



PLAN 100.1

"Addressing Law and Order for all Victorians"

Prepared by K. Glare and I. Ray

For the

***Community Advocacy Alliance
Inc.***

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Plan 100.1

The Abstract

Following social media or just keeping randomly abreast of the news the criticism of Victoria Police is consistent. The community firmly and very vocally is of the view that Victoria Police is not providing the sort of service they believe they require or to which they are entitled. An underlying trend of diminished trust is evident.

Lack of transparency and a consistent message that things are not as bad as they appear to be is not accepted by the community who know exactly what is happening because in most instances they were there.

Rebuilding public trust in the organisation must be a key target for the Government and the Police Chief Commissioner. However, this declining trust has been evident for many years and the correction will not happen overnight but happen it must as the alternative is dire.

Governments can throw all the money in the world at policing but if the fundamentals are not adhered to, it is a waste of effort and resources.

The experience many of us have had with computers is not dissimilar with what has happened to Victoria Police. Victoria made the mistake of letting somebody without the necessary skills and knowledge play with the mouse and keyboard of VicPol. Almost immediately the system showed signs of stress. After running all the cleaners and other techniques to repair the system it deteriorated further.

The next logical step was to reboot the system to correct the problems. VicPol has been rebooted three times with the appointment of Chief Commissioners Overland, Lay and Ashton. Some might say that they had been handed a poison chalice. Be that as it may, in varying degrees the problems persist.

As with a computer there is only one option left given that the consensus is that the hardware (the operational members) is in good shape probably better than it has ever been.

Victoria Police need to wipe the system and run the backup from a time when the organisation was sound.

Operating from a clean base will regain community confidence very rapidly.

The test will be a commitment from an enlightened Government and an outstanding Chief Commissioner capable of and willing to make brave decisions devoid of loyalty biases.

To gain further perspective comparing Victoria to New South Wales is a very enlightening comparison given the additional size and population of that state over Victoria.

New South Wales - has a population of approximately **8 million people**.

New South Wales had **16,649** police as at 30/06/2017.

New South Wales Police Force had **27 Senior Executives** or one senior executive to every 600 police.

New South Wales Police Annual Report 2016-17.

Victoria - has a population of approximately **6.5 million people**.

Victoria had **18,440 police plus 1,390 Protective Services Officers** as at 30/06/2017.

Victoria Police have **44 senior executives** or one senior executive to every 500 members.

This means that for Victorians we have more police, more executives a smaller geographical area and a lower population to police ratio but must endure higher crime rates and lower community safety expectations than New South Wales.

Excuses and blame shifting are no longer acceptable – we have a problem with policing in this state and to pretend otherwise is an insult to all Victorians.

The CAA does not have all the answers but we have a lot more than are proffered elsewhere.

Our Plan 100.1 aims to see more Police on the street with preventing crime as is their primary role.

To make a difference and start the recovery process:-

REFORMING AND MODERNISING THE POLICING FUNCTION:

1... SERVICE DELIVERY:

Policing is no different to any other service provided to the community by Government or the private sector. It is very reasonable for the community to expect a certain level of delivery of that service set against benchmarks so that management and the community can have confidence in the organisation.

We now live in a fast moving digital world where things happen now, not when the service provider feels like it, so archaic approaches to service delivery must be modified.

One of the most disturbing things that the Community has told us is the alarming number of times that police do not respond to calls for assistance and when they do attend it is alarming that people are often told, "Nothing can be done," or "it is not worth chasing up as nothing will happen". Although anecdotal, there is sufficient consistency to accept there is a major problem. Can you imagine the hue and cry if a Doctor responded with those answers without even seeing the patient?

Additionally the lack of feedback after contacting Police as either a victim or witness is also alarming. Examples of victims of violent crime living in fear not knowing whether perpetrators have been arrested is common and a response time to an aggravated burglary of forty minutes without explanation and examples of Police not responding at all to serious incidents are common and a disgrace. These matters are serious to the victims and the community, but it would appear, not serious for police.

If Policing is to be effective it needs the support of the community. Current strategies border on treating the community with disdain and that must be addressed.

- a) **Measuring Service delivery.** To know where you are and to know when you have got there or how far you have to go to get there can only be achieved by measuring. It is essential that all police activities can be measured. Service delivery is no different and the antiquated longitudinal measuring systems of output need to be replaced by modern accurate qualitative measuring techniques so that the Service Delivery is being measured at the point of delivery and as assessed by the consumer.
- b) **Feedback Line.** Feedback (as opposed to complaints) from the consumer of the Police Service (the complainants) must be encouraged and simple convenient access via an internet portal needs to be established. New technologies can easily manage the information delivering the feedback directly to the managers at a local level by Postcode recognition. The system can produce data on a regional or other basis.
- c) **Response time benchmarks.** An urgent need exists to establish benchmarks for standard response times to jobs allocated by a priority hierarchy. Despatch times need to be measured against call received times and the time the allocated resource arrived at the call (Code 1) – not just the time the call was despatched because there is then no way of determining whether or how long the resource took to attend the job.
- d) **Activity returns.** Setting out the action taken and critically the call back by the responsible member to the originator of the call or the victim is a critical part of the process and no job should be marked as completed until this is done. The supply of Mobile phones to all police, as recommended elsewhere, will assist in

this task as members engaged in any static duty would be able to follow up complainants without the necessity to be in a Police Station.

- e) **The Police Advice Line.** The activation of the Police Advice line 11444 (Still available - the number originally chosen for the high recall value) should be reactivated as a matter of urgency. We understand that this initiative has been actioned.
- f) **Local Area and Station Commanders active involvement in feedback.** Extending the role of Area and Station Commanders to achieve a pre-determined number of random calls to complainants and or Victims is required to assess the performance of individual Police under their command. That is the only way that proper evaluation of their performance can be assessed. It will also give valuable feedback to managers on the overall performance of their command. An additional by product of this exercise is to give the opportunity to explain why the police did what they did or offer an apology if the members performance was not up to standard. This exercise will reduce dramatically dissatisfaction of Police performance and provide feedback to the actual members to improve their performance. Police complaints will fall and effectiveness improve. Usually half a day per week dedicated to this task would be appropriate.
- g) **Phone Protocol.** Phone contact with any organisation of a personal type is usually the first avenue of contact and it is therefore essential that a protocol needs to be put in place and managed for dealing with these contacts. It is not acceptable that calls to Police Stations or to anywhere else in the organisation are answered by naming the Station or Office – the person answering the phone should have the good manners and professionalism to identify themselves and be accountable for their part in the conversation
- h) **Business cards for members.** Essential and efficient individual business cards that can be handed to victims and or witnesses is necessary and feeds into the image and service delivery of the organisation. The use of generic cards with hand written details should be abolished if for no other reason than being very unprofessional. Information written on the back of a card is not acceptable.
- i) **Computer Aided Despatch.** Releasing CAD data to the public through the Victorian Crime Statistics Agency will hold Victoria Police to Public Account for issues. Instances of erratic or dangerous driving calls to 000 and action taken is but one example.
- j) **Maintaining Service Delivery Standards.** At a sub-district level public meetings to discuss Law and Order issues as they impact on the local community must be undertaken quarterly in line with the release of Crime Statistics and Community satisfaction survey levels. An organisation without feedback lives in a vacuum that will always be detrimental to its good operations.

