

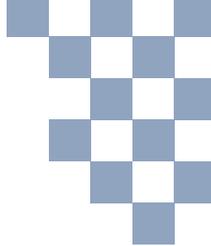


POLICE FEDERATION OF AUSTRALIA



ANNUAL REPORT 2007-2008





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BRANCH

MEMBERSHIP

Nos at 31/12/07
Rule 14 (d)

NO. OF DELEGATES

New South Wales	15,723	7
Victoria	11,254	6
Western Australia	5,284	3
South Australia	4,290	3
Australian Federal Police Assoc	3,455	2
Tasmania	1,236	2
Northern Territory	1,191	2
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

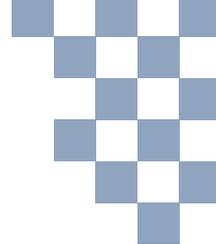
MEMBERSHIP

Queensland	9,799
New Zealand	9,600
TOTAL Australian jurisdictions	52,232
including New Zealand	61,832

Office Bearers

President	Vince Kelly (Northern Territory)
Vice President	Jon Hunt-Sharman (Australian Federal Police Association)
Vice President	Brian Rix (Victoria)
Treasurer	Randolph Wierenga (Tasmania)
Executive Members	Bob Pritchard (New South Wales) Peter Alexander (South Australia) retired 10 April 2008 Mark Carroll (South Australia) elected 10 April 2008 Mike Dean (Western Australia)
Associate Members	Queensland New Zealand

Staff



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

Meetings Conducted

Federal Council:

5 and 6 November 2007	Rotorua, New Zealand
19 June 2008	Adelaide (Special Federal Council)

Executive:

4 November 2007	Rotorua, New Zealand
7 January 2008	Executive Teleconference
12 and 13 February 2008	PFA Office Canberra
19 and 20 June 2008	PASA Office Adelaide
23 and 24 September 2008	PFA Office Canberra and ANU Canberra

Industrial Planning Committee:

25-26 February 2008	PFA Office Canberra
22-23 August 2008	PFA Office, Canberra

Women's Advisory Committee:

26 and 27 February 2008	PFA Office, Canberra
27 and 28 August 2008	PFA Office, Canberra



President's Report

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

When I was elected at last year's meeting I indicated that I looked forward to the role "with an equal measure of trepidation and excitement". Under Peter Alexander's leadership, the Police Federation had become an organisation which was relevant at a national level and had achieved some significant outcomes for Australia's 52,000 police.

Peter's advocacy of the interests of Australia's 52,000 police was aided in no small measure by his position as an elected President (both within the Police Association of South Australia and the Police Federation of Australia). The PFA has advanced significantly from the PFANZ by moving away from rotating the position of president on an annual basis and mirroring the situation in all affiliates in which the role of President is filled by election. This decision, along with our relocation to Canberra, has boosted credibility and influence with national decision makers.

Further, the fact that the Presidents of the PFA and of all our affiliates are seconded sworn Police Officers enhances our credibility across the community and we have a responsibility to ensure that this unique situation is not eroded. We remain the only truly democratic national voice on policing issues in Australia.

As I indicated last year, Peter's departure "represented the beginning of or perhaps more accurately, ongoing generational change within the police industrial movement in Australia".

I wish to take this opportunity to again reiterate what I believe are the four central tenets of the PFA which Peter encouraged us all to embrace. They are:

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

Also, as indicated last year when elected, the current debate around industrial relations and now OH&S and workers' compensation requires a national response through the PFA. State and territory organisations cannot possibly operate effectively in the federal political arena on an individual basis.

The importance of goodwill and consensus to our Federation will be essential as we continue to debate the meaning of "professionalisation" in policing, professional registration and professional mobility. We have a responsibility to take a broad view of how these issues will impact on professional police into the future at both a national and state/territory level.

I also indicated that in respect to the third tenet: "police unions/associations are people", I argue that "the elected association leaders should not forget that the people we represent are not in some abstract business, but in the daily dangerous grind of operational policing, and on that basis, the answer to the 'Drucker' question must always be in part that we are in the people business – that is, looking after the personal and professional interests of our members – professional police officers".

A perusal of this report clearly indicates the array of issues that we are currently dealing with on a national level. Not all of the outcomes will be immediately relevant today, but in the longer term, decisions taken or not taken today could have serious ramifications in the years to come.



Vince Kelly

President's Report

(Continued)

It is also interesting to note that it is Australia's police associations and unions, through the PFA, who are pursuing many of the professional issues on behalf of policing. For example, it was the PFA in its pre-election document *Law and Order in Australia: Policies for the Future* that called for, amongst other things:

- a national workforce planning study
- a commitment not to extend police-style powers to non-police
- commitments to CrimTrac and an automatic number plate recognition system
- the establishment of a National Police Registration Board and Scheme, and
- a National Police Service Medal as recognition by the Federal Government of the unique role that our sworn police play in the preservation of peace, the protection of life and property and the maintenance of law and order throughout Australia.

We would hope we are fully supported in these important endeavours by both police commissioners and governments.

Of course, we cannot achieve any of these and the vast array of other issues on our agenda without the support of my fellow PFA Executive members and the combined professional resources of their branches.

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

While we rely heavily on our branches for support, the Police Federation of Australia could not achieve any results without our dedicated and professional staff. As President I have experienced first hand the enormity of the work they undertake. I have witnessed the respect they have developed around Parliament House and the Canberra bureaucracy and how our submissions to, and appearances at, various Parliamentary Committees have drawn significant praise and support. As a result our views are now regularly sought from a range of government departments and agencies. I also thank Debbie Martiniello, Dianne Gayler and Mark Burgess for the personal support they have given me over the past 12 months in this role.

The next 12 months are again shaping as very busy. As the IR landscape becomes clearer through the end of 2008 and into 2009, particularly regarding the issues of the new IR legislation, award modernisation, OH&S and workers' compensation, we will be able to make further strategic decisions. Likewise, there is much to do in ensuring that the Government meets its pre-election commitments. I look forward to your ongoing support and believe that if we adhere to the four key tenets I outlined earlier we will continue to professionally represent the best interests of Australia's 52,000 police and policing.

Vince Kelly

President



Chief Executive Officer's Report

'Law & Order in Australia: Policies for the Future'

The 2007-08 year has been a busy one on many fronts. The Federal election on 24 November 2007 gave the PFA an opportunity to put a number of national policing issues before all federal political parties seeking their respective commitments to our policies. Those issues were reported on in detail in last years' Annual Report.

Once all political parties had responded we prepared a detailed comparison of their responses and scored them. That comparison and our score were relayed to members via our respective branches and the PFA website.

The ALP's commitments were as follows:

Policy Proposal 1: The PFA seeks your commitment to increase the sworn police officer levels of the AFP by at least 350 sworn police officers per annum over the term of the next government.

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

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

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

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

Policy Proposal 2: The PFA seeks your commitment to support and fund a National Police Workforce Planning Study commencing in 2008 as a collaborative effort between the Australian Government, the PFA and all state and territory jurisdictions.

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

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

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

Policy Proposal 3: The PFA seeks your commitment to ensuring that police powers are not extended to non-sworn personnel and are reserved for sworn police officers.

Response: Labor supports this proposal.

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



CEO Mark Burgess, Prime Minister Kevin Rudd and White Ribbon Campaign Chairman Andrew O'Keefe at the White Ribbon's White Tie Dinner in Sydney

Chief Executive Officer's Report

(Continued)

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

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

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

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

Policy Proposal 4: The PFA seeks a commitment to sufficient recurrent funding over the next four years, (to be determined by a scoping exercise conducted through CrimTrac) for CrimTrac to be utilised as the national criminal investigation database hub serving the ACC, AFP and state and territory police forces, providing access to risk-related data nationwide, including but not limited to:

- **The national DNA database (NCIDD);**
- **The national fingerprint database (NAFIS) which allows for a continuous criminal background check based on an initial fingerprint check;**
- **The national child sex offender register (ANCOR);**
- **The CrimTrac Police Reference system (CPRS) for exchange of operational policing information on persons of interest, vehicles and firearms;**
- **A single national case management system for Australia's police;**
- **Gun and explosive licence holders; aviation and maritime licence holders; and**
- **Chemical and fertiliser purchases.**

Response: Labor supports the use of CrimTrac as a central repository for law enforcement data collection and information sharing.

Labor is committed to sufficient recurrent funding for CrimTrac to properly undertake its role.

Policy Proposal 5: The PFA seeks a commitment to funding (to be determined by a scoping exercise to be conducted through CrimTrac) for development and establishment of a national Automatic Number Plate Recognition (ANPR) system

Response: Labor supports the establishment of a national Automated Number Plate Recognition system.

Labor will conduct a scoping exercise with CrimTrac participation to map out its implementation and will consult with state and territory governments concerning this proposal.

Policy Proposal 6: The PFA seeks your commitment to support and fund the development and establishment of a National Police Registration Board and Scheme as a collaborative effort between the Australian Government, the PFA and state and territory jurisdictions.

Response: A Rudd Labor Government supports the concept of a national police registration scheme and will enter into negotiations with state and territory governments and police unions with a view to achieving this outcome.



Chief Executive Officer's Report

(Continued)

Policy Proposal 7: The PFA seeks your commitment to legislate to guarantee its status as a federally registrable association of employees within the federal industrial relations system.

Response: Recent amendments to the Workplace Relations Act have resolved this issue and guaranteed the PFA's status as a federally registered organisation.

Labor supports the recognition of the PFA as a federally-registrable association of employees.

Policy Proposal 8: The PFA seeks your commitment to:

- **Return the referred industrial powers (relating to members of the Victorian police force) to the state of Victoria.**

Response: This is a matter primarily for the state government of Victoria.

- **Not accept the referral of industrial powers to the Commonwealth by other states or the Northern Territory (relating to members of police forces) should they seek to do so.**

Response: Should a state or territory government wish to refer industrial relations powers to the Commonwealth, a Rudd Labor Government would consider the matter on its merits at that time.

- **Not interfere with state-based police tribunals where they are already introduced or already exist.**

Response: It is the intention of Federal Labor to work cooperatively with the states in developing a national industrial relations system. Federal Labor has no intention of unilaterally taking over state public sector industrial relations systems or amending institutional arrangements for state public sector employees.

- **Issues affecting the employment of state police, because of their particular circumstances as sworn officers, remaining with their employer state governments.**

Response: It is Labor's policy that state governments, working with their employees, will be free to determine the appropriate approach to regulating the industrial relations arrangements of their own employees and local government employees. This includes state-based police tribunals.

- **Refrain from introducing any AWAs into policing in Australia and phase out any existing AWAs.**

Response: Labor's *Forward with Fairness Implementation Plan*, which was released on 28 August 2007, reaffirms our commitment that Australian Workplace Agreements and any other forms of statutory individual employment agreement will not be available under Labor's new industrial relations system.

- **Ensure that if the Award Review Taskforce were to impose one underpinning police award in the Federal system, then that award be the AFP Award but it not be applied to Victoria or Northern Territory police or any other police who may in the future be covered by the federal system.**
- **Ensure that if the Award Review Taskforce were of mind to rationalise awards on an industry sector basis, that the police services be identified as an industry sector. However, such an arrangement should only apply to the AFP and exclude the Victoria and Northern Territory police forces or any other police forces which may in the future be covered by the federal system.**

Response: As the membership of the PFA is currently covered by both federal and state industrial relations jurisdictions Labor understands your concern about achieving simplicity and consistency on this issue. This is one of those specific or unique issues that the PFA has raised.

If a Rudd Labor Government is elected, the PFA would have a regular and high level access to the Minister for Industrial Relations, as well as her office and senior officials to ensure the development of the new substantive industrial legislation appropriately considers this important issue and other areas of interest to the PFA.

Chief Executive Officer's Report

(Continued)

Policy Proposal 9: The PFA seeks your commitment to establish an Australian Federal Police Tribunal under the AFP Act to deal with matters relating to workplace relations, advancement and deployment, and discipline and managerial matters within the AFP.

Response: In relation to the PFA's proposal for an Australian Federal Police Tribunal under the AFP Act, a Rudd Labor Government would be willing to consider this proposal in detail from office. Due to the unique, technical and cross-portfolio nature of the proposal, appropriate consideration as an opposition party is extremely difficult.

Policy Proposal 10: The PFA seeks your commitment to reversing the decision to remove journey claims from the coverage under the Safety, Rehabilitation and Compensation Act 1988 for police officers.

Response: Labor opposed the amendments to the Act when they were proposed by the Howard Government.

If elected, a Rudd Labor Government would review the operation and appropriateness of these amendments.

Policy Proposal 11: The PFA seeks your commitment to exempt police from the standard superannuation preservation requirement to enable police to retire from age 55.

Response: Federal Labor will recommence its commitment to examine the access age issue as it did at the last election.

Labor recognises there are some special cases where access should have been permitted between fifty-five and sixty years for those born after 30 June 1960. Police should be allowed to argue their case before a special panel.

Labor will allow the terminally ill to access their super at any age.

Policy Proposal 12: The PFA seeks your commitment to amend the taxation legislation to provide police with the same capped FBT concessions as legislated for ambulance services and public and non-profit hospitals.

Response: Federal Labor understands the importance of offering attractive terms and conditions to attract the best candidates to our police forces and secure high retention levels.

Labor has already committed to boosting the number of sworn federal police by 500 over five years and to providing an extra \$5 million to an Australian Federal Police Recruitment and Retention program. Labor will continue to assess measures that boost the attractiveness of serving in the police force.

Policy Proposal 13: The PFA seeks your commitment to replacing the current National Medal with a new National Police Service Medal specifically for sworn members of Australia's police forces.

Response: A Rudd Labor Government would support this proposal and enter into discussions with state and territory governments to seek an agreement.

Policy Proposal 14: The PFA seeks your commitment that:

- **The proposed compensation and rehabilitation benefits for police serving overseas be in a stand-alone piece of legislation and not an amendment to the Safety, Rehabilitation and Compensation Act 1988.**
- **The proposed compensation and rehabilitation Act for police working overseas be administered by the Department of Veterans' Affairs.**
- **The proposed compensation and rehabilitation Act for police working overseas cover all Australian police who work offshore, including but not limited to, IDG members and AFP Liaison Officers.**



Chief Executive Officer's Report

(Continued)

- **The entitlements under the proposed compensation and rehabilitation Act for police be commensurate with those provided to Defence Force personnel under the Military Rehabilitation and Compensation Act and the Veterans' Entitlements Act.**
- **The proposed compensation and rehabilitation Act for police contain, as a minimum, the following provisions:**
 1. **A special definition of 'extraordinary overseas policing' be included in the Act. The inclusion of such a definition is to give equality to the provisions of the Military Rehabilitation Compensation Act 2004;**
 2. **A special definition of 'overseas policing' be included in the Act where circumstances are of a lesser degree than 'extraordinary' for the same reasons as outlined above;**
 3. **That the Commissioner Australian Federal Police have responsibility for recommending to the Minister for Justice and Customs, being the Minister responsible for the Act, any overseas deployment that meets the definition of 'extraordinary overseas policing' or 'overseas policing' deployment;**
 4. **That any member of such a declared deployment be entitled to full coverage and benefits under the Act which should mirror the Military Rehabilitation Compensation Act 2004;**
 5. **That the onus of proof should be identical to that currently required under the Veterans' Entitlements Act 1986;**
 6. **That an appeals system be included in the Act that is no less than that provided under the VEA.**
- **A review of all previous overseas deployments be undertaken with a view to determining which, if any, deployments should be upgraded to 'warlike' in a policing context.**

Response: Labor understands that the strategic environment is changing, and that, consequently, personnel from the AFP, namely the International Deployment Group (IDG), will be increasingly required to serve overseas.

