

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS
AUSTRALIAN FEDERAL POLICE

Question No. 43

Senator Rhiannon asked the following question at the hearing on 24 May 2012:

Senator RHIANNON: In January this year the former Minister for Foreign Affairs, Mr Rudd, released a new report, the Australian Public Service adviser review, titled *Review of terms and conditions for Australian government officials deployed as advisers under the Australian aid program*. It looked at the entitlements of aid-funded overseas positions, but I notice that it did not cover the AFP serving overseas. Can you provide the terms and conditions for your overseas advisers in the same way that AusAID and other government departments have now done?

Mr Negus: We could certainly table—

Senator RHIANNON: Take that on notice?

Mr Negus: We have a determination which outlines the terms and conditions of our staff. When you talk about 'advisers', these are AFP federal agents. The term 'advisers' is used when they are in other countries, but they are sworn police officers in the main. They are covered under an industrial determination, which we could certainly provide on notice.

Senator RHIANNON: Thank you.

The answer to the honourable senator's question is as follows:

The AFP has several determinations that contain all terms and conditions for an employee while they are deployed overseas. The determinations vary, depending on the type of deployment, the length and whether the deployment is one that permits the spouse and family to move with the employee. The determinations are aligned with the *AFP Act 1979* section 40H – Assignment of Duties

There are two areas within the AFP that use 40H (2) determinations for overseas deployment - the International Network and the International Deployment Group (IDG).

Determinations governing overseas terms and conditions in the AFP are in line with government policy but take into account the unique role of policing.

The International Network has two determinations currently in place. The first is for long term deployments (in excess of 12 months) and the second for short term deployments (one to twelve months). These determinations, when developed in 2011, were based on the Department of Foreign Affairs and Trade (DFAT) conditions of service. These determinations have, since then, further evolved in line with organisational requirements and the unique demands of policing roles overseas. IDG deploys AFP personnel in peacekeeping and capacity development roles. IDG has five key determinations that are currently in use, depending on location and length of deployment. IDG currently deploys AFP employees to Cyprus, Sudan, Timor, Nauru, Tonga, Afghanistan, Solomon Islands, Papua New Guinea and Samoa.

Consistent with other government agencies, the range of AFP determinations include entitlements based on several factors -independent hardship ratings, family composition, salary linked to industrial agreements, and internal arrangements for movements overseas.

Work is underway to amalgamate these determinations into one industrial instrument that will cover all deployments. The determination will be based on government policy while taking into account employment conditions relevant to the AFP.