



PLAN 100.3

*"Addressing Law and Order For All
Victorians"*

Community Advocacy Alliance Inc.

2024

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THE ABSTRACT

THE KEY TAKEOUTS

Leadership – Politicisation – Service Delivery – Integrity

Plan 100.3 is the third iteration of the Community Advocacy Alliance (CAA) submissions to address the problems of Law and order in Victoria and to start encroaching on the shocking crime and road toll Victorians live with. The plan aims to provide leaders with a tangible strategy to move forward.

The CAA intends to continue updating plans to remain relevant and contemporary.

There would appear to be about twenty issues raised by the CAA in successive plans that have either been fully implemented, implemented in part, or taken up by others. The CAA is not bothered that their role is not acknowledged, as the outcome is all that matters.

A new and challenging era of policing is on the horizon and more broadly for Law enforcement with the revelations at the Lawyer X Royal Commission, which disappointingly has, after expending millions upon millions of dollars, faded out with a whimper of non-conclusiveness of the process.

Disappointingly and somewhat outrageously, Senior Police, some still serving, have been allowed to avoid being

accountable for their actions, albeit the evidence seemed very strong of their malfeasance.

This non-outcome leaves many perpetrators not being held to account but equally leaves many under the veil of suspicion they will carry to their graves—a cruel and excessive punishment.

The most significant issue in the original Plan 100 was recognised as the organisation's structure. This is an area that the CAA has expressed opinions on frequently. Incredibly poor Command decision-making and a culture of disrespect for the law have been allowed to fester, nurtured by very bad management practices within the organisation. An overlarge and seemingly ineffective police hierarchy was always a recipe for calamity.

Addressing problems by creating new executive arms does not solve a problem but creates more. It is blatantly apparent that substantial work will need to be undertaken to rebuild the image of Victoria Police and to restore community confidence in the organisation.

What has been exposed so far is wrong on so many levels.

Today, as in the past, there will be comparatively few individuals who are incompetent, stupid, dishonest, or all three. They are the individuals who have brought the organisation to its knees. Still, for every one of these, fortunately for us all, there are tenfold dedicated police who are not morally or otherwise corrupt and will 'uphold the right'.

Plan 100.3 addresses these issues and offers solutions to correct some of the consequences. It has been drafted with the realities of the impact of the recent Gobo Royal Commission in mind. It will help Victoria Police develop strategies to rebuild the confidence of the police members and the public more generally.

The problem still exist and will not change until VicPol accepts that they have issues and creates a willingness to embrace pragmatic change for the better rather than placating individual personal ambitions instead of ensuring the welfare of its 18,000 members and the community of this State.

1. STRUCTURAL REFORM

The current structure is bloated at the top, and executive managers are embroiled in matters that should be dealt with at a much lower level. As the Gobo Royal Commission identified, the highest police echelon was directly involved in operational decision-making. Therefore, they could not perform their proper leadership and corporate governance functions. They became part of the problem.

Since writing this in previous iterations of the plan, the situation has deteriorated with even more executive appointments and the creation of more support staff and departments.

Interestingly, recent reports indicate the military is suffering the same malaise as Victoria Police with a shrinking workforce and the exponential growth of executive and senior management positions, which defies logic.

At a time of falling numbers to deliver a service, be it military or police, it is not the time to remove and promote staff from the coalface of Service Delivery.

It is not the damage caused by promoting individuals alone, but what is generally overlooked is the cumulative impact of these changes on Policing at the front line as police are drawn up to fill the administrative support.

We estimate the backfill line of positions may blow out to nearly 100 police effectively removed from the front line. The additional commands also adversely impact frontline members as they are inevitably required to produce data to service the functionality without the productivity of the new Commands.

Policing, in a management sense, is no different from any other organisation save one critical difference. Decision-making must be made at the lowest possible level closest to the circumstance that requires a decision because, in policing, time can be a matter of life or death.

The significant flaws in the current structure are too many positions on the executive line where work has to expand to fill the available space. That then ensures decision-making is drawn up in the organisation. Using the Matrix Management Model with a consultative process controlling decision-making removes efficiency and accountability, stifles leadership development, masks incompetence and substantially protracts decision-making. The organisation loses any dynamic drive and becomes a slow bureaucratic morass struggling under its self-inflicted burden.

1. **Matrix Management:** Senior managers still influenced by the Matrix system can protect themselves, allowing them to mentor more junior members in their incompetent image. Nepotism in this process is rife, and obligations to senior members by subordinates can easily corrupt the promotional system where promotion is no longer based purely on the competence of the aspirant to perform the task. This system can spawn corruption as mentored members would be unwilling to call out flaws of their mentor, and mentors are unlikely to call out flaws in their charges should it reflect adversely on them, creating many enclaves within an organisation with loyalties to

that enclave that work against the best interest of the organisation. The flawed Matrix Management system or any remnants must be discontinued, with the example set by the executives. All executives must be held to account for their decisions, which should be measured against their Key Performance Indicators (KPIs).

2. **Executive Reduction:** At the very least, a twenty-five to thirty per cent reduction in the executive ranks, both sworn and unsworn, is required and can quickly be achieved by attrition and contract expiration. The resultant cost savings can then be used to reintroduce disbanded ranks for the betterment of the organisation and the police involved, leading to a more suitable promotional arc, rather than gigantic spasmodic leaps, as the current system operates.
3. **Mentoring/sponsoring:** Senior officers, particularly the Executive, must remain and be seen to stay at arm's length from the Promotional System. That is not to say they should not actively be involved in setting and reviewing standards, but as far as applicants are concerned, there must be a 'Chinese Wall' between any applicants known to the officers and the selection process. Selection can then be sanitised of allegations of nepotism. The promotion process by mentoring must be abolished from the organisation in favour of a competency-based promotion system.

To address these issues, the CAA proposes that:

- a) **The Senior Executive:** The Deputy Commissioners' span of control must be divided into Administration and Operations. There are currently six Deputy Commissioners, including two equivalent Public Service officers. That is a 16% increase since 2019, with the Force numbers remaining static. That increase is illogical, and the justification is very questionable. The Deputies must relieve the Chief

Commissioner and each other, eliminating the need for upgrading that has a knock-on effect throughout the organisation. The only exception would be when one of the Senior Executives is on extended sick leave.

- b) **Business Case:** Each executive Officer position must be accompanied by a business case for the existence of the position from which the KPIs can be determined to measure the effectiveness and the necessity to maintain the position.
- c) **Assistant Commissioners and Executive Directors:** With a detailed review of the areas of responsibility, the span of control and functions of every position, a rationalisation of forty per cent is achievable. The relieving rules for Deputies must also apply to Assistant Commissioners. Relieved by their peers will create another line of checks and balances in the executive rank. A relieving subordinate is very unlikely to raise matters relating to their boss. This would be reasonably achievable with appropriate delegations. It also minimises the knock-on effect down through the ranks as upgrading cascades down. One Assistant Commissioner on leave with an upgraded person to fill the slot translates into somewhere near 20 members being drawn up the hierarchical chain. The result is increasing the workload at the coal face as numbers are drawn away. This adversely impacts Service Delivery.
- d) **Rank Structure:** Over recent years, as the senior executive level has been permitted to bloat, removing two Officer Ranks has damaged the development of Officers and the organisation's decision-making. Officers take giant leaps from Inspector to Superintendent, then Superintendent to Commander. So, from Constable to Inspector, there is a promotional curve, then a straight line through

Superintendent to Commander, and then the curve is reintroduced. This flaw in the rank structure has contributed substantially to the decision-making being passed to the executive.

