

# PANSW

POLICE ASSOCIATION OF NSW

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MARCH | APRIL 2024

# Police News



**RESPECT**

**REWARD**

**RETAIN**

## **Award 24**

Negotiations over the wages, conditions and entitlements for NSW Police are underway. PANSW's aim is simple - Respect, Reward & Retain all serving NSW Police Officers. 2024 is our turn.

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**Award Podcast extract** p32

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**DOT-TO-DOT SOLUTION**

34 YEAR OLD, THREE TIME OLYMPIC CHAMPION TEDDY REINER, WILL BE A HOMETOWN FAVOURITE WHEN HE STEPS UP TO COMPETE IN HIS FOURTH OLYMPICS, IN JUDO'S HEAVY WEIGHT DIVISION. A FRENCH MAN REPRESENTING HIS COUNTRY AT THE PARIS GAMES, 26 JULY - 11 AUG, 2024.

**Cover**

The 'Award' will set the wages conditions and entitlements for all NSW Police, for the next four years, beginning on July 1.

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NON LAC REGION AREA 2  
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NON LAC REGION AREA 3  
**Peter Gurr**



NON LAC REGION AREA 4  
**Peter Foran**

# Oliver Behrens

## Executive Member Central Metro Area 1

I've been working General Duties in Central Metro since 1998. I started in Sydney City LAC and in 2002 moved over to Surry Hills. A year later, I became active in the Branch and was elected as Branch Chair in 2005. Initially, I had little interest in the big picture and was content in focusing on local issues and improving the working environment for the Constables at my station. In 2008, I attended my first PANSW Biennial Conference. I found myself sitting next to an old friend, Craig Partridge (it was his first conference too). We were astounded by what was unfolding.

I have since then been elected to every Conference and in 2013 took over the Central Metro 1 Executive Member seat on the PANSW Board.

Held every second year, the PANSW Conference is very important to our organisation. It is where we elect our representatives and set our objectives for the following years. It is where ordinary members can voice concerns and garner support to have them addressed. It is also an opportunity for Branch members

and activists from across the state to come together to learn from each other. Odds are the problems in your area are mirrored elsewhere. Can you learn something about how others have dealt with a situation?

I come to Conference armed with motions from my PAC and supporting others within my region. It can be daunting to lobby and make your case in front of your peers, but it is vitally important as an instrument of change.

In 2016, I put up a motion in relation to Mandatory Disease Testing (MDT). The motion was passed unanimously. PANSW put their weight behind the issue and a few months later, I was testifying before a Parliamentary Inquiry, giving media interviews and lobbying politicians. MDT (unfortunately a little compromised in its current implementation) is now legislation we can all avail ourselves of.

Looking forward, we have many challenges facing us. Remuneration needs to catch up after a decade of wage cap restrictions. The retention issue will likely need more than remuneration

to fix. Recruitment has only been temporarily fixed with recruits paid from surplus funds derived from low staffing levels. Cost of living issues are prevalent in Sydney and other expensive regions. Promotion needs continued refinement. Uniforms have still not been finalised.

What will you bring to improve the world we work in?



OLIVER BEHRENS ON THE FLOOR AT BIENNIAL CONFERENCE 2022



PANSW President **Kevin Morton**

# Big beginning for 2024

■ With our Award expiring on 30 June, our negotiations with the NSWPF and the NSW Government are well underway. The past few years have been incredibly taxing on our currently serving members. While recruitment initiatives announced late last year have aimed to attract new recruits to bolster our ranks, we are entirely focused on retaining the long serving officers that have continue to show unwavering strength and dedication in their service to the people of NSW.

As you will read, the introduction of a new Industrial Relations landscape creates an entirely new environment in which to conduct our negotiations. The PANSW was instrumental in these discussions, creating a framework that empowers mutual gains bargaining through the abolition of the Wages Cap that has restricted this process for so long.

In this edition, we will touch on the final round of the Optional Disengagement Scheme. While we understand that the timing of this has been challenging for those that remain, picking up the workload with reduced numbers, this scheme was necessary to enable eligible officers to be recognized for their service with a dignified pathway to retirement or a smoother transition with ease to the next phase of their working life. These departures will create more opportunities for movement and promotion within the ranks.

Discussions on the latest episode of the PANSW Podcast deep dive on the topic of our Award negotiations. Make no mistake. I, along with the Executive of the PANSW which is made up of operational police officers just like you, have given specific instructions to the highly experienced negotiating team of the hard line that we are determined to take. Rest assured, we will come to you with the best possible claim.

This is the time for the NSW Government to recognize with the same respect shown to other emergency services workers including the nurses and the teachers. They rightfully deserve this acknowledgement and we will expect no less as the frontline that has pressed

up against bushfires, floods, natural disasters and the relentless workload that protecting our communities 24/7 presents.

Leading into Conference, I look forward to keeping you informed of the outcomes of these negotiations as they progress leading into an offer that will be endorsed by the Executive.



KEVIN MORTON INTRODUCES THE RECENT PODCAST (MORE ON PAGE 32)

## Reducing Blue Tape

Since Conference 2022, The PANSW has been heavily focused on streamlining processes and removing unnecessary blue tape in the work that you do. We have been advocating this to NSWPF and this has prompted the creation of several working parties aimed at transforming the way the NSWPF does its business. The Blue Tape project commenced at the PANSW Biennial Conference in 2022, involving workshops with delegates from across the State who represent every section of the NSWPF.

The PANSW has been meeting regularly with the NSW Police Force regarding our own Blue Tape project which has already seen changes to the way you work.

Members will recall the Project Aventus Survey in February that was sent by the NSWPF, and also shared through our channels, inviting you to have your say on the best ways to reduce the impact on the frontline. We see this as an integral piece of work for the transformation section of the NSWPF.

After the release of the survey, we have received feedback from members about the need for other sections of the NSWPF

to have increased representation in these discussions alongside General Duties. We've already indicated that there needs to be a similar survey sent to the CMU, Detectives Units and Commissioned Officers.

These concerns have also been reflected in the PANSW Executive, many of whom are currently serving detectives. We have since drafted correspondence in December to The Commissioner relating to excessive workload and blue tape issues and have made it clear that our detectives are also bogged down with antiquated systems and an intensive workload.

Similarly, our Commissioned Officers Branch needs to have a level of consultation into the issues affecting them in relation to Blue Tape. I am sure that there are issues being leveled at the Commissioned Officers from within and from external agencies that are contributing to their workload.

The PANSW will continue to work to ensure that the entirety of the membership is represented in discussions that will allow you to focus on your core duties more effectively.

## We Say Farewell

It's with sadness that I acknowledge the passing of Geoffrey Bernasconi who passed away at his home on Wednesday 20 December 2023.

Geoffrey (Geoff) Bernasconi served as a delegate/secretary of the Wagga Wagga Branch from 1987 –2000 and was a member of the Executive from 1992–2000. He was attested in April 1978 and was superannuated in September 2000. A victim of post-traumatic stress disorder, he successfully sued the NSW Police Force for failing in its duty of care to prevent psychological injury to its officers. Geoff was awarded Life Membership of the Police Association of NSW in 2000 – the 75th Life Member of the Association.

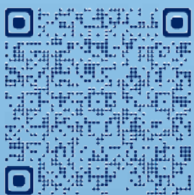
We share our condolences with Geoff's surviving family, friends and colleagues. He will be remembered for his commitment to service, both to the public that he protected and his brothers and sisters in uniform.

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**Aileen Fleming** PANSW Industrial Officer

## Income Protection win

TAL Insurance makes an important ruling on how Officer's pre-injury income gets calculated

■ In August 2023, a diligent branch official recommended one of our members reach out to the Police Association whilst facing the daunting aftermath of a workplace psychological injury, having been out of the workplace for almost one year.

The member had been receiving income protection payments from TAL Insurance since May 2023. Initially, TAL determined the injured officers pre-disability income to be \$4286.77 per month less any offsets paid. The monthly benefit was restrained due to being evaluated based on a temporary part-time work arrangement of 24 hours per week at the time of injury.

Prior to being injured, our member was regularly working additional hours, with a view to return to full time work very soon. The member provided a SAP history of all hours worked in the 12 months prior to their date of injury which indicated they had been working an average of 32 hours per week in the 12 months leading up to being injured in the workplace despite the part time work agreement only being for 24 hours per week.

This prompted our Industrial team to advocate for a review and recalculation of the Pre Disability Income. The monthly benefit amount is assessed based on Pre Disability Income which is defined

as "an officers salary at the date they become injured". Accordingly, the Police Association sought, directly from TAL, for our members Pre Disability Income to be reviewed and recalculated based on the 32 hours the officer had been working as evidenced by the SAP history.

This decision goes beyond an individual victory

TAL conducted an investigation into the Pre Disability income and acknowledged the disparity and made a pivotal determination. Whilst TAL's decision did not entirely align with the Police Association's stance on the 12-month history, they recalculated the pre-disability income based on the 60 hours worked in the fortnight of the injury. As a result our member's monthly benefit was amended to be "\$5,358.47 [Less any offsets paid within the benefit period].

This was a significantly beneficial outcome for our member. It means an increase to the month benefit over \$1000 per month for the next 6 and a half years, should the member require Income Protection for that long. It also means

the member will receive a back payment for the months that they had already been paid the lower monthly benefit amount. This is potentially an additional \$84,000 available to our member in the event they need to continue to access income protection due to their injury.

Our Industrial Team were able to take further steps to assist the member by writing to the employer seeking that the officer be reverted to full time hours as of the expiration of their part time arrangement. This request being substantiated by clear evidence that the officer had communicated their intention to return to full time hours with their Command/Business Unit prior to becoming injured.

This decision goes beyond an individual victory; it marks a significant stride for all our members navigating temporary part-time arrangements who are injured whilst on a clear and evident trajectory of resuming full time hours. The Police Association stands strong in ensuring the rights and well-being of its members, individually and on a broader scale.

Any member who has sustained an injury and requires advice on their entitlements under workers compensation, income protection of sick leave should contact the PANSW info@pansw.org.au or 9265 6777.







Peter Gurr Executive Member - Non LAC 3

## Teeing off for Blake

No-one expects a cancer diagnosis  
... or sublime support from mates

■ As the Executive member for Non-LAC 3, I have witnessed some of the most amazing camaraderie to help those members in need. It made me realize how critical it is to have a strong and effective PANSW, as, without this, the following could not have been achieved.

In June 2022, Constable Blake Shorrock, at the age of 26, was diagnosed with Undifferentiated Pleomorphic Sarcoma (a rare, aggressive form of cancer) in his left leg. Blake underwent 25 rounds of radiation before having surgery to remove the tumour in late September 2022. To obtain clear margins in the surgery, doctors had to remove parts of his quadriceps muscle. Blake was given the all-clear after surgery and returned to work on restricted duties. Unfortunately, in early 2023, Blake was given the news the cancer had returned and metastasized to his lungs. Blake began an intense chemotherapy treatment for about six months before doctors decided to cease chemo treatment as it did not have the desired success. In late July, Blake began an Immunotherapy trial. While this treatment option is not as harsh as chemotherapy, it is still too early to tell if it is working.

