

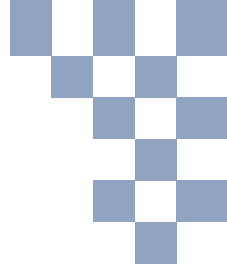


**Police
Federation
of Australia**

**Constable
JOSEPH LUKER
Sydney
August 26th 1803**

**ANNUAL
REPORT
2004/2005**

Front Cover: An artist's impression showing details of how the National Police Memorial will commemorate the names of officers killed in the line of duty. Constable Joseph Luker was Australia's first recorded death on duty of a police officer.



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Affiliates

BRANCH	MEMBERSHIP	NO. OF DELEGATES
New South Wales	14,634	7
Victoria	10,698	5
South Australia	3,946	3
Australian Federal Police	2,855	2
Tasmania	1,138	2
Northern Territory	1,045	2
Western Australia	5,019	1 *

* Delegate numbers are calculated at 31 December each year and as the great majority of WA Branch members were not in the new Branch until July 2005, WA was entitled to only one delegate.

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	8,796
New Zealand	9,060

Office Bearers

President	Peter Alexander (South Australia)
Vice President	Jon Hunt-Sharman (Australian Federal Police)
Vice President	Vince Kelly (Northern Territory)
Treasurer	Michael Dean (Western Australia)
Executive Members	Bob Pritchard (New South Wales) Randolph Wierenga (Tasmania) Michael Dean (Western Australia)
Associate Members	Queensland New Zealand

Staff

Chief Executive Officer

Mark Burgess

Office Administrator

Debbie Martiniello

**National Industrial
Consultant**

Chris Hayes (resigned 24/2/05)

Meetings Conducted

Federal Council

8 and 9 November 2004

Sydney, New South Wales

Special Federal Council

3 March 2005

PFA Office Canberra

20 May 2005

Teleconference

Executive

7 July 2004

Teleconference

14 July 2004

Teleconference

11 and 12 August 2004

PFA Office Canberra

3 September 2004

Teleconference

16 September 2004

Teleconference

14 October 2004

Teleconference

7 November 2004

Sydney, New South Wales

24 January 2005

Teleconference

2 and 3 March 2005

PFA Office Canberra

18 April 2005

Teleconference

21 and 22 June 2005

PFA Office Canberra

26 and 27 July 2005

Adelaide

11 August 2005

Teleconference

Industrial Planning Committee

3 and 4 November 2004

PFA Office Canberra

10 and 11 May 2005

PFA Office Canberra

14 and 15 July 2005

PFA Office Canberra

Women's Advisory Committee

10 and 11 August 2004

PFA Office Canberra

23 and 24 May 2005

PFA Office Canberra

9 and 10 August 2005

PFA Office Canberra



President's Report

It gives me much pleasure to provide my seventh report as the PFA President and to reflect on the changes which have taken place in that time.

Last year, I reported on the formation of the Western Australia Branch and this year it is pleasing to report that the process of bringing all 5,019 police officers in WA into that Branch has now been completed.

Also, I spoke last year of the need for the PFA to undertake a strategic planning process and it is pleasing to note in the CEO's Report the issues which the Federal Council identified in that exercise and the long-term plans which have been adopted to deal with them.

I take this opportunity, though, to caution Branches that there are several other major issues which will confront us in the coming years. They include the industrial changes planned by the Federal Government and our response to the terrorism threat.

The CEO's report identifies the industrial relations issues which we need to consider, although the impact on police might be longer term. There is concern, though, that the State-based industrial systems in which most police jurisdictions have operated for many years may cease to exist under the proposed legislation. It is an issue which could ultimately pit police against State and Federal governments to protect the conditions which were hard won by our predecessors. As your President, I give a firm commitment on behalf of 50,000 members that any attack on police officers' terms and conditions of employment through this process by any level of government will be met with fierce opposition.

In respect to the issue of terrorism, we have an obligation to keep politicians focused. Political point-scoring and posturing will not be tolerated by police or the community and it is vital that the PFA is also active in the debate. We will be seeking a sound, defensible policy which will allow our members to work affectively as the front line terrorism fighters in this country.

I thank my fellow Executive Members for their support during the past year as well and I am pleased to report that our relationship with the New Zealand Police Association continues to be strong.

I would like to acknowledge the excellent service provided to the Federation by Mr Chris Hayes as an industrial relations employee and consultant and wish Mr Hayes well as the Member for Werriwa in the House of Representatives. Also, I would like to acknowledge the high standard of performance from Ms Debbie Martiniello in her administrative role at the Federation and I welcome on board our media adviser Mr Frank Cassidy in a new role for the PFA.

Also, we are also well served by our CEO Mark Burgess who continues to perform at the highest level.

Our unity as we move into what will be challenging times is vital and I am confident that united we can meet those challenges.



PFA President Peter Alexander.

Peter Alexander
President

Chief Executive Officer's Report

Strategic Plan

In June 2004 Executive endorsed a recommendation by the CEO that a new Strategic Plan be developed at the 2004 Federal Council Meeting. The rationale stemmed from the large number of issues which were being identified for action by the PFA and the limited capacity to do justice to all of them. To ensure that the PFA was focused on the most important matters, it was to identify key issues and objectives and develop strategies to achieve them.



*PFA Chief Executive Officer Mark Burgess and Phil Holder,
National Police Legacy Representative on National Police Memorial Steering Committee.*

Consequently, Mr Greg Chilvers, director of Research for the NSW Police Association, conducted a strategic planning session at the PFA Federal Council Meeting in Sydney on 8 and 9 November 2004. The process, which took up most of the two-day meeting, identified a significant range of issues. Over the following months, the CEO together with a small working party of the Executive including President Peter Alexander, Vice President Vince Kelly and Janet Mitchell President of the Victoria Branch consolidated those issues into a workable plan for endorsement by the Executive.

The plan which was ultimately endorsed comprised five sections with identified issues within each. They sections were:

- Superannuation
- Policing Profession
- Representation
- Industrial
- Other issues.

Superannuation

1. Preservation Age Review

The key objective is to gain an exemption from Superannuation Preservation Age requirements for police. In simple terms, we are arguing for police to be able to continue to "Retire with Dignity" at age 55 with full access to their superannuation entitlements. Preservation age requirements will prevent that in the future.

The key strategy for this objective was to prepare and participate in the Government sponsored "Review of Superannuation Preservation Rules as they apply to Police".

In last year's Annual Report, I went into some detail about how we had continued to lobby the Government and Opposition on this issue. I also reported on both major political party's pre-election commitments.

With the Government returned to office, we pressure it to meet the pre-election commitment of the Federal Assistant Treasurer Mal Brough to:

"...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".

As part of its commitment, the Government agreed to the appointment of an independent Chair of such a review. Subsequently, Mr Gary Potts, a former senior Commonwealth public servant, was appointed to that position.



Chief Executive Officer's Report

(Continued)

Following Mr Potts' appointment, the following Terms of Reference were agreed upon:

"The Review (to be known as the Review of Superannuation Preservation Rules as they apply to Police) shall consist of an examination of whether it would be appropriate to provide police officers with access to their superannuation earlier than would be allowed for other individuals under superannuation preservation rules.

"In considering whether such early access would be appropriate the review will have regard to relevant factors including, but not limited to, the following:

- The impact of police work on the ability of older police officers to continue working*
- Whether the nature and role of police work justifies special treatment for police officers*
- The alternative work options available to older police who may no longer be suited to 'operational' police work*
- Whether present or proposed rules for access to superannuation are able to be utilised or are suitable to meet the requirements of police officers*
- The impact of allowing early access on Government retirement income and workforce participation policy*
- What forms of assistance are currently provided or may be provided to police officers to help with transition out of the Police Force."*

In discussion with the Government it was agreed that the bodies to be consulted would include:

- Police Federation of Australia (PFA)
- Commissioners of all States and Territories Police forces and the AFP
- State, Territory and Federal Ministers responsible for police forces
- ASFA and IFSA
- Trustees of Police superannuation funds
- Relevant Commonwealth agencies and departments (DEWR, APRA and FaCS)

Through a sub-committee consisting of Mr Greg Chilvers and Mr Rod Harty from NSW, Mr Chris Kennedy from Victoria, Mr Winston McNamara from WA and Mr Ross Musgrove from Queensland the PFA prepared a comprehensive submission to the review and held several meetings with the review team. The PFA also assisted the review by coordinating a range of statistical information from police jurisdictions.

The PFA's detailed submission was strongly supported by Australia's Police Commissioners.

Our paper highlighted that more than 30,000 Australian police (63% of all officers) could be confronted with having to work until age 60 in front line operational roles before being able to retire.

We did not argue that Australia's police are better than other workers, but we did argue that their work is different. It is different in that the community recognises there are far greater expectations on police than there are on other workers. The reasons for those expectations included:

- **Unique Nature of Policing** – Our argument focused on the unique nature of policing highlighting the issues which make it a far different and more dangerous occupation than other emergency services or the defence forces
- **Difference Between Police, Emergency Services and the Defence Forces** – A number of examples were given which we argued clearly showed the difference between Police and Emergency Service workers as well as those in the Defence Forces. Issues such as the injury rates of police as opposed to other Emergency Services workers, in particular the assault rate on police officers as well as the recognised high stress levels of policing were explored
- **Changes in Organisational Structures** – The submission identified recent changes in policing which have meant that positions once available for older officers away from the front line no longer exist and that successive governments and police departments have changed the management structures of policing pushing more and more officers into front line roles.

Chief Executive Officer's Report

(Continued)

- **Oath of Office** – We explained the impact that the “oath of office” has on police and the requirement for police to act in circumstances, whether on or off duty, when other members of society have no requirement to act.
- **Research into Police Stress** – The submission also highlighted the enormous amount of research which supports our argument about the stressful nature of policing and its long-term impact on police officers continually exposed to issues that other members of the community might never witness in a lifetime. Operational stressors including shift work, long hours, the unpredictability of policing, public scrutiny including the array of oversight bodies were examined.
- **Critical Incident Stress** – Critical incident stress was also explored and the issue of the public interest. We argued, does the general public expect to see 58 or 59 year old police officers turning up to wrestle with and arrest teenage youths? We argued not, however, preservation age rules may force such scenarios.
- **Overseas Experience** – We also provided the review with information on overseas superannuation/pension schemes for police in the UK, the US and Canada where most allow access to superannuation as early as 20 years of service and in almost all instances 55 years of age. We therefore argued that overseas governments have accepted that 55 years of age is an acceptable and legitimate age for police officers to be able to retire with full access to their entitlements.
- **Limited Numbers of Police Serve till Retirement Age** – We also argued that very few police nowadays continue until retirement age. This meant that we were not discussing large numbers of police being impacted by any change of government policy on Preservation Age. The submission highlighted the percentage of members over 50 years of age in police jurisdictions varies from 5.3% in NSW with a force of almost 15,000 to 11.4% in Western Australia with a force of just over 5,000.

We argued that, unfortunately, it will likely be the most vulnerable front line operational officers who will be affected by this policy. Front line operational police 55 years old who can no longer meet operational demands will simply not be able to find another job outside policing and a policy such as preservation age would see them having to continue as police officers for another five years just to gain full access to their superannuation entitlements.

The submission also offered a solution to the issue based on legal advice previously provided to the PFA.

In conclusion, we argued that Police Officers who have done their dirty, difficult and dangerous job for many years should not be forced to remain in a front line role beyond age 55 if they have a minimum 20 years service and do not feel they meet policing's ongoing physical and psychological demands. We simply sought that they be able to “Retire with Dignity” with full access to their superannuation.

Preservation Age Review Update – Government Rejects Police “Retirement with Dignity at 55” Proposal

Immediately before publication of this Annual Report, we received advice from the Federal Assistant Treasurer, Hon Mal Brough, that the review report:

“...recommended that no special exemption to the superannuation preservation age be made for police officers. After careful consideration, the Government has accepted the recommendation”.

We were advised that 23 submissions had been made to the Review and while we have not been provided with those submissions, it was pleasing to note that the report appears to indicate that all Police Commissioners and Ministers who made submissions have supported the PFA's arguments.

It also appears that those groups which did not support our position were in no way connected to policing and were in the financial, treasury and superannuation areas. It therefore appears that the Review and the Government have relied heavily on their submissions and taken little notice of the PFA, Police Commissioners and Police Ministers, that is, those who should know best the physical and psychological rigors of policing.

The outcome of the Review and the Government's decision will now be referred to the 2005 PFA Federal Council meeting for a decision on how to progress the issue.



Chief Executive Officer's Report

(Continued)

2. Superannuation surcharge

The issue of superannuation surcharge, particularly as it applied to the pre-'88 "Police Superannuation Scheme" in NSW was identified in the strategic planning process. The NSW Branch had been campaigning to have the surcharge's calculation reviewed given the inequitable way that it was being calculated, which was considered inconsistent with the objects of the surcharge.

The PFA assisted the Branch in a lobbying exercise with a function held at Parliament House and NSW politicians invited to attend. This was attended by a number of senior NSW police and Association officials as well as Members of the House of Representatives and Senators from NSW. This gave them a firsthand understanding of the unfairness of surcharge calculations.

While the Government has moved to abolish superannuation surcharge, the issue of the liability already incurred by NSW police in the pre-'88 scheme is yet to be resolved. Further information on the campaign can be found in the NSW Branch Report.

Policing Profession

The key objective was to clearly define the Police Profession, a long debated issue.

The development of a PFA sub committee was seen as a key strategy. That sub-committee is building on the ongoing strategies and resolutions from the 2003 Federal Council meeting, reported in last year's Annual Report, to progress the issue.

A key strategy identified by the 2004 Federal Council was:

Future of the Police Profession Conference

Last year, I reported on a proposed Police Professional Issues Conference. It has now been confirmed that the PFA will organise a "Future of the Police Profession" conference in Canberra in early 2006. This conference will go a long way in assisting to inform the PFA's thinking on this issue and allow the organisation to take a clear position for the future.

The conference will be underpinned by several streams each with a number of key topics identified:

• Exploring the role of police in a contemporary liberal democracy

Topics to include:

- Philosophy and models of policing
- Relationships with other professions (internal/external)
- Intergovernmental relations in policing (local/State/Federal)
- Protecting the independence and integrity of the office constable.

Topics to include:

- Private security/2nd tier policing
- Role of unions
- Oversight
- Politics of policing
- Identifying models for the strategic direction of the Policing Profession in Australia.

Topics to include:

- Education issues
- Registration
- Research
- Separation of policing profession from police employers.

Following this conference and investigations by the sub-committee the strategic plan calls on the sub committee to report to the Executive with a preferred definition for the policing profession which will become the basis for debate about a possible future professional registration model.

Chief Executive Officer's Report

(Continued)

Australasian Police Professional Standards Council (APPSC)

The Australasian Police Professional Standards Council push to professionalise policing continued throughout the year and Council at its meeting on 20 April 2005 resolved to "recognise a higher education degree in policing as a desirable professional qualification for Australasian practitioners; and that each Council member jurisdiction progress implementation as a requisite for practitioners at a time and manner appropriate to that jurisdiction". In light of the progression towards a tertiary qualification for police, work is also under way to identify the appropriate 'core content' of a degree for policing.

The Council has also agreed in principle to participate in professional mobility between Australasian member jurisdictions "in a time and manner appropriate to each jurisdiction" with work to be undertaken in development of an Australasian Memorandum of Understanding on the formal exchange of relevant information of practitioners who may seek appointment to other agencies. Some agencies have already, or are in the process of, drafting internal policies to provide for professional mobility.

Mr Helmut Winzler APM resigned as Executive Director of APPSC and Mr Ian Lanyon from Victoria Police has been appointed by Council as such pending the outcomes of the *Reviewing the Needs of Policing for the Future*, a review of the national Common Police Service Agencies and the national bodies established under the auspices of the Police Commissioners' Conference. This review was agreed to by the Police Commissioners' Conference 2005 and the Australian Police Ministers' Council 2005 and will undertake to review the strategies and roles of the various policing bodies and the overall structure, coordination, accountability and functionality of the these bodies.

The PFA continues to work closely with the Council and APPSC Secretariat.

Australia New Zealand Institute of Policing (ANZIP)

In last year's Annual Report I reported on discussions about a possible 'Police Institute'. Those discussions continued into this year following a discussion paper on 'The Formation of the Australian and New Zealand Institute of Policing'.

Such an institute would progress professionalisation of policing by focusing on:

- Establishment of an independent body which can influence the national agenda on policing issues
- Identification of research and promotion of best policing practice
- Provision of a collegiate and co-ordinated approach to issues, and
- Participation in public debate on all policing matters.

The PFA was represented on a working party investigating the concept and several meetings of that group were held.

A proposal was put forward that APPSC change its name to ANZIP to move the issue forward. At the same time it was agreed by the Commissioners' Conference and the APMC that a review of national bodies under the Commissioners' Conference should be undertaken as mentioned above.

