

**COMMUNITY DEVELOPMENT AND JUSTICE STANDING COMMITTEE**

*Twelfth Report — “How do they manage? An investigation of the measures WA Police has in place to evaluate management of personnel” — Tabling*

**MS M.M. QUIRK (Girrawheen)** [10.12 am]: I present for tabling the twelfth report of the Community Development and Justice Standing Committee, titled “How do they manage? An investigation of the measures WA Police has in place to evaluate management of personnel”.

[See papers 4035 and 4036.]

**Ms M.M. QUIRK:** This is the final report on measures used by WA Police to judge and evaluate its performance. This report examines recruitment, training and internal investigations, and the treatment of officers considered medically unfit to continue in their role as police officers. I thank the committee members: deputy chair, Dr Tony Buti, member for Armadale; Mr Mick Murray, MLA, member for Collie–Preston; Mr Chris Hatton, MLA, member for Balcatta; and Ms Libby Mettam, MLA, member for Vasse. The subject of this inquiry had the effect of generating heated discussion; however, I am gratified that all members approached their role in a professional and conscientious manner.

The committee is exceptionally fortunate in the calibre of its research staff. In the course of the inquiry, principal research officer, Dr Sarah Palmer, and research officer, Ms Franchesca Walker, integrated a large volume of written submissions, oral evidence and research into a seamless whole. At all times they undertook their role with timeliness, professionalism and cheerful patience.

At the outset, given this time of year with our focus on road safety, I quote at length from the report a case study of evidence from a former police officer. I warn members that this is confronting stuff. Case study 2 reads —

*My first fatal accident I attended when I was 19 years old, I can clearly recall bagging the bits of human skull, brain and body parts that had been smashed when the person was thrown from the car wreck. I then went on to admit the body to the morgue then assist in speaking to the family to do the “notification”. This accident didn’t seem to affect me at the time, as I had learnt to cope with this by having a drink with mates later.*

*... I attended a few suicides in Perth, one in particular I had arrived just after a person had jumped from the car park. I can clearly recall the incident including the message left in the tape recorder of her car. I maintained my position of dealing with it by myself.*

*... I attended many accidents on the highway [near the country town I was posted to], many fatal or serious ... I started drinking harder, my father became a paraplegic during [this] time, I wasn’t sleeping, [my] wife [was] pregnant, then I attended a fatal car accident. I believe this accident was the “straw that broke the camel’s back”. We had arrived before the ambulance. A [small vehicle] had gone sideways into a tree, the driver was on the bitumen, her friends were giving her CPR, but from where I was standing I could see cerebral fluid and brain matter being pushed out near her ears. I believed she was dead but I couldn’t tell her friends, I told them to keep going.*

*We didn’t realise that there was someone else in the car, she had been thrown some 20 metres away; she must have woken from unconsciousness because her screams, I won’t forget. I went through the same process of completing mortuary paperwork (this occurred some 10 years in the job so I was an old hand at it) but she was different, I was putting this body in the fridge that was still warm—don’t know why but this got to me. Not really different to the many others before.*

*My drinking increased ... it was during this time I had thoughts of suicide, I had attempted suicide by accident, taking risks in the car hoping to have a single car fatal accident. I saw my GP and started on anti-depressants, mostly they didn’t seem to work though.*

*... having now served 10 years in the WA Police service I mostly battled on myself. I have been later told that during this period of my service I had severe undiagnosed PTSD; my suicidal ideation continued and I continued to work ... It does concern me in hindsight that I was mentally struggling so much, struggling to maintain this façade of normalness not to break down, not to cry, not to show it.*

[Following suspension for almost a year for illegally giving himself and a secretary a motorbike licence, the officer returned to work in a role in another country town. His senior sergeant told him that in return for working without claiming overtime or penalties, he would write commendable reports on his performance.]

The officer continues —

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*I felt blackmailed by the system within the service. I believed I had no one to turn to as I had been given a second chance to return to work from suspension. For months this tore me up inside even further. I sought help from my GP and was prescribed anti-depressants and tablets to help me sleep.*

This is by no means an isolated case. The committee looked at the treatment of those officers who were injured or psychologically impaired in the course of their work. We heard a number of accounts and received written submissions from medically retired police officers who laboured under a burden of post-traumatic stress disorder. Official acknowledgement of the nature and prevalence of this condition is shamefully slow.