- e) **Re-introducing the Intermediate Ranks:** Those with additional ability will more likely seek opportunities for promotion. The cream rises to the top. Many Officers may remain at the interim rank as their career nirvana.
 - i. **Chief Superintendent:** The reorganisation of the regional system with a Chief Superintendent in charge of a district. The districts following general municipal boundaries, or combinations thereof, will place much of the decision-making at a more appropriate level. A regional Assistant Commissioner cannot hope to understand the intricacies of a municipal community separated by hundreds of kilometres. A policy decision that relates to the inner or, for that matter, outer suburbs of Melbourne can have adverse impacts on a country town two hundred kilometres away. Often, this may translate into inappropriate policy decisions. These changes should be cost-neutral as there will be a rationalisation and reduction in the number of Commanders and Assistant Commissioners.
 - ii. **Chief Inspector:** In line with this reorganisation, the Rank of Chief Inspector should be reintroduced. Again, this is a cost-neutral proposition as the number of Superintendents declines. Many tasks traditionally and effectively carried out by Chief Inspectors are now undertaken by Superintendents, and that change was not

based on empirical data as far as we can determine.

- 4) **Impact of change**: The first and most significant impact will be to bring decision-making closer to the community it affects. An argument may run that a Superintendent currently performs this role, but in the culture of Victoria Police, the Superintendent's decision-making is usurped. The decisions keep percolating to the top.
- 5) **Impact of Officers**: One of the significant advantages of reintroducing these ranks is that Officers will gain broader experience as they progress through the ranks, and many will decide that the rank achieved will be the pinnacle of their career—the result of more harmonious and functional Officers. Job satisfaction should be an essential consideration in organisational discussions. A high rotation of Officers is counterproductive to the organisation and staff need stability in leadership.
- 6) **Officer Promotions**: Removing mentoring and nepotism will build a happier workforce, but another important consideration is the identification of officers for the executive ranks. With the additional ranks, Officers can better demonstrate their relative leadership strengths. These changes will not remove outstanding officers' ability to bypass ranks if their skills warrant it.
- 7) **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 to provide support for non-performers and, if that fails, to 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 management. Persistent non-performance over a sustained period failing to meet KPIs, even when support is provided, would justify the Chief Commissioner issuing a reversion in rank. The officer

would, however, retain the right to appeal the Chief Commissioner's decision at the Police Service Board and, therefore, provide natural justice for the member concerned. Investing this power with the Chief Commissioner could be applied to all ranks, improving the organisation's performance.

- 8) **Staffing 'Merry-Go-Rounds'**: The Officer rotation concept criticised by the CAA as a management flaw seems to have diminished. We have noticed that this process has become less of an issue raised with us, but we are unsure if it has been abandoned altogether. There is no practical performance-based reason for its function other than an ideological manipulation of loyalties. The stability of management has advantages that far outweigh the alternatives. Managers' ability to concentrate on their command and build performance is compromised by the uncertainty the manager faces periodically. A manager's effectiveness, if considered for higher office, must view the performance over a sustained period to judge their true capabilities. The argument that rotations or a series of temporary appointments somehow improve performance is rubbish by any informed measure.
- 9) **Accountability Splitting**: Any realignment of the management structure of the Force must eliminate accountability splitting as far as possible. There should be 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. We have been disturbed by recent correspondence where an executive officer refers to the span of control exercised by other executives as 'ownership'. We accept ownership as only appropriate if the 'Owner' accepts responsibility for the operation of the span of control in its entirety and whatever sanctions are

applied by the failure, something that does not seem to be the case.

- 10) **Upgrading and Leadership**: Every member appearing in the media is 'Acting' rather than of substantive rank. The acting role has become an epidemic; it is common and reflects poorly on the organisation's ability to manage staff efficiently. Subordinate ranks enjoy upgrading on a personal level because of the financial reward and the ability to exercise power without the need to go through the training or selection process. Each upgrading should not be automatic and must be justified as to why rosters of that rank caused the issue and why these duties cannot be transferred to another substantive member for a period. This additional work will promote delegation and save considerable impact on the budget. These savings can be redirected to creating more substantive ranks where a shortfall exists. Of most significant concern to the CAA is that the operational members at the coalface are deprived of the theoretically best managers and are being led by superiors who are acting and can lack the expertise of the substantive rank. The removal of the Officers from the coalface (24 hr-150 units) to support the operational members is a retrograde step and is identified as an essential step in structural reform. Particularly, bringing the officers and the other ranks closer together will also help to develop a positive culture.

2. REALIGNING THE CULTURE

At the heart of every healthy and resilient organisation is its culture. A culture can wax and wane, but it is the culture that creates the environment for a successful, productive and dynamic enterprise. At its cultural peak, an organisation can be unassailable in its quest for success; at its worst, it will destroy that same organisation, making it circumscribed, insipid, racked with problems, producing lacklustre results.

Many influences on the cultural dynamic are subtle, and others not so; however, re-energising a negative culture to a positive culture takes a particular management skill.

Somebody possessing that skill does not seem evident now, as most of the current police executives have been a party to and, therefore, responsible for the current cultural decline.

We also know, from our experience, that a culturally sound and dynamic organisation is one not plagued by embarrassing leaks to the media, predominately because there are no embarrassments to leak.

Media leaks are a symptom of a culturally weak organisation, and the problem is exasperated by 'witch hunts' to discover the source of the leak rather than energy directed at solving the issue. 'Witch hunts' are damaging to the culture and are used by inept management to divert focus from their ineptitude.

Removing the word 'Force' from the organisation's title is an example of seemingly minor changes that can have an ongoing negative impact, mainly when the community is vocal on the issue. The reasons for this decision's negative implications have been well-canvassed elsewhere. (Now rectified)

Another is to alter how the workforce is addressed. A recent example of an official police communique to the total workforce referred to them as employees of Victoria Police. We all know that the Victoria Police employ both sworn and unsworn staff, but at some time, yet undetermined, it would seem that sworn police are no longer police members but employees.

Being a member of an organisation is substantially different from being an employee, and it is all about culture. OMGs have members, and as part of that membership, they wear the club colours; football clubs, Political parties, and the Defence Force are referred to as members, and all share identities of

their ‘membership’. The sense of belonging as a member is on a higher plane than just an employee.

‘Policing is not just a job; it is a way of life’; a previous police recruiting theme.

To refer to police as employees, removing some aspects of discipline, and generally trying to move policing to a ‘Kumbaya collective’ is fraught with cultural risks that are now manifesting. Victoria Police moved in that direction in the early 2000s but have tried to reverse that situation.

Although perhaps not blatantly apparent at first blush, addressing these issues will go a long way toward rebuilding the culture of Victoria Police.

- 1) **On the spot/Discipline Notices:** Dealing with minor infractions by members is where many cultural issues start. Often, line supervisors cannot correct behaviour for fear of allegations of bullying or discrimination. In the pressure cooker environment of a busy shift, the luxury of time is not available to correct indiscretions in a protracted, conciliatory, negotiated manner.

Supervisors who are faced with members being late for a shift, unkempt uniform, non-compliance with instructions, mishandling police equipment and a long list of other minor matters could be dealt with by this process.

A member issued with a notice is advised that it is a warning; however, should they have accumulated a warning for the same indiscretion in the last thirty days or more than four warnings in any given six-month period, this warning will convert to a penalty notice. The predetermined fine to be levied at the next pay period — nominal penalties ranging from \$50 to \$200 would seem

appropriate. If the member disputes the fine, the member must appear before a review panel or the Police Discipline Board to have the matter heard as an appeal.

