged to be an issue that Branches need to take up direct with their respective jurisdictions. (It should be noted that the AFP give such a commitment to their own members.)

Recruitment against Deployment

The number of officers recruited by the local jurisdiction to replace the officers on IDG deployment was again seen to be an issue between branches and their respective jurisdictions, not a matter for the AFP.

Selection Process for members of the IDG

A selection process was to be established in each jurisdiction between the Branch, the respective jurisdictions and the AFP.

Such process is to be in accordance with the relevant, already agreed Police Force/Service selection process which must include an appeal/review process.

Chief Executive Officer's Report

(Continued)

Allowances

A range of other allowances applied to the IDG:

- Extended Unaccompanied overseas service allowance
- Mission allowance
- Transfer allowance
- Outlay allowance
- Telephone/communication allowance
- Meals and accommodation provided.

Experience of Deployment Personnel

We argued that due to the operational difficulties of some of the IDG's missions, no probationary constables should be deployed and that all State and Territory members of the IDG to be at a minimum level of competence of a fully operational officer.

In the AFP context we argued a police officer must have successfully completed the behavioral assessment or have equivalent experience.

Taxation

We sought a general exemption from income tax on salary and allowance payments that relate to overseas service while employees are members of the IDG. This was agreed.

Dispute Resolution Process

We are also seeking an appropriate disputes resolution process to include in the settlement with the AFP.

The rationale for our claim on the AFP was that while we understood that many members look forward to an opportunity to serve in such missions overseas we believed that the PFA and Commissioners jointly had an obligation to ensure that employment conditions, welfare and safety of our members were paramount. We sought Commissioners' support to ensure satisfactory resolution of matters we identified so that when members volunteer for such deployment they return having had a fulfilling policing experience and not one with long-term morale, injury or health issues.

The matter is not finalised as this report is compiled but we hope to sign off on an agreement in the near future.

Australian Crime Commission

In the 2001-02 Annual Report, I outlined the PFA's significant role in the formation of the new Australian Crime Commission ACC.

Since that time we have been discussing the impact of members from all jurisdictions being seconded to the ACC on their home jurisdiction's terms and conditions of employment.

We have proposed to the ACC an arrangement for a common secondment package.

An issue which needs to be resolved before formal negotiations commence is the identity of the employer of police at the ACC. We have recently received correspondence from the ACC's CEO indicating that they are seeking advice on that issue.

It is pleasing to report that we have been able to achieve an exemption from Reportable Fringe Benefits Tax (RFBT) for use of motor vehicles when on call for police working at the ACC (full report on other RFBT exemptions later in this report).

We are currently liaising with Treasury and ACC management on the regulation to be drafted to support this exemption.



Chief Executive Officer's Report

(Continued)

Kintore

Negotiations between the Commonwealth, Northern Territory and Western Australia have seen the establishment of a multi-jurisdictional facility at Kintore in NT. Police from both WA and NT work side by side at this facility on their home jurisdiction's terms and conditions of employment, using their home jurisdiction's uniforms and equipment. Plans are afoot to establish a number of similar facilities which could ultimately include police from other jurisdictions.

At this point the decision has been made not to seek to intervene in this arrangement although the PFA Executive has determined to keep a watching brief on how the facility operates to determine if a common conditions style agreement needs to be investigated.

Presentation to Commissioner's Conference

In March 2004, the PFA was again invited to make a presentation to the Police Commissioners' Conference in Sydney.

As earlier reported, that presentation centered around the campaign "Retirement with Dignity for Australia's 50 000 police. Our presentation was unanimously supported by the Police Commissioners' Conference.

Presentation to Australasian Police Minister's Council (APMC)

We have not made a presentation to the APMC in the past 12 months due to the 2003 APMC Meeting coinciding with our PFA Council Meeting.

Commissioner Ken Moroney (NSW) offered to make a presentation to the 2003 APMC on our behalf. We prepared a paper for him which highlighted a range of issues including:

- Superannuation Preservation Age Rules
- Optional Early Disengagement
- Federal Funding of State, Territory and Federal police jurisdictions
- National Police Memorial
- Generic Secondment Package for members working at the ACC
- National Equipment Standards
- Veteran's Entitlements Act.

The PFA Executive has endorsed seeking an opportunity to make further presentations to the APMC in the future.

Police Professional Issues

Over the past 12 months the PFA has continued to play a leading role in the development of the police profession. At our Federal Council Meeting in November 2003 the following resolutions were carried and have underpinned the PFA's direction on these issues since then:

"That the PFA is fundamentally opposed to lateral entry into the policing profession. Minimum requirement of qualifications and experience as a sworn officer need to be established as prerequisites for entry

"That the PFA supports the notion of Australasian mobility at rank of sworn police officers"

"That the PFA supports the professional qualifications of policing being obtained through the Higher Education Sector rather than the VET system"

"That this council refers jurisdictional Police Service Act amendments to progress interjurisdictional sworn mobility at rank to the incoming executive"

Chief Executive Officer's Report

(Continued)

"That the PFA clearly articulate its view that the projects under development are for sworn police only and the roles that sworn police perform and if that position is not accepted by the APPSC Project Teams then the PFA reconsider its role in the Teams"

"That the entry and progression education standards project be expanded from only examining constable models to cover progression through other practitioner and leadership levels"

Australasian Police Professional Standards Council

We have attended all meetings of the APPSC in the past 12 months. (ie Jurisdictional co-ordinators, Steering Committee and Council). We are also pleased to work closely with our colleagues from the New Zealand Police Association who are represented on all committees of the APPSC in their own right.

We have developed, and are proud, of our strong working relationship with the APPSC Secretariat and in particular its Executive Director Helmut Winzler.

In respect to Jurisdictional co-ordinators meetings, the PFA is now represented by Barry Mullan from the NSW Branch who has filled this role since March 2004. Before that we were represented by Andy Smith from the NT Branch for a number of years and his strong and professional contribution is recognised.

At the Steering Committee level the PFA is represented by its CEO Mark Burgess and the Association's National President Peter Alexander sits on the APPSC Council.

The last meeting of the APPSC Council resolved not to progress any of the key projects due to the majority of Commissioners advising that they had not been briefed before the meeting or provided with sufficient documentation and details of how adoption of the Steering Committee recommendations would affect their jurisdictions.

This was a disappointing outcome given that a great deal of work had been undertaken by the Steering Committee since the last Council meeting in May 2004. A range of important recommendations was before the Council for endorsement, but not one was progressed.

The PFA was one of the few representatives in a position to take these highly important matters forward. It may be that during 2005 the PFA, together with those Commissioners who wish to take these issues forward, may be forced to do so separate from some Council members.

Police Professional Issues Conference

At the Federal Council meeting in November 2003 the following resolution was endorsed:

"That the CEO and the Victoria Branch be authorised to negotiate with David Bradley of VICPOL the joint hosting of a 'Police Professional Issues Conference' and report back such discussions to the Executive"

After the November 2003 Federal Council several meetings were held but little progress made.

In mid-March the President and CEO attended a "Police Professionalism and Registration Workshop" hosted by the NSW Branch at the Goulburn Police College.

In September 2004, the PFA's CEO met various NSW representatives who had been tasked by their Branch Conference to progress a Police professional issues conference for that jurisdiction.

As a result of that meeting a number of issues were put forward to progress a "Future of the Policing Profession in Australasia" Conference in the latter part of 2005.

Various matters such as the scope of the conference, the various conference streams that might be pursued, the target audience and the proposed outcomes were canvassed.

It is anticipated that this issue will be further debated at the PFA Council Meeting and a firm commitment given to proceed with the PFA as the lead organiser of such a Conference. We will also need to determine if we will undertake such a Conference in conjunction with Commissioners/APPSC or simply as the PFA.

Chief Executive Officer's Report

(Continued)

Police Institute

The issue of the development of a Police Institute in Australia is another matter that we have discussed with a Commissioners' sub-committee. Again, little progress appears to have been being made by that sub-committee although the PFA is committed to ongoing discussions about it.

The pre-election announcement by the Federal Government to inject more than \$10 million into the Australian Institute of Police Management at Manly could hasten a decision on this issue as this would give the Institute a good base.

Formation of the Western Australia Branch

You will recall that in last year's Annual Report we reported that it was anticipated that the rules of the Western Australia Branch of the PFA would be presented to the Federal Council Meeting in November 2003.

Those rules were endorsed and registered by the Australian Industrial Registry on 3 February 2004.

Inaugural elections for the Branch were held on 7 April 2004 and those elected were:

Michael Dean	<i>President/Delegate to Federal Council</i>
Chris Cassidy	<i>Vice President</i>
Russell Armstrong	<i>Deputy Vice President</i>
Merv Lockhart	<i>Treasurer</i>

Coverage issues relating to AFPA Members

The 2002/2003 Annual Report mentioned an application by the CPSU to alter its eligibility rules and the issue was covered in detail in the Industrial section of the report.

Throughout the past 12 months this issue has continued, particularly as the Australian Protective Services were brought under the umbrella of the AFP.

The AFPA Branch report contains an in-depth account of the history of this matter; the current status and the necessity for the PFA to alter its own rules of "Eligibility for Membership" to accommodate the changes currently taking place in law enforcement at the Federal level.



Sydney University lecturer Giuseppe Carabetta who authored "Employment Status of the Police in Australia" published by Melbourne University Law Review.

Employment Status of Police

During the past year, the PFA developed a strong working relationship with Giuseppe Carabetta, a commercial law lecturer in the School of Business Faculty of Economics and Business at Sydney University.

Mr Carabetta is the author of the paper "Employment Status of the Police in Australia" which was published in the Melbourne University Law Review. This has been well received and is of vital interest to Australia's police.

Mr Carabetta attended the June 2004 Executive Meeting where he discussed the paper with the Executive and subsequent discussions have resulted in he and the PFA investigating the possibility of a 'Linkage Grant' to review and provide a critical analysis of current dismissal laws in all Australian police jurisdictions.

Chief Executive Officer's Report

(Continued)

Federal Anti-Corruption Body

On Wednesday 16 June 2004, the Federal Government announced its plans to establish an independent body with telephone intercept powers which would target corruption among law enforcement officers at a national level. This body, it was proposed, would have the powers of a royal commission. The announcement followed an ABC Four Corners program alleging corruption by some officers attached to the Australian Crime Commission. It soon became obvious that this proposal was also supported by the Federal Opposition and, that being the case, the PFA decided it would support the process and endeavour to get the best possible model for a Federal Corruption Body.

On Thursday 17 June, the PFA and AFPA Branch met the Minister for Justice and Customs Senator Chris Ellison and the Shadow Minister for Homeland Security Robert McClelland. The Government asked us to provide a 'draft' model for consideration by Monday 21 June. At short notice the PFA put together a submission based on the following key principles:

- For the Independent Body to work effectively it needs to develop expertise in law enforcement corruption and this might be difficult if the body were only part time. Also, a full-time independent body would not be cost effective if limited to investigations within the ACC and AFP only
- The PFA proposal was predicated on the independent body being expanded to include all employees of Commonwealth law enforcement agencies or employees of law enforcement (intelligence and investigation) sections within agencies
- The PFA saw the proposed oversight body having Royal Commission powers
- The new body should have access to expert investigators (ie police) not directly attached to it but available through the professional standard areas of the police jurisdictions
- It should work with agencies not in opposition to them
- It should confine itself only to the investigation and exposure of corruption and serious criminality. (The definition of matters to be investigated by it should be clearly defined in legislation.)
- Matters of performance and service delivery should continue to be managed by the relevant agency and overseen by the Ombudsman
- The independent body should be clearly accountable to Parliament
- There needed to be a complaint process covering its activities
- The head of the new organisation must be independent and immune from arbitrary sacking. Such a person should not need to be a judge or retired judge but should have appropriate experience for the role
- The Head of the independent body should be called the Anti-corruption Inspector General to clarify that the organisation is restricted to anticorruption matters only

The PFA understands that all submissions have now been forwarded to the Attorney General for consideration.

Outstanding FBT Reporting Issues

The 2002-03 Annual Report contained some detail on further Reportable FBT exemptions sought and there have been some real gains to report in this area.

It is pleasing to report that in May 2004 correspondence from the then Minister for Revenue and Assistant Treasurer Senator Helen Coonan stated:

"The PFA has also put forward five Fringe Benefits Tax proposals to assist police officers. I am pleased to inform you that the Government has agreed to implement all five measures. These measures have been included in the 2004-05 Budget and will apply from 1 April 2004.

As a result of the changes, police officers will now receive a Fring Benefits Tax (FBT) reporting exclusion on:

- *Benefits associated with conveyancing costs where police officers purchase a dwelling within four years of being transferred by the police force*

Chief Executive Officer's Report

(Continued)

- *Housing benefits provided to police officers residing in housing attached to a working police station*
- *Rental subsidies provided to police officers in 'regional' areas*
- *Private travel between home and work in unmarked police cars used by police officers employed by the Australian Crime Commission and similar organizations."*

Again, these are real gains for police on aspects of Reportable FBT no longer applying to them. There are, however, some matters which remain to be resolved in this area, eg definition of 'attached' in respect to police housing.

The PFA will continue to pursue this and other FBT matters until police across Australia have Reportable FBT exemptions similar to those for the Australian Defence Forces.

Projects in conjunction with the Australian National University

The 2002/2003 Annual Report referred to a proposal for the PFA to work with Dr Jenny Fleming and Dr Monique Marks from the Australian National University on the following two projects.

• Australian Police Unions in the 21st Century: A Report

The researchers conducted semi-structured interviews with senior members of the various PFA Branches between November 2003 and March 2004 and the project findings were reported to the Executive in August 2004.

The report raised a range of issues for the PFA to consider including:

- o Enhancing research capacity to be more proactive on local issues as well as national and international developments
- o Develop closer working relationships with research units at universities
- o Development of greater member participation in police unions
- o Debates on issues such as privatisation, civilianisation and community involvement in policing
- o Ensure unions have a role in policy and planning processes
- o Develop ways to counter negative publicity.

The paper will be used to facilitate strategic planning process at the 2004 PFA Council Meeting.

• International Labour Organisations Conventions



Australian National University researchers Dr Jenny Fleming (left) and Dr Monique Marks who produced a report on Australian police unions in the 21st century.