- k) **Personal presentation** How Police present themselves has a large influence on their authority and therefore their effectiveness. The number of Police regularly seen without their headwear (Symbol of Office) dirty shoes unkempt hair and ill-fitting and poorly maintained uniforms is a serious matter. Often trivialised by the lazy it shows a disregard for the uniform and the office of constable. Many examples of Police wearing mufti but carrying exposed firearms and wearing ballistic vests emblazoned with "Police" is a disgrace. Trying to pretend they are American Special Forces in a war zone is comical nonsense. Policing is not a fashion statement in an organised and disciplined Force. It seems police members break their necks to join and don the uniform and then do everything to avoid wearing it. If a member is involved in covert work then mufti is required. Traditionally detectives do not wear uniform but a suit. Even that has been compromised because Major Accident specialists have the title detective but they are a uniform unit. The pride in the uniform has been compromised and some will argue this is a trivial matter but with that pride goes respect and a police force without respect is far less effective.

2... VICTIMS

A papers entitled "A Case for Victims," and "Another case fro Victims "has been produced by the CAA who has in its membership a number of Victims Advocates who greatly influenced the recommendations by the CAA. The following recommendations can be further understood by reference to the main paper.

- a) **Committals for trial Proceedings.** Remove the antiquated, costly and irrelevant Committals for Trial process. The introduction of the Police "Hand up Brief" have relegated the Committal for Trial hearings as an antiquated irrelevant duplication and in most case unnecessary. The statistics tell the story with over 90% of Committals sending perpetrators for trial and the balance would be the matters sent direct for trial by the DPP. Cases which are not proposed to be dealt with summarily should be evaluated by the Director of Public Prosecutions (DPP) and the accused person either presented for Trial, directed to be referred to the Summary Jurisdiction or advised that they will not be prosecuted at this stage. (As can in fact happen now).

In 1983, when the office of the Director of Public Prosecutions was created, this was seen as a very progressive move for jurisprudence in Australia, the failing was that at the same time the Committal for Trial process was not discontinued by the same legislation. With the establishment and the now developed expertise of the DPP, the Committal for Trial process has

continued to further traumatise victims and delay the justice process by many months and sometimes years. Propping up this archaic process bleeding resources and achieving little is pointless. Accused people can, and sometimes do, waive committal proceedings and still get a fair Trial

- b) **Legal support for Victims.** With the abolition of the Committal for trial process, the saving to the Legal Aid budget can be redirected to the Victims. All Victims of major crimes should have access to a legal representation to represent their interests and pursue their lawful rights, including rights to compensation or restitution. The advantage to the Legal Profession is that this will generate a new specialist skill for the Legal Profession with some Legal Practices specialising in Victim representation. The administration of this legal support could form part of the function of the Commissioner for Victims who could oversee and manage the process.
- c) **Compensation and Restitution.** Currently the process for compensation and/or restitution is inconsequential for a guilty offender. It can be an annoyance to be ignored, as any Order amounts to a civil debt with no chance of recovery without the offender's cooperation. Representation on behalf of the Victim would be to seek any compensation/restitution to be enforced as an Order of the Court. Failure to obey the Order must automatically triggers enforceable action by a collection authority such as the Sheriff or the Taxation Office. Each is well set up for the long game in debt recovery and has the powers to achieve a result. There should be no reason why a perpetrator who receives a salary or a welfare benefit should not have a percentage of that income garnisheed. An added advantage to this approach is to remind the accused of the consequences of their crime as a deterrent to further offending. Victims must be made to feel that it is worthwhile to seek justice under the law. After all the law is supposed to be there to protect them and that when the crime committed against them incurs a financial cost, for pain and suffering. Their Victimisation has a dollar value and makes the perpetrator accountable in a dollar sense.
- d) **Prison numbers.** The long delays in bringing perpetrators to Trial causes pressure on Corrections, and on the Courts to release accused people on bail and non-custodial sentences. This problem is highlighted in the Juvenile System where the majority of prisoners are on remand – an absolute disgrace and serious impediment for justice to Victims and justice for perpetrators. Removing the need for a committal will solve this problem.
- e) **Removal of the Plea Bargain.** The intent of this process is laudable and reduces Court time by encouraging guilty pleas, but the damage to Victims has been totally disregarded. The criminal not only gets a discounted sentence but gets a free pass on any future repeat offences as the courts can only sentence on subsequent matters committed by recidivists as a first offence. The Plea Bargain needs to be replaced by Sentence Bargaining – a process where if the accused pleads to all offences the prosecution will only

seek penalty on the negotiated offences with the Victim and the original informant. The outcome for the accused is the same except that they now have prior convictions for offences they would have had expunged, and the Victim is respected because what they have experienced has not been whitewashed away and the perpetrator has been held to account. With nearly half of all prisoners returning to jail within two years, the practice of expunging offences and therefore artificially eliminating prior convictions through a plea bargain deal, is certainly not a crime prevention initiative and may have the reverse effect by demonstrating to the perpetrator they can actually get away with crimes.

- f) **Sentencing Guidelines**- Despite the constant cries from Defence lawyers of the wisdom of sentencing Judges and against interfering with judicial independence, this countervailing meddling with those near sacred institutions has an undeserved aura of academic respectability. This anomaly must be removed from our legal process. If a member of the Judiciary cannot determine a suitable and fair sentence based on the evidence presented to them, then they should remove themselves from the bench. The so-called Sentencing Guidelines have worked to become completely absurd and undermine the law. They rely on average length of sentences for similar offences, though how any court is able to determine similarity without actually conducting further inquiry by examining the evidence in each case to grade them as similar is unclear. Inevitably, the tendency is to apply offence categories rather than similarities between behaviour. Using statistics in this manner compels courts to never consider imposing the Parliament-set maximum penalty, and guarantees a steady diminution of penalties imposed the ultimately mathematical certainty of this approach is to end up at 'Zero'.
- g) **Safety and security of victims**. A major concern for too many victims is their appearance at Courts and they are torn between an apparent duty and desire to sit through trials. With constant exposure to the perpetrators and their families and supporters, not only in the Court but outside the Court precinct, Victims can easily feel at risk, and the reality is that sometimes that risk, even if hidden, genuinely exists. The proposal is that with the savings achieved by the abolition of the Committal for Trial process that a purpose built studio or set of studios be developed away from the Court precinct where Victims can give their evidence and watch the proceedings of the Trial via video link. Video links are in use with the accused so the extension to the Victim is the least the system can do.
- h) **Coordination of services**.-Throughout Government Departments there are a plethora of Quango's providing services in the Victim space that are uncoordinated and therefore extremely inefficient with each requiring their own administration and resources, contributing to the loss of Victim budgets

on administration rather than output services. Coordination by the independent Commissioner for Victims would be a very sensible move.

- i) **Confidentiality of Victims information.** An incredible abomination of procedural unfairness has been allowed to evolve in the trial process where Judges allow evidence solicited from people who have had conversations with a Victim. The cross examination of the character of Victims in these circumstance where victim's confidential communications with professionals and other can be explored by defence is an absolute disgrace and urgent legislation is required to outlaw this practise. What a victim may confide in another person should not be admissible or relevant to any criminal trial and by any legal interpretation any evidence of this type is hearsay and is purely a fishing exercise by defence trying to discredit witnesses.
- j) **Prior sexual Activity of a Victim.** This never should be admissible in any circumstances. The offence of rape can be committed on a prostitute and the fact of her being a prostitute is not and never should be relevant to the case before the court. If additional legislation is required then so be it. If this type of practice is not stopped it will be extended to the assailant of a boxer and their previous boxing career of a Victim would go to the severity of the assault being less of an offence because a boxer is used to being assaulted.
- k) **Judicial review and Judicial Tenure.** The need to review the Judiciary has been mooted on many occasions without success because the review is always conducted by the very people who need to be reviewed. Therefore entrenched practices remain, never challenged. The solution is to legislate the tenure of members of the Judiciary where appointments are made by a Joint Parliamentary Committee making recommendations to the Governor in Council. Fixed term tenure with the ability for extensions, similar to the way the Chief Commissioner is appointed, will see the Judiciary at last engage in serious reform or face not being reappointed. If a member of the judiciary is performing well then a long service is very achievable providing the stability that the judicial system needs. The separation of powers argument cannot be applied to the administrative function of the courts.
- l) **Legal representation for vulnerable victims.** There is a need for legal support being mandated for young people and people who through age or some other mental impairment should be represented by a Lawyer. Often the accused can be the Victims carer or family member. The Office of the Commissioner for Victims must be given urgent and adequate budget capacity to ensure vulnerable Victims are protected.

