



Police Federation
of Australia

ABN 31 384 184 778

PO Box 179
TEA GARDENS NSW 2324

Level 1, 21 Murray Crescent
GRIFFITH ACT 2603

Email: npwebber@myallcoast.net.au

Tel: (02) 6239 8900

Fax: (02) 6239 8900

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The Secretary
Senate Standing Committee on
Foreign Affairs, Defence and Trade
Parliament House
CANBERRA ACT 2600

**INQUIRY INTO AUSTRALIA'S INVOLVEMENT IN PEACEKEEPING OPERATIONS
SUBMISSION BY THE POLICE FEDERATION OF AUSTRALIA AND THE UNITED NATIONS
POLICE ASSOCIATION OF AUSTRALIA**

The Police Federation of Australia (PFA) and the United Nations Police Association of Australia (UNPAA) provide this document as a joint submission.

The PFA is a national federally registered body representing the professional and industrial interests of Australia's 50,000 State, Territory and Federal police through their respective police associations and unions and the UNPAA is a national organization which represents some 3,000 current and former police officers who have served on overseas deployments. Both organizations currently have members who are deployed as part of the International Deployment Group (IDG).

In addition to addressing the national aspects of issues related to workplace conditions and industrial matters, an important part of the PFA's work relates to the identification and coordination of strategic issues that affect policing in Australia and our region. Consequently, they are involved in a range of national security issues, both domestic and international. The UNPAA deals specifically with legislative, morale, health and fraternal issues affecting police pre, during and post deployment.

With reference to the scope of this inquiry, some of the specific issues which we are addressing include: the industrial and professional interests of Australia's police serving in peacekeeping missions, resourcing and coordination, and Pacific region security and governance.

TERMS OF REFERENCE

The Senate Standing Committee on Foreign Affairs, Defence and Trade has been directed to inquire into Australia's involvement in peacekeeping operations and the implications for the Australian Defence Force, AusAID, the Department of Foreign Affairs and Trade and the Australian Federal Police and other departments and agencies likely to be called on to assist a peacekeeping operation.

We make this submission from the policing perspective for the following reasons:

- Police are absorbing more and more of what were previously identified as military roles however there is an argument that the roles that the military had been performing in those circumstances were in fact policing functions. This issue has been specifically identified and commented upon in the Brahimi Report of 2000¹.

Increasingly, the Government is aiming to address regional security concerns by taking the "fight off-shore". Whereas ten years ago Government policy was based on meeting security concerns with troops and military hardware, these days major police deployments are being sent to off-shore hotspots (such as the Solomon Islands, East Timor, and Papua New Guinea) to undertake preventative peacekeeping and peacebuilding activities like reinstating law and order, and rebuilding governance infrastructure.

AFP Commissioner Mick Keelty in a speech to the National Press Club in October 2006 said, "...the function of 'policing' began to augment, and later almost supplant the role of the military in peacekeeping operations". He went on to say that police are deployed as "...peace keepers but also as quasi peace makers".

- Many issues of concern to defence are also relevant to policing agencies, and vice versa. Issues such as meeting recruiting goals, and work/life balance stressors, are also shared by police, intelligence, protective security, and emergency services agencies. All these agencies have a role

¹ *The Brahimi Report on UN Peacekeeping Reform*, 23 August 2000.

to play in supporting the ADF, and wider Australian national security and defence activities. Currently we believe there are indications that these agencies are in competition for the same slice of the pie in terms of skilled personnel and financial resources.

This submission outlines some issues and implications relating to the role of police in national security and defence requirements, and addresses individual trends.

ROLE OF POLICE IN NATIONAL SECURITY AND DEFENCE REQUIREMENTS

In the aftermath of September 11, 2001, the Australian Government responded to heightened national security concerns by proposing and implementing a raft of diverse policies and measures, ranging from national awareness-raising campaigns to active participation in the US-lead War on Terror.

There has been a parallel proliferation and expansion of Government agencies now intimately involved in national security, intelligence, monitoring, and operational activities. There have also been massive increases in some associated budget allocations.

There is now a complex range of agencies, both at the state, territory, and federal levels of government, which have been tasked with an intensity of counter-terrorism, security, and related public safety functions never before experienced in our history.

Australia's police forces are not exempt from this increased level of responsibility, workload and expectations from Governments and the community.