In recognition of these changing circumstances, Labor will consider options to have AFP officers who serve overseas represented under the current legislative schemes for Military Compensation administered by the Department of Veterans' Affairs.

Labor believes that any moves to have AFP officers represented under the Military Compensation Scheme must not dilute the fundamental principle of 'qualifying service', and that any scheme should be based on graded benefits dependent on the level of danger to which officers are exposed.

Therefore any review would focus on the roles played by AFP officers overseas and their proximity to dangerous threats and their appropriate representation under the military compensation legislative schemes.

As a general rule, Labor would seek to implement any new compensation system for future deployments and would not seek to retrospectively apply that system unless there are exceptional circumstances.

- **A career indemnity policy be established for police officers who are forced out of positions in Pacific nations due to un-justifiable circumstances.**

Response: Labor appreciates that circumstances could arise in which AFP officers accept an overseas appointment and find themselves forced out of a position for a variety of reasons including as a result of an unstable government in these locations.

Chief Executive Officer's Report

(Continued)

In such circumstances, a Rudd Labor Government would give sympathetic consideration to requests from these personnel to return to the AFP, subject to them having previously achieved a satisfactory standard of service and meeting normal employment requirements.

Consideration could also be given to extending leave without pay to people taking up these types of appointment where that would be an appropriate option.

- ***A dispute resolution process be established for officers deployed as part of the IDG. Such a process, which could be accommodated in the Australian Federal Police Tribunal as outlined in Policy Proposal 9, to be developed in liaison between the PFA and AFP.***

Response: A Rudd Labor Government would be happy to enter into negotiations with the PFA to establish suitable dispute resolution procedures for AFP officers employed as part of the IDG.

Policy Proposal 15: The PFA seeks a commitment to:

- ***Formal meetings, at least quarterly, with the relevant Justice Minister as a process of ongoing discussion of relevant issues.***

Response: Federal Labor is mindful of the importance of maintaining regular and close ties with those whose daily work places them at the front line of policing and security. For this reason, Labor is committed to quarterly meetings with the PFA to ensure discussion of relevant issues is encouraged and that important communications are maintained.

- ***A structured meeting process on a biannual basis between the PFA and relevant Ministers to discuss matters of mutual interest. We propose that meetings be organised and coordinated through the Justice Minister and the PFA.***

Response: Federal Labor recognises that issues of concern to police traverse a range of portfolio areas and may require interaction outside of the quarterly meetings with the Minister responsible for the AFP.

Labor would seek to accommodate this proposal, bearing in mind the responsibilities of, and demands on, the other Minister/s the PFA may wish to meet.

As a result of that response the PFA has had regular meetings with the Minister for Home Affairs, the Hon Bob Debus MP and other relevant Government members to further the ALP's commitments.

Meetings with Minister for Home Affairs

As part of the ALP's pre-election commitment, the Minister for Home Affairs, the Hon Bob Debus has committed to regular meetings with the PFA. We have also established a professional working relationship with his staff and I am pleased to be able to confirm that the communication between our offices is positive.

We have developed a process of formal meetings in the lead up to each PFA executive meeting where a detailed agenda is worked through and we follow up, after the meeting, with an exchange of correspondence outlining key points discussed and the outcomes reached. To date, that process has proved very beneficial for both parties in that it confirms the status of each issue and also outlines the commitments each party has made, at each meeting, in relation to each issue.

Meetings with Shadow Minister

We have also been able to develop a strong working relationship with Shadow Ministers and their staff. Initially this was with the Hon Christopher Pyne MP, and following the Opposition's reshuffle in September 2008, with new Shadow Minister for Justice and Customs, the Hon Sussan Ley MP and her Parliamentary Secretary for Justice and Public Security (and former Victorian police officer) Jason Wood MP.



Chief Executive Officer's Report

(Continued)

In July 2008, Christopher Pyne and the Shadow Attorney-General, Senator the Hon George Brandis hosted a meeting of Federal, State and Territory Shadow Attorney's-General and Police Ministers. The PFA made a presentation to that meeting highlighting areas where Federal Government policing policies and other decisions are impacting on state and territory police forces. They included the issues of AFP numbers and in particular the call upon the states to police the current 11 First Response Counter-Terrorism Airports.

The meeting of Shadow Ministers also took the opportunity to visit the National Police Memorial.

Parliamentary Inquiries

The PFA made a number of submissions and appeared before several Parliamentary inquiries in the past 12 months. All PFA submissions are available on the PFA website. However, abridged versions of those submissions are as follows.

Joint Standing Committee on the National Capital and External Territories Inquiry into the role of the National Capital Authority

Our interest in the Inquiry related to the caretaking role of the National Capital Authority (NCA) in respect to the National Police Memorial in Kings Park.

We argued that it is vital that the NCA continues to have the primary role of planning, managing and maintaining national memorials and other national assets on designated national land and the financial resources to do so effectively. We suggested that their role should be strengthened and given greater emphasis to ensure not only the highest standards of design and architecture, but also the highest standards of on-going care, maintenance and presentation.

We were dismayed to find, in early 2008 that the Memorial, although less than two years old, was showing signs of disrepair and neglect; that mis-spelling of names of officers killed had not been corrected; and that it was not being maintained to the highest standard. Family members visiting the Memorial for the first time were distressed to find the site in this state.

As well as the submission to the Inquiry, the PFA took the matter up with the Minister for Home Affairs, the Hon Bob Debus MP who was sufficiently concerned to have the NCA and the Australian Federal Police take action to rectify the situation in February/March 2008.

Parliamentary Joint Committee on the Australian Crime Commission (ACC) Inquiry into the Australian Crime Commission Amendment Act 2007

At this Inquiry the PFA supported the former Coalition Government's retrospective changes to legislation in 2007 after deficiencies in the ACC Act were identified in the ACC vs Brereton matter.

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

At this Inquiry, the PFA argued that as the Australian Crime Commission (ACC) had been established to play a leading role in the intelligence gathering, investigation and prosecution of serious and organised crime, it was imperative that the Parliament gave it the appropriate resources and powers to undertake such functions.

We noted that there appears to be a lack of legislation across jurisdictions specifically targeting serious and organised crime groups. We also noted that where legislation was in place as in NSW, or proposed as in SA, or has been previously proposed in the case of QLD, there is no consistency in the legislation or proposals. As a result, we argued that the committee should consider opportunities for the development of model legislation to be applied in each jurisdiction.

We suggested that the committee should, in the first instance, investigate the *Crimes Legislation Amendment (Gangs) Act 2006 (NSW)*, the *Criminal Code (Organised Criminal Groups) Amendment Bill 2007 (QLD)* and the *Serious and Organised Crime (Control) Bill 2007 (SA)*.

Chief Executive Officer's Report

(Continued)

We argued that whatever legislation was ultimately implemented, it should include provision for appropriate powers for the ACC in relation to the investigation of serious and organised crime groups as well as strong deterrent-based penalties consistent with community expectations for offences of that nature. Harmonised legislation, we suggested, would also prevent such groups moving from jurisdiction to jurisdiction to exploit loopholes or shortcomings in the law in various jurisdictions.

We recommended that the Committee should establish dialogue with the Standing Committee of Attorneys-General (SCAG) with a view to having the issue of harmonised laws in relation to serious and organised crime groups placed on their agenda as either a new item or part of the discussion concerning the Model Criminal Code.

Senate Community Affairs Committee Inquiry into the Northern Territory Emergency Response Bill 2008

This submission supported our earlier 2007 submission to the Senate Standing Committee on Legal and Constitutional Affairs on the previous government's NT National Emergency Response Bills 2007.

We supported the four key measures in the Bill which:

- Repealed the abolition of the permit system while enabling the Minister to authorise journalists to enter communities
- Restricted pay TV services with large amounts of R-rated material
- Permitted material to be transported through prescribed communities, and
- Allowed a roadhouse to be treated like a community store.

We also reiterated concerns we expressed in our 2007 submission particularly in relation to policing in remote indigenous communities and in connection with the overlapping liquor controls.

We said:

'Law and order needs to be addressed by a coordinated multi-agency response. Mainstream agencies (Health, Education, Welfare, Housing, Planning and Infrastructure, etc) need to be committed to providing their statutory and other services to the remote communities. Services need to be provided in a whole-of-government coordinated manner, with police officers in each community supported by, for example, a health worker, education officer (teacher), and community facilitator who can provide dispute resolution, cultural empowerment, and facilitation services. In turn, the police officers can provide a secure environment for these other government officials.'

'Dedicated police services in each community allow for trusting relationships to be formed, a consistent policing approach to law and order issues, and provide community stability in which other government agencies can safely provide services.'

'Evidence suggests the best way to police remote Aboriginal communities is to have a permanent police presence within the communities.'

We argued that effective policing in remote indigenous communities can only be carried out by experienced Northern Territory police permanently stationed and living in the communities. Because the NT Government and community do not have the financial resources to adequately fund these and other people-intensive services (like sufficient teachers and health workers) we suggested that the Australian Government should supplement the finances of the NT Government so that it can do so.

We further argued that this was preferable and more effective than having police from the Australian Federal Police, the Australian Crime Commission and the States, depleting the resources of those police forces, seconded to the NT on a short-term basis.



Chief Executive Officer's Report

(Continued)

In respect to the new regime of liquor controls over and above those already applying under NT law, we pointed out that we continue to have major reservations and identified the complexities and difficulties that arise from having two sets of overlapping laws.

We argued that the Commonwealth and Territory governments should move quickly to ensure that NT statutes, in liquor and pornography control, meet the requirements of the Federal emergency response to ensure that the arrest and prosecution process are not hampered by administrative and bureaucratic inefficiency.

Based on questions by the Committee of PFA President Vince Kelly, who appeared before the Inquiry, the PFA provided a supplementary submission which specifically focused on the system of permits to enter certain Aboriginal communities.

In that submission we pointed out that from the outset the PFA had taken the view that no link had been established between the existence of the permit system and the problem of sexual abuse of Indigenous children. And yet, it was argued that the range of measures introduced by the former government were necessary to address the problem of child sexual abuse.

We pointed out that some parties argued that the permit system should be removed to allow for the "normalisation" of communities through greater opportunities for economic and social development/interaction with the broader Australian community.

We suggested that if any change to the permit system were based on this rationale then that should be clearly stated by government. While there may be a sound basis for this argument the PFA had not considered the merits or otherwise of the proposition.

On that basis, the PFA, maintained that in the absence of clear evidence of a link with child sexual abuse, the rationale for the changes made to the permit system in 2007 was spurious.

As a consequence, the PFA suggested that it had no objection to the measures being taken in the Bill to restore the permit system, albeit in a modified form allowing for certain Ministerial authorizations to enter Aboriginal lands.

Commonwealth Safety and Compensation Policy Branch's Comcare Review

In our submission to this Review, we raised several key concerns about serving police officers covered by ComCare including:

I. Recent changes to the *Safety, Rehabilitation and Compensation Act 1988* which removed workers' compensation coverage for journey claims were entirely unjust and inappropriate for police and should be reversed.

The reason for our opposition to the removal of journey claims for police was that the nature of much policing work is such that it is more likely that police employees will have more exposure to risk as a result of regular shift work, the intensity and duration of operational work, and the potential to be recalled to duty. A police officer's Oath of Office compels him or her to act in all circumstances thus further exposing the officer to injury during off-duty times or during travel to or from the workplace.

We argued that injury costs arising during journeys to and from work should be borne by a worker's compensation scheme rather than through personal, private insurance.

We also outlined the Australian Labor Party's response to our pre-election commitment on this issue (see Policy Proposal No. 10 above).

Chief Executive Officer's Report

(Continued)

- 2. The PFA is concerned to ensure, that effective workers' compensation and rehabilitation arrangements comparable to the arrangements provided for the military are put in place for police serving overseas, including in the International Deployment Group, through separate legislation to be administered by Veterans' Affairs.**

We again outlined the ALP's pre-election response to the PFA on this issue (see Policy Proposal No. 14 above).

- 3. The PFA also proposed that police officers serving within Australia and working in the Federal system should be covered by a police-specific workers' compensation and rehabilitation scheme modeled on the ADF regime.**

The Rudd Labor Government has agreed to discussions with the PFA on this matter.

Occupational Health and Safety

See OH&S sub-committee Report.

Standing Committee on Employment and Workplace Relations Inquiry into Pay Equity and Female Workforce Participation

Following the outcomes of the first year of the *Police at Work Project* being undertaken through Sydney University's Australian Centre for Industrial Relations Research and Training and the *Police Part Time Work Survey* undertaken by the PFA's Women's Advisory Committee, the PFA had a substantial amount of evidence on which to develop its submission to this Inquiry.

Recommendations in our submission included:

1. Noting that women are under-represented in Australia's police agencies and that 11% of part-time police would like to work longer hours, the Committee should recommend that the Minister for Home Affairs take this matter to the Ministerial Council on Police and Emergency Management – Police, seeking to have police agencies increase the quantum and range of part-time work they offer.
2. The Ministerial Council on Police and Emergency Management – Police should coordinate research by police agencies into pay equity in policing to determine whether or not an undervaluation exists in remuneration for the occupational groupings where women are over-represented.
3. That research should also inquire into matters germane to police remuneration, including:
 - prospects for promotion in female police occupational groupings compared to prospects in male occupational groupings;
 - the amount of overtime performed and remunerated (and expected and authorised by the police services) in female and male occupational groupings;
 - the levels of part-time workers in female and male occupational groupings, and the effects on superannuation; and
 - the status and recognition afforded by the police services to female and male occupational groupings, for example, by comparing the ranks and classifications assigned within those groupings.
4. Consideration should be given to further legislative change at Federal level to introduce an equivalent provision to the Victorian legislation which puts an onus on employers to accommodate employees who are parents and carers through flexible employment arrangements.
5. The Productivity Commission, as part of its annual *Report on Government Services*, should be asked to collect the necessary data from police services and report annually on pay equity in police services.



Chief Executive Officer's Report

(Continued)

6. The Ministerial Council on Police and Emergency Management – Police should be asked to examine the *Police Part Time Workers Survey Results*, August 2008 and to devise strategies to improve the opportunities available to part-time police officers for training, relieving duties and promotion.

NT Emergency Response Review Board

In our submission to the Northern Territory Emergency Response Review we relied on earlier submissions we had made, including the earlier reported on Senate Community Affairs committee inquiry into various aspects of the NT Emergency Response Legislation and the experience of Northern Territory Police on the ground during the Emergency Response.

We took the opportunity to reiterate our key concerns that overarching and fundamental view about policing in remote indigenous communities is that every community needs to be provided with a dedicated police service.

Dedicated police services in each community allow for trusting relationships to be formed, for a consistent policing approach to law and order issues to be taken, and provides community stability in which other government agencies can safely provide their services.

We again argued that law and order needs to be addressed by a coordinated multi-agency response. Mainstream agencies (Health, Education, Welfare, Housing, Planning and Infrastructure, etc) need to be resourced for, and committed to, providing their statutory and other services to the remote communities. Services need to be provided in a whole-of-government coordinated manner, with police officers in each community supported by health workers, education officers, and community facilitators who can provide dispute resolution, cultural empowerment, and facilitation services. In turn, the police officers can provide a secure environment for these other government officials.

In respect to policing we proposed that the Review Board recommend to the Rudd Government that it provide supplementary funding to the Northern Territory Government on a long-term basis (the four-year forward estimates period would be the minimum) sufficient for the NT Government to provide at least 66 sworn police officers on a permanent basis for remote indigenous communities and to cover the on-costs that that number of officers require, including for a reasonable standard of permanent housing.