Throughout this process, Blake and his family have made countless trips to and from Sydney to receive treatment at the Chris O'Brien Life House and Macquarie University Hospital. His treatment will continue for several years as he fights the disease.

Fast forward to late September 2023, I received a phone call from Phil Anderson, who was undertaking a rotation within the Rural Crime Investigators (RCI) Unit at the Hume PD. He and his colleague, Dale Croker, wanted to speak with me about an urgent matter. When I hear these words, I immediately think, "What have they done?" and "Do I have the latest PANSW panel solicitors list and a copy of the

Legal Assistance Scheme handy?"

I met Phil and Dale at the Police Academy café and the looks on their faces screamed trouble. They both went on to tell me about Blake's journey and said they wanted to do something to ease the burden and trauma this insidious disease had taken on him and



L>R (BACK ROW) TANIELA PASEKA, TOFF SIPLEY, BRAD PARKER, RUBEN GARRICK, TOM TRBOJEVIC. (MIDDLE ROW) PHIL ANDERSON, PETER GURR & ROGER CAMPTON. (FRONT ROW) LACHLAN CROKER & DALE CROKER.

his family. It was at this point the Blake Shorrock Charity Golf Committee was born.

It was decided Dale organized the sponsors, Phil would look after the books and NSW Police Legacy, and I would coordinate with the PANSW and organize the players. While this was great on paper, we all just hooked in to make it happen. However, the one thing we didn't have yet was a date.

Dale had contacts within the Manly Sea Eagles and the Canberra Raiders NRL teams, including former and current NRL players such as Tom Trbojevic, Ruben

Garrick, Toff Siple, Lachlan Croker, Brad Parker, Taniela Paseka, Jarrod Croker, and Jason Croker. They were more than willing to help but needed to know when so it did not conflict with their pre-season training. Dale came back on Friday, 3 November.

That gave us a little less than a month to organise the day! I immediately contacted PANSW Welfare Coordinator Ian Johnson, Vice President Ian 'Ducky' Allwood, Treasurer Roger Campton and Organiser Marty Evans. They all provided valuable advice and guidance that pointed the Committee in the right direction.

As the day grew closer, it was clear this event would be big! Blake was a Goulburn local, and the community and his colleagues responded. We were overwhelmed with the assistance from local businesses, large and small, willing to sponsor holes and enter teams. We had more than 126 groups play on the day. The NRL players donated signed boots and jerseys, while the local businesses also donated several items for the auction after the day's play.

Thank you to the following organisations and supporters: Goulburn Golf Club, John Ridley from ARW Constructions for engaging with local businesses, PANSW for providing prizes, the BBQ trailer and donating to the BBQ breakfast and lunch, NSW Police Legacy for creating and managing the appeal's page and Police Bank for donating \$750 in prizes.

The day raised over \$35,000 dollars for Blake and his family; without these supporters, this would not have been possible.

MAIN PICTURE OPPOSITE:  
BLAKE SHORROCK (HAT) WITH THE WINNERS.

**Kirsty Membreno** Assistant Secretary - Industrial

# Optional Disengagement Round 3 the final round

■ The Optional Disengagement Scheme (ODS) came about at the insistence of the Association and PANSW Conference Delegates. ODS has always been about:

- *Recognising years of service and contribution to policing,*
- *Enabling officers to leave the NSWPF with dignity at a time of their choosing,*
- *Assisting officers transition into a new career, study, retirement or simply towards building a new life outside of the organisation, and*
- *For those that stay in the NSWPF, provide new opportunities for promotion and mobility at all ranks.*

ODS included a financial payment along with career transition support. In 2021 the NSW Government approved ODS funding for three financial years.

## Round 1 – Jan 2022

ODS opened with an overwhelming uptake. Approximately 220 officers, with representation from all eligible ranks across the state, accepted the ODS offer and exited the NSWPF by 30 June 2022.

## Round 2 – Jan 2023

A total of 235 officers exited the NSWPF – with years of service ranging from 10 years up to 43 years. To support their transition, many officers had already engaged with the career transition provider to assist them in setting out on the next step in their professional lives.

Officers were reminded of the breadth of the abilities and experience they develop while performing their duties: enhanced communication and problem-solving skills, working within teams, following policies and procedures, understanding compliance obligations and quick decision-making. Other employers are very desirous of these skills. never underestimate the skills that you have as police officers

## Round 3 – 13 Feb 2024

When Round 3 opened, the PANSW

immediately fielded many enquiries from members in relation to the NSWPF systems issue; ODS applicants appeared to have access to the ODS system prior to the scheduled 9am opening.

We are disappointed this error has occurred within the NSWPF IT system adversely affecting our members. The PANSW has always maintained that the ODS process must be fair and transparent for every member applying.

A decision to rectify this has been made in consultation between the NSWPF and PANSW. The fairest and most transparent outcome is for Round 3 of the ODS to be recommenced in its entirety and all current applications deemed null and void.

## A new Round 3 will recommence on 19 March 2024.

### *Enquiry stage (financial estimate):*

Opens: 9am 26 February 2024

Closes: 5pm 13 March 2024.

### *EOI application:*

Opens: 9am 19 March 2024

Closes: 5pm 22 March 2024

The PANSW advocated for officers to be given as much notice as possible for the recommencement of Round 3 to allow officers time to work through any personal commitments around their desire to re-apply. A 4 week notice period has now been applied.

Amendments have been made to the ODS forms and instructions for Round 3. We recommend that all members take the time to read those instructions and amendments.

We have advocated due to the timing issue that officers are able to access the ODS EOI system remotely (without having to be in a police station) and this has now been included in the instructions.

We understand members have been aggrieved by this technical issue occurring. We have advocated swiftly to ensure this has been rectified enabling a fair and transparent outcome for all members wishing to apply.

In line with the ATO class ruling all EOIs will be considered on a first-in basis.

Eligible EOIs will be subject to the availability of funding in the round and the maintenance of operational continuity across regions or commands as well as the officer maintaining their eligible status. It is anticipated that this round will receive more applications than can be offered.

## The next step

While the ODS has been hugely beneficial in allowing officers to finalise their careers and create new opportunities for progression, the PANSW acknowledges the significant staffing pressures the currently serving men and women of the NSWPF continue to operate under.

For those officers remaining in NSWPF, ODS brings about new opportunities for promotion and mobility at all ranks. The NSWPF is establishing a new Careers Advisory Unit within PCC in 2024 to assist officers with their career goals and planning to compliment discussions with Commanders about opportunities that may exist within the NSWPF. We encourage all officers to utilise these services once implemented and explore opportunities to further advance your career.

The PANSW will negotiate a new Crown Employees (Police Officers) Award in 2024. This will focus on the retention of current serving police officers, following the recent recruitment incentives announcement to attract people to policing. The key to retaining police is increased salaries and allowances, enabling faster progression through the pay scales (without taking a pay reduction if promoted), and rewarding police for training junior staff and remaining in front line duties.

We understand and hear you about the workload pressures, cost of living and the ever-increasing demands placed on the front line. We are advocating on your behalf to improve your workplaces and working conditions. 2024 is our turn and we will only put to the membership the best possible pay deal that rewards your hard work and shows you the respect you deserve.

**Anthony Howell** Assistant Secretary - Legal Services

# New IR changes shift the goal posts

Recent changes in NSW Industrial Relations legislation mean the Award effecting Police will be conducted differently

■ Delegates to Conference since 2011 with the election of the former Coalition Government have passed motions to remove the 2.5% wages cap placed on public sector workers including police officers. During the 2023 State Election, this was a key priority for the PANSW with the Labor Government giving a commitment to workers in NSW to 'scrap the cap'.

Members will have seen the first aspect of this in July 2023 with a 4.04% pay increase being applied to your salary and salary related allowances despite the Crown Employees (Police Officers 2021) Award being within its 3 year no further claims period. The PANSW pressed the NSW Government to apply this increase, the same as they had to other workers whose Awards had expired.

Towards the end of 2023, members may have seen some media around significant legislative reform to the industrial relations landscape in New South Wales, including the abolition of the public sector wages cap and the recreation of the Industrial Court of New South Wales. It will be useful for members to have some greater understanding of the industrial relations reforms introduced last year as they will likely have a significant impact on the impending bargaining for a new Award setting terms and conditions of employment for police officers in New South Wales.

## Background to reforms

The Industrial Relations Commission of New South Wales (the NSW IRC) is the Tribunal in New South Wales established to create instruments that set fair and reasonable conditions of employment for public sector workers and settle industrial disputes. The NSW IRC is the



Tribunal that creates the instrument that sets the terms and conditions of employment for police officers in New South Wales: namely, the *Crown Employees (Police Officers) Award*.

It is currently the oldest body established to regulate the field of workplace relations and industrial disputation any anywhere in the world. The next oldest such institutions are the Fair Work Commission (created the year after the NSW Commission), and then the National Labour Relations Board of the United States formed in 1935.

For the vast bulk of its existence, the NSW IRC was formally constituted as both a judicial body that enforced existing rights (known as the Industrial Relations Commission in Court Session, and later the Industrial Court), and an arbitral body that could create new rights in the form of Awards or enterprise agreements and the like, known as the Industrial Relations Commission.

The head of jurisdiction (the President), and the senior members of the Commission (the Vice-President and the Deputy Presidents), were appointed

as both judges of the Industrial Court (judicial offices with the status of Supreme Court judges) and Presidential members of the Commission.

Following the election of the conservatives in 2011, the government embarked upon a suite of sweeping changes to the regulation of industrial relations in New South Wales.

First, the government enacted the *Industrial Relations Amendment (Public Sector Conditions of Employment) Act 2011* and the Industrial Relations (Public Sector Conditions of Employment) Regulation 2011 that, amongst other things, imposed a legislated wages cap on the Commission, handcuffing its ability to set fair and reasonable conditions of employment for police and other public servants.

Second, over the objections of the Association, the government enacted the *Police Amendment (Death and Disability) Act 2011* to kill off the *Crown Employees (Death and Disability) Award 2005*, and in its stead require the Commissioner of Police or relevant Minister to take out insurance policies providing for certain types of death and disability benefits. It is those changes that gave life to the current Police Blue Ribbon Insurance products with Aware Super. It is also those changes that have given rise to a range of problems for police in the superannuation space, including the significant problems associated with concessional cap.

Over the ensuing years, a range of further changes were made to the jurisdiction of the Industrial Court, and ultimately in 2016, the Industrial Court was abolished and its powers transferred away from a specialist body with knowledge of workplaces and workplace law, to the general courts (the District



## In late 2023, the government set about implementing very significant industrial relations reform

Court and Supreme Court).

Over the period between 2011 and 2022, members would appreciate the significant limitations the public sector wages cap imposed on the ability of unions, including the Association, to pursue wage increases over and above the wages cap of 2.5%. There were also very significant practical consequences that arose in trying to have Courts of general jurisdiction, who generally had little experience of workplace law (excepting select members of the Supreme Court), enforce industrial relations legislation and workplace rights.