In this project, "Police democratisation, police labour rights and the regulatory influence of the International Labour Organisation", the researchers raised a number of key issues on ILO conventions which potentially restrict the rights of police officers to organise. The PFA facilitated the involvement of a number of overseas police unions/associations in the project including groups from the US, UK, Canada and New Zealand.

The paper argued that governments which retain authoritarian practices are likely to (and do) restrict the rights of police members and that the ILO conventions as they currently stand do not provide a basis for police members and organisations to challenge autocratic management practices.

Chief Executive Officer's Report

(Continued)

This issue has been listed on the agenda for the International Law Enforcement Council (ILEC) meeting in Scotland in November 2004 and the PFA has been asked to make a presentation.

Key outcomes sought by raising it at ILEC are to foster an international research agenda to demonstrate how police unionisation contributes to the good governance of policing, to develop and present a submission to the ILO seeking a reconsideration of current conventions pertaining to police organisations, to ensure that ILEC is represented at future ILO "Public Emergency Service Forums", to develop mechanisms for supporting police members currently prohibited from the right to collectively bargain and freedom of association and finally to develop a process where ILEC members can assist police representative organisations which need strengthening.

Presentation to ALP Conference Fringe Program

In January 2004, the PFA in conjunction with the Australian Defence Association organised and ran a workshop as part of the Fringe Program at the ALP Conference.

Speakers included Robert McClelland MP Shadow Minister for Homeland Security, Kevin Rudd MP Shadow Minister for Foreign Affairs, Senator Chris Evans Shadow Minister for Defence, Neil James Executive Director of the Australian Defence Association and Mark Burgess CEO of the PFA.

More than 100 delegates from the ALP Conference attended the workshop.

The PFA's presentation centred on our call for the Australian Labor Party to develop a policy of "Connecting with the Community" in respect to policing, law and order and national security issues.

We argued that the lines of demarcation between Local, State and Federal Governments on law and order issues was becoming blurred.

It is the PFA's view that the Commonwealth needs to play a significantly enhanced role in assisting coordination of the three tiers of government in respect to policing, law and order and national security.

This presentation relied on previous submissions provided to Parliamentary inquiries into Local Government and Cost Shifting and Crime in the Community, which have been earlier reported on in this and previous reports.

The PFA argued that local police and local communities know the needs of their particular community, but often have difficulty in developing programs through lack of funds. Creative and innovative projects could be funded through federal government grants.

The PFA, therefore, advocated the establishment of an "Innovations Grant Program" funded by the Federal Government, to reduce local crime. The aim of such grants would be to bring together community representatives with their local police to access federal funds targeted at local crime reduction.

The Association also called for a full strategic review of AFP Resourcing through the development of a Defence style White Paper.

Salary Packaging

In early 2004, the Federal Treasurer announced that the Government would amend the *Fringe Benefits Tax Assessment Act 1986* to ensure that employees of public ambulance services are afforded the same fringe benefits tax exemption as employees of public hospitals.

In the past, some public ambulance services had been endorsed by the Commissioner of Taxation as public benevolent institutions and so could access the \$30 000 capped Fringe Benefits Tax exemption. However, a recent decision of the Full Federal Court has indicated that public ambulance services which are controlled by State and Territory Governments are not public benevolent institutions and do not qualify for a fringe benefits tax exemption.

Chief Executive Officer's Report

(Continued)

The Government, therefore, legislated to allow employees of public ambulance services to access a \$17 000 capped fringe benefits tax exemption, consistent with that available to employees of public hospitals. As public hospitals are also given deductible gift recipient status the Government advised that it would also legislate to provide this to public ambulance services.

This concession was seen by our members as one that should also be passed on to them and the PFA has sought to gain a similar concession for police.

The key issue to overcome is whether policing fits the definition of a public benevolent institution. This matter will be a key PFA objective in 2005.

Conclusion

The PFA is now well established in its Canberra office and the decision to purchase and set up in the national capital is proving very beneficial. With the exception of the annual Federal Council Meeting, which is rotated allowing each jurisdiction to host it, all other meetings, ie Executive, Industrial Planning and Women's Advisory Committee meetings, are held in the Association's Canberra office, usually coinciding with a Parliamentary sitting. This has allowed Federal parliament lobbying sessions in conjunction with those meetings.

The WA Police Union Board is congratulated on formation of the WA Branch of the PFA and finalisation of the Queensland Branch – as mentioned in the President's Report – is expected soon.

I particularly wish to thank Ian Ball (NSW) and Shane Butler (VIC) for their support while President of their Branches and PFA Executive Members respectively. Both represented their jurisdictions interests strongly but never lost sight of obligations to 50 000 police across the country.

I also wish to thank especially Vince Kelly (NT) for his support as the PFA Treasurer. Our finances and asset base continue to be strong thanks to his diligent and timely advice on expenditure.

Ms Debbie Martiniello has proved an extremely capable administrator in running our office. Her added responsibilities of organising travel and accommodation for our Presidents, Industrial Officers and Women's Advisory Committee members has been undertaken with a minimum of fuss.

The professional advice and support of Chris Hayes our Industrial Consultant continues. His work, particularly assisting the smaller Branches to which he has given guidance over the past 12 months is appreciated and valued.

Our President Peter Alexander continues to hold the strong support of the entire membership and since taking on this position in 1998 has been the prime mover in the growth of the PFA. His guidance and support, not only to the PFA and its staff, but all Branches is well received and accepted.

Our challenge, now, is to prepare ourselves for the future and consequently the Executive has endorsed the 2004 Federal Council Meeting to develop a new Strategic Plan.

In August 2000, when we endorsed the current plan, the PFA office was still in Sydney and since then there has been a series of staff changes. The time is now right for Federal Council to re-establish the strategic direction of the organisation for at least the next five years. Such a plan also needs to take account of a range of national and international policing trends including – resourcing issues, the development of the police profession, research capabilities, low cost alternatives to policing such as the Community Safety Officer program in the UK and private policing issues, police equipment standards and the independence of Chief Police Officers to mention but a few. A number of these matters will be discussed at the International Law Enforcement Council (ILEC) in the UK later in 2004.

Coupled with this, we are at the start of the first full Parliamentary term since the PFA moved to Canberra. The Association has already experienced the frantic pace surrounding a federal election campaign, particularly as the PFA was deeply involved in lobbying during it to change the superannuation preservation age rules.

Chief Executive Officer's Report

(Continued)

I believe that it is important that we build into the Strategic Plan a three-year lobbying program to coincide with the Parliamentary term. As much as we can, and do use the Parliament as a springboard to our lobbying, we also need to ensure we have access to the key party hierarchy at the State level through Branches as well as the senior bureaucracy. It is those aspects which also need to be built into an effective plan.

I speak for all the Executive and staff when I say the PFA looks forward to the challenges and opportunities that the next five years will bring.

Mark Burgess

Chief Executive Officer

Industrial Report

An Industrial System With a Difference

The Northern Territory Government has shown considerable foresight in the establishment of a unique industrial mechanism to regulate the terms and conditions for NT Police.

Notwithstanding the NT being a small jurisdiction of 986 members, it is clear that the Government has taken the view that disputes and grievances are inevitable in the contemporary industrial environment in which decentralised decision-making is encouraged. Where the NT system is unique is that the mechanism for dispute resolution is directly provided for in the Police Administration Act as opposed to the system being subordinate to external industrial legislation. Section 35 of the Act provides:

There shall be a Police Arbitral Tribunal that shall have jurisdiction to hear and determine all matters relating to the remuneration and terms and conditions of service of members of the Police Force other than the Commissioner, a Deputy Commissioner, an Assistant Commissioner or a member of the rank of Commander.

The Tribunal, being a discrete body with the sole purpose of regulating police industrial relations as well as not being a jurisdiction subordinate to Commonwealth industrial legislation which applies through the Territory, has the effect of establishing the Tribunal as an arbitral body of considerable power and influence in the resolution of disputes affecting members of the NT Police.

The Tribunal is not restrained by direction of a full bench or governed by externally set principles or legislative restrictions so readily apparent in other industrial jurisdictions. For instance, in the Federal jurisdiction, the Australian Industrial Relations Commission is restrained by legislation to only deal with the 20 allowable matters. Notwithstanding the dispute settling powers of the Commission, the AIRC is prevented from exercising jurisdiction unless the issue falls within the scope of the allowable matters.

While the Police Arbitral Tribunal operates without jurisdictional oversight, decisions of the Tribunal may be appealed on matters of law to the Supreme Court.

By comparison with other State or Commonwealth industrial jurisdictions, arguably the NT Police Arbitral Tribunal is seized of greater power and authority in its ability to resolve disputes. Section 43 provides that:

- (1) *Any determination made by the Tribunal in pursuance of this Act shall be binding on the Crown, the Commissioner and the members of the Police Force to whom it is expressed to relate.*
- (2) *A person shall not –*
 - (a) *fail or omit to abide by any determination; or*
 - (b) *do, or procure any person to do, anything in contravention of the provisions of a determination*

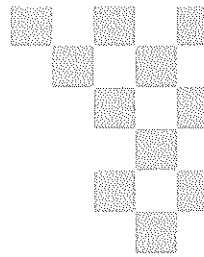
Another unique aspect of this tribunal is its composition. It comprises three members, each being appointed by the NT Government on the basis of an oath of office. Both the Commissioner of Police and the Police Association are invited to nominate persons for appointment. However, the chairperson is appointed subject to the person being either a member of the AIRC or has suitable qualifications and industrial experience. Each member of the Tribunal is appointed for three years.



PFA Industrial Consultant Chris Hayes.

Industrial Report

(Continued)



The Act clearly sets out extensive referral powers of the parties to bring matters before the Tribunal for determination. Section 40C provides that:

- (1) *The Commissioner and the Police Association may together request the Tribunal to conduct a hearing and make a decision in relation to all or any aspects of a matter...*
- (2) *If a request is received under subsection (1) and the Chairperson is satisfied that the parties have made a genuine attempt to agree about those aspects of the matter in the course of conciliation under this Part, the Tribunal must conduct a hearing and make a decision in relation to those aspects of the matter about which agreement has not been reached.*
- (3) *A conciliator must notify the Tribunal as to the results of conciliation between the parties within 14 days after conciliation has concluded.*
- (4) *If a conciliator notifies the Tribunal that the parties have agreed to request a decision of the Tribunal as to whether to make a determination or to vary or revoke a determination of the Tribunal, the Tribunal must conduct a hearing and decide the matter.*

It is also significant that the Act specifically recognises the Police Association not only in its ability to nominate a member of the Tribunal but its capacity to bring matters before the Tribunal and require it to exercise power to determine an issue. On the face of it, the Act does not appear to provide scope for an individual to bring a matter before the Tribunal other than seeking an interpretation of an existing determination.

The Tribunal can take evidence under oath and has power to issue summons to require any person to attend proceedings and give evidence as well as produce any required documents.

Despite the Tribunal's considerable arbitral powers, the Act emphasises achieving outcomes by agreement. Consequently, the legislation provides for the appointment of a panel of conciliators to assist the parties in reaching a resolution in the first instance, or at least in establishing common ground on a given industrial issue. The Act provides that

- (1) *At a meeting called under section 40(1), the Chairperson must -*
 - (a) *require the Commissioner and the Police Association, or their representatives, to attempt to conciliate the matters at issue between the parties; and*
 - (b) *for that purpose – appoint a person from the panel appointed under section 40D to be a conciliator in relation to the matters.*

However, it falls to the chairperson to decide whether to formally attempt conciliation or to commit the matter for determination before the Tribunal.

Another unique aspect to this NT legislation – but not necessarily industrially significant – is the standing which Government gives to agreements reached between the Police Association and the Minister. The Act requires the Minister, upon certification of an agreement by the Tribunal to present the agreement before the Legislative Assembly on the first sitting day following his or her receipt of the document.

Interestingly, since the initiatives were taken by the NT Government to establish the Tribunal, the experience has been that the parties have made more of a concerted effort to reach agreement in the first instance. Perhaps one contributing factor to this is that both the Commissioner and the Association have recommended persons for appointment to the Tribunal, which may account for the parties having greater confidence in the Tribunal and its ability to decide matters on merit. However, it seems clear that the Government's appointment of the President of the Tasmanian Industrial Relations Commission, Patricia Leary, to head the new Tribunal has had a dramatic impact on the role, influence and perception of the Tribunal.

In appointing President Leary as Chairperson, the Government secured the services of a person who is currently Deputy President of the Australian Industrial Relations Commission, Chair of the Defence Forces Remuneration Review Tribunal and Chair of the Australian Federal Police Board of Reference. Together with 20 years experience in the AIRC, President Leary has had an extensive involvement in dealing with men and women engaged in a disciplined service and as such is very aware of the implications that flow to police officers arising from their Oath of Office.

Industrial Report

(Continued)

Clearly, the NT Government has been conscious that the Police Force is not only a disciplined service where its members are subject to a defined command structure, but also it is a service where the Oath of Office is a central feature governing the discharge of duty by its Police members.

Arguably, to uphold the Oath of Office could be prejudicial to the capacity of Police to fully participate in enterprise bargaining. Under the Workplace Relations Act, the federal legislation provides the opportunity for parties to value add their negotiating position by providing an ability to take protected industrial action in pursuit of legitimate claims. Hence, to achieve a desired outcome, enterprise bargaining clearly envisages that negotiations may develop into more than a discussion around claims or a debate on wages policy but may eventually test the resolve of parties around the principles of supply and demand. Not to have the legal ability to fully extract the potential of a bargaining position is to enter into the exercise without the necessary tools to effectively participate.

However where the ability to collectively bargain is impaired or restricted, particularly having regard to the requirements of a disciplined service, the International Labour Organisation has indicated its position in favour of the establishment of independent industrial tribunals in which the parties have confidence of its capacity to exercise power in the place of industrial action to achieve a just industrial outcome.

The Freedom of Association Committee of the ILO in 1996 noted that the right to take industrial action can be restricted in an essential service such as police but such limitations must be accompanied by certain compensatory guarantees. The Committee went on to say:

*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."*

Essentially, the issue addressed by the NT Government was to ensure that the establishment of an arbitral tribunal through the Police Administration Act would not leave police in a less favourable industrial position than might otherwise be reasonably achieved through their full participation in an enterprise bargaining system.