In view of the proposal for a review and that a clear role for ANZIP had not been identified, the PFA together with most police jurisdictions did not support changing APPSC to ANZIP in the form proposed. The PFA was also concerned that APPSC was the only forum in which the PFA and the New Zealand Police Association met on an equal partnership basis with Australian and New Zealand Police Commissioners. Our concern was that a decision to abolish APPSC without a clear understating of what was to replace it might jeopardise that forum. Following the review the issue of ANZIP will no doubt be back on the Agenda.

Representation

Police Overseas Deployment Bill

In last year's Annual Report dealing with the International Deployment Group (IDG), we reported that we believed we had developed an agreement with the AFP and Federal Government that all members of the IDG would be given workers compensation coverage via the Veteran's Entitlements Act (VEA) until such time as a new police specific Act replaced the VEA, which was to be closed.

It was pleasing to note that at its National Conference the RSL supported our position and its National President Major General (rtd) Bill Crews wrote and advised the Minister for Justice and Customs Senator Chris Ellison of that decision.



Chief Executive Officer's Report

(Continued)

In early 2005, we became aware via both Queensland and NSW Police, who were at the time developing a Memorandum of Understanding with the AFP to provide police to the IDG, that the VEA coverage was not contained in the MOU. We made a number of inquiries and were advised that members in Papua New Guinea were not covered by the VEA but by ComCare, the same workers compensation provided to all Commonwealth employees.

Uneasy about the implications for members in PNG, we wrote in late March to the AFP Commissioner seeking re-affirmation of the AFP's and Federal Government's commitments that all IDG members were covered by the VEA. The most concerning aspect was that while the AFP and Federal Government had known for some time that members in PNG were not covered by the VEA, they did not notify the PFA, members or members' jurisdictions of this fact. Such notification was left to the PFA once we had uncovered the matter. The lack of professional courtesy causes great concern about future negotiations with the AFP on such issues.

Once the AFP knew we were aware of the lack of VEA coverage in PNG, the AFP and Government wrote to all Commissioners ensuring that coverage would be provided to police in PNG 'on a like basis' to the VEA.

The withdrawal of police from PNG following a court decision to abolish immunity from prosecution for Australian police has meant that this issue is not now as pressing as when members were working there. However, as this report is being compiled, we understand that this matter is no closer to resolution.

Via our strategic plan the PFA has confirmed that it will continue to pursue the development of a Police Overseas Deployment Bill. The Bill to be developed is to be specifically for police and of no less coverage than the Veteran's Entitlement Act and the Military Rehabilitation Compensation Act. This issue has the support of the United Nations Police Association of Australia (UNPAA) and the RSL. Success in this will ensure that all police serving in overseas missions have appropriate workers compensation provisions into the future.

National Police Memorial

The journey towards a National Police Memorial took a major step forward on 22 June 2005 with the announcement of the winning design for the \$2.4 million project. There were 76 entrants in the design competition which was won by Brisbane firm Fairweather Proberts Architects.

Architect Liam Proberts, the son of a former Queensland police officer and the brother-in-law of another, led the team which created the winning design. Mr Proberts said his aim was to make visitors to the Memorial realise that police were real people and that some of them gave their lives in the line of duty.



Queensland Police Minister, Judy Spence and PFA President Peter Alexander at Police Memorial design launch.



National Police Memorial design judging panel at work.

Chief Executive Officer's Report

(Continued)

The centrepiece of the Memorial design will be a low profile stone wall featuring a cast bronze panel for every fallen officer. Each panel will be angled out from the wall inviting visitors to touch it and will be perpetually lit from behind. A semi-enclosed seating area will offer opportunities for contemplation and reflection and a granite-paved floor will be engraved with inspirational texts chosen by fallen officers' families and others capturing the qualities of courage, duty and integrity shown by every one of the fallen police. The design allows sufficient room for large-scale ceremonies in an amphitheatre-like setting.

To coincide with the announcement of the winning design and plans for the start of construction the PFA has developed a National Police Memorial website, www.npm.org.au

This allow members and the public to follow the development of the memorial through a 'News' page which will be updated regularly during the Memorial's construction. The site will also identify where donations can be made towards the Memorial's construction. Ultimately, the site will contain the 700 plus names, details of their death and where possible photos of police officers honoured on the wall at the time of dedication on 29 September 2006.

At the time of compiling this report, we are well advanced in raising the PFA's \$800,000 contribution to the Memorial.

Federal Funding

There are two key objectives:

1. To have the Federal Government accept that crime is a national problem and it needs to take equal responsibility with State and Territory governments
2. To have the Federal Government implement a United States-style Community Oriented Policing Services (COPS) program with sufficient funds.

To successfully meet these objectives, the PFA will need to undertake substantial research, which is clearly one of the main reasons the Executive this year also agreed to the employment of a Research/Policy Officer.

In support of the objectives, the PFA prepared and presented a paper to the Australian Crime Prevention Council Conference in March 2005. The paper's key thrust was the PFA's suggestion that the Federal Government should formulate a national policy which supplemented and assisted local policing initiatives with federal government funding, as well as increasing funding to the Federal Police, thus ensuring that all parties who have an influence on local law enforcement share the burden.

The paper argued that a federal Government needs a holistic view of policing across the country to ensure the security of our nation and its communities. We suggested that this could be achieved in a range of ways including funding research into the appropriate use and regulation of private security, the development of a resource allocation formula for policing to ensure that State and Territory governments are providing sufficient police in each jurisdiction, a major strategic review of the AFP and the development of a Federally-funded innovative grants program for local community policing initiatives.

The challenge for the PFA in respect to these objectives is to engage the wider community in the debate over funding of policing in Australia.

Police Numbers and Resource Allocation

The key objective in this is to develop a reasonable and defensible formula for police numbers and their allocation. Such a formula would include research into geography, social and economic environments.

The result of this research will be the development of a discussion paper which can then be argued by the PFA in various forums including Commissioners and Ministers meetings, local community forums and within the media.

The IPC is also assisting in this strategy by examining a defensible resource allocation for first response or front line policing. Such a formula could be applied across jurisdictions to clearly identify how many police are required on each shift each day for the historical workload.



Chief Executive Officer's Report

(Continued)

Reportable Fringe Benefits Tax (RFBT)

In last year's Annual Report, I reported on further exemptions granted to police following PFA lobbying. These included some conveyancing issues, exemption from housing RFBT where the police house is adjacent to a police station, rental subsidies for police in 'regional' areas and a reporting exclusion for police officers attached to the Australian Crime Commission who were required to take a vehicle home when on call. We have received very positive feedback from members on these exemptions.

As part of the strategic planning process, we have agreed to continue researching Reportable Fringe Benefits Tax issues to ensure that police are not inadvertently affected by RFBT legislation due to requirements of their occupation.

In the past several months we have again identified significant anomalies in this legislation as it applies to police. They include:

- Home security installed by police departments for officers who have been assessed as "at risk" because of threats against them and/or their families due to their job. Currently, such home security is a reportable fringe benefit.
- Police departments, as opposed to members, are still subject to FBT on all 'on call' operational vehicles.
- Police departments are also subject to FBT for car parking of any 'on call' operational vehicle, which may have had 'private' use as defined under the Act.
- Some conveyancing cost reimbursement is still subject to RFBT for members.
- Any housing benefits for Police chaplains.

The PFA will continue to pursue these and other FBT issues as they are identified.

Salary Packaging

Currently, most Australian police officers have access to salary packaging. This objective identified in the PFA Strategic Plan is to gain access to a capped fringe benefits tax exemption, consistent with that available to public ambulance services and public hospital employees. Police officers have questioned why they are not eligible for a similar benefit.

The *Tax Laws Amendment (2004 Measures No. 2) Bill 2004* was passed on 18 June 2004 in the Senate and contains fringe benefits tax (FBT) and deductible gift recipient status changes for public ambulance services. It amended FBT law to provide public ambulance services with the same FBT treatment as that for public and non-profit hospitals.

Consequently, public ambulance services will be able to access:

- an FBT exemption of up to \$17,000 of grossed-up taxable value per employee; and
- remote area housing FBT exemption under the same criteria as public hospitals.

In addition, the income tax law will be amended to allow public ambulance services to receive tax deductible gifts.

Consequently, from 1 April 2004, where:

- the employer provides public ambulance services or services which support those services, and
- the employee is predominantly involved in the provision of those services,

fringe benefits are exempt from FBT, subject to a \$17,000 cap.

The \$17,000 annual cap threshold does not mean that each employee can receive \$17,000 in benefits tax-free which are not available to ordinary taxpayers.

The FBT imposes a tax on the grossed up value of benefits received. This means that the amount of benefits which can actually be earned tax free are a fraction of the \$17,000 amount.

Even though this benefit is technically derived by the FBT taxpayer – the ambulance service – in practice this is passed on to the employees. This exemption is a substantial benefit for employees of ambulance services and public and non-profit hospitals and would be very desirable for police officers.

The Executive is developing a strategy to pursue this issue.

Chief Executive Officer's Report

(Continued)

Industrial

International Deployment Group (IDG)

In last year's Annual Report, I detailed issues the PFA had identified about proposed conditions of employment for IDG members.

The key objective is to ensure that the conditions of service of all members are covered by an agreed set of conditions which contain a disputes resolution process.

As earlier reported, in the development of a Police Overseas Deployment Bill, the PFA's experience of the AFP's lack of professional courtesy on workers compensation coverage in PNG, suggests achieving this objective will be difficult.

The AFP appears to have no interest in negotiating IDG issues with the PFA. In April 2005, the AFP directed all IDG contingents that if the PFA or any of the State branches attempted to visit their IDG members overseas, they were not to be afforded any of the usual courtesies.

To date, we have had several matters arise where a disputes resolution process would have assisted the outcome of an issue. However, the AFP appears to be totally opposed to such a process leaving the PFA concerned that members' rights and entitlements could be abused by the AFP with no recourse.

The PFA, however, will continue to seek a disputes resolution process regardless of the AFP's stance.

We have raised the issue with the Police Commissioners' Conference (PCC), the Australasian Police Ministers' Council (APMC) and the Senior Officer's Group (SOG) so that State jurisdictions may pressure the AFP to ensure that their IDG members are treated appropriately on industrial issues.

Protecting and improving terms and conditions of employment, rights and entitlements

For an employee representative organisation whose key focus is its members' industrial entitlements, the objective of protecting and improving the terms and conditions of employment, rights and entitlements of police nationally is a core function.

The Industrial Planning Committee together with a sub-committee will develop documents comparing all terms and conditions of members across the country as well as those for police in comparable overseas jurisdictions.

Other Issues

Development of Queensland Branch and finalisation of WA Branch

It is pleasing to report that we have undertaken all the necessary rule changes and notification to bring all 5,019 members of the Western Australia Police Union into the WA Branch of the PFA.

A 'draft' set of Queensland rules has also been developed and we are in discussions with the Federal Industrial Registrar and the Queensland Police Union about them. It is expected that the Queensland Branch will be formed in the near future.

Development of Police Unions in the South Pacific

In early February 2005, the PFA joined an ACTU-organised delegation to Papua New Guinea which included the Australian Nurses Federation, the Australian Services Union, the Community Public Sector Union, the Finance Sector Union, the Maritime Union of Australia, the Transport Workers Union and the Australian Education Union. In all, 16 Australians participated in what was the largest delegation of Australian union officials ever to visit PNG. The key reason for the delegation's visit was to develop a relationship with our respective sister unions in PNG and agree on a protocol for ongoing liaison and cooperation.

Coincidentally, the PNG Police Association was to celebrate its 40th Anniversary on 26 February.

I met with the full PNG Executive and we developed a number of issues which we will pursue over the next few years including:

- Training for PNG Executive
- Assistance to develop a Health Insurance Fund for Police Association members
- Assistance with their Credit Fund
- Provision of computer equipment, phones, faxes etc which are surplus to needs in Australian Police Associations/Unions.

Chief Executive Officer's Report

(Continued)



ACTU delegation to PNG with local unionists.

I had a further opportunity to visit in April when I was joined by Mr Fred Wilson, CEO of the Queensland Police Credit Union whose attendance was organised by the Federation of Police Credit Unions which had agreed to advise on the financial viability of the PNG Police Association's Credit Fund.

His advice has seen the Fund undertake a number of initiatives to assist it into the future.

We trust that an ongoing liaison has now been developed between the PFA and Papua New Guinea Police Association.

PFA Staffing

Industrial Consultant

In March 2005, Mr Chris Hayes, the PFA's former industrial consultant won the by-election for the Federal seat of Werriwa vacated by former Labor leader Mr Mark Latham.

Mr Hayes was employed by the PFA in 1997 as National Industrial Officer and in late 2000 he resigned that position to set up a private consultancy. Since then, he worked with the PFA in a consultancy capacity.

He made an outstanding contribution to the PFA during his eight years with the organisation and played a significant role in the development of the Northern Territory Police Arbitral Tribunal.

Mr Hayes will join several other parliamentarians from both sides of politics who fight hard in Federal Parliament for Australia's police officers and policing.



Former PFA industrial consultant Mr Chris Hayes as new Federal Parliament member for Werriwa.

Media Consultant

As part of the PFA's strategic planning, the Executive endorsed the engagement of a part-time media consultant. That position was filled in May 2005 by Mr Frank Cassidy from CMedia.

Through this appointment, the PFA hopes to develop a wider understanding of its work both among our membership and the wider community.

Research/Policy Officer

The Executive also endorsed the engagement of a part-time research/policy officer.

At the time of writing this report, applicants have been short listed.

Chief Executive Officer's Report

(Continued)

Federal Industrial Legislation Issues

The Federal Government's plans for a unitary system of Industrial Relations in Australia could significantly change the way the PFA and its Branches operate industrially.

The issue was discussed at length at several Executive meetings and the Executive invited Ron DeLord, President of the Combined Law Enforcement Associations of Texas (CLEAT) to Australia to address the Executive in Adelaide in July 2005. That meeting was also addressed by barrister Mr Tim Stanley and solicitor Mr Morrie Bailles who advised on the impact of such changes on our organisations. During these discussions, we have had great support from Mr Giuseppe Carabetta, a commercial law lecturer in the School of Business, Faculty of Economics and Business at Sydney University. We also sought advice from former PFA Industrial Consultant Mr Chris Hayes.

The Executive also met both the ACTU and Workplace Relations Minister Kevin Andrews.

Currently, the Australian Federal Police and Victoria Branch are in the Federal system, while the Northern Territory has a Police Arbitral Tribunal under the Police Administration Act. All other jurisdictions are covered by State industrial relations systems.

The Federal Government's proposal to use its corporations power in regulating industrial relations is likely to result in a unitary industrial relations system. While the States and ACTU have indicated that they will challenge these changes in the High Court, a successful outcome for the Federal Government will leave a question mark over the fate of existing State regimes. State Governments will essentially be left with "rump jurisdictions" which will comprise employees and their employers who are sole traders, partnerships or unincorporated associations as well as State employees who are not captured by the corporation's powers, including police. This will leave State Governments in the position of maintaining an expensive industrial regulation system for a small number of employees. They may choose to do so. Alternatively, they may elect to refer their power over industrial matters to the Commonwealth. This action could open the issue of the registration of State Police Associations/Unions.

One possible way to overcome this is for the Federal Government to refuse such referral of police, forcing State governments to maintain some form of industrial arrangement for our members.

A move into the Federal industrial relations system would also make police officers vulnerable to all other aspects of the Workplace Relations Act such as the application of Australian Workplace Agreements (AWA's), the restriction of right of entry to workplaces and the use of protected industrial action in pursuit of salary outcomes for your members.

We are particularly concerned about the possible pursuit of AWA's in policing. In a disciplined service where members are subject to a defined command structure, and also a service where the Oath of Office is a central feature governing the discharge of duty by Police Officers, the use of AWA's we argued would be inappropriate. The productivity component of AWA's for police could also be problematic. The community would fear that police productivity might be measured by arrest or infringement notice numbers. Also, there is the fear that officers could feel compelled to comply with superiors' inappropriate actions to gain a satisfactory AWA. We suggested the Federal Government should seriously consider these issues before allowing introduction of AWA's to into mainstream policing.

We also argued that to uphold the Oath of Office could be prejudicial to the capacity of Police to fully participate in enterprise bargaining particularly as we are an essential emergency service.

Our key concern is that following the proposed changes, police may be left in a less favourable industrial position.

We will endeavour to ensure that any changes proposed by the Government do not inadvertently impact on our members' ability to provide a professional policing service or in any way undermine the community's safety.



Mr Ron DeLord, President of the Combined Law Enforcement Associations of Texas (CLEAT) addressed the PFA executive in Adelaide.



Chief Executive Officer's Report

(Continued)

If, as we suspect, State industrial systems are abolished following these changes, Australia's 50,000 police will be industrially vulnerable. We advised the Government that such an outcome would be totally unsatisfactory and cause all police unions under the PFA banner to take whatever action necessary to redress such a situation.

At the time of compiling this report, the actual legislation is unknown as it is not planned to be introduced into Parliament until October 2005. Regardless of that, the Executive, at its Adelaide meeting resolved:

"That this Executive Meeting confirm that the PFA is opposed to the proposed federal industrial relations changes

"That the CEO be authorised to write to the Prime Minister advising him of our position and our reasons for such opposition

"That the CEO and President be authorised to make public comment on the PFA's position."