Shortly after its election in early 2023, the current Labor government confirmed it would honour one of its significant election promises in that it would bring an end to the public sector wages cap and restore the jurisdiction of the Industrial Relations Commission.

To that end, the government appointed two eminent industrial relations jurists, former President of the Industrial Relations Commission the Hon. Roger Boland, and Anna Booth, a former Senior Deputy President of the Fair Work Commission (and now Fair Work Ombudsman), to an Industrial Relations Taskforce with terms of reference designed to enable it to make recommendations fundamentally reshaping the industrial relations landscape in New South Wales.

The Association, other unions, and Departments met with the Taskforce (over 40 consulting meetings), and put submissions to the Taskforce designed to significantly reshape the industrial relations landscape in New South Wales. The Taskforce report was prepared, presented to, and has now been considered by government. Whilst the report has not itself been made



public, we understand there were four key themes for reform outlined in the Taskforce report:

- *IRC structure and functions, including the abolition of the public sector wages cap*
- *A new Bargaining framework, to improve relations between unions and government, and provide for an 'interest based' bargaining system.*
- *Modernisation of Industrial Relations Act*
- *Miscellaneous changes specific to particular groups (for example, a relatively minor amendment in Local Government giving certain senior staff access to the IR System, health, police etc).*

In late 2023, the government set about implementing very significant industrial relations reform, consistent with the central Taskforce Recommendations.

As promised, in September 2023, the government allowed the Industrial Relations (Public Sector Conditions of Employment) Regulation to lapse and not

be renewed. That means that regulation, and importantly the wages cap that it created, is now gone.

Further to its commitment to restore the Industrial Relations Commission (and in pursuit of some of the recommendations made by the IR Taskforce), in December 2023 the legislature passed the *Industrial Relations Amendment Act 2023* (the Amending Act).

The Association was heavily involved in numerous consultations with government and Unions NSW around terms of the Bill that ultimately became the Amending Act.

A number of significant reforms were introduced by the Amending Act, but amongst them the 3 big ticket items are:

- *It repealed s 146C of the Industrial Relations Act 1996. That section was what empowered the making of the Industrial Relations (Public Sector Conditions of Employment) Regulation, and the wages cap it imposed.*
- *The creation of a new Chapter 2A to the Industrial Relations Act 1996, entitled "Mutual Gains Bargaining", to provide for a new cooperative negotiation model for governments and unions to negotiate wage and conditions claims for public servants (including police); and*
- *The recreation of the Industrial Relations Commission in Court Session, to be known as the Industrial Court. There are a significant number of amendments to other statutes recognising the recreation of the Industrial Court and the conferral of jurisdiction on the Industrial Court away from the existing repository (either the Supreme Court or the District Court).*

## The bargaining aims to create, maintain or strengthen good relationships between government and unions

### Repeal of s 146C of the IR Act

Whilst the Industrial Relations (Public Sector Conditions of Employment) Regulation was allowed to lapse in late 2023, and as such the wages cap ceased to exist, repealing s 146C means no future government can again impose such a cap - or at least not without further legislative change.

Formal legislative wages caps are now effectively dead.

### Mutual Gains Bargaining

Mutual Gains Bargaining is a new cooperative negotiation model for the government and the unions which represent the State's public sector and local government workforce. It will be supported by the Treasury's productivity unit to link pay rises to innovation and productivity in the delivery of essential public services.

Under the Act Mutual Gains Bargaining:

- *Is to be a collaborative approach to bargaining;*
- *Parties to the bargaining are to identify and communicate their key needs to reach an agreement that maximises common interests and reconciles conflicted interests between them;*
- *The negotiations must be consensus-seeking, with the parties working together to solve problems; and*
- *The bargaining aims to create, maintain or strengthen good relationships between government and unions.*

This new bargaining framework commenced on 15 December 2023.

This is a significant legislative reform that will likely have significant influence on the current bargaining round for a new Award to replace *the Crown*



*Employees (Police Officers) Award*, which reaches its nominal expiry on 30 June 2024.

### Recreated Industrial Court and Senior members of the Commission

The Amending Act also recreates the Industrial Court of New South Wales as a judicial arm of the Industrial Relations Commission, and returns the suite of jurisdiction that was disbursed to the general Courts to a judicial body made up of specialist judges (of Supreme Court status) who will enforce industrial relations rights and hear work health safety prosecutions.

The Amending Act also recreated the offices of the President, Vice-President and Deputy President, and provided for the judges of the Industrial Court to be duly appointed as the most senior members of the Industrial Relations Commission.

That the judges will also hold the senior offices of President, Vice-President and Deputy President of the Commission is of very real significance

to the Association and its members for a number of reasons, including that any arbitrated wages and conditions claims (which need to be heard by a Full Bench of the Commission), will likely be heard and determined by a Commission constituted by these new senior appointments. These new senior members will likely hear all appeals and as such likely help steer the development of the jurisprudence of the Commission in a manner that is fairer and more reasonable than in recent years.

Additionally, the review jurisdiction for challenging Orders under Part 9 of the Police Act imposing reviewable action (s 173 Orders) or removing an officer for loss of confidence (s 181D Orders) will be heard by the new Presidential members of the Commission.

The government is currently in the practical process of recreating the Industrial Court (finding premises, staff and appointing judges). The parts of the Amending Act creating the Court and transferring jurisdiction will likely be proclaimed and made operative in the first quarter of this year.

### Further Reforms

The government's agenda on Industrial Relations, giving effect to the recommendations of the IR Taskforce, has yet to be fully implemented. Further consultation regarding the government's further response to the Taskforce report began in late December 2023, shortly prior to Christmas. We anticipate the consultations will kick off again in early 2024, in which the PANSW will be involved in representing the interests of police officers.



POLICELINK TEAM LEADER  
SERGEANT WARREN KING STANDING  
ON THE FLOOR IN TUGGERAH







**Elyssa King**

**PANSW Media & Communications Officer**

## PoliceLink

As part of the Communication Services Command, PoliceLink provides a 24/7 contact centre response to emergencies and reporting of crime across NSW. We spoke to two sworn officers and a civilian operator about the opportunities and challenges involved with the role.

■ Warren King admits that 23 was probably too young to join the Police Force. What he lacked in age, he made up for with experience in an alternative career path. His background as a mechanic allowed him to get a technical vocation under his belt and gain an understanding of the challenges of dealing with conflict in the workplace. "Having the trade helped me because I wasn't just a general mechanic, I took up all of the customer work as well. I did have exposure to customers that weren't happy, so it wasn't new to me to be yelled at!" He says.

He joined the Police Force in 2011. After completing his three years in General Duties in Tuggerah Lakes, his lifelong passion was realized when he entered Highway Patrol. After eight years in the Specialist Command, he still loved the job but an itching voice in the back of his mind craved something different in his professional life.

A Section 66 temporary promotion opportunity presented itself to PoliceLink – Crime Stoppers NSW, which answered the question he had been asking himself.

"I was ready for a new challenge when I turned up to work."

The new role gave Warren the chance to re-engage with policing in a new way.

His initial perception of the job at PoliceLink as supervising and evaluating events was blown out of the water. The variety of events and incidents that come through in his role at Crime Stoppers would see him becoming the first point of contact in a variety of cases with victims needing protection, missing persons investigations and more.

"My fulfillment is in being able to relay that information to the right places as quickly as possible." He says.

Liaising with multi-agencies has also been an exciting point of difference. In a recent case, an offender was involved in the distribution of child abuse material through social media. Interpol was able to provide information that located the offender in NSW. Warren liaised with and relayed this information to the nearby PAC. Within a day, an arrest had been made relating to multiple offences.

After completing his first year recently, Warren received a promotion to a Team Leader as a Sergeant through CrimeStoppers.

He believes that his policing experience has assisted in the transition. As a Team Leader, he finds the benefit of his work in the field helps guide his colleagues to upgrade or downgrade jobs in terms of urgency. However, he is equally quick to point out the value that others from a non-policing background bring to the job. The beauty in bringing these individuals into the team is their ability to bring new perspectives and think differently.

He has recommended the job to friends and family, both sworn and unsworn. The flexible rostering is incredibly attractive. And the environment lends itself to change.

"The morality and supportiveness here trumps anything that I have seen in PAC PDs. It's such a contagious environment and a really safe workplace."

As someone who has always been willing to test his capacity with new opportunities, he encourages any officers that are currently looking to try something different to consider making the switch. He's even enticed some of his old Highway Patrol colleagues to give it a go with some success stories that have followed.

... when you say, 'Police are on the way... I am going to get more details from you'... some people will turn and yell to the people involved, 'They're coming!'

"The rotation policy that the Commissioner brought in may have opened a lot of people's eyes. Many people sit in the same role for ten to fifteen years and are happy there, but others are not. To get that exposure to the back end of policing and see what it's all about... we've had a few officers come here on rotations and it's all positive feedback. They're eager to come back."

\*

19 year old Madison Hilton was looking for her first full time job when she discovered a customer service role advertised with PoliceLink.

"Everyone spoke so positively about the job and how diverse it is. So I applied for the job and went through the process and it is one of the best things I've ever done."

As a civilian, becoming an operator taking triple zero calls at Tuggerah gave the Central Coast native a whole new perspective on policing operations.

"At the start, it was quite confronting. The people I was interacting with were living a life I've never lived, so it was tough to understand how someone could live through all these horrible things."

"As time went on, I learnt to talk to people differently and to understand that this is a very difficult situation. You work out how to help them. I enjoyed speaking to different people and learning ways to help them cope and get them the help they needed."

During the brief interactions, strong verbal communication skills and quick decision making are paramount to ensure that the caller receives the support they require. Switching between directness and sensitivity is a skill set that is honed with every interaction.

"At the time they call you, for a very short period of time, you're the only person that knows what's going on and you need to find the right help for these people and ensure that the police know about the incident with a matter of

urgency."

"You need to display empathy and emotional intelligence. It's understanding that this is probably the hardest day of their life and doing your job to get them the help that they need."

The calls that have stayed with her the most were those involving young children.

"Those calls were always quite difficult, but being able to speak with them in a



CONSTABLE MADISON HILTON

way that they are instantly not scared. By the end of the call, you end up having a chat to them about what is going on and making them feel safe and heard."

The communication skills that she has developed during her three years at PoliceLink prepared her for the next step in her career with the NSWPF.

"Going into a sworn position where you are dealing with especially children and vulnerable people all the time, you take that skill set with you to learn how speak to these people to make them feel that they are being heard and that we are here to help them."

Witnessing the job log, Madison began talking to sworn officers in the building who couldn't speak more highly of the job out on the street and encouraged her to make the move.

With the recruitment process moving incredibly quickly, her bosses were supportive in creating a plan that allowed her to continue to work while completing her initial studies. Her experience at the Academy in 2022 was different as Covid lockdowns were still in place. The first four months of her training were completed online before heading down to the Academy for 16 weeks.

"Working at PoliceLink definitely helped me to solidify my decision to join the Police Force as a sworn officer... just seeing the impact that you have on people's lives and helping them through their darkest days."