The committee reported on this issue in 2012. As well, the Western Australian Police Union of Workers subsequently completed a substantial body of work for Project Recompense. It is highly disappointing that police management's response can best be described as sclerotic.

The committee also concludes that the lack of a modern workers' compensation regime is not sustainable and must be remedied as a matter of priority. In this context, I am pleased that Commissioner O'Callaghan, in his evidence before the committee, was optimistic that this situation could be remedied in the not-too-distant future.

We were also in fierce agreement with the Medically Retired Western Australian Police Officers Association that those forced into retirement for medical reasons should not be removed from their employment pursuant to a loss of confidence notice issued by the commissioner under the provisions of section 8 of the Police Act 1892. This is the same provision that is used to dismiss officers who are guilty of criminal behaviour or serious misconduct. For this reason, being section 8-ed stigmatises an otherwise honourable and dignified career and it is the final insult and slap in the face to already sick and injured officers.

In this report, as in the past two reports, it became readily apparent that commitment to quality improvement and targeting more effective service delivery to the public did not feature prominently in priority setting. There is no question that policing presents many challenges. However, in the absence of any objective measures of success or effectiveness shared collectively within the organisation, it is little wonder that morale is flagging. Likewise, at this stage of the inquiry, we canvassed that the Frontline 2020 policing model, the subject of the committee's scrutiny, had been revised arbitrarily in recent times, with minimal consultation. The rationale for so doing was that it could not be objectively established that the model was working as intended.

In this inquiry the committee also grappled with the, at best, perfunctory efforts made at recruiting a more diverse workforce. Leaving aside issues of discrimination and substantive equality, it is simply inefficient to automatically exclude one-third of the available talent pool. On a more philosophical level, policing requires a consensus from the community and, broadly speaking, the composition of the police force should more closely reflect the make-up of the broader community. There are also sound operational reasons for greater diversity. There is a handful of officers within WA Police who work tirelessly to improve police relations with emerging communities. Inspector Don Emmanuel-Smith, a previous police officer of the year, readily comes to mind for his exceptional endeavours. I digress to note that his colleague Senior Constable Zen Kassim was recently acknowledged for her efforts, receiving the outstanding individual achievement award at the 2016 Western Australian Multicultural Recognition Awards. The citation for that award noted —

Zen ... has worked tirelessly in an often difficult environment to build positive relationships between the WA Police and migrant communities. She has advocated strongly on behalf of CaLD communities and is particularly focused on the issue of domestic violence and providing advice and assistance to migrant women. In addition to her regular policing duties, Zen is a regular contributor to events that promote multiculturalism and celebrate WA's diverse community. She uses these events to build rapport with the CaLD community in an informal setting. The first woman in the WA Police to wear a hijab, Zen actively encourages those from a CaLD background to consider a career in the police force. Her work has had a positive and lasting impact on both the WA Police and CaLD communities.

In her smiling acceptance speech earlier this month, Zen did not waste the opportunity to advocate for greater diversity in WA Police.

Again, the need for closer ties between police and culturally and linguistically diverse communities was sheeted home to me a few weeks ago. At the recent funeral of 17-year-old South Sudanese Kuol Akut, who lost his life in an assault in Girrawheen, an appeal was made to those gathered to provide police with assistance by coming forward with information. That appeal reinforced to me how important it is to develop trust and relationships in communities as a matter of course. In that way, when tragic events like this need to be investigated, police are not playing catch-up and falling foul of cultural sensitivities at a time of great grief and sadness.

There was some robust discussion within the committee as to whether there was systemic, albeit unintentional, discrimination within the recruiting process. Instead, we opted for the more neutral term "indirect". What was patently clear, however, through oral evidence, was that fundamental notions of substantive equality were not

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readily understood. The committee visited Balga Senior High School, an ethnically diverse school, and met with police rangers. We considered that outreach to a group like this would be an excellent way to encourage young people from culturally and linguistically diverse backgrounds into a policing career. We found that this program was given minimal funding by the Department of Local Government and Communities, and that there was virtually no contact with police at all. This, added to the lack of police participation in police and community youth centres, lets golden opportunities for outreach and possible recruitment to go begging.

