



JOURNAL

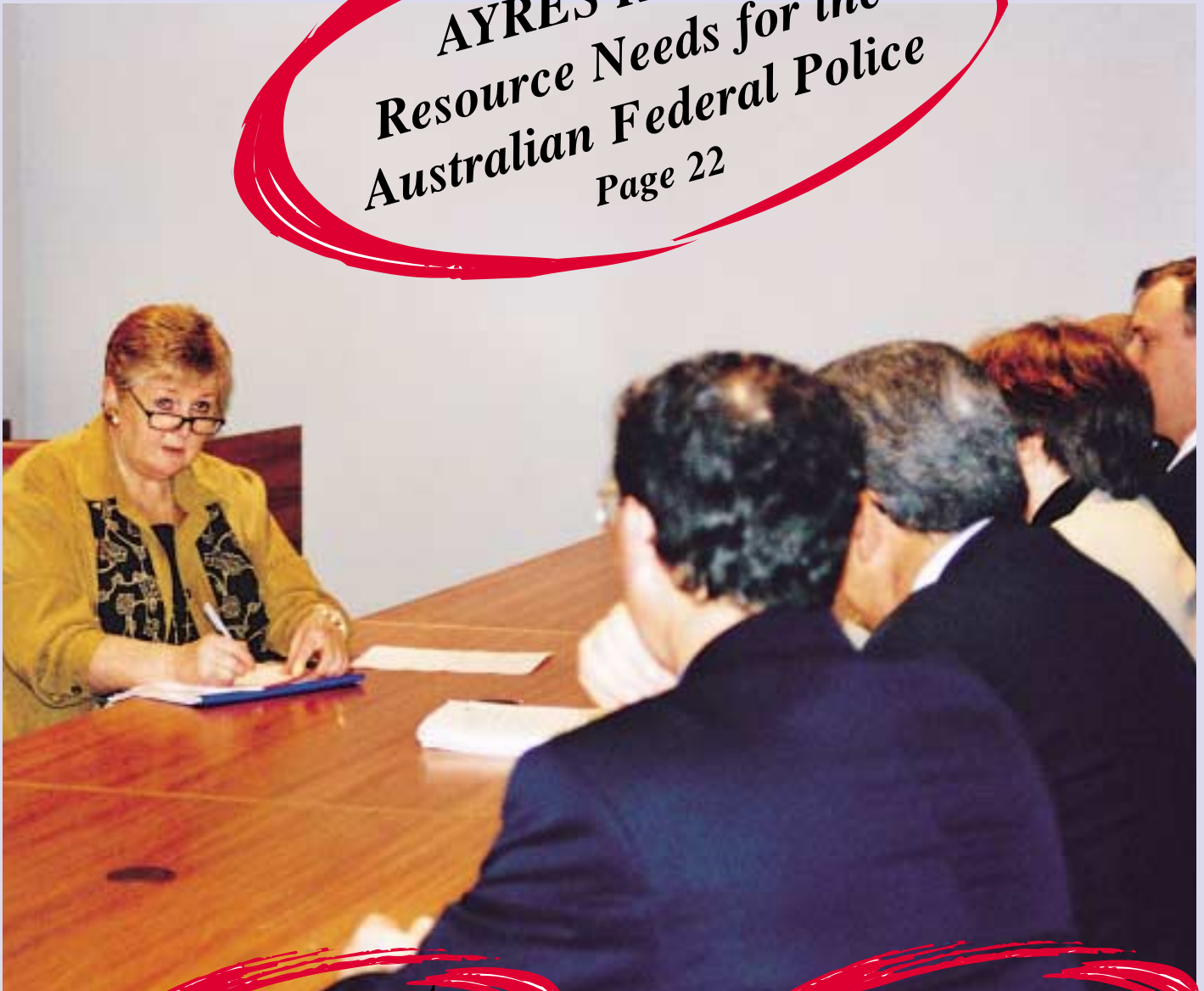
Spring 1998

PP 381667/00710

New Series Volume 2, No. 4

\$5.00 FOR NON-MEMBERS

**AYRES Review:
Resource Needs for the
Australian Federal Police
Page 22**



**New Agreement
Details!
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**Special Hotel Offer
Page 19**

Car Diving in Canberra!

On Friday the 25th September 1998 fresh car tyre marks were discovered leading into Lake Burley Griffin, near the AFP College at Barton. The AFP's Dive Team and Water Police were tasked to recover the unknown vehicle from the lake's murky waters.

In a protracted operation two vehicles were ultimately recovered, a Sigma and a Kingswood. While the task of finding the submerged cars in zero visibility water took some time, more time was spent on trying to free a tow truck from being bogged on the lake's foreshore. Eventually the towing company had to dispatch a second heavy-duty tow truck in order to free up the first, before the cars could be retrieved!



Mark Scott – one of the AFP's ACT Region diving squad.



A second tow truck was needed to get the first truck out of its bogged position. The tyre tracks leading to the second truck are from the car that had been driven into the lake the night before.



Bob Wiese in a moment of reflection, awaiting developments.



Mark Scott checking to ensure that the Sigma is properly hooked up for retrieval.



Allen Le Lievre and tow operators surveying the Sigma.



The Sigma being pulled out of the lake.



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From the Editor's Desk

How far are the bean counters advising senior AFP management willing to go to "save" the AFP? Do they understand that they are threatening the very things that make the AFP what it is. Aside from trying to change the fundamental tenets of our employment, they are also trying to take away all the elements which differentiate the AFP from administrative branches of the Attorney-General's Department.

The great idea of saving a couple of dollars and getting rid of Barton College is a good example. The result of doing something like this would be to remove the AFP's capacity to have a central point to meet and to have a place which reflects what the AFP is. If this clever clique wants to work in an organisation without a soul, they can go back to the faceless bureaucracies from which they fled.

We have a new breed of imported managers, some of whom do not understand what it is that makes the AFP what it is; they are attracted to the AFP and come to work with us, but when they get here they start to destroy the very things that drew them to our organisation in the first place. These functionaries seem to hold the existing AFP employees in contempt, and they refuse to recognise that there are skilled, talented and dedicated people within the AFP.

For many of us in the Canberra Office, it has been best illustrated at various musters where great pains have been taken to tell us what important and valuable employees we are, that the AFP does not want us to leave, that it is in the AFP's best interests to care for us and to retain our corporate knowledge. All this while at the same time management is trying to not renew selected people's fixed term appointment for the normal five year term, but instead these valuable and cherished employees are only being offered three year FTAs and if they are particularly precious employees they are only being offered a six month FTA.

The AFPA certainly supports the efforts of the AFP to become more efficient. The AFPA certainly supports the need for the AFP to review what it does and how it does it. However, the AFPA does not support the sacrificing of its members to achieve this. The AFPA will not agree to the degeneration of its members' conditions of service. The AFPA will not stand-by and watch the AFP save a few cents by treating its lowest paid employees so poorly and so differently from how it treats its most expensive.

The battle for the AFP is still being fought and it seems our biggest enemies are some of our imported bureaucrats.

Helen McDermott
Editor

Front Cover: Commissioner Pat Leary with AFPA and AFP officials finalising the Attachment 7 to the AFP Change Agreement

Photo courtesy AFP Media



A letter to the NSW Zone Co-ordinator

George,

Whilst at Coltsfoot, Jake and I were on 12 hour night shifts. We had just filled up the car at Lansvale (near Cabramatta). On this occasion I was driving and thought I would take a short-cut. I subsequently got lost. Jake was sitting smugly in the passenger's seat eating a Mars Bar, drinking a can of *Coke*, and waiting for me to find the way out of the maze I had placed myself in. I was eating a very tasty *Cornetto* which offset the stress of not knowing where the hell I was.

In front of me I saw a car do rapid u-turn, with an Asian gentleman on the footpath waving and other people running around in what appeared to be confused circles. I thought it was a rip off, so I turned the sirens on.

The car subsequently bolted, and in the following pursuit (excuse me, I did mean to say "ensuing follow") he went to the other side of the road and tried to ram our car, thus causing me to lose hold of my *Cornetto* which sailed, unfortunately as it happened, in a ballistic arc at the offending vehicle. Jake had finished his *Mars Bar* at this stage and only had his can of *Coke* left. Due purely to the evasive measures I was taking, that can of coke inadvertently sailed out the window in the direction of the offenders as well.

It was a Datsun 120Y: he wasn't going to get far.

He turned into a dead end street, come to a stop, the passenger bolted, chased by Jake. According to what Jake has told me – the passenger got out of the car and at

break neck speed vaulted a seven foot fence. Jake insists that the offender vaulted the fence hurdle style without touching same, but even so only managed to evade capture due to the dead weight of the mars bar and half a can of coke handicapping his performance over the same fence.

The driver had by this stage collapsed under the weight of his guilty conscience onto the ground near the drivers door.

I reached into the car to turn it off and saw pizza hut delivery invoices.

I said: Are you a pizza boy?

He said: No.

I said: Why did you drive off, didn't you hear the sirens?

He said: Yeah, but it's not my car.

I said: Who's the owner?

He said: Back there, I stole it from him.

Jake returned saying the passenger was obviously a relative of Ben Johnson, that he had obviously taken the same amount of steroids and that obviously he had escaped.

At this time the pizza boy ran up the street and was almost shot dead by a very agitated and excited welcoming committee which by this time had adrenalin leaking from their ears. He was closely followed by a 14 year old girl who claimed the 20 year old driver as St Peter, and her boyfriend. This was in the midst of ten dogs barking, a siren wailing and I have a distinct memory of someone – obviously a civilian – saying Only in Cabramatta.

The neighbours hadn't even stirred – just another night apparently.

A short time later in response to a message for a uniform presence, three local NSW police vehicles arrived to assist.

Later, in a taped record of interview, the driver admitted to the armed robbery of the Pizza Hut boy and his vehicle. He needed it to drive to King's Cross.

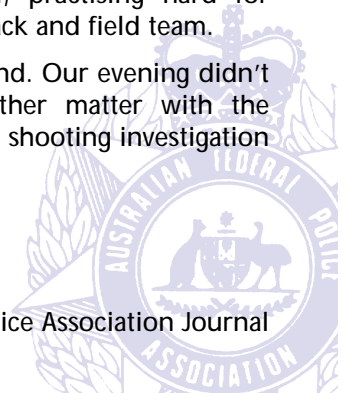
At the start of the record of interview the offender announced that at the time of the offence he was whacked out on more pills than Diego Maradona. He was absolutely fine now, he said, and would be very happy to answer any amount of questions with a clear head and to the best of his memory. During the interview he slunk lower and lower into his seat as the drugs and the realisation of his predicament reasserted themselves.

At the start of the record of interview the offender announced that at the time of the offence he was whacked out on more pills than Diego Maradona. He was absolutely fine now, he said, and would be very happy to answer any amount of questions with a clear head and to the best of his

memory. During the interview he slunk lower and lower into his seat as the drugs and the realisation of his predicament reasserted themselves.

During the interview though, the offender abused Jake for not trying hard enough to catch his friend. The co-offender who we were told had the sobriquet "Willy Willman" was never found. He's out there still, practising hard for Australia's commonwealth games track and field team.

The offender got two years in the end. Our evening didn't end there, it progressed on another matter with the homicide squad and the NSW police shooting investigation team and that wasn't amusing at all.



Farewells from ACT Region



Des O'Dwyer

ACT Police Branch Secretary Jason Byrnes, Des O'Dwyer and ACT Police Branch Assistant Secretary Todd Brown. Des was injured three years ago in a motor vehicle collision, and suffered serious injuries including loss of sight. Earlier this year Des was placed on a pension. The mounted plaque given to Des included his AFP cap and pocket badges, as well as his service ribbons (National, Overseas Police Service and United Nations medals).



Lindsay Griffith

Lindsay "Gravel" Griffith joined the ACT Police before the 1979 amalgamation. Gravel was involved with the Association throughout his career, and until a short time before his retirement, was the Treasurer of the ACT Police Branch.



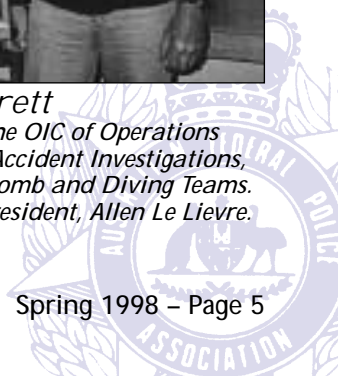
Brad Johnson

Brad served with the AFP and ACT Police for over 25 years and before that was in the Army.



Lionel Barrett

Lionel retired from the AFP as the OIC of Operations Response, which included Traffic, Accident Investigations, Search Rescue, Water Police, Dog, Bomb and Diving Teams. With Lionel is ACT Police Branch President, Allen Le Lievre.



Outsourcing

by Helen McDermott, Branch Secretary

The so-called "outsourcing" project has begun in the AFP. The corporate support areas in the AFP will be reviewed to see if the service they are providing is what the AFP wants and is delivered in the way the AFP best needs. If this is not the case, then how the area operates will be adjusted. The AFP's requirements for these operational support functions are then "market tested". This means that the "market" for a particular service is examined and then compared against how the AFP can provide the service in terms of cost, security, is asked to requirements the AFP has for these functions. The AFP assures us that outsourcing a function is not the automatic outcome of this exercise. In fact we are told that it is one of three options:

- no change
- work practices changed
- function outsourced

The important element will be honest and open communication and consultation between the AFP and the AFPA and its members. It is easy with this sort exercise for rumour and hearsay to take over from the facts and the real outcomes. The AFPA will be closely working with the AFP Project Team to make sure that there is open and honest communication. We hope to avoid the usual propaganda and instead to make sure that all facts are known to everyone where possible.

AFPA members may be hearing from AFP management that there are different options available to management if management decides that an area is to be outsourced or reduced staff numbers. Those options are:

- redeploy the employee
- give the employee a redundancy
- not renew the employee's Fixed Term Appointment (FTA)

It is the last option that we would like to warn its members about. Any AFPA member who is threatened with this option should contact the AFPA immediately.

You will of course recall Commissioner McAulay repeating time after time that: so long as you are honest and hard working you will have your FTA renewed. That contract of employment still stands. There has been no change of legislation and no agreement to change the fundamental nature of your employment. You have not been made casual employees.

With the widening of the "outsourcing" project as a result of the Ayers' Report, it is important that all AFPA members are aware of this possible tactic by AFP management. If the AFP attempts anything like this and you are an AFPA member, ring your zone co-ordinator immediately and the proper processes will be put in place to protect you. If you are not an AFPA member (when you find yourself in trouble), sorry but there is nothing we can do to help you.

The AFPA will be making every effort to ensure that functions performed by its members are not outsourced and if one is, we will be making every attempt to ensure that it is not outsourced to a company that makes its profits by using a non-unionised workforce made-up of casual employees.

