



# ANNUAL REPORT

## 2009-2010







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## AFFILIATES

Branch	Membership	No. of Delegates
NOS. @ 31/12/09 RULE 14 (D)		
Australian Federal Police Assoc	3,815	3
New South Wales	15,622	7
Northern Territory	1,346	2
South Australia	4,521	3
Tasmania	1,242	2
Victoria	11,563	6
Western Australia	5,632	3

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

## ASSOCIATES

### Membership

Queensland	10,371
New Zealand	11,063

### Total

Australasian jurisdictions	54,112
including New Zealand	65,175

## 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) (retired 22/6/10) Scott Weber (New South Wales) (appointed 22/6/10) Mark Carroll (South Australia) Russell Armstrong (Western Australia)
Associate Members	Queensland New Zealand



## STAFF

Chief Executive Officer	Mark Burgess
Office Manager	Debbie Martiniello
Senior Policy and Planning Officer	Dianne Gayler

## MEETINGS CONDUCTED

### Federal Council:

16 and 17 November 2009	Canberra, ACT
22 June 2010	Canberra, ACT (Special Federal Council)

### Executive:

7 and 8 September 2009	Canberra, ACT
15 November 2009	Canberra, ACT
22 and 23 February 2010	Canberra, ACT
21 and 22 June 2010	Canberra, ACT

### Industrial Planning Committee:

28 and 29 July 2009	Sydney, NSW
7 and 8 December 2009	Canberra, ACT
30 and 31 March 2010	Sydney, NSW
10 and 11 August 2010	Canberra, ACT

### Women's Advisory Committee:

26 and 27 October 2009	Canberra, ACT
10 and 11 March 2010	Canberra, ACT







## PRESIDENT'S REPORT

The 2009-10 year has again proven a very demanding and busy time for the PFA and its affiliates. The array of issues confronting us across the country are increasing and becoming more complex. The structure of our organisations, and the fact that the leaders are police running their organisations for police, the professional staff that we employ and the unity that exists across the Branches, not only puts us in a good position to meet the challenges, but to lead the debate on many of the important strategic issues for police and the profession.

Once again this year we have seen change to the Executive of the PFA. Bob Pritchard retired as the President of the NSW Police Association in May 2010 and Scott Weber was elected. I take this opportunity to thank Bob for his contribution to the national agenda over the past six years. Bob was always the voice of reason. When he made a contribution, people listened. As the President of the biggest Branch he never once attempted to use that to bolster his argument. His input was always based on logic and what was in the best interests of police Australia wide. I take this opportunity to wish him well in his retirement and to welcome Scott to the Executive. Whilst Scott is now the youngest member of the PFA Executive he has been on the Executive of the NSW Police Association for 10 years, six of those years as Deputy President to Bob Pritchard, thus he brings an enormous amount of experience to the national table and importantly his age and policing experience is very reflective of the current policing demographic.

A perusal of last year's Annual Report will reveal that we had 53,067 members nationally. I am pleased to report that that number has grown by 1,045 over the past 12 months to 54,112. Our membership density remains at almost 99% across the country, perhaps the greatest density of any union in this country.

This Report again highlights the variety of issues that we are pursuing on a national basis. As we argue in our pre-election document *"Creating a Safer Australia: Police Federation of Australia's Plan 2010-13"*, our policies are –

*"...designed to make Australia a safer place, save lives and reduce serious crime, ensure that police have 21st century tools at their disposal to do the demanding job of policing efficiently and effectively...making sure that police have fair working arrangements".*

As I said at Parliament House when we released the document –

*"It is my view that to an extent public debate and perhaps public policy generally, has lost its way in this country and is too focused on the economy and what is good for the economy.*

*The driver for all public debate and policy should be focused first and foremost on promoting the interests of the community – individual Australians and their families – and while the state of the economy is a critical element it should not overshadow people.*

*It is a reality that individual police officers and police forces can achieve nothing in isolation from or without the support of the broader community – individuals, community groups, business, and certainly without the support of community leaders – which of course includes you as elected parliamentarians".*

On most of the issues we have identified, the PFA is leading the debate. Unfortunately on many issues we cannot get the various governments and police commissioners to think with a national perspective. Over the past 12 months we have sought a national approach on issues such as national standards for young drivers, serious and organised crime issues such as unexplained wealth legislation, national police workforce planning, collaborative purchasing of police uniforms and equipment, including the concept police car developed by the National Safety Agency, liquor licensing reforms, technology used in police pursuits, the use of Tasers and the professional registration of police to name but a few issues.



Invariably our suggested approach has been rejected by either Police Ministers or Commissioners, or both. Thankfully we have had the ongoing support of a forward thinking Home Affairs Minister on such issues and he has continued to lobby for support from his Ministerial colleagues for a national perspective on important issues.

Again I take the opportunity to thank our own very professional and dedicated staff at the PFA. This organisation and its members are well served by Debbie, Dianne and Mark who continue to perform at a very high level. The quantity and quality of work they produce is a credit to them.

**Vince Kelly**

President





# CHIEF EXECUTIVE OFFICER'S REPORT

It is my pleasure to provide the Police Federation of Australia's Annual Report for 2009–10. It is the 10<sup>th</sup> Report we have provided in this printed format. As we look forward to the next 10 years, it's probably timely that we briefly reflect on what was in our first comprehensive report a decade ago.

This report identifies that we currently have 54,112 members across the country. In our 2000-01 report we proudly claimed 43,793, an increase of 9,274 members over the preceding decade. We were based in Sydney in a rented office in Pitt Street. Today we own a building in Canberra that was opened by the then Prime Minister, John Howard in 2003, and is now worth well in excess of \$1,000,000. At the end of the financial year 30 June 2000 we had accumulated funds of \$29,116. At the end of this financial year 30 June 2010 we had accumulated funds of \$988,266.

In 2000-01 we identified our six key strategies as a fledgling organization. They were –

1. Lobbying
2. National Research
3. Conferences and Seminars
4. Industrial Services
5. Professional Development
6. National Secretaries/Administration Meetings.

A perusal of the following pages in this report gives a clear indication of the long way we've come since that time. It is important however that we recognize the majority of those six key strategies still underpin the operations of the PFA today.

Our lobbying capacity on behalf of Australia's Police is second to none. The fact that we have a membership density of almost 99% is not lost on politicians and bureaucrats – state, territory or federal. All of our arguments and submissions are grounded in research. We are a federally registered industrial organization under the *Fair Work Act 2009* and we are the key advocates of the professional interests of Australia's police officers. Our logo the 'Police Federation of

Australia—the National Voice of Policing', clearly defines us as the only national voice of Australia's police officers.

Some of the key issues identified in 2001 included –

- Fringe Benefits Tax (key FBT issues resolved in 2005)
- Superannuation (still on PFA agenda)
- National Police Memorial (Dedicated in 2006)
- The development of a PFA website (first established in 2002)
- Local police funding by the Federal Government using the US COP's program as a model (both the Government and Opposition have committed to a National Crime Prevention Program in the lead up to the 2010 federal election based on the PFA submission)
- Professional Development (National Police Registration Feasibility Working Group established under the Ministerial Council following PFA presentation to Ministers in 2009).

Another constant for the PFA over that time has been our close liaison and relationship with the New Zealand Police Association (NZPA). The relationship between our two countries is steeped in history, as is the relationship between Australia's Police Associations and Unions and the NZPA. Many of the issues confronting Australia's police are the same as those confronting our colleagues in New Zealand. Our Police Ministers and Commissioners meet regularly, it is therefore vital that we meet to keep abreast of not only trans-Tasman, but international policing trends. The issue of professional development identified in 2000-01 is one that we have been working side-by-side with the NZPA on since that time.

Our 10 years of comprehensive Annual Reports are available for all to peruse and reflect on. They are a great reminder of what has been achieved and what is yet to be achieved. They are our history and should be a reminder to future generations of police union leaders of what was required of their forbearers to lay the platform for future generations.

It is my pleasure now to report on our activities over the past 12 months.



## FEDERAL ELECTION 2010

As was the case with the 2007 Federal election, the PFA this year produced a detailed 2010 pre-election policy document – ***Creating a Safer Australia – Police Federation of Australia's Plan 2010-13***.

The document was launched at Parliament House on Tuesday 22 June 2010 during the initial gathering of the Australian Parliamentary Friends of Police Group (see section later in this Report).

We engaged media consultancy company EMC to assist with our media strategy in the pre-launch and launch phases of the document. Significant national media

attention was attracted particularly in relation to our policy proposal of National Standards for Young Drivers.

As the ***National Voice of Policing*** the PFA believes it is responsible for putting before Federal politicians and political parties:

- Policies that will create a safer Australia and safer communities;
- Initiatives that will improve and modernize operational policing; and
- Issues that are of concern to Australia's 54,000 police officers.





This year we sent our policy document to each major party in June 2010 and sought their replies and commitments by early August so that we could advise Branches and members of the promises from each party before polling day, 21 August 2010.

We summarized all the commitments from the three major parties in a table—*PFA Policies with Party Responses*—for easy comparison. We also published a PFA *E-News Election Special Edition* for distribution via Branches to police across the country.

In our pre-election policy we drew the parties' attention to the 'new realities' of policing set out in the Beale Report and the vital role of the Australian Government in policing and we set out a range of proposals.

At the time of compiling this report the final election outcome is not known. It appears we will have a hung Parliament, with neither major party gaining an outright majority. The House of Representatives looks like it will have up to four (4) Independents and one (1) Green who will hold the balance of power.

We had hoped that this Report would outline the key issues we raised with all parties in the lead up to the election, together with the successful government's commitments. As we do not know at this stage who will be the Government, the following are the key proposals we raised. In the Annual Report for 2010-11, we will report on the successful party's responses to those proposals.

### Priority 1: Crime Prevention

We seek a commitment to introduce an Australian Crime Prevention Program of innovative grants to police/community partnerships to address crime, including a crime prevention stream specifically devoted to indigenous communities.

### Priority 2: National Standards for Young Drivers

We seek a commitment that the Australian Government will work with States and Territories to develop national standards for licensing of, and driver training for, young drivers, including:

- the engine power of vehicles, speed limits, restrictions on passengers and zero blood alcohol limits for L-and P-plate drivers;
- the minimum hours of training with a qualified driving instructor, and the logged hours of driving, that are required;

- standard penalties for breach of the rules for L-and P-plate drivers, including speed and alcohol limiters; and
- most importantly, serious incentives, including relaxed restrictions, for young drivers undertaking advanced driver training.

### Priority 3: Serious and Organised Crime and Proceeds of Crime

We seek a commitment to further strengthen the fight against serious and organised crime by enhancing legislation and policy and boosting resources.

### Priority 4: National Police Workforce Planning

We seek a commitment to develop a national police workforce planning strategy following a comprehensive national workforce planning study by the Productivity Commission into police workforce needs.

### Priority 5: Collaborative Purchasing – Police Uniforms and Equipment

We seek a commitment to establish a National Police Uniform and Equipment Advisory Council with representation from jurisdictions and the PFA, and to provide seed funding for the first two years of the Council's operation.

### Priority 6: Advanced Systems, Technologies and Information for Policing

We seek a commitment that the Government will introduce, through CrimTrac, a range of systems to give police officers nation-wide the best tools for the tasks they perform.

### Priority 7: A Fair Superannuation Deal for Police

We seek a commitment to

- a panel being established to consider introducing the option for police to retire and access their superannuation benefits from age 55 years; or
- agreement that the Commonwealth will examine, with the PFA and interested State and Territory Governments, the establishment of a contributory accumulation scheme which would enable police officers to leave policing after twenty years of service





as an alternative to the proposal above that police have access to their superannuation entitlements from age 55. We call this a 20 year police officer disengagement scheme; and

- the compulsory employer superannuation guarantee being increased over time from 9 to 15%.

### Priority 8: Fair Work Australia and its Impact on Police

We seek a commitment that police covered by the Federal industrial relations system will not be employed under Australian Workplace Agreements or any other forms of statutory individual employment agreements or contracts and that penalty and shift rates will not be reduced or abolished.

### Priority 9: Workers' Compensation

We seek a commitment that the Australian Government will:

- reinstate journey claims for police employees covered by the *Safety Rehabilitation and Compensation Act 1988*, who are injured on the way to or from duty; and
- ensure that a harmonised workers' compensation regime does not disadvantage Australian police officers.

### Priority 10: Occupational Health and Safety

We seek a commitment that the Australian Government will ensure that harmonised occupational health and safety laws, including regulations and any future Code/s of Practice do not disadvantage Australian police officers in any jurisdiction.

### Other National Initiatives

In addition to our ten priority items, we put forward a number of national initiatives we considered would make policing more effective and safer for communities and police. The national initiatives proposed action in the following areas:

- Liquor Licensing Reforms to Tackle Alcohol-related Violence
- Domestic and Family Violence and Sexual Assault
- AAT Decisions under section 501 of the *Migration Act 1958*
- Police Pursuits

- National Law Enforcement Staffing and Financing Issues
- Major Airport Policing
- Policing in Indigenous Communities
- Support for Police dealing with Mental Health Problems
- National Policy on Police Use of Tasers
- Police Parliamentary Program

### Other Police Industrial and Workforce Improvements

Mindful of our role in representing the interests of members, we also put forward nine items of concern to police officers in their capacity as employees with family and other needs, including for financial security and recognition. These items were about:

- Overseas Workers' Compensation and Rehabilitation
- Professionalisation of Policing/National Police Registration
- Capped Fringe Benefits Tax
- Child Care to meet the needs of Police
- AFP Tribunal
- Second Tier Policing – Powers, Uniforms and Vehicles
- Meritorious Service Awards
- Establishment of a Police Honors and Awards Tribunal
- National Police Remembrance Day recognised as a day of National Significance.

### MEETINGS WITH MINISTER

During the course of the past 12 months, we have had regular meetings with the Minister for Home Affairs, Brendan O'Connor MP. We ensured that we had meetings with the Minister in the lead up to all Executive meetings so that up to date information on the progression of commitments given to the PFA at the 2007 election as well as their other policies and initiatives, could be reported back to the Executive in a timely manner.

With the Minister's Chief of Staff Julie Ligeti, an agreed Agenda was developed in the lead up to each meeting prioritizing the key government commitments and issues of interest and progress made. Key issues of critical importance during the year are reported on here.



## BEALE AUDIT OF POLICE CAPABILITIES AND AIRPORT POLICING

In January 2009 the Australian Government announced that Roger Beale AO would conduct a Federal audit of police capabilities in line with its 2007 election commitment. The report was provided to the Government in June 2009 and the PFA received a copy in late December 2009.

The PFA made a submission to the Beale audit which focused on three main issues:

- The Government's commitment to fund 500 additional sworn police for the AFP;
- The need for the Government to initiate and fund a national police workforce planning study; and
- Shortcomings in airport policing because of the current Uniform Policing Model with AFP reliance on State and Territory police seconded to the AFP to undertake that role.

The **Beale Report** made a number of findings and recommendations for future action of interest to the PFA and Branches and which could assist in advancing our agenda and priorities.

Key findings which make up the 'new realities' were identified. These were:

- That there are national and international security interests in having effective policing and interdependence and coordination are essential.
- The complexity of policing and the challenges means 'whole-of-government' and Federation-wide strategies are needed and more cooperation is a key.
- Interoperability is lacking and national frameworks and case management systems are needed.

In relation to the policing profession the report pointedly says

'Policing is an important element of government responsibilities at all levels of the Federation, and yet, unlike many other professional, sub-professional and trades groups it does not have the advantage of mutually recognised qualifications, competencies and skills across the nation. Police career structures tend to be insular and lateral entry is restricted, except at entry level and the most senior reaches.

The Audit believes the Productivity Commission should be commissioned, with the support of COAG, to conduct a study on the national policing workforce akin to that which has been conducted in relation to health, and which is being undertaken with respect to education. This should incorporate likely future demands, examine demographic drivers and alternative mechanisms for assisting police in determining the allocation of policing resources geographically. It should also examine barriers to the development of a national policing labour market, in particular barriers relating to qualifications and the mutual recognition of qualifications.'

The report found:

'Policing is a major category of employment across the Federation, but unlike other skilled occupational categories such as health professionals and workers, teachers and trades-people there is little mutual recognition of skills and qualifications, and little interstate mobility of employment. There are separate police academies in each jurisdiction but no common core curricula or accreditation of competencies. Combined with limited lateral movement between police agencies, this restricts career opportunities and reinforces the insular nature of many police forces which has been the subject of negative comment by a number of Inquiries into police corruption, including the Wood Royal Commission.'

### Beale Recommendations

The report makes the following recommendations of interest to the PFA.

#### *Inter-operable Case Management Systems*

The Commonwealth should take the initiative in securing a firm commitment at the Council of Australian Governments level to having interoperable case management systems in place by 2015. CrimTrac's feasibility study should inform future Council of Australian Governments commitments in relation to this.

**PFA's position:** Strongly support

#### *Workforce Planning*

'The Productivity Commission should be commissioned, with the support of COAG, to conduct a study on the national policing workforce akin to that which has been conducted in relation to health. This study should





incorporate likely future demands, examine demographic drivers and alternative mechanisms for assisting police in determining the allocation of policing resources geographically. It should also examine barriers to the development of a national policing labour market, in particular barriers relating to qualifications and the mutual recognition of qualifications.'

**PFA's position:** Having argued for such a proposal as Beale has recommended and having secured a Rudd Government commitment prior to the 2007 election to undertake a comprehensive workforce planning study following the audit, the PFA strongly supports the recommendation and will press for this to be undertaken by the Productivity Commission which has the credibility to do the job and to deal with Police Commissioners in doing so. The proposal will also be included in the PFA's 2010 pre-election policy document.

### AFP Staffing

The Report said in relation to staffing numbers (the 500 additional sworn officers and the 1200 IDG resourcing level) 'In general the Audit favours the use of required capability descriptions rather than a specific staff target.'

**PFA's position:** The PFA wrote to the Prime Minister:

- Pointing out that 'required capability descriptions' don't get the policing job done, police do and to avoid setting personnel and financial resource numbers for the AFP is like having an Australian Government Budget without numbers and dollars.
- Drawing attention to the \$31.3m shortfall in funding for the 500 additional sworn AFP police promised by the Rudd Government and the \$48.5m per annum shortfall to fund the 1,200 strong International Deployment Group as envisaged under the IDG International Future Strategy.
- In addition, the PFA put the case for the AFP to be exempt from the Government's 1.25 per cent per annum efficiency dividend as the ADF is.