The Government's stated law enforcement objectives relating to Australia's security preparedness and terrorism prevention capability are to:

- *Strengthen relationships and cooperation between federal, state and territory police;*
- *Consolidate and build on the ability of law enforcement agencies to undertake investigations into transnational crime and terrorist activity;*
- *Ensure that Australia's legal framework supports the ability of law enforcement agencies to carry out their work in the most effective way;*
- *Increase the contribution of the AFP to international law enforcement efforts.*

(Protecting Australia Against Terrorism, Department of Prime Minister & Cabinet website, 11 October 2005)

As Des Moore, a member of the Australian Strategic Policy Institute Council, noted, Australia's 'security' and Australia's 'defence' differ, but are connected. He related the notion of security to those decisions and actions made within certain parameters of time and space, which affect geopolitical outcomes. Defence implies a more immediate military response to prevent the violation of a nation's territory. However, the lines between these two functions are becoming increasingly blurred as the inter-reliance between an expanding range of security players – participants, enforcers, enablers, and stakeholders – is becoming more complex.

While the ADF has traditionally been concerned with restricting itself to military tasks, it has become increasingly apparent that its members are, and will continue to be, involved in non-military and non-traditional tasks such as peacekeeping missions, pursuit of illegal fishing boats, disaster relief, and operations involving illegal immigrants. This 'cross-fertilisation' of roles is being experienced by other agencies, including the police:

Defence is becoming increasingly involved in non-war fighting roles such as civil border protection, while police and public servants are in the front line of security in areas as diverse as Baghdad and Bougainville.

(ASPI Strategic Insight 12 – *Time for a new Defence White Paper*, Feb 2005)

IMPLICATIONS FOR POLICING

Much of the national security workload is shouldered by the Australian Federal Police (AFP), with major functions pertaining to protecting and safe-guarding the Commonwealth's interests particularly within Australia and the region (in addition to a comprehensive community policing role for the ACT and External Territories). At the same time, the expectations and level of preparedness required from State and Northern Territory police forces is also significant, with these officers providing first-response and overall coordination functions in their jurisdictions for any security situation or critical incident.

Although the AFP has received significant budget allocation increases over the past few years, this extra funding has not translated into an associated increase in the numbers of sworn officers able to carry out this additional and growing workload. The overall approach to tasking and funding of the AFP is evidence of a lack of consistent, considered, and planned policy making by the Australian Government.

AFP officers continue to be tasked with international operations without action being taken to ensure that positions dealing with 'traditional' AFP responsibilities, including community policing, are being adequately back-filled. Commissioner Keelty in his speech to the National Press Club in October 2006 said, "The AFP has served in Cyprus, Somalia, Mozambique, Haiti and Cambodia. Today we have about 700 staff performing duties either domestically with the IDG or offshore in The Sudan, Jordan, Cyprus, Timor Leste and the Solomon Islands. Following the recent announcement by the government, that figure will grow to 1,200 before the end of 2008".

In order to fulfill these responsibilities, officers are increasingly seconded from State and Territory police forces, leaving the latter with reduced personnel and skills gaps. On current estimates, there are around 100 State and Territory police officers seconded to the AFP on overseas deployment. If members of the public were fully aware of the significance of these gaps (including the associated increase in stressors and workload on officers doing their best to fill these gaps with inadequate resources) on the ability of police to service the community, there would be an immediate outcry.

The following table (provided in our submission to the Joint Committee on the Australian Crime Commission in March 2007) supports our concerns and demonstrates the decline in AFP sworn police resources over the last twenty one years:

AFP Functions & Sworn Police Numbers over 21 Years

AFP Functions	1985	2006
ACT Policing	✓	✓
Australian remote territories policing	✓	✓
Illicit narcotics	✓	✓
Commonwealth revenue fraud	✓	✓
Political corruption investigation	✓	✓
Diplomatic & VIP security	✓	✓
Witness protection	✓	✓
Special event security planning	x	✓
People smuggling	x	✓
E-crime – internet and child pornography	x	✓
E-crime – attacks on business continuity	x	✓
Sexual servitude	x	✓
Child sex tourism	x	✓
Air Security Officers (Sky Marshals)	x	✓
Proceeds of crime investigations	x	✓
Mobile Counter-Terrorism Teams	x	✓
International deployment – United Nations	✓	✓

teams		
International deployment – Australian based teams	x	✓
International disaster response	x	✓
International police training (JCCES)	x	✓
Interpol liaison	x	✓
Policing at Federal Airports	✓	x
Number of sworn police	2,838	2,382

While we accept that it is not feasible or expected that the AFP be required to fill all of the sworn positions in Australia's peacekeeping operations, the above table indicates that their resourcing levels dictate that they are very dependent on State and Territory police forces assisting in such deployments and, as such, those forces are currently providing the AFP with its surge capacity for the unexpected.