3... A COMMISSION OF REVIEW

Every organisation benefits from periodical reviews and when an organisation is struggling to achieve best practice an independent review is essential for the health of the organisation.

It certainly seems to the outsider that the executive of Victoria police have developed an insular inward focused philosophy where they believe they know best and are resistant to critical evaluations or alternate strategies that may well be more effective than those currently in vogue. A, 'do it our way or it is wrong ' approach comes through consistently.

This is a particularly backward looking philosophy that can seriously deter the development of a vibrant and healthy organisation. To address fundamental philosophical attitudes, that must be altered is always challenging. A competent Commission of Review can achieve this.

Modifying entrenched values, however difficult, must be achieved rapidly. A review will not only provide guidance for the Government and the Chief Commissioner but give confidence to the community that their concerns are being addressed.

- a) **Undertake a Commission of Review:** Establishing a Commission of review of policing in this State and other issues that the Commission identifies should be implemented which could include Judicial practices, Corrections procedures or principles and activities of other Government Departments as they relate to the Law and Order issue.
- b) **The independence of the Chair:** The effectiveness and credibility of the Commission to the Police and the public will require great care in the selection of the Commission Chair and the team of Commissioners. Examples of competent independent persons include recently retired New South Wales Commissioner Scipione an experienced former senior police officer and former Victorian Chief Commissioner Kel Glare. Both highly respected and both have a proven record in managing an effective Police Service. The independence politically and from current Command and the policing Philosophies introduced in the early 2000's is essential. The service of any Commissioner should be pre 2000 – the ideal period for the re-set of the organisation referred to in the introduction.
- c) **Timing of the Commission:** The Commission needs to commence as soon as possible reporting to the Government and the Chief Commissioner progressively.
- d) **The process:** The process of the Commission will be as important as the outcomes for altering entrenched values and the current mind set of the organization and will be a major function of the review arguably more important than the practical recommendations.

- e) **Adopt a Proactive Policing Philosophy:** Adopting this philosophy is not contrary to but an essential part of the Victoria Police Mission Statement and essential to return public confidence and improve Police productivity.
- f) **Modify current strategy:** Importantly there is a need to modify, not dispose of, the "Sophisticated Management Index" tasking experiment. As its current application is counterproductive to effective policing however a modified model could prove invaluable to improving the organisation.
- g) **Broken Window Philosophy:** Introduce the 'Broken Windows Policing Philosophy', as the guiding principle of Policing in this State.
https://www.manhattan-institute.org/pdf/atlantic_monthly-broken_windows.pdf.

4... STRUCTURAL REVIEW

The review of the management structure of the Force must ensure that there is no accountability splitting and there is a direct line of accountability from the Chief Commissioner to the most junior Constable. Every manager needs to be accountable for the operation of the command with which they are entrusted without exception.

- a) **Performance based management:** Implement Performance based management at all ranks across the Force measured by KPIs, (qualitative not quantitative) with the Chief Commissioner, having the ability provide support for non-performers and if that fails move the non-performer on. This is particularly important in the operational area where front line members deserve and must be given the highest level of competent managers.
- b) **Benchmarking:** Establish Benchmarks and KPIs to measure targets in crime, traffic, public order, community standards and personnel management for each manager and hold them to performance account.
- c) **Restructure operation command responsibilities.** The reorganisation into Districts based on Municipal Boundaries consistent with all other Government services it is both practical and desirable to move decision making to a lower level closer to the issues. Each District to be managed by a Chief Superintendent. Where practicable each Command will cover two municipal Districts with a Superintendent in charge of each Municipality divided up into practical Divisions managed by an Inspector. For practical purposes there would be some variations on the theme.
- d) **Staffing merry go rounds.** The rotation system currently applied to different ranks must be abolished. There is no practical performance based reason for its function other than an ideological manipulation of loyalties. Stability of management has advantages that far outweigh the alternative. Having the ability for managers to concentrate on their

command and build performance is compromised by the uncertainty the manager faces periodically. The effectiveness of a manager particularly if being considered for higher office must view the performance over a sustained period to judge their true capabilities. The argument that the rotations or a series of temporary appointments somehow improves performances is rubbish by any informed measure.

- e) **Gazetted vacancies.** The transfer and career management must be returned to the members to allow them to choose their place of work and career path. Give them stability of tenure so they can take some ownership in their sphere of duty. The argument that the Chief Commissioner must be capable of moving staff for the good of the service is reasonable. The CAA believes that the CCP would retain that right but the ability of members to change work locations for personal or career development reasons should be encouraged and facilitated. The ability to move within the organisation by choice will enhance morale and reduce difficulties where staff feel locked into an uncomfortable workplace which can often be the precursor to mental illness.
- f) **Impact on welfare of gazetted Positions.** All members are people and all the various social and interpersonal issues occur between members as it does in the broader community however the intense nature of police work can often exacerbate these issues positively or negatively whether they are perceived or real. Under the current system a member who becomes uncomfortable in a work place situation is left with two options. Put up with the problem or submit a report detailing their concern. The first is very undesirable as something relatively minor can escalate as the member feels trapped in the situation. What may simply be rectified by the member choosing to apply for another position in the same region without disclosing the reason would on many occasions be in the best interest of the member and the organisation. The second is very difficult as some members are loath for privacy reasons to commit the detail to a report because it is inevitable the confidential matter will become public so their only option is to put up with the issue until it becomes so severe a minor problem is now a major one. A by-product of this approach will identify high turnover units where the management team is ineffective for whatever reason and this can then be addressed.

5... EMERGING TECHNOLOGIES

The emergence of new technology, almost on a daily basis, provides exciting opportunities for improving the efficiency of Policing. With the technology comes risk and without stifling progression sensible efforts to protect police and the organisation must be applied. Equally the technology must only ever be an aid

and at all costs avoid the error that allowed statistics to become the management.

a) The G-Tag: Pursue with vigour the Community Advocacy Alliance G-Tag proposal as a major Road Safety, Crime prevention and Community Safety initiative. This program will eliminate or severely restrict the ability of car thieves to operate as the vehicles stolen can be shut down making them of no value to thieves but reducing dramatically the risks to the community from fleeing felons with no regard for life including their own.

That police command has not taken on this initiative with vigour which indicates they are not focused on trying to reduce car chases and the inherent risks to police and the public.

The glib statement "do we have to wait until somebody is killed" is not justifiable – we already have far too many innocent citizens killed by stolen cars. Lack of action is an indictment on the police organisation particularly when a solution is available – if others block the initiative it is on their heads. The waiting is not necessary. If these deaths had been caused by firearms there would be no hesitation in taking every step to stop the carnage but in case we offend somebody's privacy. Something they are happy to relinquish by having a mobile phone or visiting shopping precincts and using public transport, enabling police to shut down a vehicle is seen as draconian interference by the state. We are not critical of the Government in so far as they should be looking at these issues but the Police are the lead agencies in these matters and look very tardy indeed for not acting to lead the G-tag initiative.

b) Electric Vehicles. A looming dilemma for governments is evolving with the development and uptake of electric or hybrid vehicles on our roads. The dilemma for Governments is one of revenue. Electric cars do not pay fuel excise a major income stream for governments and one that will be severely eroded over coming years. More efficient cars have already had an impact only minimised by the growing fleet in this State. Governments will be forced to look for alternatives and that can provide an opportunity for policing. It will be inevitable that the only alternative to fuel excise will be to develop a user pays principle using GPS technology for vehicles to pay a road tax depending on use. There appears no other alternative at this early stage. The CAA proposal for the G-tag (a separate paper has been published on the G-Tag) can provide the mechanism that the government can use but as it was established by police the active rather than passive function can drive down crime and improve community safety. VicPol has the opportunity to again achieve its status as a world leading police service by being visionary and adopting these initiatives.

c) GPS: The prolific applications of Global Positioning Systems (GPS) technology both commercially and privately will ultimately attract crime and although

not currently evident it is sure to occur and that could be catastrophic. It is absolutely critical that Government and Police take a leadership role in managing and in part controlling its use rather than it being left to develop in an *ad hoc* fashion as it is rapidly doing now. Leadership now will avoid catch-up strategies in the future which may prove too difficult to effectively implement.