The next 12 months in this debate will determine the overall impact which the proposed changes will have on Australia's police.

Parliamentary Inquiries

Senate Select Committee on Mental Health

The PFA made a submission to this inquiry and gave evidence in May 2005. The submission was predicated on a number of issues:

- We accepted that police will inevitably be in the front line of dealing with the mentally ill by virtue of the 24/7 nature of our service
- We also accepted that there will always be a law enforcement role for police in emergencies where mentally ill people pose a risk to themselves or to others
- However, we argued that a lack of Mental Health services was putting too many mentally ill people into situations of serious confrontations with police. There were numerous examples where police officers were being wrongly used by Health Departments due to their lack of staff or a disregard for the role of police.
- On the burden of police transporting mentally ill patients, we argued that:
 - In many areas police were still used for inter-hospital transfers, something they should not do unless there were a safety issue
 - In rural and remote areas with even more limited health resources, police were being used because they were the only service available 24/7.
 - On the use of police vehicles for such transport we argued that:
 - Police vehicles lacked suitable restraints
 - There were no professional carers for the transport
 - In some jurisdictions such as WA, the distances to be traveled were enormous
 - Police vehicles for this purpose was demeaning to the mentally ill and their families
 - The use of police in such situations deprived the rest of the local community of their policing services. The only other option we suggested was to call other police out on overtime which then affected the local police command's budget.
- As a result of the concerns, we recommended that where mentally ill people cannot be transported in a dedicated mental health ambulance, and police are required for the transport, then it should be on a cost recovery basis from the Health Department

Chief Executive Officer's Report

(Continued)

- In conclusion, we argued that a long-term commitment by all levels of Government was needed to fund more beds in hospitals and mental health facilities, more staff and better resourced community support programs. This would remove many of the burdens currently confronting police in this area and return them to Health Departments staffed by mental health professionals.
- Review of Aviation Security in Australia.

In a submission to the Aviation Security and Policing Review conducted by the Rt Hon Sir John Wheeler JP DL as well as the Review of Aviation Security in Australia by the Joint Committee of Public Accounts and Audit, the PFA argued a number of issues.

We said while the aviation industry needed to take responsibility for the security of its assets – because those assets could also be used to threaten the wider community – this meant that all Australian governments consequently had a security and policing responsibility. We argued that ultimate responsibility for the safe aerial carriage of people, property and the protection of all Australians from the misuse of aviation assets rested with the Commonwealth. Therefore, it was incumbent on the Commonwealth to provide a clear hierarchy of responsibilities for agencies at airports. Because of the array of police and security at airports varied from State to State, it added to the issue's complexity and uncertainty.

The coordination of all security, we argued, is a fundamental police function for which the Australian Federal Police should be responsible. In other situations such as at small regional airports or where other arrangements are already in place, State police are responsible. Our submission said it was imperative for such arrangements to be formalised, coordinated and overseen by the AFP and properly funded by the Commonwealth. Placing the AFP in the senior coordinating role for aviation security should alleviate political point scoring between the State and Federal governments.

We proposed that the airline industry should be responsible for what goes on board aircraft and the Federal Government should be responsible for all other aspects of security including policing, border protection and counter terrorism.

We argued that there was a need for coordinated intelligence collection, analysis and dissemination coupled with the ability to quickly institute intervention and enforcement operations. A formal agreement to involve State police agencies at some airports or performing some functions would ensure this intelligence function was properly undertaken.

The PFA argues that aviation security in Australia should be underpinned by several key principles:

- Public safety should take precedence over any commercial considerations.

This supports the argument that the senior airport coordination role should be undertaken by a police officer with independent powers of office. The commercial contractual arrangements for AFP Protective Service Officers should be reviewed in the context of this principle.

All airport-related businesses are driven by profit but at times profit stands in conflict with pragmatic and informed analysis of risk. Such organisations should not have executive authority in relation to safety, security and law enforcement outcomes at airports.

- Any role relating to the investigation of crime, regulation and the ultimate protection of airport assets, safety of personnel and/or clients should be undertaken by a duly sworn police officer.

The rationale behind this principle is that to undertake the above functions policing skills comprising investigation expertise, powers of search, detention and arrest are needed. Such an array of powers is only granted to police officers. It is universally recognised that police stand at the peak level of accountability in terms of both covert and overt integrity and accountability mechanisms. Such mechanisms are underpinned by legislation involving independent scrutiny of police conduct.

- Subordinate security roles including passenger screening and baggage screening (domestic and international) should be undertaken by appropriately trained AFP Protective Service Officers.



Chief Executive Officer's Report

(Continued)

The rationale behind this principle is that currently there are a number of different private security firms across Australia with no formal linkages, no public accountability, with disparity in levels of training and differing standard operating procedures. The individual security officers' key stakeholder is their employer.

To ensure that there is a nationally consistent standard of coordination of training, accountability and collection and exploitation of intelligence, including criminal intelligence the function should be undertaken by AFP Protective Service Officers (PSO's). This also ensures public compliance and confidence. It is also relevant that PSO's are AFP employees subject to higher standards of oversight. As part of the AFP they are promptly made aware of, and have access to, emerging intelligence relevant to their function. This proposal is consistent with reforms that have taken place in the United States since September 11 when the US Government took over control of these functions which had previously been contracted out. We argued that this was a critical issue which needed to be urgently addressed.

We concluded by observing that inevitably the Commonwealth Government would have to place a lower reliance on private sector, shareholder accountable organisations and a higher reliance on publicly accountable law enforcement agencies. To do otherwise would place the safety of the Australian public at risk.

Police Commissioners' Conference (PCC), Australasian Police Ministers' Council (APMC) and Senior Officers' Group (SOG)

The PFA has enjoyed access when we have sought or have been invited to the PCC, APMC and SOG. During the past 12 months, we have made presentations to all these on issues of concern to members.

At present, we have three key matters before the groups for consideration and, we trust, endorsement. These are:

1. Seeking support for development of an 'Overseas Deployment Package' for all State, Territory and Federal police (such package to be separate to the current International Deployment Group arrangement) and seeking nomination of a representative to enter into negotiations with the PFA for development of such a package.
2. Seeking support for the development of a disputes settlement process for the IDG and that they request the AFP to enter into negotiations to develop such a process
3. Seeking support for development of a Police specific '*workers compensation/welfare*' Act to cover all overseas deployments of Australian Police. Such Act should have no lesser coverage than that available under the Veterans' Entitlements Act (VEA) and the Military Rehabilitation Compensation Act (MRCA).

Issues two and three have been dealt with in some detail in the earlier sections of this report on the IDG and Police Overseas Deployment Bill respectively. Item one arises from matters surrounding members deployed to Operation Cawdor following the Boxing Day Tsunami.

The PFA strongly supported the efforts of Commissioners in that operation and appreciated the goodwill and co-operation exercised. However, a number of matters arose during discussion about Cawdor.

The PFA's involvement was due to the potential number of jurisdictions involved, to ensure that members were provided with appropriate welfare, medical and psychological support and that other entitlements were unambiguous. Those concerns were shared by all jurisdictions which provided members for the Operation.

Obligations such as workers compensation, and other general health, safety and welfare considerations were not all fully understood. We accepted that this was understandable, due to the sudden nature of the disaster, the urgent humanitarian role, the time of year and the roles that members were asked to perform.

The PFA proposed that an agreement be negotiated to cover such future deployments. Such agreement could cover all aspects of the deployment. All other issues would have been agreed to previously through a negotiated process and would be evoked as soon as a deployment was required.

The PFA's view has been supported by a number of Commanders from jurisdictions which had responsibility for identifying volunteers for deployment.

Chief Executive Officer's Report

(Continued)

We also suggested that such an agreement could also be tailored for short-term specific interstate deployments such as an act of terrorism. Such an approach would allow Commanders to simply identify the appropriate personnel with all other matters covered in a specific agreement.

The PFA made a submission to that effect to the PCC, APMC and SOG and the matter has been referred to the 2006 PCC. While we are concerned about the timeframe, we are confident of a favourable decision enabling us to avert some of the issues of concern in the lead up to and during Operation Cawdor.

International Law Enforcement Council (ILEC)

The Police Federation of Australia was invited to participate in the International Law Enforcement Council (ILEC) being hosted by the Police Federation of Scotland in November 2004. The PFA was represented by President Peter Alexander and CEO Mark Burgess.

In the two days before ILEC we were invited to participate in meeting of Joint UK Police Federations. Some 70 delegates from the Police Federations of England and Wales, Scotland, Northern Ireland and the British Transport Police attended together with international delegates from Australia, New Zealand, Canada and the United States. A number of the issues were also raised at the ILEC, although the joint UK meeting allowed us to hear direct from workplace delegates about key issues affecting members on the ground.

Issues on the Joint Federations of the UK agenda included:

- Disability and Policing
- Police Pensions
- Less-than-Lethal Weapons
- Eurocop (European Confederation of Police)
- Misconduct Issues
- Police Reform
- Training
- Gun Crime.

The following organisations representing more than 1,000,000 members attended the ILEC Conference:

- Association of Garda Sergeant and Inspectors
- British Transport Police Federation
- Canadian Professional Police Association
- Combined Law Enforcement Associations Of Texas
- Danish Police Federation
- European Confederation of Police
- Garda Representatives
- National Association of Police Organisations (US)
- New Zealand Police Association
- Police Association of New South Wales
- Police Federation of Australia
- Police Federation of England and Wales
- Police Federation for Northern Ireland
- Queensland Police Union
- Scottish Police Federation

ILEC meetings are held every two years and hosted by a participating country. They commenced in Canada with the Canadian Police Association hosting the first in 1996 and the second in 1998. Since then the Police Federation of England and Wales hosted in 2000 and the Police Federation of Australia in 2002. ILEC brings national police unions together to discuss policing and police union issues through sharing information as well as fostering good relations.

The 2006 meeting will be hosted in the US and we can expect more national agencies to attend.



Chief Executive Officer's Report

(Continued)

Delegates to the 2004 meeting agreed that ILEC needs a home address and secretariat. Mr Dale Kinnear, Director of Labour Services for the Canadian Professional Police Association has agreed to act in that capacity until the 2006 meeting. The CPPA expects to have an ILEC website up and running in 2005.

The ILEC meeting also determined to form a small committee to investigate and report back on the future conduct, co-ordination and structure of ILEC meetings. A committee consisting of Mr Kinnear, Mr Greg O'Connor President of the New Zealand Police Association, Mr Bill Johnson Executive Director of the National Association of Police Organisations (US) and Mr Mark Burgess Chief Executive Officer of the Police Federation of Australia was formed to report back with recommendations at the 2006 meeting.

The 2004 ILEC Conference agenda included:

- Assaults on Police, Risk of Contracting Infectious Diseases and Legislative Protection
- Standards of Police Equipment
- Potentially Incriminating Duty Related Statements
- Low Cost Alternatives to Policing
- International Labour Organisations Conventions
- Police Mobility and Professionalism
- Police Reforms and Contemporary Policing Problems
- Future Work of ILEC.

Following written submissions, presentations and delegate discussion on the ILEC agenda items, participants committed to the following:

ILEC 2004 IN-PRINCIPLE AGREEMENTS

Assaults on Police, Risk of Contracting Infectious Diseases and Legislative Protection

The International Law Enforcement Council views attacks on police officers acting in the lawful execution of their duty as an attack on society itself. We call on governments to take seriously the question of prevention, prosecution, penalty and post-incident support for officers subject of such attacks.

Equipment Standards

The International Law Enforcement Council calls upon all police governing bodies to provide equipment which meets or exceeds minimum safety standards that provide officers with a safe work environment.

Independence and Integrity of Investigations of Police

The ILEC argues that the public deserves a police force free from improper prosecutions or sanctions borne out of undue political influence and special interest group pressure.

Government Obligation to provide for Public Safety

The ILEC argues that public safety, the core obligation of government, is being compromised when governments choose to utilise the services of inadequately trained and qualified persons as an inappropriate substitute for properly trained law enforcement professionals in public policing responsibilities

Police Mobility and Professionalism

The ILEC seeks an internationally accepted accreditation system for law enforcement professionals which allows for increased mobility of police through initiatives such as mutual recognition of the equivalency of qualifications from other jurisdictions, comparable to doctors, nurses and other like professionals

Freedom of Association

The ILEC, through structures such as the International Labour Organisation, calls upon all Governments to recognise the right of police officers to freedom of association and the right to bargain collectively

Chief Executive Officer's Report

(Continued)

Terrorism

While the issue of terrorism has been with us for some time following September 11 and the Bali bombings, the London bombings in July 2005 again brought home just how close Australia could be to a terrorist attack.

At the PFA's July 2005 Executive meeting in Adelaide the following motion was carried:

"That the CEO draft a letter to the Prime Minister regarding our concerns about terrorism and calling for a Summit. Such correspondence include a demand for the PFA to be represented at the Summit."

In the days leading up to the Executive Meeting, Australia's Premiers and Chief Ministers had called for a Terrorism Summit with the Prime Minister. Following that call other groups also sought to be involved. The PFA supported the call and likewise sought a seat at the table.

We argued that Australia's police will be first to respond to any terrorist act. The fact that the AFP had less than 2,000 police in Australia made it inevitable that State and Territory police would be the first responders. The PFA wanted to make sure that there was appropriate intelligence sharing to assist Australia's front line police, and that they had appropriate training and resources. We argued that the Australian community and its police needed reassurance that the Federal and State governments had jointly provided the resources, training and support for policing to respond to such acts. We also wanted to know how it was to be funded and who would perform what function. We see it as vital that all State, Territory and Federal jurisdictions are properly coordinated and resourced.

At the time of writing the Prime Minister has called a Summit with Premiers and Chief Ministers under the COAG arrangements.

No doubt this issue will continue to be debated at length in the coming months.

Conclusion

A perusal of Annual Reports over the past few years would clearly outline the many achievements and the advancement of the PFA on behalf of Australia's 50,000 police. However, there are a number of major challenges on the horizon, some of which have already been discussed in this report and for which we must be prepared.

The Federal Government's proposed industrial changes, already outlined, while in the short term may not impact directly on police, could in the long term have a significant detrimental effect on members' terms and conditions of employment. There is also a likelihood that our members will find themselves directly involved in this national debate in their professional capacity as police due to protests and picket lines. The irony may be that the same issues which are causing unions and community groups to protest, will also adversely affect police. However, by virtue of our oath of office we will be required to keep the peace. This issue could ultimately pose a real ethical dilemma for Australia's police.

The issue of terrorism and our Government's response to it could also have a significant impact on the future of policing.

Already we are witnessing an incursion into traditional policing roles by private security and 2nd tier police. There is little doubt that under the guise of anti-terrorism strategies, governments will seek less costly forms of security than police. Already there have been suggestions of installing heavily armed private security with sniffer dogs on public transport. I suggest that the community would be appalled at such a move and it is one that that PFA, hopefully supported by Australia's Police Commissioners, would oppose.

We need to remind governments that central to sworn police officers is

their oath of office which ensures they act without fear or favour and cannot be directed to exercise their powers. Private security agents have no such oath of office. They operate at the whim of the employer and are employees in the true sense of the word. They are subject to the direction of those who pay their salaries. The sworn officer is accountable to the State and the law. The private security agent is accountable only to



Chief Executive Officer's Report

(Continued)

his or her employer. What happens if the interest of the private employer differs from that of the state or the law or indeed the public interest? How are private security persons made accountable and to whom are they accountable?

Recent comments by the Victorian Director of Police Integrity George Brouwer where he suggested that outsourcing of traditional police and security roles to the private sector could create an environment for corruption but was beyond the scrutiny of regulators, appear to support the PFA's concerns.

Governments have an obligation to ensure all Australians have equal access to policing services. It should not be that those who can afford them are well served because the consequence will be that those who are most in need of policing services will be those who are least likely to be able to afford them. For this reason we must maintain a strong public policing presence in our society. With law enforcement, you get what you pay for. Real police cost real money. However, we must also be open to investigating and evaluating successful strategies from other parts of the world.

The issue of the future of the police profession is another area in which Australia's Police unions must play a significant role in the debate.

For too long we have waited for successive Commissioners and Ministers to set the agenda for the future of our profession and an agreed vision has never been forthcoming. It is time that the profession itself began to determine these issues. The importance therefore of the "Future of the Police Profession" Conference planned for early 2006 is vital. It will give an opportunity for police officers themselves to determine their profession's future.

Last year the Federal Council importantly determined the strategic direction for the PFA. That plan was developed in the knowledge that policing operates in a dynamic and complex environment and as such we need to continue to reevaluate our direction and priorities on a regular basis. This is a task for the Executive and our strong stance on issues such as the industrial relations debate and that of the threat of terrorism are examples of how we are quickly able to take a proactive position in relation to issues as they arise. It is also evidence of how we can use our sub-committee structure of the Industrial Planning Committee (IPC) and Women's Advisory Committee (WAC) to identify future issues and develop strategies.