Concerns about the notices being misused would be managed by recording all notices, the relevant workplace and the identity of issuing sub-officers or Officers.

- 2) **Judicial personnel management (JPM)**: Ensure this process is ceased immediately. Conjuring evidence to suit a predetermined narrative is unprofessional, and using threats of prosecution to elicit a resignation destroys the culture as well as the member, ensuring they will most likely suffer PTSD, and apart from that, it may be unlawful. We acknowledge that there are members who should be dismissed. However, there are processes available, and if they are too cumbersome, then a fair dismissal procedure that allows natural justice and is acceptable to the Police Association must be developed. Judicial personnel management is cruel and immoral and guaranteed to destroy the member concerned and, in some cases, drive them to their ultimate demise.
- 3) **Research PTSD**: Examine the correlation between PSC investigation techniques and the incidents of Post Traumatic Stress Disorder (PTSD) and or suicides of members or former members. Further, that research should examine the success or otherwise (by securing convictions) of the PSC and explore the relationship between PSC practices and the epidemic of civil actions brought against VicPol and the relevant outcome of those actions. This research should also include the impact of litigation on the police budget.
- 4) **Discipline Advocate**: Every member subject to disciplinary action or investigation must be allocated an independent Officer to act as the member's sponsor. The role of this Officer is to ensure that the member is afforded natural justice, is not subject to Judicial Personnel Management

practices, and is treated with respect, dignity and fairness. Notably, there would also be a welfare role for the sponsor. Specific training for Officers who are used as sponsors will equip them to perform this function. The purpose of this Officer is to ensure that members access legal advice and welfare services. The officer is as much a facilitator rather than responsible for the support functions *per se*. This Officer is the two-way conduit between the organisation and the member to ensure all communications are appropriate and complete. We suggest this advocacy extends to when a member, for whatever reason, ceases to be employed by VicPol for two years after the end of service unless arrangements can be made to transfer the advocacy role to another organisation, like the Retired Police Association or Police Veterans Vic.

- 5) **Police Uniform:** The police uniform is the symbol of the authority of the office of the Police Constable. It forms a core part of the culture of any police or similar organisation. Community respect and building self-esteem in police members is akin to nutrition for a positive culture. A concerted effort by the organisation, if necessary, using the 'on the spot' discipline mechanism, must be embarked upon to present Victoria Police professionally. Moreover, that starts with the uniform and begins with the police executive. Wearing a police hat, the central symbol of authority must be enforced, and the executive must show leadership.

The concept of a dress uniform is a misnomer as it is the police uniform, and other derivations are just that and are the uniform components that suit particular tasks, but the common denominator is the headdress. Too often, police from the executive (who set the standard) wear all sorts of uniform components regularly without headdress. The police uniform must be made the default dress, and from there, derivations to suit operational needs can be developed but must be tightly controlled, and the current ad hoc

approach ceased. Police turning out in anything less than a full uniform to a planned press conference is unacceptable, as are members turning out in the latest Special Forces-mufti-type look.

- 6) **Recruit training**: The culture building begins when a recruit walks through the door of the Academy. For the entirety of their training, they must be subject to culture development where they can connect with and become a 'member' of the organisation. Besides the apparent training needs, recruits must have substantial exposure to experienced police who can relate their real-life experiences. Apart from the cultural benefit, it will give recruits an indication of what they can expect when they graduate. Every effort is made to provide recruits with training as realistically as possible. Still, there is no substitute for interspersing the training with real-life examples and experiences, making their training more relevant. VicPol has a duty of care to expose the recruits to as many simulated real-life experiences as possible so they can choose not to proceed with their training rather than complete it and find they are not suited to the job.
- 7) **Police History**: The history of Victoria Police is long and generally something to be admired. The police who have made the ultimate sacrifice before them and the significant events that have shaped VicPol are critically important to help build the culture. The role of the academy is to prepare recruits for Policing and to develop a culture within them that is in the best interest of the community, the organisation and the recruit and transcends all other training aspects. Building the culture may have as much to do with the environment that a recruit is exposed to in the Academy as it is to do with formal culture training. Still, all aspects of the training must have culture development as part of the way the training is presented.
- 8) **Respect building**: To build a positive culture, the death of former members must be appropriately marked. Subject to operational commitments, a formal representation to a

former colleague must be given priority. The appropriate Officer or Station Commander must read the Police Ode and, as far as possible, be of a rank higher than the deceased member. At least two trainees or junior members from the local station should attend every service to show respect. Stations must fly flags at half-mast as a domestic mark of respect no matter how long ago the former member left the force.

- 9) **Retired members:** They can have a significant influence on culture. They are best placed to teach members to respect the retired rather than sometimes having a negative relationship bordering on disdain. Retired members should be welcomed at a police station and encouraged into the station rather than being addressed over the counter. This gives the opportunity, particularly for less experienced members, to interact with the retiree's experience. Retirees who still possess Police identification should be encouraged to produce it and identify themselves to promote interaction. Locating as many retired members as possible in every police subdistrict is essential. Although many will reject the contract, it should be offered at least.

3. FUTURE STRATEGIES

The future is where the CAA's focus is and should be. The past should also be embraced so that experience can be used to help with the forward emphasis. The strength and efficiency of Victoria Police will be determined by the quality of the people who are encouraged to join the organisation. With the apparent epidemic of PTSD, there is an obligation in the recruiting process to carefully select applicants based on the likelihood that they will handle the rigours of Policing. Substantial work must determine the psychographic profile for applicants' suitability. Unfortunately, much of the work to date does not look at the long-term impact

of this critical attribute. Examining the character and resilience of those who have completed their service without the onset of PTSD should be the starting point.

- 1) **Recruiting**: Although we understand that a new paradigm exists with protections against discrimination in the selection process for a career in Victoria Police, the pendulum has swung too far to appease small but vocal pressure groups. Evidence shows that some recruits are mentally or physically ill-equipped to perform the Policing function. Recruits must be assessed on the basis that once they have completed their training, they can perform 'General Duties' on the Van or other Operational roles. Above all else, they must be capable of performing the duties of a Police Constable. Any applicant who cannot display physical and mental robustness must be rejected, or Victoria Police has failed in its duty of care, not only to the applicant but also to other members who must rely on this person in conflict situations. If a member cannot perform the police function in their probationary period, their service must be terminated. That eventuality must be a mutually understood condition of employment.
- 2) **Multi-level Probation**: Similar to the process drivers go through to get their full license, a stepped probation period for recruits should be introduced to extend the probation over four years. Re-introducing the rank of First Constable would be an easy way to identify and acknowledge those constables who have completed their probation. During that extended probation, the Probationary constable must perform active operational duties and shifts as directed. (Condition of employment.) Only under exceptional circumstances can they move to Operational support or non-operational positions. A failure to perform operational work satisfactorily can then be used to terminate their appointment. This system

will significantly improve the opportunity for unsuitable members to exit and ensure that the core function of VicPol is well-serviced.

- 3) **Non-performing members:** There appears to be no efficient or cost-effective way of dealing with recalcitrant or underperformers who harm service delivery. We suggest they may be offered a transfer to the Public Service career stream as an alternative to action by VicPol. Every effort must be made to determine the root cause of their failure and whether it is within the scope of VicPol to address.