It is times like this that AFP employees who are not members of the AFPA need to consider their position. The AFPA cannot represent the views of employees who are not members of the AFPA, nor should the membership fees of AFPA members go towards

representing and assisting non-members.

The AFPA will be making every effort to ensure that functions performed by its members are not outsourced and if one is, we will be making every attempt to ensure that it is not outsourced to a company that makes its profits by using a non-unionised workforce made-up of casual employees.



By Mark Townsend, WA Branch Secretary

Like a lot of other regions, Western Region bid farewell from the AFP to a number of colleagues towards the end of June 1998. This is the period when a number of AFPA members in the region either elected or were forced (and accepted) re-profiling packages to leave the AFP. Some members were also retiring at the time.

To show our appreciation of the work and friendship shown by all of the members who were leaving. The Social Club organised a special dinner in their honour on 28 June 1988 at the Western Australia Police Club. The members leaving were: Allan Warren, Liz Harrison, Mike Burford, Brian Jefferson, Lou Gregory, Chris Fredericks, Monica Stanley, Peter Johnson and Ian McKenzie. They all attended and were both praised and "roasted" by various speakers who commented on their long careers in the AFP. Unfortunately one of the illustrious nine, Peter Johnson, took ill on the night and could not attend.

It was pleasing to see that the dinner was well attended by over 100 people, with plaques being presented to each of the members by the general manager of the region, Andy Wells. Not only did a number of current members attend, but so did a number of "ex members". I believe this shows the high regard that people feel towards the members that have left.

Also leaving the region in September is the general

manager, Andy Wells, and his wife, Wendy. Andy and Wendy moved to the "West" from Sydney and are leaving after nearly two years here. Andy is taking up duties at the NCA in Sydney and Wendy returning to the "fold" at Eastern Region Headquarters. The WA Branch Executive would like to wish Andy and Wendy all the best in their new venture(s) in the East.

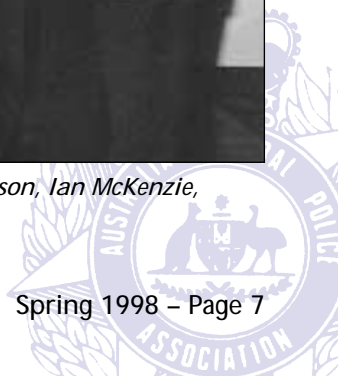
The region over the last 18 months has experienced a large loss of experienced personnel. It is expected that with retirements, transfers etc., that this trend will continue until the end of this year. Like every where else throughout the AFP, no replacements have been made for the members who have left. Apart from retirements, a large proportion of members have taken up work with other agencies, principally the Western Australia Anti Corruption Commission.

It is interesting to note that the people who have left indicated that they wanted to stay in the AFP but left because of the offer of more money and better conditions. Like members in other regions, WA Branch members will wait to see what is offered to them in forthcoming wage increase discussions.

The tragedy of the loss of these members to the AFP is that the majority who have left had in excess of ten years' investigative and administrative experience.



Left to right: GM Andy Wells, Chris Fredericks, Monica Stanley, Alan Warren, Brian Jefferson, Liz Harrison, Ian McKenzie, Michael Burford, Lou Gregory, DSWR Nick Anticich, DOWR Barry Turner.



Call for Papers

The Australasian Council of Women and Policing

Presents

The Second Conference of Australasian Women and Policing

7–9 July 1999

Emmanuel College, University of Queensland, Brisbane, Australia

Interested women and men are invited to submit papers for the Second Conference of Australasian Women Police. The theme of the second conference is *Women and Policing*.

The three main strands for the 1999 conference are:

- Improving the position of women within policing;
- Improving the relationship between policing and women in the community; and
- Creating an Australian link in the global network of women in policing.

The conference will be practical and forward-looking. It will build on the significant amount of research and discussion presented to the First Conference of Australasian Women Police in 1996.

Please forward your abstract and paper title by 1 January 1999 to:

Conference Coordinator

EEO Unit, QPS

GPO Box 1440

Brisbane Qld 4001.

Final papers must be submitted by 31 May 1999.

If you would like more information about the conference, please contact the Australasian Council of Women Police on 02 62587498, email us at inquiry@auspol-women.asn.au or write to us at PO Box 755, Dickson, ACT, 2600.

CONFERENCE COST*

Early Bird Registration \$250, Full Registration \$300, Daily Rate \$100, Student \$100

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Accommodation is available at Emmanuel College from about \$50 per night

*to be confirmed



Declaration of Results

National Senior Vice President

Candidates	Votes
LE LIEVRE, Allen	365
BUYRROWS, John	171
COUTSOLITIS, Con	322
Formal ballot papers	858
Informal ballot papers	1

Allen LE LIEVRE declared elected.

ACT Police Zone Coordinator

Candidates	Votes
BYRNES, Jason	243
SINCLAIR, Mick	32
Formal ballot papers	275
Informal ballot papers	-

Jason BYRNES elected.

ACT National Zone Coordinator

Candidates	Votes
McDERMOTT, Helen	102
ROWELL, Russell	74
Formal ballot papers	176
Informal ballot papers	2

Helen McDERMOTT elected.

ACT National Zone Workplace Delegates (3)

Candidates	Votes
BROWN, Betty	57
CORNELIUS, Luke	120
COOPER, Christopher	129
BAKER, Yasmin	75
CRAILL, Jane	145
Formal ballot papers	178
Informal ballot papers	1

Jane CRAILL, Christopher COOPER and Luke CORNELIUS elected.

NSW Zone Coordinator

Candidates	Votes
NICHOLS, George	86
BURRELL, Kevin	35
Formal ballot papers	121
Informal ballot papers	-

George NICHOLS elected.

Victoria Zone Coordinator

Candidates	Votes
STEELE, Brice	79
BURROWS, John	37
Formal ballot papers	116
Informal ballot papers	-

Brice STEELE elected.

West Australia Zone Coordinator

Candidates	Votes
TOWNSEND, Mark	37
JACKSON, Bruce	4
Formal ballot papers	41
Informal ballot papers	-

Mark TOWNSEND elected.

Results declared by the Australian Electoral Commission on 12 October 1998.

New Salary Scales

Schedule 1 to Attachment 7 of the AFP Change Agreement 1995

AFP Act Work Levels	Salary Scale to 1.7.98		Salary Scale from 2.7.98		Specialists
	Merit Point	123927	Merit Point	128884	
	Merit Point	118565	Merit Point	123308	
	AFP Gr 22	113203	AFP Gr 22	117731	
	Merit Point	113203	Merit Point	117731	
	Merit Point	108358	Merit Point	112692	
	AFP Gr 21	103513	AFP Gr 21	107654	
	Merit Point	103513	Merit Point	107654	
	Merit Point	99088	Merit Point	103052	
	AFP Gr 20	94663	AFP Gr 20	98450	
	Merit Point	94663	Merit Point	98450	
	Merit Point	90658	Merit Point	94284	
	AFP Gr 19	86652	AFP Gr 19	90118	
	Merit Point	86652	Merit Point	90118	
	Merit Point	82970	Merit Point	86289	
	AFP Gr 18	79288	AFP Gr 18	82460	
	Merit Point	79288	Merit Point	82460	Senior 82460
	Interim Point	78455	Interim Point	81593	Executive 81593
	Merit Point	75993	Merit Point	79033	Equivalent 79033
	AFP Gr 17	72698	AFP Gr 17	75606	75606
Supt/WL4	Merit Point	72698	Merit Point	75606	75606
69939	Interim Point	69939	Interim Point	72737	72737
	Merit Point	69694	Merit Point	72482	72482
	AFP Gr 16	66690	AFP Gr 16	69358	69358
	Merit Point	66690	Merit Point	69358	69358
66153	Interim Point	66153	Interim Point	68799	68799
	Merit Point	63945	Merit Point	66503	66503
63460	Interim Point	63460	Interim Point	65998	65998
	AFP Gr 15	61199	AFP Gr 15	63647	63647
Overtime Barrier					
	Merit Point	61199	Merit Point	63647	63647
60767	Interim Point	60767	Interim Point	63198	63198
	Merit Point	58712	Merit Point	61060	61060
58072	Interim Point	58072	Interim Point	60395	60395
Sgt/WL3	AFP Gr 14	56225	AFP Gr 14	58474	58474
	Merit Point	56225	Merit Point	58474	58474
	Merit Point	54361	Merit Point	56535	56535
	AFP Gr 13	52496	AFP Gr 13	54596	54596
	Merit Point	52496	Merit Point	54596	54596
51362	Interim Point	51362	Interim Point	53416	53416
	Merit Point	50038	Merit Point	52040	52040
	AFP Gr 12	47580	AFP Gr 12	49483	49483
	Merit Point	47580	Merit Point	49483	49483
47580	Merit Point	47580	Merit Point	47582	47582
45752	AFP Gr 11	43920	AFP Gr 11	45677	45677
	Merit Point	43920	Merit Point	45677	45677
43920	Merit Point	42092	Merit Point	43776	43776
42092	AFP Gr 10	40408	AFP Gr 10	42024	
Const/WL2	Merit Point	40408	Merit Point	42024	
40408	Merit Point	38885	Merit Point	40440	
	Interim Point	38472	Interim Point	40011	
38472	AFP Gr 9	37361	AFP Gr 9	38855	
	Merit Point	37361	Merit Point	38855	

AFP Act Work Levels	Salary Scale to 1.7.98		Salary Scale from 2.7.98		
Const/WL2	Merit Point	37361	Merit Point	38855	
	36535	Interim Point	36535	Interim Point	37996
		Merit Point	35982	Merit Point	37421
		AFP Gr 8	34602	AFP Gr 8	35986
	34602	Merit Point	34602	Merit Point	35986
		Merit Point	33301	Merit Point	34633
	32665	Interim Point	32665	Interim Point	33972
		AFP Gr 7	31999	AFP Gr 7	33279
		Merit Point	31999	Merit Point	33279
	30758	Merit Point	30758	Merit Point	31988
WL1	29644	AFP Gr 6	29644	AFP Gr 6	30830
	29599	Merit Point	29644	Merit Point	30830
	28892	Interim Point	28892	Interim Point	30048
		Merit Point	28608	Merit Point	29752
	28174	Interim Point	28174	Interim Point	29301
		AFP Gr 5	27542	AFP Gr 5	28644
		Merit Point	27542	Merit Point	28644
	27469	Interim Point	27469	Interim Point	28568
	26750	Interim Point	26750	Interim Point	27820
		Merit Point	26605	Merit Point	27669
26137	Interim Point	26137	Interim Point	27182	
	AFP Gr 4	25668	AFP Gr 4	26695	
	Merit Point	25668	Merit Point	26695	
25129	Interim Point	25129	Interim Point	26134	
	Merit Point	24796	Merit Point	25788	
24481	Interim Point	24481	Interim Point	25460	
	AFP Gr 3	23924	AFP Gr 3	24881	
	Merit Point	23924	Merit Point	24881	
23704	Interim Point	23704	Interim Point	24652	
	Merit Point	23117	Merit Point	24042	
	AFP Gr 2	22309	AFP Gr 2	23201	
		22309		23201	
	Trainee 1	17580	Trainee 1	18283	

Aboriginal Cadet Practical – Training

	Current	From 2.7.98
Adult		
4th increment	26137	27182
3rd increment	25129	26134
2nd increment	24481	25460
1st increment	23704	24652
Junior		
At 20 years	21571	22433
At 19 years	19200	19968
At 18 years	16593	17256
Under 18 years	14223	14791

Aboriginal Cadet Full-time – Study

	Current	From 2.7.98
Adult		
2nd increment	13063	13586
1st increment	12708	13216
Junior		
At 20 years	12162	12648
At 19 years	10826	11259
At 18 years	9356	9730
Under 18 years	8019	8340



Attachment 7 to the 1995 Change Agreement

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23. Personal Leave
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25. Miscellaneous Leave With Pay
26. Miscellaneous Leave Without Pay
27. Employee Initiated Flexibility
28. Health and Safety Plan
29. Commitments to resolve

1. Purpose of the Attachment

This should be read in conjunction with The Australian Federal Police Change Agreement 1995 and the AFP Award 1991. It is in settlement of certain identified items in The AFP Change Agreement 1995. It will reward employees for a range of initiatives to ensure the AFP has the breadth and depth of skills required for it to function effectively. Where the terms of this Attachment and the 1995 Agreement or the Award are inconsistent, the terms of this Attachment shall apply.

2. Principles and Objectives

The principles and objectives of the agreement encourage a collaborative approach on the part of both employer and employees to deliver the operational and corporate goals of the AFP through:

- the continued upholding of both personal and organisation integrity by actively
- supporting the AFP Values and Integrity Provisions in daily work practices and
- the acceptance that these Values underpin all work practices set out in this Agreement;
- providing a clear and equitable employment environment, which encourages employees to continue to develop their skills and knowledge to the highest possible level they can obtain; and
- the continued move towards a flexible and professional remuneration package which recognises the flexible nature of the work and equitably remunerates employees for the value they add to the AFP.

3. Parties Bound

This Attachment applies to and binds the parties bound by the Change Agreement, 1995.

4. Date of Operation of Attachment

All initiatives, apart from those specified in Clause 5 of this Attachment, operate with effect from the date of agreement between the parties unless otherwise specified within the attachment. Prior to the expiry of this attachment the parties intend to have negotiated a three year certified agreement/s to commence from 1 October 1998.

5. Remuneration Strategy

- 5.1 The parties agree that upon date of signing an amount of \$3.745M in 1998/1999 and \$5.1M in subsequent financial years will be set aside for restructuring/reprofiling initiatives, including for payment of a new Merit allowance, new Competency Progressions, a trial Extra Duties allowance, Higher Duties Allowances and 0.9% of the \$3.745M for a Deployment Allowance. The parties also agree that any unexpended monies from this quarantined pool as at 30 June 1999 will be paid to staff as an across the board increase unless otherwise agreed between the parties. This will take into account any on-costs associated with its being incorporated into salary.
- 5.2 An across the board wage increase from 2 July of 4% in recognition of all backdating, restructuring/reprofiling improvements to date, including as provided in Section 8.1(c) of the Change Agreement 1995 or which will arise from the implementation of these HR policies, and in settlements of the identified items in the current Change Agreement.

5.3 The parties recognise that these adjustments will provide a base from which a certified agreement/s will be negotiated dated to commence from 1 October 1998.

5.4 The 22 Grade Salary Spine will be introduced on 1 July 1998. The parties recognise that for the spine to work in accordance with its professional principles it must actively reflect upward market trends. The parties also agree that the spine itself will not be regressive.