### Major Airport Policing/ Aviation Security

The audit also dealt with airport policing and proposed that the Commonwealth assume responsibility for all major airport policing under what it calls the 'All In' model.

In the Audit's view the 'All In' model has a number of advantages. It will for example improve the flexibility and adaptability of the airport policing environment,

particularly when linked with consolidated budgetary provisions. The increased certainty of staffing levels sourced from one agency under this model would be similarly beneficial in ensuring staffing, training and common standards.

The PFA understands the move to the new AFP-staffed "All In" model of airport policing is to be phased in over a period of up to five years and AFP PSOs will have the opportunity to up-skill to become sworn police to fill some of the positions. It is envisaged that both the Counter-terrorism First Response and airport policing services are to be performed by sworn police officers. In the interim, seconded State and Territory police will continue to provide airport policing services through the AFP.

You may recall that the PFA, in the 2007 pre-election policy document, argued for the AFP to be responsible for policing at the designated airports rather than relying on seconded State and Territory officers. In our submissions to the recently released Aviation White Paper and to the Beale Audit we revealed the 35% shortfall in personnel policing the 11 airports and criticised the Unified Airport Policing model as meaning no-one was really responsible. We proposed that the AFP should be responsible for airport policing and should not be reliant on seconded officers from other jurisdictions. The force of the PFA's argument, based on facts and figures, has won the day – a good outcome for the PFA, AFPA and all Branches and State and Territory police.

**PFA position:** The PFA wrote to the Prime Minister congratulating the Government on adopting the PFA's preferred model of airport policing by the AFP and seeking confirmation that the Government is committed to recruit and train an additional 328 full-time AFP sworn members to replace the seconded police in order to perform this function under a sustainable 'All In' model as proposed in the Beale Report.

## MEETINGS WITH SHADOW MINISTERS

As with the Minister, we also worked closely with the Shadow Minister for Justice and Customs Michael Keenan and his staff and we organised meetings with him in the lead up to Executive meetings. Again this gave us an opportunity to discuss both the PFA's and the Opposition's priority issues and give the PFA Executive a timely update.



Prior to her moving portfolios to become Shadow Assistant Treasurer in December 2009, the PFA had also developed a good relationship with the previous Shadow Minister, Sussan Ley and her staff.

The PFA was also fortunate that former Victorian Police Officer, Jason Wood was the Shadow Parliamentary Secretary for Justice and Public Security and we worked very closely with Jason on a range of important issues but particularly in the area of serious and organised crime.

As we are preparing this report it appears that Jason has lost his seat in 2010 federal election. It is important therefore, that this report recognizes the support that Jason has given the PFA and Australia's police officers during his time in the federal Parliament.

## MEETING WITH THE GREENS



*PFA President, Vince Kelly and Leader of the Greens, Senator Bob Brown*

During the PFA's June 2010 Executive Meeting we took the opportunity to meet with Senator Bob Brown, Leader of the Australian Greens. At the meeting we discussed the PFA's 2010 pre-election document *"Creating a Safer Australia"*. The meeting also discussed at length a number of the issues the PFA had with the harmonized OH&S Model Laws.

Bob Brown related a number of stories to the Executive of his growing up in country police stations in NSW when his father was a NSW Police Officer.

As the Greens will have a significant role in the Senate following the 2010 election, particularly from July 2011

when new Senators take their seats, the investment we have put into building a good relationship with the Greens will be invaluable for the future.

## AUSTRALIAN PARLIAMENTARY FRIENDS OF POLICE GROUP

On Tuesday 22 June the Australian Parliamentary Friends of Police Group was launched in the Federal Parliament in Canberra. The Friends of Police group has been established to organise functions, briefings and meetings between senior police and relevant peak bodies from all jurisdictions with federal politicians. It is aiming to facilitate improved dialogue, raise awareness of issues facing police and promote events such as National Police Remembrance Day.

The bipartisan friendship group, established by Senator Stephen Parry, a Liberal Senator from Tasmania and a former police officer and Chris Hayes MP, then Labor Member for Werriwa (NSW) and following the 2010 federal election Member for Fowler, who formerly worked for the PFA and whose father was a NSW Police Officer, had its inaugural meeting on the day. Almost 100 Members and Senators have signed on to the group making it one of the largest Friendship groups in the federal Parliament. Through their membership each has pledged to lend their support to police nationally. The meeting coincided with the Police Federation of Australia's Executive meeting in Canberra and the PFA Executive mixed with 70 members of Parliament at the function.

Attendees included the Attorney-General, Robert McClelland, Shadow Attorney-General, Senator George Brandis, Minister for Home Affairs, Brendan O'Connor, Shadow Minister for Justice, Michael Keenan, Acting AFP Commissioner Mike Phelan and PFA President Vince Kelly.

The evening was hosted by Friends of Police organisers Chris Hayes MP and Senator Steve Parry. Also present were other former police officers and now federal politicians Justine Elliott MP, Minister for Ageing, Peter Dutton MP, Shadow Minister for Health, Jason Wood MP, Shadow Parliamentary Secretary for Justice and Public Security and Luke Simpkins MP.

Vince Kelly took the opportunity to launch the PFA's pre-election document *"Creating a Safer Australia - Police Federation of Australia's Plan 2010-13"* at the function.



We look forward to working closely with the Friends of Police Group as we pursue a range of issues including a Members and Senators Program to give federal parliamentarians an experience of local policing.

## PARLIAMENTARY INQUIRIES

### **Inquiry into Indigenous Juveniles and Young Adults in the Criminal Justice System by the House of Representatives Standing Committee on Aboriginal and Torres Strait Islander Affairs**

The PFA was invited by former Minister Bob Debus MP to make a submission to this inquiry. In our submission we focused largely on the situation in regional and remote Indigenous communities and towns around Australia where we believe the greatest improvements are needed to give young Indigenous people a fair start in life and 'Close the Gap' on Indigenous disadvantage.

We pointed to the appalling facts and figures about crime and imprisonment of Indigenous young people. Indigenous 10 to 17-year-olds are 28 times more likely to be in detention than non-Indigenous young people. Arrest, charge and conviction rates are also higher among Indigenous youth. Diversion rates to other forms of counseling, treatment or punishment than imprisonment are significantly lower for Indigenous youth than for other young people. 'Indigenous people have disproportionate contact with the criminal justice system, as both victims and offenders'<sup>1</sup>.

These facts result, in large part, from the serious level of crime and violence in Aboriginal communities across Australia where many communities are in a state of dysfunction. Serious alcohol and substance abuse is evident and doubtless is a contributing factor:

People in these communities lack the usual social norms and behaviors of mainstream communities. They lack adequate housing, education, health services and employment opportunities that every other Australian community expects and has. School attendance is compulsory, but this is not enforced. Until the 2007 to 2009 increase in policing in some areas such as the Northern Territory as part of the NT Emergency

Response, many communities lacked even rudimentary police services to maintain a semblance of law and order.

We said the situation has drastically worsened since the mid-1970s when many remote Indigenous communities were relatively vibrant places with local activity, services, enterprises and hope. The deterioration, particularly as it affects young people, must be reversed.

We posed a number of questions.

What do indigenous communities want?

What kind of policing is needed?

And we set out the PFA's view of policing needs in indigenous communities.

We put forward the following proposals to reduce the levels of crime and violence and improve the outlook for Indigenous young people:

1. The PFA recommends that the need for more police in Australia's Indigenous communities be acknowledged and a commitment made to boost police numbers for an extended period of say 10 years.
2. The PFA recommends that the model of policing in remote Indigenous communities be of local police stationed in communities on a 24/7 full-time, permanent basis and playing a central coordinating role in service provision to the communities.
3. The PFA recommends that all jurisdictions endeavour to increase the number of Indigenous sworn police officers in their service.
4. The PFA recommends that the Australian Government, possibly jointly with States and Territories, fund a program of Crime Prevention in Indigenous Communities to be run and delivered by local police in each community in liaison with interested community groups, respected leaders and other service providers.
5. The PFA recommends that the Committee propose that police forces/services put responsibility for Indigenous community policing clearly with each Police Force's Executive Leadership Group in order to ensure prominent and on-going support to police working in Indigenous communities.

We did not have the opportunity to give evidence to the Committee because the August 2010 Federal election was called and the Committee's proceedings were interrupted.

<sup>1</sup> AIC Reports, Monitoring Reports 07, page iii.





## **Inquiry into the impact of violence on young Australians by the House of Representatives Standing Committee on Family, Community, Housing and Youth**

In October 2009 the PFA made a submission to this inquiry set up to examine levels of violence and contributing factors, links with drugs and alcohol, and strategies to reduce violence. Our submission focused principally on strategies to reduce violence and its impact on young Australians.

We put the view that the greatest new gains for young Australians are likely to come from fresh and concerted action on community policing and crime prevention. Crime prevention focused on young Australians, including Indigenous young people, is a powerful means of breaking the cycle of youth violence and offending and re-offending.

We argued that Police forces – the Australian Federal Police and State and Territory Police – are best placed to lead and partner with local government and local community organisations to drive effective crime prevention in Australia. This is the model of crime prevention we also recommended in our submission on Indigenous juvenile crime and violence (see preceding report above).

Federal funding to undertake crime prevention programs through local initiatives will have a significant impact. Local police know the needs of their particular community, but often have difficulty in undertaking programs in their communities through lack of funds. Creative and innovative projects that bring together as many of the seven 'institutions' as possible with local police and the local community, we argued, would be an excellent use of federal government funding and a significant way of reducing the impact of violence on young Australians. We used the USA COPS Program as an example of an effective national program.

We gave evidence before the Committee hearing in Canberra and the Committee subsequently delivered its report in July 2010. The Report is titled ***Avoid the Harm – Stay Calm.***

The Committee made thirteen recommendations including:

Recommendation 6: That 'the Attorney-General's Department introduce a new crime prevention grants scheme requiring partnerships to be established between police and the local community to support

collaborative approaches to enhancing community safety and reducing crime at a local level.'

Recommendation 7: That the Australian Government, in consultation with state and territory governments, establish a national youth violence and rehabilitation strategy and an integrated policy.

The Committee also supported initiatives under the Ministerial Council on Drug Strategy and COAG to:

- Harmonise liquor control laws and regulations across states and territories, including pursuing a nationally consistent approach to secondary supply of alcohol to minors;
- Implement best practice policing and enforcement measures; and
- Support community inclusive initiatives such as liquor accords.

The Government has yet to consider the Committee's report and recommendations.

## **National Security Legislation and the Parliamentary Joint Committee on Law Enforcement Bills 2010-Senate Standing Committee on Legal and Constitutional Affairs**

In April 2010 we made a brief submission to the Senate Standing Committee on a Bill arising from a review of national security legislation and a second Bill which proposed to extend Parliamentary Committee oversight to the Australian Federal Police in the same way as the Australian Crime Commission and ASIO are subject to Parliamentary scrutiny.

In the case of the Parliamentary oversight initiative, this is precisely what we had proposed in our 2007 pre-election policy so we were pleased to support the introduction of this measure into the Parliament.

We said in our submission 'We consider that the Bill, with the benefit of experience from the PJC on the Australian Crime Commission, strikes an appropriate balance between the scrutiny we think is warranted and the safeguards for sensitive information held by law enforcement bodies, operational matters that should not be interfered with, and exceptional circumstances where inquiries might be prejudiced or where private hearings might be more appropriate'.



We believe the new Parliamentary Committee oversight of the AFP will lead to a better appreciation of the role of law enforcement, the role and performance of the AFP and trends and changes in crime.

## SUB COMMITTEES

### Professionalisation

In last year's Annual Report I reported on the establishment of the National Police Registration Feasibility Working Group under the Ministerial Council's Senior Officers Group (SOG). At the time of compiling this report that group has met on two occasions and is required to provide an interim report to the Ministerial Council in early September and a final report in November 2010.

At the second meeting in June 2010 a Background Paper was provided for discussion and it was resolved that a "package", including the paper, be finalised for the consultation stage. At the meeting, jurisdictional representatives argued for the costing of various models of registration to be undertaken as well as identifying if the benefits of registration could be achieved through means other than registration. The PFA raised its concern that the Group, to that time, had not engaged in any of the philosophical discussions for or against a registration scheme, yet the Working Group was anxious to move to the costing stage of the process.

At the time of compiling this report the third meeting of the Group has not been scheduled. At that meeting it is planned to consider the cost implications, examine whether a registration scheme would encourage basic standards to enable inter-jurisdictional mobility, and assess and evaluate the benefits and disadvantages, including whether the benefits claimed could be achieved without establishing a NPRS. That meeting is also expected to identify key stakeholders for consultation.

Regardless of the outcomes of Working Group's deliberations and report to the Ministerial Council, the PFA will continue to pursue the issue of National Police Registration.

### ANZPAA and APPSC

During the past 12 months we have also continued to meet with Police Commissioners under the banner of the Australasian Police Professional Standards Council (APPSC) and have been invited to participate in the professional and education and training discussions with the Australia New Zealand Police Advisory Agency (ANZPAA).

A major piece of work has been commenced through ANZPAA, in which the PFA has been involved, titled "*Professionalisation: Education and Training Strategic Options*". This work will examine a more nationally consistent approach to police education and training across the country. The work also overlaps the work of the National Police Registration Feasibility Working Group and will need to be factored into the final report on that issue to the Ministerial Council.

In respect to APPSC, discussion continued at the November 2009 AGM regarding the options available to members in relation to the incorporated status of APPSC as part of ANZPAA including the potential dissolution of APPSC.

In those discussions both the PFA and New Zealand Police Association outlined that the continued maintenance of APPSC as an incorporated body provided recognition of the special role that each respective organisation had in relation to police professionalisation, education skills and training. The meeting agreed that considerable goodwill had been developed amongst all members of Council, however it was also agreed that there was potential over the ensuing 12 months for the discontinuance of APPSC as an incorporated association. Agreement was reached that a decision of Council to 'Wind Up' APPSC would be dependent on the development of a robust addendum to the ANZPAA MOU that recognised the role and status of the PFA and NZPA in regard to future work on professionalisation, education skills and training.

The meeting subsequently carried a resolution ensuring that APPSC retain its Incorporated Status and Intellectual Property but that the future of APPSC be reconsidered at the 2010 AGM. During the intervening period, an agreed suitably structured addendum to the ANZPAA MOU that recognizes the role of the PFA and NZPA in respect to matters of professionalisation, education skills and training would be developed for consideration.





## National Industrial Issues

Following the carriage of the *Fair Work Act 2009*, the PFA has continued to monitor developments in the national industrial relations system, particularly the Award Modernisation process and the likely impact on police.

At present, only the Victorian and Australian Federal Police Branches are subject to the Act with all other states remaining in state IR systems and Northern Territory covered by a Police Arbitral Tribunal.

## Member Services

During the past year the PFA, through the South Australian Branch, has established the Holden Partners' Program through General Motors Holden allowing members nationally, access to special deals on new Holden vehicles. The program was piloted in South Australia and was so successful that it was rolled out nationally several months before the planned date. We have also been able to negotiate a special deal for PFA Branches with Holden allowing substantial discounts on vehicles brought by Branches.

During the past 12 months the PFA has also been able to establish a national stationery deal for affiliates at substantial savings on normal purchase prices.

We are currently looking to expand further programs for members and utilizing our economies of scale for equipment purchases by Branches.

## Policy

During the past 12 months we have continued to refine the PFA Policy Manual covering administrative, industrial and professional policing issues.

This manual is kept up to date and is an excellent source of reference for Branches when dealing with matters that cross jurisdictional borders.

## National Deployment Issues: Overseas Workers' Compensation

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

The Rudd Government in its 2007 pre-election policy undertook to examine the feasibility of covering AFP officers under the *Military Rehabilitation and Compensation Act 2004* with equivalent benefits to those provided to the military.

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

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

The Review was expected to report to the Minister by 31 March 2010, but as of August 2010 has not yet reported.

Our June 2009 submission to the Review argued strongly for a stand-alone scheme covering AFP officers on high risk overseas deployments.

Under this approach:

- The scheme can be tailored for AFP circumstances and needs;
- It can be modeled on the military scheme with comparable benefits, DVA administration, and with any necessary modifications;
- We avoid being a 'pimple on a pumpkin' on the military scheme with little regard for AFP needs;



**THE HON BRENDAN O'CONNOR MP**  
Minister for Home Affairs

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

28 APR 2010

Dear Mr Burgess

*Mark,*

I am writing to update you regarding compensation entitlements for members of the Australian Federal Police (AFP) serving overseas in high risk missions.

Officers from both the AFP and the Department of Veterans' Affairs (DVA) have recently met to finalise an interim scheme that can provide AFP members serving overseas access to enhanced benefits. The scheme will afford each member a percentage increase in any payments made under the *Safety, Rehabilitation and Compensation Act 1988* (Cth) (SRCA) and will allow AFP members to access compensation similar to that which would be received under the *Military Rehabilitation and Compensation Act 2004* (Cth) (MRCA) for similar risk. I am advised this percentage will be in the order of 45 – 50%.

I can confirm that the AFP scheme will cover those members who die or suffer permanent impairment whilst serving in missions that are deemed to be high risk. The administration of this scheme will fall to the AFP and I can also confirm that the AFP scheme will cover members from other jurisdictions that deploy with the AFP on an AFP mission.

This will be an interim scheme only and will be subsumed into longer term arrangements subject to the outcomes of the Government's Review into Military Compensation. I remain committed to ensuring AFP employees receive adequate and equitable compensation whilst serving overseas at government direction.

If you require any further information please do not hesitate to contact my Chief of Staff, Ms Julie Ligeti on 02 6277 7290

I note your previous interest in this matter and I look forward to progressing this important issue to its conclusion.

Yours sincerely

**Brendan O'Connor**

**COPY**

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- We overcome opposition from defence and veterans' organisations which do not support AFP coverage under the military scheme which from their point of view is a hard-won, exclusive arrangement;
- There may be scope in the future to extend coverage to other AFP officers if that was considered necessary.

The CEO met with the AFP officer dealing with this matter and with the AFP's consultant on this workers' compensation project. It is encouraging that the AFP appears to also favour a stand-alone piece of legislation and, to date other departments involved in the Whole-of-Government Working Group do not appear to be opposed to our preferred option providing the costs of such a scheme are not significant.

We met with Ministers Griffin and O'Connor and separately with members of the Review Steering Committee. We also liaised with various Peacekeeping organisations on the matter. On 12 February 2010 the CEO appeared before the Military Compensation Review and expanded on the views put in the PFA's formal submission.