After attesting, she was lucky enough to be stationed at Newcastle Police Station.

"It was a very fresh start and I wouldn't change it for the world. It's been amazing."

A special part of the job for her is helping people and making them feel comfortable around police. The team has turned into her family. Every shift is different, which makes it exciting. Her exposure to the technical side of the job through PoliceLink has created an adeptness at navigating the CAD and COPS systems. This know-how has allowed her to focus on developing her operational abilities.

"Because PoliceLink did such a good job in educating you in that way, I was able to really focus on communicating with people and learning the work in the field... engaging with the community and helping them out."

She's loving her work in General Duties and is content in finding her feet.

When it comes to PoliceLink, she would recommend the job for its flexibility, with fulltime and part time positions available, along with the commitment to the welfare and wellbeing of staff. "

"The skills that I learnt there have carried over to my daily duties as a police officer. I would recommend PoliceLink to anyone over and over again."

\*

## Being able to assist police in the field to help members of the public in emergencies really does satisfy my need to help others

Working in a call centre in Orange, Lauren McGrath was looking for a career change. A former colleague who had made the shift to PoliceLink in Lithgow recommended the position to the self-confessed true crime lover and suggested she make the transition to working with the NSWPF.

"When I heard that there was an opportunity to take Triple Zero calls for police so close to home, I knew I had to work there." She says.

Undertaking the recruitment process involved online testing that measured attributes such as typing speed, cognitive coherence and problem-solving abilities. Conducting her own research about what it was like taking emergency calls along with familiarizing herself with the practice tests helped Lauren prepare for the process.

Her experience in interacting with customers meant that she was naturally friendly on the phone and easily able to establish a rapport. The initial challenge while taking emergency calls was focusing on getting the most significant information first and leaning on her natural empathy towards the end of the call to provide reassurance that help was on the way.

In the early stages, her main priorities were executing her training so she could be as helpful as possible to the caller on the other end of the line who was going through what could be the most challenging episode of their life.

At Lithgow PoliceLink, the team takes calls from all across the state, touching on the entire range of the human experience from accidents to domestic violence.

"I was surprised about how many mental health calls that we receive," She says.

"I often find myself thinking, 'If we can all just keep holding on and be that other person for them until police can get there, then it will be a better situation for everyone.'"

The most rewarding part of the job is being the person on the other end of the line when someone is going through the most traumatic experience of their life. Whether they are in the midst of it or a bystander to a situation that is unfolding, Lauren will hear the person on the end of the line asking others around them if the police have arrived for them. The sound of approaching sirens is welcomed by the operator and the caller.



LAUREN McGRATH

"It's interesting when you say, 'Police are on the way...I am going to get more details from you'...some people will turn and yell to the people involved, 'They're coming!'."

"As an operator, there is a moment that happens when you know emergency services are beginning to arrive on scene. You can hear the relief in the background and that is really satisfying. It makes me feel relieved as well."

In March, Lauren begins her training for the non-emergency line and will progress into learning other queues.

"Being able to assist police in the field to help members of the public in emergencies really does satisfy my need to help others. That has been what has pushed me through the hard calls and has been my motivation to follow

through."

"It's a challenging role but I have such a great support system. You never feel like you're alone."

As a civilian coming in, the culture wasn't as intense as she was expecting.

"There is no divided line there. Within our community, we are all on the same level and can work together that way."

The opportunities for progression are also an attractive bonus. There is the chance to join other teams and train in other critical call taking queues and grow into quality or leadership roles. In the long term, Lauren wants to train in digital work or quality listening.

"I am a big feedback lover, so I think it would be great to assist people coming in to be able to quality listen and assist the quality team in figuring out integrating the new SOPs and any changes into our calls."

"The team at PoliceLink have been incredibly supportive throughout the application process and during my career, so if anyone was interested, they should definitely reach out and have a chat to help them figure out if it was for them."

"Both ways between the caller and the operator, you realise at some point it's just another person on the phone. That was a big thing for me at the beginning, realizing that this is just another person and they need assistance and having them recognize that about me when they know help is on the way."

It's clear from all the experiences recounted that the brief moments of establishing genuine human connection leave a lasting impression on both sides of the line long after the call has ended.





December 4, 2023, Adelaide's CBD was brought to a standstill as thousands formed a guard of honour for fallen Police Officer Brevet Sergeant Jason Doig, killed in the line of duty while responding to a call at a property in Senior, South Australia.

PHOTO BY STEVE McCAWLEY, COURTESY POLICE ASSOCIATION OF SA.









## Applications for Legal Assistance 2017 - 2022

	2017	2018	2019	2020	2021	2022	<b>Total</b>
Approved	712	664	780	729	786	702	<b>4373</b>
Awaiting Decision	0	0	0	0	1	3	<b>4</b>
Declined	61	58	64	44	59	82	<b>368</b>
Not Required	15	14	23	21	22	18	<b>113</b>
Pending	1	0	3	3	20	16	<b>43</b>
Referred	4	1	0	1	0	0	<b>6</b>
<b>Grand Total</b>	<b>793</b>	<b>737</b>	<b>870</b>	<b>798</b>	<b>888</b>	<b>821</b>	<b>4907</b>



**Anthony Howell** Assistant Secretary, Legal Services

# Where does Legal Assistance Expenditure go?

Each year approximately 4% of PANSW members apply for Legal Assistance. How does that break down?

■ Last year, the Association spent \$3,898,250 on the financial legal assistance scheme (as reported in the audited annual 2022 Financial Statement).

Money spent on the financial legal assistance scheme is the single largest member benefit expense incurred by the Association in any given year.

As the head of the Legal Services Division and the person most responsible for making decisions to approve or decline requests for financial legal assistance, questions are often asked of me regarding legal assistance, including things such as "Where does the money spent on legal assistance go?" "How much is spent on individual members?".

The \$3,898,250 figure reported in the Annual Report is the collection of invoices, primarily from solicitors and barristers, who have advised and/or appeared for Association members pursuant to a grant of financial legal assistance received and paid over the course of the relevant year. In other words, every single cent of that \$3,898,250 in 2022 is spent in service of a member or members through a grant of financial legal assistance.

The significant increase in expenditure in legal assistance scheme expenditure from 2021 to 2022 reflects the fact a number of very high-cost matters came to the point of invoice in the one financial year. Those matters have included (but were not limited to) the grants of assistance members defending serious criminal charges (including negligent driving causing GBH and others) arising from an on-duty motor vehicle accident, and the defence of a member who was charged with (amongst other things) manslaughter following the death of a motorcyclist in the course of an on-duty pursuit.

So how many matters get a grant of approved funding each year and what sort of matters are funded?

We typically receive between 700 and 900 applications for assistance per year.



HOWELL'S BARRISTER WIG SITS ON A SIDE TABLE IN HIS OFFICE

- *For record keeping purposes, our applications for assistance are recorded against one of three broad categories:*
- *Employment (which includes all aspects of the discipline system and miscellaneous employment related issues, such as discrimination complaints)*
- *Criminal (which includes criminal charges, coronial matters, and quasi-criminal matters such as AVO applications)*
- *Medical (which captures the various pre and post 88 medical matters, including*

*incapacity claims under superannuation schemes).*

The proportion of the legal assistance applications received from each Category has remained relatively consistent over the last 5 years.

In terms of what is approved and declined, the Table opposite demonstrates the number of applications Approved or otherwise deal with over the last 5 years (the Awaiting Decision and Pending) matters recognise the fact these figures are prepared at a point in time (December 2022) and show applications in the process of decision making (obviously now finalised long ago).

The number approved in each category has remained relatively stable over the last several years, although the "Medical" category declines as the number of pre-88 police reduces over time.

In 2022 there was a sharp increase in the number of "Employment" category matters "Declined". That reflects a spike associated with the fact there were a number of applications to assist with s 181E Review applications for removals associated with the COVID-19 mandate. Most were declined (on the basis that there was no reasonable prospect of success).

So there you go – the financial legal assistance scheme for many years has been, and continues to be, one of the most significant member benefits available to PANSW members.





Detective Inspector Paul Quigg

# Bulldogs support Bush-to-Posts Youth program Summit

Canterbury-Bankstown backs the Clontarf Foundation helping it expand a program assisting young men to win

■ The NSW Police, Bush-to-Posts program was instigated in 2020. For the past two years, the Canterbury-Bankstown Bulldogs Rugby League Football Club have been supporting this program by sponsoring the Bourke High School (Clontarf Academy) Member of the Year Award. This year, the Canterbury-Bankstown Bulldogs have extended their funding of the program by also sponsoring the Chatham High School (Clontarf Academy) in Taree's Member of the Year Award.

Late last year, both awards were presented - each comprised of framed Canterbury-Bankstown 2023 Indigenous rugby league jumpers signed by Josh Addo-Carr, also known as the "Foxy".

The winner of the Bourke High School award was Blake Barker, and the winner of the Chatham High School award was Michael Armstrong. Both award winners were presented with these awards after several Key Performance Areas (KPA's) were evaluated, including:

- *Training attendance*
- *Afternoon activity attendance*
- *School attendance*
- *Overall academy engagement*

Most importantly: the student who attempts tasks set out for them and who continues to grow life skills using the Academy's values while at school.

The Clontarf Foundation exists to improve the education, discipline, life skills, self-esteem and employment prospects of young Aboriginal and Torres Strait Islander men and in doing so equips them to participate more



(OPPOSITE) MICHAEL ARMSTRONG and (ABOVE) BLAKE BARKER ACCEPT THEIR AWARDS

meaningfully in society.

The Clontarf Foundation uses a unique, innovative and highly successful approach to target one of the most at-risk groups in contemporary Australian society – young Aboriginal and Torres Strait Islander men.

Using the existing passion that these boys have for sport allows Clontarf to initially attract them to school, and then keep them attending. It is, however, not a sporting programme – it's about developing the values, skills and abilities that will assist the boys to transition into meaningful employment and achieve better life outcomes.

The Foundation partners with schools and communities to create 'Clontarf Academies' which are embedded within the school grounds and education programme.

Full-time, locally based Clontarf staff mentor and counsel students on a range of behavioural and lifestyle issues while the school caters for their education needs. Any Aboriginal and Torres Strait

Islander male enrolled at the school is eligible to participate in the Clontarf Academy.

Through the use of supportive relationships and environment, the students develop improved self-esteem and confidence which enables them to participate in education, employment and society in a positive way.

Academy activities are planned within the focus areas of education, leadership, employment, well-being, life skills and sport. In order to remain in the programme, participants must continue to work at school and embrace the objectives of the Foundation.

The Foundation's approach has been very successful, not only in attracting young men to school and retaining them but also in having them embrace more disciplined, purposeful and healthy lifestyles.

I would like to thank Diane Langmack OAM, General Manager Stakeholder Engagement Canterbury Bankstown Bulldogs R.L.F.C, Phil Gould AM, General Manager of Football Canterbury-Bankstown Bulldogs R.L.F.C, Canterbury Bankstown Bulldogs player, Josh Addo-Carr along with Anne-Marie Mioche and Jane Kemp from CatholicCare and Mark Levar from All Glass Awards for their valued partnership in this vital programme being conducted in the Bourke and Taree communities.