The 22 Grade Salary Spine will be introduced on 1 July 1998. The parties recognise that for the spine to work in accordance with its professional principles it must actively reflect upward market trends. The parties also agree that the spine itself will not be regressive.

6. Disputes Avoidance

6.1 The AFP and AFPA agree that when the disputes settlement procedure in the Change Agreement 1995 does not resolve a dispute then all resulting industrial disputes, conciliations and arbitrations will be resolved in accordance with provisions and exclusions as set out in the AFP Act and section 170LW of the Workplace Relations Act 1996 whereby the Commission is empowered to settle disputes over the application of the Agreement and to appoint a Board of Reference as described in Section 131 for the purpose of settling disputes. In so doing, there is no intent or expectation by the parties that the Commissioner of Police's powers will be in any way impeded.

The Board of Reference will review the role of the AFP Review Panel.

6.2 The parties further agree to ask the Commission by way of order to establish a Board of Reference pursuant to Section 131 and to vest that board with the powers outlined within that section (noting the exclusions referred to in paragraph 6.1) and those powers as determined in this attachment. Matters relating to the operation or implementation of any of the proposals in this attachment, the terms of the 1995 Change Agreement and the current AFP Award will be resolved under this provision .

6.3 The AFP and AFPA further agree that pursuant to Section 131(2) to seek the appointment of Commissioner Pat Leary of the AIRC to chair the Board of Reference. The parties agree that the other members of the Board of Reference will be a representative of the AFP and the AFPA. The parties agree that, within the parameters of the exclusions noted in paragraph 6.1, the IRC is the most appropriate jurisdiction within which to resolve, settle and deliver on industrial commitments arising from the certified agreements and awards.

6.4 The parties also agree that, within the parameters outlined in paragraph 6.1 above:

6.4.1 The AFP and AFPA are prepared to submit to the IRC jurisdiction, pursuant to the Workplace Relations Act 1996 provisions and recognising the authority of the Commissioner of Police under the AFP Act;

6.4.2 all matters of process and/or implementation referred under this disputes avoidance provision will be determined as final decisions made in good faith;

6.4.3 an AFP Board of Reference with enforcement powers derived from the Workplace Relations Act 1996 will be appointed with full agreement between both parties to act as arbiter and

conciliator on all processes arising from any industrial agreement;

6.4.4 the authority of the AFP Board of Reference will be limited to those matters agreed between the parties from time to time and any such reference may be so arbitrated including the conciliation and arbitration of the terms of future Certified Agreements;

6.4.5 both the AFP and AFPA will have full standing before the Board of Reference and will have authority to present and cross examine issues for Conciliation and Arbitration; and

6.4.6 it is the intent of all parties that this new process replace all Federal Court processes currently required by the parties to resolve disputes over process and implementation of industrial agreements.

7. Principal Functional Areas and Principal Functional Streams

7.1 The key functions of the organisation will be captured in three Principal Functional Areas (PFA):

- Federal Operations,
- Operational Support and
- Community Operations

7.2 The PFAs will be further sub-divided, where appropriate, into Principal Functional Streams (PFS). The new structure will enable the AFP and employees to be clear about what is expected of them in their work role and what competencies are needed to develop to move to higher salary points or across into other Functional Streams.

7.3 All employees will be notionally allocated to PFAs and PFSs on 1 July 1998 pending Board of Reference ratification of the process used to determine such allocations and an associated disputes resolution procedure. It is the intention of the parties to develop appropriate industrial instruments structured around the different work functions.

8. Competencies

8.1 The establishment of competency assessment is agreed between the parties as an important development and skill profiling tool with appropriate rewards and recognition provided through the new 22 point salary spine.

8.2 Competencies describe the skills and knowledge

required for discrete roles in each functional Stream in the AFP. The performance criteria are the benchmarks which must be met to demonstrate that a person is competent and effective. Competencies will be linked to work value and performance management, to determine pay levels for all employees.

- 8.3 The parties also recognise that the onus resides with the AFP to provide the opportunities for appropriate competency development for any employee assessed as having a competency gap. It is also agreed that an ongoing responsibility, given appropriate opportunity, rests with the individual to maintain appropriate competencies for the effective performance of their role.
- 8.4 The competencies within the AFP framework incorporate national policing standards and those from other relevant industries and follow best practice guidelines for competency design as defined by the Australian National Training Authority. The Standards will be regularly reviewed and adjusted to keep pace with current and emerging workplace needs and changes at the national and industry level.
- 8.5 Competencies have been grouped into competency packages relevant to particular roles and functional streams. Employees will initially be assessed against the competencies specified in the package relevant to their current role. As a secondary step members will be able to be assessed against competencies specified for roles which they have identified in their preferred career path or against previous roles held. This is to ensure that the employee's total skill/knowledge profile is formally recognised.
- 8.6 Competencies will be measured through an objective transparent and rigorous process, endorsed by the Board of Reference and based on evidence provided to a registered assessor. Assessment is a supportive process that recognises employees' existing skills and identifies any gaps. Assessors must be independent, i.e., not a member of the candidate's work team and must be competent at or above the level of competence which is being assessed.
- 8.7 The future adjustment or development of any competencies will be jointly agreed between the parties and recognition of competencies developed or maintained through comparable or complementary experience &/or relevant education shall be guaranteed (eg, via external secondments) via established Recognition of Current Competencies or Recognition of Prior Learning.
- 8.8 A process for reviews and appeals has been developed for employees who wish to dispute the competency assessment process or outcome. This process will be formally considered by the Board of Reference.

The roles available for the payment of HDA will be agreed between the AFP and AFPFA, with a view to clearly demarcating those roles open to either payment of Higher Duties allowance or Competency Progression. The process for determining such roles will be endorsed by the Board of Reference.

9. Higher Duties Allowance

- 9.1 The roles available for the payment of HDA will be agreed between the AFP and AFPFA, with a view to clearly demarcating those roles open to either payment of Higher Duties allowance or Competency Progression. The process for determining such roles will be endorsed by the Board of Reference.
- 9.2 A process for dealing with current HDA positions and incumbents will be developed for endorsement by the Board of Reference. The Human Resources Development Team will be responsible to ensure national consistency in this area.

10. Salary Adjustment Process

- 10.1 The salary spine as attached shall apply, to all roles below Senior Executive in the AFP. The salary for the role, including for appointments, reappointments and promotions, shall be the salary from the salary spine of the role grade, and progression through the role grade range will be by competency assessment, according to the Employee Management Plan and JobSize.
- 10.2 New vacancies will be filled against the relevant place in the salary spine as determined by the role sizing system.
- 10.3 Overtime may be paid for roles assessed as falling above the top salary point of AFP Grade 14 only with the approval of the HRDT.

11. Translation of current employees

- 11.1 Translation to the salary spine will be on the basis of current substantive salary. Individuals will be translated to either the equivalent point in the new scale, or if there is no equivalent point, to an equivalent interim point in the new scale. This interim point will cease after the employee progresses through the new spine over time. Where there are equivalent points at both the top of a scale and the bottom of the scale above, translation will be to the top of the lower scale, not the bottom of the higher scale.
- 11.2 In the case of individuals who are not at the top increment of their old salary scale they will progress annually through the salary points in the old scale until they reach the point in the new scale nearest that which they would have reached if they had stayed on their old salary range as set out in the AFP Change Agreement 1995. This completion of increments will be treated as a transitional interim point progression, after which the employee will progress through the new scale and the previous interim point will cease its application in the spine.
- 11.3 Progression through the new scale for all employees will be by the Employee Management Plan (EMP) or by agreed appointment and promotion processes.

12. Adjustments to the salary spine

12.1 The Salary Spine will be reviewed on a twelve monthly basis by the AFP and AFPA (taking into account any notional regression over the previous two years), and assessed and adjusted upwards to match supplementation, if any, for salaries based on the wage cost index (the "cocktail index") as calculated by DoFA.

13. Merit Allowance

Employees, who believe their performance in their role merits extra reward, will be able to apply for a Merit Allowance as provided for in the salary spine. This Allowance will be "at risk".

The decision to pay the merit allowance is independent of the FTA renewal process. FTA renewals will not impact on decisions to pay or not pay the allowance. Merit allowance will not be paid where a role as measured by JobSize is already overclassified.

The implementation principles will be negotiated by the parties, recognising the awarding of a merit allowance that recognises excellent performance at an individual's current grade level. Disputes on the application process of merit allowance will be dealt with in accordance with the disputes avoidance provision outlined above.

14. Competency Progression and Promotion to Gazetteable Positions

14.1 The parties will introduce a system of Competency Progression, based on Role Value as measured by JobSize, Competency Assessment and performance, as measured by their EMP. The processes will be put to the Board of Reference for endorsement.

14.2 Individuals who have grown their role to a higher level of competency, and can satisfy a Reward Review Committee that this is the case, and that the organisation can continue to utilise the higher level competencies, may apply for a competency progression to the appropriate salary range. Disputes over competency progression processes will be resolved in accordance with the disputes avoidance provisions outlined above.

14.3 Where a position is identified as a gazetteable position by the AFP and AFPA and that position is vacant for a period of more than three months, that position must be first role sized and gazetted at the role sized AFP Grade point either by means of transfer or promotion. Disputes on the process for competency progression and positions classification will be dealt with in accordance with the disputes resolution avoidance procedures.

14.4 Consistent with the provisions of the AFP Act, the JSC is to be used when there is a vacant gazetteable position (excluding Specialists). Where no agreement has been reached on the selection processes being utilised and the position is filled without a JSC, the position will be appellable if it is a designated appellable position.

Consistent with the provisions of the AFP Act, the JSC is to be used when there is a vacant gazetteable position.

15. EMP, FTA and Poor Performance Assessments

15.1 An Employment Management Plan (EMP) System will be introduced in order to replace the existing Performance Management Plan System. All employees of the AFP will be subject to this process.

15.2 The content and development of EMP templates will be agreed jointly between the parties for implementation no later than 1 October 1998. In the absence of such agreement the current PMP mechanism will be utilised.

15.3 It is recognised that poor performance reports, as part of the EMP, will be instituted as a tool for FTA performance assessments or performance related disciplinary reports.

15.4 Should disputes occur in relation to the application of the processes agreed to for EMP or poor performance reports, they will be dealt with in accordance with the disputes avoidance provisions outlined above.

16. Extra Duties Allowance (EDA) and Composite Salary Allowance(CSA)

16.1 The parties agree to trial an Extra Duties Allowance and a Composite Salary Allowance in parts of the AFP where agreed appropriate. The trial may be terminated at any time by either party.

16.2 The extra duties allowance represents recognition of overtime whilst the Composite Salary Allowance is purely penalty related.

16.3 Trials of EDA will occur in selected areas in consultation with the AFPA. Initially, as a trial, an EDA will be paid to employees in the Operations and Close Operations Support areas who have work practices similar in nature. The trial will commence on 1 September 1998, and continue until 30 June 1999.

16.4 The EDA will only incorporate overtime allowances and the formula for the trial will be agreed between the parties prior to 1 September 1998 and will be based on similar terms to the National Crime Authority model with an inclusion of the following:

1. EDA formula is proportional to 20% of eight hours per week reconciled within a fourteen day period;

2. if the hours are not worked within the 14 day period it will not accumulate;

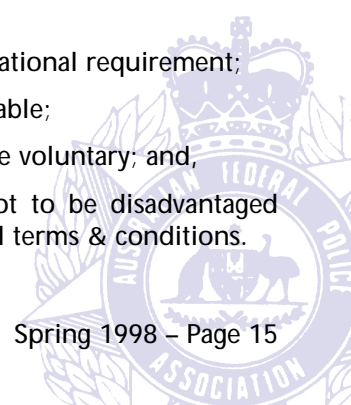
3. EDA must be additional to rostered shift and no more than four hours at a time. Weekend work is not included in the rate (normal penalties apply);

4. must be a genuine operational requirement;

5. meal allowance is claimable;

6. trial participants must be voluntary; and,

7. non participants are not to be disadvantaged but will get their normal terms & conditions.



16.5 There will be a pilot with a no disadvantage protection, in the Community Operations area to assess the viability of the substitution of a composite salary allowance CSA for certain identified and agreed existing conditions (not including overtime). This pilot will be determined with the full agreement of the relevant AFPA Zone committee and with any dispute to be resolved through the above dispute avoidance procedure.

17. Salary Packaging

17.1 Salary packaging will become available to employees from the date of approval of this attachment. Staff may choose to sacrifice part of their salary for other benefits. The management of the scheme will be undertaken by a bureau service and any fees charged by the service provider will be met by the employee. Employees and providers will be responsible for taxation treatment and payments related to this arrangement.

17.2 Employees are responsible for obtaining financial advice in relation to issues arising from this provision. All items included in salary packaging will be in accordance with AFP, taxation and Government policy guidelines. The AFPA will be involved in the final selection of the preferred provider.

17.3 The salary for superannuation purposes will be the equivalent gross cash salary for superannuation purposes that would apply under the Superannuation Act 1976 and the Superannuation Act 1990 if the member were not taking part in salary sacrifice arrangements.

18. Deployment/Mobility Policy

18.1 The deployment/mobility policy will have integral links between operational requirements and career development with operational requirements having priority. The career path options will also be clearly defined with practical, focused opportunities being provided to identify and meet career development needs.

18.2 Implementation of the deployment/mobility policy will commence no later than 1 October 1998 in line with the implementation of individual aspects of the overall HR framework with priority to examine and resolve the constraints and costs incurred by individuals of particular regions impacting upon deployment (eg. cost of living including travel and physical structure, technology utilisation).

18.3 The deployment/mobility policy will continue to be developed in negotiation with the AFPA with any process issues being referred to the Board of Reference for endorsement. Disagreements over the policy will be resolved through the above disputes avoidance provisions.

18.4 Development will be in accordance with the provisions of clause 19.11 of the 1995 Change Agreement.

18.5 A Deployment Allowance, aimed at facilitating attraction and retention in key geographic areas, will be trialed, after the Board of Reference endorses the processes to be utilised in determining efficient and effective application.

19. Human Resource Information System

19.1 The implementation of the new SAP HR system will ultimately result in significant streamlining of some existing HR practices, in particular in the pay roll, maintenance of personnel data, recruitment, commencements, competency management and training and development aspects. The AFP will commit to fully inform employees and the AFPA of all developments at the earliest opportunities. Where substantial changes to custom and/or practice occur the AFP and AFPA will negotiate prior to commencement with disputes resolved through the above disputes avoidance procedure.

20. Provision of operational motor vehicles for private use.

20.1 Present arrangements concerning allocation of vehicles to AFP employees will continue subject to exploring the feasibility of varying the private use arrangements in agreement with the AFPA after the conduct of a joint review.