“For every hundred men hacking away at the branches of a diseased tree, only one will stoop to inspect the roots”.– Chinese proverb.

- 4) **Patrolling the beat:** This time-honoured traditional form of policing is perhaps even more critical than in the past. Still, the observations made of police on foot suggest they have no idea how to perform this essential policing function. Police walk from one spot to another, usually two up, but on occasions more; this is not foot patrol. They tend to be small groups of police walking down the street, either engaged in conversation with each other or, more blatantly stupid, engaged on a mobile device. This behaviour is inherently dangerous to the members as no situational awareness is possible; they simply provide a perpetrator with a larger and easier target than a single officer.

A competent member on foot patrol moves slowly and deliberately with a high degree of situational awareness, ensuring they are always in a position to have the protection of their back, usually a structure on their beat. Patrolling police make or attempt to make eye contact with every person encountered, and a nod of

acknowledgement or a smile endears that member to the public. Frequent interactions with the community are part of this function, building confidence that the police are there to look after them. Multiple members patrolling and distracting themselves from the task is dangerous. They would be far safer to independently split up and patrol the same beat.

4. SERVICE DELIVERY

In our view, there is a severe deficit in understanding Service Delivery within Victoria Police. We have seen little evidence of improved Service Delivery over the last decade, at least, probably going back further. What we have seen is various efforts to improve Service Efficiency.

This bias has further hardened the ‘them and us’ syndrome when Policing should be all about ‘them with us’. Policing is a people business, which should never be forgotten. The lack of Service Delivery will never be overcome when Service Efficiency is the catchphrase and holds sway in decision-making.

We would always support initiatives that improve the organisation's efficiency; however, any such initiative should constantly be tested against Service Delivery, which should trump any efficiency move. When you throw police effectiveness into the mix, there is no doubt that many efficiency moves do not cut the mustard.

Policing is not the first organisation that has been suckered into confusing the two sometimes competing principles. The corporate sector is littered with examples, and none more evident than companies needing call centres. Most were moved offshore for efficiency; however, many we deal with daily have returned to the call centres on shore. Although the

offshore versions were cost-effective, the customers that the corporations relied on were not given the service they required—the power of the consumer.

While Policing is not focused on profit, Policing as a People business should not dismiss the experiences in the corporate sector.

The effectiveness of Policing is directly proportionate to its relationship with the people it serves, and Service Delivery is therefore critical.

- 1) **Measuring Service Delivery:** To know where you are and when you have got there or how far you have to go can only be achieved by measuring. Put another way, it is hard to know when you are ‘there’ if you do not understand where ‘there’ is. 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. For example, measuring members' perceptions of service delivery may elicit some helpful information; however, it will generally be self-serving, so it needs to be undertaken by the service recipient. We acknowledge that the best policing produces no measurable result. No disorder, no crime and no traffic offences leaves little to measure.
- 2) **Feedback Line:** Feedback (as opposed to complaints) from the consumer of the Victoria Police services must be encouraged through simple, convenient access via an internet portal. New technologies can easily manage the information, delivering the feedback directly to the managers locally by Postcode recognition. The system can produce data on a regional or other basis.

- 3) **Response Time Benchmarks:** An urgent need exists to establish benchmarks for standard response times to jobs a priority hierarchy allocates. Despatch times must be measured against call received times and when the allocated resource arrived at the call (Code 1) – not just when the call was despatched because there is no way of determining whether or how long the resource took to attend the job.
- 4) **Emergency.vic.gov.au:** The emergency activity interactive map should be extended to include police incidents. The community uses this site regularly in the suburbs, so including police incidents will create a better-informed community and provide police with valuable information. An ongoing event can provide real-time updates, advise the community to ‘Keep a Lookout for’ and advise the police. A community understanding of how busy policing is would be a very positive outcome.
- 5) **The Police Advice Line:** The Police Advice line 131444 has been re-activated.
- 6) **Active Involvement in Feedback:** Extending the role of Area and Station Commanders to achieve a predetermined number of random calls to complainants and victims are required to assess the performance of individual police under their command. That is the only way that proper evaluation of their performance can be evaluated. It will also give managers valuable feedback on their command's overall performance.

An additional by-product of this exercise is to provide the opportunity to explain why the police did what they did or offer an apology if the member's performance was not up to standard. This exercise will dramatically reduce dissatisfaction with police performance and provide feedback to the actual members to improve their performance, introducing accountability at all levels. Complaints will fall and effectiveness will improve.

Usually, half a day per week dedicated to this task would be appropriate.

- 7) **Phone Protocol:** Phone contact with any organisation is usually the first avenue of contact; therefore, a protocol must be implemented and managed to deal with these contacts. It is unacceptable that calls to Police Stations or 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.
- 8) **Police Headquarters Main Phone Number:** One of the most egregious failures in this area is the main number at Police Headquarters, 92476666, which was disconnected some time ago under the guise of efficiency, highlighting the Force's incapacity to understand the concept of Service delivery versus Service efficiency. There are many corporate and community reasons to contact Police Headquarters, not to mention other Law enforcement entities that may not have direct numbers. Not having this phone manned is disgraceful and unprofessional and should embarrass the organisation. With today's technology, this service could be managed through the call centre at Ballarat.
- 9) **Mobile Phone Etiquette:** Fashionable within Policing, not showing their caller ID on their mobile phones is impolite, and the broader community has moved on and now, in general, will not answer a call without ID unless they are comfortable with whom they think may be making the call. With the ability to block anybody who misuses the ID, this practice must cease. The ID can be switched off for specific operational reasons, but the default position must be to show caller ID on all police issue phones. As an alternative, efforts should be made to have all police mobile phones project an ID of the police to all calls.

- 10) **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 are but one example. A detailed submission on this issue is at <https://caainc.org.au/50,000>. That only .09% of the 50,000 reports of bad driving the public reported 000 in 2023 is a disgrace, highlighting a gross lack of system accountability for the process and investigations of this support for safer roads that the community has invested in.
- 11) **Maintaining Service Delivery Standards:** At a sub-district level, public meetings to discuss Law and Order issues as they impact 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.

5. EMERGING TECHNOLOGIES

The emergence of new technology, almost daily, 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 be an aid and, at all costs, avoid the error that allowed statistics to become the manager.

- 1) **CCTV - AI - Facial Recognition:** The latest developments driven by the thefts from businesses, predominantly but not exclusively in the retail sector, have seen the developments of this technology advance at warp speed. A retailer can determine in real-time whether one of their

staff members has any connection to the customer they are serving to ensure that no unlawful discounts (Theft) are applied to the transaction. CCTV has come a long way in the development of optics, and the integration of facial recognition, linked to artificial intelligence, near-instantaneous recognition and details of the person can be sourced.

A tool that would enhance Policing dramatically. A suspect brought into a police complex, the combination of CCTV and AI Facial recognition would have a complete dossier from a legalistic and social perspective in the hands of the investigators before they even sat down in an interview room. Importantly, they will know that the first principle or point of proof for any prosecution is identity. The applications of this technology in police building security and operational surveillance and a raft of other applications are only restricted by the imagination of police to maximise the value of this technology.