Finally in this context, I was at a Harmony Day event in Mirrabooka last week with you, Madam Acting Speaker (Ms J.M. Freeman). It was a large affair. Police had a stall with various crime prevention information as well as handouts available. What was very noticeably absent from that stall was any information on becoming a police officer. Instead, there were fridge magnets with the words “Western Australian Police Supporting Diversity”. On each were phone numbers including 131 444 and the Crime Stoppers number. Frankly, I did not know whether to laugh or cry, but for the benefit of members I would like to table for the remainder of today’s sitting one of those fridge magnets.

[The item was tabled for the information of members.]

**Ms M.M. QUIRK:** The committee acknowledges that policing is a complex and difficult job and that officers work under considerable pressures. For that reason, they need the full support of management and to be given the tools they need to do the job proficiently. In the context of training, demand outstrips supply, meaning much of the training is undertaken by so-called Blackboard e-training. This is a poor substitute in many areas. Throughout the 12 months of the inquiry there has been a recurring theme of the failure of training needs being adequately addressed by management. It is not surprising that in various other fora, such as coronial inquests, the Corruption and Crime Commission or the courts, this lack of training in particular areas is often highlighted as a causal factor. In particular, the inquiry into the Warneke investigation, recently conducted by the CCC, found that officers interacting with Aboriginal people must be properly trained in culture and language.

This committee made a similar finding in November 2013 in its report “In Safe Custody: Inquiry into Custodial Arrangements in Police Lock-ups”. As an aside, I have deep regret that more attention was not paid to implementing the committee’s recommendations, as the inquiry into the death in custody of Ms Dhu in August 2014, currently before the coroner, is looking at the very same issues that our committee highlighted.

Oversubscription to and inadequate resourcing of training programs has resulted in some police officers being deemed non-operational. This is inefficient and could create a cyclical effect, whereby training requests are rejected on the basis that it will reduce frontline capacity; yet failing to access training results in officers being taken off the front line. These were key concerns for those surveyed by the WA Police Union. Of the approximately 33 per cent of respondents who had experienced at least one occasion on which a request for mandatory training was not met, nearly 55 per cent said that it was because the course was full; around 33 per cent said it was because the course was unavailable; and nearly 22 per cent said that funding was problematic. The WA Police Union was also concerned that information such as emergency driving, which it believes should not be taught or assessed online, was imparted via Blackboard. In fact, the reliance on the computer-based system meant that at least one member had not received practical training for 26 years, despite emergency driving training being identified as a critical skill.

With regard to internal investigations, it appears that sincere efforts are being made to provide a level of procedural fairness to officers about whom allegations have been made. This is, however, a work in progress, and it must be noted that the impetus for change was largely brought about by some recent high-profile cases where fundamental elements of natural justice were lacking. Because of the changes currently underway, it was difficult for the committee to assess whether the changes ultimately implemented will enjoy the confidence of the public. There are always some concerns when investigations are devolved down to district or station level, with colleagues investigating colleagues. The WA Police Union made the cogent point that this had the effect of taking detectives offline from frontline investigations for weeks to conduct that inquiry. The committee also found that there are systemic barriers to the filling of a large number of vacant detective positions. Evidence given suggests there were inconsistencies between what Parliament and *The West Australian* had been told about this situation and what, in fact, had occurred. On this matter, I look forward to the government’s response.

At the conclusion of this inquiry it is open to form the opinion that there may be some utility and merit in imposing key performance indicators on the most senior levels of police to ensure a level of discipline and consensus on goals and objectives for the organisation. At present, measures of performance are ill-defined and illusory. The pursuit of more meaningful performance indicators is not an esoteric or academic exercise; it enables greater levels of accountability and the setting of goals and objectives that would give all the community a level of confidence in the police that they do not currently enjoy.

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**MR C.D. HATTON (Balcatta)** [10.30 am]: I would like to add to the comments that have been made about the twelfth report of the Community Development and Justice Standing Committee, which was tabled today. The committee resolved on 14 November 2014, which is some time ago now, to initiate an inquiry into the methods employed by WA Police to evaluate performance. The committee established three focus areas that would be looked at over a period of 12 months or more. The first focus of the inquiry was the performance measures used by WA Police to determine the effectiveness of traffic law enforcement and road safety initiatives. That report with its findings was tabled on 25 June 2015. The second focus of the inquiry was how WA Police evaluates whether it is providing adequate protection to victims of family and domestic violence. I will not go through the terms of reference of that inquiry because that has already been done and I might run out of time. That report and its findings was tabled on 22 October 2015. The final focus, which has resulted in the report that was tabled today, is how WA Police evaluates its performance in regard to management of personnel. The terms of reference for that inquiry included recruitment practices, training, police misconduct and medical issues.