21. Provisions of Recognition Titles in Community Operations

21.1 This matter will be resolved in agreement between the AFP and the AFPA Zone representing Community Operations.

22. Leave in recognition of Health and Safety Standards

22.1 Each employee must take at least 20 days recreation leave per annum in recognition between the parties of the health and safety standards and priorities implicit in the AFP work culture. However in exceptional circumstances the Commissioner may grant approval of carryover of leave to the following year.

22.2 Employees may carry over annual excess credits beyond the 20 days mandatory usage.

22.3 An employee cannot carry more than 60 days credit without being required to utilise excess credits beyond this limit. Exemptions from this provision must be forwarded to the Commissioner for approval. The onus rests with the AFP to ensure that operational requirements do not prevent an employee from utilising excess credits. All recreation credits will be paid out on final separation from the organisation.

22.4 All provisions of this clause will be applied pro-rata for part-time employees.

Each employee must take at least 20 days recreation leave per annum.

23. Personal Leave

23.1 These provisions will apply from the date of certification of this Agreement and replace all existing sick, special and carers leave, or replacement provisions. From this date, employees will have existing sick leave credits and any unused special leave from the current years entitlement converted to a personal leave credit.

Employees will accumulate 18 days personal leave credits at full pay each year, calculated from their anniversary date.

23.2 Employees will accumulate 18 days personal leave credits at full pay each year, calculated from their anniversary date, without limit throughout the period of employment with the AFP. On permanent appointment employees will also be credited with 33 days personal leave.

23.3 Employees must advise the relevant authority as soon as possible of their absence or their intention to be absent. Personal leave may be granted to an employee in the following circumstances:

- a) where the employee is ill or injured
- b) to care for members of their family (including partners) or household who are ill
- c) for any personal reasons deemed "reasonable" by the appropriate delegate.

23.4 For the purposes of personal leave "family responsibilities" shall mean responsibilities of the employee for any person who is dependent on the employee for care, support and attention.

Reasonable and legitimate requests for personal leave will be approved.

23.5 Reasonable and legitimate requests for personal leave will be approved. However, personal leave may be refused, or satisfactory medical evidence requested or other evidence (eg. personal declaration in the case of caring responsibilities) to support a current or future application for personal leave, where there is cause to believe that the reasons for such absences, irrespective of the length of absence, are not reasonable or legitimate.

23.6 No more than three consecutive days of personal leave may be taken for medical purposes without satisfactory medical evidence, and no more than five days without a medical certificate may be taken in a sick leave year. Certificates from registered medical practitioners will be accepted for the purpose of personal illness or injury.

23.7 Where leave without pay not to count as service has been granted in the accrual year, personal leave accrual should be deferred as follows:

- a) where aggregated full day absences total 30 calendar days or less, the accrual is not affected;
- b) where aggregated full day absences total more than 30 calendar days, the accrual date will be deferred by 30 days for each 30 day period.

23.8 The maximum period of continuous personal leave for medical purposes which may be granted under this clause is :

- with pay – 52 weeks;
- without pay or with and without pay – 78 weeks

23.9 Prior service with approved organisations may be recognised for sick leave purposes. Employees who are medically unfit for duty for more than one day while on recreation or long service leave, and who produce a medical certificate, may apply for personal leave. Recreation and long service leave will be re-credited to the extent of the period of personal leave granted.

23.10 The appropriate delegate may grant unpaid personal leave under the provisions of miscellaneous leave (without pay). Personal leave without pay may be granted for personal illness or injury where paid personal leave entitlements have been exhausted. Such leave will count as service for all purposes. Employees are unable to access personal leave while on paid maternity leave.

Unused personal leave will not be paid out on separation.

23.11 The parties agree to negotiate the establishment of a personal leave bank for the use of individuals in need who have utilised all their credits (such as employees in a carers role)

24. Miscellaneous Leave

No more than three consecutive days of personal leave may be taken for medical purposes without satisfactory medical evidence, and no more than five days without a medical certificate may be taken in a sick leave year.

24.1 The intention of miscellaneous leave is to provide flexibility by providing that leave may be made available, either with or without pay, for a variety of purposes. Miscellaneous leave may be granted by the Commissioner, or the Commissioner's delegate, having regard to the operational needs of the AFP, including for purposes that the Commissioner considers to be in the interests of the AFP.

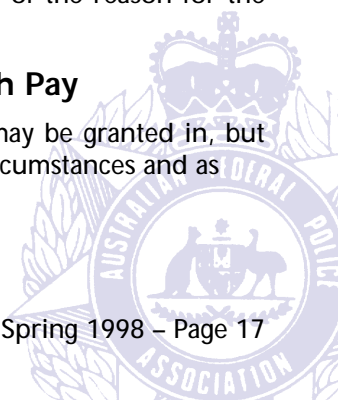
24.2 Leave may be granted:

- a) for the period requested or for another period;
- b) with or without pay; and
- c) subject to conditions
- d) bereavement leave.

24.3 Where leave is refused the appropriate delegate will advise the employee in writing of the reason for the decision.

25. Miscellaneous Leave With Pay

25.1 Miscellaneous leave with pay may be granted in, but not limited to, the following circumstances and as



agreed between the parties or according to existing practice;

- a) Study leave;
- b) requirement to undertake jury service;
- c) defence force requirements;
- d) participation in major international sporting events;
- e) war service sick leave;
- f) NAIDOC;
- g) participation in State Emergency Service activities (including voluntary ambulance service);
- h) AFPA and industrially related activities; and,
- i) in recognition of the facilities provisions of the 1995 Change Agreement.

25.2 In addition to the circumstances listed above, additional leave may be granted to employees in recognition of extraordinary circumstances. Examples of these circumstances are involvement in state of emergency situations such as bushfires, floods and earthquakes.

26. Miscellaneous Leave Without Pay

26.1 Miscellaneous leave without pay may be approved in, but not limited to, the following circumstances;

- a) personal and development training;
- b) days of cultural or religious significance for employees;
- c) accompanying a partner on a posting;
- d) non AFP employment or work in the interests of the AFP;
- e) parental;
- f) AFPA and industrially related activities; and
- g) for other purposes where other types of paid leave have been exhausted.

27. Employee Initiated Flexibility

27.1 Should an employee initiate a request for work hours outside core business hours on the basis of personal needs, agreement can be achieved with the endorsement of the appropriate team leader and the AFPA Zone Co-ordinator to accept split shift or home based work for portions of or all of a given shift without payments of shift penalties. This arrangement can be introduced for a short period of time or for a period of no more than twelve months.

28. Health and Safety Plan

28.1 Health and Safety at work remains the responsibility of all, however specific responsibilities are determined by each employee's role. The highest responsibility rests on senior management to ensure health and safety systems are established, implemented, monitored and reviewed.

29. Commitments to resolve

29.1 The parties agree over the life of this attachment to negotiate in good faith to resolve outstanding principles affecting the operation of provisions in this agreement.

29.2 The parties agree to negotiate the possibility of incorporating into the three year Certified Agreement/s proposals for:

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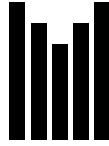
- *proposals for the graduated return to work of employees after maternity leave;*
- *operation of WL4 car arrangements*
- *the pay-out of AFPAS to all employees;*
- *the cash-out of accrued ADOs.*

- proposals for the graduated return to work of employees after maternity leave;
- operation of WL4 car arrangements
- the pay-out of AFPAS to all employees;
- the cash-out of accrued ADOs;

- the process for operation of the Reward Review Committee
- the ongoing form and utilisation of the JobSize tool
- the development of portable long service leave options;
- agreed terms and provisions for overseas contingents;
- rationalisation of organisational resources to achieve industrial productivity;
- the parties agree to negotiate the establishment of a personal leave bank for the use of individuals in need who have utilised all their credits (such as employees in a carers role);
- provisions for the revitalising of the of National and Regional Consultative Committees;
- a 4 in 5 year proposal for averaging salary over five years and reducing their yearly salary by 20% to cover for the period without pay;
- Superannuation procedures post the close of PSS – contributions for
- new starters; and,
- a review of resources to implement the investigative assistant model as outlined in the national operations model.

29.3 The parties agree to utilise the dispute avoidance procedure when appropriate to resolve outstanding matters under this clause.





MILLENNIUM
HOTEL
SYDNEY

The AFPA has secured its members a great deal from the Millennium Hotel in Sydney. Members of the Australian Federal Police Association now have access to the Millennium Hotel's Government rates:

Room type	AFPA rate (valid until 30/12/98)
Standard Room	\$110
Harbour View	\$130
Millennium Club	\$150*

All of these rates are exclusive of the State Government Accommodation Levy of 7% and 10% as of 31 August 1998.

*The Millennium Club rate includes access throughout the day to the Millennium Lounge on the 31st floor with continuous tea & coffee; complimentary Continental Breakfast in the lounge and complimentary drinks each evening from 6.30pm until 8pm; accommodation on the top 4 floors of the hotel and special room amenities eg bathrobes.

Reservations may be made direct to the hotel by calling toll free **1800 812 347** or via your preferred Travel Management Company. Please ask for the Australian Federal Police Association government rate. The hotel also has a selection of weekend packages and special event rates.

This is a great hotel which is conveniently located, so spoil yourself when you next go to Sydney and take up this special offer for AFPA members.

CDL HOTELS NEW ZEALAND

Rates are also available at all Millennium, Copthorne Hotels & Resorts and Quality Hotels in New Zealand. Millennium is represented in Rotorua, Christchurch & Queenstown. Copthorne Hotels & Resorts are a respected and prominent UK/European hotel brand, owned by CDL International. The brand is New Zealand's largest mid range hotel group. The Quality Group is represented by 17 hotels in all the major city & resort areas in New Zealand and is the countries largest 3 star hotel group. Reservations may be made direct to the hotel, via your preferred Travel Management Company or by calling CDL Hotel Reservations on 1800 124420.

MILLENNIUM HOTEL SYDNEY

at the top of William Street

Reservations **1800 812 347** Reservations Facsimile **02 9358 3881**



Email Manners

It has been very interesting to watch how the AFP community has used its access to CCMail over the last few years. No matter what your view on the content, quality or quantity of the communication, there is no doubt that it has been a great mechanism for drawing together the small and dispersed community that is the AFP.

With any form of communication you must first learn the rules and I found an article by Thea Joselow from the Women's Connection Online site at <http://www.womenconnect.com>, called Email Manners For Fun And Profit – is a great guide to communication by email:

First there was the business letter, then the business fax, now there is email, the least formal of all business communications. No, you don't need 24lb stock paper, you don't need to put it on letterhead, deliberately formatted between meticulous margins, or carefully master the perfect tri-fold before you slip it into the exquisitely labelled envelope.

But, even though it is less formal, there are still certain conventions and courtesies which should be extended to all of your e-mail correspondence.

Email can be a great business resource. You can ask someone a quick question, schedule meetings, combine resources and maximise your contacts. You can read a message, and reply at your convenience.

Email can be a great business resource. You can ask someone a quick question, schedule meetings, combine resources and maximise your contacts. You can read a message, and reply at your convenience.

It can also be a great annoyance, with messages of little or no interest piling up and taking your valuable time. It is important not to irritate others. Just as you value your time, you should demonstrate that you value theirs.

Personal correspondence is different. Long, rambling humorous letters to old friends and family differ from business mail on paper as well as on the computer. A buddy will be more forgiving and understanding of spelling mistakes and general sloppiness than a business contact. The ease and speed of electronic correspondence can lead to thoughtless mistakes.

Typos and other simple errors happen to everyone. But, you always want to put your best foot forward when writing to a business contact.

Toni Werbell, a Publicist in New York, is quick to disregard

slovenly emails. If a person cannot be bothered to check his or her spelling, or even quickly proofread a message, why should they be taken seriously?

Convenience

In general, emails should be short and sweet. You can try to think of them as voice mails, you want to politely convey pertinent information and have the other person get back to you at their convenience. The "at their convenience" part is key.

In general, emails should be short and sweet. You can try to think of them as voice mails, you want to politely convey pertinent information and have the other person get back to you at their convenience. The "at their convenience" part is key.

Many times people expect nearly instant replies to their emails. One of the great advantages of computer messaging is that you can read something at your leisure, hang on to it until you have something relevant to say, or the time to reply properly, and only then get back to the writer. There are a lot of reasons why I might not get back to you within a couple of hours. Maybe I'm out of the office, in the middle of something else, or maybe I'm waiting for information to send back to you. If you didn't call me in the first place, you probably don't need an instant reply and you can afford to wait until I have something to say.

Another note on convenience, if only eight people need the information you are sending, it is unnecessary to send it to a list of 1000. Take the extra seconds to focus the target of your mail rather than copying the entire company. Also, be hesitant to use the "reply to all recipients".

Subject

The subject line can either pique a reader's interest or get your message deleted unread. A blank subject line is an instant turnoff. If you can't or won't say what your message is regarding, your message is clearly not a priority and you are wasting my time. The subject does not have to be elaborate, it can be as simple as "question" or "idea". But the subject line is the first thing that the person you are writing to will see, and first impressions are crucial.

A humorous subject line, for example, from a lawyer in DC, "Care and Feeding of the Brontosaurus" can be cute if you are an old friend. It can be very annoying to a business

contact or anyone who is short of time and patience. Say what you mean, say it quickly and clearly, then get out of the way so they can get on with business.

Identify Yourself

If you are writing to someone who will not necessarily recognise your email address, you definitely need to identify yourself. A reminder to an acquaintance along the lines of "Hi Kate, this is Lynn Smith of The Association for Widget preservation. We met at the sprocket conference in New York." can help make it less likely that Kate will trash your mail.

Style

There are some stylistic quirks which are unique to email. Typing in all capitals is the equivalent of yelling in someone's face. To add emphasis to a particular something, it is standard to use either –underscores– or *asterisks* on either side of the word or phrase. There are also some abbreviations it would help to be familiar with, e.g.: BTW (by the way), IMHO (in my humble opinion), and FYI (for your information) are perennial favourites.

*TYPING IN ALL CAPITALS IS THE EQUIVALENT OF
YELLING IN SOMEONE'S FACE.*

Humour

A good sense of humour is a wonderful thing. But, something about email that a lot of people don't realise until it is too late, irony and sarcasm do not convey unless you are writing to a good friend or long-time colleague. Something that, if spoken, would be just a quick joke can easily read as a bitter insult. Courtesy is utmost, since the potential for misunderstanding is enormous. Leave as little room as possible for misinterpretation.

To help compensate for this lack of humour, people sometimes use "emoticons," or text symbols to help set a mood. Sideways faces represented by keyboard characters, the most basic of which is :) a smiley face, are easy ways to help make yourself understood.

Granted, if you are writing to someone you don't know very well, you probably should carefully consider any comments which would require this kind of qualification.