- d) **Mobile technology:** Immediately issue all Police members with an appropriate mobile phone with the normal smart phone capabilities and the ability for audio, video and still photography to be automatically encrypted and uploaded to a centralised safe repository where the material can be secured and retained for future reference.
- e) **Emergency APP:** Phones to be fitted with an emergency 'App' to protect members on and off duty and location facilities permanently enabled but with a modified geolocation feature.
- f) **Cyber Crime-Training:** Expand and develop sophisticated training for Police in the use of social media platforms and how to prevent and investigate cyber-crime. The average Police member must now be equipped with advanced knowledge in the area of cyber-crime. To rely on a specialist units alone would be very foolish and short sighted. Training to provide Police to undertake cyber-crime prevention as well as recognising cyber-crime as it evolves and as they becoming increasingly exposed to it. Fortunately cyber-crime can be categorised as can most other crime by its severity. All Police members need to be trained to deal with the less severe cases that they will come across more often on a daily basis as the cyber-crime evolves.
- g) **Broader Crime Command Cyber- Crime Training:** Members of the Crime Command should be exposed to detailed training in this area trained to a more sophisticated level than Operational members because as the cyber-crime grows, as it inevitably will, having a cyber-crime centralised squad will never cope with the work load.
- h) **Cyber- Crime specialists:** A cyber-crime specialist unit for advanced technical advice would still be required but this unit could be primarily unsworn staff. We are unaware in current developments in this area within VicPol but it is essential it is well resourced to support the members.
- i) **Personal E-Security Training:** A component of all training must include personal use and the risks to members and their families in the use of social media. Police email addresses and other interactions by Police with other social media platforms must be subject to training and realistic policy. We would anticipate that developing the skill levels of Police in the cyber area will also enhance as a by-product, their personal safety as well as the security of VicPol services.

6... REALINGEMENT OF POLICING PHILOSOPHIES

Operational realignments – Moving operational decision making closer to the coal face with accountabilities and performance based management.

- g) **Back fill Police Stations:** As a priority back fill all Police stations to their authorised personnel strength as of 1st of June 2016. Cancel all secondments, temporary duty or other off station functions and commence a review of staffing levels at all stations.
- h) **Downgrade statistical influence:** Immediately downgrade the influence of statistic gathering and tasking by statistics and leave tasking to Station and Unit Commanders (retaining access to statistics as a management tool that assist not controls decision making) whose performance is measured against the applicable benchmarks and Key Performance Indicators (KPIs). Review the Station cluster concept.
- i) **Management by KPIs:** Have Station and Unit Commanders provide by-weekly progress reports towards achieving their KPI targets.
- j) **Task group re-evaluation:** Re-evaluate all special task groups, task forces or other similar functions and apply a cost benefit analysis, overlaying other considerations for their existence, that analysis to be biased towards outcomes over financial cost.
- k) **Review non-operational sworn Police functions:** Immediately review all non-operational positions currently filled by sworn members with a target of a twenty five percent reduction in sworn police fulfilling non-operational roles.
- l) **Using sworn Police in non-operational roles:** For specific resource requirements of a temporary nature, require that sworn police in non-operational support roles be first call over Stations for planned major and events.
- m) **A Force reserve Unit:** Establish a Reserve Unit for Victoria Police where those who have not met performance targets (of any rank) can be transferred to allow them to adjust to the organisation's requirements and provide opportunities for more skilled individuals to fill the vacated positions.
- n) **One up patrols:** Investigate the feasibility of one up response units for stations equipped with additional vehicles to allow for members of a Shift Section to each have a vehicle to respond to routine calls for assistance under the direction of a Supervisor. This will allow for a substantial increase in the flexibility of resources to deal with operational demands. Not to be interpreted as reducing Police numbers as the proposal is numbers neutral but each member has a vehicle. The impact of two

members arriving at an incident is magnified if there are two Police cars. The Los Angeles Police Department has adopted this strategy.

- o) Foot Patrol priority:** Where possible introduce foot patrols to major shopping precincts or other appropriate places. Foot patrols are amongst the most effective crime prevention strategies connecting police and their community.
- p) Managing members on restricted duty:** Quarantine a limited number of positions for members who want to work part time or for other non-health related restricted duty personnel so the integrity of a Station Roster avoiding undue stress on other members. Back filling part time positions to ensure the integrity of the service delivery of a Police station is a priority.
- q) Impact on Prisoners on remand:** Establish the impact of Police procedures on the length of time that prisoners are held on remand. Ensure that Victoria Police are not the cause of excessive delays in bringing perpetrators to justice. Victoria Police must be vocal on this issue.

7... IMPROVING MANAGEMENT

Introduce performance based management: To move the Force to a performance based management model a good place to start is with the selection process for entry to and promotion from within.

- a) Selection Boards:** Immediately reintroduce or restructure Selection Boards for applicants to join the Force chaired by an Officer of a minimum rank of Inspector. Ensure those conducting internal Selection Boards and Panels are of Officer Rank and, where possible, at least two substantive ranks above the rank of the applicants.
- b) Performance of Board Members:** Board performance to be monitored so that results may be a consideration in the future promotion of Board members themselves. Consideration for Promotion must be weighted to the performance of the applicant's current/last or previous Commands measured against KPIs with personal attributes of lesser weight. The most reliable measure of future performance is past performance.
- c) Review Promotions criteria:** Immediately review the promotional criteria to ensure that it aligns with the proactive and accountability paradigm of Policing.
- d) Performance Review Panel:** Establish a Performance Review Panel to advise the Chief Commissioner on the performance and suitability for retention of all Sections, Operations and Branches of Victoria Police. This review should be ongoing and provide alternatives, advice and recommendations based on the core principles of Policing and the ability of

Victoria Police to meet its KPIs. The former Police Inspectorate performed this function in the past and was extremely effective.

- e) **Promotion based on past performance:** The establishment of appropriate KPIs and a culture of performance based promotion relying on the past performance of applicants Commands to evaluate suitability for promotion will rapidly aid the germination of a culture around this principle.
- f) **Consequences for non-performers:** As important as it is to change culture for it to be truly effective there must be consequences for non-performers and those who work actively or passively against the principle. The concept of a Force Reserve dealt with elsewhere will address this issue.
- g) **Rapid promotion:** This is a two edged sword. It enables bright younger members to be accelerated up the ranks but that process ensures that the grounding at each level is missed and the problem is then a command structure that is, in policing terms, immature. There is no substitute for experience in Policing. Management theorists will have apoplexy over that hypothesis but in reality it is correct. Always remember that management specialists are only theorists and are never held to account for the success or otherwise of their theories.

8... DISCIPLINE

Discipline- is essential to a police organization and that area needs adjustment to improve the coerciveness of police particularly in high stress environments.

