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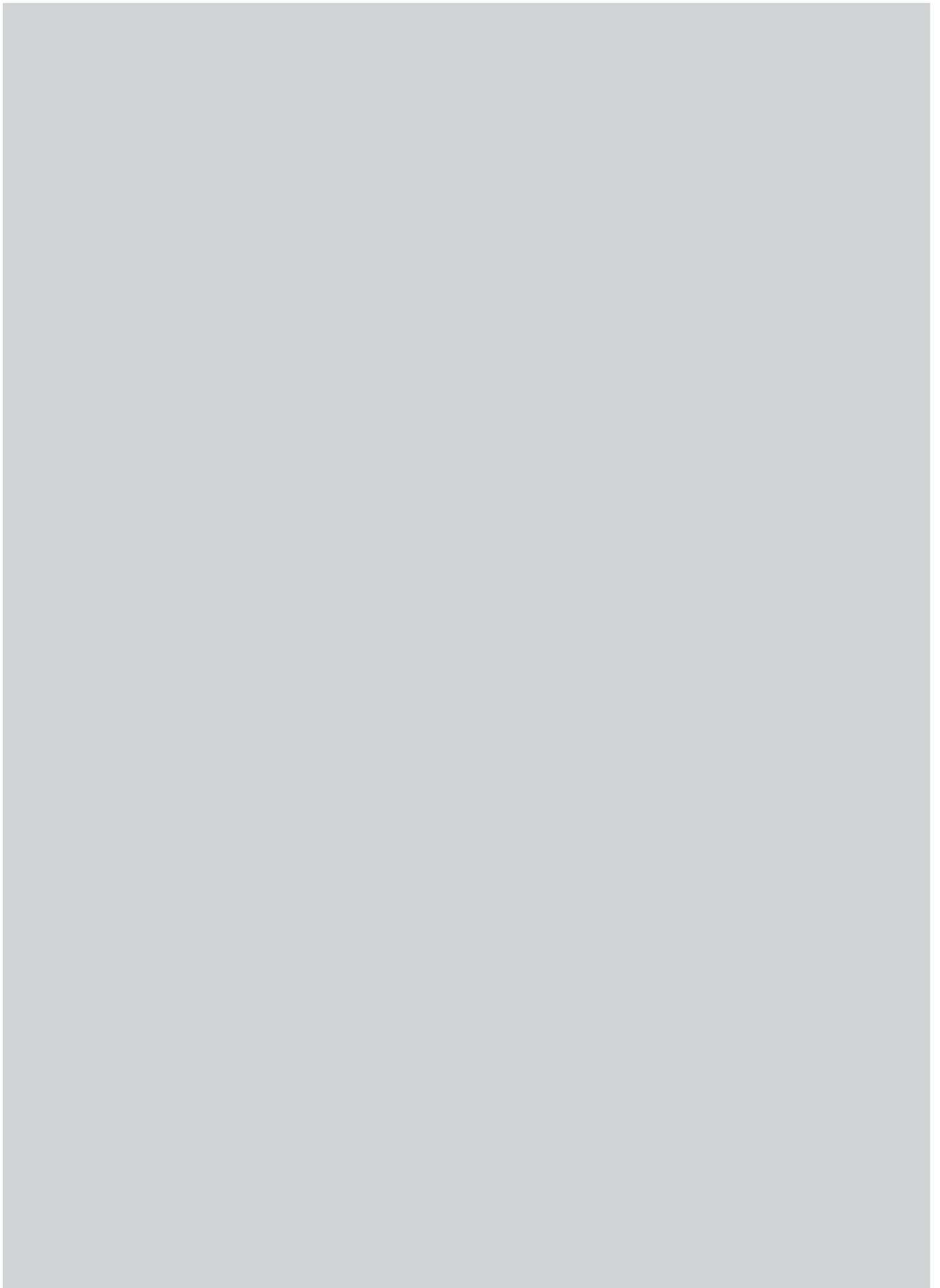
AUTUMN 2017



## NATIONAL COUNCIL

PLANNING FOR LEADERSHIP  
FOI • AFP – THE FIRST 100 YEARS





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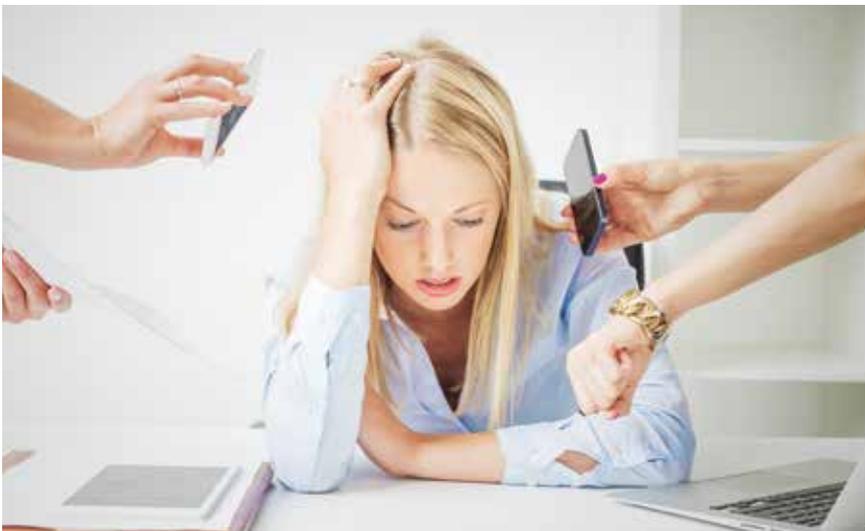
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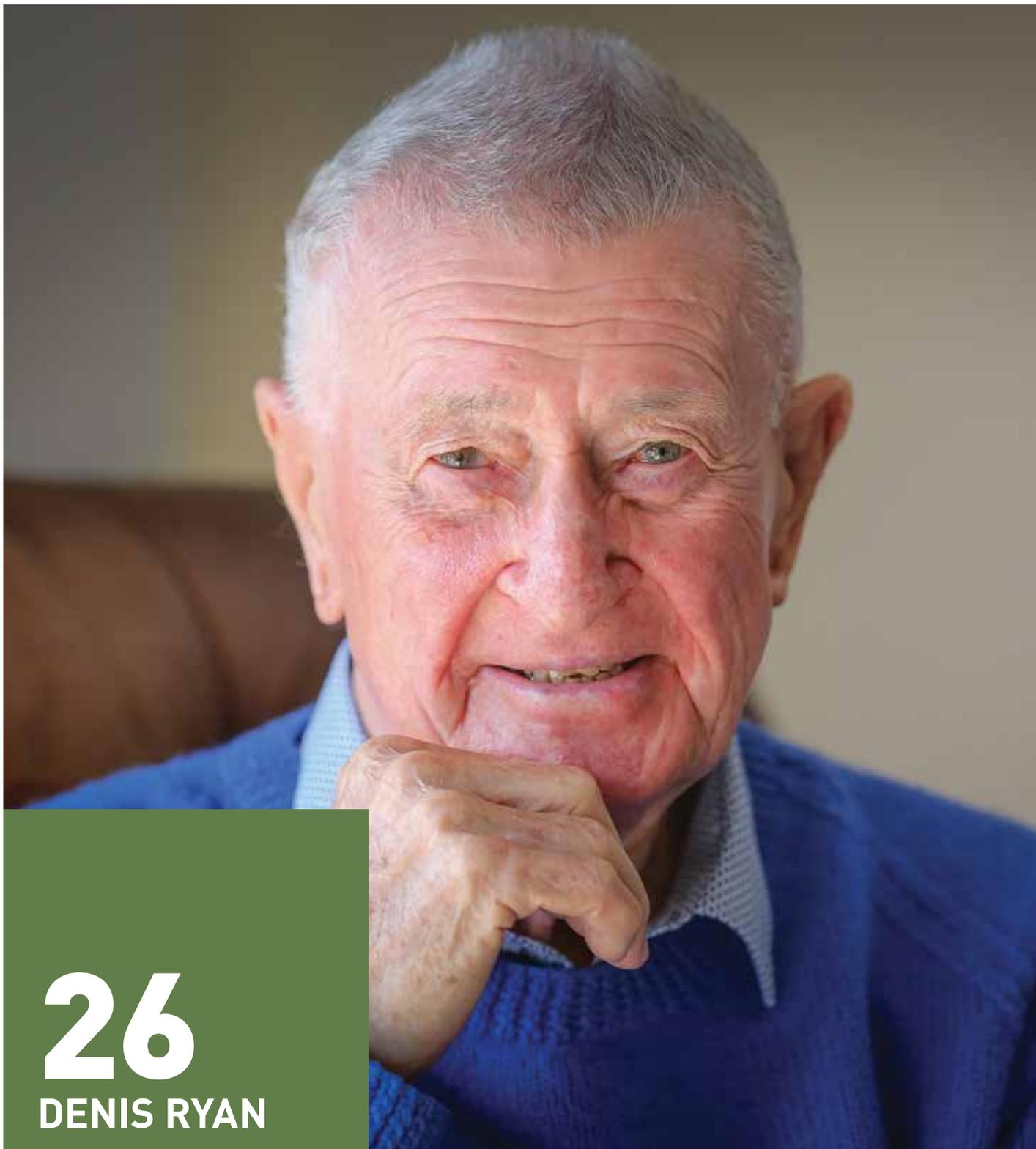
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President  
**ANGELA SMITH**

# PRESIDENT REPORT

PRESIDENT ANGELA SMITH WELCOMED DELEGATES FROM ACROSS AUSTRALIA TO THE AFPA'S BIENNIAL NATIONAL COUNCIL LAST MONTH. THIS IS AN EDITED VERSION OF HER OPENING ADDRESS.

**THANK YOU DELEGATES FOR MAKING YOURSELVES AVAILABLE FOR THE TWO DAYS.**

Our association can only work effectively with the active participation of you - our elected delegates and the broader membership.

Today I will briefly touch on three areas of significant concern to our members - the appalling state of EA negotiations, our efforts to promote an effective response to ongoing mental injury to our members, and our concerns relating to the AFP budget.

In relation to the EA. The EA expired March last year. You have not had a pay rise for two years.

Our CEO Graeme Cooper has provided regular EA updates and, to state the obvious, we are not happy with the lack of progress to date.

After 15 months of negotiating it is clear the AFP is not listening to us.

Last week we wrote to Commissioner Colvin, the Prime Minister, and Ministers Keenan and Cash, expressing our frustration with the EA negotiation process, highlighting amongst other issues the fact that there had been no progress or meetings since December.

We also know that the AFP provided a "draft" agreement to the Australian Public Service Commission before Christmas. Further, we stated that our Association cannot endorse any proposals from the AFP at this point due to the ongoing mismanagement of the process and the unreasonable outcomes being pursued under the Coalition's bargaining policy.

The Coalition government's bargaining policy introduced in 2015, is not suited to delivering a satisfactory agreement for you. It is not suited to an operational police force like ours.

For example, the policy is being used by the AFP to attempt to justify the removal of the high ops working pattern from CPP, technical and physical surveillance teams and WitSec members with no underlying analysis or evidence of the operational or financial need for such a change.

Late on Friday afternoon we received a further draft agreement from the AFP. It was indicated that this draft has been reviewed by the AFP's legal advisers, the public service commission 'or the AFP executive'.

The AFP acknowledges that the draft provided to us just before Christmas is significantly different to that which was returned on Friday. The latest proposal falls well short of an acceptable industrial outcome for our members.

While it remains unclear when our members may get to vote on a "final" proposal the current proposals are not acceptable. The AFP with the support of the government is attempting to dictate an outcome, not negotiate.

Last week we advised the Commissioner and relevant Ministers that a simple agreement should be finalised which delivers:

- An annual two percent pay increase for all members over a three-year agreement.
- A notional commencement date of 8 March 2016, being the date of expiry of the 2012-16 Enterprise Agreement.
- No changes to any current workplace conditions.
- The commencement of a properly planned bargaining process in early 2018.