Replying To Email

Most email programs include the text of the original message in a reply. After going back and forth a couple of times, a message can get very long, confusing and unwieldy with all of this collected past communication. Only quote relevant portions which are necessary to continue the thread of the conversation. Edit out text which is not directly applicable to your answer. Similarly, leaving the signature file at the end of every message in a thread, according to Jane Reingold, who works at <http://www.cnet.com> is a common annoyance.

Tom Mandel, CEO of <http://screenporch.com/> Screen Porch, says "One thing I don't like is when people quote my entire message and then write their reply at the bottom. Then I have to scroll down through what I already said and the whole conversation just to get to their answer." There is no convention on whether you should write before or after you quote. Personally, if I'm quoting a one line question from your message and answering it, I will usually write under the quote. The point is to make things as quick to read and as easy to understand as possible.

Attachments

There is no doubt about it, the ability to send documents electronically can be a real time and effort saver. But long, unsolicited attachments can also be very frustrating. Long attachments are another pet peeve of many avid, long-time email users. Generally speaking, don't send anything massive unless you have a truly compelling reason. People have become very protective of their time and energy and resent feeling like their time is being wasted. The amount of time it takes to download items of no use or interest can be frustrating and add up to be quite costly.

Not all email readers are the same. Some let you incorporate web links and pictures in the body of your text, while others

do not. Jeff Burchell, Director of Infostructure at <http://www.clearstation.com> says "You're making a mistake when you assume that I'm using a mail reader that looks like yours (Eudora, Netscape, Microsoft Outlook)." Email was initially supposed to be purely text. If you know that the person you are sending mail to can read HTML mail, great. When in doubt, keep it simple.

Judgment

Chain mail is inexcusable whether on paper or on the computer. Jokes, be they clean or obscene, are rarely appropriate to send to the company "all-hands" list, although it is pretty well accepted to send them to a couple of cronies. General rule, if you would hesitate to print it out, put it in an envelope, lick it, seal it, stamp it and mail it to someone, don't send it. Also worth mentioning here, email is very easily forwarded to others. Do not say anything private.

Use common sense and discretion. A little paranoia can be a healthy thing.

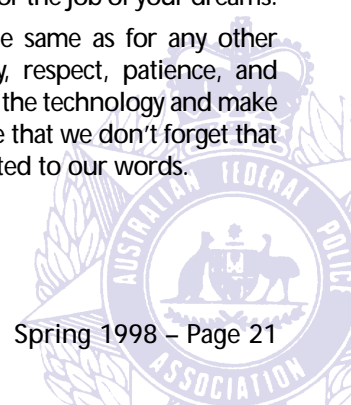
Be Forgiving

It may sound strange after all of this stylistic nitpicking, but making snap judgments will rarely serve you well. Everyone makes mistakes. I've accidentally hit the "send" button in the middle of a sentence, mistakenly forwarded a dirty joke from a college friend to my boss and (to my utter shame) thought I was writing a biting sarcastic email to a buddy (he would have loved it), when the address was for another person with the same name.

In fact, I have ruthlessly pestered close friends while researching this very article. Each incident was followed by my sending a brief, sincere apology for wasting their time, and offending their sensibilities.

Everyone has bad moments. That sloppy email from someone you don't recognise to which you absentmindedly dash off a lurid reply may actually be from someone important. Maybe a powerful executive who wants to make the deal of the century, someone offering the perfect product, or the job of your dreams.

The rules for successful email are the same as for any other method of communication. Courtesy, respect, patience, and care. Yes, it is important to understand the technology and make good use of it. But, it is also imperative that we don't forget that an actual human is going to be subjected to our words.



AUSTRALIAN FEDERAL POLICE ASSOCIATION

SUBMISSION TO

THE REVIEW OF THE RESOURCES NEEDS FOR THE AUSTRALIAN FEDERAL POLICE

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ANNEX A

INTRODUCTION

The purpose of this submission is to highlight the diverse nature of the responsibilities put upon the Australian Federal Police (AFP) by government and the AFP's ability to tackle those responsibilities given both the internal and external environment particularly with reference to priorities and scarce resources.

This submission also seeks to highlight the perceived problems associated with the AFP's current organisational and financial management. This will be done through an examination of the AFP's Priorities and Acceptance of Referrals Model, associated deployment and mobility of staff, the methods used for allocation of resources, performance indicators and budgetary reporting.

In order for the AFP to fully develop into Australia's premier law enforcement agency it must be fully equipped to combat crime recurrent beyond the year 2000.

It is the view of the Australian Federal Police Association (the Association) that in order for the AFP to fully develop into Australia's premier law enforcement agency it must be fully equipped to combat crime recurrent beyond the year 2000. As the next century approaches it would be unwise to ignore the rapid advancement in technology and communications. The AFP must be resourced sufficient to accommodate this rapid advancement and counter the subsequent use by criminal enterprises of the emerging technology.

Australian Federal Police Association

The Association is a branch of the Police Federation of Australia, a registered industrial organisation pursuant to the *Workplace Relations Act 1996*. Pursuant to Police Federation of Australia Rules, the Association has sole autonomous political and industrial coverage for all personnel within the AFP including both sworn and unsworn members. Currently the Association has 2226 financial members out of a total AFP strength of 2560.¹

Formation of the Australian Federal Police

The AFP was formed in 1979 based largely on the recommendations made by Sir Robert Mark in his review conducted in 1978.² Following that review the AFP was setup

under the provisions of the *Australian Federal Police Act 1979*.

When the *Australian Federal Police Bill* was presented to parliament, the broad functions of the AFP were prescribed in the Bill. Upon presentation of the Bill the then Minister for Administrative Services stated that those functions were:

"In the main they provide for the functions associated with the policing of the Australian Capital Territory, the investigation of offences against the Commonwealth and the protection and safeguarding of the Commonwealth's interests."³

It can therefore be seen that as long ago as the formation of the AFP the government envisaged that the AFP would take in a very wide and varied area of responsibility within the Commonwealth investigative sphere.

Since 1979 the role of the AFP has developed to such a degree that the time has now come to examine exactly what government expects of the AFP and whether or not the AFP is sufficiently resourced to enable them to carry out those expectations.

ROLE OF THE AFP IN AUSTRALIAN LAW ENFORCEMENT

Section 13 Directive

Section 13(2) of the *Australian Federal Police Act 1979* provide that:

"The Minister may, after obtaining and considering the advice of the Commissioner and of the Secretary, give written directions to the Commissioner with respect to the general policy to be pursued in relation to the performance of the functions of the Australian Federal Police."

From time to time the responsible Minister has issued directions pursuant to this section. Six of these directions have been issued, the most recent was issued on 20 April 1995.

It is these directions that form the backbone of AFP policy in terms of its direction and to a certain extent the priorities of the organisation. It is via the broad directions given pursuant to section 13 that the AFP has now found itself in a position where it is expected to perform a variety of tasks that may or

may not have been envisaged in 1979. It is certainly arguable that resource commitments from the government to the AFP have not kept pace with increased areas of responsibility placed upon the AFP and the ever-increasing complexity of the responsibilities already vested.

Operational Responsibilities

In examining the issues relating to the AFP's current operational responsibilities the areas of discussion have been divided into the following categories:

- A.C.T. Community Policing.
- National Operations
- Protection
- International
- Administrative Responsibilities

The following highlighted points are by no means an exhaustive list of the AFP's current responsibilities but rather are submitted to the review team as a snapshot of the of variety of work that the AFP is expected to take on. The purpose of the snapshot is to show that the role that the AFP is expected to play in Australian law enforcement is an ever increasing one in an environment of diminishing resources. At some point in time, the Association would submit that that time is already upon us, an organisation will reach critical mass when the responsibilities thrust upon it exceed the allocated resources. It is a matter of time before effectiveness and efficiency suffers. It is our intention to illustrate that this has in fact occurred.

A.C.T. COMMUNITY POLICING

The AFP provides policing services within the Australian Capital Territory, both ACT Community Policing services, and services for the Commonwealth and its ACT based interests. The AFP's ACT Region also administratively controls the AFP's deployment to the Commonwealth Territories of Jervis Bay, Christmas Island, Cocos/Keeling Islands, and Norfolk Island.

Community Policing in the Australian Capital Territory is provided through the auspices of the ACT Policing Arrangement, which was signed in 1990. Under the arrangement the ACT Government pays for 599 staff, the Commonwealth provides the funding for an additional 95. The Commonwealth, ACT Government and AFP have agreed to review this agreement because of a variety of factors and preliminary negotiations have commenced. A new contract has been strongly supported by the Association.

Much political discussion has occurred in recent times regarding ACT Policing. Calls have ranged from retaining the status quo to having a totally separate ACT Police Force. A more consensus view among ACT politicians is the need for a separate ACT Commissioner / Chief of Police while retaining AFP staff. In order for you to more fully understand this view we refer you to the document titled "Future of Policing in the ACT", a report by the ACT Legislative Assembly's Standing Committee on Legal Affairs of September 1995. This document formed the foundation of a movement amongst local politicians to achieve a greater say in AFP operations in the ACT.

The Association currently believes that the AFP should remain the ACT Community Policing organisation and that there should only be one Police Service in the ACT (the AFP).

On this issue the Association acknowledges merits on both sides of the argument. The Association currently believes that the AFP should remain the ACT Community Policing

organisation and that there should only be one Police Service in the ACT (the AFP). This having been said though, there needs to be greater accountability mechanisms to the ACT Government, who is after all a significant stakeholder in ACT operations.

The introduction of the teams approach to policing, sustained budgetary cuts (both by the ACT Government and the Commonwealth Government), and the changing nature and culture of policing led to a joint AFP/AFPPA review of ACT Region resources. This review was handed down in April 1997 and touches upon many significant issues in your terms of reference. Rather than repeat at length the contents of the review, we attach a copy of the review for your information. In particular, Chapter 1 of the Review contains reports on

issues such as staffing and the effect of the teams approach to policing. While the review is almost 12 months old, and although many of the 171 recommendations have been either implemented or in part actioned, the concerns expressed in the executive summary are still valid today.

We also attach a copy of a document by the ACT Police Branch of the Association, which was produced in December 1997 and given to candidates in the recent ACT Legislative Assembly elections (held on March 21 1998.) This document illustrates more graphically the staffing levels of the AFP in the ACT, especially compared with other police organisations. The document also demonstrates the concerns of Association members regarding local legislation.

The suggestion of Association members is that all too often the AFP relies upon its overseas liaison network and ACS for information concerning impending importations of narcotics, rather than quality, locally based information which taps directly into the operations of criminals within Australia.

NATIONAL OPERATIONS

In a very general sense it can be argued that it is in the area of Commonwealth investigations where the AFP has seen its areas of responsibility expand the most. The resultant effect of this is that resources within the Commonwealth investigations area are most often stretched to and beyond the limit.

The broad areas of responsibility in relation to Commonwealth investigations can be categorised in terms of narcotics investigations, organised crime, Commonwealth fraud, general crime and asset recoveries.

Narcotics investigations

The AFP's primary responsibility in the area of narcotics is the policing of the import provisions of the *Customs Act 1901*. The Commonwealth legislation relating to narcotic law enforcement is currently the subject of review, however there are no plans at this stage to alter the AFP's jurisdictional responsibilities in this regard.

There is very little doubt that the investigation of narcotic related crime is very resource intensive both in a human sense as well as a financial one. Investigations of this type more often than not require a large amount of physical surveillance and electronic surveillance. Both around the clock physical and electronic surveillance can be very expensive but none the less very necessary. Criminals do not keep office hours however they are becoming increasingly aware that the AFP does.

By way of example, limited resources now dictate that on most occasions when a controlled delivery operation is conducted, there is limited scope to maintain surveillance of the narcotics for a reasonable length of time. The resultant effect of this strategy more often than not, is just to apprehend the courier which helps build up seizure statistics but does little to dismantle the criminal enterprise.

It is arguable that in recent times, the investigation of narcotics offences has been largely reactionary with very few proactive investigations being carried out. Many members of the Association have expressed their concern that this will result in an ever diminishing intelligence base with which to work from. Over the past four years, resource cuts as well as organisational changes have seen the disbandment of most of the regional based intelligence units. It is only now following the government's *tough on drugs initiative* that the AFP can

afford target development based proactive investigations

On the question of intelligence, it is the view of the Association that significant resources have been devoted to developing strategic intelligence projects resulting in valuable information concerning drug flows and trends. However it is also our view that this build up of strategic intelligence has little value if it is not complemented by an appropriate amount of tactical intelligence, nor the capacity to deploy Federal Agents to follow up on intelligence leads.

Whilst the Association is not advocating that the AFP should investigate *street level* narcotic distribution with a view to building up appropriate levels of tactical intelligence, it does put forward the view that greater

resources should be allocated in order develop AFP member's access to this intelligence. Secondments to various State Police forces could provide a vehicle for this project. AFP members must be given greater opportunity to develop their own informants in order to counter domestic narcotics importations. The suggestion of Association members is that all too often the AFP relies upon its overseas liaison network and ACS for information concerning impending importations of narcotics, rather than quality, locally based information which taps directly into the operations of criminals within Australia.

Organised Crime

It is in the area of organised crime investigations that the diverse nature of the AFP's responsibilities and the diverse skills of its investigators are best utilised. In very simple terms, organised criminal entities are nothing more than business enterprises who deal in illegal commodities, be it narcotics, prostitution, gambling or money laundering.

By definition, *organised* gives rise to connotations of *complex*. Therefore in order to dismantle these types of operations, the AFP must be sufficiently resourced to maintain and improve the skill base of its investigators. Headings towards the 21st century organised crime syndicates are only going to become more sophisticated in the way they do business. The AFP must be in a position to be able to combat this increased sophistication. If the crime syndicate operates as a business then it must be investigated as if it were a business. To this end more resources are required to employ specialists in areas such as international finance and accountancy. At the very least the AFP should be provided with resources to upgrade the skills of the staff it already has. The AFP has been provided with funds to pay the HECS fees of staff undertaking management related tertiary courses but little if any is devoted to those who undertake studies to broaden and enhance their investigative skills that will value add to the core business of the AFP. Organised crime knows no jurisdictional boundaries. With the increasing globalisation of the world economy and the ever-decreasing regulation of the global finance industry, the AFP must be resourced to combat this. All too often necessities as part of an investigation such as overseas travel are regarded as luxuries by those who allocate resources. It is the Association's submission that items such as travel are not luxuries but necessities if the AFP is to make an impact on future globalised organised crime.

Commonwealth Fraud

The AFP has primary carriage of Commonwealth fraud investigations. The nature and scope of this type of work has altered dramatically over the past ten years. As a result of changing priorities of the AFP and greater detection methods within Commonwealth departments, the AFP very rarely now conducts fraud investigations of a minor nature. Whilst the Association supports this stance, the resultant effect is that now the majority of the investigations are of a complex nature and by their very construction require greater resource allocation.