- a) **Victoria Police a disciplined organisation:** And therefore it is essential to reintroduce Drill to the training of Recruits. Once trained in the concept of Drill it stays forever and is a major contributor to discipline and the ability to work as a team, often in a hostile environment. If additional time needs to be added to the training it would be well justified and improve the overall ability of the organisation for which discipline is essential. Discipline is important not only for the cohesive performance of the organisation but also the safety of Police members. Self-discipline grows from being subject to external discipline. We have seen the “cum bye yah”, approach to police management fail.
- b) **Uniform discipline:** By watching television reports Victoria is the only Police service that has a very slack attitude to the wearing of headdress a critical symbol of authority. We have no comment on the uniform *per se* but the appearance of some members in poorly fitting and untidy uniforms brings no credit to the organisation or encourages respect. If the members cannot respect their own uniform how do they expect the public to? The proliferation of police who wear casual civilian clothes

with ballistic vests and the proliferation of equipment on their utility belts needs to be addressed. This fashion statement spawned by the American Special Services has no place in a community policing service. Members trying to emulate the Americans must be reined in. There may be good reasons for this approach in a war zone but not in Victoria. If police are performing plain-clothes duty firearms must be concealed otherwise the member must be in a well-presented uniform wearing their headdress. The organisation needs to appear to be professional as well as act it.

- c) **Discipline management minor infractions:** Serious consideration must be given to the introduction of Discipline penalty Notices that supervisors can issue to members for minor infractions of discipline. Not maintaining their uniform, arriving late for work, not following instructions, engaging in inappropriate social office interactions and a host of other minor issues which may be as simple as not refuelling the van for the next shift. Notices issued without being preceded by a warning will need a brief justification by the issuing supervisor. Penalties need to be preset and our recommendation is they would range from \$50 -\$200 depending on the severity of the breach. One of the advantage of this system is to allow senior management to monitor discipline and performance of police units. A workplace that does not issue any or another that issues many would need attention. The members also need protection from abuse of the system and could appeal any infringement notice to the Police Service Board. To avoid trivial appeals the penalty must be removed from the members pay in the pay period the infringement occurred. That means that a successful appeal will achieve exoneration and reimbursement a process members would be unlikely to pursue unless a gross injustice to them had been made.

9... YOUTH STRATEGY

Youth strategy – the Police role in the youth space has greatly diminished over recent years with the current "Risk Averse" philosophy causing a strategy to develop where Police overtly move all responsibility for Youth to others. It is essential that VicPol assumes a leadership role and reconnects with youth as part of a major modernisation of the current regressive strategies toward youth and that VicPol accepts its responsibilities in this area. A comparison with other State Police shows there is a correlation between Police connecting with Youth and Crime rates.

Official Police Youth Activities comparison by State.

	Tasmania Police	Northern Territory Police	West Australia Police	South Australia Police	Australian Capital Territory Police	Queensland Police	NewSouth Wales Police	Victoria Police
Adopt a Cop Schools program	✓					✓		✗
PCYC Youth Clubs	✓	✓	✓		✓	✓	✓	✗
Police In Schools Program	✓		✓	✓	✓	✓	✓	✗
Blue Light Disco's	✓	✓	✓	✓		✓	✓	✗
Police Ranges Program	✓	✓	✓		✓			✗
Constable Care Foundation			✓	✓				✗
Other Youth programs	✓	✓	✓	✓	✓	✓	✓	?
Crime Rates	↓	↓	↑	↓	↓	↓	↓	↑ Up 13%

- a) **Youth Command:** Introduce a Youth Command and dispense with other Commands that perform functions that can and should be the responsibility of other Police Units and Sections that should deal with the issues adequately if given appropriate KPIs.
- b) **Youth Officers:** Introduce dedicated Youth Commanders to the police districts divisions responsible for coordinating youth issues at a local level at the rank of Inspector reporting to a Superintendent responsible for the districts overall Youth Strategy.
- c) **Police in Schools:** Reintroduce a Police in Schools program with all Stations required to implement the program across Victoria coordinated, resourced and trained by the Youth Command and managed in consultation with station commanders by the new dedicated Youth management structure. This is a key element for a long-term impact on Crime and community safety .
Significantly the Police involved in the PISP will become the front line in addressing Family Violence issues through their ease of contact with the school families. Early intervention by PISP Officers who are well resourced will significantly reduce risks to family violence victims.

- d) **Blue Light:** Provide support and resources for Blue Light Victoria (BLV) from the Youth Command to expand BLV's core function coordinating with the PIS Program by developing an upgraded Memorandum of Understanding (MOU) designed to grow the resource.
- e) **Youth Camps:** Building on the highly successful Blue Light Camp at Maldon explore the feasibility of extending the concept to work towards establishing additional camps throughout Victoria which is critical to building on the work of both Blue Light, Police in Schools and other Police Youth programs as they can all be interrelated.
- f) **PCYC:** Explore the feasibility of establishing Police Citizens Youth Clubs based on the model used in other States. These clubs would fit well with, The Hub, concept discussed elsewhere as well as Police in Schools, Blue Light and the Youth camps initiatives.
- g) **Operation New Start:** A program designed to keep young people at school this program dovetails well into other recommended Police Youth initiatives. Require the Youth Command to support and resource Operation New Start and develop an MOU.
- h) **Life Ed:** A very worthwhile existing program that should be integrated with the Police in Schools program and a liaison Officer appointed as once was the case.
- i) **Alannah and Madeline Foundation:** An excellent organisation that produces excellent material that is not effectively delivered and a Liaison Officer with this organisation may well provide much of the resources required to operate the Police in Schools program.
- j) **Ropes Program:** Require the Youth Command to work with the Justice Department in the development and integration of the Ropes Program into the Police Cautioning Program.
- k) **Training Senior Youth Officers:** The Youth Command to manage and train Senior Officers at a Divisional level dedicated to Youth and the operation of Youth Liaison Groups coordinating activities of all groups working in the Youth Space in managing recidivist youths.
- l) **Definition of a child** Immediately prepare a submission for Government to realign the definition of a 'Child' within the meaning of all Acts and all other Government functions in line with CAA recommendations and community expectations. . Noting that one can vote and join the Armed Services to kill or be killed at age eighteen.
- m) **Regional Youth Commissioners:** Immediately prepare a submission to Government for the establishment of Regional Youth Commissions responsible for the overall management of Youths who commit crime and management of Youth Liaison Groups at a Divisional level with the authority to direct actions of other Government Departments or agencies operating in the Youth field.
- n) **Chief Commissioner's authority to release children's images:** Immediately prepare legislation to make the Chief Commissioner the responsible

authority in determining what information and or images of the identity of children is released to the media or elsewhere whether they are a victim, suspect or a convicted person and the discretion exercised by the Chief Commissioner to be absolute.

- o) Police Cautioning Program:** Undertake a detailed review of the Police Cautioning program to extend its function and capability to deliver greater impact on young people performing its critical diversionary outcomes. Additional resources from other Government and Not for Profit (NFP) organisations should be coordinated and directed by the Cautioning Program so that a concerted effort can be applied to individual young people to avoid them entering the penal System. The Police Cautioning Program should become the pre-eminent diversionary vehicle. If offenders are diverted at this stage it will save many millions of dollars and improve substantially community safety. Extending the program to adults and particular in the area of minor crime and traffic offences will greatly enhance to respect for VicPol creating an environment that makes Policing more effective. There is an abundance of research that shows without doubt the vast majority of people who are detected committing an offence do not re-offend. The CAA paper "Lose Your License Lose Your Life", is a compelling reason to more widely use the Caution, one of the most underused policing tools. The CAA is currently discussing a strategy where retired Police officers could conduct cautions taking the weight of Operational members.

10... POLICE FLEET/DRIVING

Police fleet and driving- upskilling and equipping the police fleet designs to meet Force objectives.