Anything other than this outcome will undermine conditions that have been fought and won over the years, without any real compensation for members.

The attempt to change conditions for High Ops members may only impact on a small group of members, however, it is a glaring illustration of AFP management's failure to manage their work force. Rather than strip entitlements, the Commissioner should ensure current conditions, which assist the efficient operation of the police force are managed.

I implore you to think about your future, think about your colleagues, think about being part of the collective – as a delegate we know you already care about the workforce as a whole.

We are also appalled at a grossly misleading statement that was sent in an 'all staff' email last week which said the AFP is delaying the EA process. What this statement failed to acknowledge is employees of the AFP are exercising their employment rights within the Fair Work Commission.

In the Fair Work Commission, we asked, in front of the AFP legal team and prior to that email being sent, could the EA process continue while this dispute ran. The answer: yes, it can.

So, to say we are delaying it is trying to set the workforce against us. It also completely ignores the reality that the AFP has dictated the times and subjects of negotiations all the while hiding behind the Government's bargaining policy.

As part of a strategy we are developing to secure a fair industrial outcome for our members, we have requested an urgent meeting with the prime minister, and ministers Cash and Keenan to seek their intervention to resolve the impasse.

Sadly, we are yet to hear back from them and the reality is the draft proposals proved late on Friday to exacerbate the impasse.

We have however secured a meeting next week with the Opposition Leader, Bill Shorten, the Shadow Minister for Employment and Workplace Relations, Brendan O'Connor and the Shadow Justice Minister, Clare O'Neill, who is here with us today.

We as your union leaders, will not give up on this key issue and will continue to fight on your behalf for what is fair and reasonable.

#### Mental Health

Since the death of our colleague in Melbourne over six weeks ago, there has been an avalanche of past and current members, well over 300 at last count, contacting media outlets telling of their experiences with the AFP, how they were negatively treated, and how that treatment has caused serious mental health

issues for them, including major depression and in many instances suicidal thoughts.

Nearly 12 months ago, I sat down with the Commissioner and explained that the members need welfare officers in the regions.

I also asked for mental health training, not for the consumers we deal with in the community, but for ourselves, to learn to read the telling signs in ourselves and in our colleagues.

WHILE IT REMAINS UNCLEAR WHEN OUR MEMBERS MAY GET TO VOTE ON A "FINAL" PROPOSAL THE CURRENT PROPOSALS ARE NOT ACCEPTABLE. THE AFP WITH THE SUPPORT OF THE GOVERNMENT IS ATTEMPTING TO DICTATE AN OUTCOME, NOT NEGOTIATE.

I'm not asking for psych degrees to be undertaken. The AFP needs to start caring about its people. If the AFP breaks you, it must fix you.

In response to the ongoing publicity and our efforts the AFP has responded by establishing a "Mental Health Strategy Board". This response was developed without any initial consultation with our Association, however, we are now part of that Board because I agitated for inclusiveness.

During a meeting attended by AFP executive members, I voiced my concern that there are no people from the ground on the Board, only national managers. An advisory group has now been set up, however, without the voices speaking directly to the board, messages will be lost, and the disconnect that currently exists between the rank and file and the executive level will perpetuate.

The reality is that our members believe that many of the executive level are in fact part of the problem, not part of the solution.

The AFP's own staff survey conducted in early

→ CONTINUED ON PAGE 06

**← CONTINUED FROM PAGE 05** 2015, had a clear message that the rank and file do not trust in or have respect for the executive level of the AFP.

This board should include people who know what's going on in the work place: the welfare officers, past and present, the social worker, to name a few.

An extraordinary amount of work in this space has already been done by committed AFP officers who have worked closely with ACT policing, national members from around the country and with unsworn staff. In fact, a program was written some years ago.

The AFP has simply failed to utilise their expertise or implement their recommendations.

Many of the people who spoke with the media demanded a royal commission into the AFP. I believe our Association should support an inquiry into the handling of its

## IF THE AFP BREAKS YOU, IT MUST FIX YOU.

current and past employees, and to include in that inquiry the poor people management practices of the AFP, which we link directly to the experiences raised.

We are currently pursuing an appropriate Parliamentary inquiry with the support of Senator Nick Xenophon, other senators and the members of the opposition.

I acknowledge that at times our own response has let some individual members down in times of need, however, over the last 15 months we have moved quickly to ensure members receive appropriate support from our Association and the AFP.

If the senior executive picked up the phone and talked with me, I'd encourage them to contact and talk to those who were treated appallingly by the AFP. It focusses the mind.

We are at the start of a long journey and I can see that the AFP is beginning to look at the health of the organisation, and there are some extremely dedicated people working on this right now.

I commend those people. But all of the executive level has to realise that we must be included in a meaningful way and that the AFPA is part of the solution.

Finally, and briefly, the AFP budget. Throughout last year, we raised the issue of the AFP budget shrinking by more than \$100 million over the forward estimates – this means the three years past the budget year, which is all worked out by the Dept. of Finance.

If you do the maths, you will see a \$100 million drop, equates to an 11 per cent decrease in the budget, which means 600 less AFP employees.

But if that's the planned budget estimate over the next three years, how does the AFP pay for the reform programs that are so clearly needed? During our recent musters in Melbourne and Sydney, members who already work in a cash-strapped operational environment, asked that very question.

How is the welfare program to be funded? They're wondering where positions will go from to fund the welfare person. The AFP must demand from the government a budget that, along with the programs to run an effective AFP, it also must support and fund programs to keep our people healthy and productive.

During Senate Estimates last month, the opposition asked the Commissioner about the budget and where the cuts would occur – most of these questions were on notice, so we eagerly await the AFP's responses.

We will also be waiting on the first day of May, budget night, to see what the government does to the AFP budget, and if, as we suspect, it will shrink, then how does it explain to the AFP, to you, and to the Australian people why we don't need as many police protecting our way of life.

We have raised our concerns with Minister Keenan and we look forward to perhaps some positive news today.

My message to you now: the AFPA can only do so much – we're lobbying, we're holding the AFP to account, we're working extremely hard for members' interests, and we're in a good place as an association, we have a brilliant team BUT we need YOU to go back to your workplace and be a voice.

That's the only way we make change and make the AFP the best police force in Australia.



# LEADERSHIP

## – ACTION, NOT POSITION



→ By **GRAEME COOPER**  
**Vice President**

**POLICE UNDERSTAND AND ACCEPT THEY WILL BE REQUIRED TO RESPOND TO TROUBLING INCIDENTS.** It is an occupational hazard.

However, there is a strong perception among AFPA members that the way in which the AFP manages and treats its employees has a far greater mental health impact upon individuals than the unpleasant tasks they are called on to perform. While this apparent defect is probably not unique to the AFP, the fact that hundreds of past and present AFP employees have contacted the media and reported their

negative experiences, independent of any AFPA solicitation, is significant. Coupled with the recent report by Elizabeth Broderick, it paints the picture of an organisation in need of external review.

The death on 6 February 2017 of Federal Agent Sue Jones was tragic, and whilst the full circumstances of what moved her to take her own life are not yet understood, it seems to have been a catalyst for the organisation to take action and change the way it provides welfare assistance to employees. This renewed focus is welcomed by the AFPA. We have been calling for Welfare Officers to be redeployed in the regional offices, and for mental health awareness training, for more than 12 months now.

The AFP has had other opportunities for organisational learning which appear not to have produced ongoing change. In 2007, Assistant Commissioner Audrey Fagan took her own life while on holiday in Queensland. Media reporting at the time of her death pointed to pressure being applied while she was in the role as Chief Police Officer of the ACT. On that basis, her death could be considered work related, though it does not appear any visible or ongoing change resulted from her death.

Within six months of Commissioner Colvin taking on the role, he undertook an all staff survey. The results of this 2015 survey were scathing of the senior executive and pointed to significant cultural issues. The results were front of mind for a time, but now appear to have passed out of conscious thought. Again, no organisational change of consequence seems to have flowed from the survey, though

it may have provided some impetus for the subsequent cultural review undertaken by Elizabeth Broderick.

In her report published in August 2016, Ms Broderick pointed to very serious cultural issues around bullying and sexual harassment, and produced statistics which indicated these problems were rife in the AFP. Her report included numerous first-hand accounts from victims of this conduct. In the six months since the report was published, Commissioner Colvin committed to implementing its recommendations in full. The most significant change to date has been the creation of the 'Safe Place' unit, which is intended to be a victim focussed reporting mechanism sitting alongside the existing Professional Standards processes. The 'Safe Place' initiative seems to have coalesced in a vacuum though, without policies or governance to guide its implementation. From the AFPA's perspective, we are still questioning what Ms Broderick's report means for the AFP.

Of note, the AFP Annual Report includes statistics in relation to the complaint management processes, including the number of matters finalised. Significantly, there were only two bullying and five harassment complaints finalised in 2015-16. So either Ms Broderick seriously exaggerated the extent of the problem, or the AFP has limited line of sight into these troubling cultural issues affecting the organisation. We do understand, however, 'Safe Place' has some two hundred matters under investigation, by a team of three investigators.

One criticism of Ms Broderick's report is whilst it identifies what the problem looks like and provides recommendations about how to mend the consequence, it goes no way toward identifying why the problems actually exist.

Before Ms Broderick's report, the processes for making and investigating complaints included the formal Professional Standards regime defined in the AFP Act and the informal Confidant Network, operating at a peer level. The Professional Standards processes are rigorous, robust and supported by legislation which clearly defines rights of reply and appeal. The 'Safe Place' has been conceived and modelled as a clone of PRS, but the absence of a proper governance or legislative foundation means it lacks the rigour of the PRS process. The creation of the 'Safe Place' appears to be an acknowledgement by the AFP that the existing

processes are deficient, but reproducing PRS in a less rigorous form seems unlikely to deliver meaningful improvement.

All of the above point to opportunities for organisational change missed by the AFP. When change has been attempted, it has been done in a way which has not sought to understand the root cause of the issues being addressed. This is surely at the heart of what the AFP needs to understand and is a principal reason why an external enquiry process is necessary.



**AFPA**  
Australian Federal  
Police Association

#### WHY IS IT SO?

Policing is a command activity. Superior officers give instructions to subordinates which carry the weight of law. Constables give direction to the public with the expectation of being obeyed. People in our job are used to getting their own way. But good cops do not necessarily make good leaders. As a policing agency, our people become experienced at investigating crime, but operational knowledge does not translate into managerial ability, though this appears to be the expectation of the organisation. Unlike other police forces, which have education and training gateways for employees to pass through before seeking promotion, the AFP has no formal processes to instil leadership or people management knowledge in its workforce. Indeed, you may navigate your way into the senior levels of the organisation before the AFP takes the time to teach you anything about leadership or managing people. And in the absence of understanding a different or better way, people revert back to what they know. In the policing context, this means "I am in charge and you will do what I say". Is this the only reason? Probably not, but it is a good place to start.

At the AFPA National Council meeting on 21 March 2017, a proposal from Sgt Vince Pannell was endorsed in respect of leadership development for employees below the executive levels. We will soon begin work to bring this proposal to the AFP and address what we see as a significant organisational need.

# NATIONAL COUNCIL PLANNING FOR THE FUTURE

THE OPENING OF YOUR ASSOCIATION'S NATIONAL COUNCIL MEETING, HELD IN CANBERRA LAST MONTH, BECAME EMBROILED IN A CONTROVERSY THAT RESULTED IN A QUESTION BEING ASKED IN PARLIAMENT BY SHADOW MINISTER FOR JUSTICE CLARE O'NEIL.

**IN HER OPENING ADDRESS TO CONFERENCE PRESIDENT ANGELA SMITH WAS CRITICAL OF THE CURRENT ENTERPRISE AGREEMENT BARGAINING PROCESS WHICH HAS SEEN AFP MEMBERS GOING TWO YEARS WITHOUT A SALARY INCREASE.**

"We are not happy with the process to date.," she told delegates.