## Aleks Boromisa Industrial Officer

# A guide to non work-related sick leave

■ Sick leave is provided for officers who are unable, for a period of time, to attend work due to illness or injury, as per the provisions under Clause 20 of the Crown Employees (Police Officers – 2021) Award. The NSWPF Leave Manual further explains entitlements and sets procedures for the managing of sick leave.

Commanders/Managers are required to monitor and manage the use of sick leave to ensure that employees attend work when fit to do so, and that services such as Peer Support Officers (PSO) and the Employee Assistance Program (EAP) are offered to officers where appropriate.

Commanders/Managers are required to monitor and manage the use of sick leave to ensure that employees attend work when fit to do so, and that services such as Peer Support Officers (PSO) and the Employee Assistance Program (EAP) are offered to officers where appropriate.

## Entitlements

Officers are entitled to accrue paid sick leave of 15 days (114 hours) each calendar year. Sick leave is credited to each officer on 1 January each year and is fully cumulative. Sick leave is to be debited as the ordinary hours the officer would have worked (according to the roster) had they not been absent on sick leave. Permanent part time officers receive their sick leave entitlement on a pro rata basis, according to the number of hours worked each week.

## Special Sick Leave

Special Sick Leave is a discretionary entitlement not contained within the Award and provided subject to the approval by the relevant Commander/Assistant Commissioner People and Capability.

In certain circumstances officers may be entitled to claim special sick leave. This entitlement is discretionary and can be applied generally in cases involving a serious, critical or life threatening illness. In order to apply for special sick leave, an officer must have used all of their accrued sick, annual (to be under the 342 maximum threshold under the Award) and additional leave and needs to meet certain conditions prescribed in the NSWPF Leave Manual.

The NSWPF will expect that an application for off duty Income Protection (see below for further information) will be made rather than SSL utilized. In certain instances, SSL may be approved until the

officer can access Income Protection or where the income protection benefit has been exhausted.

## Sick Leave Without Pay (SLWOP)

Officers that have utilised their entitlement of sick leave may elect to have any future leave debited as annual, extended or SLWOP (with permission from their Commander/Manager).

Sick leave without pay will count as service for the accrual of recreation leave and paid sick leave. In all other respects sick leave without pay shall be treated in the same manner as leave without pay.

## Income Protection (Off Duty)

Post 88 Officers are covered by the Police Blue Ribbon Insurance (PBRI) through Aware Superannuation. Under PBRI, officers receive Income Protection coverage as well as cover for lump sum benefits for Terminal Illness, Total and Permanent Disablement (TPD), and Death cover. The coverage exists for both on duty and off duty injuries/illnesses.

For off duty injuries, there is a 60-day waiting period from the date of injury when the officer became totally unfit for work (for 7/12 consecutive days) and the insurer will pay 75% per cent of pre injury earnings for a benefit period of up to two years following the 60 day waiting period. The benefit period is continuous irrespective of the payment of a benefit and is based on the incapacity from the injury/illness.

Officers should contact the Shared Services Income Protection Team to obtain forms by emailing ps-incomepro@police.nsw.gov.au

Officers on income protection (off duty) are placed on SLWOP which may affect their increment, unless they utilise some other form of other leave (Annual or extended) in addition to the Income Protection as a top up. These forms of leave are not an offset to the IP benefit, whereas the use of paid sick leave is an offset to the IP benefit. Any officers who have had their increment impacted from being on part time SLWOP should seek

advice from the PANSW as we have had several Industrial disputes surrounding these types of cases for members.

## Recredit of Annual and Extended Leave

If an officer becomes ill or injured while on a period of approved leave (that being annual or extended leave), the following will apply:

- *The officer will need to furnish supporting medical information from a medical practitioner or equivalent to have the leave recredited as sick leave*
- *If on annual leave, the period set out in the medical certificate will be recredited*
- *If on extended leave, the leave will only be recredited if the absence set out on the medical certificate is seven (7) or more calendar days*
- *If on two or more rest days may elect to have second and subsequent rest day re-credited (7 day workers only)*

## Procedures for applying & granting sick leave

When an officer is unable to report for duty through illness or injury, the officer is required to promptly inform his or her direct supervisor and as a minimum as close to possible prior to an employee's starting time. The officer should notify of their absence by telephone to their direct supervisor. Telephone messages left with colleagues and SMS text messages or emails are not acceptable means of notifying the sick leave.

The officer must provide the following information:

- *The nature/cause of the illness or injury*
- *Anticipated duration of the absence*
- *Work or court commitments during absence, with particular reference to urgent matters*
- *Whether in the opinion of the employee the absence is work related.*

Officers need to be aware that an absence of more than two (2) consecutive

days must be supported by medical evidence. Officers that also take more than five (5) days of unsupported sick leave in any calendar year may be required to provide medical evidence each time they take sick leave for the balance of the calendar year subject to appropriate managerial action.

When an officer reports to take sick leave, there is an expectation of the officer recuperating at their usual place of residence for the duration of the absence. If the officer elects to recuperate at another location, then the officer should notify their direct supervisor and ensure a contact number is provided to the workplace. In stating this however, the workplace should acknowledge that officers may need to leave their place of recuperation for short periods due to domestic responsibilities or treatment or therapy prescribed by a medical practitioner.

## Medical Evidence

On resumption to the workplace, the officer must provide supporting medical evidence where required. If providing supporting medical information for the absence, the documentation must indicate the nature of the illness or injury and the estimated duration of the absence.

Acceptable forms of medical evidence for illness/injury:

- *May be provided by a registered dentist, optometrist, chiropractor, osteopath, physiotherapist, oral and maxillofacial surgeon or at the Commanders/Managers discretion, another registered health services provider for absences up to a week*
- *Must come from a registered medical provider for absences over a week*

Medical certificates from online medical services will not be accepted. A certificate issued by a pharmacist can be accepted at the discretion of a commander/manager for short term absences (for exceptional circumstances only, such as no access to other health care providers). Since Covid-19 there is a level of acceptance that Telehealth is an appropriate form of a medical consultation and as such Telehealth certificates may also be accepted at the discretion of a commander/manager.

Evidence of illness/injury that is backdated will not generally be accepted for the payment of sick leave. However, if an officer provides medical evidence that only covers the latter part of the

absence, the Commander/Manager may grant sick leave for the whole period if they believe the reason for the absence to be genuine.

In some country areas, it may be difficult for an officer to obtain a medical appointment for the day of absence. Commanders/Managers may accept a statutory declaration from the officer where medical evidence from a registered medical practitioner would normally be required.

## Privacy of medical information

Health Records and Information Privacy (HRIPA) Act 2002 provides certain requirements for employers to handle privacy of medical information with utmost care. NSWPF must ensure that medical information must not be left out on display for other employees to view and medical certificates must be handled in sealed envelopes.

## Disclosing nature of illness

Officers are required to identify the nature of the illness/injury on medical supporting documentation. If, however, the officer is concerned about disclosing the illness/injury, they can elect to have the documentation dealt with confidentiality by an alternate Commander/Manager. This requirement comes out of the Crown Employees (Police Officers – 2021) Award, clause 20.2, Crown Employees (Public Sector Conditions of Employment) Award, Work Health and Safety Act (NSW) and public sector industrial relations instruments.

There may be circumstances where a Commander/Manager may be concerned about the ability of an officer to perform their duties based on the nature of the illness/injury described on the medical certificate. If this is the case, the Commander/Manager must seek:

- *the officer's consent first to contact their treating physician to clarify whether they are able to resume or continue full duties*
- *an independent opinion on the medical evidence provided from an occupational physician listed by WorkCover. Any cost to this appointment needs to be met by the workplace.*

Flexible work arrangements are provided to allow officers greater flexibility in balancing work, family and personal commitments. If an officer needs to attend medical appointments within work

times, Sick leave may be granted to cover attendance at appointments and treatments only when the commander/manager is satisfied that:

- *an appointment could not be obtained outside working hours, or*
- *flexible work arrangements were not available or could not be used to attend appointments during work hours, and*
- *the appointment or treatment was needed.*

## Manage & Monitor Sick Leave

As mentioned earlier, Commanders/Managers have the responsibility and accountability for the management of sick leave within their workplace.

Occasionally Commanders/Managers may need to request information OR discuss with officers to establish any noncompliance to the policy or inappropriate use of sick leave. Officers should be aware that excessive sick leave or a sick leave pattern does not necessarily constitute an inappropriate use of sick leave, that Commanders/Managers should be viewing this as a trigger for discussion and further assessment.

Where non-compliance is confirmed this may result in: formal counseling; being placed on a compulsory medical certificate basis; an independent medical assessment; participation in a return to work program; and possibly lead to disciplinary action. The policy sets a procedure that Commanders/managers should follow – it is unacceptable to skip steps outlined in the procedure.

If an officer has been informed of non-compliance of the Leave Manual concerning sick leave, they should contact the Police Association on (02) 9265 6777. The Information Officers will be able to identify the process taken by Commanders/Managers and give information to officers on how to proceed or appeal if the policy has not been followed.

Lastly, Commanders/Managers should make early and regular contact with officers on long term absences. An agreed contact officer should be identified at the earliest opportunity. Flexible strategies to facilitate a smooth transition to work should be explored. Management also has the responsibility to identify the welfare needs of officers who return to work and ensure that appropriate support mechanisms are implemented.



# Living with Burnout, Trauma or PTSD? We Can Help

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Drawing on an understanding of neuroscience and the impact of trauma on the brain and body, this program provides skills and strategies for getting back into the driver's seat of your life.

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- Jason

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# Class 202 40th year reunion

**(1984 end of an era - last class out of redfern police academy & the best!)**

*Where:* The Helm Bar, Darling Harbour  
(close to Town Hall station and ample parking)

*When:* Friday 28th June 2024  
12 noon-to 4pm or to whenever.

*Cost:* \$45 p.p  
(includes copious finger food and snacks)

Additional drink package \$75 p.p available  
(beer/wine/soft) or pay as you go.

Pay in full by 1 June 2024

*Police Bank Account name:*  
Paul Smith / BSB 815 000 / Account number 34926 S 1.1  
(add zero in front, if your bank doesn't accept 5 digit account number)

### Contacts

Paul Smith- 0414 237 965  
Frank Schreuder-0423 190 535  
Kristina Wood- 0421 074 712





**Tim Sinclair** Marketing & Communications Manager, NSW Police Legacy

## NSWPL Legatee interview Gail Gardener

■ “It’s not until something happens that you really become aware of what Legacy is,” says Gail, talking about her involvement with NSW Police Legacy since her husband Constable Adam Gardener died in 2014.

They both had a vague notion that “If something happens, they’re there to help...?” but that was pretty much it. Adam contributed through payroll, but neither of them thought about it much. Everything became a lot less abstract in 2014.