- a) Marking Fleet:** Fit as many Police vehicles in the fleet as practicable with Police decals (including vehicles used by management and administration) to maximise the visibility of Police on the roads. There is a need in Policing for unmarked vehicles but they should only be allowed by special application authorised at an executive level. Vehicles, unless they are routinely used for covert operations must form part of the visible police presence.
- b) Nudge Bar deterrent:** Fit all operational Police vehicle with suitable "Nudge bars" to aid critical intercepts noting that the deterrent effect will be profound.
- c) Driver training:** Travelling in an operational Police vehicle whether driver or observer is one, if not the most dangerous duty any police member can be exposed to. Police driver training has been reduced dramatically in scope as well as importance. Successive police administrations are culpable

in this area and it is only a matter of time before they are held to account. Practical and modern training for all police authorised drivers is essential. Currently police generally are only marginally more equipped than a competent civilian driver where Police should be highly skilled in this dangerous workplace function.

- d) **Police intercepts.** There are plenty examples where Police forces elsewhere have developed effective and in relative terms safe strategies for intercepting vehicles. This must urgently be researched and best practise identified and implemented in Victoria. Not intercepting fleeing offenders only increases the likelihood of fleeing becoming the norm, as it would seem currently to be the case. The inherent danger to police and the community from fleeing criminals poses a totally unacceptable and an avoidable risk.
- e) **GPS:** Fit all Police vehicles with Satellite Tracking devices so line supervisors and management know the location of each vehicle and the use of police vehicles for non-police unauthorised purposes can be identified. The ability to locate every vehicle will also act as a safety measure for Police members and could prove critical in Prosecutions. The ability of supervisors to monitor the location of vehicles under their command will also alleviate pressure on radio communication volumes as knowing the location of a vehicle will often answer supervisor's queries.

11... ROAD TOLL.

The Road Toll – A lack of a highly visible Police presence is the flaw in current strategies and urgently needs attention – other States with far larger road network comparatively achieve better results than the compact state of Victoria and that is a serious failing of current strategies

- a) **Highway Patrol:** Immediately divide the Patrol Traffic resources into Highway Patrol and Metro Patrol and fit each vehicle assigned to Traffic with Number Plate Recognition technology, Safety Cameras and Satellite tracking devices so that management can ensure the vehicles are where they should be. Highway vehicles to be allocated to dedicated highways and or freeways to increase the visible Police presence.
- b) **Licence Legislation review:** Seek Legislative amendments that require persons detected driving while their licence is suspended to automatically (administrative procedure) have the penalty upgraded to Disqualification for the balance of the period imposed by the Suspension and any greater period imposed by a court for the additional offence. The only contestable

part of this mandated process should be on the basis that the Offender was not driving as alleged.

- c) **Disqualified drivers:** Drivers detected driving during the period of Disqualification to be subject to mandatory immediate arrest and one month's jail (Administrative process). Disqualified drivers who have served their disqualification period are then unlicensed drivers if they are detected driving after the period imposed. Any further breaches add an additional month to the preceding period. The only contestable part of this mandated process to be on the basis that the Offender was not driving as alleged.
- d) **Excessive use of licence removal provisions.** There is currently estimated to be between 200,000 and 300,000 drivers who have lost their licence but continue to drive – the continuation of driving can only be an hypothesis but there would be no doubt a large percentage of drivers who have lost their licence continue to drive. That this number of people lose, their license may well be a reflection on the enforcement strategies. That many or possibly the majority of those who lose their licence are first offenders fuels community disquiet and lack of respect for the system. This is aggravated by compassion delivered frequently and arguably excessively by the courts in far more serious criminal matters. Any Law that cannot be enforced is a bad law and has the effect of promoting lawlessness rather than reducing it. VicPol can do something about the issue by developing and expanding the cautioning program.
- e) **License revocation review.** There is a huge amount of Police and Court time dedicated to the processing of License miscreants and we pose the question as to whether the process has become so draconian and difficult that enforcement and breaches are too frequent. We do not infer a lessening or dilution of the penalties for breaching Traffic Infringement but the process of regaining a license needs to be modified particularly for first offenders and for mid to lower range offences. It may be the process that causes the breaches.
As with Crime the 'Broken Windows' philosophy works equally with traffic. Focusing only on high end traffic issues ignores the minor infringements so those that are so inclined will continue to ignore compliance and escalate their behaviour. The lack of a "Broken Tail light Policy" explains why so many resources and technology applied to traffic management is not having the desired effect. The continued evolution of reducing speed limits is a case in point – if there was compliance and safe driving at existing speeds the need to reduce speeds would not exist.
- f) **Police Cautioning program (Traffic):** Although there are administrative cautioning options available it could be particularly useful to have particularly young drivers experience a formal caution as opposed to a court appearance. Our objective should always be slanted to compliance not penalty.

12... OPEN AND TRANSPARENT POLICING:

Open and transparent Policing- The community is entitled to know about policing and VicPol needs to be open and transparent as far as that is operationally possible. However the community will accept as reasonable the non-disclosure of operationally sensitive information as long as they are informed of the reason.

- a) **Media management:** Install a high ranking Officer with substantial operational experience as the Media Commander for Victoria Police answerable to the Chief Commissioner with the role of managing the information flow from Victoria Police ensuring Operational confidentiality is not compromised. The information disseminated must also be accurate. A growing tendency to play down or minimise a particular events assumedly for political purposes quickly causes derision from the community. Many announcements by executive police in recent times is not believable or genuine. The continuing minimising events has led to a lack of trust in the executive where the community is now sceptical of everything they are told by senior officers. Politicians are masters at this technique and VicPol would be well advised to leave it to them and concentrate on delivering accurate information. The people of Victoria become very sceptical if they think they are being conned, they also pick up on it far more quicker than given credit for. Accuracy beats propaganda every day.
- b) **Members who speak to the media:** Instruct all Operational members, irrespective of rank, who speak with the media in good faith that they will not be subject to criticism.
- c) **Attempts by police to manipulate the media:** Sometimes for altruistic reasons members attempt to mislead or attempt to manipulate the public through the media. Irrespective of the rationale, they should be subject to discipline. The public are very sensitive and highly tuned to identifying spin or attempted spin and the integrity of the organisation is damaged by any attempts to manipulate the media.

13... DRUGS:

A new approach in the war on drugs must be considered as the current strategy, although punctuated by spectacular arrests, is failing at the community level.

- a) **Drug seizure disclosures:** Implement a Policy of non-disclosure of Major drug arrests and seizure and encourage other law enforcement agencies to adopt the same strategy. Advertising a seizure is providing a Drug offender with an explanation to his criminal employer/supplier of what happened to the drugs and or money. Police should not take on the responsibility of acting on behalf of the perpetrator. The publicity of the value of seizures acts as a magnet for some who only see the potential huge financial and lifestyle returns that drug trafficking offers, albeit until their arrest. The deterrent effect of publishing drug seizures is minimal to zero.
- b) **Target street offences:** Move the emphasis from key perpetrators to street level drug dealers and users. For every major offender charged there is a line of 'would-bees' ready to take up the alleged dent in the drug trade. This often happens within hours of a key arrest. Tackling the demand side instead of the supply side, it is argued, will drive the trade underground. This is a desirable outcome and moves the trade from under the noses of our kids and that is an imperative. Although users may develop a health problem through illicit drug use they initially take illicit drugs by choice and should not be readily excused for their unlawful conduct that can and does endanger other citizens, particularly on our roads.
- c) **Different Thinking ...Drugs:** Illicit drug use is a complex issue and the paper by CAA "Different thinking...drugs"
<http://caainc.org.au/?s=different+thinking> should be read in conjunction with this plan. The paper is forward thinking and presents a number of new and different initiatives to curb the drug problem.