"After 15 months of negotiation it seems the AFP isn't listening. The Coalition government's bargaining policy, introduced in 2015, is not suited to delivering a satisfactory agreement for you." "It is not suited to an operational police force like ours."

Angela said the latest draft agreement provided to your Association still falls well short of an acceptable industrial outcome. She was also highly critical of an 'all-staff' email that claimed the AFP is delaying the EA process.

"The AFP is attempting to dictate not negotiate."

The AFP wants a simple agreement that gives members:

- An annual two percent pay increase for all members over a three-year agreement.
- A notional commencement date of 8 March 2016, being the date of expiry of the 2012-16 Enterprise Agreement.
- No changes to any current workplace conditions.
- The commencement of a properly planned bargaining process in early 2018.

Angela encouraged delegates to think about their future, to think about their colleagues and think about being part of the collective.

Discussing mental health issues, Angela said there was a dramatic need for welfare officers in the workplace and mental health training "not for the consumers we deal with in the community, but for ourselves, to learn to read the telling signs in ourselves and our colleagues. If the AFP broke you, the AFP must fix you", Angela said.

But if it was her comments on a proposed AFP budget cut of \$100 million over three years which equates to 600 less AFP employees, that upset Justice Minister Michael Keenan. Angela's



Graeme Cooper addresses delegates at National Council.

strong stand followed an article in Sydney's *Daily Telegraph* that outlined the Association's fear that changes to allowances and working patterns would result in salary cuts of \$35,000 to 280 members working in areas like close personal protection.

Minister Keenan told delegates that he has had a "wonderful" relationship with the AFP over many years and the PFA, saying it was important to have free and frank discussions with the union.

Telling delegates he wanted to address issues raised by Angela, he said that talk of budget cuts was "nonsense".



The politicians – Minister Michael Keenan and Shadow Minister Clare O'Neil.

Any change in budgets was a “termination of measures” not a cut to the AFP budget, he said. He did not rule out the possibility of salary cuts.

In her speech to delegates, Shadow Minister for Justice Clare O'Neil said information published in the budget papers makes it clear budget cuts for the AFP are on the way.

“This government’s last budget statement revealed that they are cutting over \$100m from your national policing budget – more than one in ten dollars. Now the Minister has stood up



Representatives from interstate police unions and associations attended National Council.

here today denied these cuts. But they’re there in black and white in the Turnbull Government’s own budget – you can take a look yourself at the 2016-17 Portfolio Additional Estimates Statement for the AFP – it’s on page 61.

“The Government’s \$100 million cut to your national policing work is deeply concerning. We have been asking the government how they are going to ensure that the AFP is equipped to fight crime nationally when one in ten of your federal dollars is disappearing,” Shadow Minister O'Neil told delegates.

When Clare O'Neil returned to Parliament she used question time to ask Prime Minister Turnbull if he was cutting police salaries. The Prime Minister called on the Minister to take the question. Neither Mr Turnbull or Mr Keenan denied these pay cuts were a possibility.

These links will take you to Parliament on March 21.

- [https://www.youtube.com/watch?v=g\\_VYhCYVnSI&feature=youtu.be](https://www.youtube.com/watch?v=g_VYhCYVnSI&feature=youtu.be)
- <https://www.youtube.com/watch?v=AbkKKmU811k&feature=youtu.be>

Angela’s address to delegates is reproduced on page 4 in this issue of Auspol.

## ENTERPRISE AGREEMENT

Newly elected Vice President of the AFPA Graeme Cooper and Secretary/Treasurer, Adrian Smith, gave delegates a detailed update on the EA bargaining process. Graeme and Adrian have been our lead negotiators for over 15 months and are well placed to provide an assessment of the flawed process embarked upon by the AFP.

The AFP Enterprise agreement expired in March last year and negotiations have been underway for the past 15 months. Graeme explained that the draft agreements received from the AFP will severely diminish members’ employment conditions “irrespective of your work location or function, sworn or unsworn.”

The AFPA has plans for the continuing the bargaining process that will encompass lobbying politicians for an annual two percent pay increase for all members over a three-year agreement to commence back dated to March 8, 2016; no change to current conditions and a properly planned bargaining process to begin in early 2018 for the next EA. If needed, a comprehensive “no” vote campaign and possible industrial action may be implemented.

Any industrial action would need to be approved by the Fair Work Commission and could not begin until voted on and agreed to by the majority of members of the AFPA.

Bargaining was due to begin again the week after National Council.



# AFPA

Australian Federal  
Police Association

## NEW LOOK FOR THE AFPA

The new AFPA logo was launched at the Council giving our Association a very different look to the AFP emblem. The logo will be incorporated in all AFPA communications including the new look website and redesigned magazine. Delegates were also invited to provide feedback on our revamped communications package, including a new website under development. This platform is focused on using a variety of communications tools to provide accurate, current, and reliable information to all members. Our recent regular updates on social media being just one example of our future direction.



Angela Smith in discussion with the AFPA's Special Projects Officer Vince Kelly APM.



Council Delegates Rod Higgins and Vince Pannell.

**DURING THE TWO-DAY NATIONAL COUNCIL MEETING DELEGATES HEARD PRESENTATIONS FROM POLICE BANK AND POLICE HEALTH.** These two organisations are proud to support the AFPA and our members. Both are run for and by police and offer exceptional deals for police and their families.

Police Federation of Australia (PFA) CEO Mark Burgess outlined the importance of the PFA to delegates. He explained that the AFPA rules were used to establish the PFA – the national body representing more than 50,000 police Australia wide. The PFA lobbies senior police and politicians about issues affecting all police including superannuation, occupational health and safety, workers' compensation – particularly for members working overseas and professional registration of police.

The pressing issue currently on the PFA agenda is member health and well-being. The PFA is developing a national awareness campaign to encourage members to seek help when they need it and to make sure the employers look after the members.



Angela Smith addresses National Council.



National Council Delegates Adam Stephens, Vince Pannell and James Chesire.



National Executive Member Steve Harris.

### CULTURAL CHANGE - THE BRODERICK REPORT

Following the shocking revelations of high rates of sexual abuse and bullying contained in Elizabeth Broderick's review of the AFP, the Association held a forum with AFPA's industrial lawyer Vicki Linabury, Michael Lamb from the Victoria Police Association and Assistant Commissioner Ray Johnson.

Victoria Police also conducted a similar review and Senior Sergeant Michael Lamb told delegates it was an extremely confronting process. "One third of the workforce, about 5,000 members, responded to the survey and 40 percent of them reported sexual harassment and predatory behaviour in the workplace.

"We have instituted a simple system of above and below the line behaviour. It was met with a level of cynicism at first," admitted Michael. "Now it is moving into everyday behaviour."

Michael also told delegates of moves to give pregnant policewomen meaningful work when they are no longer on the road and is hopeful that with the additional recruits coming on line he will be able to back-fill those positions.

Delegates discussed problems and solutions from their respective workplaces. One delegate explained that in her workplace members are very aware of how they should behave and members are sent to the 'Broderick Corner' for any poor behaviour.

There was some dissatisfaction voiced over the 'Safe Place' and Assistant Commissioner Johnson admitted it has some way to go but he believes the Force is heading in the right direction.

### GENERAL BUSINESS

During the two-day conference, several agenda items were discussed and put to the vote including endorsing AFPA Branch rule changes and the full-time office holders' remuneration policy; the proposed Legal Assistance Scheme, the establishment of an Enterprise Bargaining advisory committee and a proposal to implement a joint AFP/AFPA Leadership Development program.

# FREEDOM OF INFORMATION

## GUIDE FOR MEMBERS

THE COMMONWEALTH *FREEDOM OF INFORMATION ACT 1982* (THE FOI ACT) PROVIDES A RIGHT OF ACCESS TO DOCUMENTS HELD BY AUSTRALIAN GOVERNMENT AGENCIES, INCLUDING THE AUSTRALIAN FEDERAL POLICE (AFP).

### WHAT DOCUMENTS CAN YOU ACCESS

The FOI Act only applies to information held in documents (including on paper, stored electronically, diagrams or photographs, or stored sounds or images). Agencies are not required to create new documents to satisfy a FOI request.

### HOW TO REQUEST DOCUMENTS

Requests under the FOI Act should be made in writing (including email), and include a detailed description of the documents sought to enable the agency to find what you are looking for. Including names, dates or a date range, locations or areas of employment and other relevant details will increase the likelihood of you receiving what you are after. You are not required to provide reasons supporting why you want the documents.

Requests for AFP documents can be sent to [FOI@afp.gov.au](mailto:FOI@afp.gov.au).

### TIMEFRAME

There is a 30 day statutory period for an agency to respond, however there are also provisions that allow for this period to be extended in some circumstances, such as where additional consultation is required. The AFP should notify you if this is the case and seek your agreement to an extension.

IF THE AFP REFUSES TO PROVIDE DOCUMENTS OR PARTS OF DOCUMENTS, THEY MUST EXPLAIN TO YOU WHAT EXEMPTIONS THEY HAVE RELIED ON.

### EXEMPTIONS

The FOI Act contains a number of categories of exempt documents including:

- documents affecting national security, defence or international relations
- Cabinet documents
- documents affecting enforcement of law and protection of public safety
- documents to which secrecy provisions of enactments apply
- documents subject to legal professional privilege
- documents containing material obtained in confidence
- Parliamentary Budget Office documents
- documents disclosure of which would be contempt of Parliament or in contempt of court

- documents disclosing trade secrets or commercially valuable information
  - electoral rolls and related documents
- Exemptions also apply if disclosure of the documents would, on balance, be contrary to the public interest, and information that is deemed irrelevant to the request can also be excluded.

If the AFP refuses to provide documents or parts of documents, they must explain to you what exemptions they have relied on.

### AMENDING PERSONAL RECORDS

The FOI Act allows you to ask the AFP to amend or annotate your personal records, if you are concerned that the record is out of date, misleading, incorrect or inaccurate.

This can be done by updating the information in the record. However if you have an objection to the information in the record, you may annotate the record by attaching a note that outlines your objections.

If your request for amendment is refused, you can ask the AFP to review its decision or ask to annotate the record of your objections. Further review options are set out below.

The *Privacy Act 1988* (Cth) also provides you with separate rights to request an agency to amend your personal information.

### INTERNAL REVIEW BY THE AFP

If you are not satisfied with the AFP's response, the FOI Act gives you the right to apply for an internal review in writing to the AFP within 30 days of being notified of a decision.

### REVIEW BY THE INFORMATION COMMISSIONER (IC)

Section 54L of the FOI Act gives you the right to either apply directly to the IC or apply following an internal review by the AFP if you are not satisfied with the outcome.

An application for review to the IC should be in writing and should include a copy of the AFP's decision.

Information about the IC review process can be found in Part 10 of the FOI Guidelines which are available on their website at <http://www.oaic.gov.au/publications/guidelines.html>.

### REQUESTS FOR ACCESS TO YOUR PERSONNEL RECORDS

The AFP National Guideline on Freedom of Information sets out the following process for access to your own records:

"Requests to access personnel records need not be formally made under the Freedom of Information Act 1982 (Cth). AFP appointees and former appointees can request access to their personnel records outside the FOI process. The AFP will consider each request on its merits and may edit documents before releasing them, consistent with the Privacy Act 1988 (Cth).

Appointees should not process requests to access to personnel records as FOI

"THE FOI ACT ALLOWS YOU TO ASK THE AFP TO AMEND OR ANNOTATE YOUR PERSONAL RECORDS, IF YOU ARE CONCERNED THAT THE RECORD IS OUT OF DATE, MISLEADING, INCORRECT OR INACCURATE."

requests unless the appointee/former appointee has applied outside the FOI process and is either:

- unsatisfied with the request outcome or
- has not been notified of the request outcome within 30 days after making it.