The Government has been successful in establishing an industrial tribunal which operates with less restriction than any State or Commonwealth jurisdiction and is capable of determining all matters coming before it on the basis of merit.

Industrial Planning Committee (IPC)

The IPC met in Canberra three times over the past year:

It has been used by the Executive to undertake preparatory work on issues from the Women's Advisory Committee (WAC) meeting which need industrial input as well as those from the Executive. These issues are either fed directly back to the WAC or to the Executive for information. As with the WAC, the IPC is seen as an advisory resource to the Executive.

A range of issues have been dealt with over the past 12 months including:

Police Vehicle Standards

Last year's Annual Report contained an update on this matter and in particular the offer by Standards Australia to be involved in developing a national standard for police vehicles.

That offer was not accepted by police jurisdictions or the Australasian Centre for Policing Research but it was resolved to pursue the matter and the IPC has referred that to the Executive.

The issue is also listed on the Agenda at the ILEC meeting in Scotland in November to allow us to gain a more thorough understanding of how development of equipment standards is dealt with in other countries.

Industrial Report

(Continued)

Website

The IPC plays a key role in development of the PFA website and continues to monitor its use and usability.

It was designed for the use of our professional staff around the country and has stored on it a range of material that would not necessarily be available easily to staff. Some of the information has a 'secure' classification and because the website is password protected, some more sensitive material can be stored there.

The site is currently being updated with pages specifically for the Executive, IPC, Police Lawyers Network, and the Women's Advisory Committee.

The inclusion of all the above groups will also enable provision of meeting agendas and other relevant information.

Comparative conditions and salary information

The IPC continues to develop and update the Comparative Conditions of Service matrix which allows a simple perusal of the document to evaluate the various terms and conditions of employment across the country by Branch.

The salary comparisons document also gives a quick appraisal of salary comparisons by rank and was used in the development of the claim by the PFA for IDG deployment.

A like document has now been developed for commissioned officers with a Model Conditions of Employment document highlighting family friendly policies in place in each jurisdiction as well as a benchmark suite of policies.

Multi-Jurisdictional Operations

The International Deployment Group (IDG), the proposed Australian Crime Commission (ACC) secondment package and issues arising from the Kintore (NT) operation are all matters which have been dealt with at the IPC.

The IPC has been asked to undertake the preparatory work on these matters and report back with recommendations to the Executive.

The account of these issues in the CEO's report results from IPC recommendations.

WAC issues

A detailed report of WAC activities follows this report, but issues such as pay equity, access equity and anti-discrimination policies, mentoring policy and workplace bullying have all been dealt with in one way or another over the past 12 months by the IPC and recommendations made as to how to progress them.


Future protocols and operation of the WAC

As a result of issues raised in the IPC and Executive in the early part of 2004 about the IPC strategy, the March 2004 Executive Meeting resolved:

"That a set of best practices be developed and it was further agreed that the President and the CEO attend the next IPC meeting

and

The CEO be authorised to prepare a written reference, in conjunction with Paul Mullett and Ian Ball, with respect to the future conduct of IPC meetings"



Industrial Report

(Continued)

The Executive had earlier determined that where possible the WAC, IPC and Executive would meet in Canberra on consecutive days during Parliamentary sitting weeks to ensure that there was close dialogue between all the groups. That has not always been possible due to conflicting commitments, but still remains an objective.

As a result of discussions at the IPC and the Executive and to ensure that the IPC, the WAC and in turn the Executive had a strategic focus, it was resolved that the key functions of the IPC were:

- Develop a 12-month plan for the IPC at the first meeting each year consistent with the outcomes of the previous Federal Council Meeting
 - o Develop a strategy which links the work of Branches and NZPA with the 12-month IPC plan
- Identify future national/international issues/trends
 - o Identify what research is necessary in relation to them
 - o Develop smaller working parties as required to pursue identified issues
 - o Make recommendations to the Executive about what impact they may have on police and policing
 - o Make recommendations to the Executive about what position the PFA and NZPA should take on those issues
- Identify key issues in affiliate Enterprise Bargaining Agreements
 - o Each affiliate and NZPA required to make an in-depth presentation to the IPC on the completion of an EB in their jurisdiction
 - o In that process, identify key issues which will form the basis of a national and NZPA bargaining standard

It was also resolved that the IPC have a list of Standing Agenda items which would include:

- IPC 12-month plan
 - o Where at
 - o What achieved
 - o What issues outstanding
- Reports from Branches and NZPA
 - o As earlier reported, when a jurisdiction concludes an EB it must make a formal presentation of the EB outcomes to the next IPC Meeting
 - o Each Branch and NZPA expected to report on relevant contemporary industrial matters within their jurisdiction. Such reports to be supported by relevant documents
- Sub-committee reports
 - o It is anticipated that Occupational Health and Safety would be a standing sub-committee of the IPC. The OH&S committee would also deal with equipment standards
 - o Reports from other sub-committees which may be formed from time to time
- Future issues/trends
 - o As per the identified Key IPC Functions, it was generally accepted that increased capacity as needed for planning and to link the work of Branches and the NZPA into a national/NZPA agenda
 - o Identification of issues for Research
 - o Review the Model Working Conditions/Comparison of Conditions document and include matters not actually achieved, but which would seek to achieve, including development of a Bargaining Standard
- Website development

Agreed that Branch professional industrial staff played a significant part in operations of PFA and its Branches. It is anticipated that with a new strategic focus of the IPC that role will be significantly enhanced.

Women's Advisory Committee (WAC) Report

Two meetings of the Police Federation of Australia's Women's Advisory Committee have been held – 4 and 5 March and 10 and 11 August 2004 – since the development of a new set of protocols for its operation. Both were well attended and a range of important issues developed.

Key Strategy: Greater Participation of Women in Police Unions/Associations

The key theme of WAC meetings is the attraction of females into police associations/unions and their subsequent retention. However, as the following report shows, there are many other issues the WAC is pursuing on behalf of our female membership.

The Committee has developed a matrix that is updated for each meeting and presented to the PFA Executive indicating the numbers and percentages of women officials at each level of Police Unions/Associations. It is a very effective, visible reminder on a meeting-by-meeting basis of how Branches are progressing.


They are also investigating models of best practice, developed in other unions through the ACTU, as to barriers which may impede women becoming involved in their respective unions/associations. As a result, a "Women Friendly Union Conditions" document has also been developed which highlights the various initiatives in operation in each Branch. Matters such as the introduction of Women's Branch/Women's Reference Groups, union provided child care, participation of women at Executive/Board level, Activists' Training model, mentoring policy, Anna Stewart Memorial Project, meeting allowances/out of pockets expenses, honorariums etc are all included in this matrix which will be updated at each meeting and presented to the Executive.

An Activists Training Model for female members, developed by the National Tertiary Education Union has also been endorsed for introduction. The Executive has endorsed inviting a representative of the ACTU to address the next meeting of the WAC to ensure that all strategies for greater female member participation are explored.



The PFA Women's Advisory Committee members pictured at their Canberra conference,
Back row (left to right): Tracey MacLennan (NZ), Margaret Hogan (VIC), Kristina Whitton (NSW), Sharen Wills-Taylor (Tas),
Bridget Gallagher (AFPA), Debbie Robertson (Vic).

Front (left to right): Lauren Hill (NT), Noreen O'Rourke (WA), Bernadette Zimmermann (SA).



Women's Advisory Committee (WAC) Report

(Continued)

Each WAC meeting takes reports from Branches as to the effectiveness of various strategies in each jurisdiction. These strategies are recorded and successful ones are identified for introduction in other Branches.

A 'Mentoring Policy' has also been endorsed and a research paper developed by Margaret Hogan (VIC) has been distributed to each jurisdiction for discussion and implementation. Members of the WAC are required to report back to each WAC meeting as to the progress of this issue.

Other projects under development by the WAC include:

Pay Equity

Margaret Hogan (VIC) has presented a proposal to the WAC and Executive for research into the issue of Pay Equity within policing. The project is not simply about whether women and men earn the same pay for the same rank within policing. It relates to the congregation of women workers in workplaces which are traditionally filled by women and have therefore become traditionally low paid. The research shows that there are many reasons for this.

It indicates that women working in such areas continue to earn less money than their male counterparts working in other areas. This is further exacerbated by the fact that there are fewer opportunities for advancement in traditional areas of women's employ.

The National Executive has endorsed seeking funding from the Federal Government for a Pay Equity Project. A project brief has been developed and will be used as a basis to seek funding from the Ministry for the Status of Women or similar body.

Anna Stewart Memorial Project

The Anna Stewart Memorial Project is a standing agenda item on the WAC. This is a union initiative which offers a special program for women union members aimed at exposing them to a range of union activities, not only in police unions. It is operating in a number of our Branches already, some as a direct result of pressure from the WAC.

The WAC is promoting the Project to all police unions and it has been agreed that where it is not available, the union would develop its own 'in house' program. The WAC has had significant success in this area.

Model Working Conditions

At each meeting, the WAC continues to develop and update its own matrix of Model Working Conditions which it began compiling several years ago. By producing such a document, the WAC has provided the PFA with a means of tracking progression of working conditions for women across the jurisdictions. At a glance, each union can see how it compares with other unions by assessing their own success with the key conditions of service. Recently it was determined to include a column indicating 'benchmark' conditions, ie a level of conditions of service that might not yet have been achieved but which continue to be sought.

The matrix allows comparison of conditions such as Paid Maternity Leave, Carers' Leave, Pre-Natal Leave, Part-Time, Child Care, Flexible Rostering options, Job-Share arrangements, Pregnancy Policies, Work-From-Home policies and the like. An easy-to-follow document such as this will assist Police Unions/Associations to identify conditions not yet available to their members but available in other jurisdictions for inclusion in upcoming enterprise bargaining negotiations.

Women's Advisory Committee (WAC) Report

(Continued)

Women and Promotion

Another area which has been identified by the WAC as an issue of importance is that of women's progression (promotion) in policing itself.

For some time the possibility of greater research into this issue has been discussed but many other bodies (eg Australasian Centre for Policing Research (ACPR)) have conducted similar research in the past.

The PFA WAC will raise this matter with the Commissioners' Australasian Women in Policing Advisory committee (CAWIPAC) at a meeting scheduled for November 2004 with a view to this being raised directly with Commissioners.

Superannuation

The PFA is currently undertaking a major national lobbying exercise for improvements in police superannuation. The WAC has highlighted the inequities in superannuation arrangements, particularly in those jurisdictions which still have defined benefit schemes, particularly for women who avail themselves of Maternity Leave or some form of leave-without-pay to have and raise their children.

More male members are now taking some form of family leave to care for children, thus allowing their partners to return to the workforce earlier. It is evident that this leave is having an adverse impact on those members' superannuation entitlements.

The WAC has determined to ask Margaret Hogan (VIC) to undertake more research into superannuation issues as they may affect women who work reduced hours of employment/leave without pay. The WAC anticipates this research will be developed into an article for all police union journals.

The PFA CEO has been tasked with inviting a representative of the Government to address the next WAC Meeting on these issues. Each branch has been asked to identify the number of women in each age group across the various superannuation schemes in each jurisdiction. Such research will give a better understanding of how to deal with this issue.

Childcare

The issue of employer-provided or subsidised childcare is also being pursued by the WAC.

Three police jurisdictions – NSW, Victoria and New Zealand – are currently piloting employer programs. WAC representatives in those jurisdictions are monitoring and reporting on their progress to each committee meeting. They are also investigating other public and private sector provided or subsidised child care arrangements to assist in the development of a longer term strategy for all jurisdictions.


As mentioned earlier, the PFA Executive has also asked that each Branch develop a policy, either formally or informally, on reimbursement for child care costs incurred by union members undertaking legitimate union duties.

Training and Education

The issue of access to training and education for members with childcare responsibilities, and particularly those working part-time, is also being addressed by the WAC.

While there have been significant changes in accessing training in various jurisdictions there remains an obvious lack of participation of women in these programs.

This is another matter on which CAWIPAC will be lobbied to take it up directly with the Commissioners.



Women's Advisory Committee (WAC) Report

(Continued)

Meeting with CAWIPAC

The PFA WAC invited a representative from CAWIPAC to address WAC's August meeting. As a result, WAC has been invited to make a presentation to the November meeting of CAWIPAC. The WAC has determined that the following issues be raised in an endeavour to have the CAWIPAC group actively lobby Commissioners to undertake research and develop positive policy:

- Women and promotions
- Women and superannuation
- Pay equity
- Child care
- Flexible Education and training opportunities

The outcomes of that meeting will be reported back to the first WAC meeting of 2005.

The Executive sees the WAC as an important advisory committee and has also endorsed investigating the prospects of conducting a future WAC meeting in conjunction with the Federal Council. The Executive has also listed the WAC report as an agenda item at the Federal Council. The relevance of WAC is increasing and many of the issues raised by this committee also have relevance for other members, both male and female.

Affiliates – Reports

NSW

The NSW Branch and its associated body, the Police Branch of NSW, have been extremely active of the past 12 months. A number of significant gains were achieved by the branch on behalf of members during a period of internal organisational restructure designed to reinforce the branch's commitment to the Branch Focus project. The continuing evolution of the structure has meant that the achievements contained within this report have increasingly been made **with** the membership consistent with the organising ethos. This is a work in progress and as we continue to evolve and engage the membership in new and innovative ways not only will the branch be stronger but the future gains will be even more impressive.



NSW Branch President Bob Pritchard (centre) with Opposition leader Mark Latham and Robert McClelland, shadow minister for homeland security.

I have summarised below some of the more significant issues dealt with over the last two years.

NSW State Election 2003

The ongoing task of developing and maintaining relationships with key people in politics, the bureaucracy, the media, community groups and in the branch movement has served to enhance the profile and image of the Branch and ensure that we are well placed to protect and improve the working conditions of police in this state.


This proved to be invaluable during the March 2003 State Election where the "NSW Police – Not Political Footballs" campaign ensured that we obtained commitments from both major parties on superannuation, police properties and the next salary round. The lobbying campaign utilising local members and activists was the cornerstone of the successful outcome. In this regard we have for the past 18 months been negotiating with government particularly around the issues of Superannuation (including Death and Disability coverage) and Properties.