In respect to overlapping Commonwealth and NT regulation of liquor and other prohibited material we argued that we continue to have major reservations.

Although the Rudd Government has been aiming to reduce unnecessary regulation and red tape and to streamline Commonwealth/State legislation we argued that the opposite has happened in the case of certain laws arising out of the NT intervention where new Commonwealth laws have been superimposed over NT law. We argued the complexities and difficulties that arise from having two sets of overlapping laws.

We therefore proposed that the Review Board recommend that the Commonwealth and Territory governments should move quickly to ensure that NT statutes, in relation to liquor and pornography control, meet the requirements of the Federal emergency response to ensure that the arrest and prosecution process are not hampered by administrative and bureaucratic inefficiency. Once that is done, the Commonwealth laws covering those matters should be repealed.

In conclusion, we argued that the Australian community appreciates that law and order and community safety are fundamental to the successful functioning of society and to family and community well-being. Indigenous communities in the Northern Territory (and elsewhere) need to be provided with the same essentials.

The release of the Review Board's Report is pending as this report goes to print.



Chief Executive Officer's Report

(Continued)

PFA Sub-Committees

Sub-Committee	Chair
• Professionalisation	Vince Kelly
• National Industrial Issues	Brian Rix
• Member Services	Mike Dean
• Policy	Vince Kelly
• National Deployment Issues	Jon Hunt-Sharman
• Superannuation	Peter Alexander/Mark Carroll
• Occupational Health and Safety	Mike Dean
• Industrial Planning Committee	Bob Pritchard
• Women's Advisory Committee	Randolph Wierenga

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

Professionalisation

Professional Registration –

Following the commitment of the ALP to support the concept of a national police registration scheme and enter into negotiations with state and territory governments and police unions with a view to achieving this outcome, the Professionalisation sub-committee embarked on a process of developing our argument for such a scheme.

This issue has been on the Agenda of Police Ministers, Police Commissioners and the PFA for almost two decades however little progress has been achieved. This was the first occasion that a federal government had given any formal commitment to such a scheme.

A working party was formed and it has been developing a draft model for discussion by branches.

On 24 September 2008, we conducted a professionalisation workshop for Branches where we invited key speakers to discuss the concept. Speakers were Ms Lee Thomas, National Assistant Secretary of the Australian Nurses Federation, Andrew Ius, Chief Executive Officer of the Victorian Institute of Teaching, and Don Williams, Australian Homeland Security Research Centre, who made a presentation about a proposal for Security Professionals to establish a professional registration scheme.

After hearing those three presentations and a question and answer session with the speakers facilitated by Ron Bogan of Business Improvements Pty Ltd, the Executive workshopped 'where to from here?'

At the conclusion of that workshop the Executive:

- affirmed the current PFA Policy on Police Professionalism and its National Strategy for Professional Development
- endorsed the continued development of the framework for a National Police Registration Scheme for future ratification by the Executive



PFA President Vince Kelly with Lee Thomas Assistant National Secretary ANF, Don Williams Secretary Security Professionals Taskforce and Andrew Ius CEO Victorian Institute of Teaching at the PFA Professionalisation Workshop at the ANU



Chief Executive Officer's Report

(Continued)

- agreed to continue to lobby the Federal Government to meet its pre-election commitment on a Police Registration Board, and
- authorised the President and CEO to prepare a presentation to the Ministerial Council on Police and Emergency Management – Police meeting in November based on the PFA's current policy.

APPSC/ANZPAA –

As reported in last year's annual report, the PFA campaigned to maintain the Australasian Police Professional Standards Council (APPSC) after the Commissioners had moved to subsume it into the Australian and New Zealand Police Advisory Agency (ANZPAA).

The PFA has maintained a professional working relationship with ANZPAA and holds regular meetings with ANZPAA's senior officers prior to ANZPAA Board meetings so that our views on issues can be relayed to the meetings. The fact that APPSC meetings are generally held in conjunction with an ANZPAA meeting also allows for our direct input into areas of interest to the PFA.

2nd Tier Policing –

While the PFA represents Protective Service Officers (PSO's) employed by the AFP through our AFPA Branch, we have throughout the year been voicing our concern about the AFP placing PSO's in police uniforms, having them driving AFP marked vehicles, and pursuing greater police-style powers for them. Our AFPA Branch has had similar issues raised by PSO's themselves via a survey of their members.

We have argued the re-branding of the vehicles has caused the general public to be confused about whether the officers are police. Prior to the changes to vehicle markings PSOs drove distinctive vehicles bearing the words Australian Protective Services in large, bold letters along the side of the cars. We suggested that no one could be in any doubt that the officers were PSOs and not police. The vehicles were not marked AFP or Australian Federal Police as they are now, and they did not have the distinctive black and white checkered band which uniquely symbolises police both Australia-wide and internationally and now 'brands' the PSO vehicles.

We also raised similar concerns about the PSO uniforms, branded with a new AFP shoulder flash which look very much like police with the minor distinction of the Protective Service epaulettes and a different coloured name plate. Although there is no checkered hat band, they have the appearance of police uniforms.



ACT Police Vehicle



Aviation Vehicle



Protective Services Vehicle

We suggested that the AFP's branding exercise is both misleading and deceptive and contrary to the public interest. Our concern is that the AFP may be trying to build a perception in the community that there are more AFP police officers than there, in fact, are.

The AFP's actions have developed widespread confusion on the part of the general public and the assumption on their part that the vehicles are driven/staffed by police officers. PSO's are being mistaken for police officers, asked by the public for police services, and criticised for not then responding to incidents as if they were police.

Chief Executive Officer's Report

(Continued)

Ultimately, we have suggested this is a safety issue – safety of the public, safety of PSO's and safety of police. We believe this action by the AFP is unprecedented in Australian policing and is totally unacceptable.

We have sought the assistance of the Federal Government to halt this process seeking them to take steps to have the vehicle markings and uniforms of Australian Protective Service Officers changed to a distinctive PSO livery which cannot be mistaken by the general public for AFP police officer vehicles and uniforms.

National Industrial Issues

The Future IR System –

Sydney University academic Giuseppe Carabetta has continued to work closely with the PFA over the past 12 months.

At the 2007 Federal Council meeting Carabetta gave a detailed presentation to delegates titled "What kind of IR System should our police (not) operate in?"

In that presentation he advised that there were in his opinion a set of non-negotiables for any future police system. They included:

- 1) A system which allows for **individual bargaining** in mainstream policing (eg, AWAs);
- 2) A system with heavy reliance on **productivity** bargaining (How do you measure "productivity" in policing?);
- 3) A system that pre-supposes the **"right to strike"** (police are not able to take full industrial action to back their claims therefore there should be safeguarded with speedy access to conciliation and arbitration);
- 4) A system that **marginalises the role of police unions** which have 99% membership.

Following Giuseppe's presentation it was agreed that:

The 2007 Police Federation of Australia Council Meeting endorses the Chief Executive Officer to apply for an Australian Research Centre Grant in partnership with Giuseppe Carabetta of the University of Sydney to conduct comprehensive research and a study on the best model for an industrial relations system for police.

We have continued to work with Carabetta to develop a submission for an ARC Grant in 2008.



CEO Mark Burgess, Deputy Prime Minister Julia Gillard, PFA President Vince Kelly and Giuseppe Carabetta from Sydney University



Chief Executive Officer's Report

(Continued)

IR Legislation –

The PFA has continued to monitor the progress of the new substantive IR legislation through our affiliation with the ACTU.

Award Modernisation –

We have likewise been monitoring developments in the award modernisation process. This process is being undertaken in four groups and while police are not specifically mentioned we could be included in stage 4 which will commence with submissions in July 2009.

Workers Compensation –

As with the IR legislation, award modernisation and OH&S we are utilising our affiliation with the ACTU to develop our position on the proposed harmonisation of Australia's workers' compensation legislation.

Industrial Planning Committee (IPC)

The IPC had two meetings in the past 12 months and as can be seen from the WAC Report, one of the IPC meetings was held back-to-back with the WAC.

As a number of branches had completed successful EB negotiations in the lead up to and during this reporting period, detailed presentations of those outcomes were made at the IPC which allowed for a thorough examination of each agreement and for Branches to identify key issues which could be helpful to them in future negotiations. The meetings also gave an opportunity for other branches which were either in negotiations or preparing to go into negotiations, an opportunity to present the issues they were endeavoring to address in their agreements and seek feedback from other branches.

The IPC also spent considerable time both in their meetings and out of session developing the 'Conditions of Service Matrix' which allowed branches to identify the variances in conditions of employment across the branches as well as to develop benchmarks on various conditions.

Other key issues dealt with by the IPC included:

- Rostering, which dealt with the issue of the NSW Auditor General's Report on 12-hours shifts
- The future shape of IR arrangements for police forces which involved a meeting with Giuseppe Carabetta and feedback to him on his ARC Grant proposal on the police IR system
- Giving advice to the Executive on a range of national IR issues including the substantive IR Bill being developed by Government, award modernisation and harmonisation of OH&S and workers' compensation
- Advice on matters to be included in the PFA's submission to the Pay Equity and Female Workforce Participation Inquiry by the Federal Parliament's House of Representatives Committee
- Issues dealing with members' advancement to senior constable level, higher duties arrangements and allowances for officers-in-charge
- Advice on the re-development of the PFA website particularly as it applies to the storage of information for professional staff of branches
- Issues surrounding the Northern Territory intervention, airport policing, overseas deployments and workers' compensation
- Professionalisation including police inter-jurisdictional mobility

Chief Executive Officer's Report

(Continued)

- And, as a result of the joint meeting with the WAC which was attended by Cath Bowtell Senior Industrial Officer for the ACTU, a strategy for ensuring better advice on industrial issues relevant to the WAC and IPC was developed.

The IPC has become a vital sub-committee of the PFA. It provides an opportunity for our branches' senior professional industrial staff to meet and share information and provide timely and relevant advice to the PFA's Executive.

Member Services

In June 2008, the Executive authorised the CEO to sign a contract with the telecommunications provider UNISON, to provide discounted telecommunication services to our members.

The deal will provide members and their families with access to discounted rates for home and mobile phone and internet connections. Following the signing of that contract, we developed a Deed of Agreement that would be between the PFA and those Branches which wished to participate in the scheme. That Deed outlines the responsibilities of each party and in particular the distribution of any income from the scheme.

Policy

Throughout the year and based on various developments, the PFA has continued to update its Policy Manual.

National Deployment Issues

In our pre-election document we raised a number of issues concerning overseas deployments and in particular workers compensation arrangements for the International Deployment Group (IDG).

As a result of the commitments received, we have been endeavoring to meet with the Minister for Veterans' Affairs to resolve outstanding matters. At the time of compiling this report a number of key issues are still outstanding.

Women's Advisory Committee (WAC)

The WAC had two meetings this year both of which were held in Canberra. Every jurisdiction and New Zealand was represented at each meeting.

One meeting was held back-to-back with an IPC meeting so that matters of mutual interest could be discussed and both Committees could have the benefit of a presentation by Cath Botell from the ACTU on the incoming Rudd Government's plans for new industrial relations regime to replace the former Howard Government's Work Choices legislation.

Key issues discussed by the WAC included:

- The WAC's Model Working Conditions Matrix which will now be improved by the selective addition of specific policies, beginning with the part-time work policy applying in each jurisdiction. These are available on the PFA website.
- The Women Friendly Union Matrix as a means of tracking female participation in the association/ union in each jurisdiction, including as members of the respective executives. Delegates report at each meeting initiatives undertaken by them to encourage greater participation by women and numerous new steps were reported this year.



Chief Executive Officer's Report

(Continued)

- Delegates each reported on initiatives coming out of new enterprise bargaining agreements or from the police forces, particularly as they affect women members, e.g. the Victoria Police draft pregnancy policy.
- Ensuring that after each WAC meeting, the delegate/s met with their Branch President to fully brief them on WAC meeting outcomes.
- Formulation of the PFA submission to the House of Representatives Employment and Workplace Relations Committee's inquiry into Pay Equity and Female Workforce Participation.
- Moves to ensure the PFA has a representative on the ACTU's Women's Committee.
- A proposal that the Industrial Planning Committee and/or OH&S sub-committee might review policies regarding uniforms and equipment to ensure they are suitable for female police officers.

Finally, the WAC this year completed a major piece of work of particular importance to female members, but also of interest to male members, namely the survey WAC delegates undertook of part-time workers in police services. WAC delegates from each jurisdiction arranged distribution of the survey and all police services except the AFP cooperated to undertake the survey. The NSW Branch, particularly Prue Burgun, coordinated the results and produced the report, *Police Part Time Workers Survey Results*, August 2008.

The report highlights areas where improved arrangements for flexible and part-time working arrangements, together with better access to training, relieving and promotion, would assist police officers who need to work part-time, the vast majority of whom are currently female. The results complement the *Police at Work: The Benchmark Report*, May 2008 referred to elsewhere in this report which looks at the whole police workforce.

On behalf of the WAC, Prue Burgun presented the results of the survey to the PFA Executive at its September 2008 meeting. The report was well received by the Executive and key aspects for action will be followed up next year by the IPC, WAC and the Executive.



Prue Burgun

Superannuation

As reported earlier the Government has committed to recommence its examination of the superannuation access age issue as it did at the last election by allowing us to argue our case before a special panel.

We are currently updating our submission on the preservation age issue and will be seeking discussion on the make up and power of the panel with the appropriate Minister.

Occupational, Health and Safety

In July 2008, the PFA made a submission to the Government's National Review into Model Occupational Health and Safety Laws. The bulk of the work on that submission was done by Tony Howell (NSW), Michael Clarke (VIC) and Dave Lampard (WA). A full copy is available on the PFA's website.

In summary, we pointed out that our members are those who are called to help when others in society are in crisis and our work is highly unpredictable and often extremely dangerous. We argued that a robust occupational health and safety system which promotes the proactive assessment and management of risks and which can be readily enforced, including by the PFA or its affiliates when necessary, is vital to ensuring the continued safe delivery of high quality policing services to the Australian community.

Chief Executive Officer's Report

(Continued)

Our submission supported the general thrust of the Australian Council of Trade Unions (ACTU) submission including:

- "A rights based approach to the development of National Occupational Health and Safety laws", as reflected in the ACTU Charter of Workplace Rights for Occupational Health and Safety and Workers Compensation
- Every worker, including police officers, having *the right* to a safe and healthy workplace
- Every worker, including police officers, having *the right* to be represented on health, safety, compensation, rehabilitation and return-to-work issues, via their elected Workplace Health and Safety Representative and their unions
- Persons who control, manage or own workplaces having *an absolute duty of care without limitation* to ensure the provision of a safe and healthy working environment, subject to *them* being able to demonstrate that they did all that was reasonably practicable
- Penalties for a breach of the duty of care created by the statute being commensurate with the degree of seriousness of the breach, including the statutory recognition of gross negligence
- The "fundamental" issues of:
 - (i) The setting and maintaining of the highest standards when creating duties of care
 - (ii) The onus of proof of compliance with these standards resting on the employer
 - (iii) Rights of entry for authorised worker representatives and in particular unions, and
 - (iv) That the national model law include a right for unions to prosecute in circumstances where one or more of their members is affected by a health and safety breach.