The PFA, as the only voice of all Australian Police, is playing a vital role in ensuring that the views of 50,000 police are heard. The PFA Executive led by President Peter Alexander for the past six years has positioned itself well for the future and I take this opportunity to thank him and the Executive for their support and that of the Branch administrations and elected officials. Without that cohesion and strength we would not be able to represent our members effectively.

Also, I take this opportunity to thank Ms Debbie Martiniello, an extremely capable administrator and support for me and the whole Executive. Finally, I thank the PFA's former industrial consultant Mr Chris Hayes who has now left the PFA to take a seat in Federal parliament. Mr Hayes was a great support to the PFA and Australia's police.

The challenges for policing are many as they are for the PFA as well. However, the PFA is well positioned to meet these as they arise and also ready to take advantage of opportunities on behalf of our membership. A strong and successful PFA will also ensure that the challenges confronting policing are met and responded to on behalf of Australia's 50,000 police and the communities they serve.

Mark Burgess

Chief Executive Officer

Industrial Report

Industrial Planning Committee (IPC)

The Industrial Planning Committee held three meetings in the past 12 months – 3 and 4 November 2004, 10 and 11 May 2005 and 14 and 15 July 2005. All were held at the PFA's Canberra office.

Three branches concluded EB negotiations in the past 12 months – South Australia, Northern Territory and New South Wales. In the November '04 meeting Mark Carroll from South Australia gave the IPC an in-depth explanation of the SA EB and in the July '05 meeting Di Yali from Northern Territory and Ray Collins from New South Wales did likewise. These presentations give all Branches an opportunity to understand the full details of each deal and ask questions about various aspects. A more detailed explanation of each outcome can be found in the Branch reports.

The IPC continued in their vital role in providing advice to the Executive on a range of issues impacting on policing Australia wide. Those issues included:



ACTU Assistant Secretary Richard Marles addresses the November 2004 IPC meeting.

Comparative conditions and salary information

This document is invaluable in allowing Branches to compare conditions across jurisdictions as well as compare salaries at various pay points for ranks.

Information includes shift penalties across all jurisdictions, meal break entitlements, meal allowances, overtime and other penalty rates, public holiday entitlements, plain clothes allowances, in-charge and higher duties allowances, on-call and re-call allowances, weekly hours of work, motor vehicle allowances and various leave entitlements.

It is used extensively by branches when preparing for EB negotiations.

International Deployment Group (IDG)

The IPC continues to be the key group providing advice to the Executive on all aspects of the IDG.

IPC members are generally the first contact point when their own members who are on IDG duties experience problems. Those outstanding IDG issues in the CEO's report are matters being dealt with by the IPC.

The issue of a disputes resolution process is one which is causing some concern as we have already experienced several issues where such a process would have been invaluable in resolving disputes at an early stage. While the PFA at this stage is pursuing resolution of this issue through the SOG and Commissioners' Conference, it may be that a Branch will be forced to lodge a dispute over the disputes resolution process in an endeavour to resolve the matter.

Mobility/Lateral Entry at Rank Model

The IPC has been tasked by the Executive to research appropriate mobility/lateral entry at rank models with recognition of prior learning.

Currently, both South Australia and New Zealand have recruited police from the UK and it is understood that other jurisdictions may also be considering similar action. Some of the UK police who have moved to Australia held substantive ranks up to Inspector and are now working as Constables in their new jurisdictions. The issue of interjurisdictional mobility is also on the national agenda and it is only a matter of time before members are able to move more freely across jurisdictions at rank. The Executive believes the IPC's review of current arrangements together with relevant recommendations will assist Branches in determining how



Industrial Report

(Continued)

prior learning and experience can be taken into account when interstate or overseas recruits join jurisdictions.

This matter has also been referred to the 2005 PFA Federal Council meeting.

Striking the Balance

The IPC is the focus point in organising a PFA submission to the Striking the Balance project which was launched by Sex Discrimination Commissioner Pru Goward. This aims to examine family friendly responsibilities and paid work.

The project will engage men as well as considering the private world of the home as the flipside of the world of paid work.

Margaret Hogan from Victoria Branch is coordinating the PFA submission to the inquiry.

Federal Industrial Legislation

The IPC has played a vital role in advice to the Executive and Branches on the Federal Government's proposed industrial relations changes.

At its November 2004 meeting, the IPC was addressed by ACTU Assistant Secretary Richard Marles. That presentation, together with the insight of both the AFPA and Victoria Branches which currently operate within the Federal industrial relations system, allowed the IPC to advise the Executive and respective Branches on how to deal with these IR proposals.

The IPC has also assisted in development of a 'model' jurisdictional police tribunal.

A number of the IPC members have subsequently attended Executive meetings where the IR issues were further discussed and their input sought.

Women's Advisory Committee (WAC) Report

The Women's Advisory Committee (WAC) has held two meetings – 23 and 24 May and 9 and 10 August 2005.

The key strategies and plan for the WAC centre on:

- Increasing women's involvement in police unions
- Developing mentoring policies
- Family friendly working conditions benchmarks
- Superannuation implications for part-time workers
- Child care
- Increasing awareness of women's issues in branches' journal articles
- Research on barriers to women's progress in police unions and other issues, such as an undervaluation of "women's work" in police services.

The meeting held in May 2005 was addressed by Ms Cath Bowtell, Industrial Officer of the ACTU. Ms Bowtell informed delegates on ACTU test cases, such as the Work and Family Test Case and the National Wages Case. It was important for delegates to hear about such test cases as police are not minimum rates workers and are not reliant on test cases to deliver wages and conditions outcomes. It was valuable for women in a male-dominated industry such as policing, to have an appreciation of workers who do rely on national test cases, who are in the main undervalued occupations.

Ms Bowtell also addressed delegates on the inquiry into paid and unpaid work being conducted by the Federal Sex Discrimination Commissioner Pru Goward: *Striking the Balance*. This report looks at better ways of men and women sharing paid and unpaid work, and parenting and caring responsibilities. The PFA WAC is, at the time of writing this report, drafting a submission to that Inquiry. This will focus on the need for police services to provide family friendly working conditions, as outlined in the PFA WAC's "model conditions of employment" document so that men and women are better able to balance work and family life, and better share in unpaid work in the home and parenting and caring responsibilities.

Women's Involvement in Police unions

The PFA WAC has developed a matrix on a statistical analysis of women and the positions they hold in each of the branches. This provides an easy method by which each branch can track its progress and make comparisons with other police unions. The PFA WAC endorsed at its August 2004 meeting the adoption of a training/mentoring model to train women activists to, for example, conduct workplace meetings. The model package is one used by the National Tertiary Education Union. The PFA WAC recommended that each union consider implementing a similar program and tailoring it to each branch's own circumstances.



The PFA Women's Advisory Committee members

(Back row, left to right): Peta Ross (QLD), Jodie Cole (SA), Kim Travers (WA), Sharon Wills-Taylor (TAS), Nicole Aikman (AFPA), Debbie Robertson (VIC), Lauren Hill (NT).

(Front row): Margaret Hogan (VIC), Janet Mitchell (VIC), Cath Bowtell (ACTU)



Women's Advisory Committee (WAC) Report

(Continued)

Developing Mentoring Policies

The PFA WAC considered three types of mentoring policies currently in place in either PFA branches or other unions. The mentoring models are:

1. *The Anna Stewart Memorial Project.* This project involves women members working with their branch union for a two-week period and 'shadowing' industrial officers/field officers/organisers. The project is coordinated by State trades and labour councils and also involves training sessions conducted by them. It is available to all states, except New South Wales where Unions NSW does not oversee the project.
2. *Train the Activist* program developed by the NTEU. This involves women activists being targeted for specialist training to conduct workplace meetings, conduct negotiations, and help in running union campaigns.
3. *Women workplace delegates.* This model has been adopted by the Vehicle Builders section of the AMWU and involves each workplace shop steward having a 'deputy' steward who must be female. The industry is male-dominated and so it allows women to be trained as delegates and engage in workplace issues and negotiations which they otherwise would not. This arrangement is in place in the Certified Agreement covering workers at the Ford Motor company. It also has the added benefit of increasing workplace delegates.



Ms Jan Berry, Chairman of the Police Federation of England and Wales, addresses the Womens Advisory Committee in August 2005.

The PFA WAC recommended all three as worthy of consideration by branches.

Family Friendly Working Conditions Benchmark Document

This was previously known as the "Model conditions" document. It is updated continuously and is valuable for branches in preparing for enterprise bargaining.

Superannuation Implications for Part-time Workers

Superannuation was identified by the PFA WAC as a matter affecting women's long-term financial security, as they are more likely to spend time out of the workforce through child bearing and rearing, and more likely than their male counterparts to take up part-time employment. Consequently, their final superannuation amount is affected. This issue is difficult to attack nationally as each State and Territory has its own scheme or schemes operating quite separately from each other. The PFA WAC did, however, identify the Commonwealth Co-contribution scheme as a means by which workers, including police, are able to contribute extra amounts into accumulation schemes up to a threshold of \$58,000 with the Commonwealth matching the contributions on a sliding scale. An article on this suitable for publication in police journals was distributed through the PFA WAC via the CEO.

Child Care

Child care is one of the family friendly benchmark conditions which is, sadly, not provided by any police jurisdiction. The matter arose at the 2004 PFA WAC in terms of a discussion centred on whether employer-operated schemes were the best and gave optimum choice to employees. As a result of this, it was determined that more research would be undertaken to test whether the benchmark of employer owned and/or operated child care was the appropriate benchmark. A paper was presented to the May 2005 PFA

Women's Advisory Committee (WAC) Report

(Continued)

WAC which resolved that employer owned and/or operated child care centres are the appropriate benchmark as this was the only type of child care to offer tax benefits to both the employer and the employee. The employer gets a tax benefit in the establishment of the centre, and the employee is able to salary sacrifice the fees paid to the centre. The other types of child care in the benchmark document, which are reserving places in existing childcare centres, and family day care can be pursued but have no tax benefits to either employer or employee. In particular, family day care should be avoided because it involves one carer in her own home, with no proper curriculum and is a non-unionised sector; a matter which should concern a national union such as the PFA.

Increasing Awareness of Women's Issues in Journal Articles

This is a standing item on the WAC agenda to keep track of journals as a communication tool for matters relating to women members. It was noted that some journals ran women specific articles throughout the year. Branches are encouraged to continue with the practice.

Research into Barriers to Women's Progress in Police Unions and Undervaluation of "Women's Work"

Some basic research has occurred on the undervaluation matter, formerly called 'pay equity'. The WAC decided on the change to "undervaluation" as this is consistent with the work carried out in both the NSW and Qld pay equity inquiries. The WAC is looking at the possibility of a university student undertaking the research which would look at areas where women tend to be congregated in police work, such as sexual assault units and determine if there is any undervaluation of this work in comparison to where men are grouped such as special operations groups. Research on barriers has yet to be commenced, although there is already some work by South Australian academic Dr Barbara Pocock on this issue.

Affiliates – Reports

NSW

The NSW Union and its associated body, the Police Union of NSW, have been extremely active of the past 12 months. A number of significant gains were achieved by the union on behalf of members during a period of consolidation of the internal organisational restructure as reported last year. The Union has adopted organising as its principal model of operations with member involvement at all levels being instrumental in the outcomes that have been secured.

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



*NSW Branch
President Bob
Pritchard.*

Award 2005

The Award 2005 campaign was successfully finalised in June this year following a vote by the membership to accept the comprehensive package of salary increases and improvements to employment conditions. Members voted in favour of the package by a majority of more than 73% – the highest acceptance rate since the option of plebiscite was introduced.

The campaign was undertaken over two years and involved a survey of members (3,000 responses), member focus groups and meetings of key stakeholders. This process culminated in elected delegates to Biennial Conference setting direction of the claim. Ultimately, mass meetings of members throughout the state threatened industrial action prior to an offer being received. The Union's Executive endorsed the offer to a Special Conference of the delegates who recommended that members accept the proposal.

Key Points

- All members received a minimum of a 17.1% increase payable within 3.5 years
- 4% increase from 1 July 2005
- 4% increase in 2006/7 (2% 1/7/06 and 2% 1/1/07)
- 4% increase in 2007/8 (2% 1/7/07 and 2% 1/1/08)
- 4% increase in 2008/9 (2% 1/7/08 and 2% 1/1/09)
- No Trade Offs
- Shift allowances increase in line with salary increases
- Increases in Special Duties Allowances of 17.1%
- 214 Leading Senior Constable Positions for reallocation to General Duties and other duty types eg: HWP, Transits, etc
- 14 weeks paid Maternity Leave
- 1 week paid Paternity Leave.
- Access to Extended Leave after 7 years
- Ability to take Extended Leave at double pay
- Agreement for Union to make application to the IRC seeking a review of the formula for shift allowance calculation.

Sergeants

- From 1 July 2006 implementation of new Sergeants pay scales
- Accelerated incremental progression and overlapping pay scales into the Senior Sergeant rates. Conversion based on time on rank at 1 July 2006. Increase for sergeants (inclusive of across the board increases) of up to 24%.
- From 1 July 2006 implementation of new Senior Sergeants pay scales
Separate rank continues – provides a new incremental point after 4 years on the rank and conversion based on time on rank at 1 July 2006.

Affiliates – Reports

NSW *(Continued)*

Detectives – Implementation of Detectives Review Recommendations

- From 1 July 2006 implementation of new Detectives Pay Scales
- Accelerated incremental progression for constables to LSC rates after 8 years service in accordance with the attached salary scale
- Consolidation of Special Duties Allowances and Plain Clothes Allowances into salary rates.
- Accelerated incremental progression for Detective Sergeants and overlapping pay scales into the Detective Senior Sergeant rates
- Accelerated incremental progression and a further increment for Detective Senior Sergeants in accordance with the salary scale.
- Conversion based on time on rank at 1 July 2006.

Commissioned Officers

- From 1 July 2006 implementation of new Salary scales for Commissioned Officers
- Rationalisation of pay scales providing accelerated incremental progression and addressing anomalies for Level 3 Duty Officers and Crime Managers
- Progression past year 4 and 6 Inspector and Year 5 Superintendent subject to above satisfactory performance and mobility provisions to be negotiated.

Death and Disability

Death and disability coverage for all members employed since 1988 has been a long-standing issue for the Union. In the lead up to the March 2003, State Election the Union embarked on a campaign "NSW Police – Not Political Footballs" which resulted in a commitment from the Government on superannuation including coverage for death and disability. The lobbying campaign utilising local members and activists was the cornerstone of the successful outcome.

The commitment to establish a Blue Ribbon Police Superannuation Scheme for post-1988 members has been agreed to by the Minister and was due to commence on 23 June 2005. It is currently the subject of negotiation with the Police Minister, Premier's Department and Treasury on the administrative arrangements and coverage for members injured before that date. Modelled on the arrangements won for fire fighters, the outcome represents a landmark achievement by the Union.

Blue Ribbon Superannuation Scheme's Key Points

Members killed or medically exited and totally and permanently incapacitated as a result of a work related injury or illness – a lump sum of 8.5 times salary would be payable gradually reducing from age 45.

Members medically exited due to a work related injury or illness, but who can reasonably engage in other employment given their education, training or experience – a lump sum would be payable commencing at 8.33 times salary and reducing according to age at time of exit.

Off-duty coverage – a lump sum of \$250,000 would be paid on death or total and permanent incapacity and up to two years' salary paid in respect of partial and permanent incapacity (reduced by any period of rehabilitation attempted).

Cost to Government of 3.6 % pa and cost to post-88 members of between 1.3% and 1.8% of salary.

All payments will be in addition to workers compensation and superannuation entitlements including any lump sum payments.



Affiliates – Reports

NSW *(Continued)*

Superannuation Surcharge

Over the past several years the Union has been engaged in a campaign surrounding the application of the Superannuation Surcharge in respect to members of the NSW Police superannuation Scheme (PSS).

The current calculation of Surcharge for members of PSS members is harsh, unreasonable and unjust due to being exposed to risks associated with the occupation. Many members of the scheme who may never be high-income individuals (Constables) are paying surcharge, which is inconsistent with the object of the Surcharge Act to collect a surcharge on the superannuation contributions of high-income individuals. Additionally, senior police from the Commissioner down are being forced to pay a far greater amount of surcharge than is reasonable compared to other occupational groups or interstate police due the unfairness of the calculation for NSW Police as applied due to the uniqueness of the scheme and scheme experience.

Following a fruitless approach of preparing submissions, the Union embarked on a lobbying exercise whereby operational police met with NSW-based members of the Commonwealth Parliament in an effort to have this situation rectified. This continued in the lead-up to the Federal Election and a commitment was gained from both major parties, the Government agreeing to review the issue. Instrumental in this process was the assistance of the CEO, Mark Burgess who organised an evening in Parliament House with numerous politicians from both sides in attendance. They were able to hear firsthand from senior police including Deputy Commissioner Scipione the problems caused by the tax.