The eighth report of the committee deals with the first focus of the inquiry and is titled “Are we there yet? How WA Police determines whether traffic law is effective”. That report made 16 findings and 12 recommendations. Chapter 2 of the report outlines the demanding nature of the governance and management of policing and road safety and the complexities involving other agencies associated with road safety. It was generally acknowledged by the committee that it is incorrect to hold the police accountable for everything that happens on our roads. Some worthwhile recommendations were put forward in that report to improve road safety. However, personally, I was uncertain about whether some of those findings and recommendations related strongly enough to the intent of the terms of reference. I stated at the time that the policing of road safety is the result of general and targeted deterrents, and that policing is about getting out there and doing the job. I also raised at that time whether advertising and excessive reporting should be the priority of policing. That is generally related to policing policy and operations, and key performance indicators.

The tenth report of the committee deals with the second focus of our inquiry and is titled “A measure of trust: How WA Police evaluates its response to family and domestic violence”. This inquiry evolved from the alarming number of domestic violence incidents in Western Australia, and, indeed, across Australia and other parts of the world, but the committee was focusing on Western Australia. The key point raised in the report is that family and domestic violence is a complex societal issue and a whole-of-society issue, not just a police issue; however, the police are in a unique position to respond. The executive summary of that report states in part that WA Police is some way along the road to what is considered good practice. It is part of a multi-agency response that is considered essential for delivering best practice, and WA Police is committed to this approach. The report recommends that WA Police should commit to developing a set of measures within a suitable time frame, and states that there are promising signs that WA Police is adopting particular practices. The report raises concerns about whether there has been enough movement forward since the Family and Domestic Violence Strategy 2009–2011 was developed, and about whether specific issues have been addressed under the Freedom from Fear Action Plan 2015. The conclusion of the report raises a concern about whether police officers are sufficiently trained and experienced to attend family and domestic incidents, and states that only time and some robust performance measures will tell whether the new model is a step in the right direction.

The twelfth report of the committee, which was tabled today, is titled “How do they manage? An investigation of the measures WA Police has in place to evaluate management of personnel”. The report is very extensive. It makes 36 findings and 13 recommendations. The report contains some very important and valid information about whether the lack of multicultural diversity within the WA police service is an issue. I would say that it may very well be an issue. It refers also to the need for further training of police personnel, and to the need for further attention to be given to medically retired officers, particularly in the area of post-traumatic stress. A question was raised by the committee about the possibility that a negative systemic culture exists within WA Police. I personally do not support that notion. The committee explored the definition of “systemic”, and we might have different points of view on that issue.

I turn now to the executive summary of this report, particularly chapter 6. Chapter 6 reviews the three areas that have been the focus of the inquiry since its inception in 2014. Those three focus areas are traffic enforcement, domestic violence and personnel management. Chapter 6 of the report states that across the three focus areas of the inquiry, three recurring themes emerged. The first is that there are limited measurements and indicators that could be used to evaluate the success of strategies and current practice. I agree that that requires further attention. The second is that there is a reactive rather than proactive approach to policing. I have to say that I do not understand how that got into the report. I did contest that during the committee proceedings. That is an aspect that I think needs to be explored further. I cannot really agree with that in full, or maybe even in part. The third is that there is a lack of resources. This was also referred to as a recurring theme. That to me is not a recurring theme. The committee explored and debated that issue.

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**Mr M. McGowan:** Where's the minority report?

**Mr C.D. HATTON:** There is no minority report on this. There is some very good information in this report, and we worked well to bring that information to the house. I have expressed to the committee that I have some problems with how the terms of reference link back to the —

**Ms S.F. McGurk** interjected.

**The ACTING SPEAKER:** Member for Fremantle! The member has two minutes left. He has answered that interjection. He will continue to be heard in silence for the remaining two minutes.

*Point of Order*

**Mrs M.H. ROBERTS:** Madam Acting Speaker, I am wondering whether the member for Balcatta is contravening the standing orders by divulging discussions within his committee, and whether he should be allowed to continue to do that.

**The ACTING SPEAKER (Ms J.M. Freeman):** Member for Balcatta, continue with your speech.

*Debate Resumed*

**Mr C.D. HATTON:** I can respond to that if you like, Madam Acting Speaker.

**The ACTING SPEAKER:** No. You have two minutes to continue with your speech. You know the standing orders. You know your responsibilities.