However, given the unique nature of policing, we argued that there are some specific features of a harmonised occupational health and safety model law which need to be addressed on behalf of police. They were:

- Much of the work of police officers is performed at locations far removed from a 'workplace' in the traditional sense and that the scope and application of the model OHS Act should be based around 'business or undertaking' which is sufficiently broad and flexible to accommodate work arrangements such as policing as well as new and evolving types of work arrangements.
- The definitions of "employer" and "employee" or "worker" should be drafted to embrace not only the traditional "employee/employer" relationship, but also those various relationships that result in the performance of work by one person at the direction/request of another.
- It is well established that police officers are not "employees" (rather they are the holders of a public office), do not have a contract of employment, and as such are not generally captured by references to "employees" in statutes that typically use that expression in the traditional common law sense (whether the Crown be bound by the legislation or not). However, current experience across jurisdictions confirms that it is appropriate for police officers to be captured within the general scope of occupational health and safety legislation and the model legislation should include a provision which clearly identifies and captures police officers. We argued that it was important that the legislation also clearly clarifies the operation of the legislation when an officer is 'off-duty' (a necessary provision to clarify the scope given that as the holder of a public office, unlike an ordinary employee working under a contract of service, a police officer may be compelled by their Oath of office to recall themselves to duty in an emergency).



Chief Executive Officer's Report

(Continued)

- With respect to the Employer's Duties and Duties of Others we argued that the key duty holder is the "employer".
 - The employer's duty should be central, but should overlap and operate concurrently with duties placed upon other relevant stakeholders. The employer's obligation to ensure the appropriate coordination of all stakeholders to ensure that OHS risk is designed-out of plant, substance and buildings used by police must be mandatory. It is not acceptable that police safety is compromised by the use of unsafe buildings NOT specifically designed for the activities of police or that police are required to use motor vehicles that are not specifically built and guaranteed for the duties police are required to perform. In addition are matters like secondary exposure to OC spray, bad backs caused by equipment belt design, non-adjustable furniture in muster rooms, etc.
 - Policing serves as an excellent example of why the duties of the 'employer' *must* be absolute. For police, circumstances may present that at first blush appear routine but rapidly turn and expose our members to significant risk. This inherently difficult position is exacerbated by the subordinate character of individual police in a hierarchical command and control environment.
 - The nature of the absolute duty should ensure that the occupational health and safety of police, who, by virtue of their work are exposed to the reckless or deliberate criminal actions of others, are properly balanced against the budgetary and practical resourcing issues facing a police service
 - In respect to employee duties we argued that in a policing context where there are strictly defined hierarchical lines of command and control responsibility, those responsibilities are appropriately limited to:
 - following a reasonable instruction given for the purposes of health or safety; and
 - not knowingly endangering others.
- We supported the position that workplace consultation should be an essential and compulsory feature of model legislation. We also supported an 'issues resolution' model that contemplates conciliation and, if necessary, arbitration
 - However, we pointed out that policing involves the performance of what is often times very dangerous work in highly fluid and rapidly changing environment, at locations over which the employer often has little physical control. Police officers are inevitably dependent upon a detailed and thorough risk management approach to the planning and delivery of every aspect of their work. Everything is dependent on risk management. This includes the levels of staffing within a particular command to balance first response obligations with the need to ensure safety at a job; the staffing and physical resources necessary for a particular planned operation; the selection of appropriate police appointments and personal protective equipment (such a firearms, bullet resistant vests, radio communication devices and the like), the selection and design of various police vehicles, and the appropriate design of police stations and charge areas (in particular to enable the safe transport and detention of potentially violent offenders) are merely some examples;
 - We, therefore, argued that any model occupational health and safety legislation must, in addition to the general duties on the employer to "ensure the health, safety and welfare of persons whilst at work", provide a concurrent and specific obligation to assess and manage risk arising from a business or undertaking, including a specific obligation to document and disclose upon request by authorised persons, the risk assessment and management process and tools used in their performance.
- In respect to Prosecution we argued that the compliance and enforcement mechanisms available under any model legislation should be extensive in order to permit an appropriate response in any given case be it in the context of a prosecution or the more immediate issuing of warnings, infringement notices, prohibition notices and the like;
 - In respect to any prosecution we argued that they should be conducted by a specialist Court (or specialist division of an existing Court).

Chief Executive Officer's Report

(Continued)

- In conclusion we stated that police work is highly unpredictable and often extremely dangerous. A robust occupational health and safety system which promotes the proactive assessment and management of risks and that can be readily enforced, including by the PFA or its affiliates when necessary, is vital to ensuring the continued safe delivery of high quality policing services to the Australian community.

Other Activities in 2007—2008

Development of the Queensland Branch

During 2008, both the Queensland Police Union Executive and their Annual Conference voted to form a Queensland Branch of the PFA. To assist in the development of that Branch, the PFA completed a draft set of rules for consideration by Queensland. At the time of compiling this report they are responding to those draft rules with a view to providing proposed rules to the Federal Industrial Registrar for comment in the near future.

Now that a commitment has been given by Queensland to form a Branch of the PFA, all assistance to achieve that outcome is being provided.

Sydney University – Workplace Research Centre Study

Researchers at the Sydney University's Workplace Research Centre hailed the *Police at Work* study as a "Successful first year".

The study, which this year interviewed 946 sworn police from the Northern Territory, New South Wales, Victoria and the AFP will be conducted over five years. The information derived will be used in bargaining, submissions to government and to generate media around improving the working conditions of police officers.

The *Police at Work* study is being conducted alongside the *Australia at Work* studies which is a survey of 8,341 Australian workers and allows our survey results to be measured against the wider workforce.

Key findings from the first years Police at Work study included:

- One in eight officers changed their unit or rank level in the past year highlighting the movement of police officers within their own jurisdictions.
- The majority of officers work unsociable hours. Around two-thirds of officers 'sometimes' work weekends, evenings or public holidays, while around one-quarter 'always' worked during these times.
- Police officers are much more likely than other employees to have concerns that they may get sick or injured as a result of their job.
- Overall, police officers are more likely to be happy with their length of working hours than the average Australian worker. Around one in seven officers would like to work fewer hours. However, police officers do feel overloaded at work. Police are considerably more likely than other employees to agree that "more and more is expected of me for the same amount of pay" – 74% of all police agree with this statement compared with 53% of employees generally. Further, police officers are less likely than other employees to feel that they have control over their working hours;
- Police officers are finding it more difficult to get by on their household income compared to all Australian employees. Police officers were more likely to say that they were just 'coping' on their household income and less likely to say they are living comfortably or doing really well compared to other employed Australians;



Chief Executive Officer's Report

(Continued)

- Police are more likely than employees at large to feel secure in their jobs but they are less confident about their position in the labour market more broadly. This may be because police are concerned about the transferability of their skills to other areas of the labour market.

In following years the study will be able to explore the dynamics of police working life, such as promotions, transitions in and out of different positions and the workforce, and where people go when they leave the police force.

National Police Memorial

The National Police Memorial continues to be a focal point for members of the police 'family'.

Earlier in 2008, Memorial maintenance was causing some concern (see earlier report regarding our submission to Joint Standing Committee on the National Capital and External Territories Inquiry into the role of the National Capital Authority) and we raised the issue direct with the Minister for Home Affairs who is also the Minister for Territories. As a result of those concerns being raised the standard of maintenance improved markedly.

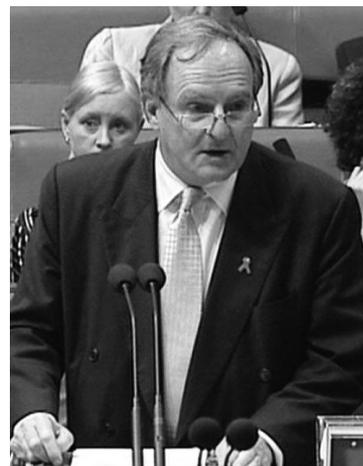
The PFA continues to be a conduit for members across all jurisdictions with the National Police Memorial.

National Police Medal

The PFA first raised the issue of the National Police Service Medal to replace the National Medal in early 2006. Following a presentation to the Police Commissioner's Conference in May 2006, in-principle support for the concept was given and a decision was taken to establish a committee to investigate the introduction of the medal.

Over the ensuing two years, meetings were held and in March 2008 the committee made the following recommendations to the Police Commissioners' Conference which were endorsed:

1. That the proposed medal be known as the **"National Police Service Medal" (NPSM)**;
2. That the medal be awarded for **"Ethical and Diligent Service"**;
3. That eligibility for the medal be for sworn police only who are defined as:
"A police officer who has taken the Oath of Office to serve as a Constable of Police under the relevant Act of Parliament who is employed as a police officer of an Australian Police Force/Service".
4. That the medal be awarded for 15 years ethical and diligent service with clasps being awarded for each additional 10 years of service;
5. That any member who is still serving and having completed the minimum 15 years eligible service one day after the commencement date for the medal may be eligible to receive the NPSM;
6. That the commencement date for eligible service be the **"date of swearing in as a constable"**.
7. That a proposal be developed regarding the NPSM's position in the Order of Precedence.
8. That the costs associated with the NPSM including the design, development and manufacture of the Medal be the responsibility of the Federal Government. Each jurisdiction would be responsible for the cost of the presentation of the NPSM to members.
9. That a committee be established to review the current arrangements for national recognition of un-sworn staff.



Hon Bob Debus, Minister for Home Affairs.

Chief Executive Officer's Report

(Continued)

10. That a meeting of Recognition and Awards personnel from each jurisdiction be held to develop a protocol for the processing of the Award.

11. Upon endorsement of the Commissioners' Conference in relation to this proposal, Chief Commissioner Nixon writes to the Prime Minister to progress this issue.

Subsequently, both the PFA and Chief Commissioner Nixon (who was the project sponsor on behalf of Commissioners) wrote to the Prime Minister seeking his support.

We have continued to discuss this issue with the Minister for Home Affairs at all our meetings and on 24 September 2008 the Minister in a statement in the House responding to a question on National Police Remembrance Day stated:

"Mr Speaker, police are essential to the fabric of a civilised society and we must continue to show our support for the work they do.

"Police have a unique status that includes the exercise of powers the community allows them to use to uphold the law and confidence in the proper use of those powers is essential.

"Mr Speaker I should mention that the Police Federation of Australia through its President Vince Kelly has asked that the Government to give serious consideration to a National Police Service Medal for serving police officers.

"The Government has been very willing to examine this request in more detail.

"While I understand there is much work to be done to advance such a proposal, I am pleased to advise the House, the Government is working closely with relevant authorities to clarify the matters that must formally be considered and the various protocols that need more thorough consideration.

"Mr Speaker at this time of remembrance it is also appropriate that we give consideration to how we recognise and congratulate serving officers.

"I hope to be in a position to provide the House with an update on the matter of a National Police Service Medal in the not too distant future".

There can be little doubt that the statement by the Minister in the House of Representatives has committed the Government to their pre-election commitment on the Medal.

We look forward to working closely with the Minister and the Government to finalise that proposal and see the medal implemented as soon as possible.

International Council of Police Representative Associations (ICPRA)

The PFA has continued its affiliation with the ICPRA and the CEO has represented Australia's interests on the ICPRA Executive Committee whilst the New Zealand Police Association President Greg O'Connor chairs the organisation.

The ICPRA now represents the international professional and industrial interests of over 1,500,000 police officers across Australasia, Europe, North America the United Kingdom and South Africa. Its 2008 Conference is scheduled for New Zealand in October.

Tasers

During the year a number of jurisdictions introduced Tasers for members.

It soon became obvious that a range of media commentators and journalists had limited knowledge of this type of equipment, its use and the advantages it provided police and the wider community. As a result of a range of inaccurate statements about Tasers from various groups, the PFA in conjunction with branches,



Chief Executive Officer's Report

(Continued)

developed a Taser fact sheet of frequently asked questions for the use of branches and to provide to the media. This document researched the factual answers to those questions, devoid of the hysteria and manipulation of statistics and facts that some groups have reverted to, e.g.

- One of the most objective and authoritative studies carried out by the UK Defence Scientific Advisory Council Sub-committee on the Medical Implications of Less-Lethal Weapons 'concludes that the risk of life-threatening or serious injuries from the M26 (or the later X26) Taser is very low'. The assessment of medical risks was undertaken by the UK Defence Science and Technology Laboratory;
- A recent report by the US Department of Justice, *Study of Deaths Following Electro Muscular Disruption: Interim Report*, June 2008, found that 'although exposure to CED (Taser) is not risk free, there is no conclusive medical evidence within the state of current research that indicates a high risk of serious injury or death from the direct effects of CED exposure';
- Volts do not kill; it is 1 to 2 amps that can kill. The Taser delivers 0.0021 amps to the body. In comparison, a defibrillator in an ambulance delivers an electrical charge several hundred times stronger;
- Compared with injuries when police firearms are used, and when capsicum spray, batons or police dogs are used, injury rates for police officers and the person being subdued are significantly lower with Tasers, which is why police forces are making Tasers more widely available to front-line police officers. The use of Taser CEDs also helps reduce the risk of incidents escalating to lethal force levels;
- Amnesty International claims that around 150 people have died after contact with a Taser. This does not mean that the Taser was the actual cause of death;
- The UN Committee Against Torture is claimed to have said that use of the Taser amounts to torture. In fact, the Committee called on the United States to deploy Tasers only as a non-lethal alternative to using firearms;
- Analysis of autopsy reports by medical researchers found high levels of illegal substance use (78%), (particularly use of stimulants such as cocaine or methamphetamine (86%)), cardio-vascular disease (54%), and excited delirium (75%) in those who died after the application of a Taser.

The use of the fact sheet by branches has meant a far more balanced reporting of the use of Tasers by the media.

Website Upgrade

During the latter part of this year, the PFA website has undergone a major redevelopment. The site now includes much more information than was stored in the old site and most importantly, has now been developed in a manner which allows PFA staff to make changes as and when required. The password protected area of the site allows for much simpler information and document sharing for Executive, Industrial Planning and Women's Advisory Committee members and also contains a facility by which the various Committee members can communicate more effectively.

Conclusion

Once again, the past 12 months have been a busy time. From the federal election in late 2007 to the broad range of other issues outlined in this report, it is clear that we have been kept extremely active.

As reported last year, we have maintained the role of Executive members Chairing/Sponsoring the various sub-committees. This has once again proved to be successful in that it gives a greater role to branches, and also ensures that the various Executive members have a greater individual understanding of the array of issues being dealt with by the PFA.

Chief Executive Officer's Report

(Continued)

In closing may I once again place on record my thanks for the support of the branches and in particular the Executive. Our unity is our strength. First-term President Vince Kelly has led the PFA by example. His support for the Executive and branches, and in particular the staff, has been much appreciated. He has been involved in a range of issues and meetings on behalf of the PFA and his professionalism has been well recognized.

A review of this Annual Report will once again also highlight the great dedication of our staff Ms Dianne Gayler and Ms Debbie Martiniello. To have achieved what we have over the past 12 months is testament to their work ethic and I specifically thank them for their ongoing support.

The next several years will be important ones for the PFA as we come to terms with the various changes which will ultimately flow from centralising/harmonising industrial issues, including award modernisation, OH&S and workers' compensation to identify but a few matters. How these issues will affect the operation of the PFA and its branches is yet to be seen, however, we have done considerable work to prepare ourselves strategically whatever the final outcome.

The professionalisation of policing debate will likewise continue to change and challenge the policing landscape. The great challenge for the PFA is not just to make decisions for today, but to prepare and place policing, the PFA, its branches and our members on a strong footing into the future. It is easy to shy away from making major, sometimes unpopular, decisions today, to ensure that "it didn't happen on my watch", when in fact the decisions, or lack of decisions we take today ensures that someone else will have to deal with the issues in the future when no key strategic preparatory or policy work has been done.