Subsequently, a meeting was held with the Assistant Treasurer, Mal Brough, his staff and a Commonwealth Treasury Official in Canberra on 15 November 2004. We were positively received and further information was provided from the scheme actuary, which supported our contention that the problems were not a short-term problem but were continuing and likely to deteriorate.

The Government has promised to abolish the surcharge tax completely effective 1 July 2005 and will pass the necessary legislation later this year. The Assistant Treasurer has advised that notwithstanding this he will consider the issues we have raised with a view to making retrospective changes to the surcharge previously levied on members

Proposed Changes to Industrial Relations Laws

The Union has been actively involved in the campaign by Unions NSW to oppose the proposed changes to the Workplace Relations Act. Members have been involved in a range of activities including the direct lobbying of State and Federal politicians of both major parties.

The organisation determined as its policy that the State system should be maintained and that police in particular should be able to continue to operate within that system. The State system, while imperfect, has served police well in terms of the fundamental role of the union in protecting and enhancing the salaries and conditions for members.

Moreover, a move even to the current Federal system would provide a regulatory framework that would be disadvantageous to police. The changes proposed to that system would, on any assessment, be even more inferior to the State system and place at considerable risk the ability of the union to maintain and improve wages and working arrangements for members.

A commitment has already been received from the NSW Government to maintain the State system and the Union is yet to have received a response from the Opposition.

Affiliates – Reports

NSW *(Continued)*

Other matters

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

- Detectives review
- Developing and advocating a proposal to streamline the process of Apprehended Domestic Violence Orders in NSW
- Initiated a trial of new gun belts
- Entitlements for members engaged in forensic work in Thailand following the Tsunami
- Negotiations on entitlements should members be deployed on the IDG and successfully opposing participation pending coverage under the Veteran Entitlements Act being resolved
- Participation in inquiries relating to the Redfern and Macquarie Fields Riots
- Participation in Ministerial Inquiries into long-term sick Leave and promotions
- Consultation on the Government's pre-election promise for 27 new Police Stations
- Discussions on a replacement duty kacket.

Peter Remfrey

Branch Administrator

Affiliates – Reports

VICTORIA

The Victoria Police Branch of the Police Federation of Australia is the State-based organisation through which we conduct matters of national importance and major industrial issues that affect our members.

Since the last Annual General Meeting the Victoria Police Branch, Executive has continued to meet on a monthly basis. The issues for discussion at those meetings have arisen from the Victoria Police Certified Agreement 2001, including the work of the Joint Working Parties and other Industrial matters including the proposed changes to Emergency Services Superannuation and EB2006.

The Joint Working Parties have all been progressed to various stages. It is anticipated that all will achieve positive outcomes within the life of the current Agreement.

There are 14 Joint Working Parties, three of which have concluded their work and others that are reliant upon new legislation (such as the Occupational Health and Safety Act and the Victoria Police Act) for completion.

We will continue to pursue outcomes acceptable to our membership across all areas within the scope of the Joint Working Parties.

Other important issues include the continuing development of a Resource Allocation Model for a properly resourced Victoria Police Force.

Resource allocation has reached a point where experts representing both the PFA Branch (Professor Manning) and the Victoria Police Force (Dr. Walker) are working together to align their research and results towards the creation of a single model acceptable to all parties.

The Roster Reform pilot projects have concluded and the Victoria Police Force is continuing to develop its business case, while independent analysis has been conducted in the pilot areas.

We are currently awaiting a response from the Victoria Police Force and are hopeful of a successful conclusion in the near future.

The Police Federation of Australia represents approximately 50,000 police officers and is establishing itself as a major political lobby group at the Federal level, with a primary focus on superannuation, Federal legislation and, particularly given the recent developments in the expansion of global terrorist activities, Federal and joint State/Federal security matters.

The Police Federation of Australia increases the industrial and political bargaining power of its individual affiliates across Australia.

The Victoria Police Branch of the Police Federation of Australia is committed to the best outcome achievable for our members in EB2006. In order to pursue the best possible outcome, the Branch has conducted workplace meetings of members in metropolitan Melbourne (including the Victoria Police Centre, St. Kilda Road complex, specialist areas and major metropolitan police stations) as well as across the remainder of the State (including Gippsland, Latrobe Valley, north west Victoria, central Victoria, the Mallee and south west Victoria). In the course of these meetings the issues of importance to our members have been conveyed to us.

It is our intention to further research issues of importance to our members via independent research and continuing direct consultation with members.

Our Delegates play a pivotal role in the communication chain, both in conveying the views of the Executive to members and in bringing issues of importance to the members, to the Executive and the Administration.

As we move towards EB2006, we will make every endeavour to obtain the views of all members, so that we can enter the bargaining period with a united body of members and achieve the best possible outcomes across the membership.

Janet Mitchell

President, Victoria Branch



*Janet Mitchell,
President Victoria Branch.*

Affiliates – Reports

SOUTH AUSTRALIA

Staffing

In 2003, the Rann Government pledged to recruit 200 extra police officers beyond natural attrition. To meet this target, SAPOL has recruited British police with around 110 former UK police officers completing an abridged 12-week training course at Fort Largs. The UK recruiting initiative was announced by Commissioner Mal Hyde in November 2004.

This need to recruit from overseas is surprising, particularly in light of the long-standing debate about SAPOL staffing levels and the Government's 2003 commitment to fast-track an extra 200 police by December this year.

The SA branch has lobbied long and loud for extra police numbers. We conducted an intensive media campaign and made a comprehensive submission to the Parliamentary Select Committee on the staffing, resourcing and efficiency of SAPOL.

The branch has asked a number of questions about the need to recruit officers from abroad, including:

- Why were recruit courses cancelled in the preceding 12 months?
- Is South Australia or, indeed, the entire nation, truly devoid of 200 suitable candidates for police recruitment over a two-year period?
- How many young South Australians has SAPOL deemed unsuitable – and therefore rejected for police employment – and what are its core criteria for selection?

While the branch was disappointed by the seeming lack of suitable local candidates for recruitment, it nonetheless welcomed the new members from the UK. They brought a wealth of police experience and knowledge to SAPOL.

The New Zealand police force recruited 82 British officers to the city of Auckland over the past two years. In light of the range of industrial and people issues associated with the SA recruitment initiative, branch officials travelled to New Zealand and consulted with the NZ Police Association, the NZ police force, and a number of British recruits on the Auckland experience.

The ongoing issue of staffing levels remains of paramount importance to the branch.

Police Mobility

The issue of mobility for police officers continues to generate much debate.

The branch supports the Police Federation of Australia seeking an internationally accepted accreditation system which will provide for increased mobility through initiatives such as mutual recognition of equivalent qualifications from other jurisdictions, comparable with those for nursing, teaching and other occupations.

The recent fast-track recruitment of police officers from Britain and interstate has highlighted the need for the branch, and SAPOL, to address the issue in specific terms.

Negotiations have begun with the Commissioner concerning matters which include recognition of prior police service. Other associated matters include:

- Length of probation period
- Recognition of prior training and specialisation.



*SA President Peter Alexander (right) with
Federal Justice Minister Chris Ellison.*



Affiliates – Reports

SOUTH AUSTRALIA *(Continued)*

Currently non-existent in SAPOL is any significant recognition of the qualifications and experience of police officers recruited from other jurisdictions.

It has long been considered appropriate to have a component of mobility in the recruitment policy to gain what some have described as an infusion of skills and experience from other police services.

We have to achieve an equitable system for those recruited from other jurisdictions, and not one which is detrimental to our existing membership. The branch is confident that this can be achieved.

Branch Elections

The SA Branch was subject to election of office-bearers during the year in review. The Australian Electoral Commission declared the election results for the branch committee of management and officer-holders.

The branch elected unopposed a new deputy president, Mr Trevor Haskell, and new vice-president, Ms Bernadette Zimmermann. Ms Zimmermann is just the second woman in the 94-year history of the Police Association to win this office.

The commitment and service to members by former deputy president, Mr Nick Pippas, and long-serving committee member, Mr Iain Robertson, neither of whom sought re-election, is acknowledged.

The branch also congratulates the newly elected committee and welcomes its two new members, Ms Liz McGregor and Mr Allan Cannon.

Secretary Andy Dunn and President Peter Alexander were returned unopposed.

Housing Agreement

A new housing agreement has been finalised between the Government and the branch during the year in review. The major points of the agreement are:

- A five-year housing rental agreement which will operate from 1 May 2005.
- A continuation of the use of market rates set by the Valuer-General as the basis for determining the maximum rental charge applied to housing rent.
- Rent concessions on the market rate to be applied as:
 - 100% for police employees in APY and Maralinga Lands and Yalata;
 - 50% for police employees in separate housing; and
 - 60% for police employees in attached (depot) housing.
- Police officers occupying government housing before the 1998 agreement will continue to pay a flat rate of rental, adjusted annually, until rent level reaches concession rate applicable.
- Annual rent reviews will be effective from the first full pay period after 1 November each year for existing tenants, and immediately for tenants occupying between 31 August and 31 October of that year.
- For each annual review, a maximum increase or decrease of \$10 per week will apply.
- Negotiable conditions can apply to police positions classified as "hard-to-fill" at the discretion of the Commissioner of Police or delegate in accordance with enterprise bargaining agreements.

The new agreement will give long-term certainty on rental determination for members occupying government housing.

Police Memorial

The branch payment to the National Police Memorial has been raised. This included the contribution of a \$10 levy on members, collected in July. The support for the levy by branch delegates, officials and members is indicative of the sense of generosity and spirit of community which exists among police, and respect of and honour for the fallen.

Affiliates – Reports

SOUTH AUSTRALIA *(Continued)*

Maternity Leave

The Full Bench of the South Australian Industrial Relations Commission handed down a decision on 5 May 2005 awarding 12 weeks' paid maternity/adoption leave to members of the SA public sector.

This decision improves the standard for public servants from four weeks to 12 weeks. Government policy before this decision was for eight weeks – currently contained in the SA Police enterprise agreement 2004.

The new standard does not automatically flow on to other government employees. No entitlement exists now for police to access 12 weeks instead of eight weeks.

However, the government can adopt the new standard of 12 weeks as policy and apply it to all government employees if it so chooses.

The branch has written to the government to inquire as to the position it intends to take.

Select Committee – “Assessment and treatment services for people with mental health disorders”

The Legislative Council is investigating the range of assessment and treatment services for people with mental health disorders in South Australia. Below are the terms of reference:

To investigate and report upon the range of assessment and treatment services for people with mental health disorders in South Australia with particular regard to –

- I. the adequacy of funding and staffing of mental health, particularly in community and accommodation services;*
- II. best practice in the treatment services for people with complex needs who have contact with the mental health, forensic and/or corrections system;*
- III. the incidence and management of mental health in the prison population;*
- IV. the impact of legal and illegal drugs on the mental health of both the general public and prison population;*
- V. the efficacy of diversion programs upon rates of recidivism;*
- VI. the criteria for the release of mental health patients who are potentially dangerous;*
- VII. the adequacy of supervision of offenders after release from those institutions including those on parole;*
- VIII. the adequacy of offender discharge plans;*
- IX. the identification of offenders' mental health difficulties; and*
- X. the definition of mental health insofar as the corrections system is concerned.*

The branch intends to provide a submission to the select committee. It will highlight mental health resource issues which over-burden police and force them to play an inappropriately major role with the mentally ill.

Purchased Leave

EA 2004 provided members with access to a range of voluntary flexible working arrangements. One of these arrangements is the capacity to purchase extra leave.

Purchased leave is an arrangement under which an employee exchanges an agreed reduction in his or her salary in return for extra periods of leave. The periods of leave are planned in advance and funded by salary deductions spread evenly over the year.

Known as the “48/52” option, it allows an employee the capacity to purchase up to four weeks' leave in return for a pro-rata reduction in annual salary.



Affiliates – Reports

SOUTH AUSTRALIA *(Continued)*

SAPOL policy relative to purchased leave is that:

- Purchased leave arrangements are intended to provide workplace flexibility responsive to the needs of individual employees.
- Participation in any purchased leave scheme must be voluntary.
- Eligibility for access to purchased leave does not automatically guarantee access and is dependent upon service delivery requirements.
- The Commissioner can restrict the number of employees who can use purchased leave each year in order to accommodate local requirements of particular workplaces. The number and maximum of employees – per location – who receive approval for purchased leave, will be determined on the basis of individual location needs.
- Purchased leave cannot be utilised by employees to undertake any form of other paid employment.

Purchased leave may be taken in conjunction with recreation leave, long service leave, parental leave and other leave without pay.

Members taking purchased leave receive sick leave and recreation leave entitlements as normal.

Conclusion

The branch has had a successful year and continues to provide legal, industrial, political and welfare assistance to its members. The branch looks forward to the challenges that lie ahead, including lobbying for amendments to the Police Act and regulations to provide fairer discipline and selection processes in SAPOL.

Peter Alexander

President, South Australia Branch

Affiliates – Reports

AUSTRALIAN FEDERAL POLICE ASSOCIATION

It has been yet another challenging year for the AFPA Branch of the PFA. In the coming year we see the battleground of the new industrial relations legislation looming while we struggle with the AFP lurching around with critical resource issues and significant industrial concerns.

The Police Federation of Australia (PFA) officially came into existence in 1997. Without the AFPA, the PFA could not have actually come into existence in its current form. The AFPA, a federal industrially-registered union, changed its name to the PFA in 1997 and expanded its eligibility rule to include coverage of all 50,000 Police Officers throughout Australia. The former AFPA rules were altered to include Branches, which mirrored the Federal, State, and Territory Police Unions/Associations. The PFA was launched.



AFPA Branch
National President
Jon Hunt-Sharman.

While the PFA national organisation could be described as a peak professional lobbying organization, the constituent branches still pursue industrial and professional objectives for the Police men and women in each Federal, State and Territory Police jurisdiction.

The AFPA Branch of the PFA is in a unique position of now being a branch itself. This gives the AFPA its “enterprise union” structure of representing all employees of the Australian Federal Police, while giving it a distinct professional lobbying advantage over other similar sized “enterprise unions”.

I would like to take this opportunity to give readers a quick snapshot of the AFPA and PFA's activities over the past 12 months:

Superannuation Preservation Age Rules to “Dad’s Army”

More than 30,000 of PFA members, i.e. more than 60% of our membership is affected by this recent government policy. Employees born after 1 July 1964 will not be eligible to retire and gain full access to their superannuation entitlements until they turn 60 years of age. This is totally illogical when considering the dangerous and arduous duties of Police men and women in Australia.

Recent riots in the Sydney suburbs of Redfern, Macquarie Fields and even Darlinghurst, highlight the difficulties Police face when dealing with violent youths and adults within an age range of 15 to 45 years. It is even more frightening to think of the injuries and stress Police aged 60 may sustain when dealing with such violent confrontation.

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

As a result of extensive lobbying by the PFA the Federal Assistant Treasurer, on behalf of the Government, has reviewed the preservation age rules as they apply to police.

I am confident that the PFA will convince the Review Committee of the merits of our argument. Australia cannot afford Policing to become a “Dad's Army”.

National Police Memorial

On behalf of the AFPA Branch of the PFA, I have lobbied for a National Police Memorial for a number of years, first gaining the support of other State and Territory Police unions, and then the ACT and Federal Government. The PFA CEO, Mr Mark Burgess, has been instrumental in ensuring PFA support for this important project being a key member of the National Memorial Steering Committee.

The project will cost \$2.4 million and the official dedication will occur on Police Remembrance Day 2006.

The PFA and the AFPA Branch have been instrumental in ensuring that all Australians can pay their respects to the some 700 police officers who have died as a result of their duties. The PFA will also be instrumental in developing the criteria for future inclusion of names on the Memorial.

Affiliates – Reports

AUSTRALIAN FEDERAL POLICE ASSOCIATION

(Continued)

Federal Funding

The PFA has called for a major strategic Defence-style white paper into the long term AFP scope of mission and funding to support it.

In 2000, the AFPA Branch of the PFA, made a detailed submission to the Senate Inquiry into AFP and NCA, calling for a significant restructure of Federal law enforcement to combat growing terrorism threats and international organised crime impacting on Australia.



Members of the PFA executive with National Police Memorial designer Liam Proberts (centre).

The AFPA recommended a proposed restructure of Commonwealth assets into what we called a “Nationally Integrated Commonwealth Law Enforcement” Model (NICLE).

Sadly, it was only after September 11 2001, that a number of key recommendations of the AFPA submission were accepted and implemented by Government, including the creation of the Australian Crimes Commission and the absorption of the higher order functions of the Australian Protective Service back into the AFP.

The Government failed to accept the NICLE model, which seems ironical now that the United States has created a similar model through the Homeland Security Model and Canada has restructured the Royal Canadian Mounted Police (RCMP) and other Canadian agencies along a similar line to our NICLE model.

To date, the Government has failed to accept the AFPA recommendation of a major strategic Defence-style white paper to examine the AFP's long-term function and resourcing needs.

The AFP's role has drastically changed since the September 11, 2001 attacks in United States, the October 2002 Bali bombing and the September 2004 bombing of the Australian Embassy in Jakarta.