Adam hurt his back during a training exercise. When the pain hadn’t decreased after a couple of months, he ended up at the GP, and then the oncologist. Within two and a half weeks of receiving the news that he had pancreatic cancer, Adam was gone. The couple didn’t have much time to say goodbye – to each other, or to their kids.

And then, the whirlwind. “People come to see you, and they’re offering help. Family, friends, everyone, and you’re just numb. You don’t really take a lot in.” Included in that initial onslaught of visitors and well-wishers was a representative of NSW Police Legacy, offering Gail and her family support.

“You say yes, yes, I understand, and on some level, you do understand, but once it all dies down you have no idea what you actually agreed to.” What Gail really appreciated was that someone from Police Legacy came back. They checked in on her, they wanted to find out what she needed, they offered support. They started to show her a way back into life, and most importantly, introduce her to a network that would become like another family.

“Once you have the strength to go along, there’s just this feeling of being with likeminded people,” she says, of her first involvement with Police Legacy events. “Someone’s come before me. Somebody’s been there. You’re not crazy; you’re not a blubbery mess. It’s ok.”

It was the same with the kids. They very quickly discovered their people when they started going on the Adventure Camps, and discovered the comfort to be had from being surrounded by other kids who had all had a similar experience of loss. They could just be themselves – saying the stuff that they felt they couldn’t say at school; feeling the feelings that it wasn’t really safe to let out

anywhere else except at home.

And with that growing confidence came new adventures. Anyone who had anything to do with the Remembrance Bike Ride last year would remember Caleb, then just 14 years old, riding the distance with two other young Legatees. “They rode for their dads,” says Gail simply. “And Caleb enjoyed giving back... that sense of supporting the organisation that’s supported him.”

Gail’s done her fair share of giving back too. Despite her reluctance to be in a spotlight of any kind, she sat with a table of other Police Legatees at the Blue Ribbon Ball – an easily accessible way for the largely-corporate audience to understand that the charity they were there to support was not just theoretical. She and the other Legatees were living, breathing, resilient examples of people who have been through enormous hardship but refuse to give in.

***Did you know that the majority of NSW Police Legacy’s funding comes from contributions through payroll from NSW Police Officers like Adam? If you’re not already donating at least \$5/pay, please consider doing so.***

# Supervised-sentences require actual supervision

Evidence based policy undermined by under resourcing

■ In 2018, the then Coalition Government introduced its “Tough and Smart” Justice reform package. One component of that reform was Sentencing Reform, implemented through the Crimes (Sentencing Procedure) Amendment (Sentencing Options) Bill 2017.

Then Attorney General Mark Speakman said in his 2nd Reading Speech for that Bill, “We know that community supervision is better at reducing reoffending than leaving an offender in the community with no supervision, support or programs. We also know that community supervision is better at reducing reoffending than a short prison sentence.”

Too many offenders were receiving sentences that involved no supervision and no rehabilitative programs.

The 2018 reform was intended to introduce a new range of community sentencing options, with the desired outcome being an increase in the number of offenders that received sentences involving supervision, and a decrease in unsupervised sentences, or short prison sentences.

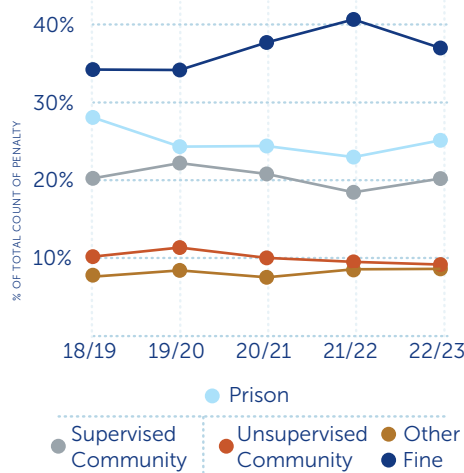
The ultimate goal was to reduce reoffending – this is what benefits the community. Supervised community corrections orders, when implemented well, have been demonstrated to reduce reoffending, so the underlying principle was sound.

Corrective Services and Police Officers identified a challenge though: the reforms will require far greater involvement from Correctives and Police to conduct the community supervision the reforms rely upon.

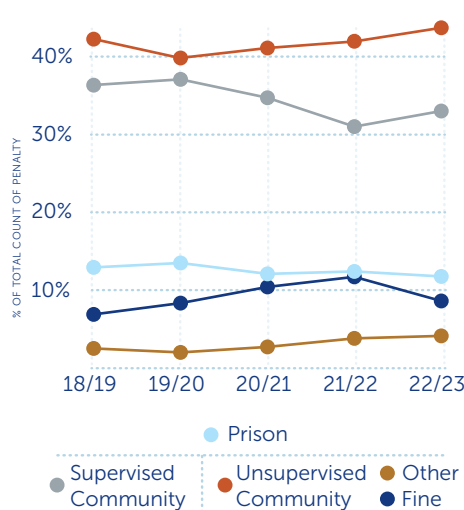
The NSW Government earmarked \$200 million in funding to underpin the reforms, and part of that money would be used to recruit additional Community Corrections Officers to boost capacity to supervise offenders and reduce reoffending.

The immediate practical aim of the

Sentences by year (all offences)



Sentences by year (Assault - DV)



reforms was to increase supervised community sentences, and decrease short term prison sentences and unsupervised community sentences.

This practical indicator was initially achieved, although not sustained.

The ultimate goal of that practical indicator was to reduce reoffending rates in NSW, thereby reducing crime.

That has not been successful. In 2022, the Bureau of Crime Statistics and research evaluated the impact of the NSW sentencing reforms on the risk of re-offending. At the time of BOCSAR’s review, the increase in supervised community sentences had (at least on paper) been maintained.

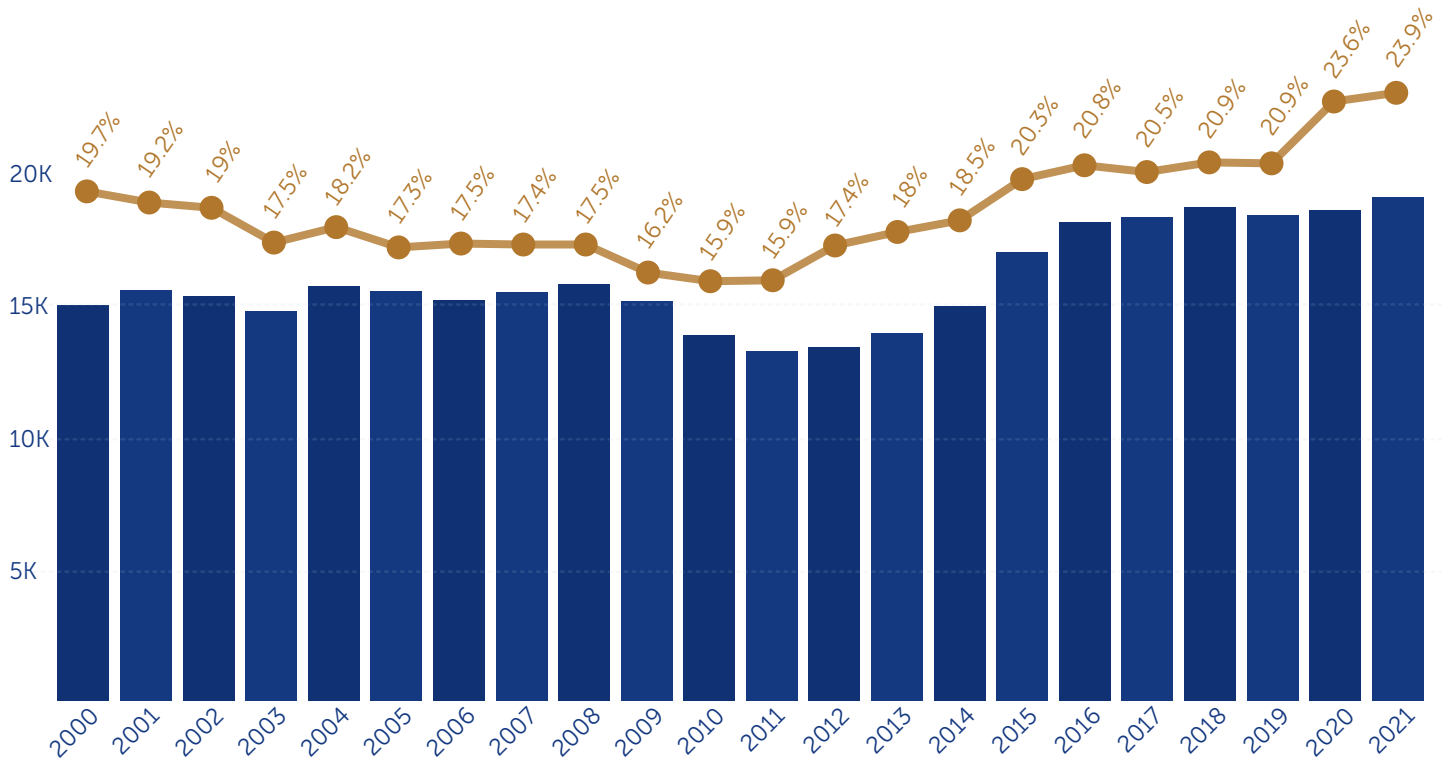
BOCSAR made the following findings: “Although the reforms significantly increased the proportion of individuals sentenced to a supervised community sentence (relative to short-term prison and unsupervised community sentences), we find no evidence to suggest that this change was associated with reduced re-offending rates. Specifically, there was no statistically significant difference between those sentenced before and after the reforms”

“Similar results were also observed when outcomes were examined separately for domestic violence (DV) offenders and offenders sentenced to short prison sentences or community-based custodial alternatives.”

BOCSAR discusses the possible reasons for this, as previous studies have found community supervision orders to be more effective in reducing reoffending the unsupervised sentences or prisons sentences. It states, “the reforms significantly increased the proportion of offenders who were sentenced to a supervised order, but the impact on the actual rate at which offenders were supervised in the community is likely to be much smaller”

“we found that for every 10 additional offenders sentenced to a supervised

"we found that for every 10 additional offenders sentenced to a supervised order, only four would have been actively supervised in the community"



Number and % of adults found guilty in court (all offences) who reoffend within 12 months

order, only four would have been actively supervised in the community."

"The abundance of evidence to support the effectiveness of community supervision in reducing recidivism suggests that further research into the extent and quality of supervision following the sentencing reforms may be worth pursuing. We know from the extant literature that supervision is most effective when it is active, high-quality and has a rehabilitative rather than a surveillance focus"

"Assessing not only the frequency and type of contacts with community corrections officers but also the level of access that offenders had to behavioral change, education and employment programs during the post-reform period would be beneficial."

Efforts to reduce reoffending are worthy priorities for NSW. An interaction

with the criminal justice system is an opportunity to prevent future offending and victimization of crime. This is not something NSW is currently successful at.

The current Labor Government was elected on a mandate to rebuild our essential services, to invest in the people who look after us.

It is clear from the experience of the sentencing reforms that improving community safety and preventing crime requires the hard work, expertise and commitment of well-resourced public service personnel like police officers and corrective service officers.