As at August 2010, we are awaiting the report of the Review Steering Committee to the Minister.

In the meantime, we have secured a good interim arrangement by way of the following letter from the Minister for Home Affairs, Brendon O'Connor MP.

## Superannuation and Taxation

### Henry Tax Review

The Government released *Australia's future tax system: Report to the Treasurer, December 2009 (the Henry Report)* together with the Government's initial response on 2 May 2010. The Government then factored a number of recommended changes into the 2010 -11 Budget.

The PFA made three submissions to the Henry Tax Review over the course of the year. The issues we pursued were:

- Police access to superannuation savings from age 55 years i.e. before the standard preservation age;
- Extending to police the capped fringe benefits tax concession that applies to charitable employers and ambulance, nursing and medical personnel through salary sacrificing; and
- Increasing, over time, the compulsory employer superannuation guarantee from the present 9% to 15%.

The Henry Report dealt with each of these issues and many others in its 138 recommendations for long term tax reform.

### Superannuation preservation age

On the superannuation preservation age, the Henry Report recommended that for defence service pensioners the preservation age should remain at 60 years as it is already legislated to align with the 60 year eligibility age for the service pension. For others, it recommended that an increase (unspecified) in the preservation age should apply to people who currently have a legislatively prescribed retirement age.

In taking this view Henry said the preservation age provides an important social signal about retirement expectations. It also points to increasing access ages for retirement benefits in many OECD countries ranging from 67 to 68 years (e.g. U.S.A., Norway, Denmark, Germany, and the U.K.).

Although certain occupations have mandatory retirement ages below age 67, the Henry Report said 'a community-wide standard for the preservation of superannuation savings is fundamental to preserving the link between retirement expectations and the preservation age. Also, retirement from one occupation does not necessarily mean retirement from the workforce.' It goes on to say that 'Any exceptions to preservation age legislation for particular groups or occupations would be inconsistent with:

- the Review Panel's view that retirement ages should reflect increasing life expectancies; and
- the actions of successive governments to abolish employment practices that potentially discriminate against older workers.

On this basis, (according to Henry) there should be a consistent preservation age across all occupations.'

The Report also said that the increase beyond 60 does not start until 2024, so organisations will have time to adjust their mandatory retirement ages where appropriate.

*In its response to Henry, the Rudd Government announced that it would not implement certain policies at any stage, including any proposal to 'align the preservation age with the pension age'.*

We again sought commitments, in our 2010 pre-election document, on the preservation age.





## Capped FBT

The Henry Report made a number of recommendations about the capped fringe benefits that apply to charities and others. Most particularly, it recommended:

- Fringe benefits that can be valued and attributed to employees, should be taxed in the hands of the employee;
- The scope of fringe benefits that are subject to tax should be simplified;
- All FBT exemptions should be reviewed to determine their continued appropriateness;
- Not-for-profit entities' FBT concessions should be reconfigured, and the capped concessions should be phased out over ten years, reducing gradually over that time, and taxed in the hands of the employees at their marginal tax rate above the cap. Over time, FBT concessions should be replaced with direct government funding.

*In its response, the Rudd Government announced that it would not implement certain policies at any stage, including not 'do any changes to the tax system that harm the not-for-profit sector, including removing the benefit of tax concessions'.*

While we have again placed this issue in our 2010 pre-election document seeking a commitment from all political parties, it needs to be recognised that it will be very difficult to achieve such an outcome for police.

## The Superannuation Guarantee

The Henry Report recommended a range of complex changes to superannuation arrangements including taxing employer superannuation contributions in the hands of the individual at their marginal tax rate minus 20%, thus ensuring more equitable sharing of the tax concessions across income levels.

*In its response the Rudd Government announced that the Superannuation Guarantee would be increased to 12%, with the change to be phased in over seven years to 2019-20. The first increase will be 0.25% in 2013-2014 if Labor is re-elected in August 2010.*

*In addition, workers on incomes up to \$37,000 per annum will receive a co-contribution to a maximum of \$500 (effectively tax free). The current tax concessions for high-income earners remain. People 50 years and older nearing retirement may contribute up to \$50,000*

*pa to superannuation and employers must pay the superannuation guarantee until an employee reaches 75 years of age.*

*These superannuation changes are contingent on passage of the mining resources rent tax through Parliament as that tax will fund this and other changes.*

We again raised this issue in our 2010 pre-election document seeking a commitment to raise the SG to 15%.

## Cooper Review of the Superannuation System

In parallel, the Government also had the so-called Cooper review into the workings of Australia's superannuation system underway. This review focused on the detailed operation of superannuation law and practice, and value for money for superannuants. Cooper reported towards the end of the financial year.

The PFA made several submissions to the Cooper review, again focusing on the preservation age and the 9% level of the compulsory superannuation guarantee. As those matters were being considered by the Henry Review, they were deemed to be outside the scope of the Cooper review.

The Cooper Review made recommendations aimed at:

- Lowering the fees paid by workers from their superannuation funds by about 40%;
- Introducing a simplified fund-type, called MySuper, which would be a simplified, diversified portfolio of investments, and act as a default fund-type for people not interested in a hands-on approach to managing their investments.
- Retaining the option for more sophisticated fund-types, including self-managed superannuation funds.
- Making the Trustees of superannuation funds more accountable to fund members for the performance of the funds and for costs incurred, and thus more member-oriented.
- Drastically modernising the superannuation industry.



One aspect of the Cooper Report that the PFA had to examine was insurance associated with superannuation because of concerns about insurance with the older-type Defined Benefit Funds/Schemes covering some police officers.

We were able to establish that Cooper's intention was that:

- all super funds should be able to offer insurance, usually through a specialist insurer;
- the range of insurance that can be offered would be limited to death cover; Totally and Permanently Disabled (TPD) and income protection (including medical retirement income protection); and
- trustees would be more accountable to members for the insurance deal they get for members.

Consistent with these aims, Cooper recommended that some Defined Benefit Funds which presently self-insure may continue to do so. There is no suggestion that Defined Benefit Funds, which some police are covered by, should divest themselves of insurance or have members self-insure.

We expect that the next Australian Government, elected at the August 2010 federal election, will develop a response to the recommendations made by the Cooper Review for implementation in 2010-2011.

## Occupational Health and Safety

The PFA has continued to liaise with the Government and the ACTU regarding the harmonizing of OH&S legislation across the country.

In last years' Annual Report we made specific mention of our concerns regarding Recommendation 82 (which would allow certain AFP police operations to be exempted) and the Workplace Relations Ministerial Council (WRMC) response to the National Review into the proposed laws.

With the support of the Minister for Home Affairs, Brendan O'Connor, we secured a meeting with key advisors in the Deputy Prime Minister's office, where we outlined our concerns that Recommendation 82 and the response by the WRMC, whilst only initially affecting the AFP, had a likely flow on effect to all jurisdictions. Following that meeting and further discussion with Minister O'Connor's office we received correspondence from the Deputy Prime Minister supporting our position. As the letter suggests, we have also met with representatives of her Department and we have subsequently been advised that there is little in the way of information explaining the development of the provision affecting the AFP in the *Occupational Health & Safety Act 1991*, which is sought to be replicated in the Model Laws. Likewise, the Department and Comcare have not been able to find any examples in their records of where the provision has been invoked in an investigation or case before the courts. All of these findings lend weight to our argument that the provision should not exist.





**THE HON JULIA GILLARD MP**  
**DEPUTY PRIME MINISTER**

Parliament House  
Canberra ACT 2600

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

24 FEB 2010

Dear Mr Burgess

I write following your letter to the Hon Brendan O'Connor of 21 August 2009 in regards to model OHS laws, and your subsequent meeting with my office on 16 December 2009. I would like to confirm the intent of the response of Safe Work Australia and the Workplace Relations Ministers' Council in relation to the matter raised in regards to recommendation 82 of the National Review into Model Occupational Health and Safety Laws. Recommendation 82 related to exemptions for matters relating to national security, Australia's defence and certain police operations.

The model Work Health and Safety Act was endorsed by the Workplace Relations Ministers' Council on 11 December 2009. The Act gives effect to this recommendation as a jurisdictional note to clause 11 (Scope) of the Act. The jurisdictional note only applies to the Commonwealth and allows for the Commonwealth to give effect in the model Act to sections 6 to 8 of the Commonwealth *Occupational Health and Safety Act 1991*. These sections deal with the Commonwealth OHS Act not prejudicing national security, Australia's defence or certain police operations.

The intent of both Safe Work Australia and the Workplace Relations Ministers' Council in agreeing to this provision was:

- that it not extend beyond giving effect to the relevant sections of the Commonwealth legislation identified above,
- that it only relate to the Commonwealth jurisdiction, and
- in relation to police operations that it not be extended to allow for similar provisions to be drafted for police operations in other jurisdictions.

I understand that you may also wish to pursue the matter of whether it is appropriate to continue including such a provision in the Commonwealth OHS legislation in relation to police operations. I recommend that you contact Ms Flora Carapellucci in the Safety and Compensation Policy Branch of the Department of Education, Employment and Workplace Relations to discuss this matter further. Ms Carapellucci can be contacted on (02) 6121 9149.

I hope that this clarifies the issue you have raised in relation to this matter.

Yours sincerely

**Julia Gillard**  
**Minister for Employment and Workplace Relations**



More recently, the proposed Model Laws have also been amended to specifically include a police officer in the section dealing with the 'Meaning of Worker'. This inclusion was again consistent with our earlier submission on the proposed Model Laws. At the time of writing we are confirming that the wording used will be appropriate.

The outcome of the Federal Election will likely have some bearing on how the Model Laws eventually look.

## Workers' Compensation

As with the proposed OH&S harmonization process, the PFA has been working with the ACTU on the proposed harmonization of workers' compensation arrangements.

In April 2010 the Minister for Employment Education and Workplace Relations, Julia Gillard wrote to the ACTU advising that,

*'the harmonisation of occupational health and safety laws needs to be completed prior to any substantive work occurring in workers' compensation arrangements.'*

This indicates that consideration of changes to national workers' compensation arrangements will not occur until at least 2012.

As with the OH&S Model Laws, the harmonization of Workers' Compensation arrangements may largely depend on the outcome of the Federal Election.

## Industrial Planning Committee

This year the IPC met on four occasions, twice in Canberra and twice in Sydney. At each of these meetings the CEO reported on the range of policies and issues being pursued by the PFA so that members have a comprehensive overview of national matters of interest.

The IPC has continued to be an important PFA Sub-Committee because its work is focused on police officer remuneration and terms and conditions of an officers working life. Jurisdictions compare benefits and conditions and identify key initiatives, trade-offs and different approaches taken in various States and Territories.

Having the association/union industrial officers at the table discussing progress and also challenges being proposed by Police Force IR personnel and Commissioners makes the PFA and the Branches stronger and more effective in exercising their responsibilities on behalf of members. Sharing advances and difficulties, including when Federal and State Budgets are under stress, makes the work the

industrial officers do more productive for front-line police who benefit. It also enables industrial officers to keep abreast of national trends and changes in the IR landscape, laws and practice.

At the national level, the establishment of Fair Work Australia and the new *Fair Work Act 2009*, were major changes for Australia's private sector workforce. Aside from police in the AFP and Victoria (because IR powers have been referred to the Commonwealth), the other police forces were not affected by the national regime as they continue under their State employment systems and in the case of the NT via the Police Arbitral Tribunal. Similarly, police have not been affected by the introduction of new modern awards in 2009/2010 which have replaced old-style industrial awards and affected a large proportion of the workforce.

Of the many issues affecting front-line police considered by the IPC in 2009-2010 were the following:

- The effect of the Global Financial Crisis on enterprise bargaining rounds and likely wage outcomes;
- Savings targets being introduced in various jurisdictions;
- Pay equity issue;
- Remote area conditions and rural incentive schemes;
- Findings of the **Police at Work** second report;
- AFP phase out from NT Intervention policing;
- Rosters and 12 hour shifts;
- Fatigue management arrangements;
- Second tier policing;
- Retraining of PSOs to become sworn officers;
- Airport policing;
- Cross-border policing issues;
- Uniform reviews and issues including load bearing vests;
- Police dealing with people with mental health problems;
- Police concept vehicle.



## Women's Advisory Committee (WAC)

The WAC held two two-day meetings during the year, both of which were in Canberra. Attendance at meetings from all jurisdictions and New Zealand has been consistently high.

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

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

As the PFA Executive's nominee on the ACTU's Women's Committee, Bernie Zimmerman from South Australia provided regular reports to the WAC on national issues arising at ACTU level.

### ***Paid Parental Leave***

Paid maternity/parental leave was a major issue during the year both for the WAC and for Federal Parliament, with the major parties competing for votes with widely differing schemes proposed to at last bring in paid leave. The Rudd Government's scheme was enacted in the first half of 2010 and will commence on 1 January 2011. It is intended to be in addition to any paid parental leave scheme that employees are already entitled to.

The WAC strongly supported the ACTU's campaign for paid maternity leave and for the scheme to include continued payment of employer Superannuation Guarantee payments while a woman is on leave. One union (CPSU) has achieved this through the enterprise bargaining process. If it could be widely secured it would stop women being further disadvantaged in terms of superannuation accumulated over their often interrupted working lives.

### ***Return from Extended Leave Policy***

Associated with the parental leave issue, the WAC took up the issue of women returning to work after their leave and strongly supported the introduction of a formal refresher program to facilitate their return to policing and to ensure their skills remain current and relevant to the

profession. This proposal and a new Draft Policy were referred to the Executive and the IPC for consideration.

A 'Keep in Touch' Program was also strongly supported. This provides a bridging mechanism while a woman is on extended leave.

### ***Pay Equity***

The WAC had a watching brief on the pay equity issue during the year, having made a submission previously to the House of Representatives Standing Committee on Employment and Workplace Relations Inquiry into Pay Equity and Female Workforce Participation. The Committee reported in 2009-10 with a series of recommendations which, if implemented, would over time help to redress the ongoing pay inequity which sees women earning around 19% less than men.

That pay inequity is evident in the nation's police forces also, probably due to the clustering of women's employment into certain areas of the forces and to interrupted careers due to child caring responsibilities.

WAC decided to examine the recommendations of the House of Representatives report at its next meeting.

### ***Child Care for Police***

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

The PFA plans to discuss these issues with the Federal Minister responsible for child care and with the Nurses Federation of Australia to map out a strategy for addressing the problem and develop a PFA policy.

### ***Female Representation in Elected Union Positions***

The WAC proposed that the PFA have a policy urging Branches to endeavour to achieve equivalent female representation in elected positions that mirrors the percentage of women in their own jurisdiction's workforce. There are 57 women in elected positions in Branches across Australia out of a total of 675 elected positions or 8%.

### ***PFA Policy***

The WAC has been asked to examine all PFA policies relevant to women as part of the current review of PFA Policy.





## Uniforms and Equipment Sub-Committee

In last year's Report we reported on the development of the PFA's proposal for the establishment of an Advisory Council on police uniforms and equipment. The PFA proposal was endorsed unanimously at the 2009 Federal Council Meeting and we subsequently wrote to all Police Ministers seeking support for the issue to be placed on the Ministerial Council Agenda and for the PFA to be invited to make a presentation to Ministers. The Ministerial Council advised us that they had declined our request and advised that ANZPAA was carrying out similar work on behalf of jurisdictions. Unfortunately to date there is no evidence that any such work is or has been carried out in any meaningful way. It was apparent that even the potential to save millions of dollars could not sway Ministers and Police Commissioners to take a national approach to the issue.

We are continuing to pursue our proposal.

## Concept Car

In February 2010 the Executive invited representatives from the National Safety Agency (NSA), a not for profit research and development group focussed on public safety innovation and technology development, to make a presentation and provide a demonstration of their concept car.

Following that presentation in Sydney, the PFA organised for the car to be taken to Parliament House in Canberra where it was viewed by the AFP and a number of federal politicians and their staff. Again, the PFA was promoting the concept of a national standard police vehicle with all the safety and technological advances built in. Again, we had limited success in getting Ministers and Commissioners to seriously view the vehicle.

At the time of compiling this report however, several jurisdictions, after strong lobbying by their respective police association/union, have begun negotiations with the NSA to trial the vehicle in their jurisdictions.





## OTHER ISSUES

### Police pursuits

In early 2010, following the deaths of four members of one family in a police pursuit, the PFA wrote to the Minister for Home Affairs seeking a national approach to the use of technology to aid police in pursuits.

We pointed out that what the PFA was hoping to avoid, was each jurisdiction conducting their own independent research and evaluation of technologies in this area. We argued that such a process only leads to a significant duplication of effort and an increased cost of outcomes if we do not use our economies of scale in research and procurement power.

We suggested several technologies that could be investigated but also argued that the search for a solution to the problem should not be limited to currently available technology. We argued that with a clear definition of the problem it may be possible to engage industry to assist in the development of new technology that will assist to minimise danger in future pursuits.

Again, unfortunately, even with the support of the Federal Minister, we were unable to have this matter listed on the Ministerial Council agenda.

### Queensland Branch

At the time of compiling this report moves are underway to formalize a Queensland Branch. It is hoped that this will eventuate some time later in 2010 or early 2011.

### National Police Memorial

We have continued to develop the National Police Memorial website and liaise with interested parties on all matters affecting the Memorial. It has been noted that 2012 is the 5<sup>th</sup> anniversary of the Dedication of the Memorial and we are currently working with our Branches and police jurisdictions to ensure an appropriate event is conducted at the Memorial to coincide with this important anniversary.

### Wall to Wall Ride for Remembrance

The inaugural Wall to Wall ride for Remembrance is scheduled to take place on Saturday 18 September 2010. The Ride will commence from the NSW Police Memorial in Sydney and the Victorian Police Memorial in Melbourne

and culminate with all riders gathering on the outskirts of Canberra and riding to the National Police Memorial in Canberra where a service will be held. At the time of compiling this report riders from as far afield as Perth and Darwin have also registered for the event, including a number of Police Commissioners.

The ride, first mooted by Assistant Commissioner Mick Corboy (Life Member NSW Police Association) and Inspector Brian Rix (President Victoria Police Association), has been inspired by the very successful and popular Ride for the Fallen in Texas USA. The Wall to Wall Ride has been developed as Australia's own memorial ride and will draw attention to our own National Police Remembrance Day, a week later on 29<sup>th</sup> September.

### National Police Service Medal

At the time of preparing this Annual Report a Federal Election was called and therefore the finalization of the National Police Service Medal (NPSM) has been put on hold until after the election has been determined.