- 2) **The G-Tag:** Pursue the Community Advocacy Alliance G-Tag proposal with vigour as a significant Road Safety, Crime Prevention and Community Safety initiative. This program will eliminate or severely restrict the ability of car thieves to operate as the stolen vehicles can be shut down, making them of no value to thieves but dramatically reducing the risks to the community from fleeing offenders with no regard for life, including their own. That police command has not taken on this initiative indicates they are not focused on reducing 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, mainly when a solution is available – if others block the initiative, it is on

their heads. If firearms had caused these deaths, there would be no hesitation in taking every step to stop the carnage. Still, if we offend somebody's privacy, it is neither rational, nor justifiable, as an excuse. It is something the public is 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. Police are the lead agencies in these matters and look very tardy for not acting to lead the G-tag initiative.

- 3) **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 significant income stream for governments that will be severely eroded over the coming years. More efficient vehicles have already had an impact that is only minimised by the growing fleet in this state. Governments will be forced to look for alternative revenue streams and provide an opportunity for policing. It will be inevitable that the only alternative to fuel excise will be to develop a user principle using GPS technology for vehicles to pay a road tax depending on use. There appears to be no other alternative at this early stage. The CAA proposal for the G-tag (a separate paper published on the G-tag at caainc.org.au) provides a mechanism that the government. Still, as police established, the active rather than passive function can drive down crime and improve community safety. VicPol can regain its status as a world-leading police service by being visionary and adopting these initiatives.
- 4) **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, which could be catastrophic. The government and police must take a

leadership role in managing and, in part, controlling its use rather than 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 challenging to implement effectively.

- 5) **Mobile Technology:** Immediately issue all police members an appropriate mobile phone with standard smartphone capabilities and audio, video and still photography ability to be automatically encrypted and uploaded to a centralised, safe repository where the material can be secured and retained for future reference (partly implemented).
- 6) **Emergency APP:** Phones are to be fitted with an emergency 'App' to protect members on and off duty, and location facilities are permanently enabled but with a modified geolocation feature.
- 7) **Cyber Crime Training:** Expand and develop sophisticated training for police in using social media platforms and preventing and investigating cybercrime. The average police member must now be equipped with advanced knowledge in cyber-crime. To rely on specialist units alone would be very foolish and short-sighted. There is training to provide police to undertake cyber-crime prevention and recognise cyber-crime as it evolves, and they become increasingly exposed to it. Fortunately, cybercrime can be categorised as most other crimes by their severity. All police members need to be trained to deal with the less severe cases they will encounter more often as cybercrime evolves.
- 8) **Broader Crime Command Cyber-Crime Training:** Members of the Crime Command should be exposed to detailed training in this area and trained to a more sophisticated level than Operational members because as the cybercrime grows, as it inevitably will, having a cyber-crime centralised squad will never cope with the workload.

- 9) **Cyber-crime specialists:** A cyber-crime specialist unit for advanced technical advice would still be required, but this unit could be primarily composed of unsworn staff. We are unaware of current developments in this area within VicPol, but it must be well-resourced to support the members.
- 10) **Personal E-Security Training:** A component of all training must include personal use and the risks to members and their families using social media. Police email addresses and other interactions 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 safety and the security of VicPol services.

6. REALIGNMENT OF POLICING PHILOSOPHIES

Moving executive decision-making closer to the coal face with accountabilities and performance-based management is critical for a vibrant and effective organisation, irrespective of its function.

- 1) **Backfill Police Stations:** As a priority, backfill 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 operational staffing levels — the station numbers must reflect the number of OST Operational members performing operational duties as distinct from the actual number of members attached to the Station.

- 2) **Downgrade Statistical Influence:** Immediately downgrade the significance of statistic gathering and tasking by statistics and leave tasking to Station and Unit Commanders (retaining access to statistics as a management tool that assists but does not control decision making) whose performance measured against the applicable benchmarks and KPI's. Review the Station cluster concept.
- 3) **Management by KPIs:** Have Station and Unit Commanders provide bi-weekly progress reports towards achieving their KPI targets.
- 4) **Task Group Re-evaluation:** Re-evaluate all special task groups, task forces or other similar functions and apply cost-benefit analysis, overlaying other considerations for their existence, that analysis to be biased towards outcomes over financial cost.
- 5) **Review Non-operational Sworn Police functions:** Immediately review all non-operational positions currently filled by sworn members with a twenty-five per cent reduction target in sworn police fulfilling non-operational roles.
- 6) **Using Sworn Police in Non-operational Roles:** For specific resource requirements of a temporary nature, sworn police in non-operational support roles would be 'first call' over stations for planned major events.
- 7) **OST Qualification:** Unless there is some medical reason, all police members must retain OST levels appropriate to their age and duty so they can be called upon for operational duties. Members who do not maintain OST qualifications must be identified, and a process must be developed to manage their career or future employment as sworn officers. Transferring those members to a Public Service career stream would be an option that, over time, would dramatically improve Victoria Police capability while saving costs.

- 8) **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. All recruits, on completing their training obligations, should start their career at the Force Reserve Unit and, from there, apply for positions. Urgent requirements for staff can be drawn from the Force Reserve and, subject to operational requirements, be given a time frame with which they can start applying for positions outside the Force Reserve. Besides providing significant police numbers for a short-term event, reserve personnel should be used in foot patrols within the CBD to maintain the required police presence and take our city back.
- 9) **One-up Patrol:** Investigate the feasibility of one-up response units for stations equipped with additional vehicles to allow members of a Shift Section to each have a car 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. This should not be interpreted as reducing police numbers as the proposal is number 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. Depending on the circumstances of the incident, the Supervisor can direct that one car remain to finish up and the other be detailed to another task with another vehicle, increasing the response capability of any station.
- 10) **Foot Patrol Priority:** Where possible, introduce foot patrols to significant shopping precincts or other appropriate places. Foot patrols are amongst the most

effective crime prevention strategies connecting police to their community.

- 11) **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 is maintained, avoiding undue stress on other members. Backfilling part-time positions to ensure the integrity of the service delivery of a police station is a priority.

7. IMPROVING MANAGEMENT

The focus on developing good management must be the introduction of performance-based management. To move the Force to a performance-based management model, an excellent place to start is with the selection process for entry to and promotion from within.

The current system of vast gaps in promotional opportunities for officers is counterproductive and affects the ability to assess officers properly for future promotion.

The principle of officer rotations, we were told, was to minimise the opportunity for corruption and widen an officer's experience. That is a failed logic. Maybe the rotation can broaden an officer's experience, but when an officer is rotated, their performance cannot be measured by the impact of their decisions; the most critical test during their tenure will most often not be felt until they have moved on.

It is the consequence of decisions that an officer must be assessed on. The anti-corruption rationale was rendered entirely mute by upgrading where a subordinate that relies on that Officer for their future looks after the position. The chances that the relieving member will shoot themselves in the

foot by alerting senior management of a deficiency of the person being relived is unlikely in the extreme.

- 1) **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.
- 2) **Performance of Board Members:** Board performance to be monitored so that results may be considered in the future promotion of Board members. 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.
- 3) **Review Promotions Criteria:** Immediately review the promotional criteria to ensure that they align with the proactive and accountability paradigm of Policing.
- 4) **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, which was extremely useful.
- 5) **Consequences For Non-performers:** As crucial as it is to change the culture, for it to be beneficial, 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.

- 6) **Rapid Promotion**: This is a two-edged sword. It enables bright younger members to be accelerated up the ranks, but that process risks 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 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.
- 7) **Relieving**: The current practice of upgrading must be reeled in as the impact of one upgrade will sequentially remove police from the front line. More importantly, upgrading the lower ranks means that the operational members, by default, have the least experienced and unqualified supervision when having substantive qualified supervisors is critical for members' performance and safety.