The amount of funds defrauded and complexity are most often used as the benchmarks in terms of priorities as far as fraud investigations are concerned. The *Fraud Control Policy of the Commonwealth*⁴ determines, in a broad sense, the criteria under which investigations will be referred to the AFP by client departments. Ever diminishing resources allocated to the AFP have seen an erosion of the AFP's capability to conduct the investigations that it should under the policy. A practical example of this occurring can be demonstrated in the diminishing number of referrals from the Australian Taxation Office. It is the understanding of the Association that in recent times the number of referrals of large scale (\$1m+) matters has decreased dramatically. Perhaps the AFP National Operations Coordination Centre (NOCC) could supply the review team with that evidence.

Within the context of significant decreases in funding support for the investigation and prosecution of offences by Commonwealth law enforcement and regulatory agencies, it should be noted that such agencies are demonstrating an increasing preference for administrative penalties or solutions over high cost prosecutions. Research into this change in regulatory behavior on the part of government regulatory and enforcement agencies has found that this preference for administrative solutions is driven out of a necessity to secure cheaper outcomes. This has seen an ever decreasing emphasis on the punishment of criminal behavior and a preference for the application of a "slap on the wrist" financial penalty.⁵ This shift in approach has been particularly marked by the ATO's preference for administrative re-assessments as opposed to prosecutions for Tax Evasion. The ATO's increasing preference for administrative outcomes has gathered a pace as a direct result of the AFP's inability to devote the necessary resources to ATO investigations with a view to undertaking criminal prosecutions.

The very nature of complex large-scale fraud matters dictates that these matters be allocated to a dedicated team of investigators. Ten years ago a multi-million dollar Sales Tax fraud would have been allocated to a medium to large size team to exclusively investigate. In 1998 in some Regions of the AFP such an inquiry is all too often allocated to one person to investigate. The simple result is that complex fraud investigations are now taking longer to do, further strengthening the ATO and other regulatory agencies' preference for administrative outcomes.

Commonwealth General Crime

The Association is of the view that it is the emerging areas of responsibility within the Commonwealth general crime arena that require detailed analysis in terms of resource allocation.

The AFP is tasked through the *Crimes (Child Sex Tourism) Act 1994* with investigating the activities of paedophilia in certain prescribed circumstances. As the bulk of these offences actually take place outside the jurisdiction of Australia it can easily be demonstrated that the gathering of evidence can be a very resource intensive exercise. We reiterate our previous assertion that in circumstances such as the investigation of paedophilia, overseas travel by those investigators most familiar with the case is essential and not a luxury.

Time and time again the AFP's overseas liaison officers are called upon to perform investigative tasks in overseas countries after receiving a limited briefing concerning the circumstances of the alleged offences. This is purely a question of resources because clearly the most appropriate person to gather the evidence is the hands on investigator who has carriage of the matter all the way through to prosecution. This ad-hoc approach to investigations has in the past, cost the AFP dearly in terms of both loss of evidence and damages.

Computer Crime, also a responsibility of the AFP by virtue of the *Crimes Act 1914*, is an area which no one can deny will only expand as technology develops. A common complaint from members who investigate this type of criminal activity is that they have nowhere near the resources necessary to

combat this growing crime both in terms of equipment and specific knowledge. Once again the AFP has been given a specific jurisdiction to tackle a certain type of criminal activity but no supplementary funding to support it.

The AFP is also tasked with various responsibilities related to the Family Law Court of Australia. These duties include a protection function, child recovery and execution of processes. At times these matters can have an effect on Regional budget allocations. In the main they are unforeseen contingencies that have a very detrimental and flow on effect concerning other operational allocations. By way of example the *Gillespie* family law matter in Southern Region impacted greatly on the Region's already scarce resources.

As an aid to the review team the following non-exhaustive list of AFP functions within the Commonwealth investigative spectrum is provided as another means of illustrating the wide variety of work that the AFP is expected to undertake.

- Responsibility for environmental crimes pursuant to the; *Wildlife Protection (Regulation of Exports and Imports) Act 1982*; *Endangered Species Protection Act 1992*; *Hazardous Waste (Regulation of Exports and Imports) Act 1989*; *Ozone Protection Act 1989*, and; *Environment Protection (Sea Dumping) Act 1981*.

This preference for administrative solutions is driven out of a necessity to secure cheaper outcomes. This has seen an ever decreasing emphasis on the punishment of criminal behavior and a preference for the application of a "slap on the wrist" financial penalty.

- Responsibility for the investigation of counterfeiting of Australian as well as overseas currency.
- Protection of industrial and intellectual property rights pursuant to the;
 - Copyright Act 1968;*
 - Trademarks Act 1995* and;
 - Patents Act 1990.*
- Internal investigations concerning AFP personnel.

Asset Recovery

In December 1996 the Australian National Audit Office conducted a performance audit in relation to recoveries made pursuant to Proceeds of Crime legislation. I urge the review team to read this report as it provides some insights into the resourcing aspects of the AFP in particular, the need for specialist staff.

The Association is also of the view that recoveries made pursuant to the *Proceeds of Crime Act 1986* should be distributed for the use of law enforcement agencies to further enhance the asset recovery goals. The Association is disappointed that the forfeitures made pursuant to that Act now go into consolidated revenue rather than the Criminal Asset Trust Fund as was previously the case. This fund was the source of funding for a number of worthwhile law enforcement projects outside the budgetary process.

PROTECTION

Dignitary and witness protection are very resource intensive areas of responsibility. A joint AFP/AFP A review has already been conducted into the resource requirements of the protection area within the AFP. A copy of that review is provided for your information.

Of primary concern to the Association, in relation to the area of protection, is the contingent nature of the responsibilities. In other words the AFP is unable to prioritise protection duties to such an extent that it will not perform the function on a case by case basis. At times this can lead to a large blowout in budget expectations. The Association therefore suggests that as the priority for protection is a product of the outside environment that costs associated with this particular area of responsibility should be met by government on an emerging cost basis.

The Association is also of the view that the use of Federal Agents as security at Family Law Courts is an inefficient allocation of resources and that consideration should be given to outsourcing this function.

INTERNATIONAL

Liaison officers

The AFP's network of overseas liaison officers is a very valuable tool in the fight against both domestic and international crime. The Association fully supports the continued allocation of resources to these posts and welcomes the recent government initiatives in expanding those services. However, unless there are agents available for deployment within Australia to convert overseas intelligence holdings into operational outcomes, the cost of such liaison posts may be open to question.

External Territories and Peacekeeping Forces

The Association further supports the continued policing of Australia's external territories such as Norfolk Island, Cocos (Keeling) Islands, Christmas Island as well as the AFP's role in the policing of Jervis Bay Territory.

The Association is highly supportive to the AFP's continued role in international peacekeeping such as in Cyprus. We are also supportive to the AFP's continuing role in other peacekeeping duties such as those that were conducted in Haiti, Cambodia, and Mozambique etc. However the Association is again of the view that these extra duties should continue to be met on an emerging cost basis.

ADMINISTRATIVE RESPONSIBILITIES

The AFP also has certain administrative responsibilities thrust upon it by government that although they contribute greatly to the efficiency of law enforcement they are nonetheless a drain on the AFP's resources for which no supplementary funding is received.

An appropriate example of duties that fall within this category are the requirement under the *Fraud Control Policy of The Commonwealth* for the AFP to conduct quality assurance reviews on outside agencies in terms of their capabilities to carry out fraud related investigations.

STRUCTURE OF THE AFP

Regionalisation

The AFP has often, internally, been described at being seven different police forces that just happen to share the same name. Of course this is an over generalisation however when one conducts an analysis at the variety of work that is undertaken by different Regions the comment takes on

The AFP has often, internally, been described at being seven different police forces that just happen to share the same name.

greater credence. Members are often dismayed at the fact that the Regional Coordination Centre (ROCC) in some Regions takes on work that is knocked back in others. As a

result members have a perception in some of the larger Regions that the work carried out in some of the smaller Regions is of little value to the organisation as a whole.

To alleviate the above problem, in terms of perceptions, the Association advocates that all incoming work be centrally assessed. This point will be canvassed further when discussing the National Priorities Model.

Deployment Mix

The Association is concerned at the commonly held perception amongst members that it is the Operations area of the AFP function to support the administrative machine of the organisation. This comment is not without foundation given the very low relative numbers of personnel actually occupying positions within the Operations arena.

Of particular concern is the steady growth in the SES within the organisation whilst the numbers engaged in Operations continues to decline particularly in Eastern and Southern Regions.

The Association suggests that there is a need for a detailed evaluation of the roles actually performed within the administrative stream in order to determine their relative effectiveness and value to the organisation particularly in the endeavour to support Operations which is the core function of the AFP.

DEPLOYMENT OF SCARCE RESOURCES

The view has long been held amongst a number of Association members that the AFP's resources are not put where the work is and that there is an ad-hoc approach to resource allocation without any firm basis upon which to base those allocations.

It was envisaged that the AFP's Change Process would finally identify and remedy these inconsistencies through the introduction of a number of corporate initiatives. Those initiatives were the National Priorities and Acceptance of Referrals Model (NPARM), the National Teams Model (NTM) and a comprehensive deployment and mobility policy.

The primary purpose of the NPARM was to identify the work, the NTM was to be the structure to do the work and a mobility policy would get the people to the work.

National Priorities and Acceptance of Referrals Model

The AFP developed a method whereby it could prioritise all of its incoming work using one unique template as a benchmark. One would have thought that as a natural consequence of this endeavour all members no matter what Region they were working in would be working on investigations of same broad calibre. This was not the case due mainly to the subjective interpretation of the template by various Regional ROCCs from a Regional and not a corporate perspective. Therefore you find some members, for example working on harassing telephone call type investigations in one Region whilst at the same time another Region is knocking back a multi-million dollar taxation fraud due to lack of resources and differing priorities.

A logical solution would therefore be for the NOCC to take a greater role in the allocation of Regional work rather than its current monitoring role. This would alleviate the subjective interpretation of national priorities and would ensure that a proper account was kept of the effectiveness of resource deployment. Until national priorities are objectively measured the AFP will never have a true picture in relation to the effectiveness and efficiency of its resource allocations. The natural flow on effect of objective prioritisation is that budgets can be properly framed that reflect the corporate goals rather than regional ones.

Performance indicators

Consistent with the need for objective central prioritisation is the need to develop meaningful performance indicators in relation to investigations that correlate directly with the resources allocated to that task whether they are at an operational or managerial level. The AFP has been criticised in the past for its lack of performance indicators.⁶

People where work is

As previously stated the Association is of the view that a properly implemented priorities system coupled with performance indicators will enable the AFP to empirically judge where the true core business of the organisation is and thus be in a better position to deploy resources effectively. To this end the Association is supportive of resource allocations based upon the workload of the Region if that workload is objectively and empirically measured.

It is the clear view of the AFP that areas of the operational areas of the AFP such as central Region should not be reduced but rather the numbers in the other Regions be increased through recruitment of staff to meet the resource requirements of the organisation.

It is hard to gauge what is an adequate staffing level for the AFP without the presence of credible information concerning the national workload in terms of national priorities however the Association considers that at the very least

a staffing level of 3000 would be needed. This figure is qualified in a sense that all extra recruitment beyond the AFP's current level should be housed in the Operations arena.

Mobility Policy

There is no doubt that over time priorities change and the need for specific deployments also change. It is to this end that the Association seeks to have a uniform mobility policy formulated within the AFP. This was provided for in the *AFP 1995 Change Agreement* however as yet it has not been formulated.

The Association sees the AFP of the 21st century as being a very mobile police force not hamstrung by large regional based headquarters located in the CBD's of our major capital cities.

With the increasing advancement in communication technology it is becoming increasingly irrelevant where you are geographically located relative to the criminal activity taking place. It is becoming more and more evident, evidenced by the time spent in the office, that a person in Melbourne could very effectively investigate a crime committed in Brisbane and visa versa. Through this theory it would be much easier to allocate work to the best person for the job rather than someone else just because they happen to be nearby.

AFP FINANCE AND ACCOUNTABILITY

Budgetary Erosion

An analysis of the AFP's budgetary appropriations in recent times will reveal that the AFP's budget has been steadily shrinking whilst at the same time the responsibilities thrust upon us by successive governments continue to grow.

There is no doubt that the imposition of efficiency dividends contributes to this budgetary erosion however the Association is not ready to accept that the AFP management is without blame. Successive minutes from the AFP's Finance area refer to such anomalies as *double counting* and *miscalculated estimates*.

Carry-overs

In the past the AFP has been all too willing to cover up its financial woes via strategies that only compound the problem. One such example is to pay creditors on the government credit card so that expenditure is not recorded until payment of the credit card bill is made. This is made possible through the cash method of recording transactions. The Association accepts that this is common practice but it does nothing to enhance the AFP's image as good financial managers.

The problem is further compounded when the AFP approaches its creditors with a view to deferring payments

Of particular concern is the steady growth in the SES within the organisation whilst the numbers engaged in Operations continues to decline particularly in Eastern and Southern Regions.

until the next financial year. Not only does this strategy affect the cash flow of private businesses but also has the effect of contriving a balanced Commonwealth book when the creditors are other government departments. In any event it is ludicrous for the AFP, with an annual appropriation of approx. \$244m, to approach the contracted security in Melbourne to delay a payment by a couple of days just so it can contrive a balance figure.

In the past the AFP has been all too willing to cover up its financial woes via strategies that only compound the problem.

The allowing of carry-overs by AFP management in the past has been a dangerous practice given that often precise budget allocations for the next financial year are not known at the time the order to carry-over expenses is given. Peter (the next financial year) is robbed to pay Paul (the previous financial year) and Peter can't afford it.

Zero Budgeting

It is the view of the Association that the AFP should initiate a practice of zero-budgeting as soon as possible as the present ad-hoc approach to allocations is based on previous allocations and unsubstantiated estimates. A clear example of this practice is the current financial year when Regional budgets were cut on an arbitrary basis along the following lines:

- Eastern Region 5%
- Southern Region 10%
- Western Region 16%
- Northern Region 16%
- National Operations 19%
- Central Region 24%

Along the lines of previous discussion, with the lack of national objectively assessed priorities and meaningful performance indicators, these figures were nothing more than a piece meals approach to zero budgeting. The results of this practice are proof positive that the strategy was flawed given that Regions such as Western and Northern have already all but spent a majority of their discretionary allocations for overtime and penalties and that Southern Region has suffered a 66% cut in discretionary spending against 1st July allocations.

Accrual Accounting

The Association advocates that the AFP move to an accrual based accounting environment as soon as possible. This will have the effect of unmasking *rubbery* figures contained in Regional accounts and will enable the Commissioner to have accurate information in terms of his manager's ability to adequately manage corporate resources.