In an interview with the Sydney Morning Herald, PANSW President Kevin Morton said, "The former Coalition Government's experiment with diversionary sentencing is a failure. Police Officers in NSW are working hard to proactively target and prevent domestic violence but are being

thwarted by this sentencing regime. Sadly, we see 10% of DV offenders jailed, 30% subjected to some form of supervision and 60% let loose on the community totally unsupervised\*. As a result, reoffending rates are increasing with over 20% of those convicted reoffending within 12 months. The aim was to increase the number of offenders subjected to supervision including monitoring and preventative programs, but nothing has changed, and it is putting our communities in danger. This Government can start taking Domestic Violence as seriously as our members do – but they need to send a clear message to the judiciary and properly resource programs that reduce reoffending, including in custody."

\* 60% 'TOTALLY UNSUPERVISED' IN THE COMMUNITY IS AN AGGREGATE OF UNSUPERVISED COMMUNITY SENTENCES, FINES and 'OTHER'



Sonia Roberts PPN Writer

# Gaining knowledge and following dreams

Retired Superintendent's new passion - helping people with movement & rehabilitation

■ David Shorrocks always knew life after policing would involve following his passion for sports science and fitness, gaining knowledge and passing it on to others.

Superintendent David Shorrocks, APM, AEP, AES, DRM (Fellow) JP, BSc. (Hons) retired from the NSW Police in July 2007 after 35 years of service. The latter part of his career was spent in various senior positions including being in charge of the Police Citizens Youth Clubs across NSW.

From there he went back to school, undertaking studies in sports science, physiology, remedial and therapeutic massage. "As my time in policing was winding down, I didn't really have any sort of "lightbulb moment" where I knew I needed to shift into health/fitness and rehabilitation.

"I have a passion for fitness and have always believed if you are going to play a sport you should be fit to do so. I found in general having a high level of fitness assisted me to work under pressure and in the decision making process."

"Returning to full time study after being in the workplace was difficult. I was the oldest person in the class and complying with rote learning was a real challenge. This was more evident at the time of the exam period spending many hours studying and making deadlines with assignments."

"Many times I sat at the table with all my notes and saying 'Why am I putting myself through all of this? I am on a pension - am I crazy?'

"My wife used to say yes.

"Once I got over the fact I was not a police officer anymore, I realised there is so much you can with your life especially making up for all the times my wife was left alone. Now this does not happen, and the enjoyment and time I have to spend with my family and seeing my grandchildren grow up is something I will always treasure."



DAVID AT HIS NEW WORKPLACE

David, a former trainer for the Western Suburbs Magpies Rugby League Football Club and the Sydney Sandpipers netball team, looks back on his university time as a pathway to a goal and pursuing his talent for sports science.

Most of his work focused on the area of athlete recovery. "I had always been around league but once my daughters were born I also became involved in netball. My passion for sports and fitness was something that had always been there. This allowed me to gain Advanced Coaching Accreditation and coached for many years at Representative level and travel with State and National teams as their primary carer throughout Australia and overseas.

The friendships I have made through my policing career and sporting involvement I will cherish for the rest of my life. One of his favourite sayings is - "Knowledge is a wonderful thing to have, provided you give it to someone else." But would he recommend a return to full time study after stepping away from policing?

"Only if it is required to pursue a passion you wanted to do and could not because of the job. One of the biggest challenges I faced was learning to navigate the

academic protocols surrounding my studies."

"During my Honours studies I worked on a netball related topic with the support of my professors. I was fortunate enough to have had two abstracts published. The most satisfying thing about this part of my life is the feedback I have received over many years about how - in some way - I have made a difference to their lives from the treatment I have given them or the staff who work with me.

"The other thing that has been exceptionally rewarding is having the opportunity to allow students from Western Sydney University and Charles Sturt University to complete their practical placements at my clinic," David said.

Since opening his doors in 2012, a number of former and serving police officers have found their way to David's clinic. David found he was able to combine his two career paths when advocating for injured officers.

"Being in the cops taught me how to draft reports and that is something I have been able to pass onto my staff here. The other thing I have been able to pass on is treating everyone as a person."

"Knowledge is a wonderful thing to have, provided you give it to someone else."

Mick Timms PPN Writer

# Retired Police Day in Eastern Suburbs and Eastern Beaches PAC's

Retired Police Day (RPD) was observed on 7 September 2023, with gatherings held throughout the state. We spoke to PANSW Associate Member Paul Fownes about the key to a successful event.

■ Paul Fownes APM OAM officially retired from NSWPF in November 2022. The retired Chief Inspector is well known in the Central Metropolitan Region but is also the long serving President of the South Maroubra Surf Life Saving Club (SLSC).

When Eastern Beaches and Eastern Suburbs Police Area Commands (PACs) were looking at where to hold RPD 2023, Paul knew the South Maroubra SLSC would be the right place. "We were happy to host it," Paul told PANSW Police News. "Our club is used by local PACs for training days and meetings – it's an inviting environment and we have the space.

"I appreciate there are positives to using a police station for RPD as you get to see the hardware and feel like you are back in the workplace. But there is a positive aspect of using a neutral venue like our club which offers welcoming surroundings - particularly for those who may have had a difficult separation from the Police Force."

"The club also offers better coffee than your average police station."

The event attracted well over a dozen former police officers as well as partners. Police attached to the two PACs were on hand to engage with retirees and gave a presentation on current policing strategies and initiatives.

"We had well known retired senior detective Rod Harvey join us as well as previous commissioned and non-commissioned officers who had served in the area," Paul said.

"From speaking to those who attended our day, it's apparent many travelled long distances, forgoing events that might be closer to where they now live, in order to attend an event in an area where they worked and continue to have an emotional attachment.

Paul invites commands to leverage that emotional connection to have a bigger event in 2024. "This is a fantastic concept



EASTERN BEACHES AND EASTERN SUBURBS POLICE AREA COMMANDS HOLDING a RPD at SOUTH MAROUBRA SURF LIFE SAVING CLUB

that can be built upon each year," Paul said.

"Council has been doing work outside the club which limited access to our forecourt spaces this year. Next time, we will be able to have a Breath/Drug testing van and other police vehicles on site which will replicate what retired police would be able to see at a police station."

As 2023 was Paul's first as a retired police officer, PANSW Police News asked what commands should consider when planning RPD events.

"This is a two-hour event – make it worthwhile for people to come to," Paul said. "A retired officers' day can work in two ways - it can recognise the work of previous generations but also enlighten today's police about what things used to be like."

"Give retirees the opportunity to introduce themselves, as the younger police present may be surprised by the experience and backgrounds of retired police present."

"Identify at least one retired officer to speak about an interesting story or to provide advice on what makes a strong, resilient officer. It's a great opportunity for younger police to engage with the past because as retired police, we want

today's police to have longevity."

"Serving officers can update retired officers on today's technology and strategies which presents opportunities for past and current generations to interact. For example, we had a conversation at our event between current and retired police, about taking fingerprints with ink compared to today's technology."

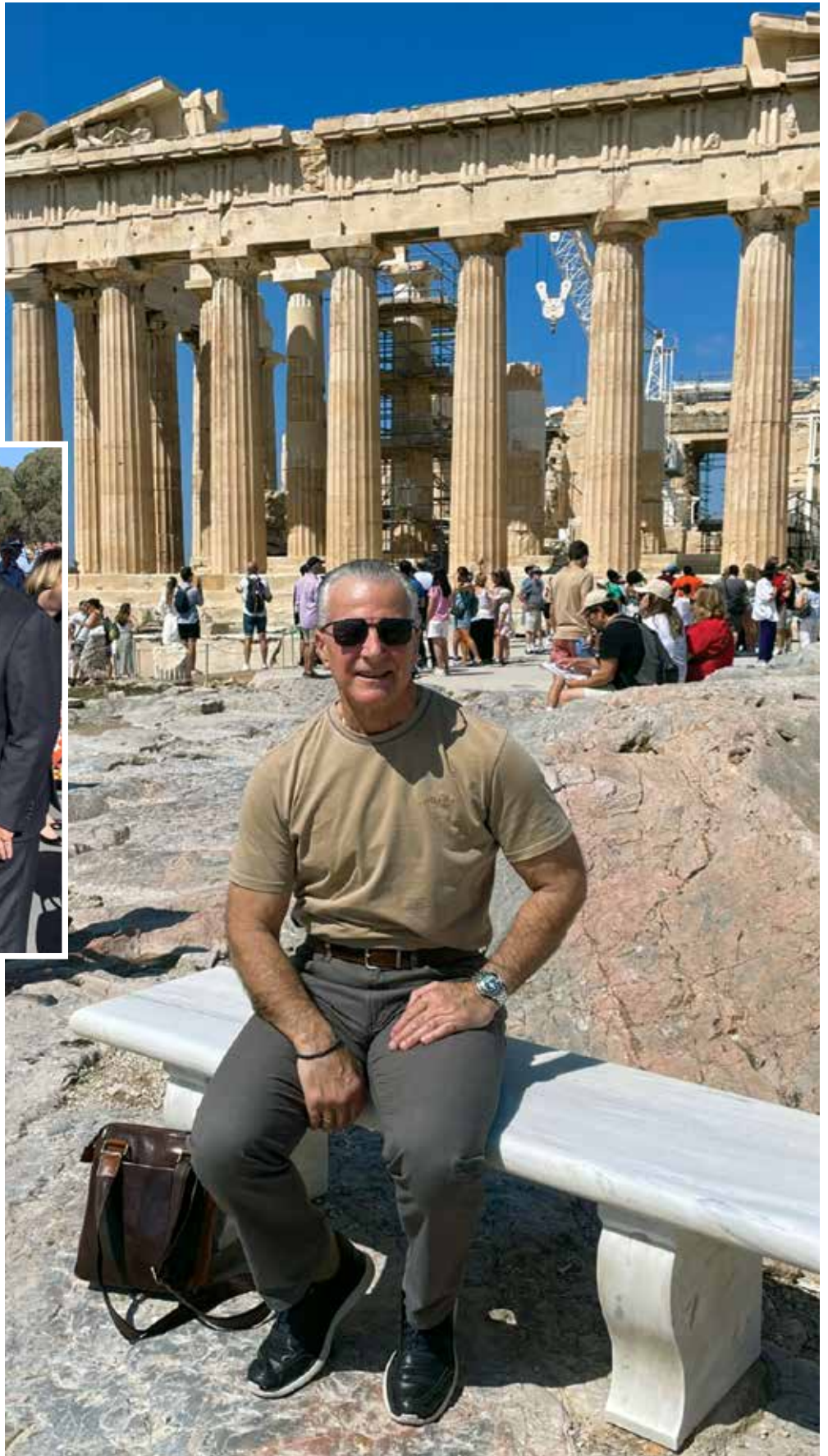
"Young officers might find an opportunity to gain mentorship or advice from those who have walked the path they are now on, making it an all-engaging event. It would also be good to see police who left at a younger age to pursue other careers to come to RPD, not just our senior retirees."

Finally, Paul recommends commands start planning early and maintain records of retired officers living in their areas or former employees at that command.