Post 88 Superannuation

The commitment to establish a Blue Ribbon Police Superannuation Scheme for post 1988 members has been the subject of negotiation with Police Minister and the Premier's Department. Following successful negotiations in the late 1990's, which saw the introduction of Special Risk Benefits, salary top up and a number of other benefits our attention has been focused on the Death and Disability issues. Modelled on the arrangements recently agreed to for fire fighters the Branch has made a claim, which also includes a co-contribution by the employer for additional superannuation benefits. The Branch's claim is the subject of ongoing negotiations with Government.

Police Properties

Ongoing discussions around the state of police properties and the pre-election commitment to fix the problem resulted in the Government engaging consultants to provide a strategic plan to overcome the piecemeal (and politically driven) approach to the purchase and maintenance of police stations and housing. The consultants had previously worked for the Victorian Police and developed a plan which successfully forced their Government to commit a huge amount of money to purchase over 40 new stations.



Affiliates – Reports

NSW *(Continued)*

In the 2004 State Budget, the NSW Government committed itself to replace 27 stations at a cost of \$40 million per annum over four years commencing in 2005/6. We will be consulted about the priority order of the programme.

Salaries

The Government has acknowledged that, as part of the forthcoming salary round, consideration will be given to expansion of the concept and application of overlapping pay scales. This will allow proper consideration of the Branch's remuneration model and our commitment to pursue extended incremental progression for Sergeants and Specialists.

Preliminary negotiations have commenced in anticipation of a new award to commence on 1 July 2005.

Tripartite Committee

In 2000, the Tripartite Committee was established to "oversee Human Resource issues" following the statement by the Commissioner at the 2000 Biennial Conference of the Police Association and the subsequent motion passed by delegates. The establishment of this committee has proven to be one of the most significant steps forward in Police Human resource management in this state. For the first time a properly co-ordinated approach to the resolution of endemic human resource problems has been adopted with the three major parties; the Branch, the Service and the Government all represented at senior levels.

As a consequence there has been some real progress made which will positively contribute to the working lives of members.

These include:

- Employee Assistance
- Sick Leave Policy (including Welfare and Rehabilitation issues)
- Promotions, Assessments and Appeals
- Improvements to current promotions scheme
- Transfer, Tenure and Deployment (including resource Allocation Formula), and
- Improved Rejoinee Programme

Some of the issues are complete or nearing finalisation. In this category is the introduction of the Employee Assistance Programme, the Rehabilitation and Redeployment Policy as well as the integrated Transfer and Tenure policy. Significant improvements have also been achieved in terms of the incentives to attract and retain members in special remote locations.

The committee has recently been revamped with the Commissioner now chairing all meetings. It is anticipated that this will again be an important forum in terms of future salary negotiations. It is also expected that the recently completed report on reform to the Promotions system will be dealt with by the Committee.

Media

The Branch has continued to enhance its approach to our dealings with the media. Procedures established to ensure a professional and co-ordinated response to media inquiries have resulted in an improved ability to be proactive whenever this is strategically desirable.

The Branch focus strategy has also resulted in a greater use of local officials in terms of responding to media inquiries. This has proven to be invaluable in terms of ensuring that particular stories have a local flavour. As a result we have developed practices to provide assistance and advice and to ensure a consistent message is delivered.

Regular media monitoring as well as liaison with key journalists and editors has ensured a high profile for the organisation in both the metropolitan and regional media.

Affiliates – Reports

NSW *(Continued)*

Legislative Reform and Political Lobbying

The Branch has been active in developing relationships with key figures on all sides of politics in an effort to promote the interests of members. The importance of the relationships with politicians and their advisors cannot be underestimated. Significant legislative improvements in terms of police powers have in no small way resulted from our ability to engage the key politicians in all parties as well as the independent members. The role played by branch officials in establishing relationships with local members has been significant in a number of campaigns and is an important part of Branch focus.

Regular meetings with the previous and current Ministers for Police have continued throughout the past two years. These have proven to be invaluable in terms of a range of improvements to legislation and working conditions of members.

These include:

- Adherence to pre-election commitments in terms of superannuation, salaries and properties
- Additional funding for Vikings Operations (\$20 million over four years)
- Input into legislative changes
- Funding commitments for new stations/upgrades at Chatswood, St Marys, Muswellbrook, The Entrance, Armidale, Griffith, Redfern etc
- Ensuring Transfer of Prisoner Transport to Corrective Services is not reversed
- Increases to the standard minimum sentences for offences of killing or seriously injuring police officers
- The introduction and expedited issue of the Police Medal
- Cell upgrades at Belmont and Raymond Terrace
- In-car video commitment
- Changes to the Bail Act
- Reintroduction of a 'Right of Return' for SES members, and
- Indefinite deferral of Search Warrant Legislation.

Civil Liability

Perhaps the most significant legislative reform introduced in recent years has been the *Police Legislation Amendment (Civil Liability) Bill 2003*. The legislation prevents members being subject to civil litigation, unless they are acting in a private capacity or engage in serious and willful misconduct. As a result NSW Police officers will no longer be held personally liable for actions taken against the NSW Police Force while performing their duties in good faith. In this regard during his second Reading Speech the Minister stated:

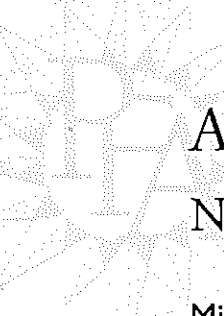
"The Bill is governed by a fundamental principle – No police officer should ever fear their home or other personal assets are at risk simply because they have done their job".

The bill became law on 1 January 2004 and was achieved only after a lengthy campaign by the Branch. It will prove to be of enormous benefit to all operational members. As a result of this legislation the enormous stress experienced by members being sued as well as the problems associated with seeking Crown representation has been removed. Already numerous members have benefited by the reforms, as we were able to negotiate retrospective application of the Act.

Alcohol Laws

The Branch was actively opposed to legislative changes proposed by the NSW Government to liberalise alcohol laws. These were introduced in response to the National Competition Guidelines and we fear the result will be an increased availability of alcohol with the resultant problems for operational police.

We engaged in a process of discussions with the Government, other political parties and independent members of parliament in an effort to have these changes blocked or acceptable amendments agreed to. While we were successful in having some changes made the legislation was ultimately passed.



Affiliates – Reports

NSW *(Continued)*

Ministerial Inquiry into Long-Term Sick Leave

The previous Minister established the above committee to examine the problems of long-term sick leave in the NSW Police. As a result of the Branch's involvement in the inquiry a number of initiatives have been introduced. These have had the dual benefit of reducing long-term sick numbers and so reducing the burden on remaining members as well as providing options for injured members.

- The reintroduction of permanent restricted positions (140 members have been found suitable positions)
- Filling of positions currently occupied by members on long-term sick leave
- Significantly expediting and streamlining the medical discharge process for pre 88 members.

These initiatives alone have more than halved the number of members languishing on long-term sick leave from over 700 when the committee first met in June 2002. It is anticipated that a range of issues, which are currently being examined will reduce this number even further. These include:

- Ensuring that NSW Police complies with its obligations in respect to rehabilitation and redeployment by equipping commanders with the skill and knowledge to provide leadership in respect to this issue
- Improvements to Rehabilitation and Redeployment Procedures particularly for post-1988.
- Provision of options for injured officers to transfer to civilian positions within NSW police or to positions in the NSW Public sector
- Introduction of Clinical Supervision Program to prevent psychological illness being experienced by members performing high risk duties

Affiliation with the Welfare Rights Centre

Another 2003 initiative was to affiliate with the Welfare Rights Centre. This allowed members free access to expert assistance (including legal advocacy) in all matters relating to social security payments. Payments from the Commonwealth Government to members and their families eg Family Tax Benefits, Parenting Payments, Maternity and Youth Allowances, Sickness Benefits as well as issues relating to the Child Support Scheme are increasingly an important part of total family income. Given the complexity of the law in this area, this affiliation has proved to be important and has provided benefits to over 300 members.

Based on the level of use to date the Branch has determined to continue with this affiliation.

2004 Federal Election Campaign

The Branch was very active in the campaign to obtain commitments from both parties on Superannuation Preservation Age and Surcharge problems being experienced by members of the NSW Police Superannuation Scheme. Direct lobbying of candidates in marginal seats combined with a letter writing campaign achieved commitments from both parties on both issues.

Other matters

The Branch has been involved in numerous other issues of importance, industrial disputes and a myriad of representations on behalf of individual members. Some of these include:

- Detectives review – while not entirely satisfactory has resulted in increases to allowances and introduction of Leading Senior Constable positions.
- Review of Special Duties Allowances – significantly improved arrangements including the addition of new categories and increases to payments
- Spousal Allowance increases
- Listening Device Warrant – Branch involvement has initiated a proper investigation into this matter
- First Response Policing Agreements – continuing negotiations resulted in the inclusion of station staff
- Budgets – lobbying resulted in commitments that all 'front line' budgets would be increased
- Prosecutors dispute – ongoing dispute over staffing levels for Police Prosecutors has seen some positive initiatives in terms of recruiting and eliminating the use of unsupervised trainees in courts

Affiliates – Reports

NSW *(Continued)*

- Recovered Assets Pool (REAP) – the Government agreed to a proposal to establish an initial \$2 million pool of funds to be allocated to Criminal Investigation initiatives (for this financial year) in addition to budgets for State Crime Command and LAC Detectives.
- Upgrade of Duty Officers positions in level 3a LAC's to Inspector with protections for the rights of incumbents.
- Introduction of a binding right of appeal against a decision not to renew the Fixed Term Appointments of Commissioned Officers
- Flexibility of movement of Superintendents between remuneration levels
- Ongoing refinement of Leading Senior Constable guidelines, and
- Monitoring of supplementary policing initiatives.

Future Challenges

Salary negotiations will be the major issue confronting the branch in the coming year. The Branch developed and implemented a detailed plan to engage the membership as part of the process of developing our claim. The Biennial Conference of the Branch held in May 2004 represented the third phase of the plan where all the information from the various consultative processes and other critical information were put before delegates for their consideration. What emerged will form the basis of our claim for the 2005 award negotiations thus determining the future direction of the branch.

Affiliates – Reports

VICTORIA

The Victoria Police Branch of the Police Federation of Australia is the organisation through which we operate in respect to our major industrial issues and national matters affecting our membership. The Victoria Police Branch Executive has continued to meet on a monthly basis.

The issues for discussion have primarily focused on matters arising from the Victoria Police Force Certified Agreement 2001 and other industrial matters which develop the terms and conditions of our employment as professional police officers.

The Police Federation of Australia represents approximately 50 000 police officers throughout Australia and is gradually establishing itself as a political lobby group at the Federal level, particularly in matters relating to superannuation, Commonwealth legislation and security. It is important for us to recognise the collective bargaining power of the Police Federation of Australia and its affiliates throughout the country.



Victorian Branch President Shane Butler.

During the earlier part of 2004, this Branch made 95 workplace visits which included operational and non-operational areas, country and suburban police stations including areas within the crime department, police academy, the Victoria Police Centre and the Victoria Forensic Science Centre.

During these workplace visits it became apparent that an issue of significance to our members was obtaining salary sacrificing benefits currently enjoyed by our colleagues in the Ambulance Employees Union and the Australian Nursing Federation. During their recent enterprise bargaining negotiations, the Australian Education Union gained the capacity to salary sacrifice to a level of 80%.

This Branch has a primary objective to lobby the Federal Government to achieve salary sacrificing benefits for our members. While we appreciate that this will be a significant task, the Police Federation of Australia has a commitment to achieving this outcome, not necessarily through the process of EB 2006 but it is an outcome which we will seek outside the enterprise bargaining process.

The Victorian Branch of the Federation is committed to achieving the best possible wages outcome for our members leading up to EB 2006. The issues which are important to our members have been thoroughly canvassed. We intend to conduct further research using focus groups and other methodology to obtain information which will contribute to the preparation of our log of claims for EB 2006. Once again our Branch delegates will play an integral role in this preparation phase and it is expected that our delegates will continue to work at the local level to assist in achieving our objectives.

The primary focus for the Victorian Branch is to ensure that the wages and conditions of our members properly reflect the difficult and stressful work which we undertake on behalf of the Victorian community. The wages outcome for the next EB needs to reflect this commitment by our members.

Affiliates – Reports

SOUTH AUSTRALIA

Parliamentary Select Committee

The Branch's submission was provided to the Parliamentary Select Committee into the SA Police in January. In its preparation, the Branch consulted extensively with members and the submission is representative of their views. It captures the important issue of staffing and the resultant effects, on the entire membership, of under-staffing.

SAPOL, like many other state public sector organisations, has been the subject of internal and external reviews that variously inform the operation and direction of SAPOL. The Select Committee was an opportune time to reflect on the effectiveness and efficiency of recent reforms.



SA Premier Mike Rann flanked by SA Branch Secretary Andy Dunn (left) and President Peter Alexander.

The Branch's submission is designed to support the challenges of 21st century policing by identifying the key issues of concern to our Branch and its members who are responsible for the delivery of policing services in South Australia.

Considerable attention was focused on staffing and resource-allocation issues. As law-and-order issues have become a prominent feature of Australian State politics, decisions on staffing and resource allocation tend to be *ad hoc* and short-term, rather than strategic and long-term.

The Branch, in its submission, drew the committee's attention to recent research on resource allocation in policing by the National Institute for Economic and Industry Research (NIEIR) for the Victoria Branch. NIEIR identified a range of drivers of demand for police services in the context of the Victoria Police business plan. NIEIR identified elements of the Commonwealth Grants Commission resource-allocation methodology as being applicable. This methodology has been used by all States and the Northern Territory for many years to guide resource allocation to local areas.

The Branch made 53 recommendations to the Select Committee covering areas such as staffing, retention of police officers, superannuation, training, legislative amendments, promotion and selection, prosecution, discipline and equipment. Branch staff provided oral evidence also – with a final appearance in the near future. It is anticipated that the Select Committee will hand down its findings in 2005.


Police numbers

The SA Government has responded to this Branch's call for additional recruitment. An additional 200 police will be recruited in addition to natural attrition before December next year. This decision is welcomed but comes at a time when police in this State are being given more responsibilities. The issue of staffing levels will, I believe, be an ongoing challenge for the Branch in the years to come.

Enterprise Bargaining 2004

Negotiation for a fourth enterprise agreement has been the major industrial focus in 2004. The Branch was committed to ensuring that SA police wages did not decline in comparison to those in other police jurisdictions; that all existing entitlements were maintained, and a new wage and rank structure introduced.