The above table also heightens the concerns of the PFA and the UNPAA that the AFP is relying on significant numbers of non-sworn and retired, sworn personnel on such deployments due to the shortage of sworn police in that organization. The PFA has also had long term concerns that the AFP are tempted to use non-sworn personnel in what are considered traditional sworn police roles in peacekeeping operations.

We are advised that on most if not all IDG deployments where Protective Services Officers (PSO's) and Administration staff are deployed, many of them are sworn in as special members for the countries in which they are deployed. They are allegedly also provided uniforms which can easily be mistaken as police. This is an issue of real concern and potentially places the safety of PSO's and Administration staff in jeopardy as well as any sworn police who are required to work with them in operational roles.

The PFA and UNPAA support the use of PSO's and Administration personnel in such deployments provided they are solely used for roles that befit their training and skill levels but not in sworn police functions.

RECOMMENDATION

That the committee seeks clarification from the AFP regarding the specific roles and duties performed by sworn police, Protective Service Officers and administration staff on overseas deployments.

National security, terrorism and failed states

Since September 11 over 600 AFP employees have been diverted from the tasks they were undertaking on September 10, 2001, to new functions. A significant number of these are in the IDG.

We argue that there are two main issues in relation to this situation:

1. A vacuum has formed in the investigation of 'normal' crimes which fall under the provenance of the AFP, and which also produce valuable counter-terrorism intelligence as a by-product. It is well-known that narcotics, identity fraud and money trafficking crimes, for example, are intricately linked with terrorist activities.
2. While the AFP continues to address its own problems in maintaining an adequate surge capacity, including for overseas deployments, by co-opting State and Territory police officers, this unsustainable approach merely spreads the police under-resourcing problem across Australia.

These two issues need to be addressed in a coordinated manner across all involved agencies.

The increasingly apparent link between organised crime, failed states and terrorism should also be of serious concern to the Committee. A recent expose in *The Australian*, 18 January 2007 highlighted the trade in rocket launchers stolen from the Australian Army through a Sydney criminal gang and on-sold to a Sydney terror suspect. According to the report, 'documents tendered to the court state for the first time the alleged inter-connections between suspected terror cells and the criminal underworld'.

Anthony Bergin, a Director of the Australian Strategic Policy Institute (in *The Australian*, 12 January 2007) suggests 'alliances may even form in areas such as bomb making, procuring weapons, identity theft and fraudulent documentation'. He concludes that "the recent links between terrorist cells in Australia and criminal elements should, as a matter of priority, lead to even closer co-operation between intelligence and law enforcement at all levels, most particularly state police forces".

One of the reasons for the Australian Government's concern about potential 'failed states' in the Pacific region is the risk that terrorists and organized crime can use such 'failed states' as a base for their planning, training and operations especially where some governments are compromised by a lack of moral standards or criminal associations.

Australia and New Zealand are the dominant 'powers' in this region and the only countries with strong and healthy democratic systems in place whereas the remaining Island states float in and out of good governance regimes according to the whims and caprices of those wielding power at the time.

These inter-related aspects of national security and crime make it imperative that, in undertaking overseas peacekeeping operations, the Australian Government does not sacrifice effective internal Australian policing by the AFP, which needs to be backed by sufficient sworn police officers to do the job.

The 2005 COAG decision to expand policing functions at Australia's 11 Counter Terrorism First Response Airports is another example of police resources being diverted from State policing functions to meet a Commonwealth obligation. Most of the estimated 350 extra positions at these Commonwealth leased airports are being filled by officers from existing State and Territory police forces. This *ad hoc* decision was made by First Ministers without thought to appropriate replacement or back-filling mechanisms, or to operational considerations relating to how State and Territory officers would undertake Commonwealth responsibilities. As we noted in a letter to COAG late in 2005, this 'solution' raises serious police resourcing implications, given the ongoing failure to strategically plan for the capacity of Australian policing to meet emerging challenges.

