

PARLIAMENTARY JOINT COMMITTEE ON LAW ENFORCEMENT  
EXAMINATION OF THE AUSTRALIAN FEDERAL POLICE ANNUAL REPORT 2019-  
2020  
14<sup>TH</sup> APRIL 2021

Home Affairs Portfolio

Program: Australian Federal Police

Deaths in Custody

**Senator Lidia Thorpe** asked:

As far as the AFP looks after policing in the ACT, does the AFP report on deaths in custody for the ACT in its annual report every year?

**Mr Kershaw:** I think the ACT have their own annual report, which I don't have in front of me, unfortunately. Are you talking about mental health internally or externally or incidents they respond to that are mental health related?

**Senator THORPE:** Any death in custody within the ACT.

**Mr Kershaw:** I would imagine so but I haven't had a look at their report. Could I take that on notice please?

*Answer:*

There is no requirement for ACT Policing to report on deaths in custody in its Annual Report.

ACT Policing reports all deaths that fall within the Coroners Jurisdiction to the ACT Coroner as defined by Section 13 (1) of the *Coroners Act 1997*. This definition includes deaths in custody and deaths in care as defined by the Act.

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**The Pacific Police Development Program 2019 review**

Mr Julian Simmonds asked:

**CHAIR:** I'll finish up on one final issue, which is the Pacific Police Development Program 2019 review. It just skipped over from the last annual report into this annual report, in terms of finalising the findings and recommendations. Were there any adverse findings out of that, or was there anything in particular that you've had to change or wanted to adjust? Obviously, supporting our Pacific neighbours is something that's very important to us, and I know it's important work that you do to upskill their police force.

**Mr Kershaw:** I think it's possibly pre my time, but there are two things that have happened since then. One is that we have conducted another review, the McDermott review. That was done recently to find out how we're tracking on the Pacific Step-up. We've also created a Pacific Island policing faculty at the Australian Institute of Police Management, and I was there as part of the opening of that, which was in late 2019/early 2020. Unfortunately we haven't been able to do as much as we wanted to, because of COVID and the lack of travel, but that faculty is going to be specifically targeted at building up those supervisory-level police officers and engaging with the Pacific. Our teams have stayed doing the capacity building in both the Solomons and Papua New Guinea. All the staff there have stayed in country, even with the advent of a lot of our people getting COVID, unfortunately, in Papua New Guinea recently. The majority of them have decided to stay, and hats off to them. It's simply remarkable to stand shoulder to shoulder with our Pacific Island sisters and brothers, and we'll continue to do that for the Pacific. So I'm pretty pleased with how we're tracking there and also with the relationships that go back a long way now. I speak regularly at the Pacific Island Chiefs of Police and I speak regularly to the commissioner of PNG, the commissioner of the Solomon Islands and some of the other commissioners out there, who are always very grateful for the AFP's and Australia's support. We also work, as you know, with our New Zealand cousins in making sure that we support our Pacific partners there. We're pretty happy. We've got a few tweaks we've identified through the McDermott review. Denis McDermott is a retired commander now, but he was over in the Solomons for a number of years. He is highly respected and regarded, and he had some practical solutions.

**Mr Pointing:** I think what Mr McDermott added was that depth of knowledge and the importance of getting the right people into the Pacific to do the capability development or to do the leadership training. One of the great things we've seen in the Pacific during COVID has been how, particularly in PNG, they have pivoted to support their PNG

colleagues with managing COVID. The feedback we have received on how they have complemented each other has been remarkable. The McDermott report was very much about fine-tuning and making sure we get the right people into country with the right training.

**CHAIR:** Would you take on notice to provide the committee with the specific recommendations?

*Answer:*

- The Pacific Transnational Crime Network (PTCN) was established in 2002 in response to the changing criminal environment in the Asia Pacific region, and recognition by the Pacific Islands Chiefs of Police (PICP) that the impacts of transnational crime posed national and regional security threats.
- In 2019, on behalf of the PICP, the Australian Federal Police (AFP) completed a Health Check of the PTCN, which was referred to in the AFP 2018/2019 Annual Report as the 'Pacific Police Development Program – Pacific Transnational Crime Network Review'. The purpose of the health check was to determine if the PTCN is continuing to be effective in combatting transnational crime in the Pacific region.
- The Health Check remains the property of the PICP (not the AFP) and any further distribution of the report must be approved by the PICP-Secretariat on behalf of the PICP.
- There were 10 recommendations, all of which have now been absorbed into the standard practices of the PTCN and are considered complete.
  1. The PICP and PTCN member countries should facilitate broader law enforcement engagement with, and participation in, the network
  2. PTCN member's commitment to the network should correspond with the threat that transnational crime poses to the Pacific region
  3. The PICP and PTCN should reaffirm the network's role as a fundamental regional transnational crime and intelligence sharing capability through advocacy efforts
  4. The PTCN should re-affirm (or re-establish) its purpose, intended outcomes and operating principles
  5. PTCN members should encourage domestic inter and intra agency information sharing practices that enable the timely and relevant sharing of criminal intelligence with the network
  6. The PTCN should facilitate more opportunities for TCU-TCU engagement

7. The PTCN should facilitate improved APAN access and use
8. PTCN members should, where possible, encourage alignment and complementarity between INTERPOL and TCU functions
9. 'By the Pacific for the Pacific' should be a foundational and essential principle of the PTCN
10. The PTCN should build on effective capability development strategies and look for opportunities to facilitate more peer learning between Pacific law enforcement officers

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**AFP COVID Cases**

Mr Julian Simmonds asked:

CHAIR: Just finally, how many AFP officers have contracted COVID overseas?

Mr Kershaw: As to the exact number, I would have to get back to you, because we've had some that have recovered. If we include the families, it's somewhere over the number of 12 or 15, but I'd have to come back to you on that. It might actually be bigger than that, if we include the families. Some of those people have been in countries where the health facilities are not great, but still they've stuck it out there. It's simply remarkable.

CHAIR: The committee would appreciate getting the numbers.

*Answer:*

In total, eight (8) AFP officers have contracted COVID overseas.