AFP appointees seeking to access their personnel records should initially request it from their relevant Human Resources area.

If the Human Resources area decides not to grant access it must inform the applicant in writing, including advice that the applicant may apply for access s. 15 of the FOI Act."

Any member who requires Legal or Industrial Assistance please call on 02 62851677 and ask for the Legal/Industrial Team. We are ready to help.

# MAJOR CHANGES TO REGISTERED ORGANISATIONS LAW ABOUT TO COMMENCE



→ By PETER PUNCH  
**Partner, Workplace Law,  
 Carroll O'Dea Lawyers**

MAJOR CHANGES TO THE LAW RELATING TO REGISTERED TRADE UNIONS AND EMPLOYERS ASSOCIATIONS WILL SOON COMMENCE, AND SOME OF THOSE CHANGES HAVE THE POTENTIAL TO SIGNIFICANTLY AFFECT THE MEMBERS, OFFICERS AND EMPLOYEES OF THE ASSOCIATION.

**THESE CHANGES ARE CONTAINED IN THE FAIR WORK (REGISTERED ORGANISATIONS) AMENDMENT ACT 2009 (CTH, WHICH WAS PASSED BY THE FEDERAL PARLIAMENT IN NOVEMBER 2016 AND IS DUE TO COMMENCE OPERATION IN THE NEXT FEW WEEKS.**

As the Association is a Branch of the Police Federation of Australia, and the PFA is a "registered organisation" covered by this legislation, the changes will have a direct impact on the Association.

By way of background, the legislation originated from Liberal Party Policy for the 2013 Federal election, which policy was in part a response to the then financial scandals in the Health Services Union in New South Wales and Victoria that came to public attention in 2012. The underlying theme of the policy was that trade unions and their officers should be subject to requirements and penalties similar to those applying to companies. The further revelations that came out of the Trade Union Royal Commission in 2014 and 2015 further bolstered the case for this type of legislation. It finally got through the Senate in late 2016.

This is a major piece of legislation with many facets. However, putting aside new structural arrangements (eg the establishment of a "Registered Organisations Commission", implementation of rule changes and registration/rotation of auditors) the most significant elements of the legislation for the Association itself as well as its officers, employees and members are as follows.

(Note this is a brief summary only.)

1. Officers have statutory duties to make immediate disclosures to the Association of the following matters:
  - a. Remuneration from any board position obtained due to being an officer of the Association or the PFA;
  - b. Payments from "related parties" in connection with the performance of the officer's duties for the Association;
  - c. Material personal interest in a matter that relates to the affairs of the Association (in which case the officer cannot participate in deliberations or decisions concerning that matter, with limited exceptions).

“A “related party” is very widely defined – for example, it not only includes companies controlled by an officer, but also a company controlled by a family member.

Breach of any of these duties carry the possibility of penalties that in the case of a serious contravention could be up to \$216,000.

2. The Association has a statutory duty within six months of the end of each financial year to prepare and provide to the members, and the Registered Organisations Commissioner, an “Officer and Related Party Disclosure Statement” setting out the remuneration of each of the five most highly paid officers (including non cash benefits and what they received from Board positions and related parties) and any payments made by the Association to related parties (eg relatives of officers). Once again potential penalties for breach are significant and can be up to \$1,080,000 in the case of a serious contravention.

3. Officers and employees are now subject to a new statutory provision that makes it an offence to:
  - a. (in the case of an officer) recklessly or dishonestly fail to exercise their duties in good faith in the best interests of the Association;
  - b. Dishonestly use their position to gain an advantage for themselves or someone else;
  - c. Dishonestly use information obtained due to their position to gain an advantage for themselves or someone else.

The potential consequences of breach of this provision are very severe. A person found guilty of such an offence can be subject to a maximum penalty of \$360,000, or up to five years imprisonment, or both.

4. The penalty regime now introduced is much harsher than was previously the case, as the above examples demonstrate. That regime is complemented by a new power in the Federal Court to exclude a person from office in a registered organisation for a period it thinks fit where that person has contravened one of the civil penalty provisions of the Act and the Court believes that disqualification from office is justified.
5. The Registered Organisations Commissioner is given ASIC like powers to investigate instances of breaches of the Act that relate to the financial management of an

organisation or a branch of it. That power includes the ability to obtain search and seizure orders for documents, and to require any person he/she thinks might have relevant information to attend for interview and make a statement about what they know. These powers can be exercised on his/her own initiative or because of information provided by other parties, including whistleblowers, whether named or anonymous.

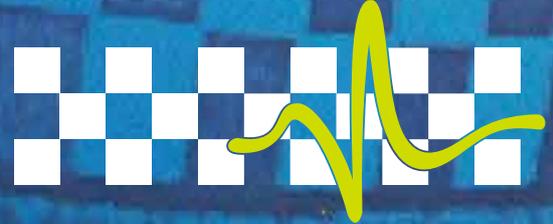
6. Finally, there are now very extensive provisions protecting whistleblowers from reprisals or threats of reprisals, including court injunctions, compensation, reinstatement in employment and even exemplary damages. In addition, a person who takes or threatens to take a reprisal against a whistleblower, and those who aid and abet such behaviour, are exposed to criminal prosecution that could lead to a fine of up to \$216,000 or imprisonment for up to 2 years, or both.

Most of these new obligations and requirements are imposed on officers and employees of the Association, but in some instances members can be significantly impacted as well.

It is also important to remember that “officer” in this context is not restricted to the President, Vice President, Secretary/ Treasurer and the other members of the National Executive, but also includes all members of the National Council.

If you had an ordinary  
job, all you'd need is an  
ordinary health fund.  
But you don't, and  
that's why you have us.

## Police Health



YOUR HEALTH FUND



I only had 40 years on the job, but got to see a bit of the state. I'd recommend policing to any young one that wants to give it a go. Just keep an open mind, don't be guided by the prejudice of others and don't take on the hard things that people say to you.

I joined **Police Health** in 2007, or thereabouts. My first introduction to the savings that you have with Police Health was when I joined. My wife had been to the dentist just before hand and the amount we got back for the standard check up with Police Health was about 20% more – so it was a big saving.

Not long after, I personally was diagnosed with cancer and throughout the treatments I had with that, including quite a few operations, MRIs and CAT Scans, I never put my hand in my pocket once. Police Health was fantastic.

Then, with follow up treatments like chemo, again they were absolutely fantastic. Bills were submitted and no questions were asked. Everything was great.

I've recommended them to just about every one of the blokes I've worked with, worked for, or worked under and cannot speak the praises of Police Health higher. You phone up, you speak to a person not a recorded message, you don't get put in a queue, the phone is answered straight away and your query is answered straight away.

I thoroughly recommend Police Health, they are an absolutely fabulous organisation, the only criticism I've got is that my sister wants to join and they won't let her, but that's just tough for her."

- Robert, Retired Senior Sergeant, QLD



For more information

CALL 1800 603 603 | VISIT [policehealth.com.au](http://policehealth.com.au) | LIKE [facebook.com/PoliceHealth/](https://facebook.com/PoliceHealth/)



# THE HEAVY LOAD OF MODERN DAY POLICING

AN INCREASING NUMBER OF POLICE ARE SUFFERING SERIOUS BACK AND MUSCULAR SKELETAL INJURIES BECAUSE OF THE HEAVY LOAD OF OPERATIONAL EQUIPMENT THEY ARE REQUIRED TO CARRY AROUND WITH EVERY SHIFT.

**THE STANDARD KIT FOR UNIFORM OFFICERS HAS GROWN SUBSTANTIALLY OVER THE YEARS AND NOW INCLUDES A PISTOL, AMMUNITION, A POLICE RADIO, AN EXTENDIBLE BATON, CAPSICUM SPRAY, A MOBILE PHONE, HANDCUFFS AND IN SOME CASES, A TASER.**

The introduction in recent years of velcro belts, equipment vests and thigh holsters has helped spread the load for many officers, but for many others the changes are providing little relief or have come way too late.

Increased concerns about terrorist attacks have also led to police being required to wear their ballistic vest on all patrols, which is believed to be causing back and other muscular skeletal injuries to members wearing them eight hours a day. After lobbying the government about the issue, the Association is hoping there will be an announcement about the vests to help reduce its weight in the not too distant future, but in the meantime, associated problems persist and already this year several officers have lodged compensation claims for this reason.

While some injuries can cause temporary reduced capacity, others cause permanent

damage. Either way, it is vital to know that legal assistance is readily available to help members with their Workcover claim, to ensure they receive their entitlements and the best possible medical and other assistance to aid a return to work and/or help you get on with your life.

The Association's lawyers, Maurice Blackburn, are experts in workers' compensation law and can help if you've been injured on-duty. They can also assist if you or a loved one has been involved in a road accident, have a public liability or medical negligence claim, or want to make or dispute a will, and the initial consultation for all Australian Federal Police Association's members is free.

For more information about how Maurice Blackburn Lawyers can help you on a no win, no fee basis, visit [www.mauriceblackburn.com.au](http://www.mauriceblackburn.com.au) or free call 1800 810 812.

**Maurice  
Blackburn**  
Lawyers



# NEW YEAR, NEW WILL!

## **A NEW WILL MAY NOT BE THE FIRST THING ON YOUR NEW YEAR'S RESOLUTION LIST, HOWEVER IT IS VERY IMPORTANT TO CONSIDER.**

If you do not have a Will or your circumstances substantially changed in 2016, the fresh new year is a good time to organise your estate planning. An outdated Will can be as problematic as having no Will at all. It is important to take time to consider how you would like your estate to be distributed and whether this aligns with your current Will.

As we enter 2017, Griffin Legal is able to assist you in preparations that will save your family and friends a lot of stress when you pass. Estate planning is not something that should be set aside for 'one day', because unfortunately no one knows exactly when it will be required.

## **WHY MAKE A WILL?**

Making a Will is the best method of providing for your loved ones after your death. Sometimes people think that they are not wealthy enough to bother making a Will but the total value of a home, car, savings and life insurance policies may be substantial. If you do not leave a Will, your property will be distributed according to a pre-determined and strict formula that may mean your assets are not distributed in the way you would have wanted. This could have severe financial implications for your beneficiaries.

In addition, the legal procedures following your death in the absence of a Will are more complicated and time-consuming, which may be an additional burden and expense for your family at an already stressful time.

## **WHEN SHOULD A WILL BE UPDATED?**

A Will expresses your wishes at a particular point in time. Griffin Legal recommends that you review your Will on a regular basis to update and capture any changes in your circumstances so that your wishes are accurately represented in your Will.

Wills should be reviewed following any significant changes in family, life or finances such as:

- if you marry, divorce or separate;
- if you have children or grandchildren (including adopted and fostered children);
- if you enter into a de-facto relationship;

- if your executor dies or becomes unable or unwilling to act;
- if a beneficiary has passed away;
- if you have rearranged your financial affairs to include family trusts, self-managed super funds or entry into a new business venture; or
- if you have had a change in your financial circumstances such as retirement or winning the lottery!

Minor changes to your Will can be made using a "Codicil" which is an addition to a Will. This saves you having to completely remake your Will.

## **WHY SHOULD YOU CONSULT AN ESTATE PLANNING SOLICITOR?**

Most solicitors can put together a simple Will. Estate Planning solicitors, however, comprehensively review your asset position. For example, did you know that all your assets may not fall into your estate and be dealt with by your Will?

Superannuation death benefits (including benefits from self-managed superannuation funds), life insurance policies and jointly held property are usually "non-estate assets" that may need to be carefully reviewed and structured separately from your Will. This is called an estate plan.

So this year, Griffin Legal encourages you to make a financial new year's resolution! Commit to the preparation of a new Will. Our estate planning team have the knowledge to guide you and the skills to prepare a new Will which reflects your intentions clearly. To get started on a new Will simply complete the Fact find available at the link below and contact our office. We look forward to assisting you with your estate planning needs.