Tied Funding

The Association is also of the view that the government should initiate more tied funding projects based on advice received from the AFP. The Association is in favour of this practice as the AFP has shown in the past that it does not have the ability to effectively manage discretionary budgets for large-scale projects. The Association is also skeptical of the AFP's ability accurately budget and deliver outcomes proportionate to the corporate goals. The Association urges the review team to examine the recent report prepared by Deloitte in relation to Resource Management Practices of the AFP.⁷

Corporatisation of Government Entities

Of increasing impact upon resource expenditure as far as investigations are concerned is the corporatisation of government entities. Consistent with government policy

many agencies are now charging the AFP for information and services that previously were provided free of charge. The AFP receives no supplementary funding

for these expenditures and in turn they impact on discretionary funding available for Operations. The various Regional Executive Officers in each of the AFP's Regions should be able to provide the review with valuable empirical evidence to back up this assertion.

Cost Recovery

As a general rule the AFP does not practice cost recovery for the provision of either investigative or investigative support services. The Association is well aware of the moral dilemma that comes with charging for services associated with policing. However, cost recovery via the *Proceeds of Crime Act 1986* and a re-vamped Criminal Assets Trust Fund along the lines of United States type recoveries could alleviate some of these concerns.

There may also be increased scope for the AFP to charge or recover costs associated with the provision of investigative support functions such as computer crime services and forensic assistance.

EMERGING TRENDS – 1998 AND BEYOND 2000

In the future the AFP must be adequately equipped to deal with the emerging trends of criminal activity that coexist with the global economic community. In the future the AFP must be able to intercept new advanced forms of communication and be prepared to tackle the advanced world of electronic commerce.

The Association has received many submissions from the Regional Technical Teams stating that the majority of their equipment is obsolete and that the AFP has not kept up with technological advances and the whole system require a large injection of funds just to bring it up to an acceptable level.

Human Resources

As previously stated the Association is of the view that the optimum required staffing level is about 3000 members to become truly efficient. The Association is of the view that any increase in staffing must be complimented with other resources in order to rebuild the AFP's infrastructure ie. equipment.

Any recruiting must be smart and based upon empirical evidence to determine where the deployment would be most appropriate. A force development program is long overdue to rectify years of erosion of operational capacity occasioned by a significant decrease in AFP operational staffing levels. Figures outlined in the article reproduced at Annex A reveal that current Federal Agent staffing levels are at 1983 levels. This is despite an explosion in AFP jurisdictional responsibility since that time.

It is clear from the information outlined in that attachment that an appropriate indicative staffing level for the AFP to effectively undertake operations must be identified and settled. It is the Association's submission that current operational staffing levels are far from adequate and that an appropriate indicative staffing level based on historical data and the emergent resource requirements attendant to the AFP's broadening jurisdictional responsibility should be in the order of 3000 staff. The Association further submits that the disparity between our preferred indicative staffing level and the existing staffing level should focus on the recruitment of additional operational Federal Agents.

Such a recruitment program could be packaged as an AFP Force Development Program which is aimed at delivering on the Prime Minister's commitment to seeing the AFP established as the most effective police service in the Asia-Pacific Region. There is ample historical precedent for this approach.

Specialist Streams

The Association encourages the recruitment of specialists however development of the AFP's current human resources is also of paramount concern.

At present the AFP has no idea of the skills base within its own organisation on a corporate basis. The AFP has no database that collects all of the relevant skills such as degree or trades qualifications that its personnel may have. It is necessary that this database be set up as a priority. Efficiencies will flow from such a project. For example the AFP may discover that it already has sufficient numbers of forensic accountants and it will have no need to hire others just develop and adequately remunerate the existing skills within the organisation.

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INDUSTRIAL ENVIRONMENT

Attracting and Retaining Australia's Finest

In his speech to the 15th Asia Region ICPO Conference, the Prime Minister Mr Howard made it clear that he wanted the AFP to be the best Police Service in the region, if not the world.

A central element in achieving this objective is a capacity to ensure that the AFP is in a position to attract, develop and retain the best investigators in Australia. This means the AFP should be able to afford its people the best training and feed vocational aspirations by offering its people a rewarding and exciting career.

The present funding environment however seriously hampers the AFP's capacity to achieve these ends. Key threats to such a capacity are discussed below, together with solutions aimed at ameliorating the present situation.

Attracting the Right People – Market Forces

Late last year the Government announced phase one of its Tough on Drug Strategy. Among other things funding was provided within this context for the lateral recruitment of about fifty Federal Agents from among serving police officers. Advertisements were placed in national newspapers to this

end. The resultant interest shown by serving police in a career with the AFP can at best be described as disappointing. From a pool of 41,000 police presently serving in Australia, a mere eighty applications were received after a second round of advertising. Of these only twenty were assessed as being suitable. It should also be noted that the AFP could at best offer applicants a salary at the top increment of work level two (\$40,408). In terms of the New South Wales Police Service, this meant that realistically the AFP could only expect to attract the interest of serving police with between three and five years experience, without detective training.

This outcome raises serious questions about the AFP's market buying power. Comparative salary analysis reveals that while the AFP has the best penalty provisions in Australia, the basic wage of its officers are in the lower quartile of police remuneration. This is significant in the regional context as penalties are not often worked (they presently average 10%) and so after state police officers add their significant penalty and overtime payments their relative net worth is some \$10,000 more per annum than an equivalent Federal Agent serving Sydney.

A comparison with the situation in Queensland is also instructive. For the past year, the Queensland police Service has been aggressively recruiting serving police within Australia and in New Zealand. The Queensland Police Service offers trainees who successfully complete the training program a starting base salary of over \$41,000.

The AFP has lost a significant number of Federal Agents and Police to this recruitment program in the past two years.

An eye should also be had to wage relativity movements into the next century. The AFP is constantly reminded by its membership based in Sydney that the New South Wales Police Service has secured a 22% pay increase over the next three years. Based on current projections and the assumption that Federal Agents in the AFP will receive at least CPI increases of 1.5%, we will see relatively junior NSW police constables surpassing the AFP's current top pay increment point for a senior constable equivalent in early 1999. Given that over 80% of Fixed Term Appointments in Sydney are due for renewal mid year 2000, a payout of AFPAS and better rates of pay will make switching careers to NSW all the more attractive. The Association is aware that many of its members based in Sydney are "doing their sums" and assessing the attractiveness of this prospect.

It should also be noted that the Victoria Police Association is seeking an 11% pay outcome over the next three years. The Victorian government, in the face of this claim, has offered 7.5% over two years. The significance of this claim is that the industrial outcome sought falls within the Commonwealth industrial relations jurisdiction. Therefore the quantum eventually settled in Victoria will provide a significant benchmark for any AFP pay claim.

In the APS it should be noted that current wage relativity movements are in the range of 7% for two years⁹ or 12-15% over three years.¹⁰ In real terms this means that APS investigators, for example in the ATO, who are generally remunerated in the ASO 6 band will be earning an average of \$10,000 more than equivalent investigators in the AFP. The

effect of this disparity is already being felt with recently advertised investigator positions in the Department of Immigration Local Government and Ethnic Affairs. Contacts with that agency indicate that eighty applications were received from serving Federal Police Officers.

In addition to recruiting experienced investigators from other jurisdictions, the AFP should also be in a position to recruit trained professionals in the fields of accounting, law and economics. This has been acknowledged by the government in Senator Amanda Vanstone's recent announcement of an AFP re profiling program which has as one of its aims, the recruitment of "forensic accountants". Given the difficulties outlined above in relation to attracting other police, one can barely imagine how unsuccessful the lateral recruitment of professional accountants, for a meagre rate of pay, will be.

The Way Forward

In recognition of these problems the Association has been working closely with the AFP over the past three years to professionalise the AFP pay scale. The introduction of a 22-point salary spine is being negotiated with a view to its introduction on 1 July 1998. This single salary spine will enable people to be paid relative to their competencies and their relative work value in terms of operational outputs. In simple terms the remuneration formula could be described thus:

$$R = (C * WR * MR) + P$$

where;

R = Remuneration – ie a point on the salary spine

C = Competence

WR = Work relative value

MR = Market Rate

P = Performance pay – for high performance

Crucial to the success of this new approach will be the capacity of the AFP to appropriately place its people on the salary spine and then pay for the progression and advancement of individuals along the spine within the terms of the formula above.

Crucial to the success of this new approach will be the capacity of the AFP to appropriately place its people on the salary spine and then pay for the progression and advancement of individuals along the spine within the terms of the formula above.

A key threat to the success of this new approach could be the imposition of artificial quotas at certain points on the spine as a result of continued resource restrictions. For the new system to operate effectively and with credibility it is essential that market forces apply. The imposition of quotas at certain pay points would do no more than recreate the current pay for rank pay system which so limits the opportunity for individuals to achieve their full potential.

An assessment provided by the AFP Director Human Resources (who was involved in the introduction of a similar system in CSIRO) recently indicated that upon translation to the new spine the AFP would need to provide for the insitu progression and performance pay recognition of about 30% of the workforce in the first instance. Then in subsequent years the AFP would need to fund the insitu progression and performance payment of about 10%-15% of the workforce on

an annual basis. This estimation is based on her experience in CSIRO. The higher proportion of movement in the first year is a reflection of the need to break the stultifying effect of the existing pay for rank system.

It is therefore clear that sufficient funds must be found to fuel these salary point movements. It is the AFP's estimation that this will initially cost \$9 million, however there are grave concerns held within the organisation that even these monies can not be found within the existing allocation. This is further complicated by the fact that the AFP estimates that insitu progression and performance pay will be extended to about 700 people in the first year. This will leave the remaining AFP employees with no remuneration adjustment.

It should be noted that the \$9 million forecast does not take into account funding to shore up basic wage levels within the AFP to ensure wage parity movements. Unless this is addressed this will continue to have a negative impact on the AFP's capacity to retain staff beyond the year 2000.

The Association has therefore put to the AFP a proposition that this might be ameliorated by:

- a 3.5% across the board pay increase calculated as 3.5% of the AFP average wage, paid as flat rate across the board. This is to capture market movements and CPI since the nominal expiry date of the last agreement at the end of the last financial year.
- a 4% across the board pay rise calculated as above for the introduction of the new salary spine and organisational reform. This is to be funded out of recurrent organisational efficiencies arising from reform and re profiling. It is also important to note that this quantum will ensure market rate movements are extend to those who do not receive insitu progression.

The Association is acutely aware that many members, particularly in Sydney and Melbourne, are seriously contemplating leaving the AFP at the end of their FTAs in mid 2000, in the expectation of receiving an eligible Termination Payment roughly equivalent to their final year salary.

The AFP has costed these proposals at about \$12 million. Thus if both the AFP and the AFPA proposals were implemented, this would cost \$21 million. The AFPA is working very hard to achieve this end as a means of stabilising the existing industrial environment and providing for a remuneration pathway into the next century. It should be noted that the reform contemplated within the totality of the HR package are leading edge and will place the AFP at the forefront of public service practice.

AFPAS

A further issue touched upon above is the question of AFPAS. As it presently stands AFPAS is acting on the minds of many AFP employees as a significant cash cow which will become available upon their departure in the year 2000. The Association is acutely aware that many members, particularly in Sydney and Melbourne, are seriously contemplating leaving the AFP at the end of their FTAs in mid 2000, in the expectation of receiving an eligible Termination Payment roughly equivalent to their final year salary.

Should this "incentive" be removed, the so-called year 2000 problem could be largely defused. As much was recognised

in the Department of Finance commissioned Deloitte Report into AFPAS. This report urged the AFP to attempt to secure an industrial agreement, which would defuse the AFPAS problem and ease the pressure the organisation faces in two years time.

The Association is prepared to seriously consider an AFPAS solution in the following terms;

- The pay out of the accrued AFPAS liability as early as possible in the financial year 1998/99.
- Compensation for the loss of AFPAS by means of an across the board pay rise which reflects the relative loss. There are several AFP and DoFA actuarial analyses, which suggest a range of quantum to achieve this end.

This approach has advantages from many perspectives. The government would no longer have to prop up what is effectively an unfunded liability and the payout would not be in the nature of an eligible termination payment. Thus the government would "claw back" 50% of the payout in one year through the marginal tax rate. The AFP would no longer be operating in an environment where it faces the real prospect of losing its most skilled practitioners in 2000. This will have a significant stabilising effect on the existing industrial environment and will facilitate the positioning of AFP HR strategies to take the AFP well beyond 2000.

Achieving such an outcome will require the following;

- The appropriation of monies to fund an AFPAS payout and a commensurate, compensatory pay rise, and
- Changes to AFP Regulations and Commissioner's Determinations, and a change to the Workplace Relations Act 1996 Regulations to facilitate the abolition of AFPAS via an industrial agreement.

These changes are eminently feasible and should not impact on government legislative timetables, given that the reform of AFPAS can be achieved by means of delegated legislation. It should also be remembered that it was DoFA which raised the prospect of an AFPAS outcome.

Building and Retaining the World's Best

At its simplest, people will continue to work for the AFP if the AFP is in a position to offer its employees a rewarding and exciting career. Policing is not just another job. Policing professionals feel a deep vocational calling to serve the community and to defend it from criminal attack. Prospective Federal Police Officers choose the AFP because of an expectation that this vocational aspiration will be fed. Therefore any inability on the part of the AFP to feed this aspiration will lead to poor morale and a workforce which is forever seeking out greener pastures. This issue lies at the heart of the unprecedented attrition rates presently being felt by the AFP and the appallingly low morale of those who choose to stay.

People who leave the AFP are not disloyal. People who leave the AFP because their vocational aspirations are not being fed are in fact being loyal to a higher cause. That is the desire to

serve the community. It is a sad reflection on the present state of the AFP that due to an ever shrinking resource base, the AFP can no longer feed the vocational aspirations of the majority of its workforce.

With the application of efficiency dividends and the attendant requirement to prioritise the allocation of shrinking operational resources, there has been a real reduction in the opportunities available to Federal Police to be involved in long term, proactive and complex investigations. Instead, regional gatekeepers in ROCCs either refuse to accept quality referrals on the basis of there being too few resources, or worse accept a "higher priority" job and so dislocate other operations. Nothing is worse from the standpoint of taking professional pride in seeing an involved operation completed than to have that operation dislocated and the consignment of months, even years of hard work to the dustbin of fiscal priority. The past five years has seen a creeping cancer spread throughout the AFP whereby managers prefer "quick hits" and reactive "sure fire" jobs to proactive, long term investigations, wherein outcomes are not assured, nor guaranteed. It is much easier to grab a few tons of drugs in response to an alert at the custom barrier than it is to painstakingly investigate a complex fraud or money laundering enterprise. The result is that in Sydney we now see 80 Federal Agents constituted in fixed teams of ten, doing little more than reactive, short term response work, with very little focus on tackling the totality of the criminal milieu. This is a far cry from the vision of a highly proactive and dynamic police service able to dismantle and destroy, rather than merely frustrate the machinations of organised crime.