If additional members are required at a particular rank level to effect relieving where the work cannot be shared amongst others on that line. Extra promotions should occur. Promoting members to relieving positions to cover vacant positions would likely go a long way to achieving what the lofty principles of rotations were designed to do. There is every likelihood that the savings by not upgrading members automatically will cover the budget cost of the additional ranks required and encourage members to qualify at the higher rank.

- 8) **Queens Commission**: There are no doubt protocols in place, but given that the Monarch is now a King, are all officers re-sworn in his allegiance?

8. DISCIPLINE

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

- 1) **Victoria Police is a Disciplined Organisation:** It is essential to reintroduce drills to the recruits' training. (This has been partially addressed.) Once trained in the concept of Drill, it stays forever and is a significant contributor to discipline and the ability to work as a team, often in a hostile environment. Self-discipline grows from being subject to external discipline. We have seen the “kumbaya” approach to police management fail. A move back to a more rigid command and control structure will quickly build confidence among the members. People always respond well to good leadership but performance slides when leadership diminishes or evaporates.
- 2) **Uniform Discipline:** By watching television reports, Victoria is the only police service with a very slack attitude to the wearing of headdresses, 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 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 perform a plain-clothes duty, firearms must be concealed; otherwise, the member must wear a well-presented uniform and a headdress. The organisation needs to appear to be professional as well as act.

9. YOUTH STRATEGY

There has been an encouraging shift in the VicPol Policy towards Youth since Plan 100 was first released. Accepting that Youth Policy should contain a purely proactive prevention aspect is very encouraging, and the management who created this change must be commended. The bottom line in any youth policy that has been tried and succeeded spectacularly in the past must be the ability of young people to develop relationships with police at a personal level, as that is the most significant and influential weapon police have in determining young people's behaviour. The habit of police going to schools for children to play with a police car spasmodically and calling it a Police in Schools program is a misnomer. While better than nothing, it fails to allow relationships to grow, defeating the core principle of police youth relationships.

- 1) **Youth Command**: Introduce a Youth Command and modify other Commands that perform functions that can and should be the responsibility of a Youth Command. KPIs should deal with the issues adequately if the new command is given the necessary authority to influence Operations and develop initiatives, some new, some recycled, but essentially what works. The Commander of the Youth Command needs to be an exceptional member with extraordinary skills and vision.
- 2) **Youth Officers**: Introduce dedicated Youth Officers responsible for coordinating youth issues at a local level at the rank of Inspector reporting to a Superintendent responsible for the Region's overall Youth Strategy.
- 3) **Police in Schools**: That this program has not been re-introduced is a disgrace and counters all the other good work being done by police. The Chief Commissioner supported the proposal; however, a

blocker was installed at some level to deny our children the right to have an education in a safe environment and be equipped with the skills to avoid ending up on the wrong side of the law.

A lot has been said about teacher failures in lowering education standards; however, the rise of anti-social behaviour within the education system, partly the consequence of the 'Super School' concept, has been ignored but is most likely a significant contributor to the academic decline. How do kids learn in a hostile environment?

- 4) **Blue Light**: Provide support and resources for Blue Light Victoria (BLV) from the Youth Command to expand BLV's core function. Given that Blue Light is surviving very strongly in several other states and overseas, it seems they can see the value where Victoria cannot, albeit Blue light was born in Victoria in 1976.
- 5) **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 and Police in Schools, Blue Light and the Youth camps initiatives.
- 6) **Operation New Start**: A program designed to keep young people at school, this program dovetails nicely into other recommended Police Youth initiatives. Require the Youth Command to support and resource Operation New Start and develop an MOU.
- 7) **Life Ed**: A worthwhile existing program that should be integrated with the Police in Schools program and a liaison officer appointed, as was once the case.
- 8) **Ropes Program**: Require the Youth Command to work with the Justice Department to develop and integrate the Ropes Program into the Police Cautioning Program.
- 9) **Training Senior Youth Officers**: The Youth Command will manage and train Senior Officers at a sub-regional

- 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.
- 10) **Regional Youth Commissioners:** Immediately prepare a submission to the Government for the establishment of Regional Youth Commissions, responsible for the overall multi-service management of youths who commit crimes, and management of Youth Liaison Groups at a Divisional level, with authority to direct actions of other government departments or agencies operating in the youth field. Police performing the task of facilitators and leaders.
 - 11) **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 are released to the media or elsewhere, whether they are victims suspect or a convicted person and the discretion exercised by the Chief Commissioner to be absolute.
 - 12) **Police Cautioning Program:** Undertake a detailed review of the program to extend its function and capability to significantly impact young people performing its critical diversionary outcomes. There is a risk of using other Government resources in the program being hijacked by radicals who are anti any form of discipline for children, a proven ineffective approach. 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, particularly minor crime and traffic offences, will significantly enhance respect for VicPol, creating an environment that makes Policing more effective. There is abundant research that shows, without a doubt, that the vast majority of people detected committing an offence

do not re-offend. The CAA paper” Lose Your License, Lose Your Life” is a compelling reason to use 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. ROAD TOLL

A lack of a prominent police presence is still a flaw in current strategies and urgently needs attention – other States with far more extensive road networks comparatively achieve better results than the compact state of Victoria, which is a severe failing of current strategies.

The perennial lack of patrol impact as a deterrent could be almost immediately reversed by introducing the CAA 50000 eyes ‘Road Watch’ initiative at <https://caainc.org.au/50,000-eyes-road-watch/>.

The primary deterrent factor is police visibility, and their presence encourages compliance, as non-compliance could result in a sanction. But what if the reach of that deterrent was with 50,000 road users? Errant drivers would be unable to determine if the car following them or otherwise interacting on the roads is part of Road Watch and the driver’s behaviour is being reported perhaps by more than one of the other drivers impacted. An investigation by the police may cause a sanction for their driving, which will quickly become a deterrent not dissimilar to the police deterrent but more widely spread.

The road toll continues to climb, seemingly unabated by current strategies. New and innovative approaches must be found and trialled.

- 1) **Highway Patrol:** Immediately divide the Traffic patrol resources into Highway and Metro Patrols and fit each vehicle assigned to Traffic with Number Plate Recognition technology, Safety Cameras and Satellite tracking devices so that management can ensure the cars are where they should be. Highway vehicles must be allocated to dedicated highways and freeways to increase the visible police presence. Providing the resources that allow the Highway Police to undertake their administration from their vehicle while on patrol will increase visibility. Half an hour of correspondence on the side of the road is half an hour more visibility. Despite these changes, allocating geographical responsibility to individual patrol officers as part of their KPIs would be an effective and intelligent management move. Every accident or Keep A Look Out For (KALOF) broadcast on their allocated highway is their responsibility, and they must report how they might be avoided.
- 2) **Disqualified Drivers:** It is recommended that drivers detected driving during the disqualification period are subject to mandatory immediate arrest and one month's jail (Administrative process). Any further breaches add a month to the preceding period. The only contestable part of this mandated process is that the Offender was not driving as alleged.
- 3) **Excessive Use of Licence Removal Provisions:** There are 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 a hypothesis. Still, there would be no doubt that many drivers who have lost their licence continue to drive. This number of people losing their licenses may well reflect the enforcement strategies. The fact that many who lose their licence are first offenders fuels community disquiet and a lack of respect for the system. This is aggravated by compassion

delivered frequently and arguably excessively by the courts in much more severe criminal matters. Any Law that cannot be enforced is bad and promotes lawlessness rather than reducing it. VicPol can do something about the issue by developing and expanding the cautioning program.