Over the past 12 months we had been in continual discussions with both the Government and the Department of Prime Minister and Cabinet to finalise all outstanding aspects of the Medal.

In May 2010 the Special Minister of State Senator Joe Ludwig and Minister for Home Affairs Brendan O'Connor put out a Joint Press Release announcing that agreement had been reached and that the National Police Service Medal was to be recommended to the Queen.





**Senator the Hon Joe Ludwig**  
Cabinet Secretary  
Special Minister of State

**The Hon Brendan O'Connor MP**  
Minister for Home Affairs

## Joint Media Release

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Friday, 21 May 2010

### **National Police Service Medal to be recommended to The Queen**

The Rudd Government has announced the criteria for the planned National Police Service Medal (NPSM), which will now be recommended for The Queen's approval.

The Government announced its intention to establish the NPSM in December 2008. Consultation with police representatives began in early 2009 to determine the eligibility criteria and medal design.

The views of Federal, State and Territory police commissioners and policing organisations have been incorporated into the criteria and design of the medal.

Cabinet Secretary, Senator the Hon Joe Ludwig, said "This medal will recognise the ethical service, significant commitment and unique contribution to the nation demonstrated by sworn members of Australian police services".

Police officers serving on or after 30 October 2008, who have completed at least 15 years police service, will be eligible for the medal.

Commissioners will also be able to recommend awards for officers who have served less than 15 years, if their period of service was terminated by death, injury or disability caused by their service.

The NPSM will be awarded irrespective of any entitlement to other awards. The National Medal will continue to recognise the long service of Australian police officers.

The Minister for Home Affairs, Brendan O'Connor, said "This new medal is another way that the people of Australia can express their appreciation for the dedication and sacrifice of our nation's long-serving police officers".

The Chief Executive of the Police Federation of Australia, Mark Burgess, said "We're very pleased that the National Police Service Medal is about to become a reality for the hard working men and women of Australia's police forces. This medal will recognise the invaluable service Australia's police officers give communities across our country 24 hours a day seven days a week".

The Government will now seek The Queen's agreement to the criteria, along with the design and placement in the Order of Wearing. We aim to begin issuing the NPSM later this year.

**Minister O'Connor's Media Adviser:** Jayne Stinson 0458 547 512  
**Senator Ludwig's Media contact:** Anika Wells 0434 568 993



Key aspects agreed to include –

- The Medal may be awarded to a person who:
- is or was a member of an Australian police force on or after 30 October 2008; and
- the Commissioner making the recommendation for the award is satisfied has given ethical and diligent service in 1 or more Australian police forces; and
- has given service as a member of one or more Australian police forces, whether on a full-time or part-time basis:
  - for a period of service of at least 15 years; or
  - for periods of service totalling at least 15 years.

The Medal may also be awarded to a person who

- died while a member of an Australian police force and in the opinion of the Commissioner of the force, the person died as a result of service in one or more Australian police forces.
- in the opinion of the Commissioner of the force of which the person was last a member; the person could not continue to serve because of an injury or disability that the person sustained as a result of service in one or more Australian police forces.

The Medal has no effect on entitlement to other awards therefore eligible members will continue to also receive the National Medal.

## ICPRA

The 2010 ICPA meeting was held in Copenhagen Denmark on 25<sup>th</sup>, 26<sup>th</sup> and 27<sup>th</sup> May. In attendance from the PFA were Vince Kelly and Mark Burgess as well as Mick Gerrard from the QPU. Also in attendance were 30 delegates representing 20 countries across 4 continents including – New Zealand Police Association, Danish Police Union, British Transport Police, Eurocop (representing all European Police Unions), Police Federation of Northern Ireland, South African Police Union, Portuguese National Police Union, Scottish Police Federation, US Federal Law Enforcement Officers Association, South African Police and Prisons Civil Rights Union, US Fraternal Order of Police, Association of Garda Sergeants and Inspectors and the Police Federation of Iceland.

The Conference was opened by Mr Lars Barfoed, Minister of Justice for Denmark.

The meeting received a range of presentations from guest speakers and key issues to arise from the meeting included –

- Following an address by Yasmine Sherif of the United Nations Development Program (UNDP) it was resolved:

“That the incoming ICPRA Executive Committee be empowered to liaise with the UNDP with a view of developing a conceptual framework document outlining how the ICPRA & affiliates could work with the UNDP to develop Police Unions in identified agreed countries”.

An ICPRA sub-committee has subsequently written a submission that has been presented to the UNDP during a teleconference. At the time of writing this report we are awaiting a response to that submission from the UNDP.

- The incoming ICPRA Executive Committee was tasked with finalising a constitution and a set of policies for endorsement by affiliates. They were also asked to take steps to register the ICPRA as a legal entity once the ICPRA Constitution has been finalised. The decision about which country the ICPRA will be registered in is yet to be made, however it is envisaged that this process will give the ICPRA a more formal structure to allow it to deal with external groups such as the UNDP.
- The meeting endorsed the membership of the Federal Law Enforcement Officers' Association (FLEOA). FLEOA represents 25,000 federal law enforcements officers from 65 agencies across the US.
- Greg O'Connor from the New Zealand Police Association was re-appointed ICPRA Chair and Callum Steele of the Scottish Police Federation was appointed ICPRA Secretariat.
- The following Executive Committee was also elected
 

▪ Peter Ibsen	Representing	Europe
▪ Mark Burgess		Australasia
▪ Chuck Canterbury		North America
▪ Mpho Kwinika		South Africa
▪ Roger Randall		United Kingdom

The Executive Committee meets regularly via teleconference.

- The meeting also acknowledged the contributions of recently retired Dale Kinnear of the Canadian Police



Association and Norrie Flowers of the Scottish Police Federation.

- The PFA was asked to continue to prepare and disseminate the ICPRA International E News newsletter and to manage the ICPRA website.
- The meeting received a presentation by Eurocop on violence and threats against Police Officers, together with a program that they had developed to highlight the issue across all European countries. Following the presentation the incoming ICPRA Executive Committee was tasked with liaising with Eurocop to launch an International Campaign to Stop Violence against Police in line with the Eurocop campaign. That campaign is currently subject of discussions by the ICPRA Executive.
- The 2012 ICPRA Conference is to be held in the US and hosted by the Fraternal Order of Police.

## Human Rights

The Federal Government this year received the report from the national human rights consultation panel headed by Father Frank Brennan which made radical recommendations, including for a national charter of rights. This would have meant more power for the judiciary vis a vis the Parliament.

In last year's Annual Report we reported on the PFA's submission on the human rights proposals suggesting an improved Parliamentary Committee process to strengthen human rights protections, rather than a Charter or Bill of Rights.

The Rudd Government decided against a Charter or Bill of Rights and instead published ***Australia's Human Rights Framework***, April 2010 and moved to review legislation for human rights compliance and enhance Parliamentary scrutiny through a new Joint Committee on Human Rights. It also decided to require a statement of compatibility for new Bills and delegated legislation. Those outcomes are consistent with the thrust of the PFA's position in the submission we made and in the PFA CEO's speech to the National Human Rights Consultation in July 2009.

## Single Officer Patrols

At the June 2010 Executive meeting, the Executive endorsed a proposal from South Australia to partner with them on research into this important area. As a result the Australian Institute of Criminology has been engaged to undertake the study.

To explore this issue, the research will focus on a number of issues including –

- The challenges faced by first-response officers when performing their duties solo including the changed environment since solo policing was introduced;
- How are decisions made when deciding to deploy solo/ 'one-up' first response officers?
- What impact does working alone have on officers successfully performing their duties? and
- Are solo first response strategies in line with community expectations?

It is anticipated that the research will be completed by late 2010.

## Immigration issues

In November 2009 the Administrative Appeals Tribunal handed down a decision that set aside the Immigration Minister's decision to cancel the visa of Motekia Taufahema, one of the killers of Senior Constable Glenn McEnallay in Sydney in March 2002.

We subsequently wrote to the Minister seeking that he appeal the decision of the AAT. In January 2010 the Minister advised us that he would be instructing his Department's Solicitors to appeal the AAT decision to the Federal Court. However on 7 April 2010 the Federal Court ruled that it was dismissing the appeal of the Minister against the AAT thus allowing Taufahema to remain in Australia upon the expiration of his sentence.

Again we wrote to the Minister and the Attorney-General outlining our concern about the process that had resulted in such decisions by both the AAT and subsequently the Federal Court.

In our letters we raised the lengthy criminal history of Taufahema prior to the killing of Senior Constable McEnallay. He had previously been convicted of stealing, assault with intent to rob, trespass with intent, malicious damage, break and enter with intent, goods in custody, robbery, possess shortened firearm, larceny of a motor vehicle, being armed with intent, assault, assault occasioning actual bodily harm, resisting arrest, taking and driving a conveyance, assaulting an officer in the execution of his/her duty and affray. He was on parole at the time of the killing of constable McEnallay. He had spent 12 of his 21 years in Australia behind bars.



We argued that the AAT did not appropriately take into consideration the protection of the Australian community should Taufahema be released into the community following his sentence. His lengthy criminal record and the seriousness of the crime for which he is currently in custody should have been given more weight in the decision of the Tribunal. We also raised concerns that much of the information placed before the Tribunal, which was relied upon to come to this decision, was not fully tested. Police, who may have been in a position to test the veracity of the evidence provided to the Tribunal were not even notified that the matter was before it. We suggested that the Australian community would be outraged to think that a person of such character was going to be allowed to remain in Australia upon his release when he is not even an Australian resident.

Subsequently the Minister used his power under section 501A(2) of the Migration Act to cancel Taufahema's visa.

In his statement the Minister said, "There were a number of factors I weighed up in my decision to cancel Mr Taufahema's visa, including, in particular, the serious nature of the offence of manslaughter of a police officer and the harm that such an offence does to the integrity of Australia's law enforcement framework."

"The government takes very seriously its role in protecting the Australian community from unacceptable risk of harm from criminal or other serious conduct by non-citizens."

"Having carefully considered the relevant information available to me in relation to possible use of my personal power in this case, I have decided to set aside the decision of the Administrative Appeals Tribunal [AAT] not to cancel his visa and to cancel Mr Taufahema's visa," Senator Evans said.

We congratulated the Minister on his stance.

Subsequent to that decision and with the support of the Minister for Immigration and the Attorney-General, we have commenced dialogue with both of their Departments with a view to changing the process by which the AAT deals with such matters. We are keen to develop a process for advising interested parties when an AAT application is lodged for a review of a decision under section 501 of the *Migration Act 1958* where the Minister's decision to cancel a visa is based on the grounds that the person did not pass the 'character' test. Interested parties should be granted standing to appear and be heard in the appeal process.

We are also keen to seek legislative and procedural amendments to ensure that any person who is not an Australian citizen and who is convicted of a serious violent crime against a Police Officer is deported to their country of citizenship or origin immediately upon the expiration of any term of imprisonment resulting from their conviction.

We pointed out in our 2010 pre-election document that we find it hard to comprehend how there would be any circumstances where a person convicted of a serious criminal offence and who is not an Australian citizen is allowed to remain in this country upon the expiration of their sentence.

## CONCLUSION

It would be remiss of me if I didn't again pay tribute to the PFA's professional staff. Our members can be proud of the valued contribution and support given by Debbie Martiniello our Office Manager and Dianne Gayler our Senior Policy and Planning Officer. Without their input, we could not hope to achieve anything near what we have over recent years. Their work ethic and professional demeanor are without peer.

I also take this opportunity to thank all the Branches and their managerial, administrative and other staff who make our role at the PFA easier to provide services to the Branches. They also provide great support and guidance in our development of policy issues. Once again I thank the Executive, and in particular our President Vince Kelly, for their support of Debbie, Dianne and me. Their commitment to the PFA allows us to pursue issues with senior politicians and bureaucrats in the knowledge that if required they will back up our arguments with decisive action. Our members can feel well served.

The 2010-11 period is shaping as a very interesting yet busy time. The first hung Parliament in 70 years means that organisations like ours, which are already well connected on 'The Hill', are best placed to get the support we need on our key priorities.

**Mark Burgess**

Chief Executive Officer





# AFFILIATES' REPORTS

## NEW SOUTH WALES

### Salary Campaign

The principal work of the Branch and its Associated Body, the Police Association of NSW, has been focused on the successful 2009 salary campaign.

The evolution of our organising strategy enabled the Branch to call on the collective strength of our membership when critical conditions such as Workers' Compensation, Top Up and the Death and Disability Scheme were under direct threat. This was the key reason that we were able to repel this attack and improve the salaries and conditions of members even during the Global Financial Crisis. Significantly in this campaign we were able to effectively draw on the support of the community to assist us.

Implementation of the MOU and the Award will continue to be a significant issue for the Branch's industrial staff over the next few months. In this regard significant work has been undertaken in respect to the case currently before the Industrial Relations Commission for the Prosecutors and the Tactical Operations Unit as agreed in the MOU.

The Keep Our Cops campaign was created to garner both public and member support and was run primarily online through [www.keepourcops.org.au](http://www.keepourcops.org.au). The site allowed the Branch to utilise a number of communication channels including email, SMS and video, to get the message out to the membership who, according to initial research, wanted to be kept informed throughout the negotiation process.

The outcome protected all key conditions of police officers and at the same provided members with salary increases of 4% per annum. The agreement also delivered a key breakthrough by increasing the breaks between shifts from 8 to 10 hours - the change to working conditions most requested by members. Given the economic circumstances faced during the negotiations, the outcome of this campaign is one that the Branch and its members can be justly proud of. More significantly the campaign itself was at the cutting edge and allowed members and the community a level

of involvement which was not possible under traditional campaign strategies.

### Death and Disability Scheme

Perhaps the most critical issue currently facing the Branch is the ongoing attack on the Death and Disability Scheme. Since its inception, rumors have been circulating about its financial viability. The Branch has devoted significant time and resources to protecting this critical member entitlement. I am proud of our efforts in this regard and the fact that the pay deal ensured a further two year moratorium on any changes to the scheme. This will provide injured members with some short term certainty and allow the Branch time to work with NSW Police and Government to guarantee the long term future of the scheme.

### Fair Work Australia and the Future of the State IR System

Following the outcome of the last Federal Election in 2007, the Branch has been focused on the negotiations between the state and Commonwealth Governments regarding a proposed new IR System.

Throughout 2009 we participated in a series of meetings with Unions NSW, the former Premier, the Attorney-General and officers of his department regarding this issue in an effort to ensure that the pre-election commitments to maintain the state system for police and other public servants were adhered to.

We also collaborated with the PSA to produce a joint paper authored by former Attorney-General Jeff Shaw and conservative IR Barrister Arthur Moses articulating the need to maintain the state IR System. This paper was publically released in order to put pressure on the State Government to maintain the system. The Commonwealth Government asserted its rights in regards to the High Court Decision. This effectively transferred all trading corporations (both private and State Owned Corporations) into the Federal system. The State Public Sector and Local Government (including



some local government owned corporations), along with sole traders and partnerships, are all that remained in the State system.

I am pleased to report that legislation was passed late last year confirming the retention of the State Industrial Relations System for police as well as other public sector employees and Local Government employees. All other workers not previously covered by the *Fair Work Act 2009* have been referred into the Commonwealth system by the legislation.

## Occupational Health and Safety Campaign

The Branch has also been engaged in the ACTU and Unions NSW campaign to protect the critical OH&S legislative safeguards enjoyed by NSW workers following the release of the two reports by the National OHS Review Panel. The proposed "harmonisation" of Occupational Health and Safety laws (OH&S) and Workers' Compensation legislation will effectively mean a significant reduction in these protections.

The Commonwealth Government has adopted the recommendations of the panel. Of most critical concern are the proposals which reverse the onus of proof in OH&S prosecutions making it a requirement for the prosecution to prove that an employer did not take all reasonable steps to ensure a safe workplace as opposed to the employer proving they did. Significantly they have also recommended that unions no longer be permitted to prosecute OH&S breaches. Whilst we have not used this provision, it has been a valuable bargaining chip with WorkCover who have been persuaded to prosecute the State Government on numerous occasions resulting in fines and more importantly improvements in equipment and training designed to prevent members being injured or killed.

Unlike the IR Laws, implementation of the recommendations of the Committee will require agreement of all the states to pass harmonised laws. Consequently we joined with Unions NSW to lobby the members of the Cabinet of the NSW Government to require that they do not amend the OH&S Act in any way which would diminish the current protections provided by the legislation. Unfortunately the Workplace Relations Ministers Council has endorsed the essential proposals contained in the Committee Report. As a consequence the ACTU and Unions NSW have expanded the campaign to stop the Commonwealth and state Governments including NSW from implementing

this decision. Members have been circulated with information and urged to support the campaign.

Lastly, we were pivotal in addressing the specific issues facing police officers as a consequence of a provision in the exposure draft of the Model OH&S Bill to exempt certain police operations. Coverage of police is less certain than in the current act and most significantly, exemptions for "covert and dangerous operations" contained in the current Act applying to the AFP are proposed in the model Bill. The PFA at its Council meeting held late last year in Canberra unanimously rejected the proposals and we have joined a campaign to lobby all Federal members of Parliament in an effort to have this proposal removed from the Bill.

The Keep Our Cops Web was used for this purpose and we set a target of 5,000 emails to the Federal politicians. In addition we have corresponded with the Police Minister who also has responsibilities for the OH&S legislation in NSW seeking to ensure that NSW does not enact the proposed provisions.

I am pleased to report that this issue has been satisfactorily resolved. The email campaign by members has proven successful with Deputy Prime Minister providing a written undertaking that the "jurisdictional note" that would have seen police exempt from the protection of OH&S law when attending the most dangerous of jobs was not intended to apply in NSW.

We subsequently sought that the Minister, Mr Daley indicate his position in the light of the advice from the Commonwealth. He advised that the jurisdictional note did not apply in NSW and he would not be pursuing such a variation in the NSW model legislation.

## Alcohol Related Violence – Last Drinks Campaign

The Branch has recently launched a campaign to pressure the Government to take action in respect to alcohol-related violence against members. It is generally accepted that more than 70% of assaults against police are alcohol related. Under Occupational Health and Safety Laws the employer has a duty to provide a safe system of work - and the Government is the ultimate employer of police.

Following the successful initiatives in Newcastle, implemented by police with the assistance of the now defunct licensing court, the NSW Bureau of Crime Statistics and Research has confirmed a 30% reduction in



assaults (including of both police and the community). The new initiatives included reasonable restrictions on trading hours (3:00 am closures), lock outs, restrictions on the sale of shots and high strength alcohol etc at all premises in the precinct in Newcastle.