**Mr C.D. HATTON:** Certainly. I am divulging some information in good faith because we did work in good faith.

There is a problem with the linking back to the terms of reference. I do not believe that resourcing, which is dealt with in chapter 6, is part of the terms of reference. The committee seemed to focus a lot on the resourcing, on police operations and on whether the police are being reactive and proactive. I believe that did not really link back to the terms of reference. Frontline policing seemed to be a focus, which is probably right because it is a new model, but sometimes the focus became a little negative rather than looking at the whole model. To say that resourcing is poor and the policy is reactive rather than proactive is not what was indicated to me.

I want to finish by saying that some very good data was presented but there was a lot of union-based data. I felt that it was weighted a bit too much in the final report. We discussed this and I endorsed the report with those comments attached to it. I thank the staff for the wonderful work they have done and I thank my colleagues on the committee.

**MR M.P. MURRAY (Collie–Preston)** [10.41 am]: I would also like to speak to the report of the Community Development and Justice Standing Committee, titled "How do they manage? An investigation of the measures WA Police has in place to evaluate management of personnel". I thank the staff, Dr Sarah Palmer and Franchesca Walker, for their work, which was extremely tough in the last few days, but we reached our deadline without seeking an extension. As speakers before me have said, there was some very robust discussion about that. I am very happy we have a full committee again. After a big dummy spit, the members who have come back onto the committee have worked extremely hard, and I thank my colleagues for that.

Another of my disappointments is the effort that we made to get the Commissioner of Police to appear before our committee. It seems to me that he was more intent on doing roadshows with the minister, being out in the public light, acting more like a politician than a commissioner and giving excuses for not turning up to address our committee. That is very disappointing. I do not think anyone on the committee would disagree that it was hard. In fact, at one stage there was discussion about issuing a subpoena to make sure that he attended on the day he was required.

**Mrs L.M. Harvey** interjected.

**Mr M.P. MURRAY:** That is a poor reflection —

*Point of Order*

**Dr A.D. BUTI:** Madam Acting Speaker, the member is trying to deliver his contribution to the committee report. He has not sought the interjection of the minister. Could you please bring her to order?

**The ACTING SPEAKER (Ms J.M. Freeman):** I do not know whether that is a point of order. You cannot direct the Chair, member for Armadale.

Several members interjected.

**The ACTING SPEAKER:** Goodness me! Calm down. It is not a point of order. The member will be heard in silence. Minister, do not interrupt. Member for Armadale, do not direct me on how I do my job.

*Debate Resumed*

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**Mr M.P. MURRAY:** As I was saying, it is very disappointing to see the leader of an agency —

**Mrs L.M. Harvey** interjected.

**The ACTING SPEAKER:** Minister!

Several members interjected.

**The ACTING SPEAKER:** Members! I am on my feet. Member for Albany, I will call you. Minister, I have asked you not to interject. You will have the opportunity to respond.

**Mrs L.M. Harvey:** I will.

**The ACTING SPEAKER:** Thank you very much. If you interject again, I will call you. Member for Collie–Preston!

**Mr M.P. MURRAY:** Madam Acting Speaker, do not yell at me; I am only doing my job.

I am reporting on what I have seen and what actually happened on our committee. There was reluctance from the commissioner to attend. Every man and his dog appeared before the committee before he turned up. I made it clear to the commissioner at the time that I was disappointed in his actions. I do not withdraw from that. I do not think anyone else in the committee would cross me when I say that it was extremely hard to get the commissioner to appear before us. I understand that he has a very busy job but he has a responsibility to Parliament first. At one stage we were stood up because he had to do a press release. I think that is absolutely appalling and is probably indicative of some of the problems in the police department at the moment. He should get his mind back on the job instead of his retirement. I will move on from that.

The other thing that has been raised in this place, which I disagree with very strongly, is that there is a difference between many other unions and the WA Police Union. The police union has a job to do. Individual police officers are not allowed to complain to politicians. If they did, they would be stepping across the line. The minister knows that. I am very pleased with the evidence that was given to us by the police union and the way it conducted itself when its officers appeared before the committee. I found that many things we did not know about were raised by the police union. About 98 per cent of the people in that industry are in the union so the union was able to tell us what is needed —

**Dr A.D. Buti** interjected.

**The ACTING SPEAKER:** I will call you, member for Armadale. You have been called for the first time.

**Dr A.D. Buti** interjected.

**The ACTING SPEAKER:** Member for Armadale, I call you for the second time. I am on my feet.

**Mr M.P. MURRAY:** Because the word “union” is used —

**Dr A.D. Buti** interjected.

**The ACTING SPEAKER:** I can keep standing, member for Armadale. The member for Collie–Preston has the floor. The member for Collie–Preston will be heard. You will be called to speak. You can make your comments when you are called to speak.