- 4) **Licence Revocation Review**: There is a considerable amount of police and court time dedicated to processing License miscreants, and we question whether the process has become so draconian and onerous that enforcement and breaches are too frequent. We do not infer a lessening or dilution of the penalties for breaching Traffic Infringement. Still, the process of regaining a license must be modified, particularly for first offenders and mid to lower-range offences.

As with Crime, the 'Broken Windows' philosophy works equally with traffic. Focusing only on high-end traffic issues ignores minor infringements, so those inclined to ignore compliance will continue to escalate their behaviour. The lack of a "Broken Taillight Policy" explains why so many resources and technology applied to traffic management are not having the desired effect. The continued evolution of reducing speed limits would be a case in point – if there were compliance and safe driving at existing speeds, the need to reduce speeds would not exist.

- 5) **Police Cautioning Program (Traffic)**: Although administrative cautioning options are available, it could be beneficial to have particularly young drivers experience a formal caution instead of a court appearance. Our objective should always be slanted to compliance, not penalty.

12. OPEN AND TRANSPARENT POLICING

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

- 1) **Media management:** Install a high-ranking Officer with substantial operational experience as the Media Commander for Victoria Police, answerable to the Chief Commissioner to manage 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 particular events assumedly for political purposes quickly causes ridicule from the community. Many announcements by executive police in recent times are not believable or genuine. The continuing minimising events have led to a lack of trust in the executive, and the community is now sceptical of everything senior officers tell them. 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 quicker than they are given credit for. Accuracy beats propaganda every day.
- 2) **Members who speak to the media:** Instruct all Operational members, irrespective of rank, who talk with the media in good faith that they will not be criticised.
- 3) **Attempts By Police To Manipulate The Media:** Sometimes, for altruistic reasons, members attempt to mislead or manipulate the public through the media.

Irrespective of the rationale, they should be subject to discipline. The public is susceptible and highly tuned to identifying spin or attempted spin, and the organisation's integrity is damaged by any attempts to manipulate the media.

- 4) **Media Leaks:** These are the symptoms of an unhappy force. Chasing leak sources is counterproductive and hardens the resolve of members to leak and try to embarrass VicPol. The energy should be redirected to addressing the issue leaked, taking any impact out of it. More draconian strategies to stop leaks equates to more leaks, not fewer. On this issue, VicPol needs to mature.

13. DRUGS

The CAA has done a considerable amount of work on this issue since Plan 100.2, published in 2019, and, to some degree, has changed our position. We support a health-based approach to the drug issue.

We are convinced that the current strategy of Harm Minimisation is an abysmal failure and has been hijacked by the pro-drug lobby. How the government, or for that matter society, facilitate the injecting of life-threatening illicit drugs into a human is beyond any sensibility.

A society that bans smoking tobacco and imposes exorbitant taxes as it does, like with alcohol, is responsible for many of society's ills. Still, funds for Harm Minimisation strategies to facilitate and encourage drug use must cease.

We now ascribe to the four pillars approach to dealing with the drug problem: **Health, Law Enforcement, Education and Rehabilitation**, in that order. In recent times, we have seen power removed from police to take in people affected by

alcohol. This decision goes against the good values of a police officer's natural wish to help people. Leaving anybody who is not competent or has the mental acuity to look after themselves is irresponsible, albeit that is what the legislation now requires police to do. The cause of their physical or mental condition does not matter; police must be given the powers of an Authorised Health Officer to serve a health notice on the person to take them into care.

Leaving an unconscious person in a public place is begging for that person to be set upon or come to some other harm - just what were our legislators on to come up with the current approach?

For anybody apparently under the influence of drugs, that same Health Order can be used to secure the person to be taken for a medical triage to determine if they are drug-affected.

If drug-affected, from triage, they should be transferred to a secure purpose-built facility for 14 days of secure treatment for their addiction and any other health issues diagnosed. To be safe, so drugs cannot enter or addicts cannot leave the facility, it should be externally managed by Corrections for security and internally managed by medical staff. The vacant Mickleham Quarantine facility would be ideal for this purpose. A medical practitioner should be the only person authorised to clear a person from the facility; however, that may mean moving them to another facility, as 14 days is the maximum period they can be held at Mickleham to ensure that the facility has the flow capacity.

Apart from people whose mental acuity is compromised, drivers who test positive for illicit drugs should also be a part of this regime. It would only take a small number of drivers to

be put through the facility, and the frequency and overall numbers of drivers affected by drugs would dramatically fall. Suppose the person triaged for the facility is under arrest for other crimes. In that case, they must be remanded to the 14-day facility, which, among other things, being sober will equip them better to deal with whatever crime they are charged with. Further remand or bail could be determined at this point.

- 1) **Drug seizure disclosures:** Implement a non-disclosure policy of significant drug arrests and seizures 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 potentially huge financial and lifestyle returns that drug trafficking offers, albeit until their arrest. The deterrent effect of publicising drug seizures is minimal to zero and is based more on the agency's ego and political influence, 'see what we are doing, aren't we good'.
- 2) **Target street offences:** Move the emphasis from key perpetrators to street-level drug dealers and users. For every significant offender charged, there is a line of *'would-be, if they could be,'* ready to take up the alleged dent in the drug trade. This often happens within hours of a critical arrest. It is argued that tackling the demand side instead of the supply side will drive the trade underground. This is a desirable outcome and moves the trade from under our kids' noses, which is an imperative. Although users may develop a health problem through illicit drug use, they initially take illicit drugs by choice. They should not be readily excused for their unlawful

conduct that can and does endanger other citizens, particularly on our roads.

- 3) **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 presents several new and innovative approaches; however, our main thrust is now the Four Pillars.

Many informed people have long rejected this notion of the Harm Minimisation approach as arrant rubbish, and the statistical information supports their scepticism. Safe injecting rooms do not, as was expected, have a significant positive impact on users but promote the perception of "Safe." Linking that word with drugs was an act of idiocy and naivety by those who should know better. The more enlightened see the approach to this epidemic more pragmatically and support the four Pillars, with each pillar having equal importance: Health, Law enforcement, Education and Rehabilitation are all coordinated to reduce the harm experienced by addicts, divert some from being addicted and assist those addicted to escape their addiction.

Central to this approach will be authorising all police as authorised Health Officers so that a Health Notice can be served on anyone unable to manage their cognitive skills. The police can take that person to a triage facility for assessment, and those determined to be drug addicted are transferred to a secure medical facility where their overall health can be defined and adjusted where necessary and, with help, start the process of equipping them to seek rehabilitation. The Health order expires in 14 days giving the medical services adequate time to assess and for the addict to be sober on release.

14. VICTIMS

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 failure 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 traumatise victims further 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 who occasionally waive committal proceedings and still get a fair trial prove the Committal can be abolished. The savings will be astronomical, with most resistance probably coming from the Legal fraternity, arguing it impacts their earning ability. Still, they will never admit the reason for the committal to be retained.

- 1) **Legal support for Victims:** The Legal Aid budget savings can be redirected to the victims by abolishing the Committal. All victims of major crimes should have access to a legal representative 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 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.
- 2) **Compensation and Reparation:** Currently, the process for compensation and reparation is inconsequential for a guilty offender. It can be annoying for victims 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/reparations to be enforced as an Order of the

Court. Failure to obey the Order must automatically trigger enforceable action by a collection authority such as the Sheriff, which is well set up for the long game in debt recovery and has the power 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 feel that it is worthwhile to seek justice under the law. After all, the law is supposed to protect them, and their victimisation has a dollar value and makes the perpetrator accountable in a dollar sense.