The Commissioned Officers Branch Forum (headed by Federal Councilor Mick Plotecki) which was held in December 2009 discussed this issue and in February the Branch's Executive endorsed a campaign designed to press for these sorts of initiatives to be introduced in known problem precincts throughout NSW.

A subcommittee of Executive and staff has been formed to develop the campaign, which involves a coalition of other organisations representing front line workers affected by this problem. The Police Association of NSW, the NSW Nurses Association, the Health Services Union (representing Ambulance Officers) and the NSW Branch of the Australian Medical Association (representing Emergency Centre Doctors) have come together to use their combined membership, as well as the support of the community, to pressure the Government.

The KeepourCops web site has been rebranded to [www.lastdrinks.org.au](http://www.lastdrinks.org.au) and is the vehicle for a range of action to achieve the reforms necessary to make an impact on this critical problem. We already have over 10000 signatures on a petition to be presented to the Government and Opposition demanding the introduction of the Newcastle initiative across the state and nearly 27,000 police, nurses, ambulance officers, doctors and supporters have signed on to the site.

## Future Challenges

With our current award due to expire in June 2011, the next pay round represents the biggest challenge for the Branch in the next 12 months. The Government is yet to articulate a pay policy however if the Treasury position is consistent with the old policy of 2.5% per annum it will again be indicative of the difficulties we will be facing. On this occasion however we will be in a strategic position where a State Election is due to be held just prior to negotiations commencing. Our pre-election strategy will inevitably involve seeking commitments from both sides of politics regarding what we expect from the pay round.

In respect to other challenges, the maintenance of critical entitlements such as Death and Disability cover will continue to be our focus.

I am looking forward to working with the newly elected NSW Branch delegates to Federal Council, Pat Gooley (Branch Vice President), Tony Bear and Tony King and returning Federal Council Delegates, Prue Burgun, Mick Plotecki and Mark Ward as well as Branch Administrator Peter Remfrey over the next two years. Also I would like to thank Kel Graham and Robert Dunn for their assistance and input on the Federal Council as outgoing delegates.

But most importantly I would take this opportunity to again farewell and wish the former Branch President, Robert Pritchard all the best in his retirement from the Police. Thank you Bob for your wise counsel and efforts on the PFA Federal Council for a period of 8 years, including 6 years as a PFA Executive Member. You will be sorely missed and thank you for making the PFA and the PANSW extremely strong protectors of police officers' rights and entitlements.

**Scott Weber**

President







## VICTORIA

We are pleased to report to the broader Australian policing community that the 2009/10 financial year has been one of solid and historic achievement for the Victoria Police Branch (The Police Association – Victoria) in challenging circumstances.

The cornerstone of this year of achievement has been the successful resolution of a raft of long-standing and hard-fought public campaigns which we have led on behalf of our members and the broader community.

These campaigns have resulted in bipartisan political commitments, meaning that regardless which party governs after the forthcoming November 2010 state election we will see;

- a substantial boost in police numbers over the next four years,
- our frontline members armed with semi-automatic firearms and Tasers,
- the establishment of a new anti-corruption body that will finally be capable of investigating the activities of public officials other than police.

It is with great pride that our Branch commenced these campaigns long before these issues featured prominently in the mainstream public and political debate.

It is a credit to the relentless campaigning of our Branch members, and the public whose support was critical to our success, that these issues quickly became front and centre of the mainstream public debate in Victoria. It was only a matter of time that they would then become political imperatives for both major parties to urgently address in an election year. We are grateful to both major parties that this has occurred.

These campaign triumphs are worthy of further elaboration.

## KEY ACHIEVEMENTS

### Record boost to police numbers

Three years ago the Association identified resources as the number one issue for members. We enter the State election campaign in the knowledge that Victoria will get around 1800 extra police regardless of which party wins - the biggest numbers boost in Victoria's history.

This victory was no quick fix. The Association identified street crime and community safety as an issue well before it became a mainstream political and media talking point. Against the backdrop of a rising tide of alcohol-fuelled street violence, The Association's "SOS - Save our Streets" campaign helped elevate the issue to the top of the public agenda. This was a very gratifying Association triumph because it involved thousands of members across the State who helped create and serve the biggest petition in the history of the Victorian Parliament (70,731) and engaged with the campaign in many other ways.

### Better police equipment

The breakthrough on Tasers this year was another example of an Association victory after a long and relentless campaign. Despite staunch opposition from the State Government and successive Chief Commissioners for many years, Tasers have finally been introduced to frontline policing in Victoria with Taser trials having commenced at Bendigo and Morwell in early July 2010.

This achievement comes on the back of an earlier decision by Government to finally agree to arm our members with semi-automatic firearms. This followed a decade-long campaign by the Branch to finally rid its members of antiquated revolvers – the last Australian policing jurisdiction to do so. The first semi-automatic weapons are scheduled to be rolled-out to our members soon.

### New anti-corruption body

Finally, the Association's determined campaign for a broad anti-corruption system had a massive victory this year



when the State Government matched commitments made by the Opposition to finally accepted that there may be public officials other than police that should be overseen by a new anti-corruption body. While the Branch harbors a number of misgivings about the specific elements of the model being proposed by the Government, we will continue to campaign for the most robust system possible.

But a huge principle has been established - regardless of who wins government, Victoria will finally get a broad anti-corruption system that covers not just police but politicians, bureaucrats, judges and other public officials.

These major political achievements were backed up by a string of other successes enjoyed by the Branch this year.

## Defeat of Police Regulation Bill

Late last year, the Branch successfully lobbied Opposition parties and Upper House cross-benchers to defeat the draconian Police Regulation (Amendment) Bill which was pursued by the Government for a year.

If passed into law, this Bill would have seen the policing profession singled out for exposure to some of the worst elements of the discredited WorkChoices legislation.

Some of the worst elements, had this Bill passed into law, would have;

- reversed the 'onus of proof' in all discipline matters, condemning members as guilty until proving themselves innocent
- introduced coercive questioning in under-performance matters
- bolstered the already considerable powers vested in the Chief Commissioner to dismiss members on a whim
- provided the Chief Commissioner with the ability to waive members' probationary periods and to pay 'gratuities' (the Bill's term, not ours) to members of his choosing, paving the way for corruption and nepotism.

Not only was the Bill draconian in its intended application, it was unnecessary, shoddy and ill-conceived. There were no redeeming features to this Bill.

## PSO members win equal super at last!

From 1 July this year our Protective Services Officers finally achieved what was previously considered unachievable – access to the same superannuation entitlements enjoyed by their police and other emergency services colleagues.

This is a significant win that finally brings to an end a decade-long Branch campaign to deliver parity to our PSO members when it came to access to the well-regarded defined benefit superannuation scheme that exists for all emergency services workers in Victoria.

This achievement comes in the wake of a new salary structure achieved for PSOs at the last Enterprise Bargaining round, which not only delivered better pay but also a vastly improved career structure for PSO members.

## Senior Sergeant rotations averted

The Branch successfully resisted attempts by the Victoria Police Force to 'rotate' our Senior Sergeant members into different positions. Hard won positions, awarded to the "most efficient" member at a selection panel, would have been taken away from the successful incumbents as a management prerogative.

For many months these members have had the threat of unwanted and unwarranted 'rotation' hanging over them until the Branch negotiated a plan to stop this from occurring in October 2009.

## 2009 Victorian Bushfires Royal Commission

Following the tragic events of the 7 February Black Saturday bushfires, the Branch sought and was granted leave to appear before the 2009 Victorian Bushfires Royal Commission which was established to examine the causes of this disaster:

The bushfires claimed the lives of 173 people and all but wiped out entire towns. On any measure it was, by far, the worst natural disaster in Australia's history.

Our members were involved in every phase of the fires. They had significant roles to play with respect to prevention, response and recovery. As such they became important stakeholders in terms of matters to be addressed by the Royal Commission. For this reason, we felt it imperative that our members be represented during the entire proceedings of the Commission.



The feedback we received from our members who shared their experiences from the Black Saturday bushfires was extremely valuable. It has led the Branch to prepare detailed submissions to the Royal Commission to help members play their part in making sure Victoria learns the lessons from this appalling tragedy so that the policing role in future bushfire emergencies can be handled as well as possible.

The Branch's focus throughout the entire proceedings and our various submissions were concentrated around the following areas;

- The failure of communications systems
- Command and control (who was in charge?)
- Traffic management point policy
- The response provided by the then Chief Commissioner on Black Saturday.

The Branch looks forward to the concerns we raised on behalf of our members being addressed by Government in the hope that they will lead to a safer workplace and community for our members and for the public they serve.

## EBA 2011

After an exhausting consultation process with our membership, the Branch's next EBA Log of Claims was unanimously endorsed at a general meeting of members held in Melbourne on 13 July.

With this endorsement, the Association is now able to serve our claim on the employer on behalf of our members ahead of the formal commencement of negotiations scheduled for later this year.

The meeting also unanimously resolved that members will be afforded the opportunity to have the final say on any outcome negotiated by the Association on their behalf.

Our claim aims to achieve fair and reasonable improvements to salaries, penalties and conditions for all members regardless of rank and position while safeguarding hard-fought existing conditions from erosion.

The comprehensive nature of the claim is indicative of how it has been shaped and driven by a broad cross-section of the membership.

As part of our extensive member-consultation process, the Branch conducted over 120 workplace visits across the state over a 15 month period, concluding in early July.

The Branch is due to commence negotiations with the employer on EBA 2011 on 5 December 2010.

## Online members' survey

During the second half of 2009, the Branch conducted an extensive online survey of our members to ensure we continue to remain in tune with their needs.

Close to 20 percent of our membership responded to the survey conducted by GPS Research, a specialist and independent research organization – a strong response considering the average response for such surveys is normally around 5 percent.

It was the first time the Branch had conducted an online survey of members.

Members gave us their valuable feedback on their satisfaction levels on our various Branch services and benefits as well as providing an illuminating insight on work-related and general law and order issues affecting them.

The information gathered provided the Branch with an impetus to further enhance our service levels to members on a number of fronts.

A major upgrade to our new-look website and flagship publication, *The Police Association Journal* are two examples of how the feedback we received from the survey proved valuable in improving our service levels.

The survey also provided us with intelligence that proved valuable in prosecuting a number of successful campaigns, such as those we have detailed above.

## Branch maintains sound financial position

The Branch is pleased to report that it has continued to withstand the recent period of economic turbulence in the wider economy to maintain our healthy financial position.

For the second consecutive year (ending 30 June 2010), the Branch has posted a net profit of in excess of \$1 million.

We are also proud to report that the Branch's total members' equity (net assets) has for the first time recorded a value of in excess of \$30 million, including a legal fighting fund valued at an all-time-high of more than \$17 million.

Our prudent financial strategy has enabled the Branch to largely ward off the effects of the global financial crisis and



deliver on our commitment to maintain a strong financial position while continuing to provide high-quality services and benefits to our members.

### **Looking ahead...**

While the list of achievements outlined in this report is highly satisfying to all of us at the Branch, this is no time to rest on our laurels. There are significant challenges ahead, particularly on the industrial front.

The lessons of the recent past are that the key elements of success are founded on clearly-defined objectives, and an unwavering focus on the issues that matter most to members.

We intend to continue this approach and build on the momentum generated by these recent significant achievements in working towards the immediate challenges that lie ahead.

**Brian Rix**

President





# INAUGURAL WALL TO WALL RIDE FOR REMEMBRANCE

18 September 2010







On September 18 this year over 600 police from around Australia rode to the National Police Memorial in Canberra for a special service to honour those police officers who have fallen in the line of duty and to promote safe and lawful motorcycling whilst raising awareness and money for Australian Police Legacies in each State.

Rides to the service began in Perth on 10 September, Melbourne on 17 September and Sydney on the 18th with riders meeting on the outskirts of Canberra on the afternoon of Saturday, 18 September and riding to the Memorial together.

The Ride was organised by a Committee chaired by Brian Rix, President of The Police Association in Victoria and NSW Police Assistant Commissioner Mick Corboy and consisted of current and serving police members of NSW Police, WA Police, the Australian Federal Police, the Police Associations in Victoria and New South Wales and the Police Federation of Australia.















## WESTERN AUSTRALIA

### **WAPU's campaigns for increased district allowance and legislation changes pay off**

The Western Australian Police Union continues to be a prosperous, strong, and unified organisation which has been instrumental in achieving a number of significant improvements for its membership in the last twelve months including an increase in the district allowance for police officers in WA's North. The district allowance for some regional police officers will increase by more than \$5,000 a year.

This year we have also witnessed the implementation of the new mandatory sentencing laws which have resulted in several offenders being sent straight to jail for assaulting a police officer. We believe that in time, the attacks against WA's frontline police officers will subside.

In another effort to protect our officers, the WA Police Union is pushing for new proposed stop and search laws that will help officers crack down on increasing levels of violence and anti-social behavior and take weapons off the street. WA Premier Colin Barnett has listened to the Union and is endeavoring to get this legislation passed quickly.

### **Royalties for Regions**

The Union's 'Royalties for Regions' media campaign targeting the broken election promises of Regional Development Minister, Brendon Grylls and that of incumbent North-West Member Vince Catania, has been very successful with substantial increases in district allowances for the Pilbara and Kimberley regions announced in late July.

The WA Police Union lobbied hard for an increase in district allowances, with officers in remote regional areas feeling the financial burden of living in towns with a higher cost of living, without remuneration.

The current offer represents the first major increase of this sort in many years, and it includes provision for some back pay. It will see the allowance increase by more than \$5,000 in some areas.

While the Kimberley and the Pilbara are the major winners, the Union is continuing to work towards improving district allowances for other regional areas that have missed out in this current legislation.

The Royalties for Regions promises also included subsidised rent for police, teachers and nurses in country areas. It was outlined that there would be a 25% reduction in rent the first year, 50% the second year, and the third year would be free. This has not happened and the Union is committed to continuing this fight until these subsidies are put in place.

### **Lack of officers in WA's north**

As WA faces a second resources boom in the North, there are fears that police officers currently working in the region will resign and take up jobs with the mining industry.

50 police officers in the Pilbara left for jobs in the mining industry during the last resources boom and increased their wage up to \$200,000. WA Police lost valuable experience and local knowledge - something we cannot afford again.

In the last 5 years Karratha's police numbers have increased 0.3 of a fulltime employee despite local residents increasing by 3,500 and the number of fly-in, fly-out workers jumping by about 8,000.

Newman has received only 2 extra officers with the population increasing 2,500 and the number of fly-in, fly-out workers jumping by 2,000. That's a pathetic increase of 2.3 officers in 2 booming mining towns.

The outcome for police is more pressure on officers to maintain law and order in a rapidly growing area. The Union is extremely worried about the safety of the officers and that of the community.

Like the materials being mined, our officers are a precious resource and should be treated as such.



## Stop and Search

The Union believes the stop and search laws under review will ultimately make areas safer, not only for the community, but for frontline police officers who have to deal with the violence within entertainment and other precincts, with those who carry weapons.

The findings from a Parliamentary Committee analysing this legislation are due out later this year and we would hope that the legislation would be enacted before the busy Christmas and New Year period.

There have been detractors, but we have tremendous support from Premier Colin Barnett and WA Commissioner of Police, Karl O'Callaghan – both have been continually very strong on this extremely important piece of legislation that will help police protect the community.

It is disappointing that constant comments from certain high profile lawyers are confusing the public, and it would be helpful if we could work together on this matter.

## Police vehicles

The perilous nature of policing sets WA Police apart from the rest of the public sector. I find it appalling that WA Police was not excluded from the State Government's across the board three percent cut in government agency funding, despite the potential mortal danger faced by officers. It seems untenable that the safety, wellbeing and conditions of our sworn police officers whose sole purpose is to protect the community, could be compromised.

This cut in funding was compounded by the WA Government's demand of a further ten percent reduction in the Government vehicle fleet. The cut to funds has seen a substantial reduction of police vehicles – and this results in less service and slower response times.

There is concern about the suitability of the new police pursuit cars which have no special features. These cars – Holden Omega and Ford XT sedans – are stock standard family vehicles. The Union is warning officers to consider avoiding high-speed pursuits with fears cost cutting on cars has made them unsafe and severely underpowered.

I have introduced WA Police to a purpose built concept car developed by the National Safety Agency. These concept cars are currently being trialled by WA Police and it's hoped that Commissioners and Governments around Australia will look closely at the car's special features, and roll them out accordingly.

## EBA

The new EBA negotiations are in their infancy and will gather momentum over the next couple of months. The Union wants to improve officers' pay deal, and is seeking a 15% percent increase over two (2) years. Some of the prioritised improvements being sought include;

38 hour week – rostered days off, additional reward for frontline operational officers, additional leave, fully subsidised housing, shift allowances, district and locality allowances, air-conditioning, energy and utility subsidies.

At our Annual General Conference Premier Colin Barnett said he looked forward to a co-operative approach to negotiations. He said he recognised that the financial position of the state has improved, and he hoped that everyone can come to a fair and reasonable agreement without having to get into some sort of public debate.

We hope these encouraging words translate into a good positive outcome for the EBA 2011.

## Work with Indigenous people

The Union has been very proactive in meeting with Indigenous leaders in remote WA regions to discuss community issues. I have encouraged senior police to accompany me on a number of trips to the areas of concern.

One meeting took us to Carnarvon, in WA's north, which has a high crime rate. Discussions touched on a number of issues including the possibility of alcohol restrictions in the town and ways to encourage young people to become involved in community focussed groups. This was endorsed by Indigenous leaders and further discussions are planned.

The Union believes these informal meetings are starting to have a positive impact on improving relations between police and Indigenous communities as both parties work towards the same goal of improving the lifestyle of Indigenous people.

### Russell Armstrong

President



## 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. In my last report I said the events of the previous 12 months could be described as extraordinary. It seems that the more things change the more they stay the same. The events in the first 6 months of this year surrounding the Commissioner could also be described as extraordinary.

In the last report the events surrounding criminal matters alleged to have been committed by the Commissioner were detailed. When we left off the DPP was seeking leave to appeal to the High Court and the Premier had flagged the existence of Code of Conduct matters against the Commissioner. In early December the High Court announced that it would not grant leave to appeal and many thought the return of the Commissioner was imminent. The Premier announced the appointment of an independent investigation into the Code of Conduct matters which was conducted by a retired Justice, Geoffrey Eames AM QC. The Premier also made the announcement that whilst this investigation occurred the Commissioner would remain suspended on full pay.