The ballot relative to the offer from Government for a fourth enterprise agreement was conducted in October. This offer follows 18 months of planning and six months of intense, direct negotiations with Government officials and the Police Commissioner. This agreement will see SA police wages significantly improve together with the introduction of new ranks, incentives, and improvement in working conditions.



Affiliates – Reports

SOUTH AUSTRALIA *(Continued)*

The agreement provides for all ranks within SAPOL to be placed at the mathematical mid-point of police salaries nationally as at 1 July 2005. The Rann Government has made a serious commitment to improving wages for police in this state.

Retention was an important issue addressed by the Branch in its submission to the Select Committee. The Branch is committed to ensuring that SAPOL is well placed to maintain a skilled and experienced workforce. Models need to be developed to ensure that the skills and expertise of police officers are not lost to the force and incentives are developed to retain experienced staff.

The concept of skills retention in any organisation, including SAPOL, has two dimensions. The first is to ensure that skilled police officers remain employed by SAPOL. The second is to ensure that specialist police skills are retained in those parts of SAPOL where they are most valued. The promotion and remuneration systems are the key to ensuring that both forms of retention occur.

In situ promotion to the rank of senior constable and the introduction of a functional rank of brevet sergeant are important components in achieving retention. The salary, rank, and other incentives negotiated will also assist SAPOL to address issues such as workforce ageing, mentoring and skill development.

Other outcomes achieved in this round of bargaining include:

- A methodology to pay SA police wages at the mid-point level in comparison to other Australian police jurisdictions on 1 July 2005
- Extra salary increments in some ranks
- Increases in the on-call allowance
- Incentives for hard-to-fill and remote postings
- Country relief pool payment
- Police prosecutor retention payment
- Patrol tutor allowance
- Continuation of conditions emanating from EA 2001 including late-night shift penalty and time off in lieu
- Increase in paid maternity leave from four to eight weeks and increasing parental leave from 52 to 104 weeks (inclusive of paid and unpaid leave), and
- Potential for a new rank between senior sergeant and inspector to apply from July 1, 2007.

The agreement will also herald the introduction of voluntary flexible working arrangements (VFWA). The types of VFWA to be available to all SAPOL staff include purchased leave (the 48/52 option), special leave without pay (including career breaks) and working-from-home options. These options will assist members in achieving a work-life balance and access to entitlements that are family-friendly.

The implementation of these policies as well as current family-friendly arrangements (such as maternity leave, carers' leave and urgent pressing necessity leave) may assist members to better balance their competing work-life responsibilities, especially in relation to care of children, ill partners or elderly relatives.

The work-life collision is topical in Australian life presently. Unions, governments, academia, employer organisations and employees are debating the nature of the workplace and how to change it and worker culture to implement and support family-friendly measures.

The successful implementation of VFWA in SAPOL will be challenging. The Commissioner for Public Employment (OCPE) in a workforce perspective survey conducted in 2003 across 24 public sector agencies in South Australia indicated that only a small percentage of respondents were aware of family-friendly work practices. Only two per cent of respondents were aware they had access to purchased leave for example.

The Branch will play an important part with the introduction of VFWA in SAPOL, in raising member awareness of all family-friendly measures as well as influencing worker culture to accept them.

This enterprise agreement provides many and varied beneficial outcomes. We believe that our work in response to the Select Committee has impacted on both government and SAPOL thinking relative to these negotiations. It provides a foundation stone for policing in the 21st century.

Affiliates – Reports

AUSTRALIAN FEDERAL POLICE ASSOCIATION

Year of Challenges

The past year has been one of challenges and opportunity for the AFPA Branch of the PFA. As the response to the “War on Terrorism” increases and the Australian Federal Police role evolves to meet this new threat, the AFPA continues to evolve its operations and activities to support our membership.

Recent National Council elections introduced a new six division functional structure for the AFPA with each headed by a vice president and serviced by a new functionally aligned AFPA office.



AFPA Branch President Jon Hunt-Sharman (right) with AFPA CEO Jim Torr.

With the merger of the Australian Protective Service (APS) and the Australian Federal Police (AFP), the AFPA and PFA have been required to negotiate a smooth transition in a new industrial environment. Sensitive discussions with the CPSU (which traditionally covered the APS) with respect to coverage and representational issues have been largely and successfully completed.

The PFA and CPSU will share “joint” coverage of the new AFP Protective Service Officer (PSO) classification and the AFPA/PFA will retain sole coverage of all other AFP employees. This outcome will preserve the interests of the AFPA/PFA members into the long term and should enable the AFPA to focus on the main imperative to secure new industrial outcomes for the former APS workforce.

All former APS roles require urgent role sizing to integrate them against the AFP salary spine and we believe that this will see substantial numbers of roles upgraded in their value. As negotiations are ongoing at this time for a new AFP Certified Agreement for the Protective Service Officers, it is difficult to speculate on the outcome. However, the AFPA is dedicated to enshrining a new career opportunity for PSO's within the AFP.

Federal Operational Hours Dispute

There would seem to be a systemic failure on behalf of AFP management to introduce the appropriate provisions of the Certified Agreement (CA) with respect to the operation of hours of duty within Federal Operations.

This has now given rise to a formal dispute being lodged before the Board of Reference. Simply put, the AFPA enshrined in the Certified Agreement a clear inhibitor within Federal Operations to a full seven day, 24/7, 176 hour deployment within Federal Operations. The Certified Agreement states that employees have an obligation for 160 hours per 28-day period to be worked Monday to Friday between the hours of 6am and 8pm. This is termed “normal hours”. Outside of this, the standard expectation for the compensation of the 33% composite rate employees is a capacity to work a further 16 hours per 28 day period outside of the “normal hours” for defined operational reasons (also subject to other regulatory provisions of the CA).

The AFPA is conscious that the AFP Time Recording system has failed to properly address these provisions in its construct and that many regions are demanding the full utilisation of the 176 hours without recognition of the deployment inhibitors. The Board of Reference has held a hearing with submissions from both sides and is in the process of preparing a decision on the matter.

The outcome will be of significant impact on the AFP operationally and the AFPA is confident of a win on this matter.

Affiliates – Reports

AUSTRALIAN FEDERAL POLICE ASSOCIATION

(Continued)

Police Technical Teams

The AFPA was successful in having the Board of Reference issue a decision finding for 60% composite trial for Police Technical Team members after much opposition from functional management. The decision saw backdating of salary to some PTT members for overdue advancement outcomes and a recommendation for management to overhaul the PTT advancement model.

Commercial and Unsworn Issues

The AFPA has almost finalised the review of Commercial composites with AFP management and the outcomes of the review should ensure the return of paid overtime availability to “commercial” employees and better definition of composite hour expectations for those employees with composites above the base.

The influx of former APS unsworn and “commercial” roles to the AFP has brought with it the challenge to integrate those roles effectively against the AFP salary spine and the AFP Certified Agreement. The AFPA raised these matters before the Board of Reference and issued a notice for a 1 July date for employee entitlements to be recognised against the AFP Core conditions of the existing CA.

Unfortunately, due to the variety of industrial instruments covering former APS staff, each person will be case managed into the AFP environment based around their individual circumstances. We believe that with a proper role sizing of the APS roles, many employees will enjoy increase of base grade value.

Functional Advancements

In accordance with provisions of the CA, the AFPA is currently working through new advancement models for Intelligence officers, Forensic Services Officers, Protective Service Officers and Air Security Officers. The processes can be lengthy, but will provide long-term career models within the AFP for employees in these functions.



Two ACT road patrol officers at work near Parliament House.

Affiliates – Reports

AUSTRALIAN FEDERAL POLICE ASSOCIATION

(Continued)

Air Security Officers get the Real Deal

After significant negotiations including the initiation of a bargaining period and proposed industrial action, the AFPA is happy to announce the confirmation of tenure and introduction of improved working conditions for Air Security Officer's (ASO).

The collective Australian Workplace Agreement (AWA) was finalised through extensive negotiations between the AFPA and our ASO representatives and AFP management. It is expected that all ASO's will now access the recently negotiated deal, which will deliver substantial improvements. The key Outcomes for (ASO's) include:

- A Flying Operations Allowance worth \$7,000 per annum. This recognises the operational requirement and time away from home
- A 45% composite on top of base salaries with 66% of this increment being superable
- A 200% overtime provision
- A mobile telephone to be supplied and cost borne by employer, and
- Five weeks annual leave with option of purchasing additional leave.

The agreement was negotiated as a translation step towards AFP integration and the conditions of employment contemplated those currently available to the comparable AFP roles.

This outcome is the first successfully reached on behalf of any particular group of former APS employees and recognises the professionalism of those employees.

PSS Back Claim

The AFPA is to pursue a back pay claim on behalf of Parliamentary Security Service staff. The claim arises from a misinterpretation by management of certified agreement provisions wherein employees were rostered for unpaid overtime.

The AFPA has started preliminary discussions with the Department of Parliamentary Services to understand the magnitude of this breach. They have at this stage acted in good faith and in the coming weeks we hope to be able to report back to members with some concrete outcomes. On the surface, all current employees could be affected by this breach and the under payment could go back many years.


Awards Acknowledge AFP Cutting Edge CA Outcomes

The AFP took out the highest honour in the National Work and Family Awards, having competed with a significant number of private and government organisations. The strong commitment to promoting worklife diversity underpinned by the AFP Certified Agreement, negotiated by the AFPA, was acknowledged with two awards – the prestigious Gold Award for outstanding achievement in providing for the worklife needs of employees and the Large Business Award for organisations with more than 500 employees.

The awards, presented by the Australian Chamber of Commerce and Industry and the Business Council of Australia, recognise significant initiatives taken by business to help employees balance work and family. They vindicate the shared vision of Commissioner Mick Keelty, and the AFPA National Council, to introduce a best practice family friendly framework in last year's Certified Agreement negotiations.

The agreement, which introduced seven weeks recreation leave and highly flexible working hours provisions for all AFP employees, has established common core conditions that set a new standard in the public sector. At the outset of negotiations last year, the AFPA National Council declared its key objective to be a better worklife balance for employees. In recognition of the increasing demands being placed on AFP employees, the AFPA and its national representatives worked with AFP management to ensure that the industrial framework of the organisation reduced excessive demands on employee's personal lives.

The Awards recognising the AFP have vindicated the AFP Commissioner's stand to support our CA claims against the views of some of his own management team. In particular, the extension of an extra week's



Affiliates – Reports

AUSTRALIAN FEDERAL POLICE ASSOCIATION

(Continued)

recreation leave to all employees proved a difficult provision to negotiate. The AFPA supported the AFP nomination for the Awards, and stands proudly behind our ongoing efforts to ensure members access work practices that reward and support all employees.

A record number of companies around Australia entered the awards this year, with the AFP short-listed in a group of the top 30 entries. Other finalists included the ANZ Bank, National Australia Bank, Aurora Industries, John James Hospital ACT, Minter Ellison, Monash University, Queensland Education, St John of God Hospital Western Australia and the University of South Australia. It is particularly significant for a law enforcement agency to be honoured with this award. The AFP is the first law enforcement agency to receive the Gold Award.

The AFP Certified Agreement has provided a fundamental cornerstone to the AFP's dedication to ongoing reform. The efforts of the AFP's worklife diversity and people strategies staff in developing a series of strategies and programs in support of employees deserved this landmark recognition. AFPA National President Jon Hunt-Sharman attended the awards ceremony with AFP Commissioner Keelty and other key AFP employees who contributed to the overall activities recognised in the nomination.

The AFPA National Executive and Council will continue to work in partnership with AFP management to support the needs of the AFP's unified workforce through its industrial framework.

Commissioner Opens DNA Debate

The AFPA has had informal discussions with AFP Commissioner Keelty on his proposals for future DNA testing of AFP employees and has been invited by the Commissioner to participate on a joint committee to consider the issues. The Association has agreed to participate in these discussions with the AFP and after formulating more detail will present that to the membership for consideration. The Association has expressed the view that any future development of this issue should be in the context of Certified Agreement negotiations allowing the membership to vote on the option and providing some remunerative recognition of the new procedures.

The Commissioner says he wants employees to provide their DNA to a national database.

At the National Press Club recently, the Commissioner said that police already had to provide their fingerprints and should also provide a genetic sample as a condition of employment. The Commissioner said he was not responding to any concerns about police corruption. The Association will keep members advised as the debate evolves.

Affiliates – Reports

TASMANIA

Once again the Tasmanian Branch has had a very busy but successful year. Among other things there has been the passage of new legislation governing the Police Force. A new Enterprise Agreement was struck giving members a 30% pay rise and the Association took an important step by employing the President full time.

Since the 2002/2003 report, new legislation governing Tasmania Police was passed by Parliament. Through intense negotiation and lobbying by our Branch the legislation was significantly altered compared with the original draft bill. Even after major changes which would have given unprecedented powers to the Commissioner the Act allows for such things as integrity testing, random drug testing and provision of financial details. No other sector of employment in Tasmania endures such a high level of scrutiny and accountability.



Tasmania Branch President Randolph Wierenga (left) with Opposition leader Mark Latham.

The legislation introduced a Police Review Board which removed police from the jurisdiction of the Industrial Commission on certain issues including discipline. A new discipline system based on a code of conduct was put in place and the Commissioner was given powers in relation to inability to perform duties. Members were left angered by the way the legislation was first proposed and the measures contained in it. It was a clear example of how not to introduce new legislation!

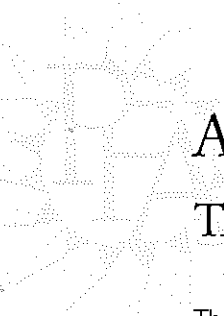
At the time of the last report this Branch was in the midst of preparations for our Enterprise Bargaining negotiations as our agreement expired in January 2004. Since the introduction of enterprise bargaining, Tasmania had fallen well behind in terms of wages when compared with mainland states. Preparations commenced in late 2002 with the Branch Executive forming a planning and negotiation group. Communications and research consultants were engaged and focus group interviews with all ranks were conducted in early 2003.

At the annual conference in April 2003, the consultants' findings were presented. The conference endorsed negotiating principles which included the direction that there be no 'trade offs' of conditions which had been a feature of previous EB negotiations. Conference endorsed the principle that our rates of pay should be comparable with mainland rates of pay.