- 3) **Prison numbers:** The long delays in bringing perpetrators to Trial encourage the granting of bail, which would generally not be the case. This reduces prisoner numbers heralded as a success but is the polar opposite. A period of detention on remand forms part of the mechanism to encourage offenders not to return to the legal system. Remand also adds weight to any further non-custodial sentence.

This problem is highlighted in the Juvenile System - an absolute disgrace and severe impediment to justice for victims and justice for perpetrators. Removing the need for committals will solve this problem.

- 4) **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 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 lesser offence than that previously first laid. The Plea Bargain needs to be replaced by Sentence Bargaining. If the accused pleads to all offences, the prosecution will only seek a 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 expunged, and the victim is respected because what they have experienced has not been whitewashed away. 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. It may have the reverse effect by demonstrating to the perpetrator that they can get away with crimes.

- 5) **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 proper and fair sentence based on the evidence presented to them, 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 the average length of sentences for similar offences, though how any court can determine similarity without actually conducting a 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 never to consider imposing the Parliament-set maximum penalty and guarantees a steady diminution of penalties imposed. The ultimate mathematical certainty of this approach is to end up at 'Zero'. The sentencing principles enunciated by the High Court of Australia in the case of *Director of Public Prosecutions v Dalglish* (a pseudonym) [2017] HCA 41 (11 October 2017) must be applied in all cases.
- 6) **Safety and security of victims:** A significant 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, their families, and supporters, both in the Court and outside the Court precinct. Victims can quickly 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 the Trial process, construct a purpose-built studio or set of studios away from the Court precinct where Victims can give their evidence and watch the trial proceedings via video link in appropriate cases. Video links are in use with the accused, so the extension to the Victim is the least the system can do.

- 7) **Veracity of character evidence:** An incredible abomination of procedural unfairness has evolved at all levels of the legal system. The presiding court Officer allows evidence solicited from people who provide character evidence for convicted perpetrators. Character evidence of an accused is used correctly in determining punishment upon conviction. A recent case was influenced by a character reference for an accused relying on references, one that was many years out of date and the second reference the author had no idea had been submitted under his name. Fortunately, the County Court has moved to tighten procedures, eliminating flawed references. This anomaly reflects very poorly on the Legal profession as officers of the Court should not have misled the Courts, and the issue of contempt by Lawyers or at least professional misconduct should be invoked on those responsible for this practice. Encouragingly, both the Magistrates and Supreme Courts are reviewing their practice notes in line with the move by the County Court.

- 8) **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 people who need to be examined. 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 how 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 an extended 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.

15. 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.

- 1) **Re-Align Crime Trend Analysis:** The focus on developing research on crime trends needs to be realigned to measure community attitudes, particularly about perceptions of police effectiveness and their feeling of safety and well-being, 'eudemony'.
- 2) **Manage Complainant Follow-Up:** Station and Unit Commanders must follow up on a percentage of complainants from random shifts at least twice a week to establish the performance of the police that attended to the complaint. This would be a valuable management tool and a positive strategy to rebuild community trust and accountability for performance of members. This concept

was trialled and found very effective, but discarded some time ago, not because it failed but because it was inconvenient.

- 3) **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 areas that have seen the Neighbourhood Watch program fail is that police have failed to act on information provided in good faith by people in the program. A tendency for police to give the 'mushroom treatment' to genuine people trying to help out, or embellish area crime, is also a serious contributing factor to the lessening of the program, in the current environment. With broad community disquiet, bordering on vigilantism, the Neighbourhood Watch program should grow substantially – a closer look may determine the problem.
- 4) **Community Interaction**: As a priority review, the Patrol system allows 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.
- 5) **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's ownership of and trust in their local police.

16. SUPPORT FOR POLICE MEMBERS

There have been recent improvements and a concerted effort by the 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.

- 1) **The Hub:** Available at <http://caainc.org.au/the-hub-3/> . Others have taken up this project, and we wish them every success.
- 2) **Rebuilding Confidence:** For effective policing, police must be confident they will not be criticised or disciplined should they put themselves in harm's way. Why risk your 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 bill's design 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.

- 3) **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.

17. FORCE RESERVE

The concept of 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 relieved members of operations by undertaking reception and other non-frontline duties. 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 to serve several valuable purposes.

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

Members who retire without a career blemish can keep their hat badge, police ID and other personal police paraphernalia, and a certificate of Service. If identity as a policeman or woman is retained even though generally only nominal, it would mean a lot to retired members facing the prospect of losing their identity (persona) on retirement.

It is a truism that policing is not just a job but a way of life. Changing your way of life can be traumatic. These issues are dealt with in many different ways by different members. Some are not particularly helpful to their future physical and mental well-being.

To all members, their oath of office means something significant to them. Although an Act of Parliament (Police Act 2013) determines they are no longer sworn members, they have never been unsworn. Officers were granted a Queen's Commission, or now a King's Commission, on appointment to the Officer Ranks, which has never been revoked. Retirees retain their Certificate of Identity (ID), but abuse of this privilege is unknown. Retention of their ID gives retiring members a sense of respect and identity.

The Army has a system that recognises service, particularly officers, and they usually promote a retiring officer one rank. The officer can use the title in formal communications and 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 and be called upon in an emergency, whether 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 significantly contribute to the welfare of retirees. It is unlikely that VicPol will incur any costs for maintaining a Reserve.

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

Quality leadership generates quality operational outcomes, so it makes no sense to remove the most qualified and experienced Officers from the area they could contribute to most – Operations. Much of their non-operational work is essential, but retirees drawn from the Reserve pool could achieve the same outcome.

- 3) **The fear of being cut loose:** The opportunity to continue in the Force Reserve will allow members to transition into retirement 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 with difficulties might be a beneficial 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; it makes perfect 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.

This program could relieve the need for more police and provide better supervision and support for operations.

18. POLICING SPECIAL INTEREST GROUPS

Victoria Police must cease pandering to small, vocal pressure groups and 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 values and views, which must not be reflected in their work. Providing a liaison function with the groups is practical, but beyond that, it impinges on the separation principles. For any group seen to be pandered to, twice as many others are offended by the bias. Refer to <https://caainc.org.au/police-pride-march-a-valuable-lesson/>

19. MANAGING INFORMATION

Consistent and obvious inefficiencies surround using Electronic (E) communications within VicPol, adversely affecting the organisation's overall efficiency from Commissioner to Constable. Too much information is distributed, causing members of all ranks to be slaves to the E information, detracting from their functionality.

- 1) **Information Management**: The appointment of an information management team to establish protocols for E-communication within VicPol along 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 when we returned from leave to find a great stack of Legislative amendments waiting for our attention. The inefficient use of E-communications has replaced that drudgery and inefficiency.
- 2) **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.
 - a) **Gatekeepers**: The introduction of information Gatekeepers to lessen the burden on Operational members is urgently required. Private enterprises use gatekeepers significantly, and the improved productivity is substantial with no loss of information by targeted distribution.
 - b) **Separation of Powers**: Recent Governments have blurred the lines of separation of powers, and although we agree they should exist, we are left wondering whether the Government has instructed police to take a course of action or whether police

Command has become so politicised they manage the Force through the prism of a political fog.

Operational policing must not be interfered with by the Government; the Government, however, should be able to influence policing philosophies. The CAA proposes to undertake a detailed examination of these issues.

20. CONCLUSION

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