Whatever happens, the pace of change will not abate. The challenge facing the PFA, its branches and the wider policing profession is whether we simply brace for the future or we strategically prepare ourselves to embrace the future.

I believe it is imperative we prepare ourselves to do the latter.

Mark Burgess

Chief Executive Officer



Affiliates' Reports

NEW SOUTH WALES

This report provides a snapshot of the major issues dealt with by the branch over the past 12 months.

The significant achievements made on behalf of police in NSW have resulted from the professionalism and hard work of the Branch Executive, staff and local officials through their commitment to maximise the involvement of the membership at all times. Our focus on organising continues via the branch focus model has meant that NSW Branch was able to utilise the collective strength of our membership wherever possible.

Our teams have again been significantly involved in member training complemented by the popular region forums. A current review of training is under way so that we can improve on the way in which we provide officials and activists with the tools necessary for the organisation to face the challenges of the future.

The operational arm of NSW Branch is comprised of an Information Organising Centre, Industrial Officers (incorporating the Legal Advisory Officers), Organisers, a Medical Entitlements Team, In-House Counsel and support staff who bring a range of diverse talents to provide members with a professional service which I believe is second to none. Advice and enforcement of entitlements, protecting welfare and legal rights at critical incidents, Legal Financial Assistance, Workers' Compensation/ Death and Disability/HOD assistance, First Response and Flexible Rostering negotiations are some of the myriad of issues dealt with.



Bob Pritchard

WorkChoices

I reported last year regarding the branch's active participation in the Workchoices campaign which ultimately culminated in a change of Government at the November 2007 Federal Election. In the lead up to the election and subsequently we have been involved with Unions NSW in providing a submission to the inquiry by Professor George Williams, commissioned by the NSW Government, into "Options for a New National Industrial Relations System. A copy of the Issues Paper can be found at the following link <http://www.industrialrelations.nsw.gov.au/action/inquiry.html> We worked with Unions NSW to prepare a submission with specific reference to the needs of the NSW public sector. Consistent with our longstanding position on maintaining the state IR system, the submission (copy attached) was based on support for Option 3 from the issues paper reproduced as follows:

- 3. State systems underpinned by national standards:** *The Commonwealth legislates to create a safety net of national minimum employment conditions using its external affairs power or a limited referral of State power. State systems would continue to operate, but would not be able to undermine the national standards. Bargaining would be available at both the State and federal level. Each jurisdiction would have separate enforcement functions and judicial arrangements.*

This position will form the basis of the ongoing debate into the future of the industrial relations system into the future.

Occupational Health and Safety Harmonisation

The branch has been active in supporting the PFA in arguing for the highest standard of OH&S Laws to be applied in any harmonised model. In-House Counsel Tony Howell assisted in developing the PFA's submission to the National Occupational Health and Safety Review Panel. Branch Administrator Peter Remfrey addressed the panel at its meeting in Sydney along with PFA President Vince Kelly.

Affiliates' Reports

NEW SOUTH WALES *(Continued)*

Death and Disability Award

For the past 2 years NSW Branch has been involved in the implementation of the scheme. As of May this year, according to our figures, 165 members have been medically exited – 127 on duty, 24 off duty and 14 no entitlement for various reasons. Perhaps more significantly, 241 have been redeployed into suitable police positions thus ensuring that they have ongoing financial security, real and meaningful work and the organisation is fulfilling its moral and legal obligations to redeployment and rehabilitation.

The NSW Branch is represented on two committees – one to oversee the transitional arrangements and the second to recommend to the Commissioner medical discharges and payments under the scheme. These committees meet monthly. These are progressing satisfactorily with the committee recommending to the Commissioner medical discharges and entitlements under the award.

Questions have also been raised regarding the ongoing viability of the scheme. There is little doubt that the abject incapacity of NSW Police to manage illness and injury of post 88 members including failure to adhere to the mutual responsibility requirements has meant that there have been far too many exits. Were this to be allowed to continue the financial impost on the scheme would raise real concerns about long-term sustainability.

Consequently, we are working with NSW Police to have them put in place systems to better manage injured members and prevent a challenge to the existence of the scheme. A comprehensive article was published in the November 2007 edition of the Police News along with an editorial highlighting the above failures and identifying what needs to be addressed to ensure the scheme remains viable. As a result some significant changes have been implemented by NSW Police in terms of injury management and improving the compliance of the employer in terms of exhausting all rehabilitation and return to work options. The involvement of Peter Gallagher has been significant in this regard.

Additionally, we have engaged Professor James Guthrie from the University of Sydney to provide us with some financial analysis of the scheme and to assist in ensuring that the auditing process is undertaken in a fair and objective manner. Professor Guthrie and his team have previously assisted NSW Branch and other unions in respect to analysis of the state budget and in salary hearing before the IRC. NSW Police has provided us with all the relevant material and Professor Guthrie has already identified a number of issues as part of his review. At his suggestion we are undertaking further analysis of medical exits to support our position.

Lastly, experience both with regard to the D & D Scheme to date as well as the Police superannuation scheme has raised serious concerns at the high level of psychological injuries occurring among our members. These injuries have resulted in significant numbers of officers being prematurely medically discharged with debilitating conditions. In some cases, officers have resorted to suicide as a result of their injuries. We have sought to have NSW Police and the WorkCover Authority engage with NSW branch to coordinate the conduct of a rigorous study into the causes of psychological injury among police, something which has never been done in this state or other like jurisdictions. Agreement has been reached to seek funding through the Australian Research Council in partnership with a university and the expression of interest process for this project has now commenced.

Plea Bargaining Campaign

The decision in the re-run cases against the murderers of Glen McEnally caused an enormous reaction amongst members, which enabled NSW Branch to initiate a public campaign in respect to this issue. Combined with our ongoing representations regarding the sentencing in the assault on members Harrington, Port and Otero we were able to engage the membership as well as tap into public dissatisfaction. Members became involved by flying blue ribbons from police vehicles as an ongoing show of support.

Ultimately, the Attorney General has announced a review of plea bargaining to be conducted by the Sentencing Council, under the chairmanship of Justice James Wood. This is an important outcome and it is essential that we ensure that NSW Branch has significant input into this process and we need to gain maximum information from members. This should include matters relating to plea bargaining and sentence



Affiliates' Reports

NEW SOUTH WALES *(Continued)*

discount processes leading to unsatisfactory sentencing of all offenders, including where police are the victims. The Branch's Research Centre has developed a submission for the review which is expected to be conducted late in 2008.

Media

NSW branch has continued to maintain a professional approach to our dealings with the media. Procedures established to ensure a skilled and co-ordinated response to media inquiries have resulted in an improved ability to be proactive whenever this is strategically desirable. Our relationship with Essential Media Communications (EMC), which assists with our media strategy, has been strengthened.

The ongoing strategy of utilising Executive members and branch officials to respond to local media has also proven successful, especially in regional and rural areas. Enhancing the skills of officials is consistent with Branch focus and has improved NSW Branch's profile in the community. Support from both NSW Branch office and EMC has been critical to ensure that a consistent professional message is delivered.

Regular media monitoring as well as liaison with key journalists and editors has ensured a high profile for the organisation in both the metropolitan and regional media. As a result, NSW branch is regularly sought after for comment on both industrial issues and professional policing matters. Consequently, we have been able to generate positive media during our major campaigns as well as in local disputes.

Despite the ongoing biased campaign being run against the police rostering system by one media outlet (including seven front page stories, backed by a series of editorials and comment pieces) we have successfully protected this important member entitlement. Attempts to correct the record by pointing out the reliance on false and discredited information have been repeatedly ignored by both the journalist in question and her editor. Our reputation, built on many years in the media, has allowed us to withstand these attacks and ensure that the negativity has been largely restricted to one newspaper.

Future Challenges

The next pay round represents the biggest challenge for NSW Branch in the coming 18 months. The Treasury position of 2.5% per annum (less than the current inflation rate) and the tough stand taken with firefighters is indicative of the difficulties we will be facing. The 2008 Biennial Conference held in May 2008 presented an opportunity for elected delegates to send a message to Government that police will not tolerate what would effectively be a pay cut nor will we tolerate trade-offs which result in a net reduction to entitlements or take home pay. Productivity savings inconsistent with ethical policing practices which reduce service to the community will be rejected out of hand.

Other issues which we will face include maintaining important initiatives and entitlements such as Death and Disability cover, Flexible Rostering, First Response Agreements etc.

Bob Pritchard

President

Affiliates' Reports

VICTORIA

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

Following a period of protracted industrial action which commenced in August 2007, a breakthrough was finally achieved in reaching settlement in negotiations around EB 2006 when a heads of agreement was signed between the parties on 12 September 2007, at which time all work bans were suspended as a sign of good faith.

The outcome of EB 2006 resulted in the overwhelming majority of our members receiving at least a 5% salary increase, including salary structure improvements, wage relativity adjustments for sub-officers, access to the leading senior constable classification for all senior constables, proposals for the establishment of a police registration board, achieving greater professional recognition, a new weekend and penalty rate system, increased expense allowances and the ability to salary sacrifice ESSS contributions.

A special delegates conference held on 17 September 2007, was fully briefed on the EB 2006 negotiated outcome followed by a series of workplace visits conducted by the administration to enable us to fully explain the negotiated outcome to our members. This was followed by a general meeting of the branch held at the Dallas Brooks Centre on 11 October 2007, where the members overwhelmingly supported the negotiated EB 2006 outcome. In the subsequent ballot process, that the Force is required to have conducted, almost 80% of members who voted endorsed the proposed Agreement. The Branch was pleased that members received their salary increases on 8 November 2007, together with the \$450 "sign on" bonus and back payment of salary to 6 October 2007.



Brian Rix

The EB 2006 outcome was a testament to the resolve of our members who were prepared to attend meetings across the State and to take part in industrial action for two weeks under the threat of the then Howard Government's oppressive Workchoices legislation which posed a direct threat of salary deduction for members taking part in industrial action. The Branch and its members were pleased with the outcome and I would like to take this opportunity to thank delegates and assistant delegates for their solid support in achieving this outstanding result.

The EB 2006 outcome also included a capacity for detectives on commuted overtime allowance to be paid overtime where working hours were excessive. This was a welcome breakthrough during the negotiations, as it is often the case that detectives in receipt of commuted overtime, which equates to approximately 40 minutes per day, were exceeding that time at work, thereafter spending many hours in the workplace without appropriate payment. It was, therefore, disappointing to us that having achieved this outcome, the Force was then intent on not making this payment until a detective had worked 16 hours straight, whereas the Branch's position was 12 hours. This dispute has been the subject of further negotiation with the Force and was listed before the Australian Industrial Relations Commission for resolution. It is unfortunate that this matter has still not been fully resolved and remains one of the outstanding issues from the negotiated EB 2006 outcome. The Branch will continue to negotiate with the Force to enable an outcome to be achieved, in the spirit of the negotiations, which were that detectives and others in receipt of commuted overtime should be recognised in the form of appropriate payment for their work. However, it is pleasing to note, that many detectives who are working in excess of 12 hours straight, have been paid for these additional hours of work.

Branch members are still being expected to carry out duties, both overseas and within Australia, which ought to be undertaken by the Australian Federal Police. Whilst members serving in overseas deployment generally enjoy the challenges of this unique experience, the policing assistance responsibilities in developing countries, is clearly a responsibility of the Federal Government, as is the policing function at Melbourne Airport and other major airports across Australia. It is regrettable that our members who have been seconded to the Australian Federal Police to perform security duties at Melbourne Airport are suffering from lower morale due to a number of issues. These issues include a failure to pay allowances in line with the Australian Federal



Affiliates' Reports

VICTORIA *(Continued)*

Police workplace Agreement, uncertainty in terms of the return of members performing airport duties to the Force, concern in regard to emergency services super contributions having regard to the proposal to change the employment arrangements with the Australian Federal Police from being a seconded position to leave without pay. It is the intention of the Force to conduct a workplace health and wellbeing assessment at the airport. However, the protocols around the conduct of such an assessment given that it is an Australian Federal Police work place are unclear.

The Branch was recently advised by the Force that it intended to embark on a cross border patrol system operating along the Victorian/New South Wales border which is proposed to involve Victorian and New South Wales police patrolling together. Whilst this is ostensibly an initiative which will benefit the community, there are a number of issues which need to be worked through between the Victorian Branch and the New South Wales branch, prior to agreement for this initiative. It has historically been the case that our members, for example, attached to police stations along the Victorian/New South Wales border, are sworn in as special constables for New South Wales, and similarly, New South Wales police officers are sworn in as Victorian police officers. This is a system which has worked well and has stood the test of time. It is the case that both the Victorian and the New South Wales Branches do not fully comprehend the reason that the New South Wales and Victoria police forces want to embark on an initiative which is fundamentally flawed and unnecessary. There are also a number of issues relative to this initiative to be resolved with the respective employers, including civil litigation, discipline procedures, workcover processes, terms and conditions of employment, equipment and training, resources and the commonality of terms. Both the Victorian and New South Wales branches do not intend to agree with this proposal until all of these issues have been resolved.

The branch will continue to develop the police registration model which was an outcome from EB 2006. The Police Federation of Australia, through the agency of its professionalisation sub-committee, will continue its work to have established a national registration system for police which will eventually enable better and easier access to inter-jurisdictional mobility and to other benefits associated with professional registration.

The branch remains frustrated that the Force continues to delay implementing many of the EB 2006 outcomes, including registration. The creation of additional sergeant positions in general duties, reviews of classification structures in the SOG, PSO, TSU and field service/crime scene and introduction of a revised structure for PSO's, including their clear entitlement to the ESSS defined benefit fund, are some of the outstanding issues on which we are currently working towards resolution.

Our planning for EB 2011 has already commenced with a planned administration workshop. A series of workplace visits is planned for the purpose of consulting with our members about issues which they believe ought to be pursued and included in the EB 2011 log of claims.

Finally, we understand that the branch has a clear responsibility to ensure that our industrial responsibilities are properly prepared for and that we work with other branches of the Police Federation of Australia to ensure that we attain the best possible terms and conditions for our members, not just in Victoria, but throughout Australia and New Zealand.

Brian Rix
President

Affiliates' Reports

WESTERN AUSTRALIA

2007-2008 YEAR SHAPES POLICING FUTURE

The seeds of the world financial sector meltdown and economic turmoil which were sown in the 2007-2008 year will produce an unpalatable harvest for all public sector services – including Australian policing – into the medium term future.

The slide of international financial markets which has produced recession or near recession in many economies began in November 2007 and gathered pace for the remainder of the financial year under report. Unfortunately, the situation worsened dramatically in the several months since 30 June 2008.

Despite action taken by the Federal government to diminish the effects of this meltdown, State governments now face a plethora of unforeseen challenges in the provision of public services.

Western Australian policing will be adversely affected through budget pressure on the newly-elected Liberal-National government and unforeseen domino effects from softening resource markets, declining stamp duty receipts and higher operating costs.

Members looking toward a new Enterprise Agreement to apply from 1 July 2009 will find it difficult to persuade a Government under much budgetary pressure to produce a result anywhere near what was achieved in 2006. Additionally, the outlook for improved spending on new and replacement stations and other facilities will be adversely affected and it can be expected that postponements will occur for some projected capital works and resourcing.

However, there will be some positives from the economic gloom which has descended. Serving members nearing retirement are likely to continue longer. Members who were considering resignation will probably re-consider the move much more closely and many may decide against it because unemployment rates will rise. The huge surge in employment opportunities in the State's mineral sector will diminish and there will no longer be the job opportunities available there for police officers seeking career change. The overall result is likely to be lower rates of attrition with consequent better retention figures and less expenditure on recruiting.