AFP operations, and related Australian policing issues, are vital to the national interest and to the continued safety of the Australian community. A rigorous and strategic planning process, including police workforce planning, should be undertaken to examine and reconcile these functions with the Australian Government's other national security needs and desires.

Workforce planning

An Australian Strategic Policy Institute paper released in 2005 suggests that, in the near future at least, given the recent history of global events, it would make sense to "invest more heavily in the capabilities we need for disaster reconstruction and rehabilitation, humanitarian aid delivery, and community policing and stability". While this recommendation refers to ADF activities, it is obvious that much of this statement is highly pertinent to police operations, and is only likely to become more so in the future.

Australian Government policies focusing on peace building and good governance, and pre-emptive and early intervention strategies, are placing less reliance on traditional military skills and personnel, and more emphasis on skills provided by police officers. Domestic measures building our resilience to, and protecting from, terrorist threats (such as enhanced airport security), also require significant policing resources.

The *UN Commission on Human Security Report*, 2003 notes that policies and institutions must respond to security challenges in stronger and more integrated ways. It notes that although the state retains primary responsibility for security, a paradigm shift is needed as these security challenges become more “complex and various new actors attempt to play a role.”

On a similar theme, Ross Babbage of the Kokoda Foundation comments that “there would be vast benefits for Australian security were Defence and associated departments and agencies to embrace more enthusiastically the opportunities now provided by network-enabled operations and the revolution in national security affairs”².

“In recent years the core business of policing has been transformed by the introduction of new technologies, globalization of communities and economies, heightened terrorism concerns, and international deployments. At the same time, police organisations have the ongoing challenge of addressing crime and being responsive to the need of the community within the finite resources provided by governments.”

This excerpt from an Australasian Centre for Policing Research publication (*Looking to the future: Implications of emerging trends for police workforce planning*, ACPR Issues, December 2005) succinctly summarizes the environment in which Australia’s police are now operating.

In addition to adapting to this ‘new world order’, our police forces are not exempt from the workforce recruitment and retention issues starting to affect the wider Australian community. Indeed, with the rapid, almost exponential expansion of the national security sector over the past few years, we believe that policing now faces one of its most critical challenges in continuing as a sustainable and steadfast national and community resource.

While deficiencies relating to the viability and sustainability of Australia’s skilled trade sector have been receiving high levels of attention from the media, governments, and industry and training groups, there is a great difference between the minor frustration often experienced when attempting to engage a tradesperson, and the very real implications for the safety and wellbeing of our community due to a paucity of police officers.

Based on our above concerns, in early 2006 the PFA provided the government with a proposal to undertake a National Police Workforce Planning Study. That same proposal was presented to Australia’s Police Commissioners.

² Kokoda Paper No 1, October 2005, *Preparing Australia’s Defence for 2020 – Transformation or Reform?*, Ross Babbage, Chairman, The Kokoda Foundation.

Policing recognises that it is in competition with other agencies and sectors for the most able recruits. Defence has not met its recruiting targets for the last six years, and the implications of this are shown by the Minister for Defence, Brendan Nelson, comments in relation to recruiting and human resource matters. The military personnel resignation rate has reached 14% (Army), rising to 25% for skilled trades.

Defence is attempting to fill these gaps with Australian Government funding for 1,485 extra Army personnel over 10 years; by bolstering reservist training and expanding reservist roles; and with targeted bonuses like a \$10,000 handshake to encourage specialist sailors to stay in the Navy. Defence is also reassessing recruitment standards, including health tests. Depending on the final outcome, there may well be ramifications for police recruiting standards.

The Canadian Government has recently provided over CAD\$1.1 million to support the development of Canada's skilled workforce in their policing sector. The Police Sector Council was created to explore and address emerging human resources issues, and to help police leaders identify and implement human resource strategies to ensure there is an adequate and skilled labour force available to the sector.

The PFA and UNPAA believe that a similar injection of funds and level of support from the Australian Government would assist in developing national strategies to ensure an adequately skilled and resourced police workforce across all Australian police jurisdictions.

In our 2006 Workforce Planning submission we argued that in order to maintain the current level of services being provided by around 50,000 police officers in Australia, we believe that over 15,000 officers need to be recruited nationally during the next four years.