In February the Premier made the following announcement.

*I have been advised by the Hon. Geoffrey Eames AM QC that all parties, including Mr Johnston, have agreed that the code of conduct complaints can be resolved by Mr Johnston resigning from his appointments as Commissioner of Police and Secretary, Department of Police and Emergency Management. This is on the basis of agreed terms of separation for Mr Johnston and the complainants withdrawing their complaints and agreeing that they be dismissed without investigation.*

The Premier, perhaps heeding the lessons of past events, gave the Association and the public assurances that the appointment of the next Commissioner would follow an open and transparent process. However with an election interceding and subsequent code of conduct complaints against the Acting Commissioner being raised by former Commissioner McCreadie that process has only just begun. By the time the position should be

filled, the Acting Commissioner will have been in the role for two years.

### Conference 2010

In January the Association held its Conference prior to the State election which was scheduled to be held in March. The Premier David Bartlett opened and addressed the Conference and the Leader of the Liberals, Will Hodgman and the Leader of the Greens, Nick McKim were also invited and addressed Conference on issues raised by the Association and law and order matters with an eye to the election.

The Premier made a number of funding announcements including the purchasing of a new operational uniform – something the Association has been pursuing for some time. He also stated that if elected he would increase the establishment by 30 extra officers. Those thirty have now been recruited and will graduate early next year.

The Conference received presentations from other jurisdictions in relation to Outlaw Motor Cycle Gangs, Unexplained Wealth legislation, In Car Video, Single Member Response and Mandatory Sentencing for assaults on police officers.

### State Election

The State Election was held with much anticipation in March this year. After weeks of uncertainty following an inconclusive result from the electorate, the Labor Party was finally returned and with the Greens formed the Government with the Greens accepting Cabinet positions. We now look forward to the Government delivering on its promises including keeping our salary at a comparable level to our mainland colleagues.

### Police Service Act Review

The introduction of the Integrity Commission Bill highlighted a problem that police have known about for some time and that is the 'right to silence', a fundamental human right, is often denied to police officers under investigation. With the passing of the legislation the



politicians ensured that this fundamental right would be afforded to them and to Commissioned police officers, but not to rank and file police officers. Quite rightly the Association pointed out the injustice in this matter and the Government promised to undertake a review of the Act with a view to remedying the anomaly.

The Police Service Act is probably one of the most draconian pieces of legislation to govern a police service. The Commissioner possesses vast powers and the rights of review are limited. Hopefully, with the review, police officers will have their rights restored and improved rights of review in relation to actions taken by the Commissioner.

## **EBA 2010**

At the time of writing we have just commenced negotiations in relation to a new enterprise agreement. Focus groups and research were conducted with the membership prior to formulating the claim. The crucial test will be to see if the Government honours its commitments relating to police salaries. Politicians are quick to call us 'Australia's Finest' and it will be interesting to see if they match the rhetoric with appropriate remuneration.

## **Workers' Compensation**

The Association has long been campaigning for the removal of the grossly unfair 'step down' provisions in the legislation. Members injured at work were subject to a 15% reduction in pay if they had not returned to work after 13 weeks. How the State could cut the pay of a police officer injured on duty whilst protecting the community defies belief. Amendments passed late last year changed the reduction to 5% after 26 weeks. The Association will continue to push for the removal of any reductions.

## **Randolph Wierenga**

Branch President

Tasmania





## NORTHERN TERRITORY

The Northern Territory Police Force has undergone significant change at management level since the 2009 PFA Annual Council. The departure of Commissioner Paul White and Deputy Commissioner Bruce Wernham in December 2009 and July 2010 respectively has seen two West Australians, Commissioner John McRoberts and Deputy Commissioner, Shayne Maines appointed to these roles.

At the time of writing long serving Assistant Commissioner Mark McAdie has announced his resignation. This vacancy coupled with a vacancy at Commander rank and the reclassification of a civilian Executive Director's position mean the changes at a senior level will continue.

Following the appointment of Commissioner McRoberts and Deputy Commissioner Maines our Association highlighted some of the challenges facing the new management team including:-

- A complete overhaul of the archaic adversarial NT Police discipline system which in our view was mismanaged and characterised by over-zealous use.
- A real or perceived lack of trust between many of our senior officers and executive management.
- An examination to see if the structure of the Police Force adopted by his predecessor was the most appropriate for the NT Community and our members.
- The ongoing challenge of the inequities created by the establishment of "temporary" police stations as part of the intervention.
- A full review of our uniform and equipment to ensure that our uniform provides our members with the operational safety they are entitled to.

At a recent NTPA Executive meeting the Commissioner highlighted his response to some of these issues outlining what has been undertaken or committed to since his arrival, jointly in many instances with our Association. These included:-

- Uniform Review
- Reform of process for service of Section 79 Notices, (Discipline)
- Resolution of the Territory Wide Roster dispute
- Improved Internet Access for members
- Reform of the Transfer and Promotion Process (Transfer Policy being progressed currently)
- Inclusion of Superintendents in Transfer Policy
- Introduction and Trialling of Improved High Visibility Vests
- Reform of Equity/Diversity approach (including Women's Leadership Forum)
- Restructure of Executive Forum (ELG) – PFES Executive Team includes Commissioner; Deputy, Executive Director Corporate Services, Director Fire Service and Director Emergency Service. Commander Strategic Planning and Director Media have an advisory role. The Commissioner extended an invitation for executive and other members to attend as observers.
- Senior Management Forums.

The Commissioner has indicated his commitment to ongoing dialogue in the following areas:-

- Development and Implementation of a Performance Management System (Performance Plus) adopting a top down approach
- Finalisation of Selection (Transfer) and Promotion Policy
- Establish process for without prejudice discussions in relation to Housing Consent Agreement
- Reform/realign member welfare and peer support systems
- Establish discrete team to commence work on 2011 Consent Agreement.



It is fair to say that Commissioner McRoberts has adopted an inclusive approach to resolving workplace issues with our Association. It is hoped that the positive approach will continue.

## Federal Intervention

The Federal Government's Northern Territory Emergency Response, or intervention, as it is more commonly known, continues. The Government has committed to the phased withdrawal of AFP members and will fund their replacement by Northern Territory Police officers in the remote localities. This step is in line with policy positions adopted by the Police Federation of Australia and the Northern Territory Police Association.

The intervention continues to present industrial and operational challenges for association members with "intervention" or "Themis" stations. The perception, if not the reality, is that Themis stations are accessing funding not available in remote police stations established before the intervention. This is creating a them-and-us culture which is one of the most difficult challenges that Commissioner McRoberts will need to address.

The recently released Allen Report on the Policing needs of NT Indigenous Communities contains 19 recommendations, including significant increases to permanent police stations and further increases in police numbers. The Federal government is yet to respond to this FAHCSIA commissioned review.

The review can be found at FaHCSIA : Independent Review of Policing in Remote Indigenous Communities in the Northern Territory.

## Consent Agreement 2011

The NT public sector unions rejected a 9% wage offer in July 2010 (3 X 3% over three years) from the NT Government. While this is a departure by government from the 2.5% wages policy, unions argue it fails to recognise higher movements in CPI. The government, through the Commissioner of Public Employment, has indicated this is not negotiable.

The NTPA preparations continue with a recent survey of our members resulting in a return rate of over 70%. This level of engagement is encouraging.

Our Association is hopeful that ongoing development of our web site will ensure members are informed and engaged during negotiations in the first half of next year.

Preparations for the 2011 Consent Agreement will continue at our 2010 Annual Conference.

## Industrial Outcomes – 2008 Consent Agreement

This Association has expressed concerns to the Commissioner over the way members undertaking temporary transfers to Themis Stations are being granted terms and conditions that are more generous than those members who are transferred to those stations on a "permanent" transfer of two or three years. We are seeking a commitment from the Commissioner to resolve these concerns to ensure all members are treated equitably at remote stations.

We have also been successful in negotiating an increase in the higher duties allowance for Superintendents acting in the position of a Commander from a nominal 60% to 80% of a Commander's salary package, based on a similar recent increase in Commanders superannuation assessable income.

The 2008 Consent Agreement requires the Commissioner and the Association to undertake a re-write of the Police Arbitral Determination No.1 of 2000 during the life of the Consent Agreement – that is, before 30 June 2011.

The Association has prepared a draft re-write and is awaiting dialogue from the Director, Human Resources on moving the re-write forward.

The Consent Agreement also provides for the development and implementation of performance management and appraisal systems during the life of the Agreement. This Association has been consulting with representatives of the Commissioner in developing an appropriate system and has consulted other jurisdictions to determine best practice for the requirements of the NT Police Force.

The Commissioner and this Association are also consulting over changes to the Selections Policy and Promotional Qualifications Framework to ensure selections and promotions are more transparent and to reinforce the concept of merit based promotions.

Currently, selections and promotions are conjoined so that a position at the rank of sergeant, senior sergeant or superintendent is advertised for transfer or promotion. New policies are currently being drafted to split the processes, so that a position will be advertised for transfer at rank before any vacancy is offered for promotion.



## **Amendments to the *Police Administration Act***

The Commissioner and this Association are also developing changes to the disciplinary and retirement provisions of the *Police Administration Act* (including appeal provisions) designed to modernise disciplinary processes and simplify procedures where members are forced into early retirement due to invalidity or inability to carry out their duties effectively and efficiently.

## **Disputes**

We have resolved a dispute lodged with the Police Arbitral Tribunal (PAT) over an attempt to impose a Territory-wide “front line” roster for all general duties members in each of the main regional centres of Darwin, Katherine, Tennant Creek and Alice Springs, as well as the communications centre. The dispute was withdrawn after the Commissioner gave assurances to this Association that the concept of a Territory-wide roster would no longer be pursued.

We still have a dispute lodged with the PAT regarding housing and are currently preparing submissions to reinvigorate the dispute regarding housing conditions at the remote stations of Harts Range, Ti Tree and Kulgera, the issue being that housing at those postings is manifestly out-dated and upgrade works have not been successful in bringing those houses up to a satisfactory standard.

## **Conclusion**

The above summary highlights another busy year just completed and outlines the challenges for 2011. These challenges will be multiplied by the pressure of a wage negotiation and the phasing out of AFP officers from the Territory Jurisdiction.

The ongoing policing challenge for our members and our Branch is to ensure that we continue to make a valued contribution to improving the lives of the many disadvantaged Aboriginal people who live across our community.

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

**Vince Kelly**

President







## SOUTH AUSTRALIA

The year in review has been tumultuous for communities in Australia and New Zealand. They have been challenged again by natural disasters such as drought, floods and earthquakes.

We acknowledge the resilience of all those people affected by these disasters. We also recognize the police officers who live and work in the affected communities and offer protection, refuge and comfort to those in need.

Every year, we report on the fast-paced environment in which police industrial relations operate. This year has been particularly active, too. It is also an enterprise bargaining year, in which negotiations have been slow-going, owing to a state election and delayed state budget.

I am confident that, irrespective of the present environment, we can achieve appropriate wage and conditions improvements in the interests of our membership.

In the lead-up to the March state election, the Government (and Opposition) pledged to recruit 300 police officers over and above natural attrition over the next four years. In light of the extra police the community needs to meet the heavy demands of current law-and-order policies, and associated amendments to the law, that commitment was vital.

Other important pledges included the replacement of SAPOL IT legacy systems; purchase of hand-held computers and fingerprint scanners; trial of the Star Chase pursuit management system; purchase of 20 mobile ANPR cameras; and a raft of legislative amendments.

### **PASAwab**

This year brought the relaunch of the branch website, *PASAwab*. The site is greatly improved and offers members a wide array of timely, pertinent information.

The committee of management chose to fund the total redevelopment of the site so that we could actively engage with the membership.

*PASAwab* actually saves members time as they go about interacting with the branch. And with features such as events, police clubs and societies, on-line polls,

and media information, it will become the key social connector of police.

### **Retiree health checks**

The branch has established a new service for its members – free pre-retirement health assessments. Set up in partnership with not-for-profit organization GP Partners Adelaide, the service began on July 1. Any branch member who has decided to retire can access the new service.

In consultations of around 45 minutes, senior general practitioners conduct comprehensive physical examinations of retiring officers and review their medical histories. The GPs also provide advice on minimizing health risks in retirement.

### **Holden Partner Program**

Members now have access to the Holden Partner Program, launched in April this year.

This program brings financial benefits to members who purchase Holden vehicles.

Holden intends to provide this program to all police in Australia following the success of the trial in South Australia.

### **Solo patrols**

As directed by the delegates at last year's conference, the branch has commissioned research by the Australian Institute of Criminology on the issue of solo patrols.

To investigate the key research questions regarding the issue, the Australian Institute of Criminology will conduct an initial exploratory review of national and international research and policies on single-person patrols and the associated risks. Further research into this issue will be funded by the PFA.

### **UniSA research**

The University of South Australia, in conjunction with the branch, has completed the second wave longitudinal study of resources, work demands and psychological wellbeing



in Australian front-line police officers.

That report will be published in the near future.

## High-risk driving

The state government honoured the commitment it made at last year's conference to introduce into parliament amendments to the *Road Traffic Act* to acknowledge and distinguish police driving from that of the public in high-risk/high-speed/urgent-duty driving.

The amendment comes after lobbying from the branch to change the law, which did not distinguish between criminals on the road and police who were exercising their lawful duty to pursue those criminals.

The amendment will clarify any ambiguities which might exist when police officers and other emergency workers are engaged in driving in emergency situations by providing them with a defence if particular criteria are met.

These include carrying out their duties, acting in accordance with directions of their employing authority and acting reasonably in the circumstances.

The branch has commissioned an information DVD on the issue.

This issue will be debated at the PFA council meeting.

## Staff call-outs

The branch provides an on-call officer who is available on a 24-7 basis for urgent matters. This service is further complemented by the addition of our member liaison officer. After-hours contact is facilitated by our paging provider through our general phone number.

The on-call officer is responsible for liaising with members and assessing the need for legal representatives to contact those members with further advice on matters such as deaths in custody, Commissioner's inquiries and welfare issues.

## Police discipline

Disciplinary matters continue to tax our resources. The discipline process can have a significant impact on members' career aspirations and eligibility for medals. The branch is vigilant in its scrutiny of the validity of the process by requesting and examining all materials associated with each particular matter.

Delegates are now commonly used to sit in on AFPA

disciplinary interviews as a support person in line with the training they receive. Many members are being referred to legal practitioners for advice and representation.

## Workers' compensation

Changes to the *Workers' Compensation and Rehabilitation Act 1986*, have negatively impacted on members' entitlements in cases of sustaining a work injury.

The branch continues to provide assistance to members in this regard. We provide legal referrals to allow members the opportunity to consult with legal practitioners who specialize in the field of workplace injury. This ensures the members receive the best possible advice we can provide to progress their matters.

It is important that SAPOL processes for handling claims are improved, to better assist members with the progression of their claims without undue delay and/or litigation.

To this end, in addition to the legal and industrial services we provide, the branch this year lodged an application under the *Freedom of Information Act 1991* for the provision of information by SAPOL on a number of aspects relating to our members' workers compensation claims.

## Staff

Only through the hard work and ceaseless commitment of our staff is the branch able to enjoy its influence, its continuing industrial successes, and the reputation for which it is envied.

No organization, particularly a representative body, can in my view expect to succeed without these cornerstone elements to its structure.

We are truly grateful to our industrial team and administration staff for the loyalty and dedication they bring to their work, and for performing so ably.

We also acknowledge the members of the committee of management for the hours of carefully considered input they provide around the board table.

Our delegates, too, deserve great recognition for the vital connector role which they have played – and continue to play – between the full-time association staff and the membership.

## Mark Carrol

President



## AUSTRALIAN FEDERAL POLICE ASSOCIATION

It is with great pleasure that I provide this 2010 report to the Police Federation of Australia (PFA). As a founding member of the PFA and an inaugural member of the Federal Executive when it was formed on the 1 January 1998, I am proud of the significant achievements of the PFA over the last 12 years.

As Federal Vice President of the PFA and being based in the Capital of Australia, I have taken the opportunity to enthusiastically represent the PFA before Federal Parliamentarians and stakeholders and to directly support the CEO Mark Burgess during day to day operations of the PFA. I look forward to continuing my service to the PFA and supporting the PFA National Office team who do an awesome job for all affiliates.

The PFA has a professional reputation that all members should be proud of, and under the stewardship of the Chief Executive Officer (CEO) Mark Burgess, the PFA has truly become a collective national voice for over 50,000 police members. Importantly, the Federal Executive has continued to demonstrate unity that Federal, State and Territory Police Commissioners can only dream about! Our strength of unity continues to move the PFA forward as the national voice of policing.

2010 has been a year of expanding services for members of the Australian Federal Police Association (AFPA) Branch of the Police Federation of Australia. On 1 July 2010 our new four tier AFPA Membership Loyalty Reward programme commenced receiving very positive feedback from our membership.

During 2009/10 financial year the AFP operational environment has been relatively stable enabling the AFPA to focus on key issues within our four operational "pillars" of **Profession; Employment; Life; and Welfare**.

The following is a brief summary of the key issues addressed by the AFPA over the last 12 months:-

### Profession

#### *Lobbying for Law Enforcement Reforms*

The AFPA has continued lobbying for significant law enforcement reforms in both the Federal and ACT jurisdictions.

The AFPA provided submissions and gave evidence before a number of Commonwealth Parliamentary committees in relation to inquiries and legislative amendments. This has included:

- Lobbying for specific Commonwealth organized crime legislation;
- Lobbying for amendment to the Proceeds of Crime Act to include unexplained wealth provisions;
- The Inquiry into the operation of the Law Enforcement Integrity Commissioner Act;
- The Inquiry into the adequacy of aviation and maritime security measures to combat serious and organized crime;
- Strongly supporting the Parliamentary Joint Committee Law Enforcement Bill 2010;
- Lobbying for an E-crime Fencing Bill; and
- Lobbying for a False Claims Bill.

The AFPA has also provided submissions and given evidence before a number of ACT Legislative Assembly committees in relation to inquiries and legislative amendments. This has included:

- Lobbying for specific ACT organized crime legislation;
- Lobbying for amendment to the ACT Confiscated Assets Act to include unexplained wealth provisions;
- The Inquiry into ACT murder offence and achieving a subsequent amendment consistent with AFPA evidence;
- The Inquiry into the ACT Liquor Licensing Bill 2010; and
- The Justice and Community Safety Review of Criminal Investigative Powers.