However, the adverse effects of the financial crisis which began in 2007-2008 will be felt in WA policing for longer than most expect and the Union will be under increasing pressure to protect the interests of members in this changed economic landscape.

2008 MAJOR ISSUES

The major issue confronting WA Police over the past 12 months has been unprecedented staff shortages brought on by an economy which was surging before the adverse and pervasive impact of the world financial markets crisis. These staff shortages have severely impacted on police officers throughout the State and have contributed to resignations and morale issues. In the past few months, this situation has turned around with the economic downturn and recruiting applications have increased and resignations have declined.

December, January and February were a public relations disaster for WA Police with the Dante-Arthurs Case, the Mallard Inquiry, and the Walsham, Mickelbergs and Cousins matters all drawing criticism from local media. The key lesson from these events is the absolute necessity of engaging in public debate and, without making excuses, confronting the issues of inexperience and staff shortages. There is no doubt that all Australian police services must review their marketing styles and be prepared to openly debate and defend their front line staff. There is no shame in admitting legal or operational failures.



Michael Dean



Affiliates' Reports

WESTERN AUSTRALIA *(Continued)*

West Australian police have the benefits of a military-style medical benefit scheme for employees which provides annually 168 days medical leave and full medical/hospital/pharmaceutical coverage for members off and on duty. The rehabilitation programmed is extremely generous and the Department can only be commended for its efforts in this area. Unfortunately, those few members who are found to be beyond rehabilitation are forcibly removed from the service. It needs to be acknowledged this only occurs after at least one year of sustained effort.

Without recourse to a workers' compensation scheme, this leaves the members to pay their own medical costs. To remove this unfairness there is currently a Bill before State Parliament which will allow the Commissioner of Police to reimburse the medical costs of retired members for the continuing treatment of injuries/illness which directly arose from performance of their duty. The Bill has support from both the major political parties and promulgation is expected before the end of this year.

The escalating seriousness of assaults on police officers continues to be a major issue and the tragic case of Constable Matthew Butcher early in 2008 put it under the microscope yet again. Certainly, given the rate of these offences with four occurring on average every day, the penalties generally applied by the courts appear to produce no deterrent effect on offenders, many of whom are recidivists. A continuing public information campaign by the Union has certainly highlighted the issue and we have received overwhelming public support.

The previous Labor Government's legislative fix was to increase penalties from a maximum of 10 years to 14. It is a fair perception that Parliament is sending a message to the courts to increase penalties but it remains to be seen whether the courts will remain deaf to this message. The new Liberal-National Government has committed itself to mandatory imprisonment legislation for all serious assaults on police. The form of this legislation is not yet known, the new government has undertaken to legislate for this in its first hundred days.

Politically, the past 12 months have been slow on the law and order front with very few changes in legislation. With the exception of the assaults on police and truth in sentencing issues, health and education matters seem to have taken the spotlight. Generally, relationships with both major parties have been sound with good working relationships established.

On the legislative horizon, we again have the Police Administration Bill and again we have the old-fashioned police administration pragmatists pushing for more military-style powers for the Commissioner of Police. Independent appeals, due process and fairness are part of modern employment and if the Police administration is going to play the contemporary card, they should not have to resort to antiquated employment conditions. Should they continue, I predict extreme industrial discord.

The Corruption and Crime Commission's forays into the political world have taken attention off police and certainly caused consternation and, on the bright side, police have generally not been in the spotlight.

The 2008 State Budget for police, in summary, provided an unusually high 7.5% increase and included a substantial building program of 16 police stations with the long-awaited new city station and watch house finally being progressed. Two new helicopters and 90 extra police (above attrition) over the next 12 months were the highlights of what is obviously an election Budget.

Comparisons with other agencies and Departments which received Budget increases of between 3.9% and 4.5% really gives police nothing to complain about for once.

With the unexpected win by the Liberal-National group in the 6 September 2008 election, we can look forward to some interesting times, particularly in the industrial relations arena.

Affiliates' Reports

WESTERN AUSTRALIA *(Continued)*

2009 ENTERPRISE AGREEMENT

The Union's current major focus is the preparation of the 2009 Industrial Agreement

In an organisational sense, the Union has the member commitment, experienced employees and finances which allow it to strongly represent its members.

The many successes of the West Australian Police Union from legal assistance to the wages arena provide our members with the support and confidence they need in the difficult and dangerous profession of community policing.

We continue to be proud members of the Police Federation of Australia and commend the head office and affiliates for their general support and assistance in 2008.

Michael Dean

General President



Affiliates' Reports

SOUTH AUSTRALIA

The year in review has been another demanding one for the branch. We have witnessed the ratification of the fifth enterprise agreement; legislative change to police superannuation; changes to worker's compensation laws; an announcement by government to review the *Police Complaints and Disciplinary Proceedings Act*; the progression of the staffing on a shift needs basis agreement in EA 2007; an agreement to recognise overseas and interstate prior learning; the introduction of semi-automatic handguns for front line police; the announcement of a Taser trial; and proclamation of the *Serious and Organised Crime (Control) Act 2008*.



Mark Carroll

We also farewelled former police minister Paul Holloway MLC and welcomed newly appointed police minister Michael Wright MLC. And along the way we said goodbye to former president, Peter Alexander, who retired in April.

Much has already been said about Peter, the longest serving president in our history. He has been a truly great branch leader. He gave wonderful service to police officers, not only of South Australia but the entire nation, not to mention his outstanding service to the community as a long-serving detective who brought some of the state's most dangerous murderers and armed robbers to book. Loyalty characterised Peter's tenure as president – loyalty to the members, the branch, and policing. It was a trait he demanded in others because he always gave it so unhesitatingly in return. We wish him well in retirement.

EA 2007

The result of the EA 2007 ballot was overwhelmingly in favour. The "Yes" vote was 92.7%. It was ratified on 17 January 2008 and has a life extending until 30 June 2010. Negotiations for a subsequent enterprise agreement may commence after 1 January 2010.

The branch acknowledges the Rann Government's serious commitment to improving wages for police in South Australia. The ability of the parties to work together over many months of intensive negotiations to achieve a significant improvement in base wage and conditions of employment and a number of new employment initiatives and career opportunities cannot be overstated.

Vitaly important is that no conditions of employment were "sold off" to secure the agreement.

Clearly evident again, in this fifth round of bargaining, was the importance of members' loyalty and support. This, from a negotiator's perspective, was as crucial to our success as was the branch's 99 per cent membership level.

Police numbers

Our membership records indicate that on a headcount basis there are approximately 4400 police. The government has promised to recruit an extra 400 police during the current parliamentary term, delivering 100 additional officers each year. The branch fully expects that commitment to be met.

Tasers

The branch welcomed Commissioner Hyde's decision to extend the trial of the Taser to front line police. It also welcomed the announcement by the Opposition – seemingly in support of the branch's position – that it would fund 500 Tasers.

Affiliates' Reports

SOUTH AUSTRALIA *(Continued)*

For some time, the branch has lobbied the Government, Opposition and SAPOL on this issue, in the strong belief that the Taser would help reduce the risk of serious injury to police and offenders. The Taser provides a wider range of response options in conflict situations and minimises the need to use techniques with more potential to harm offenders.

The branch supports trialling new technologies with the potential to make the police officer's job safer and ultimately a safer environment for the community. We have called upon the Commissioner to ensure this trial progresses in a timely fashion, as it has stalled in recent months. But, the branch's position on Tasers remains clear and unchanged – we seek their widespread introduction across the operational fields of policing.

Serious and Organised Crime (Control) Act

The aim of the branch is to ensure that its members receive all the necessary equipment, resources and legislative support they need to deal with gang crime. To that end, we strongly supported this Act as police need the tools the Act provides to investigate gangs effectively, and, therefore, have an impact on their activities.

High Speed Pursuits

A former member is before the court charged with driving offences owing to a high speed pursuit when he was a South Australian police officer. The matter before the court is highly relevant to our membership and could prove a critical case for them. We are unaware of any similar case in SA where a police officer has been prosecuted to trial for an offence of driving in a manner dangerous and or driving without due care following a pursuit while on duty.

In the face of allegations of inappropriate driving, the branch will rightly fund the defence of its members who need a definitive judgement on this issue. Without it (a judgement) there exists no clear understanding as to which of a police officer's actions in a pursuit might leave him or her open to prosecution.

The role of police officers involved in high speed chases is often questioned, especially when the lives of innocents are lost. These deeply regrettable incidents are examples of unlawful high-speed driving which, with bloody-minded defiance, hooners have wreaked on South Australian roads in recent years. It is one thing for these people to risk purely their own lives, but their selfish actions invariably threaten, and indeed often take, the lives of innocents. And of great concern to the branch is the safety of its members, whose own lives become imperilled in dangerous high-speed pursuits.

Police officers do not take lightly the decision to institute a high-speed pursuit. We cannot hand over our streets to those who choose to ignore the law. Criminals will not simply stop life-endangering driving because the police stop chasing or don't chase at all.

It must not be forgotten that it is individuals who, for reasons of escape or thrill seeking, make the choice to drive at dangerous speeds. With their total disregard for others' lives, these individuals freely choose their manner of driving. In this whole issue, it is the offenders who are culpable and it is they who must change their behaviour. When they do this we will surely avoid the tragic losses and bodily injuries, and the heartache of shattered families.

Workers' Compensation

Government amendments to this legislation will impact on police. We continue to lobby the government about this issue. The occupation of policing is unquestionably dangerous. Officers have to expect the unexpected because it happens. And police have a commitment to their oath of office. It is unique in that it requires those who take it to put themselves in harm's way to protect the community. Police risk their own lives and welfare making good on that commitment. As governments cannot provide police with a safe workplace, they must provide adequate entitlements to compensation. Negotiations are continuing.



Affiliates' Reports

SOUTH AUSTRALIA *(Continued)*

Political Lobbying

Political lobbying is now very much a part of how we do business. The branch continues to enjoy positive relationships with all political parties. It is anticipated that the amendments to the Police Act and Regulations will occur in the year ahead. Those amendments may satisfy our concern about worker's compensation. The branch will lobby all political parties to achieve beneficial amendments.

Legal

Our expenditure on legal matters increased markedly last year. While we anticipate a substantial reimbursement and, indeed, have accounted for reimbursement already agreed, the conduct of several high-profile coronial inquests impacted heavily on the branch.

Amendments to victims of crime legislation have already impacted upon a number of files administered by the branch and we anticipate that recent amendments to workers' compensation legislation will impact to some degree on the way we do business.

Mark Carroll

President

Affiliates' Reports

AUSTRALIAN FEDERAL POLICE

The 2008 year has been significant for the Australian Federal Police Association (AFPA) Branch of the Police Federation of Australia (PFA).

The AFP perhaps more than any other policing agency in Australia, has undergone major change in recent years. These changes have set a new challenge for the AFPA as we keep our organisation abreast of the functional and organisational reforms of the AFP. These reforms have made this year a challenging year in relation to professional and industrial representation, particularly in relation to our members who are now deployed to remote localities nationally and internationally.

From a professional perspective, we have developed a close working relationship with the Rudd Labor Government. We have enjoyed unprecedented access to senior ministers including the opportunity to put our views forward to the Prime Minister in person. I was particularly pleased at the Prime Minister's personal commitment to boost AFP resources based on the advice received from the AFPA and PFA.

The AFPA has also been in a position to put forward matters directly to the Attorney-General, the Hon. Robert McClelland and the Minister for Home Affairs, The Hon. Bob Debus. Issues discussed include police professional development, AFP deployments including International Deployments, AFP resourcing, law reform including joint parliamentary oversight, industrial reform including the abolition of Workchoices and secret pay agreements within policing, and the appointment and function of the National Security Advisor.

At the same time the AFPA enjoys a healthy relationship with the AFP and this extends from senior management including the AFP Commissioner Mick Keelty, to operational levels including portfolio managers and key decision makers within the AFP Human Resource area. This has enabled us to resolve a range of employment, legal and industrial matters without the need for external action.

Last year the AFPA successfully negotiated the 2007-2011 AFP Collective Agreement. Within its first full year of operation I am pleased to note that we have sorted out the few remaining "interpretation disputes". Generally, the Collective Agreement is now widely understood and operating smoothly. This enables the AFPA to resolve Collective Agreement breaches identified by members in a timely manner.

Like many Associations, we often hear comments like "what can the AFPA do for me?" but not "what can I do for the AFPA?" This was not the case recently. I received an enormous level of response from AFPA members to my request for input to the recent Federal Criminal Justice Forum. We were able to put forward over 70 individual submissions to the review, reflecting the collective concerns raised by members and potential areas for improvement in Federal Criminal Laws. Many of the matters raised are now on the agenda for ongoing focus by the Attorney General's Department. The AFPA CEO was also personally invited by the Minister for Home Affairs Mr Bob Debus to sit on the steering committee for the review and to provide some opening remarks at the forum. I am sure that our members soundly endorse our strong stand on the need for major reform of the Commonwealth Proceeds of Crime legislation and the need for Commonwealth Organised Crime legislation in particular. Many of our members raised these concerns in their submissions to us.

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

Early this year the AFPA developed its strategic direction for 2008-2012. The AFPA has identified our operations on four "pillars" covering **Profession, Employment, Life and Welfare**.

Already in 2008 we have made major gains in all four areas.



Jon Hunt-Sharman



Affiliates' Reports

AUSTRALIAN FEDERAL POLICE *(Continued)*

PROFESSION

Protecting and indeed enhancing the policing profession is paramount. We have, I believe, successfully fought to establish policing as a profession ensuring recognition of the unique skills required to meet community expectations of our role. Working with the Federal Executive of the Police Federation of Australia we have gained a commitment from the federal government to consider the establishment of a scheme of national registration for Australia's police officers.

We have also gained a Government commitment to expand the AFP by 500 additional police officers over 5 years who will be deployed to the AFP's national area of operations.

Our greatest challenge in relation to the policing profession is protecting the independent office of constable. The AFPA experience is a stark reminder of how policing operational and financial imperatives can lead to a push towards replacing the independent office of constable with other employees who have statute powers similar to police but without the legal independence, policing qualifications or policing capabilities.

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

EMPLOYMENT

Within the Employment pillar the AFPA has striven to ensure appropriate conditions of employment covering remuneration, safety, and working environment of our members. This year we were able to achieve improvements in travel conditions, IDG training conditions, IDG advancement arrangements plus successfully resolving various individual employment matters. We were also instrumental in gaining a commitment from the Government to fund an AFP Attraction and Retention program of \$20 million over four years. Demands on our legal department remain strong as growth in AFP numbers and increasing demands on professional standards raises the number of referrals to this office. As well ongoing legal reform, public inquiries, government reviews and representation in criminal matters, the AFP Act and employment law have kept our team extremely busy.

LIFE

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

WELFARE

Welfare services are a key part of being a member of the AFPA with the welfare of our members being paramount. The wellbeing of AFPA members and their families takes precedence and I am proud of the services and support which the AFPA offers in this regard.

During this year, the AFPA expanded our unique group policy insurances including life, trauma, and more recently journey cover. Our collective buying power enables us to deliver insurance products which, even if available to employees in the policing profession, would be extremely costly.

The AFPA underwrites the charitable activities of AUSPOL Welfare Foundation which can assist any Australian police employee including past employees, and their families in times of need. AUSPOL Welfare

Affiliates' Reports

AUSTRALIAN FEDERAL POLICE *(Continued)*

Foundation has made a number of donations to police employees and their families over the past 12 months including donations to State police as well as Federal police, complementing local legacy arrangements.