**Mr M.P. MURRAY:** Because the word “union” was used, there seems to be this case of shock, horror and the view that we should not listen to people from the union. That is appalling. Maybe if the WA Police Union changed “union” in its title to “association”, it would be respected the way it should be. I give the example of the Chamber of Commerce and Industry of Western Australia. Maybe if the union changed its name a bit and took the word “union” away, it would have got the respect it deserved when it appeared before this committee, which I do not believe it got at times. Throughout our discussions we heard it said, “But the union said that and we do not really think that is the truth.” That is totally wrong. This committee was charged with investigating the police because they are the people closest to the action and able to tell us what the issues are.

The other thing that the union and the medically retired police officers raised was the support they received after they retired. I felt that there should be—I am sure most members of the committee agree; I heard the member for Balcatta say something along similar lines—that police officers should be given more support after they retire. Unfortunately, that does not occur.

The other thing that was very clear in my mind is the lack of support for people with mental health problems. We heard the committee chair’s speech about the police officer who experienced problems after a period of time when everything caught up with him. That support is not forthcoming or officers are ridiculed if they ask for help for mental health problems. I think we are probably better placed now than ever in this place and in the general community to understand mental health issues far better than we were previously. I believe there should be some support services and if someone has sought help for a mental health problem, it should not be a mark on their ability to work or on their employment. Someone should not have to have their arm cut off before it is

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recognised that something is wrong. Sometimes people with mental health problems just need a bit of help and some guidance. I think that is sadly lacking within the system. Generally, the sergeant sorts out the problems with policemen; they have to deal with it themselves instead of being able to seek further help. Certainly my town was shocked at the death of a police officer through mental health issues. That has been well reported and I would not like to bring it all up again. When we look at it, they are probably two of the other things.

The other thing that I must bring out in the last couple of minutes I have is the purpose of the inquiry, which was about performance measurements. Again, I was appalled that on a long weekend we had 11 road deaths. That was bad enough, but when questions were asked—it was also in the press—about how many extra police officers were working and how many officers were on overtime, the minister could not answer. That is why we need these measurements. That is why we need to understand how many people are on the roads and the types of accidents that have occurred. We need these measurements. We cannot keep changing them to suit the climate of the police department at its will. That is where the problem is. Let us get them out there and let us use them for a positive and not a negative. We should use them so that in the future we can say that it was a gravel road, it was a speeding issue or it was a drinking issue. All those things are measured to a degree, but a lot of the key performance indicators have been changed to suit the department. That is one of the greatest problems we have in the police department at the moment.

I commend the report to the house and again thank my colleagues for their robust interrogation of ourselves more than of the people who stood before us.

**MS L. METTAM (Vasse)** [10.51 am]: I would first like to respond to the member for Collie–Preston’s comments about the Commissioner of Police. I am not sure whether the member was at the public hearing, but the police commissioner was in attendance. The Commissioner of Police obviously has a very busy job to do.

**Mr M.P. Murray** interjected.

**The ACTING SPEAKER (Ms J.M. Freeman)**: Member for Collie–Preston, when members were interjecting on you, I asked that your speech be heard in silence. There will be an opportunity for the member for Armadale, who is also on the committee, to stand and speak, so I ask that the member for Vasse be heard in silence.

**Ms L. METTAM**: To be a police officer is one of the most honourable vocations that anyone can achieve. It is also one of the most demanding and often one of the most unrewarding ones as well, because police deal with the public at their worst and not at their best. As I said, it is a vocation and not a job, which is why I have some concerns with this report and that many of its recommendations deal with how to make police more appealing to the public rather than how to ensure that the integrity of the police best serves the public. Nowhere is that more evident than in the first recommendation —

That WA Police use section 51 of the *Equal Opportunity Act 1984* to increase the diversity of its higher ranks.