The following table, contained in our submission to government, shows these figures on a jurisdictional basis.

Recruitment required 2006 – 2009 (4 years) *

JURISDICTION		TOTAL
Qld	1,600 additional + 1,200 attrition	2,800
NSW	3,000 election commitment sought + 2,400 attrition	5,400
AFP**	700 additional + 800 attrition	1,500
Vic	1,200 additional + 1,200 attrition	2,400
Tas	50 additional + 80 attrition	130
SA	400 additional + 600 attrition	1,000

NT	150 additional + 320 attrition	470
WA	350 additional + 1,200 attrition	1,550
TOTAL AUSTRALIA		15,250
NZ	1,000 additional + 1,500 attrition	2,500

- * The above figures are estimates based on historical attrition rates and projected recruitment
- ** AFP figure includes police services provided in the ACT and Australia's External Territories.

In a submission to the Federal Government's 2005 Review: *Retirement with Dignity for Australia's 50,000 Police. Review of Superannuation Preservation Arrangements as they apply to Police*, the PFA argued that in the future, due to the government's requirement of later future access to superannuation based on preservation age requirements, that Police Officers may well still find themselves in active operational roles towards the end of their careers, with the effect of increasing the chances of injury to the individual officer, and heightening risks to other officers and members of the public.

Among the government's recommendations from that Review was a recommendation that police departments should consider "adopting workforce planning policies to ensure the right skill and age mix is available to meet longer term policing requirements".

The PFA and UNPAA continue to support the use of state and territory police in the IDG however, based on the concerns we raise in respect to future workforce planning issues, we argue that it should be done in a coordinated and strategic fashion.

RECOMMENDATION

That the Committee supports the concept of a National Workforce Planning Study for Police funded by the Australian Government.

INTERNATIONAL DEPLOYMENT GROUP ISSUES

Australian police have been continuously employed in peacekeeping duties since May 1964 in many theatres and accordingly can be justifiably considered to be the most experienced police force in the world in relation to these roles. It is little wonder therefore that Australia is always one of the first countries called upon to provide police officers for such deployments.

There are a number of outstanding issues which need to be addressed relating to police officers who are part of the IDG.

Training

The PFA is satisfied that pre-deployment training meets all agreed protocols provided such training is regularly re-assessed.

Role of sworn and un-sworn officers

We have already raised our concern on behalf of members that un-sworn officers on deployment, including Protective Service Officers, are being used and portrayed as if they were sworn police officers. This creates two problems. First these officers are not skilled and experienced for sworn policing work (they have limited training and powers) which may involve danger and violence. This puts them at risk in undertaking that work. Second, it also exposes the personnel working alongside them to risks as things can and do go wrong, including violent incidents and the use of force.

The AFP, as employer of the IDG, clearly has a duty of care to the officers it deploys. As part of that duty of care, the PFA and the UNPAA believe that the respective roles of sworn and un-sworn officers on deployment should be clearly defined and adhered to. Policing work must be undertaken by sworn police officers.

Mechanism for resolving employment issues

There is at present no mechanism whereby members can have employment issues occurring on deployment resolved. They have no recourse to any form of arbitrator for resolving disputes which may arise. The PFA believes that such a mechanism could, and should, be devised to operate without interfering with the usual command and control prerogative of AFP management.

RECOMMENDATION

That the Committee supports the establishment of a dispute resolution process for officers deployed as part of the IDG. Such a process should be developed in liaison between the PFA and the AFP.

Recognition of overseas service

Police do not feel that they receive adequate recognition by way of formal decorations or awards in comparison to the ADF. The issue of the Police Overseas Service Medal (POSM) is an example.

There is still some confusion about the eligibility for the POSM. Under current regulations, members may not be eligible if they served in –

- Iraq
- Jordan
- Papua New Guinea
- Nauru or
- Vanuatu.

In relation to the Solomon Islands there is a lack of ongoing clarity regarding deployments. Members in RAMSI continue to remain eligible for the POSM in accordance with the current determination. However the nature of operations in RAMSI needs to be continually monitored to ensure members remain within the scope of the POSM qualification requirements.

Training and Capacity Building Deployments, such as those to PNG, Nauru and Jordan, fall outside the scope of POSM.

In relation to Sudan, a new determination for eligibility is currently being developed which we trust will be suitable.