In conclusion, I would like to take this opportunity to thank the Police Federation of Australia Federal Executive for the support they have given to the AFPA Branch. I look forward to working with the Federal Executive during 2009.

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

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

Jon Hunt-Sharman

AFPA National President



Affiliates' Reports

TASMANIA

I am pleased to provide this report which gives an overview of the activities of the Tasmanian Branch and its associated body the Police Association of Tasmania. This year has been a year of increased activism by members as a result of the reluctance of police force management to embrace change and listen to police officers' concerns regarding their employment conditions. Matters were brought to a head early this year when members attended meetings in unprecedented numbers and demanded that a vote of no confidence be held in the then Commissioner. During the debate concerning the merit of such a vote, the Commissioner announced his retirement. Many of the issues that fuelled the industrial unrest are the subject of this report.

Disciplinary/Employment Appeals

Last year, I reported that this matter was close to resolution. Unfortunately, I was wrong and the matter has dragged on. By way of background, when the Labor Government introduced the Police Service Act 2003 we were promised that members' appeal rights would not be diminished. We had our misgivings at the legislation that was passed and our worst fears were confirmed when the Review Board hearing appeals against the first demotions under the Act confirmed that the powers given to the new Board did not replicate the powers under the old Act. After much discussion, a QC's opinion and another decision from the Review Board, the Government has now accepted our position. It has taken another 12 months to draft legislation which is acceptable to the Association and the Government will soon introduce amendments to the Police Service Act to restore appeal rights to previous levels.



Randolph Wierenga

Police Radio Network

At the time of the unrest, much had been said regarding the ailing radio system but very little delivered. Coincidentally, around that time the Government announced a commitment of \$13 million to refurbish the current network including the purchase of new radios. At the time of writing radio tower refurbishment is occurring and the new radios are being rolled out. This is an interim measure until the Government delivers a new whole-of-government radio network. Police in the 21st century should have access to a secure network with reliable coverage. A safe and secure communications network is a basic necessity for efficient and effective work.

Enterprise Bargaining/Staffing Levels

The previous Enterprise Bargaining Agreement (EBA) expired in June 2007. At the time of the unrest, negotiations had stalled around staffing levels at front line operational areas. The Police Service has been reluctant to accept the argument that work levels need to be matched with staffing levels. They attempted to place pressure on the Association to accept an offer without a resource component by revealing the salaries and conditions of the proposed agreement to members. This attempt to split the membership was unsuccessful and mass meetings around the State resolved not to endorse the EBA without staffing levels on the front line being adequately addressed. As a result, the Police Service agreed to conduct a pilot minimum staffing model at one 24-hour station and subject to evaluation roll out staffing level agreements to other 24-hour stations.

Single Unit Policing

Last year, I reported that the Association has for some time been seeking strict procedures concerning the use of single officer patrols. The matter came to prominence two years ago when a police officer was shot and seriously wounded after a traffic interception. This time last year, the Police Service finally accepted that a set of procedures would improve the safety of members involved in single officer patrols and agreed to develop a policy. The initial policy proposed fell well short of expectations and no doubt contributed to members' anger. A more comprehensive policy has now been developed and should be implemented shortly. It is still deficient in the areas of guaranteed back-up, reliable communications and the use of inexperienced officers.

Affiliates' Reports

TASMANIA *(Continued)*

Uniform

Uniform continues to be an irritation to members. Whilst there is considerable agreement that our uniform looks fine for ceremonial occasions it is not considered practical in operational policing roles. Whilst we see uniform changes occurring in other jurisdictions, those changes have not been embraced here. This intransigence to change perplexed many members and no doubt is a factor in their anger. With a new administration in place there is hope that an operational uniform of a more contemporary nature will be implemented.

Compulsory Transfers

There is no doubt that the matter that angered more members than any other was the compulsory transfer issue. With a selection policy so broad that almost anyone, anytime could be selected for a compulsory transfer a number of compulsory transfers enforced late last year ignited members' anger. The compulsory transfers left the members affected suffering a significant financial impost and flew in the face of the 'family friendly' mantra that sections of the Police Service ascribed to. The issue of the lack of a fair and transparent compulsory transfer policy was linked to another contentious policy which decreed that your position was technically vacant after 3 years and anyone could apply for it. This was anathema to many members.

With the new administration a fairer and transparent compulsory transfer policy has been developed but does not yet completely meet Association expectations. The abhorred 'technically vacant' policy has now been scrapped.

Conditions of Police Stations

The Association has been lobbying for many years to have three major police stations replaced due to their age and poor condition. Members were irate that they had to work in sub-standard conditions with no relief in sight. Their concerns were expressed at the mass meetings. As a result the Government announced in its budget a major initiative to refurbish the three police stations concerned.

Workers' Compensation

The weekly payment step down provision continues to cause angst among members. The Association made a submission to a Government review that the outcome for members injured on duty was plainly unjust. The review stated that the step down provisions as they related to police officers needed to be addressed. The response from the Government has been stony silence. The Opposition, to its credit, has introduced an amendment to the legislation which will remove the 'step down' provisions in certain circumstances. We are waiting to see what the Government response will be. The State has a responsibility to protect and properly compensate police officers who are injured whilst protecting the community.

Victims of Crime

Last year, I reported that the State Government proposed to introduce legislation which abolished financial compensation for the majority of victims. It did this without any consultation with stakeholders claiming it was a budget initiative. The proposed changes would have left victims of crime without any final compensation except for those who were victims of sexual assault and then paying what can only be described as a pittance. Successful lobbying ensured that the proposal would have been defeated in the Legislative Council and with the writing on the wall the Government chose not to introduce the changes.

Randolph Wierenga

President

Tasmania Branch



Affiliates' Reports

NORTHERN TERRITORY

Overview

The 2008 calendar year has been particularly busy for the Northern Territory Branch due to the settlement of a new three-year Consent Agreement, a Territory election, and the ongoing Federal Government Intervention (including the review process).

The details of the 2008 Consent Agreement are highlighted below, however, our preparations for the negotiations commenced in late 2006 with a survey of our membership. The information gathered in this process was utilised in a number of strategic planning and focus group sessions during 2007.

In January this year, Essential Media Communications were engaged by the Branch to conduct market research with the territory community about attitudes toward police. This research led to a short advertising campaign prior to the commencement of negotiations for the 2008 Consent Agreement. The research conducted confirmed that the public supported police and expected the NT Government to deliver a reasonable wage outcome for police officers.

Despite the tardiness and reluctance of Northern Territory Government representatives to engage in meaningful negotiations during February, March, and April an agreed position was eventually reached which was ultimately endorsed by the membership.

The conclusion of negotiations was quickly followed by a snap election called by the incumbent Labor government on 21 July 2008 with the poll scheduled for 9 August 2008. The very early election caught most commentators by surprise and despite the Chief Minister's early statement that the election was about a gas project it became to a degree a referendum on law and order.

History shows the Labor Government was returned with a vastly reduced majority of one. The law and order policies of both major political parties did not receive the endorsement of the Territory community. The Government's reliance on non-police such as Transport Safety Officers, night patrols, and neighbourhood watch volunteers has, in our view, been rejected by the community.

Our Association will endeavour during the life of the new government to ensure that policing is conducted by professional, fully trained, fully equipped and accountable police officers.

The Federal Intervention in the Northern Territory is continuing although only AFP officers continue to be seconded into the NT Police to supplement our inadequate staffing position.

While the report review of the intervention has not (at the time of writing) been made public it is a reasonable expectation that the intervention will continue particularly in terms of increased police services. Our Branch, along with the national body, has consistently maintained that the best people to police the Territory are Territory police officers.

As was highlighted in last year's report, the Federal and Territory governments must act cooperatively to develop new funding arrangements for our police force. Ultimately, policing of the Territory remains the responsibility of the NT government and the NT Police. The use of the AFP and police from other jurisdictions is, at best, a short term solution.

As was also highlighted in last year's report, the greatest irony of the intervention is that we now have sworn NT police officers working at the Darwin and Alice Springs airports as special constables in the AFP wearing AFP uniforms and sworn AFP officers working across the Territory as special constables in the NT Police wearing NT Police uniforms. This situation continues in 2008.

Our Branch wishes to take this opportunity to clarify our position on the "Permit System" for Entry into Aboriginal Land in the Northern Territory. Our Branch has consistently maintained that the previous Federal Government failed to make the case for any connection between this legislation and the sexual assault of



Vince Kelly

Affiliates' Reports

NORTHERN TERRITORY *(Continued)*

women and children in remote Aboriginal communities. The permit system is simply not designed to reduce or prevent such abuse any more than trespass statutes which exist in all jurisdictions.

Our Branch has consistently stated that in some circumstances the permit system is a useful policing tool. Our branch has consistently stated that if the government of the day wishes to remove the permit system for other reasons, for example economic, the government should not cynically use the report on of Aboriginal women and children in remote communities to achieve that end.

Industrial Outcomes – 2008 Consent Agreement

We have been successful in negotiating a new industrial agreement with the Commissioner of Police and the Commissioner for Public Employment. The new Agreement is effective from 30 June 2008 and will remain in force until 29 June 2011.

The Agreement may be summarised into four components:

1. A salary increase of 4% per annum over the life of the Agreement (3 years) and an incremental restructure within each rank up to and including Superintendent;
2. Re-instatement of full travel allowance entitlements for all travel excluding attendance at Darwin or Alice Springs for official training and/or recognised "events";
3. Improved isolated policing incentives; and
4. Other measures.

Salary Restructure

The agreed position between the parties was that members would receive a pay increase of 4% per annum over the life of the Agreement subject to a restructure of the salary increment levels within each rank from Auxiliary up to and including Superintendent. The details of the restructure have been widely disseminated and I do not propose to reproduce them here. Suffice to say that whilst the Constable and Senior Constable bands have been broadened to include more incremental points, no one was going to be worse off in real terms under the new structure.

The revised salary structure also includes the removal of the restriction on access to the rank of Senior Constable I/C so that all members qualified to the rank of Sergeant will be able to access this rank. This allows for significant "fast tracking" for constables with more than four years experience to be able to access the highest pay point within "Senior Constable" much faster than ever before.

Travelling Allowance

The restriction on travelling allowance introduced as part of the 2005 Consent Agreement has been removed for all travel, except for members attending official training courses and "events" in Darwin or Alice Springs who are provided with self-catering accommodation.

The effect of this is that members travelling within the NT not attending for training or official "events" in Darwin or Alice Springs will be entitled to the TA provisions which were in existence before the 2005 Consent Agreement came into effect. The per day rate of TA for members attending such courses or events will be \$35.

It should also be noted that members who do attend for training or official event in Darwin or Alice Springs will also be entitled to pre-2005 TA entitlements if they are not housed in self-catering accommodation for the duration of the training course or event. "Self-catering" has been given its normal meaning under the new agreement, replacing the exhaustive requirements which had been included in the definition contained in the 2005 Agreement.



Affiliates' Reports

NORTHERN TERRITORY *(Continued)*

Isolated Policing Incentives

The 2008 Agreement provides for the following increases to isolated policing allowances:

- the re-introduction of the Brevet Sergeant rank for all Officers in Charge of remote stations and will be paid as a first increment Sergeant for the duration of their tenure. It should be noted the reintroduction of this rank has been worded in such a way so as ensure the rank cannot be utilised in any other area or for any other purpose;
- an increase in the General Duties Allowance of 9%, 10% or 12% dependent on location for the duration of a member's tenure at the remote station. At Tennant Creek, the allowance has been increased by 5% and is called an "Attraction Allowance" as it applies to all members at Tennant Creek, including plainclothes members and the district Superintendent. Transition arrangements have also been put in place for current serving members at remote locations who might not fully benefit from the changes to serve out their time under current incremental advancement arrangements;
- a change in the application of the Satellite Television and Internet Charges reimbursement provision to provide for the reimbursement of on-going annual charges for these services up to \$500 per annum;
- an increase to the Isolated Localities Bonus to \$6,500 for Tennant Creek and \$5,000 at Kintore, Wadeye, Papunya, Warakurna, Lajamanu and Yuendumu payable after 24 months service at those locations;
- an increase in freight allowance for members with two or more dependants; and
- an additional 1 week's recreation leave will accrue each 12 months for members serving at Kintore, Wadeye, Papunya, Warakurna, Lajamanu and Yuendumu (all other locations will retain current leave bonuses).

Other Measures

Other matters that have been agreed to between the Commissioner for Public Employment and the Commissioner of Police and your Association are:

- increases have been made to the rates available under the Camping Equipment Allowance. Furthermore, the availability of this allowance has been expanded to members other than those working in the areas of TRS, Drug Investigation Section and Marine and Fisheries Section where the member can demonstrate that his or her duties require regular use of full camping equipment;
- a specific Dog handler's Allowance has been introduced for members required to home kennel police dogs;
- Superintendents in some areas will have the capacity to make application for access to the on-call allowance;
- a specific program of accelerated entry for Australasian police with minimum two years prior service has been agreed upon to replace the previous Transitional Entry Program;
- rostering provisions have been changed to allow for a 35-day roster including the capacity to roster seven nightshifts in a 35-day period. Quick changes are now prohibited without specific agreement being reached with the member concerned. Current rosters will be retained but may be reviewed within the first six months of the Agreement coming into effect and 40-minute meal breaks will apply to all shifts, including nightshifts.
- Auxiliaries will now have access to re-imburement of removal costs on retirement;
- the definition of, and entitlement to, career breaks has been clarified;

Affiliates' Reports

NORTHERN TERRITORY *(Continued)*

- the entitlement for the Commissioner to direct a member to utilise accrued recreation leave has been increased from five days to 10 days in any 12 month period;
- members will now be able to provide medical certificates for use of sick leave from a broader range of health care providers. Provision also now exists for a member to provide evidence of illness by way of statutory declaration where it is or was not practicable for the member to obtain a medical certificate for the period of the illness or injury;
- ACPO's have been given a limited posting of choice entitlement;
- the salary overpayment recovery provisions have been re-written to clarify the circumstances under which the Commissioner may seek to re-claim monies owed by a member through salary deductions;
- reviews of superannuation benefits and overtime rates have been committed to by the parties during the life of the Agreement; and
- the parties have agreed to an evaluation of the Job Evaluation System as it applies to any restructures or the creation of new positions.

Police Arbitral Tribunal – Ongoing disputes

There are currently three disputes which we are pursuing in the Police Arbitral Tribunal ("the PAT"):

- Housing;
- Frontline rosters; and
- Duty Superintendent roster.

Both the Housing and Frontline roster disputes have been dealt with to the satisfaction of our Branch, with the PAT simply maintaining a watching brief on developments. The Duty Superintendent roster dispute is more problematic and negotiations are continuing with the Commissioner of Police to achieve outcomes that are satisfactory to our members.

CONCLUSION

The 2009 Calendar year will no doubt present many more challenges for the Branch particularly in light of the likely ongoing intervention and the impact of both Federal and Territory government decisions on operational Police officers.

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

Vince Kelly

President



Associates Report

QUEENSLAND

The Queensland Police Union of Employees has undertaken significant change over the past year. I was elected General President following the retirement of the long-serving Gary Wilkinson. Mick Barnes successfully contested the General Secretary's position replacing Phil Hocken. Ian Leavers has also replaced Denis Fitzpatrick as Vice President of the QPUE.

Our members have clearly indicated a desire for change in the administration of the union and we have set about implementing amendments to the procedures and operation of the organisation. One of the key elements has been a change in the openness and transparency of the affairs of the union and much improved communication with our branches and members.

Retention Issues

A key challenge for the Queensland Police Service and our organisation has been a major increase in members leaving the occupation of policing to pursue greater monetary reward in private enterprise.