**Contact Senior Associate, Nicole Platt at [nicole.platt@griffinlegal.com.au](mailto:nicole.platt@griffinlegal.com.au) to book your appointment or find out more information.**

we deliver

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# CENTENARY YEAR FOR FEDERAL POLICING IN AUSTRALIA

IN LATE NOVEMBER THIS YEAR, THE AUSTRALIAN FEDERAL POLICE (AFP) WILL BE ABLE TO CLAIM A HERITAGE DATING BACK 100 YEARS TO AN INCIDENT IN RURAL SOUTHERN QUEENSLAND WHEN A WAR-TIME PRIME MINISTER FOUND HE COULD NOT CONVINCE STATE POLICE TO ENFORCE COMMONWEALTH LAW.

**ON A RAIL TOUR TO DRUM UP SUPPORT FOR THE INTRODUCTION OF MILITARY CONSCRIPTION, PRIME MINISTER WILLIAM MORRIS (BILLY) HUGHES ARRIVED AT WARWICK, QLD, AND MET A HOSTILE RECEPTION.** He described the circumstances

in a telegram to Tom Ryan, the Premier of Queensland at the time:

*"At Warwick today (Thursday) at 3 p.m. when leaving the train to address a public meeting I was assaulted by a number of men. There was great tumult amounting virtually to a riot.*

*"I ordered the police to immediately arrest two of the most prominent ring-leaders, but*

*acting under the Senior Sergeant's directions they refused to do so. I called the attention of Senior Sergeant Kenny to the fact that a deliberate and violent breach of the laws of the Commonwealth had been committed, that the laws of the Commonwealth override those of the State, and, as the Attorney-General, I directed him to take proceedings to prosecute the men under the Commonwealth law.*

*"He replied that he recognised the laws of Queensland and would act under no other."*

The Prime Minister had not told the Premier that the melee was triggered by the launching of two eggs in his direction with one

dislodging his hat. Clearly Hughes found the insult intolerable with some reports claimed that he grabbed for his jacket which supposedly contained a pistol.

News of the incident spread quickly and the Prime Minister, whose physical features made him a cartoonist's delight, was ridiculed in the press throughout Australia.

Hughes immediately returned to parliament, then located in Melbourne, and within 10 days created the Commonwealth Police Force under the War Precautions Act. Thus the first Australian federal police came into being on 11 December 1917. Its primary agenda was to set up an office in Warwick and other locations within the troublesome northern state to investigate subversive behaviour.

By 1919 with the war ended and relations between the Commonwealth and Queensland governments had normalised so the need for the first Commonwealth Police had passed. The Commonwealth's investigative needs were being performed by the Special Intelligence Bureau (SIB) and the remaining Commonwealth Police officers were given the option to be absorbed into the SIB.

In quick succession, the SIB became the Commonwealth Investigations Branch (CIB), and by 1920 was renamed the Commonwealth Investigative Service (CIS). The CIS provided a plain-clothes detective force investigating offences against Commonwealth law.

Commonwealth Peace Officers were created in 1925 after the NSW Police refused to serve Commonwealth warrants on striking waterside workers in Sydney. The Federal Attorney-General declared that their role was 'For the preservation peace throughout the Commonwealth'. The waterfront matter passed and the Peace Officers soon took on a general investigative role.

On 28 September 1927, 10 Peace Officers were sworn in to the Commonwealth Police (Federal Capital Territory) under the daily command of a seconded NSW Police Sergeant. The responsibility for the force lay with Major (later Lieutenant Colonel) Harold Jones. At the time he held the titles of Director of the Commonwealth Investigation Branch, Superintending Peace Officer and Chief Officer of the Federal Capital Territory Police. His authority spanned all three elements of federal policing at the time.

To ensure the security of Defence establishments, the Defence Establishment



Guard (DEG) was created in 1935. This group was renamed the Peace Officer Guard (POG) in 1942. The original name became less appropriate when the Guard was expanded rapidly to protect property other than strictly defence establishments.

By 1957 the Commonwealth Police (FCT) was formally rebadged as the Australian Capital Territory Police and remained funded by and responsible to the Federal Government.

In the national arena, the CIS had established itself as the primary Commonwealth law enforcement agency and intelligence service between 1945 and 1960. In that year the CIS amalgamated

This cartoon depicts Prime Minister Hughes about to unleash a federal policeman on a youthful Federation.

→ CONTINUED ON PAGE 24



Representatives of all Australian police jurisdictions attended the opening of Parliament House in Canberra on 8 May 1927.



Peace Officer Guards from Sydney were sworn in on 28 September 1927 to create Commonwealth Police (Federal Capital Territory).



The Defence Establishment Guard (DEG) formed in 1935 to perform guarding functions at defence establishments in Victoria and New South Wales.



Peace Officer Guards examining passes at the Guard House and main gate at the Weapons Research Establishment, Salisbury, South Australia circa 1956.

**← CONTINUED FROM PAGE 23**

with the POG to form the Commonwealth Police (COMPOL). This new organisation becoming the third to be known as the Commonwealth Police.

COMPOL was operational between 1960 and 1975, when it was briefly a part of the proposed Australia Police. The Australia Police was an attempt to place all federal law enforcement agencies into the one organisation. However, before implementation was achieved, the political ramifications of the 1975 dismissal of the Whitlam Labor Government saw the proposal terminated by the incoming Fraser Coalition Government. The three police services involved: COMPOL, ACT Police and the Northern Territory Police, returned to their former roles.

On 13 February 1978 a bomb was detonated outside the Sydney Hilton Hotel, the venue of the Commonwealth Heads of Government Regional Meeting. The explosion resulted in the death of two council workers and a NSW Police officer, Constable 1<sup>st</sup> Class Paul Burmistriw. This event is regarded as the first terrorist-inspired bombing to take place on Australian soil and began a review that resulted in the formation of the Australian Federal Police (AFP).

In the aftermath, former head of the London Metropolitan Police, Sir Robert Mark, was engaged to evaluate how a federal approach to anticipated future terrorism might be improved. Having experienced a prolonged campaign in the United Kingdom (UK) of Irish Republican Army

(IRA) bombings, Sir Robert was ideally placed to assess Australia's situation. It was fortunate that the leading federal policing agencies had already been through the Australia Police experience, so the groundwork had been done for Sir Robert's recommendation of consolidating COMPOL and the ACT Police to form the AFP.

On 19 October 1979, the AFP was born. Command was in the hands of former London Metropolitan Police Deputy Commissioner, Sir Colin Woods also a veteran of the IRA bombing campaign in the UK. His command included an investigation and protection presence in all Australian states, community policing in the ACT and personnel located in three overseas posts. He also was responsible for Australia's peacekeeping contingent in Cyprus. The organisation at the time comprised 1114 police investigators, 1443 Protective Service Officers and 375 administrative staff.

At its foundation, the AFP would be focused on counter terrorism activities and investigating crimes against federal laws and programs. Just on a month later, however, at the insistence of Prime Minister Malcolm Fraser, the AFP acquired the drug investigation responsibilities of the Federal Narcotics Bureau along with 80 staff.

In 1984, Commissioner Ronald Grey successfully advocated for the separation of the protection element from the AFP's duties. This departure led to the creation of the Australian Protective Service (APS) which in its own right became a highly successful



Today's AFP is a highly trained and sophisticated agency. It delivers a wide range of policing services to the nation in line with the requirements of the Australian Government.

organisation. It took the terrorist attacks in the United States on 11 September 2001 to instigate the amalgamation of the APS functions back into the AFP to meet national security expectations. Again the ebb and flow of the needs of the Federal Government would impact on the role and structure of its federal police.

In the 100 years since the 'Warwick incident' federal policing in Australia has continued to adapt to the needs of the day. Prime Minister Hughes had the need to quickly plug a gap in a jurisdictional authority in a fledgling Federation, and did so. Between the World War, various federal law enforcement agencies were created in response to the emerging crimes against the national interest. The 1950s and

1960s saw a maturing of the role, structure and implementation of federal investigative and protection services that in the wake of the Sydney Hilton bombing were capable of being quickly integrated to form the AFP.

Today's AFP is a highly trained and sophisticated agency. It delivers a wide range of policing services to the nation in line with Australian Government requirements. These requirements include enforcing Commonwealth criminal law and contribute to combating organised crime and protecting Commonwealth interests from criminal activity in Australia and overseas and to provide policing services to the Australian Capital Territory community and Australia's territories.



Denis Ryan: "There's three words that should be removed from language: 'retrospect' and 'if only'." (Photo: Darren Seiler)

# DENIS RYAN:

## An embodiment of

# 'MORAL COURAGE'

DENIS RYAN'S BRILLIANT POLICING CAREER WITH VICTORIA POLICE WAS BROUGHT TO A PREMATURE AND UNJUST HALT BECAUSE HE REFUSED TO TURN A BLIND EYE TO THE CHILD SEX CRIMES COMMITTED BY HIS LOCAL PRIEST – AN INCONVENIENT TRUTH WHICH THOSE IN POSITIONS OF POWER WANTED TO CONCEAL.

DECADES LATER, DENIS WAS FINALLY VINDICATED FOR HIS COURAGE, WITH VICTORIA POLICE FORMALLY APOLOGISING FOR FAILING HIM.

DENIS SPOKE WITH PETER HANLON, TO REFLECT ON HIS REMARKABLE LIFE, SHAPED BY TRAGEDY, BRAVERY, BETRAYAL, HOPE AND, ABOVE ALL, DIGNITY.

**DENIS RYAN SITS IN THE LIVING ROOM OF HIS RENTED FLAT, IN A PART OF TOWN THAT WAS PADDOCKS BACK WHEN HIS LIFE TOOK A SORRY TURN.**

He's 84 now and remarkable in so many ways. Not least that he's still living in this place where his heart was broken and his will almost crushed. "Coming up 55 years in Mildura, I'm nearly a local," he says, parading the humour that's helped sustain him. "Definitely out of the itinerant class, moving into denizen class."

By the time he's almost told his story again – over cups of tea, a drive down to the river for yet another photo on the wharf, a bakery lunch on the way home capped by an apple slice – his deep sadness overwhelms him. He apologises, then this man of great character gathers himself and leaves the rear-view mirror behind.

"There's three words that should be removed from language: 'retrospect' and 'if only,'" Ryan says, invoking Omar Khayyam for support:

*"The Moving Finger writes; and, having writ,  
Moves on: nor all thy Piety nor Wit  
Shall lure it back to cancel half a Line,  
Nor all thy Tears wash out a Word of it."*

"You can't change it," he adds. "The bastard's gone. You can't do anything about it."

Yet he did do something about it, even if it took more than 40 years for anyone to listen. His 2013 book, *Unholy Trinity*, laid bare what nobody had wanted to hear.

How the systematic sexual abuse of children by a parish priest, Monsignor John Day, was ignored by the church and covered up by high-ranking members of the police force. And how the man who tried to expose it – this modest man with the will of a giant – lost his job, his wife and very nearly his life, simply for attempting to do a police officer's duty. For doing what was right.

When he allows himself to break his credo on retrospect, one thing above all still hurts. "I'll never stop being a policeman, that's it. I loved it, absolutely loved it. It was my life."

In Melbourne's eastern suburbs, at the dining table of the house he built when he was a young senior constable and all around him was bush, the most revered police figure in the state speaks warmly of a friendship only recently made but deeply cherished.

About to turn 90, it's reminded him that in all walks of life there are people who are strong and determined and good, and others who are weak, malicious and corrupt. That it's a police officer's job to know the difference, and to act on it.

"Denis Ryan will be remembered by me as a man of strong physical courage, which is equalled by his strong moral courage," former chief commissioner Mick Miller says. "A man who kept the faith, despite all the persecution. He had a damn good record – 13 commendations and one chief commissioner's certificate for leadership and devotion to duty. Good stuff. He was a trier, a real thief-catcher. I'd like to have a paddock full of them. He would have had a stellar career."