In respect to East Timor, where a significant number of members have served, it is somewhat problematic. Members who have served a minimum of 30 days in East Timor from 30 August 2004 to the end of the UNMISSET Mission (approx 20/5/05) are all eligible. However service with Australian Government Assistance Programs does not meet the eligibility requirements.

Members who served from 20/5/05 to 20/6/06 do not necessarily qualify for the POSM and advice is being sought as this service does not fit strictly within the current Regulations. Dialogue is currently taking place between the AFP and the Department of Prime Minister & Cabinet (PM&C) to modify the current POSM Regulations to allow members in East Timor to receive the POSM for the period when there was no UN presence. Members deployed on current and future missions with the UN we understand will qualify.

The issue of the POSM has caused great disquiet amongst police for some time and the PFA and UNPAA support the view of the AFP that it is necessary to establish greater clarity in relation to eligibility for the Medal. Police officers who serve overseas as part of the IDG should receive appropriate recognition by way of the Police Overseas Service Medal.

RECOMMENDATION

That the Committee recommend that the Police Overseas Service Medal be retained and be the principal Service Medal for overseas deployments.

While the POSM issue is being reviewed the PFA and the UNPAA believe that at the same time a review should be undertaken as to the feasibility of creating a specific honours and awards system to recognizing outstanding service and acts of bravery by Australia's police while on overseas deployments. Such a review should also investigate whether awards should be made for retrospective acts.

RECOMMENDATION

That the Committee recommends that a specific honours and awards system be established to recognize outstanding service and acts of bravery by Australia's police while on overseas deployments.

Workers compensation and rehabilitation issues

The then Minister for Justice and Customs, Senator Chris Ellison announced on 27 February 2006 that AFP officers serving overseas would soon benefit from the support of a police-specific compensation and rehabilitation scheme relating to dangerous foreign missions. He said the scheme is intended to recognize 'the increased role of police at the front line in a time of heightened risk and will ensure AFP compensation entitlements remain consistent with those currently provided to Australian Defence Force members in similar mission circumstances'³. In October 2006 the Minister advised that the legislation would shortly be available. At present the legislation has yet to be introduced.

The PFA and the UNPAA have expressed concern at the delay in settling this important matter. NSW Police have declined to agree to the secondment of their police while this matter remains unresolved. This situation deprives the AFP of a potential pool of 15,000 sworn officers to be available for the IDG. Given the hazardous missions in which the IDG is engaged, it is vital that the police-specific workers compensation and rehabilitation scheme be enacted at the earliest opportunity.

Historically, Australia's police serving in overseas deployments have been covered by the *Veteran's Entitlements' Act* as "peacekeepers" entitling them to the same disability benefits as defence force personnel. That situation changed with the commencement of the *Military Rehabilitation Compensation Act* in 2004,

³ Senator Ellison Media Release, *Government supports AFP on dangerous missions*, 27 February 2006.

an Act from which police, as peacekeepers, have been excluded. No compensating legislation was provided to fill this vacuum.

Following representations by the PFA & UNPAA this vacuum will be filled by the introduction of the proposed Police Overseas Workers Compensation and Rehabilitation legislation. We now have grave concerns about this proposed legislation being simply a Division of the *Comcare Act*. This Act was never designed to meet such operational circumstances as it is primarily a Workers Compensation and Rehabilitation Act for domestic purposes.

For some time both the PFA and the UNPAA argued that any Act to cover police should be a stand alone Act owned and controlled the Justice Minister in an identical fashion to the *Military Rehabilitation Compensation Act* being owned and controlled by the Minister for Defence, as both bodies carry out similar but not identical functions in an overseas environment which carries with it a significantly increased element of danger.

In 2000, the Senate Foreign Affairs, Defence and Trade references committee in its inquiry into the East Timor situation of 1999 identified (in Chapter 3 of their Report under the sub-heading of "AUSCIVPOL"⁴ at paragraph 3.48) the Committee's assessment of the duties, difficulties and dangers experienced by AUSCIVPOL and even goes as far as to compare them with, and find they were greater than, those experienced by the ADF.