It has long been argued particularly by apologist for the illicit trade that the drug problem is not a Law and Order issue but predominantly a Medical or Social one. Many informed people have long rejected this notion as arrant rubbish and now the statistical information has borne out this scepticism as being correct. The alleged death epidemic from illicit drugs is not the dire problem that is purported to be as the number of deaths as a result of accidental or misuse of prescription medication pales the illicit drug problem by comparison. Safe injecting rooms do not as it was expected have a major positive impact on users simply promoting the use by the word "Safe." Linking that word with drugs was an act of idiocy and naivety by those who should know better.

14... COMMUNITY ENGAGEMENT:

Community engagement- The effectiveness of policing can be directly correlated to Police Community engagement practices. Blaming the Community for social dysfunction alienates the Community who collectively see this as police abdicating

responsibility and this leads to a decline in Community confidence in policing. A trait that has evolved in recent years.

- a) **Re-align Crime trend analysis:** The focus on developing research on crime trends needs to be realigned to measuring community attitudes particularly in relation to perceptions of police effectiveness and their feeling of safety and well-being, 'eudemony'.
- a) **Manage complainant follow up:** Station and Unit Commanders must be required to follow up a percentage of complainants from random shifts at least two a week, to establish the performance of the Police that attended to the complaint. This would be a valuable management tool and be a very positive strategy to rebuild community trust. This concept was trialled and found very effective but discarded some time ago not because it failed but it was inconvenient.
- c) **Neighbourhood watch:** Resource and expand the role of the Neighbourhood Watch program to ensure its continuation and contribution and focus efforts on Neighbourhood burglary and drug issues. The reason that in areas that has seen the Neighbourhood Watch program fail is where police have failed to act on information provide in good faith by people in the program. A tendency for police to provide the 'mushroom treatment' to genuine people trying to help out is also a serious contributing factor to the lessening of the program. In the current environment the Police executive should have a serious look at this program because with broad community disquiet bordering on vigilantism the Neighbourhood Watch program should be growing substantially – a closer look may determine the problem.
- d) **Community Interaction:** As a priority review the Patrol system to allow police to spend more time directly interacting with their local community. The movement of decision making to a lower level and proper resourcing of stations will resolve this matter.
- e) **Super Stations:** Dispense with the "Super Station" concept and refocus on police stations servicing their local communities, giving police ownership of their community and the Community ownership of and trust in their local police.

15... SUPPORT FOR POLICE MEMBERS AND EFFICIENCIES:

There have been recent improvements and a concerted effort by Police Command to improve the mental health of Police both serving and retired and their efforts should be applauded but more work needs to be done.

- a) **The Hub:** Immediately establish the concept of "The Hub" as developed by the CAA to service the needs of serving and retired members as a resource to support the members and a referral location for families concerned with the mental health of serving and ex-members. This facility will lead to earlier intervention and better outcomes for police and the community.
- b) **Rebuilding Confidence:** For effective policing, police need to be confident they are not going to be criticised or disciplined should they put themselves in harm's way. Why risk a career and your life when you are likely to be metaphorically crucified. Words from leaders are not sufficient because they carry no legal weight. Legislation must be urgently developed to provide indemnity for Police acting in good faith. The design of the legislation should avoid Police being placed on trial to prove "Good Faith", the onus must be on the complainant to show that the act or omission was not in "Good Faith". The community would back the move and accept that there will be the possibility of unintended consequences but that is a far preferred option to the status quo.
- c) **Gazetting of positions:** Covered in more detail elsewhere the benefits of reverting to this system will not have any detrimental impact on the effectiveness of the organisation and the only critics of the reversion will be those who enjoy the ultimate power they have or can exercise over others. The Chief Commissioner is the only person in the organisation that should exercise that right. A more stable organisation will improve productivity.

16... FORCE RESERVE

The concept of a Police Reservists usually involving non-commissioned retirees has been very successful but unfortunately has been phased out. These mature ex members provided a valuable mentoring role for junior members and by undertaking reception and other non-frontline duties relieved members for operations. The only flaw is that it did not allow for part time commitments allowing ex members to be semi-retired.

This scheme can be developed serving a number of valuable purposes.

- a) **Retirement with dignity:** There is nothing more ex than an ex – a phenomena identified by Chief Commissioner Graham Ashton in the context of the mental health of retired members.

Members, who retire without a career blemish, are allowed to keep their hat badge, Police ID and other personal police paraphernalia as well as a certificate of Service.

If identity as a policemen or woman is retained even though generally only nominal, it would mean a lot to retiring members who are faced with the prospect of losing their identity (persona) on retirement.

It is a truism that policing is not just a job, it is a way of life.

Changing your way of life can be traumatic. Dealt with in many different ways by different members. Some not particularly helpful to their future physical and mental well-being.

The oath that all members take means something significant to the individual police member and although an Act of Parliament (Police ACT) determines they are no longer sworn members, they have never been unsworn.

For Officers they are, or were all granted a Queen's Commission, on appointment to the Officer Ranks and that is never been revoked.

Retirees retain their Certificate of Identity (ID) but abuse of this privilege is unknown. Retention of their ID provides retiring members with a sense of respect and identity.

The Army have a system that recognises service particularly officers and they usually promote a retiring officer one Rank and the Officer can use the title in formal communications and they retain a feeling of belonging and subordinate ranks still acknowledge the retired Military Officer appropriately.

Retirees or Veterans can be or remain part of the Police Reserve that can be called upon in an emergency whether just to answer phones or some other role these reserve appointments should be the prerogative of the Chief Commissioner alone.

This part of the initiative should be cost neutral but importantly contribute to the welfare of retirees. It is unlikely that VicPol will incur any costs for maintaining a Reserve.

- b) **Valuable resource.** Currently throughout VicPol sworn members are involved in research, program development and training and a myriad of other tasks that could probably be done more efficiently by recalling the experience locked up in a Force Reserve.

Particularly short term to medium term projects that would free up current operational staff, usually Officers, to contribute more to the Operations of the organisation.

Quality leadership generates quality operational outcomes, so it makes no sense to have the most qualified and experienced Officers removed from the area they could contribute to most – Operations.

Much of their non-operational work is important but retirees drawn from the Reserve pool could achieve the same outcome.

- c) **The fear of being cut lose.** The opportunity to continue in the Force Reserve will allow members to transition much more successfully recognising that they could still have a purpose and many retired members usually after a break from Policing would appreciate the opportunity to undertake short-term projects or assist on projects that are more substantial for a limited time. Mentoring members who have difficulties might be a very useful task for which the retirees are very well equipped or they could oversee some Professional Standards or IBAC investigations. Improving the quality of outcomes for both. There is a wealth of talent and experience out there; it makes perfectly good sense to use it. This would be both advantageous for the member and a distinct advantage for the efficiencies of VicPol. This arrangement may not suit all retiring members but some may make the break and after a period offer their service to the reserve and if they are suitable, they should be accommodated.

The need for more Police and better supervision and support for operations could be achieved by this program.

17... POLICING SPECIAL INTEREST

GROUPS:

Victoria Police must cease pandering to small vocal pressure groups and certainly withdraw resources applied to them, Police for all Victorians. Policing must not involve itself in any partisan activity no matter how socially fashionable that may be. Police members are entitled to their own values and views but they must not be reflected in their work.

18... INFORMATION MANGEMENT:

Consistent and very obvious inefficiencies surround the use of Electronic (E) communications within VicPol and that adversely effects the overall efficiency of the organisation, from Commissioner to Constable. Far too much information is distributed causing members of all ranks to be a slave to the E information detracting from their functionality.

- a) **Information Management:** The appointment of an information management team to establish protocols for E communication within VicPol along the lines of the organisational structure will avoid the nonsensical situation where we are told members returning from leave sometimes have to trawl through one to two hundred emails. That is inefficiency at its peak. It reminds us of past times when we returned from leave to find a great stack of Legislative amendments waiting our attention. That drudgery and inefficiency has been replaced by the inefficient use of E communications.
- b) **Information hierarchy and development of information portals:** Establish a hierarchy of information including information that can be accessed through Internet portals rather than e-mail.
- c) **Gatekeepers.** The introduction of information Gatekeepers to lessen the burden on Operational members is essential and urgently required. Private enterprise uses gatekeepers to great effect and the improved productivity is substantial with no loss of information by targeted distribution.