They speak on the phone often now, and the stiffness of their first conversation – when Miller encountered a man



"Carrying the burden of truth" (Photo: by Darren Seiler).

still bruised by the force's betrayal, who lumped him with the "commissariat" who'd wronged him, who he was sure was going to end the call with a clunk – has long passed. They share a love of literature, compare notes on Shakespeare; after both had given evidence this year to the Royal Commission into Institutional Responses to Child Sexual Abuse, Miller asked Ryan for a hug. "He talks about that now," the former chief commissioner says. "The big hug."

Ryan calls Miller "a good mate ... solid as a rock, a man you could trust anywhere". Within the bedrock of their friendship is the knowledge that Miller was deceived in this sordid affair too, "conned to buggery" Ryan reckons. That discovering the extent of a cover-up he deeply regrets not pursuing harder disgusts him still. "I wasn't horrified," Miller says, "I was shattered. I couldn't believe such corruption could exist, and it's the worst kind of corruption."

As the air between them warmed, Ryan imparted a wisdom he's chuffed to report he's since heard Miller use. "I said, 'Always remember, Mick, it's a burden to be truthful.'"

Denis Ryan hails from determined stock. His father fought at the Somme in the first world war, took some shrapnel in the back of his leg a month before the end, got osteomyelitis and was repatriated home via England. A few years later it flared and doctors wanted to amputate. "Go to buggery," he told them. "I'm keeping my leg."

He played first grade cricket for South Sydney as a wicketkeeper, was a unionist who worked on the harbour bridge and underground railway, was never without a job. During the Depression he'd walk to Gosford, pick oranges for the week then walk home. "He was as tough as buggery," Ryan says.

A vivid memory is helping his father clean the wound in his leg, watching him grasp a needle in

→ CONTINUED ON PAGE 28



Former Chief Commissioner Mick Miller with Police Association Assistant Secretary, Bruce McKenzie who both supported Denis Ryan in his quest for a formal apology and financial restitution decades after the broader policing community failed to support his quest to bring a child sex offender to justice. (Photo: Pat Scala)

**← CONTINUED FROM PAGE 27**

pliers and heat it over a naked flame. He'd take a swig of brandy, tell his son to hold his shoulders, then drive the needle into the hole. "It would fizzle, and out would come puss and muck. He'd bandage it up every morning and night."

His mother came from a Seventh Day Adventist family, took on the care of her wheelchair-bound brother Johnny, just about killed herself looking after him Ryan reckons. "I'm not bullshitting – I had the best parents in the world."

He became a clerk at a Pitt St insurance brokers, played cricket for St George and football for Irrewarra Rovers. At 18 he heard they needed police in the Northern Territory so caught a train to Townsville, another to Mt Isa and a bus to Darwin. "They said, 'No, this is not the police force for you.'"

Via the Rum Jungle uranium mine he joined a crew of recently-returned servicemen who drove trucks to Alice Springs, loaded them on the Ghan and wound up in Adelaide. They taught him to drink and smoke, took him to the trots where he lost the lot. "I was on my way to bloody nowhere to be honest."

An aunt and uncle he'd never met lived in Moonee Ponds; his soldier mates cobbled together an airfare and he walked to their doorstep from Essendon airport. Working at the Maribyrnong munitions factory he heard the police were recruiting, ate five bananas to make himself heavier and lobbed at St Kilda Rd. In March 1952, aged 20, he took his first placement in Russell St.

Soon after he was stationed at Windsor when a tram conductor who'd spotted him on the way to work came into the station and asked to see him. Jean was an orphan whose mother had taken her own life. Guardians who answered an ad in the paper took her in and sexually abused her. "Anyway, we fell in love," Ryan says. He was married at 21.

They got a flat in Toorak Rd then a block to build on in Aspendale. His work moved to St Kilda, a tasty spot in the 1950s. "It was beaut, I enjoyed that. I could run, they'd never catch me."

A spell in the "breakers and shadowers" at Russell St CIB preceded a detective posting to Mordialloc, walking distance from home. Ryan was a practising Catholic, Jean a convert, their children were raised in the faith. His picture of God then was as it remains – absolute. "But I didn't care what a fellow was – it was his business, not mine." He knew nothing of a religious divide in the force – the Catholics to one side, the Masons the other. "It was all foreign to me."

Their son, Michael, had just started school when he nearly died having an asthma attack. "They put the adrenalin needle into his heart and brought him back." A doctor prescribed a drier climate, so in 1962 Ryan knocked back a coveted shift into the Federal Police and they moved to Mildura. Asked if Jean wasn't overly keen on relocating he says, "I didn't want to move either! The only reason I came up here was for Michael, nothing else."

They'd never been to the Riverina; he remembers the barrenness of the drive north, then the oasis of Red Cliffs on the outskirts, all green grass, sprinklers and vines. He soon graduated to detective senior constable, became president of the swimming club where Michael excelled as his health improved, settled in and got on with life.

As one of three detectives in an itinerant town that was "pretty wild in the picking season", he was kept busy with the full gamut of misdemeanours. "Murders, rapes, stealing, everything." In October, 1971 he took a phone call from the deputy principal of the local Catholic secondary school, went in and met the principal, a nun. "This goes against all I've ever believed in," she told him, "and I'll only do it once."

She relayed a mother's allegation that her daughter had been molested by Monsignor John Day as she washed his car for pocket money. It wasn't the first he'd heard of Day, who was a notorious "brothel-creeper" in Ryan's St Kilda days. "I knew he hung around with prostitutes. I didn't know he was into paedophilia."

The months that followed were a whirlwind of betrayal and deceit. By June the following year, Ryan had left the force.

In short, he did his job and lost it as a result. Each allegation he investigated led to another, all with Day at their dark heart. He took statements – a process Miller praises as extremely difficult in such circumstances and testament to his empathy. He finished up with 12 in all and two witness statements. Everyone he confided in – from colleagues who turned out to be cronies of Day, to his bosses, to the Police Association – failed him.

The superintendent in Melbourne came up to see him. They stood under a peach tree in Ryan's back yard and the "super" told him, "Now listen Dinny, we're in a bit of a bloody mess here." He promised him the top job in Mildura. Ryan said he didn't want it. "I'm interested in locking up Day."

At Police Association headquarters a senior official refused to shake his hand or ask him to sit down. "He jumped out of his seat waving his arms, 'It's too much for me, I can't handle this!'" Ryan recalls. "He ran outside. I waited about half an hour, asked the receptionist, 'Will he be back?' She said, 'No, I don't think so.'"

In Melbourne Ryan had known of the so-called "Catholic mafia" within the police force, men he drank with at Leo O'Connor's pub on Spencer St, some he regarded as mates. He knew they occasionally "looked after" priests who had strayed, but thought the extent of the shielded sins was getting drunk and visiting prostitutes. "They asked me to join them. I said, 'No, I'll stick with what I am. I'm happy.' I swore an allegiance as a policeman, I liked being a detective."

Knowledge of Day's deeds went all the way to the top, the chief commissioner of the time. Miller was already a long-time detective in 1972, the assistant commissioner ranked number three in the state. News of what was being framed as a clash of personalities between Ryan and his Mildura colleagues reached him. "I walked in to see the deputy, who I'd known for years. His response flattened me. 'None of your business, you keep out of it.'"

"I said, 'These people are mine, they're accountable to me. I need to know what they're up to.' He was bluntly told to leave it be. "He said, '(The boss) is going to fix this in his own way.'"

The boss's way was to back Ryan into a corner. Needing to stay in Mildura for the health of his children (a second son had also contracted asthma), he was offered a transfer to anywhere else in Victoria. "They were gentle – they just chopped my head off."

A month before his resignation the Ryans were at mass. Son Marty was an altar boy, came down the aisle carrying the cross in front of the priest. "And in all his full monsignor's regalia there's himself, Day." He told Jean to take the other children and wait by the door. "I walked to the altar, told Marty to go and get changed. Everyone was watching. I looked over at Day, he's glaring at me. I said, 'You're not getting any of my kids ya bastard!'"

When nobody would listen Jean was his sounding board. "And that was the wrong thing. I took my troubles home ... that sent her around the bend." She drank, left him once the kids had grown up, died with cirrhosis of the liver.

Ryan stayed, worked for the Murray Valley Citrus Fruit Marketing Board, did many good things in local government. As shire president he was showing a visiting Dick Hamer where the state's money had been spent in the district when the Premier asked him out of the blue if he'd do the same thing again. Ryan said yes, that he thought he'd been dealt with harshly. "And he said, 'Yes, you were.' He knew. Of course they knew."

Work sustained him, but only for so long. He thought he was having a heart attack but was told it was panic disorder. Another doctor diagnosed manic depression, then post-traumatic stress. At his lowest he sat on his bed and put a .410 shotgun's double barrel to his chin. "I thought, 'Wake up to yourself you stupid prick.' I drove straight to the gunsmith and said, 'Here, sell this for me.' I don't like being shot."

Always the book was tugging at his shoulder; unable to shake it, he spoke the miserable facts into a tape recorder while walking around his Red Cliffs block. In his second wife, Norma, he found the inspiration to share it. In Peter Hoysted ("a beautiful writer") he found someone to bring it to life. For Miller, reading it was an appalling revelation. "People have heard me say endlessly – you can only ever be betrayed by someone you trust. The people Denis was trusting all had taken an oath of office, and they betrayed that as well."

A few months ago, Ryan travelled to Melbourne for a ceremony in which chief commissioner Graham Ashton made a formal apology on behalf of Victoria Police. Bruce McKenzie, assistant secretary of the Police Association, who encouraged the righting of this awful wrong, did likewise. "We didn't do as much as we should have at the time," McKenzie says of the union that is there to support its members, not shun them.

A while back, an actuary was tasked with calculating how much Ryan had missed in earnings through being pushed out of the force. The figure was north of \$3 million, considerably more than the ex-gratia payment he recently received from Victoria Police, which he hastens to add was "still better than a poke in the eye with a sharp stick". Compensation was never the purpose of telling his story, but he'd like more than 30 pieces of silver to pass on to his children.

Now, he looks forward to Thursday visits from a couple of old police mates, gets sick of his own sandwiches so goes out to lunch a lot. There's a dockside restaurant where he can gaze out at the houseboats and let his thoughts drift on the ripples of the river. Norma died three years ago of brain cancer. In the sort of irony that makes him smirk, he contracted asthma after leaving the job, "all the bloody shit that went on". Now there's eczema too, but he still exercises, eats well, reckons he's doing okay.

He doesn't go to mass anymore but hasn't lost his faith, which Miller thinks is remarkable. "I don't hate anyone," Ryan says. "I'm incapable of it."

And yes, if he had his time over he'd do it again, bloody oath he would. "Would you allow kids to be raped?"

*This moving story has been reproduced with the kind permission of the Victoria Police Association.*

# BIG CHANGES ARE COMING TO SUPER

ON 1 JULY 2017 BIG CHANGES ARE COMING TO SUPER. IT'S IMPORTANT TO UNDERSTAND WHAT THE NEW RULES ARE – AND HOW THEY WILL AFFECT YOU. WHILE THE CHANGES ARE WIDE-RANGING, MOST RELATE TO THE SUPER CONTRIBUTIONS CAP. THAT IS, HOW MUCH YOU'RE ALLOWED TO PUT INTO SUPER TO TAKE ADVANTAGE OF THE GENEROUS TAX ENVIRONMENT SUPER OFFERS.

## CHANGES TO CONCESSIONAL CONTRIBUTIONS

Concessional contributions are contributions you can make to super with your before-tax salary. For most people concessional contributions are taxed at just 15 per cent – not your marginal tax rate.