The consultants then surveyed the membership and the public. This gave us an accurate picture of membership concerns and expectations and an accurate picture of public support for police and pay negotiations.

Initial discussions were held with the employer in late 2003. In January 2004, the campaign was launched with a media blitz running with the theme 'EB 2004, Recognition and Respect'. Negotiations continued through February and in March the Branch was made a final offer by government which included a 30% wage increase over 2 1/2 years. The offer was put to the members who endorsed it overwhelmingly. We acknowledge the assistance of the Victoria Branch and all other Branches through the Federation who assisted us in achieving this outstanding result.

While the wage increase appears to be large, it merely brings our pay rates into line with those of mainland police and shows how far Tasmania had fallen behind. The offer did not address a number of other demands including guaranteed front line resource numbers. This issue is now the most important one to resolve to members' satisfaction.



Affiliates – Reports

TASMANIA *(Continued)*

The previous annual report indicated that the membership was considering employing the President on a full time basis. This issue went to the members as a plebiscite and the proposition was overwhelmingly endorsed even though it required a subscription rise. Sgt Randolph Wierenga began full time at the Association in February 2004 on secondment from the police force. Some would say this paid immediate dividends with the EB being successfully negotiated in March 2004!

The employment of the President full time has given the Association more resources to tackle the issues which confront members on a daily basis. Problems still exist in the areas of front line resourcing, occupational health and safety, and access to and levels of superannuation. The Branch has also been able to make a greater contribution to the Police Federation of Australia and ensure that it is the voice of policing on issues that affect police across the country.

Affiliates – Reports

NORTHERN TERRITORY

Overview

The publication of the O'Sullivan report in August 2004 has been the driving force for the NT Branch throughout the past 12 months with the NT Government committing to implement all 112 recommendations.

Increases in police numbers have commenced with the NT Branch. However, the increase in numbers is only one aspect of the 112 recommendations contained in this report.

The past 12 months have also seen a number of changes in the internal governance of the Branch and a number of constitutional issues will be debated at the Branch annual conference in November.

Our Branch has also demolished our old premises in the Darwin CBD and built new offices which should provide for our short to medium term needs on the same site. We look forward to the official opening of the building by the Chief Minister on 15 November during conference.



NT Branch President Vince Kelly (right) with Federal liberal member for Dickson Peter Dutton (left) and Queensland Branch President Gary Wilkinson.

O'Sullivan Report Implementation


The Branch is represented on a number of O'Sullivan steering and implementation committees. As indicated police numbers are increasing, however, many of these resources are being swallowed by the restructure of the Police Force based on models currently in favour throughout Australia.

As part of the O'Sullivan process the Government proposed a substantial increase to current housing allowances, however, the requirement within the proposal for new recruits to have different conditions to current serving members was a misjudgement by Government and the offer was defeated at ballot. Unfortunately, at the time of writing it has not been possible to move forward on this issue.

Our Branch, (with the assistance of Rod Harty, NSW Branch), made a submission to government relating to superannuation and death and disability coverage. These were two areas of inadequacy highlighted in the report. At this stage Government has made an offer to establish a scheme to provide death and disability coverage based upon what is available to members of the closed NTGPASS scheme. At face value, this proposal is a vast improvement on what is currently available for members who have joined since August 1999, however, the proposal does not address the superannuation needs of professional police officers.

One of the most contentious issues contained within the O'Sullivan report related to lateral entry. The NT Branch has maintained opposition to the Commissioner's proposal to progress this recommendation. In simple terms, we remain opposed to lateral entry except as outlined by Mr O'Sullivan on the basis of short-term secondment.

There appears to be a fundamental misunderstanding of our support through the Federation for professional mobility, as opposed to lateral entry. It remains our view that an ad hoc scheme developed in haste and in isolation from national direction by one of the smallest policing jurisdictions would not necessarily meet any proposed national standard or approach and could potentially disadvantage our members.



Affiliates – Reports

NORTHERN TERRITORY *(Continued)*

A further recommendation in the O'Sullivan report relates to a restructure of the "discipline" system. Our work in this area has only recently commenced, however, our aim is to modernise the system with a non-adversarial performance management system as recommended in countless commissions of inquiry.

There are numerous other recommendations of an industrial nature contained in the O'Sullivan report. The Government has indicated these areas will be dealt with during the next Consent Agreement negotiations. These negotiations are almost upon us and the government must deliver in these areas.

Consent Agreement Negotiations

Our Branch is currently preparing for the next Consent Agreement. Our current agreement expires on 30 June 2005. Under the current agreement negotiations are required to commence by February 2005.

There is a number of outstanding issues in the current agreement which remain under dispute. A number of disputes have been lodged with the restructured Police Arbitral Tribunal in relation to these matters

Police Arbitral Tribunal

The Police Arbitral Tribunal was established in its current form early in 2002. Since that time we have run a number of disputes from which we have had mixed results, however, this is a vast improvement on the previous Tribunal structure. The Tribunal in its current form has encouraged resolution of issues through negotiation as opposed to arbitration.

Our tribunal is the subject of a full report in the Industrial section of this report.

Ombudsman

The NT Government undertook a review of the Ombudsman legislation. Curiously, the current Ombudsman was selected as part of a review of his own legislation. The NT Branch made detailed submissions and it was and remains the Branch's view that the Ombudsman was seeking unnecessary intrusive and arbitrary powers with no accountability mechanisms. This Association remains opposed as a matter of principle to the investing of arbitrary or ill-defined powers in any organisation regardless of its stated intention or purpose

Unfortunately, it seems that the Association's views have been largely ignored by government and the draft legislation potentially increases the Ombudsman's intrusive powers. Perhaps as curious is the Government decision not to renew the contract of the current Ombudsman when his contract expires in 2005.

Next 12 months

The Association's efforts over the next 12 months will be focused on delivering real outcomes for members in line with recommendations of the O'Sullivan report and during the Consent Agreement negotiations. Clearly pressure will be on the NT government to deliver competitive salary levels, (as recommended by O'Sullivan) and conditions of service which attract to and retain people in the NT Police – in short Find Them and Keep Them.

Affiliates – Reports

WESTERN AUSTRALIA

Industrial

EBA

The 2003 Enterprise Bargaining Agreement will be remembered as a historic moment in this Union's history.

For the first time the Union conducted a comprehensive, public wages campaign in an effort to prove the merits of our claim to the general community who, in the end, are our employers. An integrated strategy with specific objectives ranging from influencing the community, politicians, business leaders and the general media was undertaken and for the first time branch officials, Statewide were given leadership roles in representing our members by lobbying politicians and making media appearances.



*WA Branch President Michael Dean (right) chats with
WA Premier Dr Geoff Gallop.*

Their efforts were commendable, particularly those of Branch Officials who were prepared to stand up and fully mobilise the membership on critical issues.

The most significant feature of the package was the incremental scales, which provide a very important career range for senior constables who have plateaued in an era of limited promotional opportunity. This will provide them with a reasonable superannuation opportunity and allow them to retire with some financial dignity.

The acceptance of the principle of percentage loadings for experts and incentives for the remote Police Stations (Gordon Report) is also worthy of comment. For the first time, the Service has recognised that there are legitimate reasons for working outside traditional rank/pay arrangements.

In real terms, 15% was delivered and West Australian Police are now among the highest paid Police in Australia.

The Union is currently planning for the 2006 Enterprise Bargaining Agreement and the key areas under review are superannuation, transfer and tenure, country housing, rank classification/ratio structures, medical benefits, police numbers and rostering.

Minimum Staffing

The simple concept of minimum staffing levels has been the subject of industrial dispute before the Industrial Relations Commission for over 18 months while the Police Service has manoeuvred the legal processes around this issue.

After extensive media coverage and continuous representations to all levels of the WA Police Service management, renewed negotiations are currently underway and a reasonable settlement of this issue is expected in the near future.

Without doubt the front line staffing issue is the most emotional and critical human resource issue currently confronting the Police Service.

The Union will continue to demand that the Police Service immediately implement a minimum staffing policy statewide.

Police Numbers

The Union has long held the view that police staffing Levels are an Industrial and Occupational, Safety and Health issue due to the special and unique nature of the policing industry. It would seem to be an acceptable premise that staff shortages in policing not only have a detrimental outcome for individual police officers but for the community as a whole.

Affiliates – Reports

WESTERN AUSTRALIA *(Continued)*

According to the Council of Australian Governments (COAG) Report on Government Services 2004 and “Projections of Sworn Officer Requirements 2004-2009” Report by Bob Pearce, Corporate Performance and Reporting, Strategic Services Branch, WAPS (with reference to COAG Report) the following ratios of police to population apply:

- 2002/03: National average police staffing – **221 sworn police per 100,000 people.**
- Between 2002 and 2003 overall staff levels increased in all jurisdictions except WA.

WA Police-to-population ratio

- WA population for 2004 = 1,978,000
- Projected WA population for 2009 = 2,111,000
- Projected December 2004 authorised strength full time equivalent (FTE) = 4948 sworn officers.
- Projected police to population ratio = 250 sworn officers per 100,000 people.
- Projected populations are based on ABS figures.

Interstate Comparison 2002/2003 Figures

NSW = 212 sworn officers per 100 000 population

QLD = 220

TAS = 231

NT = 394

VIC = 211

SA = 248

ACT = 185

WA = 249

Western Australia strongly believes that a national police/population ratio should be established for the benefit of governments and police.

Occupational Safety and Health

After a number of years of political lobbying and with election of the Gallop Labor Government, the legislative inclusion of police under the Occupational Safety and Health Act was enacted in January 2003. Given that Police had been excluded from the original 1984 Act for some 18 years, OSH coverage was effected from January 2004 following a 12-month transition during which the Commissioner of Police was expected to ensure premises, plant and practices were upgraded.

Of course, full implementation to a *safety first* way of thinking will require cultural change over a much longer timeframe and will only be achieved if led from the top. Western Australia is the last police jurisdiction in Australia to commit to this legal obligation and the WA Police Union looks to the Police Service executive to embrace the concept and be seen to invest in the wellbeing of its human resources, often referred to as “... the most important assets of the Service.”

After three months of apparent inaction by the employer during the transition period, the Union *encouraged* the Police Service toward election and training of workplace safety representatives, establishing safety committee structures as well as organisation of management to undertake the significant responsibilities of providing safe working conditions in an industry not easily adapted to OSH standards. Training of the first generation of SHR's was eventually achieved in March this year and an ongoing program is in place for replacements as Members move around Western Australian in the ordinary course of their service.

In December 2002, consultants reported on the physical work environments across the State and estimated minor capital works of some \$11 million was required to meet modern industrial standards. There is quite some change yet to make but some confidence is taken from the provision of more than \$7 million additional funding for upgrading of existing facilities and the announcement by Government of funding for replacement stations at Broome, Carnarvon and Leederville (to be called Vincent) and a new facility at Canning Vale to ease the pressure at Cannington and Gosnells. These improvements follow the earlier commitments to Albany which is under construction, Laverton and Newman in the tender phase and Wanneroo on which land acquisition and building design is being finalised. Unfortunately, at last report some \$3 million only had been committed meaning that much of the work in the lesser risk categories is not yet programmed.

Affiliates – Reports

WESTERN AUSTRALIA *(Continued)*

Amendment to the OSH Act made special provision for police to be exempted from some provisions in circumstances of covert operations and *dangerous operations*. These covered such things as the individual's rights to refuse hazardous work. WA Police Union dedicated considerable resources to drafting the industry Guidance Note about these special exemptions and WorkSafeWA issued its publication in June 2004.

The WA Police Union is now researching requirements to convert the Guidance Note into a Code of Practice, to be registered with the Hon Minister's sanction which imposes legal status and penalties for breaches of the Commissioner's OSH obligations.

The Police Union is seeking on-going involvement in issues such as review of uniforms, accoutrement belts and supply of individual body armour and personal protective clothing while continuing to press for the best available motor vehicles to complement policies and practices overhauled to reflect the essential consideration of safety in police operations.

Royal Commission

Politicians and the media baselessly crowed "Significant and sustained corrupt and criminal conduct" and "The Worst Police Service in Australia" when the report of the Royal Commission into Police Corruption was released in early 2004.

These media and political comments were selective and in many cases taken out of context and devalued the exciting opportunity of the reform recommendations.

Any other agency, given the opportunity to undertake such a comprehensive reform program would be elated. This time, front line service delivery instead of systems is the focus. We now have the chance to really make a difference.

The majority of Royal Commission findings related to management and leadership, systems and processes, reform and improvement. Doubtless they will have the total support of all Police.

The 12 areas of reform itemised by the Commission are listed with an example from each theme which provides a general overview of the diverse nature of the recommendations.

Recruitment

It is worthwhile giving consideration to investigating alternative models for identifying candidates for appointment to senior positions, particularly those at commissioned officer rank. Rather than the "rank/lock/step" or "filling dead men's shoes" approaches, these agencies (Australian Defence Force and Her Majesty's Prison Service in the United Kingdom) have found a need to attract high-calibre candidates who have the potential to develop quickly and rise to the highest levels of their respective organisations.

Civilianisation

A fresh policy of civilianisation be adopted throughout the Police Service whereby all positions not requiring police powers will, wherever possible, be filled by civilians, so the maximum number of police officers will be available for operational duties requiring the exercise of police powers.

Lateral Entry


Improved administrative and technical support be provided for operational functions, including development of the concept of multi-disciplinary teams.

Education and Training

More officers would be encouraged to proceed with an MBA if they were provided with a financial incentive. However, any such scheme should not be tied to one particular institution. A financial assistance scheme should enable officers to attend various tertiary education institutions and be given a diversity of education in order to broaden the corporate knowledge of the organisation.

Management and Leadership

There be a review of the District Office system with a view to inspectors being in charge at large police stations and senior sergeants at medium-sized stations.



Affiliates – Reports

WESTERN AUSTRALIA *(Continued)*

Human Resource Management

There be a scheme of incentives similar to that in use in NSW to attract staff to relocate to designated "hardship posts" as opposed to their being "press-ganged" to do so, and the satisfaction of a minimum tenure should attract a completion payment.

Information Management and Technology

The use of electronic journals such as used by SA Police be considered but otherwise there be a requirement for all officers to maintain comprehensive records of their daily duties, to be checked by their supervisors.