### ***Outcomes of the Federal Audit of Police Capabilities***

The Federal Audit of Police Capabilities was conducted by Roger Beale AO. The AFPA presented a detailed submission and provided evidence before the Auditor. Our submission consolidated various professional and employment issues previously raised in various forums by the AFPA. The Beale report was completed late last year and the recommendations of Beale supported and validated issues raised by the AFPA.

Most of the recommendations of the Beale report were accepted by the Federal Labor Government. This has been a very positive result for our membership with many ongoing and unresolved employment issues between the AFP and the AFPA finally being addressed by the Government in direct response to this independent Audit.

The most significant reform, as a result of the Beale report, has been the translation of the Unified Policing Model at the 11 CTFR designated airports to an All-in-Model, with the AFP providing all policing and CTFR functions at the 11 designated airports and those roles being performed by sworn Police Officers instead of Protective Service Officers.

The AFPA has worked closely with the AFP to develop a translation programme for Protective Service Officers which protects the integrity of the policing profession and importantly protects the salary of Protective Service Officers incapable or unwilling to complete the Diploma of Policing in order to translate to an AFP sworn Police Officer role.

### ***2010/11 Federal Budget***

In the lead up to the 2010/11 federal budget, the most challenging task for the AFPA was to maintain the Federal Government's commitment to expand the AFP by 500 net sworn police officers over 5 years. Extensive lobbying of the Government by the AFPA and PFA led to the Government retaining the budget funding allocation consistent with its 2007 election commitment to the AFPA and the PFA.

The subsequent result of AFPA and PFA lobbying was that the AFP 2010/11 budget remained largely unchanged with funding remaining allocated in out years for the 500 sworn police officers. This was a significant achievement when most other federal government agencies suffered significant budget and staffing cuts.

### ***2010 Federal Election***

The AFPA has been heavily involved in the 2010 Federal Election leading to substantial written commitments being given by the Australian Labor Party; Coalition; and Australia Greens. Working closely with the PFA CEO Mark Burgess we ensured that issues specific to the AFP were addressed in the AFPA manifesto and issues impacting on other police jurisdictions addressed in the PFA manifesto. This established clear parameters for the AFPA and PFA enabling both entities to support each other to ensure positive outcomes.

The AFPA congratulates the newly elected Government and looks forward to similar access to that provided by the Rudd Labor Government. From a professional perspective we had a close working relationship with the previous Government and Opposition. We have enjoyed open access to senior Ministers including the Prime Minister and Leader of the Opposition. The AFPA had regular meetings with the Attorney-General and the Minister for the Home Affairs. We look forward to this close working relationship continuing under the new Government.

## **Employment**

### ***Review of the 2009-2011 Collective Agreement***

In preparation for the negotiations for the 2011-2015 Enterprise Agreement, the AFPA conducted a detailed review of the current AFP Collective Agreement. The review identified a high satisfaction from our members in relation to the current Collective Agreement and in particular the articulated work patterns and composites. This agreement is the fifth agreement building upon the 1995 Change Agreement. Being involved in the four previous Agreements I can proudly state that this has been the most operationally effective and employee accepted Agreement, with minor implementation issues easily addressed by consent between the parties. Most importantly, over the life of the Agreement there has been no formal dispute between the AFPA and the AFP requiring external arbitration.

### ***Removal of AWAs and Common Law Agreements from Policing***

The AFPA and PFA have raised concerns in relation to secret remuneration agreements in the policing profession on integrity and transparency grounds. During the 2010





Federal Election the Government and Opposition both committed to the removal of such arrangements in response to the PFA manifesto.

The AFPA has already entered into discussions with the AFP to translate persons on Australian Workplace Agreements (AWAs), Common Law Agreements and Supplementary Agreements. The AFPA has been surveying our members in the AFP Executive and Senior Executive Service for this purpose. This includes Superintendents, Commanders and Assistant Commissioners of the AFP. The outcome of this review will be significant as it may lead to an Enterprise Agreement being developed specifically for AFP Executive members. The AFPA looks forward to transparent terms and conditions being articulated in an AFP Executive Enterprise Agreement and the removal of secret employment agreements.

### ***AFPA 2011 Enterprise Agreement Negotiation***

It is anticipated that future negotiations for the 2011-2015 Enterprise Agreement will commence late November 2010 and be completed by May 2011. This very tight time frame is as a result of the new Fair Work Australia legislation and the reluctance of the AFP to negotiate over a longer period of time. Although the AFPA anticipates that the 2011-2015 AFP Enterprise Agreement will be largely identical to the current very successful Collective Agreement, the AFPA is very concerned in relation to the short time frame available for negotiation and the subsequent pressures it will place on the AFPA National Office and elected Officials in delivering a final document supported by the majority of AFP employees.

Of particular concern is the directive given by the Federal Government to all Commonwealth agency heads, not to negotiate above a 3% annual salary increase and to move towards uniform public service terms and conditions rather than agency specific terms and conditions. This may have serious ramifications for the AFPA and PFA as we fight to retain specific terms and conditions appropriate to AFP Police Officers and employees.

### ***AFPA and AFP Relationship***

Over the last year the AFPA has enjoyed a healthy relationship with the AFP. This extends from senior management, including the former AFP Commissioner Mick Keelty and the current AFP Commissioner Tony Negus, to operational levels including functional managers and key decision makers within the AFP's Human Resource area. This has enabled us to continue to resolve

a range of professional, employment, legal and industrial matters without the need for external action.

### ***Proposed Introduction of AFP Integrity Testing Regime***

Over the last 12 months the AFP has been considering introducing integrity testing without independent authorisation, direction, oversight or legislative safeguards for employees. The AFPA has been involved in significant lobbying of decision makers in relation to this proposed additional integrity measure.

In summary, the AFPA position is that *Integrity Testing* should not be introduced into the AFP unless it is targeted only, has independent authorisation, direction, and oversight by ACLEI, with legislative safeguards for employees and that it is limited to corruption investigations (Category 4 matters) under s.6 of the *Law Enforcement Integrity Commissioner Act 2006*.

### ***General Issue of Electronic Incapacitating Devices on Occupational Health & Safety Grounds***

Over the last 12 months the AFPA has been seeking federal funding to enable general issue of Electronic Incapacitating Devices (EIDs), such as Tasers, to all operational AFP Officers so they have access to another non-lethal option to their firearm.

Currently, the AFP restricts the use of EIDs to our specialist tactical response squads. However, we have seen situations in the ACT where general duties Police have had to use lethal weapons due to imminent threat to life and safety.

The AFPA will continue to lobby for federal funding of EIDs for AFP operational employees on Occupational Health and Safety grounds.

### ***Life***

During the last 12 months the AFPA expanded its Lifestyle discount services to our members. We have entered into a strategic alliance with the ACT Rugby Union Club and our members now have free access to the ACT Rugby Union Club and its national and international affiliated clubs. The ACT Rugby Union Club is centrally located between the AFP Federal Law Enforcement College and the new AFP Headquarters located in the Edmund Barton Building in Canberra.

The AFPA also entered into a contractual arrangement with the Australian Police Journal and this publication



is now provided free to our members as part of AFPA membership. This professional publication has been well received by members.

The AFPA has also renegotiated the AUSPOL Health entitlements to ensure that it is market competitive. Additional benefits have been achieved for members as a result of successful negotiations with HCF. The AFPA remains open to Police Health as it expands nationally.

## Welfare

As an AFP employee it is almost impossible to obtain personal Life Assurance; Funeral Expenses Cover; Income Protection; Serious Illness Insurance; Critical Injury Insurance etc. As such, the AFPA provides access to AFPA Welfare support including:

- **AFPA Member Legacy**
- **AFPA Member Assistance**
- **AUSPOL- Police Welfare Foundation**

On the 1 July 2010 the AFPA enhanced welfare assistance and welfare benefits for all AFPA members, their families and loved ones. Our new welfare package has been designed to provide members and their families with a suite of benefits and assistance covering them worldwide, 24 hours a day, 7 days a week.

**AFPA Member Legacy** provides cash to a member's family to help cover the cost and financial loss resulting from the tragic death of an AFPA member. It enables lump sum cash benefits to be paid to the family and loved ones to help them manage loss of income, major household debts such as the mortgage, car repayments, funeral costs and education costs for children.

**AFPA Member Assistance** provides payments (including lump sum cash payments where appropriate) that an AFPA member can use to help with their loss of income, everyday expenses, rehabilitation and medical costs.

The AFPA is proud of the enhanced welfare protection that we now provide financial members of the AFPA under our **AFPA Welfare** pillar. Since its introduction in July 2010 we have received very positive feedback from members.

**AUSPOL -Police Welfare Foundation** continues to assist Australian police employees including past employees, and their families, in times of need. The AFPA has continued to underwrite the charitable activities of AUSPOL Police Welfare Foundation. It has made a number of donations

to Police employees and their families over the last 12 months including donations to State Police as well as Federal Police, complimenting local Legacy arrangements.

## Conclusion

In conclusion, I would like to take the opportunity to thank the PFA Federal Executive for the support they have given to the AFPA Branch. I look forward to working with the Federal Executive during 2011.

I would also like to thank the PFA CEO 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 AFP.

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

**Jon Hunt-Sharman**

AFPA National President



# ASSOCIATES REPORT

## QUEENSLAND

This year has been one of considerable turmoil for the Queensland Police Service with a major investigation into policing on the Gold Coast (Operation Tesco), controversial comments by CMC Chairman Martin Moynihan and a torturous Enterprise Bargaining round.

### Enterprise Bargaining

The Union has faced its toughest Enterprise Bargaining round yet as a result of the State Government's financial predicament. Sadly, the Queensland State Government has squandered the financial security provided by the mining boom, lost its AAA credit rating and is now proceeding with the hugely unpopular decision to sell off many state assets. This has meant the introduction of a 2.5% per annum wages policy with the QPUE being the first major union to confront this minuscule offer. Despite a robust advertising campaign, the State Government has not budged from the 2.5% offer and quickly referred us into the Queensland Industrial Relations Commission. We have now accepted an interim increase of 2.5% from 1 July with a higher increase to be arbitrated.

### Mulrunji Inquest

After the death in custody of Cameron Mulrunji in 2004 on Palm Island, there were two Coronial Inquests, a Supreme Court trial against Senior Sergeant Chris Hurley and a successful appeal against the Coronial findings. This year there was a third Coronial Inquest to correct the deficiencies of the first two reports. The CMC released a report into the investigation of the actual investigation and this report contained adverse findings against some of our members and recommended disciplinary proceedings against them. This matter is still unresolved with the matter recently going to the Supreme Court for the reasons outlined below.

In this last 12 months the Chair of the Crime and Misconduct Commission (CMC) has been changed with the former chair serving out his two terms. The Government appointed retired Supreme Court Judge Martin Moynihan who stated publicly that his signing off on the Police Commissioner's new contract would be determined by

how the Commissioner dealt with officers who had been investigated as a result of the Mulrunji death in custody. The QPUE argued in the Supreme Court that Moynihan had conducted himself inappropriately and the Court found that Moynihan's conduct placed an apprehended bias on the Commissioner and the Commissioner was not to participate in the decision making process to determine if the officers were to be disciplined.

The Union successfully emerged from our application for an injunction in the Supreme Court in relation to the CMC's role in the Palm Island Review report and their subsequent comments directed at the Commissioner.

We achieved a "David & Goliath" result over the CMC when the Supreme Court found that, "A declaration that the (Commissioner) is disqualified from giving any personal consideration to commencing disciplinary proceedings for misconduct against either (police officer) on the common law ground of apprehended bias".

This was as a result of the CMC Chairman requesting that the Commissioner of Police consider this disciplinary matter and then linking the outcomes of his considerations to "...the consideration of the terms and conditions of the re-appointment of the (Commissioner), in order to hold the (Commissioner) to his obligations",... that would have "great weight".

Clearly this was unacceptable and the court agreed. Hopefully the CMC will now finally realise that with great power also comes great responsibility, and all we as police have ever asked is that the CMC exercise both.

This injunction was never about having this matter quashed. This injunction was about having a fair, unbiased and impartial process unfettered by threats and innuendo from the CMC.

It is disappointing that it has required an employee's union such as ours to go to court to demand the CMC act fairly.

### Operation Tesco & CMC Public Hearings

The CMC have also conducted an ongoing covert hearing with over 50 of our members in regard to police officers'



alleged inappropriate relations with the criminal element in social settings (specifically licensed premises), the giving of gifts (alcohol), steroid use and the use of police vehicles for transport to and from social events ("blue light taxis"). This has culminated in public hearings at which I gave evidence as head of the Police Union.

It is pleasing to note that after three years, and millions of dollars estimated to have been spent by the CMC interrogating police, and using telephone intercepts and listening devices, only one police officer and one former police officer have been suggested to face criminal charges.

I am heartened by this result as it demonstrates yet again the vast majority of police are honest, decent and hard working members who get on with their job in a quiet and professional manner.

## **Alcohol Fuelled Violence**

Other than asking hotels to give out free glasses of water, there was not one single new initiative in the Premier's alcohol fuelled violence announcements.

The Queensland Police Union lodged a ground breaking policy submission for consideration by the Queensland Government, which made many recommendations on how the State Government can take positive steps to reduce alcohol fuelled violence and in turn reduce both the gross workloads and assaults that police suffer as a result.

We were very disappointed at the "status quo" approach the Government has taken particularly when the scene had been set for innovative and ground breaking solutions to be adopted.

There were no expected increases in police numbers, just asking existing police, who are already overworked and overstretched, to work harder for overtime.

There were no attempts to curtail some licensing hours either.

If Anna Bligh was fair dinkum about reducing alcohol fuelled violence, she would have implemented the recommendations from her own government report, and reduced hotel hours and increased police numbers by adding additional new police, not asking existing police to work harder.

Anna Bligh is so out of touch, she has put profit ahead of people.

## **Police Officers and Dangerous Operation**

This year we had our first police officer charged with dangerous operation of a motor vehicle whilst attending to an urgent job with approval to attend with priority travel. Based on Senior Counsel Opinion we determined there was just not enough legislative protection for the matter to proceed to trial. On this basis the member pleaded guilty and we are still fighting to keep the officer in the QPS in a civilian capacity. This further supports our ongoing calls for good faith civil and criminal protections for police.

## **Workplace Health and Safety**

I am pleased to say that this year we have been particularly proactive with WHS issues. Rosemary Featherstone was appointed as the Union's WHS Officer and she has travelled the state highlighting WHS issues at stations, watchhouses and other establishments. Rosemary also oversaw the issuing of our first ever Provisional Improvement Notice pursuant to the new WHS legislation and this has resulted in a flurry of activity on the part of the QPS as they attempt to address these concerns.

## **PFA Membership**

I am pleased to say that the QPUE has made significant steps towards joining the PFA this year. I have tasked the General Secretary and our Senior Industrial Officer with implementing a project to focus on rule alignment between our Union and the PFA. On this basis we hope to be full members of the PFA by the end of this year.

## **Retirement of Geoff Simpson**

This year has also seen the retirement of our long serving Senior Industrial Officer Geoff Simpson. Geoff started with the QPUE in 1992 and led us through the Enterprise Bargaining process from the start. He is the first non-sworn person to be granted life membership of the QPUE.

### **Ian Leavers**

General President

Queensland Police Union of Employees



# FINANCIAL STATEMENT

## FINANCIAL STATEMENT

*for the year ended 30 June 2010*

### TREASURER'S REPORT

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

The attached financial statements once again indicate the strong financial position of the PFA. Our accumulated funds as at 31 June 2010 have increased by \$78,446 to \$988,266 whilst the debt on our building has decreased by \$59,595 to \$274,522. A revaluation of our building in Manuka also took place during the reporting period and the property is now valued at \$1.15 million.

Total income for the year rose by \$110,000 which included additional income from Branch affiliations of \$35,017. Of our overall income, \$120,000 was additional income from Branches, allocated directly to the Australia at Work and Police at Work research projects being undertaken by the Workplace Research Centre at Sydney University. The PFA continues to pay all airfares and other associated meeting costs, including accommodation, for all Executive, IPC and WAC meetings as well as the cost for sub-committee Chairs to attend all sub-committee meetings.

We have, during this reporting period, continued to increase our provisions for Long Service Leave and Annual Leave ensuring that all employee entitlements are accounted for.

I take this opportunity to thank our Office Manager Debbie Martiniello and our Auditor Tom Tsia for their professional and diligent administration of the PFA accounts. Members can be assured that their affiliation fees are being managed appropriately and during this reporting period the Executive implemented a comprehensive fraud prevention policy.

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

Randolph Wierenga  
Treasurer



## FINANCIAL STATEMENT

*for the year ended 30 June 2010 (continued)*

### OPERATING REPORT

- a) The PFA's principal activities throughout the year were determined by the 2009 Federal Council Meeting and have been coordinated by the Federal Executive. They included:
  - The continued pursuit of commitments given by the Federal Government in the lead up to the 2007 Federal Election. Those issues included –
    - A commitment to increase the sworn officer levels of the AFP;
    - A commitment to support and fund a National Police Workforce Planning Study;
    - A commitment to ensure police powers are not extended to non-sworn personnel and are reserved for sworn police;
    - A commitment to sufficient recurrent funding for CrimTrac;
    - A commitment to a scoping exercise for an Automatic Number Plate Recognition system;
    - A commitment to support and fund the establishment of a National Police Registration Board and Scheme;
    - A commitment to a range of industrial issues including any referral of powers to the Commonwealth, maintaining state based industrial arrangements for police, refraining from 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:
    - Inquiry into Indigenous Juveniles and Young Adults in the Criminal Justice System by the House of Representatives Standing Committee on Aboriginal and Torres Strait Islander Affairs
    - Inquiry into the impact of violence on young Australians by the House of Representatives Standing Committee on Family, Community, Housing and Youth
    - National Security Legislation and the Parliamentary Joint Committee on Law Enforcement Bills 2010-Senate Standing Committee on Legal and Constitutional Affairs
  - The operation of a range of PFA sub committees including:
    - Professionalisation sub Committee
    - National Industrial Issues sub committee
    - Member Services
    - Policy
    - National Deployment Issues
    - Superannuation





- Occupational Health & Safety
  - Work on establishing the Queensland Branch of the Police Federation of Australia
  - Work with Sydney University on the Australia at Work and Police at Work Studies
  - Continued work on the National Police Memorial and its website
  - The conduct of the Wall to Wall Ride for Remembrance
  - Participation in the International Council of Police Representative Associations (ICPRA) Executive Committee.
- For a full report on the PFA's 2008/09 activities the Annual Report is available on the website [www.pfa.org.au](http://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 2010 the PFA had 43,741 members.

ii At 30 June 2010 the PFA had three (3) employees.

iii. Committee of Management 1/7/09 – 30/6/10

Vince Kelly	(Northern Territory)
Jon Hunt Sharman	(Australian Federal Police)
Brian Rix	(Victoria)
Randolph Wierenga	(Tasmania)
Mark Carroll	(South Australia)
Russell Armstrong	(Western Australia)
Bob Pritchard	(New South Wales) (retired 22/6/10)
Scott Weber	(New South Wales (appointed 22/6/10)

For Committee of Management:

**Vince Kelly**

President

Dated this 24th day of September 2010



## FINANCIAL STATEMENT

*for the year ended 30 June 2010 (continued)*

### COMMITTEE OF MANAGEMENT'S STATEMENT

On the 20th day of September 2010, 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 2010.