### WHAT ARE THE NEW CAPS FOR CONCESSIONAL CONTRIBUTIONS?

The Government has reduced the cap on concessional contributions as shown in the following table:

AGE	CURRENT ANNUAL CAP*	ANNUAL CAP AFTER 1 JULY 2017*
Under 50	\$30,000	\$25,000
50 or over	\$35,000	\$25,000

\* Remember – your employer's 9.5 per cent Super Guarantee contributions count towards your concessional contributions cap.

### CARRY FORWARD UNUSED CONTRIBUTIONS

While the annual concessional contribution cap is coming down, from 1 July 2018 new rules let people with super balances under \$500,000, 'carry forward' up to five years of the unused portion of their concessional contributions cap.

#### CASE STUDY ONE:

Mary makes a payment of \$10,000 in concessional contributions in the 2018/19 financial year, and \$15,000 in concessional contributions in the 2019/20 financial year.

In the 2020/21 financial year, Mary will be able to 'carry forward' her unused cap of \$25,000 from the previous two financial years, plus the \$25,000 limit for the year, for a total contribution of \$50,000.

## CONTRIBUTIONS TAX

Currently concessional contributions are taxed at 15 per cent for people who earn less than \$300,000 climbing to 30 per cent for those who earn more.

From 1 July 2017, the 30 per cent tax rate commences on incomes of \$250,000 or more.

## CHANGES TO NON-CONCESSIONAL CONTRIBUTIONS

Non-concessional contributions (NCCs) are those contributions you make to super with your after-tax dollars.

### WHAT ARE THE NEW CAPS FOR NCCS?

The Government has reduced the cap on non-concessional contributions from 1 July 2017 as shown in the following table:

CURRENT	AFTER 1 JULY 2017
\$180,000 annually	\$100,000 annually
or	or
\$540,000 over three years for those under 65	up to \$300,000 over three years for those under 65

In addition to the lower annual caps, people with a super balance of more than \$1.6 million will not be able to make non-concessional contributions from 1 July 2017.

### THE 'BRING FORWARD' RULE IS ALSO CHANGING

The 'bring forward' rule is a taxation rule that lets you contribute up to three times the NCC cap in a financial year (for those under age 65 at any time in the year), by bringing forward your allowed contribution from the next two financial years.

With the new \$1.6 million super balance cap, the number of years you can bring forward your contribution may be limited by your super balance as shown in the following table:

BALANCE IS BETWEEN	MAXIMUM NCC CAP AVAILABLE
\$0 - \$1.4 million	\$300,000 (up to three years annual cap)
\$1.4m - \$1.5m	\$200,000 (up to two years annual cap)
\$1.5m - \$1.6m	\$100,000 (no bring forwards available)
\$1.6m+	Nil

## WHAT ELSE IS CHANGING?

### REMOVING THE EARNINGS EXEMPTION FOR ASSETS BACKING TRANSITION TO RETIREMENT PENSIONS

If you're close to retirement, there may be the ability to access your super in a limited fashion through a transition to retirement pension.

Currently, income and capital growth on the investments behind a transition to retirement pension receive the same tax treatment as a full retirement account-based pension, meaning these earnings are tax free. From 1 July 2017, investment earnings on assets invested in a transition to retirement pension will be taxed at up to 15 per cent – in line with existing tax rates on accumulation funds.

### REMOVAL OF THE ANTI-DETRIMENT PAYMENT

When someone passes away, their super benefit must be paid to a dependant (such as a spouse or child) or their estate. When this payment is a lump sum, some dependants are able to apply for an additional payment which effectively refunds a significant portion of tax paid on earnings and contributions. This 'anti-detriment payment' is being removed for people who pass away after 1 July 2017, and for any death benefits paid after 1 July 2019.

With the changes coming on 1 July 2017, the window of opportunity to take advantage of existing limits is closing soon. If you need help to understand how these changes may affect you, make an appointment with a Bridges financial planner.

## HAVE YOU ALREADY TRIGGERED THE BRING-FORWARD RULE?

If you trigger, or have triggered, the bring-forward rule in 2015/16 and 2016/17 and have not fully used your NCC bring-forward limit before 1 July 2017, your available limit will be lowered as follows:

- If you triggered the bring-forward cap in 2015/16, your cap will be reduced from \$540,000 to \$460,000 (\$180,000 for 2015/16 + \$180,000 for 2016/17+ \$100,000 for 2017/18)**

### CASE STUDY TWO:

Jo (age 50) triggered the bring forward rule in 2015–16 by making a \$300,000 non-concessional contribution. She makes no non-concessional contributions in 2016–17.

On 1 July 2017, she inherits a lump sum of \$240,000 which she intends to contribute to super to fully utilise her bring forward cap (originally \$540,000).

But from 1 July 2017, her new bring forward cap is recalculated to be \$460,000 (to take into account the reduced cap of \$100,000 for the 2017–18 financial year).

As Jo has already contributed \$300,000, she can only contribute further non-concessional contributions of \$160,000 during 2017–18 (not her full inheritance of \$240,000).

- If you trigger the bring-forward cap in 2016/17, your cap will be reduced to \$380,000 (\$180,000 + \$100,000 + \$100,000).**

Albert (age 50) triggered the bring forward rule in 2016–17 by making a \$300,000 non-concessional contribution.

On 1 July 2017, he inherits a lump sum of \$240,000 which he intends to contribute to super to fully utilise his bring forward cap (originally \$540,000).

On 1 July 2017, his new bring forward cap is recalculated to be \$380,000 (to take into account the reduced cap of \$100,000 for the 2017–18 and 2018–19 financial years).

As Albert has already contributed \$300,000, he can contribute further non-concessional contributions of \$80,000 during 2017–18 and 2018–19 combined (not his full inheritance of \$240,000).



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# COPING WITH STRESS

## MAINTAINING PSYCHOLOGICAL FITNESS

WORKING IN THE EMERGENCY SERVICES CAN BE STRESSFUL FOR SWORN AND UNSWORN EMPLOYEES. IT IS IMPORTANT THAT ALL MEMBERS LOOK OUT FOR SIGNS THAT THEY OR A COLLEAGUE MAY NOT BE COPING. YOUR PSYCHOLOGICAL WELLBEING IS AS IMPORTANT AS YOUR PHYSICAL GOOD HEALTH.

IT IS IMPORTANT TO HAVE EFFECTIVE MECHANISMS TO HELP YOU ACHIEVE WELLNESS.

### **MAINTAIN A HEALTHY MIND**

It's widely accepted that everyone should maintain a good level of physical fitness in order to perform optimally. However, the importance of emotional health is less recognised and less prioritised. Making a conscious effort to regularly take care of your psychological fitness will go a long way in making you emotionally fit for anything the workplace can throw at you. Different approaches will work for individual officers, so it's important to understand what works for you to assist in planning for and applying beneficial strategies.

A well-balanced routine is integral for long-term physical and emotional health.

### **KNOW YOUR LIMITATIONS**

Being aware of the impact certain stressors will have on you is useful in understanding how you manage stress. Identify the situations which affect you the most and develop a plan to manage them. Adjust the way you view difficult situations and use positive reinforcement to remind yourself that you have overcome difficult situations before.



### REMEMBER ONE SIZE DOES NOT FIT ALL

You may find that strategies for helping you deal with stress are not always the best approach to a given situation. Reassess and adjust your strategies for managing your emotional health, particularly in high-stress times.

### DON'T EVER GIVE UP

Police officers and their unsworn colleagues in their very nature are known for their commitment and resolve in ensuring matters are pursued and investigations are seen through, regardless of the time it takes. This tenacity is a strong trait which can be used to your advantage when facing a particularly difficult time. Holding on to hope and the knowledge that there is light at the end of the tunnel will assist you in getting through these times.

### STAY CONNECTED TO RESOURCES

The nature of the job may make it difficult to maintain personal relationships. Secrecy, paranoia, and mistrust are common responses, and some withdraw from friends and family and lock down their feelings. You may be feeling as though you're worrying them with your feelings, however your friends and family are there to help and support you through tough times. Withdrawal is harmful during difficult situations, so if you're feeling isolated it is important to reach out and ensure you maintain social connections, even when you no longer feel like it.

Access the vast technological resources available to you. There are numerous online resources available from reputable medical sources to help you identify some of the emotional responses you're having. While useful, online resources should be used as a first line of awareness of an issue, after which professional assistance should be sought to progress your treatment and recovery process.

### INSTILL THE 'MATE' PRINCIPLE IN THE WORKFORCE

The daily job of an AFPA member requires you to serve and protect the public and to provide the community with valuable assistance in times of need. This is also true of your role as a colleague. Be aware of how your workmates are coping with the demands of the job, and do not underestimate the impact you can have on them.

People who are facing difficult times can be showing the physical signs of stress, i.e. anger, irritability and excessive paranoia, which can make them difficult to deal with at work. Be bold and compassionate when dealing with mates at work, and remember not to take it personally or allow it to shape your opinion of the officer. If you notice a change in a colleague's attitude or behaviour, you could be important to their recovery. Offer your support, or seek assistance from a senior supervisor to address the issue. Supporting an officer through a difficult time could assist them in gaining control of their situation.

This story has been compiled with the assistance of the Victoria Police Association

# FAIRER PAID PARENTAL LEAVE FOR POLICE

AT THE END OF 2016 THE POLICE FEDERATION OF AUSTRALIA (PFA) MADE A SUBMISSION TO THE *FAIRER PAID PARENTAL LEAVE BILL 2016*. THIS IS AN EDITED VERSION OF THAT SUBMISSION.

## THE NATURE OF POLICE WORK AND THE DIFFICULTIES IT POSES FOR PARENTS ARE UNIQUE.

There is an unpredictability faced by police that is not faced by other workers in Australia. As outlined in our previous submission to the *Fairer Paid Parental Leave Amendment Bill 2015* the proposed Paid Parental Leave Scheme measures and revised arrangements will have a negative impact on mothers and babies as well as the wider community.

The PFA has been a long term strong supporter of the Paid Parental Leave Act 2010 (PPL Act). Our members have been able to access the 18 weeks' parental leave pay under that Act, on top of entitlements under the various state, territory and federal police enterprise bargaining agreements or awards. In fact, negotiations our members' branches have had with the various state, territory and federal governments and police forces in enterprise bargaining around paid parental leave (PPL) have always been predicated on our members also having access the PPL Act 18 weeks.

In addition to those 18 weeks, police are entitled to the following PPL entitlements across the country:

- **VIC:** 1 week paid leave in the first 12 months of service and 14 weeks of paid PPL after 12 months' service,
- **AFP:** 16 weeks,
- **NSW:** 14 weeks after 40 weeks' service,
- **NT:** 14 weeks up to five years' service and 18 weeks with greater than five years' service,
- **QLD:** 14 weeks,

- **SA:** 16 weeks after 12 months' service and 18 weeks after five years' service,
- **TAS:** 12 weeks after 12 months' service,
- **WA:** 14 weeks after 12 months' service.

As a direct result of the PPL Scheme, the Police Association of Victoria has confirmed an increase in the length of time away from the workplace taken by members after childbirth. Coupled with other leave arrangements including 14 weeks paid PPL under their enterprise agreement it has allowed most infants to be exclusively cared for by a parent for the first six months of life. We believe a like scenario exists in all other jurisdictions. This 2016 Bill will detract from that goal.

There is also evidence of increased workforce participation of women in the police frontline and greater retention of women of childbearing age following the birth of their children.

We estimate that the changes being proposed in the Fairer Paid Parental Leave Bill 2016 will result in a loss of \$11,500 per member, who are predominantly birth mothers. For some police officers this will mean a reduced amount of time on parental leave and for others a separation from the workforce entirely.

Police services do not have the same degree of work place flexibility found across other industries. There is also evidence that women in the police are clearly coming up against considerable discrimination in relation to accessing flexible working arrangements. This is highlighted in the 2015 Review conducted by the Victorian Equal Opportunity and Human

Rights Commission, commissioned by the Victoria Police.