The mining boom in regional areas of Queensland has given many officers opportunities to earn wages far in excess of what can be offered by the QPS and many have voted with their feet.

Additionally, the expansion of Australian Federal Police units in Queensland has seen some of our members transfer laterally into roles related to the International Deployment Group. This has particularly affected our specialist areas.



Cameron Pope

Industrial climate

It is clear that whilst the QPUE is not currently in a bargaining period there is an apparent decline in achievable wage outcomes across the public sector in line with the withering economic conditions. Our next enterprise bargaining period will begin at the end of 2009 with completion due in July 2010. The outcomes currently being achieved by public sector unions in Queensland and elsewhere are well short of those achieved only 12 months ago and a further deterioration is foreseeable over the coming few years.

Chris Hurley Matter

There are numerous matters still under way in relation to the death in custody of Cameron Doomadgee and the subsequent riot on Palm Island.

Chris Hurley has challenged the acting coroner's findings and the decision is reserved at the time of writing. Some of the charges relating to the riot are also still before the court and there are another two court matters in train. One relates to suppressed material the other to civil litigation by the family of the deceased.

The QPUE remains a strong union with high levels of membership and participation and we are continually striving to increase the level of support provided to our members.

Cameron Pope

General President

Financial Statement

for the year ended 30 June 2008

TREASURER'S REPORT

I am pleased to provide this financial report to members.

A perusal of the attached financial statements will indicate that our overall accumulated funds have increased by \$47,855 to \$786,648 while the debt on our building has decreased by \$51,454 to \$389,027. This is a pleasing result.

You will recall that in last years Treasurer's Report, additional income from branches shown as 'campaign funds' and 'research contributions' was reported. This year that amount is \$215,919 and again relates to the ACTU Work Choices Campaign Levy, which is now complete, as well as our ongoing contributions to the Australia at Work research project and the Police at Work study, both being undertaken by the Workplace Research Centre at Sydney University.

During the year the PFA also made an allowance for our liability on Long Service Leave of \$25,000 and returned funds to our investment accounts that had been previously used to supplement our general account.

These results have all been achieved while the PFA still meets all airfares and other associated costs for all Executive, WAC and IPC meetings as well as varying expenses for other sub-committee meetings which were not previously undertaken. I would like to think that perhaps in time we could facilitate the PFA taking over all costs associated with the Executive and sub-committee activities.

In closing I particularly thank our office Administrator Debbie Martiniello for the professional and diligent way she handles the PFA accounts. Her timely and accurate advice to me as the Treasurer has allowed me to be well informed of all key expenditure decisions and allows for detailed reporting to the Executive. I also thank our Auditor Tom Tsia for his guidance and support.

Randolph Wierenga

Treasurer



Financial Statement

for the year ended 30 June 2008 (Continued)

OPERATING REPORT

- a) The PFA's principal activities throughout the year were determined by the 2007 Federal Council Meeting and have been coordinated by the Federal Executive.

They included:

- The PFA's pre-election document *Law and Order in Australia: Policies for the Future* together with the commitments given by all major political parties in the lead up to the 2007 Federal Election. Those issues pursued included –
 - A commitment to increase the sworn officer levels of the AFP;
 - A commitment to support and fund a National Police Workforce Planning Study;
 - A commitment to ensure police powers are not extended to non-sworn personnel and are reserved for sworn police;
 - A commitment to sufficient recurrent funding for CrimTrac;
 - A commitment to a scoping exercise for an Automatic Number Plate Recognition system;
 - A commitment to support and fund the establishment of a National Police Registration Board and Scheme;
 - A commitment to a range of industrial issues including any referral of powers to the Commonwealth, maintaining state based industrial; arrangements for police, refraining for introducing AWA's and phasing out any existing AWA's, issues around award modernisation, a police tribunal for the AFP and reversing the Comcare journey claims decision of the previous Government;
 - An exemption from standard superannuation preservation age requirements;
 - A commitment to amend taxation legislation to provide police with the same capped FBT concessions as available to ambulance services and public and non-profit hospitals;
 - A commitment to a National Police Service Medal;
 - A commitment to a range of workers compensation issues relating to overseas service; and
 - A commitment to regular meetings to discuss relevant issues
- Submissions to Parliamentary Inquiries including:
 - Joint Standing Committee on the National Capital and External Territories Inquiry into the role of the National Capital Authority
 - Parliamentary Joint Committee on the Australian Crime Commission (ACC) Inquiry into the Australian Crime Commission Amendment Act 2007
 - Parliamentary Joint Committee on the Australian Crime Commission (ACC) Inquiry into the legislative arrangements to outlaw serious and organized crime groups
 - Senate Community Affairs Committee Inquiry into the Northern Territory Emergency Response Bill 2008
 - Commonwealth Safety and Compensation Policy Branch's Comcare Review
 - Standing Committee on Employment and Workplace Relations Inquiry into Pay Equity and Female Workforce Participation
 - NT Emergency Response Review Board
 - Government's National Review into Model Occupational Health and Safety Laws
- The operation of a range of PFA sub committees including:
 - Professionalisation sub Committee
 - National Industrial Issues sub committee
 - Member Services
 - Policy
 - National Deployment Issues
 - Superannuation
 - Occupational Health & Safety

Financial Statement

for the year ended 30 June 2008 (Continued)

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

For a full report on the PFA's 2007/08 activities the Annual Report is available on the website www.pfa.org.au

- b) There have been no significant changes in the financial affairs of the PFA during the past year.
- c) A member may resign from membership of the Federation by notice in writing addressed and delivered to the Secretary of the member's Branch, Zone Secretary or Chief Executive Officer, as per PFA Rule 11 (b).
- d) No officers of the PFA hold any position in relation to Superannuation entities.
- e) Prescribed information as per Regulation 159:
- i. At the 30 June 2008 the PFA had 42,433 members.
 - ii. At 30 June 2008 the PFA had three (3) employees.
 - iii. Committee of Management 1/7/07 – 30/6/08
 - Peter Alexander (South Australia) (retired 10 April 2008)
 - Mark Carroll (South Australia) (elected 10 April 2008)
 - Jon Hunt Sharman (Australian Federal Police)
 - Vince Kelly (Northern Territory)
 - Michael Dean (Western Australia)
 - Bob Pritchard (New South Wales)
 - Brian Rix (Victoria)
 - Randolph Wierenga (Tasmania)

For Committee of Management:



Vince Kelly

President

Dated this 23rd day of September 2008



Financial Statement

for the year ended 30 June 2008 (Continued)

COMMITTEE OF MANAGEMENT'S CERTIFICATE

On the 23rd day of September 2008, 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 2008.

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: Randolph Wierenga

Treasurer

Signature:

Date: 23rd day of September 2008

Financial Statement

for the year ended 30 June 2008 (Continued)

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 2008. 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 Account 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 2008; 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 23rd day of September 2008



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



Financial Statement

for the year ended 30 June 2008 (Continued)

Police Federation of Australia BALANCE SHEET as at 30 June 2008

	Notes	2008	2007
Accumulated Funds		<u>\$786648</u>	<u>\$738793</u>
Represented by			
Current Assets			
PCU Easy Access account	3	\$94595	\$102385
PCU Market Link account	3	108458	102436
PCU Savings Plus account	3	25036	–
PCU membership fees	3	10	10
Cash on hand	4	14	38
Other Debtor	6	1643	–
Amounts due from branches	5	5740	5608
		<u>235496</u>	<u>210477</u>
Non Current Assets			
Property – 21 Murray Crescent Griffith ACT – At Cost	7	1016581	1016581
Plant & Equipment		30191	
Less provision for depreciation		<u>22967</u>	7903
Motor vehicle		42782	
Less provision for depreciation		<u>10161</u>	39038
		<u>1056426</u>	<u>1063522</u>
Total Assets		<u>1291922</u>	<u>1273999</u>
Less Current Liabilities			
Trade creditors and accruals	8	49400	33800
PCU loan secured over property	7	389027	440481
Provision for annual leave	9	11008	7966
Provision for long service leave	10	48547	37426
Provision for GST		7292	15533
Total liabilities		<u>505274</u>	<u>535206</u>
Net Assets		<u>\$786648</u>	<u>\$738793</u>

Financial Statement

for the year ended 30 June 2008 (Continued)

Police Federation of Australia INCOME & EXPENDITURE ACCOUNT For the Year Ended 30 June 2008

	Notes	2008	2007
Income			
Campaign funds		128615	257230
Affiliation fees from branches		779703	745080
Interest received		6632	3989
Rents received		39574	37917
Government grant – Research		–	4000
Research contributions		87304	32696
		<u>\$1041828</u>	<u>\$1080912</u>
Less expenditure			
Audit and accounting fees	11	20700	20700
Annual leave	9	22295	19613
ACTU Affiliation fees	12	68638	66262
Bank charges and duties		156	86
Computer and website design		35288	29566
Delegation expenses	13	201838	155531
Depreciation		8431	8515
FBT		19463	19463
General office expenses	14	18700	14824
Industrial relations campaign		128615	257230
Insurances		7258	11997
Legal fees		11575	5224
Long service leave	10	11121	6880
Loss on disposal of assets		–	12662
Motor vehicle expenses		9716	8129
National Memorial expenses	15	1245	46164
Property expenses	16	61099	59576
Research expenses	17	140000	–
Salary & packaging		151452	139967
Superannuation		68389	70763
Telephone		7994	8920
Total Expenditure		<u>993973</u>	<u>962072</u>
Net Surplus for the year		47855	118840
Accumulated funds at beginning of year		738793	619953
Accumulated funds at end of year		<u>\$786648</u>	<u>\$738793</u>



Financial Statement

for the year ended 30 June 2008 (Continued)

Police Federation of Australia

NOTES TO AND FORMING PART OF THE ACCOUNTS

For the Year Ended 30 June 2008

I. 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.
- (e) Goods and Services Tax (GST)
All incomes, expenses and assets are recognised net of the amount of GST. All debtors and creditors in the balance sheet are shown inclusive of GST.

2. Information to be provided to Members or Registrar

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

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

Financial Statement

for the year ended 30 June 2008 (Continued)

Police Federation of Australia

NOTES TO AND FORMING PART OF THE ACCOUNTS

For the Year Ended 30 June 2008

	2008	2007
3. Statement of Cash Flows		
For the Year Ended 30 June 2008		
Cash Reconciliation		
For the purpose of the Statement of Cash Flows, cash at the end of the financial year is reconciled to the following items in the Balance Sheet.		
Cash with financial institutions	<u>\$228099</u>	<u>\$204831</u>
Cash Flow from Operating Activities		
GST Received	101813	108887
Receipts from Members	774485	761049
Interest Received	6632	3989
Rents Received	38080	37919
Government Grant	–	4000
Campaign Funds Received	128615	257230
Research Contributions Received	87304	32696
Total Cash Received	<u>1136929</u>	<u>1205770</u>
Less Cash Flow from Investing & Financial Activities		
Payment of GST Expenses on Acquisition	63752	64016
Payment of GST to ATO	44710	36802
Payment of Industrial Relations Campaign Funds	128615	257230
Payment of Employee's Entitlement	233637	246494
Payment of Loans to PCU	78000	78000
Payment of ACTU Affiliation Fee	68638	66262
Payment of Purchase of Office Equipment	1335	–
Payment of Motor Vehicle	–	42782
Payment of Other Expenses	475511	314161
Payment of FBT	19463	19463
Total Expenditure	<u>1113661</u>	<u>1125210</u>
Net Increase in Cash Held	23268	80560
Cash at the Beginning of Financial Year	204831	124271
Cash at the End of the Financial Year	<u>\$228099</u>	<u>\$204831</u>
4. Cash on Hand		
Petty Cash	<u>\$14</u>	<u>\$38</u>
5. Amount due from branches		
Police Association of South Australia	<u>\$5740</u>	<u>\$5608</u>



Financial Statement

for the year ended 30 June 2008 (Continued)

Police Federation of Australia

NOTES TO AND FORMING PART OF THE ACCOUNTS

For the Year Ended 30 June 2008

	2008	2007
6. Other Debtor		
Rental Debtor – by tenant	\$1643	–
7. Property-at-cost		
21 Murray Crescent Griffith ACT Settled on 24.1.2003	\$1016581	\$1016581
8. Creditors and accruals		
Staff superannuation	2013	–
PAYG re staff wages	3445	10413
Audit & accounting fees	22000	22000
Various expenses	21942	1387
	<u>\$49400</u>	<u>\$33800</u>
9. Provision for Annual Leave		
Balance as at 1.7.2007	7966	24953
Add additional provision for the year	22295	19613
	30261	44566
Less paid during the year	19253	36600
Balance as at 30.6.2008	<u>\$11008</u>	<u>\$7966</u>
10. Provision for Long Service Leave		
Balance as at 1.7.2007	37426	30546
Add additional provision for the year	7446	6880
Balance as at 30.6.2008	<u>\$44872</u>	<u>\$37426</u>
11. Auditor's Remuneration		
Audit fees	7500	7500
Other services	13200	13200
	<u>\$20700</u>	<u>\$20700</u>
12. ACTU Affiliation Fees		
Normal affiliation fee	<u>\$68638</u>	<u>\$66262</u>

Financial Statement

for the year ended 30 June 2008 (Continued)

Police Federation of Australia

NOTES TO AND FORMING PART OF THE ACCOUNTS

For the Year Ended 30 June 2008

	2008	2007
13. Delegation Expenses		
Consultancy fees	26380	13759
Conference expenses	66640	55161
Executive expenses	78289	50774
IPC	10807	11253
WAC	11296	15241
APPSC/PSITAB	8426	9343
Delegates are not paid any fees or allowances to attend conferences or executive meetings	–	–
	<u>\$201838</u>	<u>\$155531</u>
14. General Office Expenses		
Filing fees	1159	464
Police Superannuation Administrative fees	244	223
Printing, stationery & postage	6692	9388
Sundry office	1485	9195
	<u>\$14824</u>	<u>\$19270</u>
15. National memorial Expenses		
Badges & other	–	7820
Graphic design website expenses	145	10250
Executive expenses	1100	470
Legal fees	–	7655
Dedication Ceremony	–	19969
	<u>\$1245</u>	<u>\$46164</u>
16. Property Expenses		
Cleaning & waste disposals	2500	2250
Council rates	9504	8908
Insurance – building	4763	1722
Interest – PCU	26547	29686
Land tax	9242	9165
Light & power	2379	2028
Repairs & maintenance	4031	3748
Stamp Duty	–	109
Security	541	577
Water rates	1592	1383
	<u>\$61099</u>	<u>\$59576</u>



Financial Statement

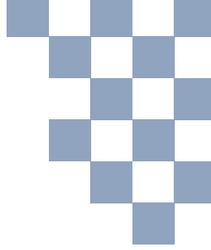
for the year ended 30 June 2008 (Continued)

Police Federation of Australia

NOTES TO AND FORMING PART OF THE ACCOUNTS

For the Year Ended 30 June 2008

	2008	2007
17. Research Expenses		
Paid to University of Sydney	<u>\$140000</u>	<u>—</u>
18. Employees Benefits		
Employees benefit to holders of office		
Wage and salary	—	—
Annual leave paid to employees	—	—
Annual leave provision	—	—
Long service leave paid	—	—
Long service leave provision	—	—
Superannuation	—	—
Employees benefit to employees (other than holders of office)		
Wage and salary	151452	139967
Annual leave paid to employees (see note 9)	19253	36600
Annual leave provision (see note 9)	22295	19613
Long service leave paid	—	—
Long service leave provision (see note 10)	7446	6880
Superannuation	68389	70763



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