19... JUSTICE

A number of other initiative that would assist in improved jurisprudence are.

- a) **Bail entitlement:** In recent years Bail has become legislated as an entitlement and right. A Prisoner must convince a court or police that they will comply with the conditions to be granted Bail it therefore follows that a Breach of Bail should immediately disqualify that Prisoner from again being granted that privilege and the offence of Breach of Bail reintroduced.
- b) **Overcrowding of Police cells by prisoners.** The inefficiency of the judicial system plays a large part in the backlog of prisoners needing to be housed in Police cells. Failure of corrections to deliver prisoners to courts impacts not only on court time but also Police. A system of establishing Magistrates or other courts adjacent to or part of the prison including Children's Courts in the precinct of youth detention facilities will speed up and make the system more efficient and relieve the pressure on the police cells.
- c) **Guilty Pleas:** Determine Offenders' Pleas before the police and the DPP are required to provide a detailed brief to allow for faster processing of offenders.
- d) **Use of JP's:** Reintroduce the use of Justices of the Peace (JP's) in Magistrates Courts to deal with non-critical cases in Divisions of the Court. This initiative alone would remove the backlog of cases speeding up the Court process which would reduce the time Prisoners spend on remand

and reduce the stress on victims. Retired Police or other para legals would be a good source of JP's.

- e) **Liaison with Immigration:** Develop a Liaison role with the Department of Immigration to ensure that non Australian citizens coming to Police notice are also brought to the attention of Immigration for consideration of their deportation. Police cooperation in this area is vital and will have a direct impact on the Crime rate.
- f) **Immigration intervention:** Examine and develop legislative change that will allow the Immigration Department to intervene in non-capital offences at a time when the perpetrator is arrested and the facts of the case are clear and before conviction and sentence. Deportation may be the best alternative over incarceration or some other court based penalty or non-penalty. If the person is subject to the Immigration Act that should take precedence.
- g) **Corrections capacity in sentencing:** Direct the Judiciary not to take into account the availability or otherwise of correctional facility capacities or prisoner management in determining the suitability of incarceration as a punishment – the operations of the Prison system is the responsibility of Corrections not the Courts.
- h) **Mandated penalty credits:** Mandate a twenty five percent reduction in any potential penalty where an early guilty plea is entered except for serious indictable offences involving violence or threats of violence, treason or offences related to terrorism.
- i) **Plea bargaining.** This concept adopted in our court system was never legislated but a concept dreamt up by the legal fraternity to reduce their workload masked under the banner of efficiency for a few complex cases where its application was perhaps justifiable it has now become a mainstream strategy in jurisprudence. Victoria police should push back against this trend and the Chief Commissioner should direct all members to not involve themselves in this practise. The direction should be reinforced **with police prosecutors. If the judiciary persist with this non legislated activity it is on them and they can be held to account by others however VicPol should set the standard and exit from this practise.**

20... GOVERNMENT

- a) **Judicial and Police Accountabilities:** The Judiciary and the Police are, and should be, accountable to the community they serve through the Government they elect. The days of unfettered freedom for both are numbered as the community expects both to be held to a higher standard of account. A discussion on how accountability can be achieved is warranted.

The Police Act 2013 allows for the Government to set policy in relation to policing, a power that the current Government is either unwilling or incapable of exercising. The CAA is undertaking a project to provide clear guidance on how the balance between Police and the Government, the State can be achieved. The judiciary can deal with the issue themselves.

- b) The Police Act.** The CAA will over coming months conduct a review of the Police Act. There are a number of omissions and ambiguities that should be addressed and the CAA proposes to target this as one of their objectives – a set time frame has not been identified for the conclusion of this initiative but it intended that a start will be made during 2019
- c) Move management of all jails to Corrections:** Immediately transfer the responsibility of Juvenile detention to Corrections Victoria and remove the age restrictions on Prisoner management delegating the responsibility for appropriate Prisoner management to the Office of Corrections. Arbitrary age should not determine the appropriateness of the management regime for each Prisoner and should only be part of the broader assessment of the Prisoners management. Corrections Victoria need the power to apply appropriate management strategies based on individuals, not determined by class, ethnicity, gender or age.
- d) Review Summary Offences (Street Offences) Act:** There is an urgent need for a review and update of the Summary Offences Act which has fallen well behind the realities of a modern society. The issue of drugs and the severe belligerent behaviour of Ice and other illicit drug users was never envisaged when legislators drafted the Act. The situation where Police were in a 'Mexican Standoff' with two groups of waring youths for hours at the most recent White Night Festival is indicative of the weakness and irrelevance of current legislation that should allow Police to act to prevent, diffuse and disperse those who are hell bent on causing trouble. Dealing with the anomalies of the Legislation would need to be a separate exercise.
- e) Separation of Powers:** Recent Governments have blurred the lines of separation of powers and although we agree they should exist and Operational policing must not be interfered by Government, the Government however should be able to influence policing philosophies. The CAA proposes to undertake a detailed examination of these issues.

21... HUMAN RIGHTS

Human Rights: It is arguable that the Justice System and by default the Courts, Judges and Magistrates are duplicitous in breaching the Human Right of a prisoners to fair justice. The fairness of our judicial system is supposed to be a cornerstone of our democracy but we incarcerate alleged perpetrators on remand for excessive periods. Remanding of prisoners has become part of the

punishment instead of a method to ensure their appearance before the Courts. If a prisoner is acquitted of an offence and has been on remand for two years by any measure the prisoner has been unfairly and cruelly incarcerated.

The problem occurs in the adult system but the extremely poor performance in the juvenile system sees youths remanded routinely for 200-300 days. This cannot be right and fair and is a breach of a number of the rights of prisoners and or accused persons. Human Rights Lawyers should make this their focus rather than some of the less edifying issues they pursue.

- a) **Remand standards.** Each section of the Judiciary must establish a Benchmark for reasonableness in the time a Prisoner can be remanded in custody. Judges and Magistrates must record their decisions to extend any remand past this period. Cases that are closing in on the benchmark times must be given priority over other matters.
- b) **Managing Court delays for prisoners on remand.** Judges and Magistrates can direct a matter to proceed whether it is the Prosecution or the Defence that is causing a delay and issue a penalty against the Defence or the Prosecution if the Courts ability to proceed are hindered by either party. The penalties should be levied against the practitioner appearing on either side.
- c) **Findings in Bail Matters:** The current process where traditionally Magistrate do not make formal findings in matters of remand and bail may be an acceptable practice in times past, it is not now and avoids accountability. All Magistrates and Judges should be compelled to provide to the Prosecution and the Defence the reasons behind the decision made in relation in any Bail finding.
- d) **Right to education:** Much has been said about the importance of education for Juvenile Offenders in incarceration and we also believe in this right however the 'holy grail' mantel that education is portrayed as is ignoring the realities of dealing with Juveniles. Many Juveniles who are not in detention and who have the opportunity to attend school rarely do. It is no different for them when incarcerated and they would rather 'chill out', with their friends feeding into one of the main reasons for offending, laziness. Juveniles should be offered education but if they fail to take up the offer or do not apply themselves then work is the alternative. Victoria has plenty of open spaces that require maintenance and the Juveniles, and for that matter adult prisoners, should be tasked with environmental recovery of parks and waterways. Either be educated or work, the only options.

22... CONCLUSION:

These are but a few of the necessary steps that need to be taken. However, it is only a start and will take a commitment from the Government to implement these steps that generally can be achieved quickly and start to have an impact.