"Use social media, PANSW and the RFPA to reach out to retired officers and really market it for 2024," Paul said.



"I always kept myself fit to endure the mental and physical rigors of the job"



(RIGHT)  
ARTHUR VISITING THE ACROPOLIS IN GREECE

(ABOVE)  
ARTHUR (middle) AT HIS MARCH-OUT WITH FORMER  
COMMISSIONERS TONY LAUER AND KEN MORONEY

Mick Timms PPN Writer

# Fitness and faith: The Arthur Katsogiannis story

Arthur Katsogiannis APM joined the NSWPF in June 1980. He enjoyed a stellar career until the Detective Superintendent retired in December 2018.

■ The son of Greek immigrants embraced life in Australia but has never forgotten his roots. "I remember my last day at the Police Academy, Redfern, when I was given my firearm, handcuffs, and baton. I reflected at the time, 'this is the real deal,'" Arthur told PANSW Police News.

That last day at the Academy was nothing compared to his first day on the job. Arthur's first shift at Glebe was an afternoon shift, 3pm to 11pm. Along with his buddy, Ian Peters, he attended the home of a woman who had been deceased for three months. "The smell was so bad that I had to destroy the uniform I was wearing," Arthur recalled.

Arthur and Ian were then called by detectives to a location at Annandale.

"I was not made aware that an armed and dangerous escapee was hiding there, and reflected on it later, that I still had my firearm in its holster," Arthur said.

"That taught me to always ensure that whenever we did any job that everyone was fully briefed.

Arthur's plain clothes service started in April 1985. He worked at several metropolitan locations as well as the CIB Fraud Squad, and Internal Affairs during the Wood Royal Commission.

In 2003 he was promoted to the rank of Superintendent and made Commander, Leichhardt LAC. He moved to Burwood LAC and was selected to lead Strike Force Enoggera, an investigation in the reprisal attacks from the Cronulla Riots.

"I was then selected to go to the State Crime Command as Commander Firearms and Organised Crime Squad, Gangs Squad and the Fraud and Cybercrime Squad," Arthur said.

"Prior to retiring I was tasked by the then Police Commissioner and Minister

of Police to establish a stand-alone Cybercrime squad and become its inaugural Commander.

Arthur said his plan was always to retire at the age of 60.

"In my last few years before retiring, I planned what I wanted to do without telling anyone other than my wife," Arthur said. "Professionally, I felt that I had done everything that I wanted to do. I had the honour and real satisfaction of leading a number of high-profile commands and investigations, as well as working with some outstanding officers both sworn and unsworn.

"My official last day was Monday 9 December 2018 however I completed my last day on Friday 6 December.

"I had a morning tea in the auditorium in the Sydney Police Centre, attended by my wife, family, and close friends, followed by a luncheon at the Alpha Restaurant. "I retired on my own terms, with my dignity, integrity, and reputation intact. My last day brought with it a sense of relief and a feeling of calm, looking forward to the next chapter of my life.

"I was as ready as one can be when retiring. We were financially secure, and my wife was working, and is still working". Our children had grown up and moved out of home, so the stars had aligned so to speak.

Physical fitness has been an important part of Arthur's life. "I have a home gym, I cycle, and ocean swim," Arthur said.

"I was a competitive bodybuilder winning several titles in my younger years which taught me discipline, commitment, structure and resilience; traits I carried in my professional life and now in retirement," Arthur said.

"I can honestly say that my training and fitness, along with my Orthodox Faith in

Christ was instrumental in helping me get through some very difficult times in the job."

Arthur recounted a conversation he had with then NSW Premier, Mr Bob Carr.

"We spoke about keeping fit, and he told my how he looked at his job in the same way as an athlete, that in order to perform at a high level he had to be fit. That resonated with me, and I always kept myself fit to endure the mental and physical rigors of the job," Arthur said.

Arthur was aged two when his parents came to Australia from Greece. He gives his time and experience to the Greek Welfare Centre, part of the Greek Orthodox Archdiocese of Australia. The centre provides support, aged care, food, education, drug and alcohol rehabilitation.

"I took up a volunteer position with the centre and work in several areas helping disadvantaged people.

"My greatest joy is being able to give something back. I was fortunate to have had a great career and be financially secure, so I am now in a position to help others less fortunate than me."

Arthur and his wife enjoy travel and visit Greece each year which they use as a base to visit other countries.

"Travelling allows you to see how other people live, their culture, architecture, religion and the overall beauty of different countries and landscapes," Arthur said.

"I have been extremely blessed, in that I have a beautiful and supportive wife, children and grandchildren which keep me very busy.

"I have seen a lot during my career both good and bad which has strengthened my faith in God and made me appreciate everything that I have".





(LEFT TO RIGHT) ANGUS SKINNER (PANSW RES/COMMS MANAGER), PAT GOOLEY (PANSW SECRETARY), AND KIRSTY MEMBRENO (ASSISTANT SECRETARY / INDUSTRIAL)

# Wages, Conditions, Entitlements

Angus Skinner (PANSW Res/Comms) with Pat Gooley (PANSW Secretary) and Kirsty Membreno (Assistant Secretary / Industrial) discuss Award negotiations, and how they'll effect all NSW Police. This is an abridged extract from a longer conversation/podcast, linked below.

**A.S.** 2024 is the collision of some big picture opportunities and challenges. The two of you are at the forefront of getting the best outcomes for members in the Award negotiations. How is PANSW positioned to capitalize?

**P.G.** I think the environment has presented an opportunity. We've got the right law (mutual-gains-bargaining) coming in at a time when the New South Wales Police force has never been more aware that remuneration, wages and entitlements have a huge impact on what they're able to deliver.

That, and the strength of unity in this union ... being democratic ... following a process of member engagement ... developing a claim members are confident meets their needs. I think we're in a strong position.

What we do see is where there is disunity, where there is infighting, where there are too many competing interests. That's when we see unions achieve poor outcomes. We're lucky we're one union,

one workplace, one employer. While we're all pushing in the same direction, together I think we're unstoppable. I think we can achieve what members need. A successful negotiation is based on finding the information, prosecuting properly, and doing it in a unified way. We've outstripped what other unions have done because of the great work our members do. Our member's self-sacrifice, our member's stellar performance every day. Out there protecting the community gives this union the strength and the reputation to be able to bargain and arbitrate better than anyone else. It's a combination of the professionalism and sacrifice of our members going together to put our best case forward.

**A.S.** And the Police Association has that to a high standard.

**P.G.** Absolutely. Without blowing our own trumpet, it's important members realize they're members of a union that achieves. They should be proud.

**A.S.** How will members be better off on 1 July, compared to the day before.

**P.G.** A very significant pay rise that reflects their professionalism and expertise. And it's important our members are able to progress through ranks in a way that recognizes police are learning faster and providing higher service, at earlier points in their career. A career progression that says 'we value you and want you to stay'. Ultimately that's the aim. By 1st of July, we'd love to be in a position to implement that. That being said, we're not going to put a dud offer to the members. We'll keep fighting until we get it.

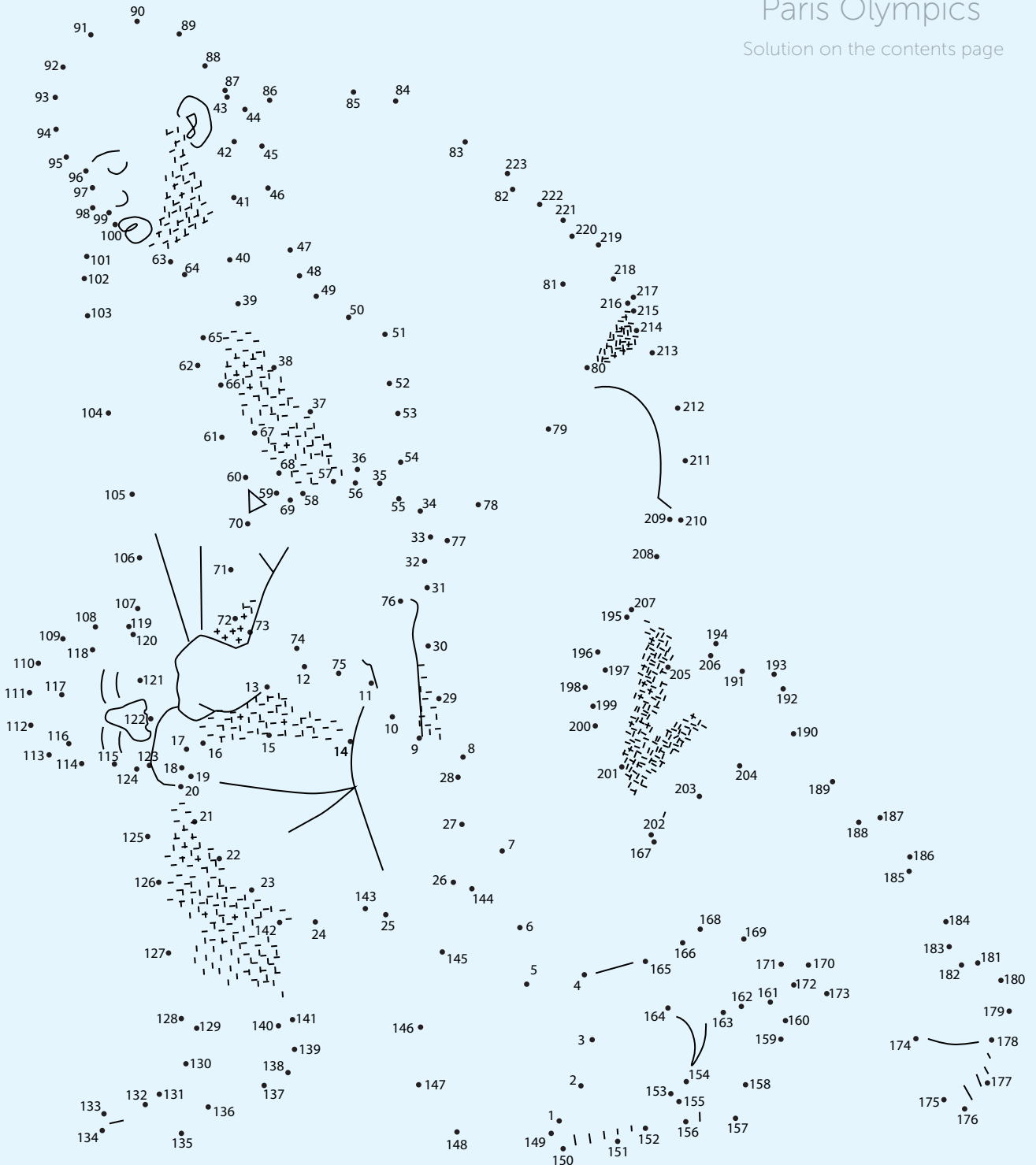


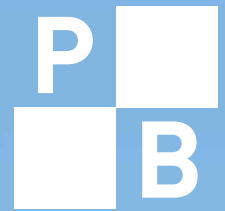
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Paris Olympics

Solution on the contents page





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