RECOMMENDATION:

That the proposed police compensation and rehabilitation Bill contains, as a minimum, the following provisions:

- **A special definition of 'extraordinary overseas policing' be included in the Act. The inclusion of such a definition is to give equality to the provisions of the *Military Rehabilitation Compensation Act*.**
- **A special definition of 'overseas policing' be included in the Act where the policing circumstances are of a lesser degree than 'extraordinary' for the same reasons as outlined above.**
- **That the Commissioner, Australian Federal Police, have responsibility for recommending to the Minister for Justice and Customs, being the Minister responsible for the Act, any overseas deployment that meets the definition of 'extraordinary overseas policing' or 'overseas policing' deployment.**

⁴ Australian Civilian Police attached to a UN Mission.

- **That any member of such a declared deployment be entitled to full coverage and benefits under the Act which should mirror the *Military Rehabilitation Compensation Act*.**
- **That the onus of proof should be identical to that currently required under the *Veteran's Entitlements Act*.**
- **That an appeals system be included in the Act that is no less than that provided under the VEA.**

Veterans Entitlements Act (VEA) issues

As at 2002, when the PFA and UNPAA made a submission to the *Commission of Review of Veteran's Entitlements* (the Clark Report) there had been 1,871 Police Officers who had volunteered and served in a total of 2,453 tours of duty in 11 separate Missions throughout the World who would be entitled to coverage under the VEA. Since that report, police involvement in overseas deployments has increased dramatically as the Brahimi Report bites and all such officers should be entitled to coverage under the Act.

Four have been killed, some others wounded, and many others are suffering from the effects of their duties, performed while generally unarmed, under circumstances of extreme danger, in locations of squalor and non-existent hygiene, and operating without the benefit of the ancillary services that accompany military units.

Police Officers have been subjected to civil war, air attack, minefields, snipers, and crossfire; been taken hostage, threatened with death, taken 'prisoner of war', stoned, spat upon, assaulted and insulted. They have witnessed and investigated horrendous crimes against humanity. Yet they have never flinched, have carried out their duties and returned to 'hot' areas after having been evacuated previously to protect those whom they gave their word that they would protect.

The PFA and UNPAA argue that there should be a review of all previous overseas deployments that are currently covered by the VEA to reassess whether certain deployments should be upgraded to 'warlike' (extraordinary overseas policing) to ensure parity with the ADF. This would require some form of retrospective legislative change to the VEA. In support of this call, in 1990 during the first Gulf War, RAAF personnel temporarily attached for duty on Cyprus were classified as being in a warlike situation under the VEA, while Australian police serving on Cyprus were not afforded like coverage. Other similar situations exist.

RECOMMENDATION:

That a review be conducted of all previous overseas deployments with a view to determining what if any deployments should be upgraded to 'warlike' in a policing context.

Senior officers' career indemnity

In recent times it has been well publicized that Australian police officers who have taken up Commissioner's positions in the Pacific have been forced out of those countries through circumstances beyond their control.

The PFA and the UNPAA support the ability for Australian police to win such positions and believe that the Australian Government should indemnify their careers should in the future further officers be forced out of their positions due to non-justifiable circumstances.

RECOMMENDATION

That the committee supports the establishment of a career indemnity policy by the Australian Government for police officers who are forced out of positions in Pacific nations due to non-justifiable circumstances.

CONCLUSION

The PFA & the UNPAA thank the committee for the opportunity to make this submission to an important Inquiry regarding issues over which we have had long standing concerns.

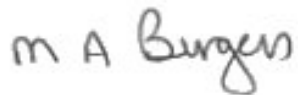
Because of the ever increasing police involvement in overseas deployments, the resolution of a number of these issues now is crucial to our ability to continue to provide such a professional response to our international obligations. Australia's police are looked upon internationally as second to none and are highly sought after in overseas Missions. It is the objective of the PFA and UNPAA that that high standing be maintained and where possible enhanced.

We are keen to ensure that Australia's police officers have the opportunity to work offshore thus lifting their skill levels and enabling them to bring those additional skills back to their policing role within Australia.

It is our responsibility, and we would argue the Government's, to ensure that officers engaged in such deployments enjoy appropriate benefits but also that their health, safety and well being is of paramount importance, pre-, during and post-deployment. However, it is also imperative, that the provision of such

policing services offshore should never be at the expense of policing services here in Australia.

The PFA and UNPAA would welcome an opportunity to expand on this submission at the Inquiry.

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Mark Burgess
Chief Executive Officer
Police Federation of Australia

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Norm P Webber
Research Officer
United Nations Police Association of Australia