The AFP's role, responsibilities and profile have been transformed in recent years with major initiatives such as the International Deployment Group (IDG) and the establishment of the Jakarta Centre for Law Enforcement Cooperation. The AFP is involved across a broad front, including the war on terror here and abroad, an expanded role in matters of national security and helping our regional neighbours. The new role of the AFP includes counter terrorism; aviation security;

high-tech crime; sexual servitude and sex offences; and more recently national and international child sex offenders.

In addition to the activities in Indonesia, the AFP has also undertaken a number of counter-terrorism operational deployments including the Philippines, Saudi Arabia, Turkey and Spain. It still has a large number of AFP forensic teams deployed to Indonesia and the Philippines in relation to the Tsunami.

But what about the AFP investigation of the traditional crime types such as illicit drug importations; people smuggling; money laundering; transnational and organized crime; corporate and Commonwealth fraud; community policing etc? For example, research shows that for every dollar invested in AFP Drug Operations, \$5.60 of benefit is returned to the community. For every dollar invested in AFP fraud investigations the AFP returns a benefit to the community of \$5.10. Has the AFP been forced to reduce the number of drug and fraud investigations as a result of the expanded role and responsibilities since September 11 2001?

We have roughly the same number of investigators today as we had prior to September 11 2001. I can assure readers that AFP employees were fully utilised prior to September 11 2001. Therefore, the only logical conclusion is that the AFP is doing less traditional crime type investigations. This impacts financially and socially on our Australian community.

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 AFP staffing numbers. Current tied funding and short-term budget supplementation is not adequate and sells short the men and women of the AFP.

The PFA will continue lobbying for this important White Paper.

Affiliates – Reports

AUSTRALIAN FEDERAL POLICE ASSOCIATION

(Continued)

Military Rehabilitation and Compensation Act 2003

The PFA and the AFPA Branch made submissions to the Senate Foreign Affairs, Defence and Trade Committee inquiry into the Military and Rehabilitation and Compensation Bill 2003. As a result, the Government has agreed to temporarily cover the AFP employees under the now closed Veterans Entitlements Act (VEA).

The Government has committed to the AFP employees being covered under the VEA or like legislation, however, rumours are that they now wish to renege on this promise.

Apparently some key players in the Departments of Treasury and Finance are pushing for AFP employees deployed on dangerous missions overseas to be covered only under Comcare, the same insurance provider for a typist in Parliament House.

It is totally inappropriate and unacceptable to suggest that Comcare provisions would be suitable coverage for AFP employees deployed in dangerous environments.

The National RSL and a number of Peacekeeping organisations have put their full support behind the PFA in relation to the development of a Police specific Entitlements Act, similar to the VEA.

The PFA and its AFPA Branch are pursuing this important issue.

International Deployment Group

As mentioned above, in 2000 the AFPA Branch of the PFA, made a detailed submission to the Senate Inquiry into AFP and NCA, and one of its recommendations was the creation of a dedicated overseas deployment function for the AFP.

The AFPA Branch also provided details to the Australian Strategic Policy Institute when it was conducting research into Solomon Islands and New Guinea.

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 the group would consist of 400-500 police from Australian Police jurisdictions. Currently, there are some 400 AFP personnel deployed on the IDG with the remainder made up of State and Territory Police.

The IDG 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. The IDG is 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, the IDG is placing a significant strain on the AFP human resources generally, as there are 400 less Police to investigate traditional crime types with no plan for replacement numbers.

In relation to those actually deployed on the IDG, neither the PFA nor its AFPA Branch were privy to genuine consultation or negotiation by AFP management about the initial terms and conditions of IDG deployment. This has since caused a significant problem for all those concerned with inadequate or inappropriate terms and conditions of deployment having to be addressed by the PFA after the event.

Among our current concerns are:

- No provision for common terms and conditions of employment
 - We argued that all deployed Police should be on common terms and conditions, as was the case on previous overseas missions before creation of the IDG.
- Uncertainty on Workers Compensation provisions
 - With the proposed closure of the Veterans Entitlement Act (VEA) following the introduction of the Military Rehabilitation and Compensation Act from 1 July 2004, Police in the IDG would have had no appropriate workers compensation coverage. As a result of PFA lobbying, the Police are temporarily covered under the closed VEA until an appropriate solution is found.



Affiliates – Reports

AUSTRALIAN FEDERAL POLICE ASSOCIATION

(Continued)

- Occupational Health, Safety, Welfare and Support issues
 - We have raised concerns about the ability of the AFP to provide appropriate OH and S, welfare and other support to members with such long-term deployments of 60, 80 and 100 weeks. We have requested the option of a shorter deployment for those employees interested in this due to OH and S and welfare concerns.
- Infrastructure/Support
 - We have raised concerns about emergency evacuation provisions particularly in relation to deployment in New Guinea. This is particularly evident with the recent murder of AFP Federal Officer Adam Denning in the Solomon Islands. The Australian Government was able to immediately deploy Australian Defence personnel into the Solomons to protect other AFP personnel. However, it is likely that if an incident occurred in New Guinea such a request would be refused.

Although the PFA and the AFP agreed to a number of additional safeguards and terms and conditions, the AFP has still not implemented a number of the agreed outcomes.

Unfortunately, the problem is exacerbated by the AFP's refusal to incorporate a dispute resolution process for IDG matters, leaving us no capacity to seek the assistance of an independent umpire. This is contrary to promises made in Parliament by the then Minister for Justice and Customs Senator Amanda Vanstone.

The rationale for our request for additional safeguards and terms and conditions is that while we understand that many members look forward to the opportunity to serve Australia in such missions we believe that the PFA and Police Commissioners jointly have an obligation to ensure that employment conditions, welfare and safety of our members are paramount. We want our members to have a fulfilling policing experience and not one of long-term morale problems, injury or health issues.

There are a number of IDG issues which have not been sorted out including a composite hours formula for hours to be worked; return to positions in Australia; the impact of non-recruitment against deployment numbers; selection process for members to the IDG; allowances; experience and competencies required of IDG Personnel; the impact of over 10% of AFP personnel being deployed overseas; taxation treatment; workers compensation; and a dispute resolution process.

The PFA will continue to lobby for these important issues to be addressed by Government and AFP Management.

Australasian Police Professional Standards Council

The PFA is a member of APPSC. At the Steering Committee level the Federal President and CEO represent the PFA. A number of important issues relating to Police professionalism are currently being addressed including Policing competencies, registration, higher education etc.

There appears to be differing commitment to the APPSC by individual Police Commissioners. This is unfortunate as the PFA sees this ongoing role as vital in the continuing the professionalisation of policing in Australia.

Federal Anti Corruption Body

On 16 June 2004, the Federal Government announced its plans to establish an independent body with telephone intercept powers, which would target corruption amongst law enforcement officers at a national/Federal 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. The AFPA Branch of the PFA decided to support the concept and endeavored to develop the best possible model for a Federal Anti-Corruption Body.

On 17 June 2004, the PFA and AFPA Branch met with 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 2004. On short notice the AFPA Branch provided a model for consideration. The submission and proposed model was based on some key principles:

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AUSTRALIAN FEDERAL POLICE ASSOCIATION

(Continued)

- For the independent body to work effectively it would need to develop expertise in law enforcement corruption and this might be difficult if the body was only part-time. Alternatively, a full-time independent body would not be cost effective if limited to investigations of the ACC and AFP only;
- The 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 Commonwealth agencies;
- The proposed body having Royal Commission powers;
- The proposed body having access to expert investigators (i.e. police) not directly attached to it but available through the Professional Standard areas of the Police jurisdictions;
- It should work with agencies and 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 needs to be a complaint process covering its activities;
- The head of the organisation must be independent and immune from arbitrary sacking. Such a person should not need to be a 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 anti-corruption matters only.

The AFPA Branch of the PFA understands that all submissions have now been forwarded to the Attorney General for consideration. We will keep members of the public informed of developments on this important issue.

FBT Reporting Issues

After significant lobbying by the PFA, there have been some logical decisions made by Government in relation to Policing and FBT.

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 forwarded five Fringe Benefit 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 the 1 April 2004.

“As a result of the changes, Police Officers will now receive a Fringe Benefit 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;
- Housing benefits provided to Police Officers residing in house 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 Crimes Commission and similar organizations.”

Again these are real gains for police on aspects of Reportable FBT no longer applying to them. The PFA will continue to lobby for police across Australia having Reportable FBT exemptions similar to those for the Australian Defence Force.

FBT exemption is particularly relevant when considering the blurring of the line between AFP personnel and the military in relation to IDG deployment overseas.

Jon Hunt-Sharman

AFPA Branch National President

Affiliates – Reports

TASMANIA

The Tasmanian Branch of the Police Federation of Australia has enjoyed another eventful year with some good outcomes for its members. We are currently half way through an EB cycle with members enjoying the prospect of further pay increases which could bring them up to the mainland average. Extra police numbers have been announced in the Past two budgets and equipment improvement continues. There are of course, continual challenges including planning for the next EB and halting erosion of police officers' rights.



*Randolph
Wierenga,
President Tasmania
Branch.*

Police Service Legislation

In our last report, I advised that our members were subject to a new Police Service Act. Unprecedented powers were given to the Commissioner of Police under the guise of having the tools to ward off any taint of corruption. The fact that Tasmania Police has never had a hint of organised corruption did not deter the Government from granting the Commissioner these powers. From an Association viewpoint the consultation timeframe was inadequate and as a result our fear was that inevitably problems would arise concerning day-to-day workings of the Act. We did, however, have a promise from the Government that appeal rights for police officers would not be diminished under the new act.

Unfortunately, our concerns proved to be correct. At its first sitting on a matter of discipline the new Police Service Board found that its ability to remedy injustice was clearly inferior to the ability it had previously. And, of course, you can guess who gained the power. The Association now finds itself in the protracted process of attempting to obtain a legislative change to remedy a fault we predicted would occur because of the flawed process which introduced the legislation.

Police Numbers

The Association has continually voiced concerns at the low numbers of police on the front line. The problem varies from time and from place. When we voice concerns about one area, management employs the Titanic solution and shifts a few deck chairs only to find the problem emerging in another area. The Association believes the only solution is the implementation of minimum staffing levels to ensure that members of the community get the level of policing they deserve and our members can undertake their work safely.

It is clear that the Police Service has not been keeping police numbers at or near the establishment level set by the government and the first area to feel the impact of this policy is the front line. The recent budget announcement of an additional 48 police is welcomed by the Association. These extra 48 must be placed on the frontline and the Police Service must maintain the establishment level.

Police and DPP

The Association has for some time had concerns about decisions made by the DPP to prosecute police officers for incidents stemming from arrest situations. In a number of cases, members have clearly been doing the job they are paid for and subsequently faced court proceedings. This year saw another member face criminal charges after doing his job and assisting in the arrest of a drink driver. The member was charged with Criminal Code assault after it was alleged by a member of an outlaw motor cycle gang (OMCG) that the officer punched him. The evidence against the member was the word of a member of an outlaw motor cycle gang. There were no other witnesses to support the allegation; in fact there were witnesses who said that it did not happen. When the drink driving matters were heard in the lower court the Magistrate found he could not believe the version of events offered by the OMCG member. This person had a number of drink driving and assault police convictions. The DPP chose to indict anyway. Fortunately, our member was found not guilty by a jury. The Association will continue to scrutinise the decisions of the DPP relating to our members.

Safety Equipment

Continued lobbying by the Association has seen an increase in the issue of equipment which will enhance the safety of front line officers. On the issue of ballistic vests and reflectorised vests, it was pleasing to see funding in the last two budgets which allowed the purchase of sufficient of these items to be allocated to frontline personnel.

Affiliates – Reports

TASMANIA *(Continued)*

Benchmark or Quota?

This year saw the Association embroiled in public debate over quotas and the pressure applied to our members to achieve them. Initially, the police service denied existence of the quotas but public outcry dictated a change in their stance. In a 'spin' attack worthy of Test selection quotas were changed to 'benchmarks' and then to 'key performance indicators' and were justified under the slogan 'a fair day's work for a fair day's pay'. The Association has real concerns about the impact of quotas on issues such as process corruption. The setting of quotas for police and the problems they cause have been expressed in the Wood and Kennedy Royal Commissions, however, the police service states that they have measures in place to ensure these problems do not arise. The debate continues.

Police Radio Network

In the mid 1990's, the Police Service purchased a bells and whistles radio system which was supposed to end many of our communication problems. Early on, warning signals were given by our members that all was not well. Failed communications, due to many factors, became an all too common occurrence. Complaints by members went unheeded as management resolutely supported the system. The Association was compelled to commission an independent survey of members which demonstrated that from an OH & S perspective the new radio system was a failure. Finally, common sense prevailed and this year we saw the Government allocate funds to investigate the implementation of a new whole-of-government radio network. We can only hope that the lessons of the past are well learnt.

Randolph Wierenga

President, Tasmania Branch

Affiliates – Reports

NORTHERN TERRITORY

Overview

During the past 12 months, the NT Branch has continued to focus on the implementation of the O'Sullivan report which was released in August 2004. As a direct consequence of this report police numbers and therefore our membership base has continued to grow. Our Association has also achieved significant industrial outcomes as a result of the recommendations of this report.

The November 2004 Annual Conference of the branch confirmed a number of internal governance changes for the branch. Annual conference endorsed the full-time employment of the elected President which now brings our Association into line with all other branches. This means Australian Police Unions are run by cops for cops with the assistance of dedicated industrial professionals. This has proved to be an effective model across Australia.

On 18 June 2005 there was a further significant shift in the political arena with the Labor government following up its unexpected 2001 victory with a landslide winning 19 of the 25 seats in the Territory parliament. Obviously, this outcome shifts the political balance in the Territory, however, the branch looks forward to a continuing constructive relationship with the Government.



*Vince Kelly,
President Northern Territory Branch.*

O'Sullivan Report – Industrial Outcomes – 2005 Consent Agreement

The first major industrial outcome of the implementation process was achieved in January this year with an agreement endorsed by the members which significantly improved housing standards and the level of housing allowance paid to our members.

The second major industrial outcome has been finalisation of the 2005 Consent Agreement which has resulted in significant wage movement for our members. The agreement also provides new incentives to retain members in General Duties and to reward members working in remote areas of the Territory.

While there is a clear linkage between the O'Sullivan report and our wages outcome, other factors also contributed to the final result. An extended consultation and preparation process involving all members through surveys, branch meetings and the 2004 annual conference ensured our initial claim was reasonable, professional, and targeted the areas of importance to our members in the 12 months before the commencement of negotiations in February this year.

The three months of negotiations were effectively managed by our branch industrial committee and executive to ensure a reasonable outcome for members. The subsequent ballot saw an 85% return rate with 80% of members accepting the offer.

The result is also the culmination of four years of effective strategic political pressure from our branch to ensure a reasonable wage outcome for our members.

The final major industrial outcome of the implementation process is the commitment of government to introduce a more effective and generous death and disability scheme for members who are inadequately covered due to the diminution of superannuation entitlements since August 1998. The government is committed to introducing this scheme across the public sector and our branch is proud that we have achieved improvements for the entire public sector workforce.

During the final two years of the implementation process the branch will now focus on the areas of:

- Superannuation
- Disengagement Scheme
- Resource Allocation Model
- Improved OH&S and Welfare Systems, and
- Restructured Discipline System/ Performance Management System .

Affiliates – Reports

NORTHERN TERRITORY *(Continued)*

Police Arbitral Tribunal

The Police Arbitral Tribunal continues to provide an effective mechanism for the resolution of industrial disputes between the Government and our branch. In light of the radical industrial relation agenda of the Howard Government our Tribunal will provide industrial protection for our members in the short to medium term.

In order to ensure the Tribunal continues to deliver effective outcomes for government and our members the branch will seek to broaden the Tribunal's role to encompass the disciplinary, inability, and promotional/transfer processes contained in the Police Administration Act. We will seek Territory government action in this area to show their anti-Federal IR rhetoric is matched by local action.

The Tribunal also had personnel changes earlier this year with the resignation of Mr Chris Hayes now the Federal member for Werriwa. Mr Hayes was awarded a Meritorious Service Award by our branch for his commitment to our members over a number of years and his pivotal role in the establishment of the Tribunal in its current form. Mr Leon Kemp, Life Member of the PFA and former President of the Tasmanian Police Association, has replaced Mr Hayes on the Tribunal.

Ombudsman

Since our last report, the introduction of new legislation as a result of the review of the Ombudsman's Act has been delayed. The Government has also proposed Whistle Blower legislation to which the branch is opposed in its current form. Both proposed acts unfairly target police and are not acceptable to our members.

A new Ombudsman, Ms Carol Richards, was scheduled to commence on August and our branch hopes for a more constructive relationship with her after the politicisation of the office by her predecessor.

Next 12 Months

Our branch developed a strategic plan following our annual conference earlier this week. We will focus on the finalisation of the outstanding major components of the O'Sullivan report highlighted earlier in this report. Our branch will also focus on the development of an equitable selection policy for all positions in the Police Force. Our major area of activity will be the broadening of the role of our Tribunal to ensure our members are protected from the harsh realities of radical Federal industrial relations reforms.