*"The Review amassed considerable evidence of women's experience of direct and indirect discrimination in Victoria Police in relation to starting families and accessing flexible working arrangements".*

The South Australia Police (SAPOL) commissioned the Equal Opportunity Commission (EOC) of South Australia to undertake a similar Independent Review into Sex Discrimination, Sexual Harassment and Predatory Behaviour in South Australia Police. This 2016 Report clearly identifies similar issues.

*"Women felt particularly discriminated against when they were pregnant and on their subsequent return to work. Many felt they had to choose between being a parent and a rewarding career, often having to give up rank, pay and previously-held specialized roles in order to have their requests for part-time work accommodated on their return from maternity leave"*<sup>1</sup>

For women in the Australian Federal Police their story was no different from the above. As evidenced in the 2016 Report by Elizabeth Broderick, *Cultural Change: Gender Diversity and Inclusion in the Australian Federal Police*

*"For women in the AFP in particular, the need to combine work with family disproportionately impacts on their ability to progress through their career and access leadership opportunities. Unlike men, many women in the AFP believe they face a dual choice between a career and family"*<sup>2</sup>

Any reduction of Paid Parental leave could have a contributing effect on the discrimination and stress women already experience accessing flexible working arrangements.

The challenges of accessing flexible working arrangements, inadequate access to flexible and affordable childcare and the nonstandard patterns of police work, coupled with the proposed PPL changes in this Bill will leave mothers and prospective mothers very limited choices and without the support they need to return to policing. We also know that for many police families both parents are members of the police. This again reduces the flexibility available within families to juggle carer's responsibilities, careers and financial pressures.

The proposed Bill is not fair to babies, not fair to women and not fair to the community.

The PPL scheme is one of a range of measures required to support police parents

balancing family commitments with the important and unique job of protecting the welfare of the community.

We urge the Committee to **not** support the measures in the proposed Bill that will adversely affect many police officers as well as others in the community in relation to PPL.

We urge the Parliament to continue to ensure police are supported adequately across all stages of caring for children including continued access to provisions in the Paid Parental Leave Act 2010 that allow our members to access 18 weeks PPL on top of what is available under their respective entitlements under awards or enterprise agreements.

The paid leave of absence for women during childbearing age is one of the suites of measures necessary to increase participation of women in police forces and indeed the higher ranks/ leadership roles. The PFA Branches have fought long and hard to achieve paid parental leave in industrial instruments as part of the gender equity in the police forces. By removing the PPL from them is pushing the police members away and indeed taking a backward step in achieving gender equity in policing in Australia.

The PFA would like to note that we do recognise that the minor amendments below would be the **only** changes we would support and recognise that these minor amendments would be of benefit to some of our members.

- Providing more flexible backdating provisions so that the four-week backdating rule will apply to parents who complete their claim process more than four weeks after the birth of their child.
- Paid parental leave work test will be amended to take into account the circumstances of pregnant employees who are unable to continue in their job because the hazardous nature of their employment presents a risk to their pregnancy and there is no safe job alternative available.
- The permissible break in the paid parental leave work test will also be extended to allow parents to have a gap of up to 12 weeks between two working days and still meet the paid parental leave work test. This change will enable more working parents, particularly those in irregular employment, to be eligible for paid parental leave.

<sup>1</sup>South Australian Equal Opportunity Commission. *Independent Review into sex discrimination and sexual harassment, including predatory behaviour in South Australia Police*. P6

<sup>2</sup>Elizabeth Broderick. *Cultural Change: Gender Diversity and Inclusion in the Australian Federal Police*. Report 2016. P8



# AUTUMN HAUNTS

**IN NEW SOUTH WALES PECANS AND PEARS ARE AT THEIR BEST, AS IS THE HUMBLE APPLE, WHILE WAY OUT WEST, JERUSALEM ARTICHOKES AND EGGPLANTS COME INTO FLAVOUR.** The sunshine state is released slightly from the punishing heat of Summer and in the South the air begins to turn crisp. Yep, it's Autumn time again. Saving the hearty

stews, one pot wonders and casseroles for Winter, Autumn brings a craving for sweet and hot spices, cinnamon and black pepper, for aromatic soups and comforting apple pie. Here's a list of Autumn haunts to make the journey through the season of burning leaves, cosy nights and crackling fires a delicious one.



Image courtesy of Host

## HOST

Melbourne VIC

A selection of ever-evolving dishes ebb and flow with changes in available seasonal produce, sure to delight and surprise tastebuds with curious combinations, each plated with flair. Pair this with a pick from a concise wine list celebrating boutique producers both locally and internationally for a complete palate-pleasing feast.

## THE TRUSTEE BAR & BISTRO

Perth WA

The Trustee fills with Perth locals soaking in the rustic bistro, sunbathing in a flourishing garden bar and exploring the Angel's Cut Rum Bar upstairs with its own life-sized angel perched above the bar in glowing red light. With a selection in hand from a diverse wine list, sample classic pub fare with an ultra-modern gourmet spin.

## MUSE

Canberra ACT

Between Kingston and Manuka in the stylish East Hotel is visionary venue, Muse. Offering dining in surrounds of new and second hand books for purchase, a contemporary décor of high ceilings, stocked bookshelves and timber floors adorned with warming rugs make for a meeting place for lovers of gourmet food and the written word. Ideal for escaping with a book on a blustery day.



Image courtesy of Thomson's Reserve Restaurant

## THOMSON'S RESERVE RESTAURANT

Brisbane QLD

Thomson's Reserve boasts a versatile ambiance, smartly set with low hanging bulb lighting, textured brick walls and timber tables. Showcasing a well-balanced seasonal menu with the freshest local, sustainable and organic produce available, the plates at Thomson's are designed to complement the wine list, featuring a selection of local and international choices.



Image courtesy of Red Ochre Grill

## RED OCHRE GRILL

Adelaide SA

North Adelaide's Red Ochre Grill showcases fresh South Australian and indigenous produce via a menu of elegant, modern choices. Located a short stroll away from the Adelaide Festival Centre, Red Ochre Grill offers a warm and idyllic setting of plush carpeted floors, linen-draped tables and wide floor-to-ceiling windows overlooking the scenic River Torrens.

## PUBLIC DINING ROOM

Sydney NSW

This fresh, modern restaurant reflects fine dining in a relaxed beach style atmosphere with stunning water views. Architecturally designed by Hecker, Phelan & Guthrie, Public Dining Room sits by the beach and offers a contemporary a la carte menu featuring local ingredients, incorporating global culinary influences and delicate, slow braised choices.



Image courtesy of Landscape Restaurant &amp; Grill

## LANDSCAPE RESTAURANT & GRILL

Hobart TAS

For a mesmerising, Modern Australian culinary experience on Hobart's waterfront, indulge your senses at Landscape Restaurant & Grill, inspired by the iconic art of John Glover, situated inside The Henry Jones Art Hotel on Hunter Street. Ambient is the word that comes to mind upon viewing Landscape's interior with its soft lighting, heavy timber beams and matte walls festooned in signature landscape art.

If none of our suggestions are close to you, just head to [www.agfg.com.au](http://www.agfg.com.au) and search via your location.



# BOOKS

## Criminal: The truth about why people do bad things

Tom Gash

RRP \$35

→ By SEAN MELROSE

**PRESTON 'BODIE' BRAUDUS, IS THE PERFECT STREET SOLDIER IN THE BARKSDALE GANG, HE STANDS ABOUT REGULAR HEIGHT, WEARS A BANDANNA, HOODIE, BAGGY JEANS AND A LOOK OF SHARPNESS BEYOND HIS 16 YEARS.**

Bodie has risen in status off the back of his lack of hesitation and willingness to commit crimes for the Barksdale crew kingpins.

He sighs, sitting on a park bench beside Detective McNulty and looking weary says, "I feel old." The wind is blowing and the ferns behind them ruffle around, Bodie looks different somehow, resigned to fate.

"This game is rigged man, we like them little b\*tches on the chess board," he says, shaking his head.

"Pawns," says McNulty, helping him with the correct word, looking considered in the breeze, "you're a soldier Bodie."

The view taken in *Criminal: The truth about why people do bad things* by Tom Gash, is that there are two fundamental ideas about crime that dominate political debate. One is the heroes and villains view, of a-typical criminals in convict costumes and tweed caps who will stop at nothing, the only thing they understand is tougher, harsher sentencing. On the other side is the victims and survivors view, typified by Bodie from HBO's *The Wire*, an example from the book of someone we can identify with who crime has been forced upon by a rigged game. Crime because of needs, for which the response should be creation of jobs.

The above views are prevalent enough to feature as strongly in fiction as they do in politics, though as Gash is

quick to point out, they are both incorrect. Tom Gash is a criminologist who works as an adviser, researcher and writer on thinking differently about government and societal challenges, he also advised the Blair Government's Strategy Unit on crime policy in the mid-2000s.

Supported by statistics, he explains how crime in developed countries has been declining globally in various ways since the late '90s. This is in contrast to the widespread view of a society collapsing at the hands of crime, often taken by an over-excited media who are interested in stories that attract attention. If it bleeds it leads, as the old adage goes. Myth, busted.

So it goes for much of the weighty book, Gash sets up a common notion about crime before bowling it over at the end of the chapter with vicious precision. He makes no distinction between left wing or right, taking aim at anything that is factually incorrect or standing on shaky ground. The criminologist walks the reader through with a balanced tone, pointing out where we should be looking if we want to know the truth about crime.

While loaded with numbers and graphs, this is a good thing in the hands of Gash. The developments of a page turning thriller, are replaced in *Criminal* by astonishing revelations about the true nature of crime and its perpetrators that keep the reader hooked right to the last page.

**Criminal**  
**The truth**  
**about why**  
**people do**  
**bad things**  
**Tom Gash**

This is a review of *Criminal* by Tom Gash, originally published in 2016 by Allen Lane, an imprint of Penguin Books. Available online and instore. RRP \$35.

# AFP & AFPA MERCHANDISE CATALOGUE 2016-2017



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See over the page for the AFP & AFPA Merchandise order form.

## Merchandise Order Form AFP & AFPA Merchandise



### SECTION 1: PERSONAL DETAILS

<b>First Name:</b>	<b>Surname:</b>
<b>Position:</b>	<b>Team/Area:</b>
<b>Phone</b>	<b>Email</b>
<b>Billing Address:</b>	
<b>Postal Address:</b>	
<b>Send Via:</b>	<input type="checkbox"/> Internal Mail <input type="checkbox"/> Express Post (\$15.00) <input type="checkbox"/> Hold for Collection

### SECTION 2: ORDER DETAILS

Item	Cost inc. GST (\$)	Qty	Total (\$)
Coloured Plaque	\$70		
Australia Plaque	\$70		
Glass Plaque	\$65		
Pewter Plaque	\$60		
Coaster Set	\$37		
Gloss Mug	\$20		
Pen	\$20		
Key Ring	\$12		
Stubby Holder	\$9		
Tie Tac (Coloured)	\$7		
Tie Tac (Silver)	\$7		
Tie Tac (Gold)	\$7		
AFPA Eco-cup (Proud to be an AFPA Member)	\$15		
AFPA Eco-cup (AFPA has my back. Who has yours?)	\$15		
		Subtotal:	
		Express Post (\$15.00)	
		<b>TOTAL:</b>	

### SECTION 3: PAYMENT DETAILS

<b>Payment Type:</b>	<input type="checkbox"/> Visa <input type="checkbox"/> Mastercard <input type="checkbox"/> AMEX <input type="checkbox"/> Please invoice me					
<b>Card Number:</b>					<b>Name on Card:</b>	
<b>Expiry:</b>					<b>CCV:</b>	

**OFFICE USE**  
Processed by:

\_\_\_\_\_  
Name

\_\_\_\_\_  
Date

\_\_\_\_\_  
Invoice Number

Please return completed order forms to the AFPA by email: [afpa@afpa.org.au](mailto:afpa@afpa.org.au)