The AFP must therefore be resourced to a level where its people can undertake high level, proactive investigations, sure in the knowledge that their efforts are underpinned by a long term and sustained funding commitment. This is a commitment which is not owed to the AFP, it is a commitment which is owed by government to the entire community. It is not until this commitment is met that we will see a safer community and collaterally an AFP workforce whose vocational aspirations are being truly nourished and strengthened.

GOVERNMENTAL ADMINISTRATIVE ARRANGEMENTS

With the application of efficiency dividends and the attendant requirement to prioritise the allocation of shrinking operational resources, there has been a real reduction in the opportunities available to Federal Police to be involved in long term, proactive and complex investigations. Instead, regional gatekeepers in ROCCs either refuse to accept quality referrals on the basis of there being too few resources, or worse accept a "higher priority" job and so dislocate other operations.

The Association submits that the question of the administrative setting in terms of portfolio responsibility is critical to the AFP securing appropriate resourcing decisions.

The current administrative setting of the AFP as a sub-program of the Attorney-General's Department should be reviewed. It is the Association's view that the "poor relation" approach to budgeting for the AFP whereby the AFP is forced to

compete for resources within a setting which is often at odds with securing or understanding law enforcement objectives, does not adequately support the securing of operational outcomes. This situation could be addressed by providing for

the Special Minister of State having portfolio responsibility for the AFP and other law enforcement programs.

Such an administrative arrangement would ensure that the government has a specific focus on securing law enforcement outcomes as a key strategy in defending the Australian economy from criminal attack. There is also a historical precedent for this as the AFP has previously been within the portfolio responsibility of the Special Minister of State (at that time Mick Young) and it should be noted that resource decisions in relation to the AFP were at their most effective under this arrangement.

CONCLUSION

Through confidence comes strength. The AFP will not be strong until there is engendered in it a culture of confidence built upon solid financial support for the work of each and every law enforcement practitioner within it.

It is the Association's submission that the development of an effective AFP Budget Charter must be built around an approach which sees the AFP no longer having to rely on crisis to justify the ad-hoc injection of funds to supplement inherently deficient appropriations. A stable and effective AFP must have its operations supported by long term and sustained appropriations which are attuned to the totality of AFP jurisdictional responsibilities.

Mike Phelan
National Senior Vice President
20 March 1998

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- 1 As at 18 March 1998.
 - 2 Sir Robert Mark, G.B.R., Q.P.M. *Report to the Minister for Administrative Services on the Organisation of Police Resources in the Commonwealth Area and Other Related Matters*. Australian Government Publishing Service, Canberra, 1978.
 - 3 The Hon Leo McLeay, Minister of Administrative Services, Second Reading Speech of the *Australian Federal Police Bill*, House of Representatives Hansard 10 May 1979, p.2093.
 - 4 Commonwealth Law Enforcement Board, *Best Practice for Fraud Control, Fraud Control Policy of the Commonwealth*, Australian Government Publishing Service, Canberra, 1994.
 - 5 P. Grabosky & J. Braithwaite, *Of Manners Gentle: Enforcement Strategies of Australian Business Regulatory Agencies*, Oxford University Press, Melbourne, 1986. P. Grabosky, Australian Regulatory Enforcement in Comparative Perspective, in P. Grabosky & J. Braithwaite, *Business Regulation and Australia's Future*, Australian Institute of Criminology, Canberra, 1993. Note that the 1986 study was repeated in 1996 and the trend in a preference for an administrative solutions over prosecutions has been quickened by an attendant decrease in resources made available to the law enforcement sector.
 - 6 ANAO, Audit Report No.23 1996-97, p.15
 - 7 Deloitte Touche Tohmatsu, *Australian Federal Police, Review of Resource Management Practices*, September 1997.
 - 8 National Commission of Audit, *Report to the Government*, Australian Government Publishing Service, Canberra, June 1996.
 - 9 Department of Workplace Relations and Small Business Certified Agreement 1998; ATO Offer to Employees – 8% over 2 years.
 - 10 Department of Finance and Administration Certified Agreement 1998.



Director
Logistics and Information
Australian Federal Police

Dear Arnold

I would like to provide the AFPA's comments on the Draft Criminal History Review. I am sure enough has been said about the consultation process for this review and note that the AFP did not provide the AFPA formally with a copy of the report until we brought our concerns about the consultative process to your attention.

We discussed on Friday perhaps the need for an information/feedback session with the employees in Criminal Records, the AFPA and AFP management to ensure that any issues arising from this review are properly aired and discussed. I would like to confirm that I see this as an important process in resolving the issues raised in the review.

I raised with you in our meeting on Friday most of my comments about the review, but in order to formalise them I will document them here:

Professionalising the Criminal Records Career Stream

We are fortunate in the AFP to have many skilled and professional employees working in our criminal records area. We need to ensure that we capitalise on this resource and recognise the skills and knowledge needed to effectively provide this important service and provide a professional this career stream. The Criminal History Review does go in some way to address this, but in my view does not go far enough.

In particular I am concerned about the comments made in the Training section. While the recommendation is that a training program be developed, I would like to see that recommendation be expanded upon and include a guarantee that a professional training package be developed in conjunction with the expertise available though the AFP's Training area. The training should not just be a quickly thrown together bandaid solution, but strategy which will provide long term professionalisation of the skills and knowledge needed in this area.

A Modular training package which includes on-the-job training based around a procedural manual combined with off-the-job training which includes visiting lecturers and professional trainers should be developed. This training program should also end in formal AFP qualification which is a recognised component on the competency program.

The effect of casualising the workforce through the practice of a high level of employment of temporary employees must also be ceased.

Staffing and Staff Relationships

The recommendation in this section of the report, ignores the important role the AFPA has to play in this area. The report should be amended to address that.

Rotation Policy

The AFPA does not agree with rotation for rotation's sake. A rotation policy should revolve around the development of the employees and the professionalisation of the career stream.

Gain Sharing

You will of course be aware of the gain sharing clause in the 1995 Change Agreement and we look forward to the pay increase which arise if this re-engineering exercise makes any savings.

Civilianisation

Concerns have been raised that any civilianisation process would disadvantage operational police. I note from our discussions that while there may be more unsworn AFP employees working in the area, you are not proposing a total "civilianisation" of the area.

What is unacceptable in relation to the staffing of the Criminal Records area is the continued use of temporary employees. If there is a need for staff, they should be permanent employees who have a long term commitment to the AFP, not temporary employees.

I hope these comments are of assistance.

Helen McDermott
Branch Secretary
ACT National Branch

Dear Helen

I refer to your memorandum of 28 July 1998, which embodies spirited, but misdirected concerns about AFPA involvement in a review of the Criminal History area.

If you had thought to properly read my qualifying message regarding the report, or contact me, you would have been aware that the report is being circulated as a draft to all affected staff to receive their comments prior to any final conclusions being made. You would also then be aware that much of the report goes to addressing staff concerns about their working environment, management, communication and consultation.

There is no intent of excluding AFPA involvement. However, it was thought more sensible and important to first undertake appropriate staff consultation, and obtain their feedback prior to formulating proposals which would be taken up through more formal consultative channels.

I have copied my reply to the coordinators of Criminal History and the MNIFTY Information Integrity Working Group, because I assume that the gratuitous and discourteous tone of your correspondence is to make an impression of some sort, and this may need to be appropriately countered.

I would of course have no difficulty in meeting and answering any AFPA concerns.

Regard
Arnold Hoytink
DLI



Telecommunications Interception

General Manager
National Operations
Australian Federal Police
GPO Box 401
Canberra ACT 2600

Dear Mr Keelty

Proposed Deployment of Police Employees in TID

Thankyou for your invitation to participate in the review of the deployment of police employees in TID. The AFPA welcomes the opportunity to put forward the views and concerns of its members in TID.

You should be aware that AFPA members were concerned about the announcement that TID would be "civilianised". They were also interested in finding out what the rationale behind the proposal was. The suddenness of the announcement caused considerable disquiet among the employees in TID who felt that their futures were being decided without proper regard to their views and concerns, but I note that processes have been put in place since then which have alleviated most of those concerns.

The AFPA is most interested in the details of any cost savings achieved though any change in the staffing profile of TID. The AFPA and AFP employees look forward to the pay increase which will arise from the 50/50 gainsharing of any productivity improvement as agreed in the 1995 Change Agreement.

One of the most disappointing aspects was how the issue caused considerable divisiveness in police/staff member relations. The police officers in TID were concerned this proposal overlooked and ignored their skills and experience and the staff members felt that they were being made pariahs by the proposal. I am sure that a consultative outcome will eventually overcome these views.

These issues have been raised in order for your to address the concerns of AFPA members in TID. It is the AFPA's view that only AFP management by its future actions in relation to TID can address and assuage these beliefs and concerns.

A range of constructive issues were raised by AFPA members in TID which should be addressed before any changes to the current TID structure is made.

The AFPA's view is that the AFP must provide staff members the same commitment to skill development and career options as it does to its police employees.

Redeployment Strategy

If there is to be a change in the staffing profile in TID there must be an adequate redeployment strategy. While I understand that much of this is outside your control, the AFPA can no longer accept past practices of mass redeployment where staff are pushed and shuffled without regard. It is not good enough that police officers employed in TID are just "sent" to ACT Region or "stuck" in an area that is hard-to fill because of the boring or dead-end nature of the work. The skills, knowledge and career aspirations of

the police staff in TID must be considered in any redeployment.

It is the AFPA position that if there are to be deployments, that:

- any deployment is negotiated and agreed with the employee;
- the AFP takes into account and, within reason, meets the career development needs of the employee;
- if, within reason, an employee requires training or additional skills in order to move to an area of interest or career enhancement, then her/his training needs are addressed before any deployment is made;
- any pending age retirement should be taken into account in any negotiations and be a significant contributing factor in any subsequent decision; and
- all unresolved matters are referred to the Board of Reference.

The use of redundancies as a deployment tool was also raised as an issue and the AFPA as well as the AFPA members in TID would be most interested in the AFP's views and intentions in this regard.

Becoming a Staff Member

The issue of police officers who wish to stay in TID as staff members must also be addressed as part of this exercise. It is perhaps also timely that we examine the options available to police officers who wish to continue working after they have turned 60.

Age Profile of TID

A significant issue in any restructuring of TID must take into account the age profile of the employees in TID. It is certainly the AFPA's view that the fact that an employee is close to retirement should be taken into account and be a significant contributing factor to any decision.

Long-term classification profile of TID

One area of significant concern among the AFPA members in TID is that this so-called deployment exercise is the first stage in the deskilling and reclassification of position in TID. It is felt that the next stage after redeploying the police officers from the area will be to reclassify the positions in TID to work level 1 and that those left in TID will not be offered new fixed term appointments at the same level they are now.

The AFPA seeks your commitment to this not being the case and asks that you advise the AFPA members in TID of your long-term intention for the staffing profile in TID.

The AFPA members in TID were also concerned that the need to have personnel who had significant operational experience was recognised. The nature of the work in the area is such that there needs to be a general overseeing of the work by someone who has an understanding the operational and legal requirements of the product.

Use of non-permanent employees

The AFPA is particularly concerned about the use of temporary employees and urges you to immediately remedy this. The AFPA and the staff in TID see this use of temporary employees as a lack of commitment to the future of TID. If there is a need for the work to be done then for quality, security and efficiency reasons, it should be performed by permanent AFP employees.

Professionalisation of TID

The AFPA's view is that the AFP must provide staff members the same commitment to skill development and career options as it does to its police employees. If there is any change in the police/unsworn make up of TID, it must be accompanied by a professional training and development program. The unsworn staff must have the necessary skills

and knowledge to effectively perform their duties and the AFP has the obligation to ensure they have access to this.

The training program could perhaps be designed around the relevant modules available through the Diploma course run by the AFP for new federal agents and should be professionally designed and monitored. An on-the-job component must also be formally developed and delivered to ensure the maintenance of skills and knowledge.

Recommendations

The AFPA recommends the following:

1. detailed costings of the savings expected by having staff members perform the monitor roles in TID be provided as a matter of urgency;
2. a consultative approach be developed to examine and consider any further changes in TID, in particular any issues arising from the use of JobSize;
3. any timetable for redeployment:
 - is set by natural attrition of police from TID;
 - recognises current 50% staff/police staffing mix;
 - takes into account the pending retirement of members; and
 - allows for training and development requirements.
4. a satisfactory deployment strategy be implemented and no deployments take place until there has been proper consultation, negotiation and if necessary training for any police officers being deployed;
5. only permanent AFP employees be utilised in TID
6. a professional training program be developed and the AFP provide a long term to training TID employees.
7. any police officer remaining in TID be offered a staff member's position at a commensurate level and increment.

I hope these comments are of assistance to you. Please do not hesitate to contact me if you require any clarification. I can be contacted on 6275 7698.

Yours sincerely
Helen McDermott
Secretary
ACT National Branch



LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

The Editor - AFPA Journal.

Dear Helen,

I draw your attention to the appearance of both AFP management and your Association before the ACT Legislative Assembly Estimates Committee recently. As you are aware I am a member of that committee.

I asked Mr Stoll, Assistant Commissioner for the ACT, to describe the Morale situation in the AFP at the moment. It concerns me greatly that Mr Stoll may have misunderstood the question. The answer he gave was to a completely different subject and I feel obliged to correct him through your journal for the benefit of your members.

The answer Mr Stoll gave related **not** to morale but to the dedication, the commitment and the professionalism of members of the Police force who are doing an extremely good job under extremely difficult circumstances. Mr Stoll described how the commitment of AFP members to perform well beyond what is expected of them is highlighted by more arrests, working in their own time without likelihood of recognition or reward and is testament to that dedication, commitment and professionalism.

In conclusion, Mr Stoll stated that morale was average or better than average.

I note that Mr Shannon, of your organisation, when asked the same question, stated in relation to Mr Stoll's answer that "He should start talking to some of his employees because at the end of the day the morale is appalling within the AFP on a national front, not just in the ACT."

Mr Shannon's opinion appears to have been vindicated by comments and observations drawn from the Industrial Relations Commission report dated 26 May 1998 where Commissioner Leary noted, among other things, that "the morale of members is fragile, they are generally dispirited and cynical."

I concur with Mr Shannon's opinion and Commissioner Leary's observations and suggest that immediate steps be taken by AFP management to rectify what is clearly a disastrous situation regarding AFP management's perception of the state of morale within the AFP.

Yours sincerely

Dave Rugendyke

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