Vince Kelly

President, NT Branch

Affiliates – Reports

WESTERN AUSTRALIA

It is my pleasure report that the WA Branch of the Police Federation of Australia has now formally “signed on” 5,083 members and 2006 will complete the full membership process with the election of its independent Board and Officers.

The Western Australia Police Union continues to grow and prosper on all fronts and its members can be confident of continued professional and committed service by their Union.



WA President Michael Dean (right) with Premier Dr Geoff Gallop and Commissioner Karl O'Callaghan.

The past 12 months has been an interesting and in many ways an unusual year. We have enjoyed the “honeymoon” period of the new Commissioner of Police Karl O'Callaghan, relatively few negative headlines and generally good morale. Certainly, from a Union position consultation and negotiation proceeds almost daily on multiple issues.

Overall, the new team of Police Executive Officers has understood and cooperated with the Union in a professional manner. While the Union's view may not always be accepted, the WA Police door is certainly open and I have been pleasantly surprised at the level of cooperation and mutual vision and direction held by both parties.

The WA Police Service “Front Line First” strategy has not been without its difficulties for the Union and management of the individual agendas and interests has brought with it a number of challenges for the Union and WA Police.

Tenure and Transfer Policy changes caused mayhem and I suspect the debate on this matter will continue. Perhaps the major difficulty for the Union was a harsher view on dismissals and their increase has caused a significant rise in workload.

The next 12 months brings with it many positive changes, extra Police Officers, more new Police Stations and EBA 5 negotiations. Should the goodwill continue, I forecast a year of positive change which will not only enhance our members' positions but also the community standing of the entire WA Police.

Political Impacts

With the Hon Michelle Roberts continuing as Minister for Police and Emergency Services, WA Police is in an advantageous position in that many programs and projects do not have to be sold to a new Minister which usually causes delays. Also, the appointment of previous Opposition spokesperson for Policing Mr Matt Birney as Opposition Leader means that the State's other major political party has at the helm a person with a good understanding of policing and police issues.

Historically, while post-election budgets have not been noted for common sense, I am pleased to report that the 2005 Police Service Budget provides perhaps the most successful outcome for Police in living memory. The 7% (\$108 million) increase is a very significant commitment to Policing services.

Briefly, it will deliver 27 new Police Stations and facilities and includes two new aircraft (PC12 Pilatus) a new Perth Watch House, new equipment and a large maintenance allocation.

The commitment to an additional 350 Police Officers and 160 civilian staff will make a real difference to the pressures on operational Police.

Affiliates – Reports

WESTERN AUSTRALIA *(Continued)*

On the legislation front, we expect a new Police Administration Act to be tabled early in 2006 and substantial challenges to the Union and its members are expected. It needs to be said that any archaic power grab by the Police Executive will be opposed and the legislation should not be used to diminish Police entitlements or industrial rights. A review of dismissal provisions over the next 12 months will evaluate the current legislation and I hope that a small number of process and disclosure issues can be resolved.

Generally, I am pleased to report that the Union's relations with all political parties and leaders continue to be productive with all parties willing to accept the Union as a relevant and important Police industry partner.

The Union's annual pilgrimage to conferences of the major political parties as business observers continues to be a networking opportunity of immense value.

Branches

The 2005 year has been an energetic one for many of our Branches and the District liaison role has provided constructive with timely outcomes for local problems. Most superintendents relish the opportunity to resolve issues locally and are grateful for this informal relationship. Many are well known for using the Union to reinforce District maintenance and financial agendas. We welcome this joint approach. Branch training courses have now commenced and the feedback from the first course in April was very positive and I came away confident that the Union's future will be in good hands. Two more courses will be conducted in 2005/2006. I acknowledge the valuable assistance of the Queensland Police Union with this project.

A strategic planning workshop in February was facilitated by Dr Greg Chilvers from the NSW Police Association and provided fresh thoughts and objectives which have now been accepted as part of the 2005 Business Plan.

Three key objectives identified were a WAPU training program, a members' welfare strategy and a marketing plan.

All three objectives have been progressed and I am particularly pleased with the critical welfare project. Post-traumatic and rehabilitation support are serious issues for many of our members and cause considerable unnecessary anxiety. The current review of the Police Health Services Unit has the potential to value add to this very necessary support group.

Occupational Safety and Health

While this area is still in its infancy in WA Police, our OSH Officer has already achieved positive results for single officer stations, personal OC spray and firearm issue, needlestick gloves, and improvements to the new tenure policy. Commissioner and Ministerial undertakings to provide purpose-built patrol vehicles is perhaps the most satisfying achievement.

With the Union's heavy participation on the numerous Safety Committees, we are setting the agenda and the Budget capital works and maintenance programs will make a major difference over the next 12 months. The Union's efforts in this direction will provide dividends for members in the future.

WA Police is in the difficult situation of being 20 years behind other States and Territories in this field, but with changing attitudes and more comprehensive knowledge of responsibilities and liabilities, exceptional progress is being made.

The Union is currently researching and providing submissions on many OSH issues including high visibility garments, stab-proof vests, safety headwear, equipment belts/vests, bullying, fatigue, communications and vehicles.

The Union's major current focus is negotiation of the 2006 Enterprise Agreement with the membership participation program having commenced in July 2005. Our core objective is to see a fair and equitable salary increase, however, I hope that other matters including post-service medical conditions and rank/ratio issue may finally be resolved.



Affiliates – Reports

WESTERN AUSTRALIA *(Continued)*

Another major ongoing project is the transition of all Aboriginal Police Liaison Officers (Aboriginal Aides) to full Constable status. While the process is still under negotiation, it will mean better wages and opportunities for a portion of our membership. I acknowledge in this the efforts of our Senior Industrial Officer Mr. Peter Kelly.

Finance

The Union entered this financial year with a projected budgeted deficiency and I am pleased to report that thanks to the management and efforts of our Accountant Mrs Johanna Barlow, ably assisted by our Treasurer Mr Merv Lockhart, I can again report a solid financial outcome for 2004/2005.

As with any business, the bottom line is finance and once again through conservative and prudent management practices the Union continues to maintain a very solid and credible financial position.

The surpluses have allowed the purchase of two more holiday homes at Esperence and Busselton and the lease of premises at Broome.

The bottom line is that the Union achieved a surplus, which, given the pressures on finances was an exceptional result .

Legal

As we have moved on from the distraction of the Police Royal Commission, we can feel the positives of some of the recommendations being implemented. Perhaps the most important has been the move towards a managerially-based discipline system rather than the anachronistic and punitive one we have endured since the formation of WA Police.

On this, the Union has participated in discussion groups with WA Police, principally centered on the Fisher model implemented in the Australian Federal Police and similar to that in place in New South Wales which also followed a Royal Commission recommendation. The Union will continue to strive for a system acceptable to members.

Personal financial disclosure statements for commissioned officers and those in identified risk areas has once again appeared as an issue and looms as a significant legal matter for the Union. Preliminary advice suggests that it is beyond power and in addition to the obvious privacy issues for officers and partners, it is abhorrent and unnecessary given the exceptional powers available under corruption and crime legislation.

Another major issue looming is drug testing, random and/or targeted.

Types of Legal Assistance

Below is an overview of some of the legal assistance provided to our members over the past year:

- Coronial inquests
- EEO advice, conciliation
- State Administrative Tribunal: mediation and hearing
- WA Industrial Relations – Commissioner's Loss of Confidence Notice
- Criminal matters
- Disciplinary Tribunal hearings
- Civil actions
- Act of Grace applications to Minister for Police
- Defaulter Parade representations
- Police Appeal Board representation
- Medical Retirement advice and Superannuation Act reviews
- Criminal injuries compensation advice
- Defamation advice and letters of retraction

Affiliates – Reports

WESTERN AUSTRALIA *(Continued)*

- Motor vehicle accident advice
- Advice and representation before CCC and Police Royal Commission Unit
- Assistance in preparation of traffic crash reports, unfavourable reports, victim impact statements, in-house grievances, statements and affidavits
- Response to Loss of Confidence Notices (section 33L) & Regulation 505 A (Probationary Constable/Recruits)
- Represent Police Union at conferences and Police Complaints Admin. conference
- Represent Police Union on Police Superannuation Committee
- Represent Police Union on Commissioner's Anti-Bullying Taskforce
- Presentations to graduating recruits
- Attending after-hours call outs/critical incidents and after-hours advice
- General advice and opinion on various issues.

Summary of Matters

The number of stood down or stood aside members over the past 12 months has fluctuated between 12 and 19; this includes members who were stood down following the Kennedy Police Royal Commission.

Two retired officers been charged with offences emanating from an allegation of assault presented in the Kennedy Royal Commission will be defended by a prominent Queens Counsel who represented a number of officers during its public hearings.

The Union is defending four separate civil actions. Of particular note is the excellent work undertaken by Union solicitor Ms Michelle Ridley who is representing the WA Police Union and individual members in actions brought by the Mickelbergs and Avon Lovell.

There have been five applications to the WA Industrial Relations Commission, appealing the Commissioner's decision to remove an officer:

Our in-house solicitors have represented 10 members at either the Equal Opportunity Commission or the State Administration Tribunal (formally EEO Tribunal)

Our solicitors have represented members at four coronial inquests.

Union solicitors have dealt with 18 criminal matters ranging from pleas in mitigation, stealing, fraud, traffic infringements, VRO and assault

They have prepared 34 section 33L (formally section 8) Loss of Confidence Notices or Regulation 505A Notice (Recruits/Probationary Constables).

They have assisted 31 members who have been charged with a variety of breaches of the Police Disciplinary.

Union solicitors have represented nine members at disciplinary tribunal hearings and four members before the Police Appeal Board.

Executive Council

It is appropriate that I acknowledge the support of my executive, Mr Christopher Cassidy, Mr Russell Armstrong and Mr Merv Lockhart who have provided wise counsel.

Future

In an organisational sense the Union has the member commitment, employees, experience and finances which allow it to provide exceptional services to its members. The Union's many successes from the wages arena to legal assistance instil confidence in our members and in the future of the Police Union. Continued hard work, clear objectives and total commitment will see these victories continue.



Affiliates – Reports

WESTERN AUSTRALIA *(Continued)*

The WA Police and the Western Australian Police Union stand together in a unique period in Policing history illustrated by radical downturns in the crime rate together with Government funding and priority for the Police Service seldom seen previously.

The Union and WA Police must take advantage of this unique position and work hard together to continue these exceptional reductions in crime and to enhance and professionalise the Police service.

Michael Dean

President, WA Branch

Associates – Reports

QUEENSLAND

This past year has presented many significant challenges – some dealt with successfully (increased maintenance budget) whereas others have not been resolved adequately (Federal Government's proposals on superannuation, International Deployment Group and industrial relations changes).

Police Stations/Housing Upgrade

Throughout 2004/2005 the Union has continued with our campaign to improve the standard of Police Stations and Police housing. This campaign has included "Dump of the Month" feature in our journal, raising specific safety concerns with the Queensland Police Health and Safety Section and direct lobbying of the Government.

This campaign has been extremely successful with Police Minister Judy Spence acknowledging "that there is overcrowding in some stations while others are outdated". As a consequence, the State Government has allocated more than \$20 million towards building and upgrading Police Stations throughout the State. The Minister has also recently announced a further \$6 million to be spent over the next two years to upgrade Police Housing.



*Queensland Police Union President
Gary Wilkinson.*

Drug and Alcohol Testing

Random alcohol testing was introduced to the Queensland Police Service at the beginning of this year and so far there has been more than 500 tests conducted with no positive results. This confirms the Union's original argument that there is not a significant alcohol problem within the ranks of the Queensland Police Service. These results also add weight to our argument that this testing regime is consuming a huge amount of money that could be better spent elsewhere.

This Union has consistently argued that while we strongly oppose the consumption of alcohol at work, we believe that this is not a significant issue and this money could be better spent addressing other related issues such as fatigue management or impairment related to shift work, excessive overtime, stress etc.

Industrial

Queensland Police is now in the fourth year of our five-year Enterprise Agreement. Some of the larger pay rises were in the last few years of this agreement, so those pay rises are now flowing through to the membership. Travel time was also (finally) introduced this year and new pay points for Officers in Charge of small sections came into force on 1 July 2005. Negotiations have also continued on Rural Incentive Strategies and it is hoped that this Committee will come up with some effective rural incentives in the near future.

Federal Government Issues

This Federal Government is increasingly losing touch with the people of Australia and is making decisions that are negatively impacting on our members. Whereas the Howard Government was previously supportive of Police, we are now either ignored completely or treated with indifference. The following are just three of the issues that need to be resolved with the Federal Government.

(a) Superannuation

Before the last Federal Election, the Howard Government gave an undertaking that it would conduct a review to investigate whether Police who were born after June 1960 should still be allowed to retire with full benefits at age 55.

This review is currently under way and we are hopeful of a sensible outcome.



Associates – Reports

QUEENSLAND *(Continued)*

(b) International Deployment Group (IDG)

This IDG now appears to be here to stay as our Federal Government continues to make policing and peace keeping commitments overseas. The Australian Federal Police is unable to meet these requirements because of inadequate resources and skills. Consequently, State police are being called on more often to meet this commitment.

Once this type of overseas service was unheard of for State police except for those few who served in Cyprus many years ago. However, in recent times we have seen our members serving more often in other countries and there are more deployments on the horizon to places such as New Guinea, Bougainville, the Solomon Islands, Timor, Nauru and Samoa.

Conditions are often of a low standard on these deployments but we cannot argue that the pay is not very attractive to our members and there will always be volunteers. The one area of real concern is what happens if a member becomes ill or is injured. At present, the AFP which will be in command of all deployments and personnel, is only offering 'Comcare' which is the Commonwealth public service equivalent to our Work Cover. Previously, police who served overseas on these peace-keeping missions were covered by Veterans Affairs if their health suffered because of the deployment which is the same as military personnel. This system provided excellent assistance and ongoing care. Unfortunately, 'Comcare' is nowhere near as good. Nationally, we are negotiating with the Federal Government to introduce specific legislation to protect police in these circumstances. Until this is achieved, we have asked the Commissioner not to agree to send QPS members unless they are properly protected. At the time of writing this report, no decision had been made.

(c) Industrial Relations Changes

The Queensland Police Union of Employees is adamantly opposed to the industrial relations changes being proposed by the Howard Government. The Union has been publishing numerous articles and fact sheets in our journal, providing information sessions to members and directly lobbying politicians in relation to these issues.

It is now quite apparent that Prime Minister Howard and Workplace Relations Minister Kevin Andrews have seriously underestimated how strongly Australian workers feel about the proposed changes. Not only has this Government done a complete back flip in relation to "States Rights" issues, but it is proposing such radical and draconian changes to our industrial relations system that all workers' entitlements are under threat. Queensland Police Officers will face the possibility that long service leave, superannuation, penalty rates, overtime and many more conditions are under threat. In fact, the very existence of State-based unions – including the Queensland Police Union of Employees, is in jeopardy.

Thankfully, the newly-elected Queensland Nationals Senator Barnaby Joyce has recognized how dangerous these proposals are and has had the strength of his convictions to publicly express his concerns. We wish Senator Joyce every success in his dealings with the Howard Government and guarantee him the strong support of this organization if he sticks to his guns. It is a pity that the other coalition politicians do not show the same intestinal fortitude as the Queensland Senator.

Gary Wilkinson

President, QPU

Associates – Reports

NEW ZEALAND POLICE ASSOCIATION

For New Zealand Police to have the resources and legislative backing to improve policing, the New Zealand Police Association continues to advocate and lobby strongly on behalf of members, and the general community, for enhanced resources.

Increasingly, we see the majority of additional funding, and increased police numbers, being tagged to specific initiatives and projects leaving front line first response capability increasingly marginalised. This year was no exception with only 60 of 250 additional police for the year to June 2006 being allocated to the front line, the remaining 190 being directed to specific activities.

The Association has launched a "Fund the Frontline" campaign, seeking 10,000 sworn police officers (an increase of more than 2,500 officers) by 2010. With a general election scheduled for 17 September, and almost 80% of the public agreeing there are not enough frontline police in New Zealand, all political parties are pledging increased resources. Our role will be to keep the politicians honest and ensure they honour their election commitments.



*NZ Police Association President
Greg O'Connor.*

Commissions – Reviews – Police Profile

In February 2004, a Commission of Inquiry was established to investigate the way Police investigate allegations of sexual impropriety against themselves and associates.

The Commission was initiated following allegations by a member of the public relating to the conduct of Police members some 20 years ago.

Based on its original Terms of Reference, the Commission was unable to move beyond procedural matters due to its inability to address any allegations which could result in criminal proceedings. Subsequently, there have been three high profile investigations resulting in a small number of current and former Police facing criminal charges.

New Terms of Reference have been announced with a reduced scope whereby the Commission will not investigate anything which is the subject of criminal charges. The Commission will, instead, in private hearings and with no details that will identify those involved, hear complaints about police investigations into allegations of sexual offending by Police. The Commission is due to report back by March 2006.