Complaints Management and Discipline

Section 23 of the Police Act should be repealed and replaced with a contemporary management-based system, together with the repeal of s. 33E without prejudice to the fair treatment of police officers.

Internal Investigations

Allegations of criminality, corruption or involving internal complainants be investigated by IAU, and under its direction.

Corruption Prevention Plan and Strategies

The CPP make provision for drug and alcohol testing.

Reform Agenda Implementation and Change Management

The Delta Reform Programme having ended, a new reform programme be commenced under the responsibility of a newly created Deputy Commissioner position.

Law Reform

That legislation be enacted to provide that only Magistrates and other designated persons, rather than all Justices of the Peace, issue search warrants.

One of the Union's major tasks will be to comprehensively analyse and debate these recommendations and to set Union policy and direction so that our work place representatives who are involved in the development and implementation of these changes, can confidently proceed with a full awareness of the attitudes and consent of the membership.

Given the major reform process that is about to be undertaken this perhaps will be the most important consideration and activity for the Union in the coming years.

Union's Future

In an organisational sense, the Union has the finances, the employee expertise and the experience to provide the members of the Police service with a real confidence in their support mechanism and they can look forward to a continuation of the remarkable success of the last few years.

However, any representative organisation is only as good as its last achievement or successful campaign and beyond that members can be forgetful of past victories. Only continuing hard work, clear objectives and total commitment will provide those victories.

It is important that I recognise, and acknowledge the support of former Commissioner of Police Mr Barry Matthews upon his retirement. His modern and respectful approach to the industrial relations system has altered for all time the Service's previous confrontational attitude. He leaves with the respect and good wishes of this Union.

I welcome our new Commissioner Mr Karl O'Callaghan, a long serving Western Australian police officer in whom myself and 5 000 colleagues place our trust for the future good and fair governance of the WA Police Service. We look forward to working with the new Commissioner.

Associates – Reports

QUEENSLAND

This year has been one of consolidation and progress for the Queensland Police Union. One of the main changes introduced this year was the employment of Pat Nolan as an in-house solicitor. Pat has extensive experience with police-related matters and he is a true asset to this organisation.

Other good news is that our previous Police Minister, Tony McGrady, has been replaced by Judy Spence. Mr McGrady was unfortunately very adversarial and unsupportive of police during his tenure as Police Minister. However, Judy Spence has been much more approachable and has taken a genuine interest in policing issues.

The Union has also been very supportive of the PFA's campaign to allow police officers to access their lump sum superannuation on retirement at 55 years of age. With PFA CEO Mark Burgess, the Union was able to directly lobby the Treasurer, Mr Peter Costello, and several other members of Parliament. Hopefully, the Government will see the error of its ways in relation to this issue.



*Queensland Police Union President
Gary Wilkinson.*

Also, I am pleased to report that in response to demands from this organisation, the Commissioner of Police agreed to a candlelight vigil for Police Remembrance Day with a large number of people showing their respects on the night as opposed to the previous year's dawn service.

Legal Defence

Over the past year, the ongoing issue of damages for covert operatives has been foremost in the Union's legal defence dealings. After many years of preliminary work, the cases have finally come before the Supreme Court of Queensland with the view of being able to seek leave to have the matters determined after being "out of time" because of Queensland legislation.

Currently the matters stand at three all, with three being allowed and the other three being deemed out of time. These are all currently matters before the Court of Appeal owing to appeals and counter appeals by both the Union and the Police Service. It is not beyond the realms of possibility that these may end up before the High Court of Australia to test these matters to the fullest.

There has been a growing trend for the legal defence fund to deal with an ever increasing number of criminal compensation matters involving Union members and also the ever increasing number of traffic infringements given to members in the course of their duties.

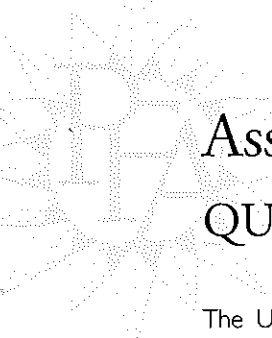
Industrial

We are half way through the five-year EBA4 Agreement and have already begun to identify issues for the next round of negotiations. There are ongoing negotiations in relation to travel time, allowances and officer-in-charge (small sections) pay points. The Union has also successfully taken cases to the Queensland Industrial Relations Commission and it continues its role on the Transfer Advisory Committee, Sick Leave Bank and Pay Point Progression Committee.

In relation to WorkCover matters, the Union still represents a large number of members at Medical Assessment Tribunal hearings and was successful in appealing a WorkCover rejection of an application for compensation for a fatal injury of a police officer who died of a heart attack caused by work-related stress.

Workplace Health and Safety

The QPU continues to play an active role in investigating and highlighting various workplace health and safety issues throughout the State. Issues such as lead exposure at weapons training, protective equipment (gloves, vests, etc), bodily fluids exposure and fatigue driving are just some of the issues the Union has been addressing.



Associates – Reports

QUEENSLAND *(Continued)*

The Union Journal feature “Dump of the Month” has also been successful in drawing attention to the rundown state of many police stations and their amenities. It is pleasing to report that the Government has committed to a complete upgrading of two of the stations featured in “Dump of the Month” – Southport and Tin Can Bay.

Drug and Alcohol

Despite a concerted campaign by the Union against random drug and alcohol testing (as opposed to our position of welfare-based targeted testing), the State Government legislated to introduce targeted drug and random alcohol testing of QPS employees. The legislation itself is poorly worded and it will be difficult, if not impossible, to implement in many respects.

The Union is represented on each of the four sub-committees overseeing the legislation's implementation and we have been successful in ensuring that it will be a welfare-based (as opposed to disciplinary-based) regime. It is expected that an amnesty period followed by a trial will commence some time next year.

Associates – Reports

NEW ZEALAND POLICE ASSOCIATION

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

Association President Greg O'Connor has been re-confirmed unchallenged as Association President for a further three-year term until October 2007.

We continue to benefit from our contact and associate status with the Police Federation of Australia and the affiliate members.



*NZ Police Association President
Greg O'Connor.*

Industrial

Following the settlement last year of three-year collective agreements for both sworn and non-sworn members, the past year has seen us focusing on resolving a number of other industrial issues.

Specific new provisions and/or variations to these collectives have been negotiated for five separate groups of members, as were specific provisions for a number of special operations.

Additionally, a new collective agreement has been negotiated for inspectors and non-sworn equivalents. This agreement replaced the previous individual agreements which had existed for all these members. The settlement was based on that achieved for the general membership last year, but with a number of improvements and other specific conditions applying to these members.

Health and Safety

The Association has been involved in two major health and safety issues over the past 12 months.

The first was the culmination of a long running issue over a South Auckland building diagnosed with Legionnaires disease. Finally, in 2003 after repeated requests and threats of legal action, the building was evacuated to allow necessary refurbishments to eliminate this problem. Staff moved back into the decontaminated building in late 2003 and this whole issue was subsequently concluded, including satisfaction for a number of members directly affected, in April 2004.

The Association Conference in October last year demanded the Commissioner "provides personal issue covert vests to all staff that request them". Subsequently a trial of tailor-made covert and overt body armour has been carried out by selected members in two Police Districts to evaluate the need for body armour and identify any issues around the wearing of armour in the New Zealand operational environment. At the time of writing, evaluation of the trial has not been concluded but we are pleased with progress made to date and anticipate a favourable outcome with armour being available to those who request it.

Legal Issues

The Association continues to provide legal assistance to an increasing number of members who face charges arising from their role and functions as police. Over the past year, 154 members received assistance, compared with 99 for the same period last year. This included support for five members facing private prosecutions, all of which were successfully defended. Regrettably, we believe this trend of disaffected members of the public pursuing a prosecution for their own ends will continue to grow in the immediate future.

Associates – Reports

NEW ZEALAND POLICE ASSOCIATION *(Continued)*

On a more positive note, included in the many grievances successfully pursued was the reinstatement of a sworn member unjustifiably dismissed. This was only the second reinstatement of a dismissed member in recent years.

Also, close to conclusion is prolonged litigation for former police members severely affected by their duties while working undercover.

Legislation

Earlier this year the New Zealand Government introduced new legislation to provide for the payment of a minimum of half rates extra for all employees who work on public holidays.

Sworn members of police in New Zealand are paid a "comprehensive" salary, and Police administration takes the view the new legislative requirement for payment of the public holiday loadings is already built into police pay and those working on the public holidays are not entitled to any additional payments.

Naturally we disagree, and this matter will now be heard in the employment institutions later this year or early in 2005.

Commission of Inquiry

A Commission of Inquiry into the way Police investigate allegations of sexual impropriety against themselves and associates was initiated following allegations made by a member of the public relating to conduct of members of police dating back over 20 years. The Commission has said it will look at incidents dating as far back as 1979, and further back where it can be demonstrated an incident is relevant.

Since being established in February, the Commission has been unable to move beyond procedural matters and commence hearings predominantly due to the need to balance matters coming before the Commission and any allegations that could result in criminal proceedings.

This means the Commission's original reporting back date of 1 November 2004 will not be achieved.

The NZPA has full party status to the Commission and has engaged a legal representative to ensure members' rights are safeguarded.

Member Welfare

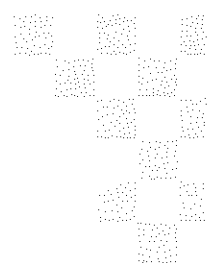
The Association continues to provide a wide range of welfare and financial services and benefits for members through the Police Welfare Fund.

Our network of holiday homes has expanded further this year to 48 homes, with plans to expand further.

Our insurances and mortgage portfolios continue to grow, with profits and commissions being retained within the Fund for members while our health insurance, as well as providing the best long-term value product available in New Zealand, has been named as the health insurer providing the best service to its members.

Financial Statement

for the year ended 30 June 2004



TREASURER'S REPORT

It gives me much pleasure to report to members on the financial operations of the Police Federation of Australia over the past 12 months.

I can report that our asset base continues to grow. In the 2002/03 financial year we committed to the purchase of the PFA's headquarters in Canberra and as property prices in the vicinity of the office continue to be strong, that decision has proved to be a very sound one.

A perusal of the financial report will show you that between 30 June 2003 and 30 June 2004 we reduced our debt on that building by another \$75,643. In the less-than-18-months of reporting on the building purchase we have reduced the debt by more than \$100 000. The decision of the Executive to pay greater installments on the loan is a wise one and we look forward to the day where we can report that the building has been paid off.

The report will also identify that our accumulated funds have increased by another \$103 796 to \$528 138. This is a remarkable achievement when you consider that in June 2000 our accumulated funds were less than \$30 000.

I draw members' attention to the increased income of \$76 524 in affiliation fees. That was attributed to the first full year of full affiliation fees from all Branches. You will also note that we have received rent on our downstairs offices and car parks of \$35 423. We therefore have an increased income for this financial year over last of \$95 188. It needs to be recognised though that over a full year of occupancy of our building our property expenses as reported have increased by \$47 446.

While it is pleasing to report that we can continue with strong financial growth and an increase in our accumulated funds, I remind members that as we move towards the development of a new Strategic Plan, we need to ensure that whatever we determine to achieve in that plan can be met within our finances. I also remind members that in the 2004/05 financial year the Executive have determined to meet all airfares for Branches to Executive, Industrial Planning Committee and Women's Advisory Committee meetings. While I am confident that we can meet that extra demand, we must be mindful of the impact of this decision on our bottom line.

I also draw to the attention of members the decision of the Executive to work to increase our S15 investment account to \$200 000 and then use any excess income to retire debt on the building. You will note in our current assets that the S15 account was \$134 329 on 30 June 2004, an increase of \$54 574 over the previous year. While we will continue to try to grow that account as fast as we can, members need to be aware of the extra outlay on airfares and the like we have committed to, might mean that that account does not grow as fast over the next 12 months.

In closing once again I pay tribute to our staff of Mark Burgess and Debbie Martiniello and our Auditor Tom Tsia for the professional way that they have handled the finances of the organisation and kept me and the rest of the Executive informed of our financial standing at regular intervals.

I commend the acceptance of the financial report to you.

Vince Kelly
Treasurer



Financial Statement

for the year ended 30 June 2004 (Continued)

Police Federation of Australia

OPERATING REPORT (OPR)

- a) The PFA's principle activities throughout the year have included a range of activities that have been endorsed by the Federal Council in November 2003 and coordinated by the Federal Executive.

Those key activities include the pursuance of an exemption from Superannuation Preservation Age rules for police. A commitment from both sides of politics was forthcoming in the lead up to the federal election to independently review that issue post the election.

We have made submissions and lobbied both then Government and the Opposition on the lack of Federal funding for local law enforcement initiatives as well as the lack of funding and resourcing for the Australia Federal Police. This issue saw both sides make policy statements setting up \$50 million national crime prevention style programs.

Reportable Fringe Benefits Tax issues continue to affect our members and operational policing initiatives. We have been successful in achieving a number of exemptions from RFBT issues for police as well as members attached to the Australian Crime Commission. We are still pursuing a range of RFBT matters to bring us into line with exemptions granted to the Defence Forces.

We have continued to work with the Federal Government and state and territory police jurisdictions towards the development and construction of a National Police Memorial in Canberra to honour the in excess of 700 police who have paid the ultimate sacrifice since 1803.

The PFA continues to represent members nationally on a range of other issues including -

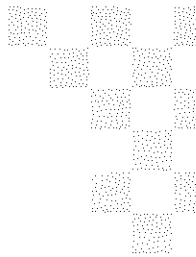
- Submissions to relevant Parliamentary inquiries
- Negotiations in respect to health, safety, welfare and working conditions for members to be deployed overseas as part of the International Deployment Group
- Development of a range of Police Professional issues as a part of the Australasian Police Professional Standards Council (APPSC)
- Submissions into the Federal Government's proposed Federal Anti Corruption Body
- Working with various academics on research issues of relevance to our membership and the police profession
- The development of a range of issues affecting female members through our Women's Advisory Committee
- The development and research into a range of industrial issues through our Industrial Planning Committee

All of the above issues as well as many others are reported on in detail in the PFA's Annual Report.