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.
- f) In relation to the recovery of wages activity
  - i There were no recovery of wages activity for the Police Federation of Australia for the year ended 30th June 2010.

For Committee of Management:

Treasurer Randolph Wierenga

Date: 20th day of September 2010

President Vincent Kelly



## FINANCIAL STATEMENT

*for the year ended 30 June 2010 (continued)*

### INDEPENDENT AUDIT REPORT

To the members of the Police Federation of Australia

#### Report on the Financial Statement

I have audited the accompanying financial report of the Police Federation of Australia for the year ended 30th June 2010 which comprises the statement of financial position, the statement of comprehensive income, statement of changes in equity, statement of cash flows, a summary of significant accounting policies and other explanatory notes and the Committee of Management statement.

#### Committee of Management's Responsibility for the Financial Report

The Committee of Management is responsible for the preparation and fair presentation of the financial report in accordance with Australian Accounting Standards (including the Australian Accounting Interpretations) and the *Fair Work (Registered Organisations) Act 2009*. This responsibility includes designing, implementing and maintaining internal control relevant to the preparation and fair presentation of the financial report that is free from material misstatement, whether due to fraud or error; selecting and applying appropriate accounting policies and making accounting estimates that are reasonable in the circumstances.

#### Auditor's Responsibility

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

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

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

#### Independence

In conducting my audit, I have complied with the applicable independence requirements of the Australian professional ethical pronouncements.





### Audit Opinion

In my opinion, the general purpose financial report of the Police Federation of Australia is presented fairly in accordance with applicable Australian Accounting Standards and the requirements imposed by Part 3 of Chapter 8 of the *Fair Work (Registered Organisations) Act 2009*.

SIGNED AT CANBERRA this 20th day of September 2010

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

LOI KAHTSIA, B. Com., F.C.A.

Chartered Accountant

Registered Company Auditor

Suite 201, 2<sup>nd</sup> Floor

309 Pitt Street

SYDNEY NSW 2000



## FINANCIAL STATEMENT

*for the year ended 30 June 2010 (continued)*

### Recovery of Wages Activity Statement

**Financial Year ended 30th June 2010**

Based on representations made to me by my client, the Police Federation of Australia, and my audit work undertaken for the year ended 30 June 2010, it appears that there were no recovery of wages activity for the Police federation of Australia for the year then ended.

SIGNED AT CANBERRA this 20th day of September 2010.

A handwritten signature in black ink, appearing to read 'Loi Kahtsia', is positioned above the printed name and title.

LOI KAHTSIA, B. Com., F.C.A.

Chartered Accountant

Registered Company Auditor

Suite 201, 2<sup>nd</sup> Floor

309 Pitt Street

Sydney NSW 2000



## FINANCIAL STATEMENT

for the year ended 30 June 2010 (continued)

### Statement of Financial Position

As at 30 June 2010

	Notes	2010	2009
<b>Accumulated Funds</b>			
Retained Earnings		\$ 988266	\$ 909820
Reserves		153751	-
		<u>\$ 1142017</u>	<u>\$ 909820</u>
<b>Represented by</b>			
<b>Current Assets</b>			
PCU Easy Access account		151710	103619
PCU Market Link account		196920	153607
PCU Savings Plus account		47090	35917
PCU membership fees		10	10
Cash on hand	3	9	69
Other Debtor	5	0	9562
Amounts due from branches	4	0	20238
		<u>395739</u>	<u>323022</u>
<b>Non Current Assets</b>			
Property - 21 Murray Crescent			
Griffith ACT – At Independent Valuation	6	1150000	996249
Plant & Equipment		30784	
Less provision for depreciation		<u>14873</u>	<u>15911</u>
Motor vehicle		38690	5595
Less provision for depreciation		<u>9189</u>	<u>29501</u>
		<u>1195412</u>	<u>1037149</u>
<b>Total Assets</b>		<u>1591151</u>	<u>1360171</u>
<b>Less Current Liabilities</b>			
Trade creditors and accruals	7	49938	38498
PCU loan secured over property	6	274522	334117
Provision for annual leave	8	10975	9676
Provision for long service leave	9	85848	57155
Provision for GST		12883	10905
Receipts in Advance	10	<u>14968</u>	<u>449134</u>
<b>Total liabilities</b>		<u>449134</u>	<u>450351</u>
<b>Net Assets</b>		<u>\$ 1142017</u>	<u>\$ 909820</u>





## FINANCIAL STATEMENT

*for the year ended 30 June 2010 (continued)*

### Statement of Comprehensive Income

**For the Year Ended 30 June 2010**

	Notes	2010	2009
<b>Income</b>			
Affiliation fees from branches		873560	838543
Interest received		7279	6442
Rents received		32630	38632
Other Income		1797	1791
Research contributions		120000	40000
		<u>\$ 1035266</u>	<u>\$ 925408</u>
<b>Less expenditure</b>			
Audit and accounting fees	11	23450	21200
Annual leave	8	36700	21167
ACTU Affiliation fees	12	73194	68634
Bank charges and duties		264	217
Computer and website design		33101	38548
Delegation expenses	13	239013	170484
Depreciation	14	8427	28020
FBT		18277	16701
General office expenses	15	25770	20763
Insurances		11560	10405
Legal fees		2574	3255
Long service leave	9	28693	8608
Loss on disposal of assets		704	13583
Motor vehicle expenses		7933	7465
National Memorial expenses	16	7413	9712
Property expenses	17	92851	60757
Research expenses	18	100000	60000
Salary & packaging		152014	148569
Superannuation		88001	86017
Telephone		6881	8131
<b>Total Expenditure</b>		<u>956820</u>	<u>802236</u>
Net Surplus for the year		78446	123172
Accumulated funds at beginning of year		<u>909820</u>	<u>786648</u>
<b>Accumulated funds at end of year</b>		<u>\$ 988266</u>	<u>\$ 909820</u>



## FINANCIAL STATEMENT

for the year ended 30 June 2010 (continued)

### Statement of Changes in Equity

For the Year Ended 30 June 2010

	Retained Earnings	Asset Revaluation Reserve	Total
Balance as at 1st July 2007	738793	-	738793
Net surplus for the year	47855	-	47855
Balance as at 30th June 2008	786648	-	786648
Net surplus for the year	123172	-	123172
Balance as at 30th June 2009	909820	-	909820
Net Surplus for the year	78446	-	78446
Revaluation Increments		153751	153751
Balance as at 30th June 2010	\$ 988,266	\$ 153,751	\$ 1,142,017



## FINANCIAL STATEMENT

for the year ended 30 June 2010 (continued)

### Statement of Cash Flows

For the Year Ended 30 June 2010

	2010	2009
<b>Cash Flow from Operating Activities</b>		
GST Received	109380	93076
Receipts from Members	905564	825363
Interest Received	7279	6442
Rents Received	40381	32375
FBT Refund ATO	-	2471
Research Contributions Received	120000	40000
Reimbursements and other income	54453	57743
Total Cash Received	<u>1237057</u>	<u>1057470</u>
<b>Less Cash Flow from Investing &amp; Financial Activities</b>		
Payment of GST Expenses on Acquisition	64744	51251
Payment of GST to ATO	39588	42529
Payment of Employee's Entitlement	307048	259248
Payment of Loans to PCU	79100	78000
Payment of ACTU Affiliation Fee	73194	68634
Payment of Purchase of Office Equipment	13643	-
Payment of Motor Vehicle	-	38690
Payment of Other Expenses	538877	434892
Payment of FBT	18277	19172
Total Expenditure	<u>1134471</u>	<u>992416</u>
Net Increase in Cash Held	102586	65054
Cash at the Beginning of Financial Year	<u>293153</u>	<u>228099</u>
Cash at the End of the Financial Year	<u>\$ 395739</u>	<u>\$ 293153</u>

#### 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 Statement of Financial Position.

Cash with financial institutions	<u>\$ 395739</u>	<u>\$ 293153</u>
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# FINANCIAL STATEMENT

*for the year ended 30 June 2010 (continued)*

## NOTES TO THE FINANCIAL STATEMENTS

### FOR THE YEAR ENDED 30 JUNE 2010

#### I. STATEMENT OF SIGNIFICANT ACCOUNTING POLICIES

The financial report is a general purpose report that has been prepared in accordance with Australian Accounting Standards, Accounting interpretations, other authoritative pronouncements of the Australian Accounting Board and Section 253 and Section 270 of The Workplace Relations Legislation Amendment (Registration and Accountability of Organisations) Act 2002.

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

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

#### **Accounting Policies**

##### **a) Income Tax**

The Federation, being a trade union, is exempt from income tax including capital gains tax, by virtue of the provision of section 50-5 of the Income Tax Assessment Act 1997.

##### **b) Cash and Cash Equivalents**

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

##### **c) Investment Property**

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

##### **d) Revenue**

Revenue is recognised upon receipt of funds deposited into the bank account in relation to invoices rendered to all branches of the Federation. Membership incomes have been accounted for on a mix of cash and accrual basis. Membership fees outstanding at balance sheet date have been brought into account as amount due from branches. Membership fees relating to the unexpired part of the membership year are deferred and recognised as income in the next financial year. These are shown as receipt in advance on the financial report.

Interest revenue is recognised when received and credited to the bank account. Rental revenue is recognised in the period to which it relates. All revenue is stated net of the amount of goods and services tax (GST).



## FINANCIAL STATEMENT

for the year ended 30 June 2010 (continued)

### NOTES TO THE FINANCIAL STATEMENTS

#### FOR THE YEAR ENDED 30 JUNE 2010

##### e) Property, Plant and Equipment

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

##### *Property*

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

##### *Plant and Equipment*

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

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

##### *Depreciation*

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

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

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

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

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



## FINANCIAL STATEMENT

for the year ended 30 June 2010 (continued)

### NOTES TO THE FINANCIAL STATEMENTS

FOR THE YEAR ENDED 30 JUNE 2010

	2010	2009
<b>Land and Building</b>		
Carrying amount at the beginning of the year	996249	1016581
Independent Valuation 2010	153751	
Depreciation		(20332)
Carrying amount at the end of the year	<u>\$ 1 150000</u>	<u>\$ 996249</u>

The land and building is valued on the 15.4.2010 by the independent valuer Herron Todd White. Valuation was made on the basis of open market value. The revaluation surplus was credited to an asset revaluation reserve in accumulated fund.

#### Plant and equipment

Carrying amount at the beginning of the year	5595	7224
Additions	13643	
Depreciation	(2623)	(1629)
Write off	(704)	
Carrying amount at the end of the year	<u>\$ 15911</u>	<u>\$ 5595</u>

#### Motor vehicle

Carrying amount at the beginning of the year	35305	32621
Additions		38690
Sales proceeds		(16364)
Loss on sales		(13583)
Depreciation	(5804)	(6059)
Carrying amount at the end of the year	<u>\$ 29501</u>	<u>\$ 35305</u>



## FINANCIAL STATEMENT

*for the year ended 30 June 2010 (continued)*

### NOTES TO THE FINANCIAL STATEMENTS

#### FOR THE YEAR ENDED 30 JUNE 2010

**f) Employee Entitlements**

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

**g) Leases**

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

**h) Goods and Services Tax (GST)**

All incomes, expenses and assets are recognised net of the amount of GST, except where the amount of GST incurred is not recoverable from the Australian Taxation Office. In these circumstances the GST is recognised as part of the cost of acquisition of the asset or as part of an item of the expense. Receivables and payables in the statement of financial position are shown inclusive of GST.

**i) Reserves**

The Asset Revaluation Reserve records revaluation of non current assets – land and building. The revaluation surplus was transferred to the Asset Revaluation Reserve.

**j) Trade and other payables**

Trade and other payables represent the liability outstanding at the end of the reporting period for goods and services received by the Federation during the reporting period which remain unpaid. The balance is recognised as current liability with the amount normally paid within 30 days of recognition of the liability.

**k) Comparative information**

When required by Accounting Standards, comparative figures have been adjusted to confirm to changes in presentation for the current financial year.





## FINANCIAL STATEMENT

for the year ended 30 June 2010 (continued)

### NOTES TO THE FINANCIAL STATEMENTS

#### FOR THE YEAR ENDED 30 JUNE 2010

##### 2. INFORMATION TO BE PROVIDED TO MEMBERS OR GENERAL MANAGER

In accordance with the requirements of the Fair Work (Registered Organisations) Act 2009, the attention of members is drawn to the provisions of sub-Sections (1), (2) and (3) of Section 272 which read as follows:

A member of a reporting unit, or the general manager, 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.

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.

A reporting unit must comply with an application made under subsection (1).

	2010	2009
<b>3. Cash on Hand</b>		
Petty Cash	<u>\$ 9</u>	<u>\$ 69</u>
<b>4. Amount due from branches</b>		
Police Association of South Australia	-	6162
Queensland Police Union	<u>-</u>	<u>14076</u>
	<u>\$ 0</u>	<u>\$ 20238</u>
<b>5. Other Debtor</b>		
Rental Debtor – by tenant	-	8525
National Police Memorial	<u>-</u>	<u>1037</u>
	<u>\$ 0</u>	<u>\$ 9562</u>
<b>6. Property-at-cost</b>		
21 Murray Crescent Griffith ACT		
Settled on 24.1.2003	996249	1016581
Less Accumulated Depreciation	-	20332
Independent Valuation Increment by		
Herron Todd White on 15.4.2010	<u>153751</u>	<u>-</u>
	<u>\$ 1150000</u>	<u>\$ 996249</u>



## FINANCIAL STATEMENT

for the year ended 30 June 2010 (continued)

### NOTES TO THE FINANCIAL STATEMENTS

FOR THE YEAR ENDED 30 JUNE 2010

	2010	2009
<b>7. Creditors and accruals</b>		
Staff superannuation	4245	-
PAYG re staff wages	3580	3294
Audit & accounting fees	24200	22550
Various expenses	17913	12654
	<u>\$ 49938</u>	<u>\$ 38498</u>
<b>8. Provision for Annual Leave</b>		
Balance as at 1.7.2009	9676	11008
Add additional provision for the year	36700	21167
	<u>46376</u>	<u>32175</u>
Less paid during the year	35401	22499
Balance as at 30.6.2010	<u>\$ 10975</u>	<u>\$ 9676</u>
<b>9. Provision for Long Service Leave</b>		
Balance as at 1.7.2009	57155	48547
Add additional provision for the year	28693	8608
Balance as at 30.6.2010	<u>\$ 85848</u>	<u>\$ 57155</u>
<b>10. Receipts in advance</b>		
Qld Police Union	<u>\$ 14968</u>	<u>\$ 0</u>
<b>11. Auditor's Remuneration</b>		
Audit fees	8500	8000
Other services	14950	13200
	<u>\$ 23450</u>	<u>\$ 21200</u>
<b>12. ACTU Affiliation Fees</b>		
Normal affiliation fee	<u>\$ 73194</u>	<u>\$ 68634</u>



## FINANCIAL STATEMENT

for the year ended 30 June 2010 (continued)

### NOTES TO THE FINANCIAL STATEMENTS

FOR THE YEAR ENDED 30 JUNE 2010

	2010	2009
<b>13. Delegation Expenses</b>		
Consultancy fees	10774	-
Conference expenses	49161	49323
Executive expenses	89168	74734
IPC	19100	11575
WAC	17203	6796
APPSC/PSITAB	3077	3648
Federal Council	50530	24408
	<u>\$ 239013</u>	<u>\$ 170484</u>
Delegates are not paid any fees or allowances to attend conferences or executive meetings	-	-
<b>14. Depreciation</b>		
Building	-	20332
Plant and Equipment	2623	1629
Motor Vehicle	5804	6059
	<u>\$ 8427</u>	<u>\$ 28020</u>
<b>15. General Office Expenses</b>		
Filing fees	817	817
Police Superannuation Administrative fees	291	299
Printing, stationery & postage	10458	8677
Sundry office	10399	6407
Storage	1080	1983
Welfare assistance	1200	2000
Commissions - PANSW	1525	580
	<u>\$ 25770</u>	<u>\$ 20763</u>



## FINANCIAL STATEMENT

*for the year ended 30 June 2010 (continued)*

### NOTES TO THE FINANCIAL STATEMENTS

FOR THE YEAR ENDED 30 JUNE 2010

	2010	2009
<b>16. National Police Memorial Expenses</b>		
Ties & other	-	7011
Graphic design website expenses	2053	1775
Executive expenses	4225	-
Administration Fees	943	865
Courier Fees	192	61
	<u>\$ 7413</u>	<u>\$ 9712</u>
<b>17. Property Expenses</b>		
Cleaning & waste disposals	3110	3000
Council rates	9842	9732
Insurance	1929	1840
Interest - PCU	19505	23089
Land tax	11405	10667
Light & power	2654	2495
Repairs & maintenance	40492	7258
Lease Expenses – Stamp Duties, Searches	-	646
Security	541	541
Water rates	1600	1489
Valuation fee	1773	-
	<u>\$ 92851</u>	<u>\$ 60757</u>
<b>18. Research Expenses</b>		
Paid to University of Sydney	<u>\$ 100000</u>	<u>\$ 60000</u>





## FINANCIAL STATEMENT

for the year ended 30 June 2010 (continued)

### NOTES TO THE FINANCIAL STATEMENTS

FOR THE YEAR ENDED 30 JUNE 2010

	2010	2009
<b>19. Employees Benefits</b>		
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	152014	148569
Annual leave paid to employees (see note 9)	35401	22499
Annual leave provision (see note 9)	36700	21167
Long service leave paid	-	-
Long service leave provision (see note 10)	28693	8608
Superannuation	88001	86017





# ANNUAL REPORT

## 2009-2010



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