Following a number of high profile incidents in the second half of 2004, there was a major inquiry into Police Communications Centres. Regrettably, Association warnings of staff shortages and consequent problems since the Communications Centres were first established in 1996, had previously gone unheeded.

The outcome of the Review was a comprehensive and damning report making over 60 recommendations and resulting in a significant increase in both funding and staffing.

The Commission of Inquiry and incidents such as those which provoked the Communications Centre Review, have ensured the public profile of Police remains battered, clearly evidenced by the further decline in the rating of police in the "Most Trusted Profession" stakes. Increasingly, we find the Police Administration, in its desire for complete transparency of all matters, repeatedly ensures that every perceived transgression is fully aired in the public domain.

This was no better evidenced than going public over inappropriate emails being received, sent and stored on the police network when most other organisations would have dealt with such an issue internally, discreetly but equally effectively.

It will take several years for the police profession to recover from this very, often unnecessary, public battering.



Associates – Reports

NEW ZEALAND POLICE ASSOCIATION *(Continued)*

Industrial

We are now in the final year of a three-year collective agreement for both sworn and unsworn members of police. Increasing resources are now being dedicated to the preparation of the up-coming wage negotiations scheduled to commence in the first quarter of 2006.

Notwithstanding the existing collective, specific new provisions or variations have been negotiated for several groups, as have specific provisions for a number of special operations.

We have also successfully pursued an increasing number of individual matters and grievances, including the reinstatement of one member dismissed without a proper hearing.

Health and Safety

The Association is actively involved in trials of various brands of covert and overt body armour; evaluating the issues of wearing armour in the New Zealand environment. At the conclusion of the trials and selection of the preferred protective equipment, stab-resistant body armour will be progressively rolled out to all operational police officers from early 2006.

Legal Issues

The Association continues to provide legal assistance to an increasing number of members who face allegations and/or charges arising from their role and function with the police.

Over the past year, more than 150 members have received assistance, and our legal costs have been the highest ever incurred in any one year. Consistent with the previously referred to drive for transparency, there is an increasing trend of allegations and charges arising from off-duty incidents.

General Election

A general election is to be held on 17 September 2005. The Labour government is slightly ahead in the polls at time of writing but the previously moribund National party has enjoyed a surge in support and there is a possibility of a change of government. Under New Zealand's electoral system, it is unlikely that either party will be able to govern alone and will require either a coalition or the supply and confidence support of a minor party.

The MMP system does create opportunities for the Police Association to influence parties away from the main stream.

Legislation

Effective 1 April 2004, the 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 are paid a "comprehensive salary". The Police Administration take 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 compensation.

The Association does not support this view and, following a series of delays, this matter will now be heard by a full bench of our Employment Court in September 2005.

On a more positive note, after an eight-year campaign, legislation has finally been passed to allow (about 2,200) sworn members of police engaged before 1992 to have greater flexibility in their superannuation and pension entitlements. The pension scheme has a number of restrictions which means members can be severely disadvantaged financially where they resign before reaching specific entitlement trigger points.

Associates – Reports

NEW ZEALAND POLICE ASSOCIATION *(Continued)*

The legislative change will allow members to transfer all personal and employer contributions to their superannuation scheme into a defined benefit (lump sum) scheme, providing greater flexibility and choice for these members.

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 and now comprises of 50 homes, with plans for further expansion.

Our insurances and mortgages portfolios continue to grow with profits and commissions being retained within the Fund to enhance member benefits while our health insurance continues to provide the best long-term value product available in New Zealand.

Greg O'Connor

President, NZ Police Association



Financial Statement

for the year ended 30 June 2005

TREASURER'S REPORT

It gives me much pleasure to present my first report to members as Treasurer of the Police Federation of Australia.

I can report that our asset base continues to grow and that debt on our building has been reduced by another \$80,739.

Members will note that we have had a slight decrease in affiliation fees from branches compared with the 2003-04 year. This is explained by the PFA re-aligning the fees paid by the New Zealand Police Association to a financial year basis. Previously, its fees were paid on a quarterly basis which did not coincide with the financial year period.

Again, our accumulated funds have continued to increase to stand now at \$557,042 even though, you will recall that last year, the Executive determined that the PFA would cover all airfare costs for Executive, IPC and WAC meetings. We have been able to do this at the same time as decreasing liabilities, increasing assets and still coming in under budget while maintaining branch subscriptions at the same rate. This is a testament to the professional way that our finances are managed by the PFA staff and Executive.

You will note that the financial statements indicate that we are currently holding \$100,000 in trust for the National Police Memorial contributed by the Western Australia Police Union. This will ultimately be returned to the WAPU upon finalisation of the National Police Memorial fundraising.

In respect to our net surplus for the year, you will note that it is substantially less than in previous years. However, that can be attributed to the \$90,031 which the PFA contributed to the ACTU Federal Industrial Relations Campaign.

In closing, I place on the record my thanks to Ms Debbie Martiniello and Mr Mark Burgess as well as PFA auditor, Mr Tom Tsia, for the way in which they have maintained our finances and have kept myself and the Executive continually informed of our budget position.

Michael Dean

Treasurer

Financial Statement

for the year ended 30 June 2005 (Continued)

Police Federation of Australia

OPERATING REPORT (OPR)

- a) The PFA's principal activities throughout the year were determined by the 2004 Federal Council Meeting and have been coordinated by the Federal Executive.

Those activities included a number of issues as outlined in the PFA's Strategic Plan including:

- An exemption from Superannuation Preservation Age requirements for police
 - Equity in the calculation of Superannuation Surcharge
 - The development of policing from an occupation to a profession by
 - Planning a "Future of the Police Profession" Conference
 - Participating in the Australasian Police Professional Standards Council (APPSC)
 - Participating in the debate surrounding a proposal for the Australia New Zealand Institute of Policing (ANZIP)
 - The development of a Police Overseas Deployment Bill to cover workers compensation arrangements for Australian police attached to the International Deployment Group (IDG)
 - Development of a National Police Memorial
 - Greater Federal funding of Australia's State, Territory and Federal jurisdictions
 - The development of a resource allocation formula to determine the correct number of Australian police that should be provided
 - Issues of Reportable Fringe Benefits Tax (RFBT) that are unfairly impacting on Australian police
 - A \$17,000 capped Fringe Benefit Tax exemption as provided to public hospital nurses and ambulance officers
 - Outstanding issues surrounding the International Deployment Group (IDG)
 - Protecting and improving members terms and conditions of employment and their rights and entitlements
 - The development of Police Unions in the South Pacific
 - The impact of proposed federal industrial relations changes on police
 - Submissions to Parliamentary Inquiries including
 - Senate Select Committee on Mental Health
 - Review of Aviation Security in Australia
 - Submissions to the Commissioner's Conference (PCC), the Australasian Police Ministers' Council (APMC) and the Senior Officers' Group (SOG)
 - Participation in the International Law Enforcement Council (ILEC)
 - Submissions and debates on the impact and responses to terrorism on policing and the Australian community.
- 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)



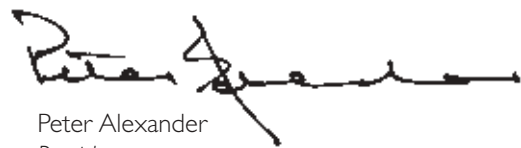
Financial Statement

for the year ended 30 June 2005 (Continued)

- d) No officers of the PFA hold any position in relation to Superannuation entities
- e) Prescribed information as per Regulation 159
 - i. At the 30 June 2005 the PFA had 34,743 members
 - ii. At 30 June 2005 the PFA had two (2) employees
 - iii. Committee of Management 1/7/04 – 30/6/05

Peter Alexander (South Australia)
Jon Hunt Sharman (Australian Federal Police)
Vince Kelly (Northern Territory)
Michael Dean (Western Australia)
Bob Pritchard (New South Wales)
Janet Mitchell (Victoria)
Randolph Wierenga (Tasmania)

For Committee of Management:



Peter Alexander
President

Dated this 8th day of August 2005

Financial Statement

for the year ended 30 June 2005 (Continued)

Police Federation of Australia

COMMITTEE OF MANAGEMENT'S CERTIFICATE

On the 11th day of August 2005, the Committee of Management of the Police Federation of Australia passed the following resolution in relation to the general purpose financial report (GPFR) of the reporting unit for the financial year ended 30 June 2005.

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 of Registrar; and
 - (vi) there has been compliance with any order for inspection of financial records made by the Commission under section 273 of the RAO Schedule.

For Committee of Management:



Michael Dean
Treasurer

Date: Eighth day of August 2005



Financial Statement

for the year ended 30 June 2005 (Continued)

Police Federation of Australia

ACCOUNTING 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 2005, the number of members of the Federation was 34,743.

In my opinion:

- (i) The attached accounts show a true and fair view of the financial affairs of the Federation as at 30 June 2005.
- (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 8th day of August 2005

A handwritten signature in black ink that reads 'm A Burgess'. The signature is written in a cursive, slightly slanted style.

Mark Burgess

Financial Statement

for the year ended 30 June 2005 (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 2005. 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 2005; 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 8th day of August 2005



LOI KAHTSIA, B. Com., F.C.A.
Chartered Accountant
Registered Company Auditor
Suite 201, 2nd Floor
309 Pitt Street, SYDNEY NSW 2000



Financial Statement

for the year ended 30 June 2005 (Continued)

Police Federation of Australia

NOTES TO AND FORMING PART OF THE ACCOUNTS

for the year ended 30 June 2005

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 of 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**
Provisions for employee benefits in the form of Long Service Leave and Accrued Annual Leave have been made for the estimated accrued entitlements of all employees on the basis of their terms of employment. Long Service Leave has been calculated with reference to period of service and current salary rates. Contributions 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 2005 (Continued)

Police Federation of Australia

BALANCE SHEET

as at 30 June 2005

	Notes	2005	2004
Accumulated Funds		<u>\$557042</u>	<u>\$528138</u>
Represented by			
Current Assets			
PCU Easy Access account	3	\$127820	\$31454
PCU Savings accounts	3	120744	134329
PCU membership fees	3	10	10
Cash on hand	4	23	—
Amounts due from branches	5	8640	28503
		<u>257237</u>	<u>194296</u>
Non Current Assets			
Property – 21 Murray Crescent Griffith ACT – At Cost	6	1016581	1016581
Plant & Equipment		27757	
Less provision for depreciation		<u>16771</u>	<u>13083</u>
Motor vehicle		41742	
Less provision for depreciation		<u>3392</u>	<u>27887</u>
		<u>1065917</u>	<u>1057551</u>
Total Assets		<u>1323154</u>	<u>1251847</u>
Less Current Liabilities			
Trade creditors and accruals	7	47207	29560
PCU loan secured over property	6	574788	655527
Provision for annual leave	8	18965	13488
Provision for long service leave	9	25152	17167
Provision for GST		—	7967
National Police Memorial Trust Fund	10	100000	—
Total liabilities		<u>766112</u>	<u>723709</u>
Net Assets		<u>\$557042</u>	<u>\$528138</u>

Financial Statement

for the year ended 30 June 2005 (Continued)

Police Federation of Australia

INCOME AND EXPENDITURE ACCOUNT

for the year ended 30 June 2005

	Notes	2005	2004
Income			
Affiliation fees from branches		689222	702608
Interest received		6843	5395
Rents received		36846	35423
		<u>\$732911</u>	<u>\$743426</u>
Less expenditure			
Audit and accounting fees	11	21350	23630
Annual leave	8	17855	13923
ACTU Affiliation fees	12	149661	58461
Bank charges and duties		211	248
Computer and website design		20180	13991
Delegation expenses	13	189160	189078
Depreciation		7780	6680
FBT		40137	37109
General office expenses	14	11652	42018
Insurances		7203	8640
Legal fees		3650	1450
Long service leave	9	7985	6032
Loss on disposal of assets		4687	—
Motor vehicle expenses		5608	6321
National Memorial expenses	15	6062	7625
Property expenses	16	64268	76187
Salary & packaging		121621	122420
Superannuation		14610	16213
Telephone		10327	9604
Total Expenditure		<u>704007</u>	<u>639630</u>
Net Surplus for the year		28904	103796
Accumulated funds at beginning of year		528138	424342
Accumulated funds at end of year		<u>\$557042</u>	<u>\$528138</u>

Financial Statement

for the year ended 30 June 2005 (Continued)

Police Federation of Australia

NOTES TO AND FORMING PART OF THE ACCOUNTS

for the year ended 30 June 2005

	2005	2004
3. Statement of Cash Flows		
for the year ended 30 June 2005		
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	\$248574	\$165793
Cash Flow from Operating Activities		
GST Received	74942	69227
Receipts from Members	708373	684813
Interest Received	6843	4573
Rents Received	36846	36747
Other Refunds	22842	2174
Fund Held in Trust for National Police Memorial contributed by WAPU	100000	—
Total Cash Received	949846	797534
Less Cash Flow from Investing and Financial Activities		
Payment of GST Express	48882	36851
Payment of Employee's Entitlement	134153	112838
Payment of Loans to PCU	120000	120000
Payment of ACTU Affiliation Fee	149661	58461
Payment of Purchase of Office Equipment	—	11005
Payment of Motor Vehicle	41742	—
Payment of Other Expenses	372627	459155
Total Expenditure	867065	798310
Net Increase (Decrease) in Cash Held	82781	(776)
Cash at the Beginning of Financial Year	165793	166569
Cash at the End of the Financial Year	\$248574	\$165573



Financial Statement

for the year ended 30 June 2005 (Continued)

Police Federation of Australia

NOTES TO AND FORMING PART OF THE ACCOUNTS

for the year ended 30 June 2005

	2005	2004
4. Cash on Hand		
Petty Cash	\$23	0
5. Amount due from branches		
Police Association of NSW expenses	—	1549
Police Association of Northern Territory	1696	1249
Police Association of South Australia	5268	5921
Police Association of Victoria	1676	14150
Police Association of New Zealand	—	5634
	<u>\$8640</u>	<u>\$28503</u>
6. Property-at-cost		
21 Murray Crescent Griffith ACT Settled on 24.1.2003	<u>\$1016581</u>	<u>\$1016581</u>
7. Creditors and accruals		
PAYG re staff wages	6087	6240
Audit & accounting fees	19630	21395
Various expenses	21931	1925
Provision for GST	(441)	—
	<u>\$47207</u>	<u>\$29560</u>
8. Provision for Annual Leave		
Balance as at 1.7.2004	13488	8596
Add additional provision for the year	17855	13923
	31343	22519
Less paid during the year	12378	9031
Balance as at 30.6.2005	<u>\$18965</u>	<u>\$13488</u>
9. Provision for Long Service Leave		
Balance as at 1.7.2004	17167	11135
Add additional provision for the year	7985	6032
Balance as at 30.6.2005	<u>\$25152</u>	<u>\$17167</u>

Financial Statement

for the year ended 30 June 2005 (Continued)

Police Federation of Australia

NOTES TO AND FORMING PART OF THE ACCOUNTS

for the year ended 30 June 2005

	2005	2004
10. National Police Memorial Trust Fund		
The amount is held in trust		
– the fund is contributed by WAPU	\$100000	–
11. Auditor's Remuneration		
Audit fees	7500	7500
Other services	13850	16130
	<u>\$21350</u>	<u>\$23630</u>
12. ACTU Affiliation Fees		
Normal affiliation fee	59630	58461
ACTU media campaign re proposed changes to Industrial relation law by Federal Government	90031	–
	<u>\$149661</u>	<u>\$58461</u>
13. Delegation Expenses		
Consultancy fees	43035	50182
Conference expenses	55230	43813
Executive expenses	59076	48388
Lobbying expenses	2167	14437
IPC	13799	12940
WAC	9079	13387
APPSC/PSITAB	6774	5931
	<u>\$189160</u>	<u>\$189078</u>
14. General Office Expenses		
Australian Defence Association	91	91
CEO relocation expenses	–	24724
Filing fees	323	375
Interest – ATO	–	167
Police Superannuation Administrative fees	229	837
Printing, stationery & postage	6355	8304
Sundry office	4654	7520
	<u>\$11652</u>	<u>\$42018</u>



Financial Statement

for the year ended 30 June 2005 (Continued)

Police Federation of Australia

NOTES TO AND FORMING PART OF THE ACCOUNTS

for the year ended 30 June 2005

	2005	2004
15. National memorial Expenses		
Funds transfer to open bank account	—	510
Graphic design expenses	394	1860
Executive expenses	515	1075
Legal fees	5048	4180
Filing fees	105	—
	<u>\$6062</u>	<u>\$7625</u>
16. Property Expenses		
Cleaning & waste disposals	2877	2581
Council rates	5075	5140
Insurance – building	1722	1748
Interest – PCU	39260	44358
Land tax	5829	5808
Light & power	1892	1473
Pest control	164	164
Repairs & maintenance	5694	12993
Security	540	530
Water rates	1215	1392
	<u>\$64268</u>	<u>\$76187</u>



**Police Federation
of Australia**

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