- b) There have been no significant changes in the financial affairs of the PFA during the past year
- c) A member may resign from membership of the Federation by notice in writing addressed and delivered to the Secretary of the member's Branch, Zone Secretary or Chief Executive Officer, as per PFA Rule 11 (b)
- d) No officers of the PFA hold any positions in relation to Superannuation entities
- e) The West Australian Branch of the Police Federation of Australia was formed and registered on 3 February 2004

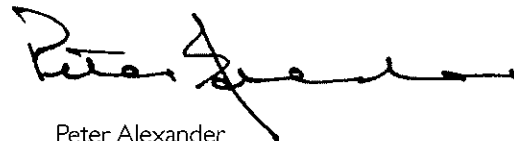
Financial Statement

for the year ended 30 June 2004 (Continued)



- f) Prescribed information as per Regulation 159
- i. At the 30 June 2004 the PFA had 34 548 members
 - ii. At the 30 June 2004 the PFA had three (3) employees
 - iii. Committee of Management 1/7/03 – 30/6/04
 - Peter Alexander (South Australia)
 - Jon Hunt-Sharman (Australian Federal Police)
 - Shane Butler (Victoria) (1/7/03 – 4/10/04)
 - Vince Kelly (Northern Territory)
 - Ian Ball (New South Wales) (1/7/03 – 23/6/04)
 - Bob Pritchard (New South Wales) (24/6/04 – 30/6/04)
 - Randolph Wierenga (Tasmania)
 - Michael Dean (Western Australia) (7/4/04 – 30/6/04)

For Committee of Management:



Peter Alexander
President

Dated this 11th day of October 2004

Financial Statement

for the year ended 30 June 2004 (Continued)

Police Federation of Australia

COMMITTEE OF MANAGEMENT'S CERTIFICATE

On the 14th day of October 2004, the Committee of Management of the Police Federation of Australia passed the following resolution in relation to the general purpose financial report (GPFR) of the reporting unit for the financial year ended 30th June 2004.

The Committee of Management declares in relation to the GPFR that in its opinion:

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

For Committee of Management:



Vince Kelly
Treasurer

Date: 14th day of October 2004

Financial Statement

for the year ended 30 June 2004 (Continued)

Police Federation of Australia

ACCOUNTING OF OFFICER'S CERTIFICATE

I, Mark Burgess, being the Officer responsible for keeping records of the Police Federation of Australia, certify that as at 30 June 2004 the number of members of the Federation was 34548.

In my opinion:

- i) The attached accounts show a true and fair view of the financial affairs of the Federation as at 30 June 2004.
- ii) A record has been kept of all the 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.
- iii) 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.
- iv) 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.
- v) 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.
- vi) The register of the Federation was maintained in accordance with the Workplace Relations Act, 1996.
- vii) The attached Accounts have been prepared in accordance with applicable Australian Accounting Standards.

SIGNED AT SYDNEY this 11th day of October, 2004.

m A Burgess

Mark Burgess



Financial Statement

for the year ended 30 June 2004 (Continued)

Police Federation of Australia

INDEPENDENT AUDIT REPORT

To the members of the Police Federation of Australia.

SCOPE

I have audited the financial statements of the Police Federation of Australia for the year ended 30 June 2004. The Federation's Committee of Management is responsible for the preparation and presentation of the financial statements and the information contained therein. I have conducted an independent audit of these financial statements 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 statements are free of material misstatement. My procedures included examination, on a test basis, of evidence supporting the amounts and other disclosures in the financial statements, 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 statements are presented fairly in accordance with Australian Accounting Standards, other mandatory professional reporting requirements (Urgent Issues Group Consensus Views) and The Workplace Relations Act 1996 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 and cash flows.

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


AUDIT OPINION

In my opinion:

- (i) There were kept by the Federation in respect of the year, satisfactory accounting records detailing the sources and nature of income of the Federation [including income from members] and the nature and purposes of expenditure; and
- (ii) The accompanying accounts and statements being the Statement of Income and Expenditure, Balance sheet, Statement of Cash Flows, Notes to and Forming Part of the Accounts, Accounting Officers Certificate and Committee of Managements certificate have been prepared in accordance with Section 273 of the Workplace Relations Act 1996 and are properly drawn up so as to fairly present:
 - [a] The state of affairs of the Federation as at 30 June 2004; and
 - [b] The income and expenditure and surplus of the Federation for the year ended on that date;
- (iii) The accounts have been prepared in accordance with applicable Accounting Standards.

Where necessary, I have obtained all the information and explanations which to the best of my knowledge and belief were necessary for the purpose of my Audit.

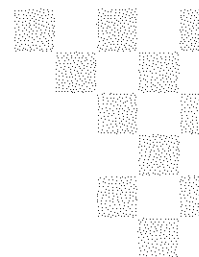
SIGNED AT SYDNEY this 11th day of October, 2004.



LOI KAHTSIA, B. OM., 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 2004 (Continued)



Police Federation of Australia

NOTES TO AND FORMING PART OF THE ACCOUNTS

For the year ended 30th June 2004

1. Statement of Accounting Policies

The financial statements are a general purpose financial report that has been prepared in accordance with applicable Accounting Standards and other mandatory professional reporting requirements (Urgent Issues Group Consensus Views). The financial statements 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 now current assets. Cost is based on the fair values of the consideration given in exchange for assets. The accounting policies have been consistently applied, unless otherwise stated.

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

- (a) Depreciation
Depreciation of fixed assets is calculated on the straight line method in order to write off the assets over their useful lives.
- (b) Employee Entitlements
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. Contributions are made by the entity to an employee superannuation fund and are charged as expense when incurred.
- (c) Leases
Lease payments for operating leases, where substantially all the risks and benefits remain with the lessor are charged as expenses in the periods in which they are incurred.
- (d) Income Tax
No provision for Income Tax expense has been brought to account as the income of the Federation is exempt from Income Tax under Sections 50-15 of the Income Tax Assessment Act 1997.

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 organisation, or a Registrar, may apply to the organisation for specified prescribed information in relation to the organisation.
- (2) An organisation shall, on application made under Sub-Section (1) by a member of the organisation 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 organisation 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 2004 (Continued)

Police Federation of Australia

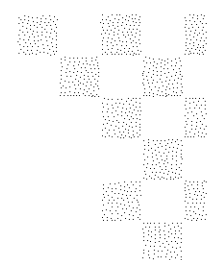
BALANCE SHEET

as at 30th June 2004

	Notes	2004	2003
Accumulated Funds		<u>\$528,138</u>	<u>\$424,342</u>
Represented by			
Current Assets			
PCU Easy Access account	3	31454	86804
PCU Savings accounts	3	134329	79755
PCU membership feese	3	10	10
Sundry debtors	4	0	145
Amounts due from branches	5	28503	7281
		<u>194296</u>	<u>175307</u>
Non Current Assets			
Property – 21 Murray Crescent			
Griffith ACT – At Cost	6	1016581	1016581
Plant & Equipment		27757	
Less provision for depreciation		<u>14674</u>	<u>13083</u>
Motor vehicle		36275	
Less provision for depreciation		<u>8388</u>	<u>33328</u>
		<u>1057551</u>	<u>1053225</u>
Total Assets		<u>1251847</u>	<u>1228532</u>
Less Current Liabilities			
Trade creditors and accruals	7	29560	47650
PCU loan secured over property		655527	31170
Provision for annual leave	8	13488	8596
Provision for long service leave	9	17167	11135
Provision for GST		7967	5639
Total liabilities		<u>723709</u>	<u>804190</u>
Net assets		<u>\$528,138</u>	<u>\$424,342</u>

Financial Statement

for the year ended 30 June 2004 (Continued)



Police Federation of Australia

INCOME & EXPENDITURE ACCOUNT

For the year ended 30th June 2004

	Notes	2004	2003
Income			
Affiliation fees from branches		702608	626082
Interest Received		5395	7055
Rents Received		35423	15101
		<u>\$743,426</u>	<u>\$648,238</u>
Less expenditure			
Audit and accounting fees	10	23630	17200
Annual leave	8	13923	4529
ACTU Affiliation fees		58461	57482
Bank charges and duties		248	77
Computer and Website Design		13991	23258
Delegation expenses	11	189078	178227
Depreciation		6680	5893
FBT		37109	33800
General office expenses	12	42018	20102
Insurances		8640	8796
Legal fees		1450	5750
Long Service Leave	9	6032	4665
Loss on disposal of assets		0	6168
Motor vehicle expenses		6321	6372
National Memorial Expenses	13	7625	0
Property expenses	14	76187	28741
Salary & packaging		122420	97227
Superannuation		16213	17850
Telephone		9604	8057
Total Expenditure		<u>\$639630</u>	<u>\$524194</u>
Net Surplus for the year		103796	124044
Accumulated funds at beginning of year		424342	300298
Accumulated funds at end of year		<u>\$528,138</u>	<u>\$424,342</u>

Financial Statement

for the year ended 30 June 2004 (Continued)

Police Federation of Australia

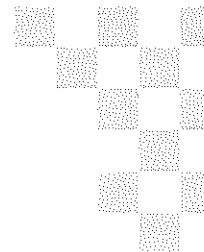
NOTES TO AND FORMING PART OF THE ACCOUNTS

For the year ended 30th June 2004

	2004	2003
3. Statement of Cash Flows		
For the Year Ended 30 June 2004		
Cash Reconciliation		
For the purpose of the Statement of Cash Flows, cash at the end of the financial year is reconciled to the following items in the Balance Sheet.		
Cash with financial institutions	<u>\$165,793</u>	<u>\$166,569</u>
Cash Flow from Operating Activities		
GST Received	69227	63959
Receipts from Members	684813	618801
Interest Received	4573	7055
Rents Received	36747	11110
Other Refunds	2174	10596
Loans from PCU	0	760000
Total Cash Received	<u>\$797,534</u>	<u>\$1,471,521</u>
Less Cash Flow from Investing & Financial Activities		
Payment of GST Express	36851	35393
Payment of Employee's Entitlement	112838	107780
Payment of Loans to PCU	120000	50000
Payment of ACTU Affiliation Fee	58461	57482
Payment of Purchase of Office Equipment	11005	890
Payment of Motor Vehicle	0	36275
Payment of Other Expenses	459155	337681
Payment for Acquisition of Property	0	1013581
Total Expenditure	<u>798310</u>	<u>1639082</u>
Net Increase (Decrease) in Cash Held	-776	-167561
Cash at the Beginning of Financial Year	<u>166569</u>	<u>334130</u>
Cash at the End of the Financial Year	<u>\$165,793</u>	<u>\$166,569</u>

Financial Statement

for the year ended 30 June 2004 (Continued)



Police Federation of Australia

NOTES TO AND FORMING PART OF THE ACCOUNTS

For the year ended 30th June 2004

	2004	2003
4. Sundry Debtors		
Rental due from tenants	<u>0</u>	<u>\$1457</u>
5. Amount due from branches		
Police Association of NSW expenses	1549	0
Police Association of Northern Territory	1249	0
Police Association of South Australia	5921	0
Police Association of Victoria	14150	0
Police Association of New Zealand	5634	7281
	<u>\$28,503</u>	<u>\$7,281</u>
6. Property-at cost		
21 Murray Crescent Griffith ACT		
Settled on 24.1.2003	<u>\$1,016,581</u>	<u>\$1,016,581</u>
7. Creditors and accruals		
Staff Superannuation	0	166
PAYG re staff wages	6240	4992
Audit & accounting fees	21395	18150
Various expenses	1925	10367
Website Design	0	13975
	<u>\$29,560</u>	<u>\$47,650</u>
8. Provision for Annual Leave		
Balance as at 1.7.2003	8596	4067
Add additional provision for the year	13923	4529
	<u>22519</u>	<u>8596</u>
Less paid during the year	9031	0
Balance as at 30.6.2004	<u>\$13,488</u>	<u>\$8,596</u>
9. Provision for Long Service Leave		
Balance as at 1.7.2003	11135	6470
Add additional provision for the year	6032	4665
Balance as at 30.6.2004	<u>\$17,167</u>	<u>\$11,135</u>

Financial Statement

for the year ended 30 June 2004 (Continued)

Police Federation of Australia

NOTES TO AND FORMING PART OF THE ACCOUNTS

For the year ended 30th June 2004

	2004	2003
10. Auditor's Remuneration		
Audit fees	7500	7500
Other services	16130	9700
	<u>\$23,630</u>	<u>\$17,200</u>
11. Delegation Expenses		
Consultancy fees	50182	45185
Conference expenses	43813	53416
Executive expenses	48388	53455
Lobbying expenses	14437	11001
IPC	12940	4893
WAC	13387	447
APP5C/P5ITAB	5931	9830
	<u>\$189,078</u>	<u>\$178,227</u>
12. General Office Expenses		
Australian Defence Association	91	0
CEO relocation expenses	24724	4234
Filing fees – ASIC	375	736
Interest – ATO	167	0
Police Superannuation Administrative fees	837	3076
Printing stationery & postages	8304	6685
Sundry office	7520	5371
	<u>\$42,018</u>	<u>\$20,102</u>
13. National Memorial Expenses		
Funds transfer to open Bank Account	510	0
Graphic Design expenses	1860	0
Executive expenses	1075	0
Legal fees-Mallesons Stephen Jaques	4180	0
	<u>\$7,625</u>	<u>\$0</u>

Financial Statement

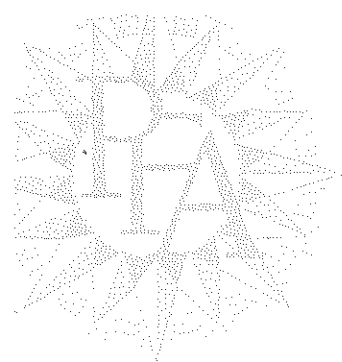
for the year ended 30 June 2004 (Continued)

Police Federation of Australia

NOTES TO AND FORMING PART OF THE ACCOUNTS

For the year ended 30th June 2004

	2004	2003
14. Property Expenses		
Borrowing expenses	0	2535
Cleaning & waste disposals	2581	30
Council rates	5140	2227
Insurance -building	1748	0
Interest-PCU	44358	21170
Land tax	5808	1161
Light & power	1473	422
Pest control	164	0
Plant hire	0	68
Rents	0	368
Repairs & maintenances	12993	48
Security	530	132
Water rates	1392	580
	<u>\$76,187</u>	<u>\$28,741</u>



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**Police Federation
of Australia**

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