In fact, this report is very critical of the way in which WA Police attempts to attract culturally and linguistically diverse recruits. However, the WA Police recruitment website, [stepforwardwa.gov.au](http://stepforwardwa.gov.au), largely adheres to best practice. It contains examples of police entrance evaluation, which has been shown elsewhere to increase the success of applicants from minority groups.

**The ACTING SPEAKER**: Members, especially you, member for Balcatta, it is pretty disrespectful to be over there chatting while your member is speaking. Can we just listen to the member for Vasse in silence. If members need to have discussions, please go outside.

**Ms L. METTAM**: I also understand that WA Police is working in conjunction with West Coast Institute to provide a bridging course for people from ethnic backgrounds to develop numeracy and literacy skills to enable them to partake in the police recruitment process. The failure of WA Police to engage comprehensively with minority groups was illustrated during the committee’s visit to Balga Senior High School. The student group is extremely diverse, with 57 per cent of the student population having a migrant background. Around 16 per cent of the entire school participates in the Police Rangers unit, which is one of the cadet types offered under the Cadets WA program. We met with the culturally and linguistically diverse group of students from the successful Police Rangers program. We heard from students whose parents were from war-torn or unsafe countries that there is a strong reluctance by their parents for their children to seek employment in the police force or to have careers that involve the front line. As I said earlier, policing is one of the most demanding and unrewarding vocations, which is the reason that recruitment practices are so important. It is obvious that as our population becomes more diverse, both culturally and socially, it will be necessary for the police to ensure that a broad cross-section of the population is represented in its ranks. If my house were broken into, if I were a victim of domestic violence or if I had lost my child because of a drunk driver, I would not be concerned about the ethnicity, gender or sexual preferences of any police officer I dealt with, and the same can be said for members of the public. The public is not concerned about quotas for CALD and other minority groups; they are concerned

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only that WA Police has attracted the best person for the job, regardless of their background. As I said earlier, we should not be concerned about how to make police more appealing to the public, but, rather, how we ensure that the integrity of the police best serves the public.

One of the key issues is how we support the police. The police need our full support, especially in dealing with issues like post-traumatic stress disorder, which can arise from dealing on a daily basis with various issues that are alien to the public or the government. The main reason police self-report and manage issues like PTSD internally is that the public has no concept of the pressures that officers deal with. The only people who have an appreciation of these pressures are those in the force. The committee heard of an incident in which an Aboriginal officer was forced to attend the house of a family with whom his own family was feuding, placing him in a difficult position. Late last year *The Sunday Times* reported that an Aboriginal senior constable resigned from WA Police after experiencing repeated racism within the agency. According to the report, 45 per cent of officers will at some stage during their career, suffer from some form of psychological ailment. Of those, around one per cent will suffer full-blown PTSD, and most people with PTSD also have other conditions or problems, such as depression, alcohol abuse or illicit drug use. One recommendation is that the mental health first aid course be made compulsory for all sworn officers. This course was developed by the non-profit company Mental Health First Aid Australia and has been adapted and supported by WA Police. Training on mental health is held over two consecutive days and includes former officers who have suffered from PTSD being invited to speak on this issue. The union and WA Police say that the course has been well received, but only 10 per cent of police officers, or 867 employees, have gone through the course up to 2016. The report recommends that officers have the same access to the PTSD program as Australian Defence Force personnel. According to the Hollywood Clinic, it has treated officers who have heard about the value of its program. In the last 12 months, the health and safety section has come to the party and paid for officers who have requested this treatment. WA Police has also confirmed that the agency will pay for private consultations for officers who do not want to consult the agency's own psychology team, and they can also access the employee assistance program, as is often required.

One of the biggest issues facing WA Police is that WA is the only state that does not have a compensation scheme for medically retired officers. There is a general sick leave entitlement of 168 days per year. The Medically Retired Western Australian Police Officers Association Inc says that no amount of long-term sick leave will see officers with catastrophic, incurable injuries return to operational capacity. Western Australia Police accepts that this needs to be rectified and hopes to negotiate a scheme that will not involve police sacrificing leave provisions. The committee certainly supports some progress in this space. There is value in having this status as an honorary discharge scheme as evident in the armed services.

Finally, I would like to thank my fellow committee members and chairman, the member for Girrawheen, and also the parliamentary committee office staff Dr Sarah Palmer and Franchesca Walker.

**DR A.D. BUTI (Armadale)** [11.01 am]: As the deputy chairman, may I also contribute to noting the twelfth report of the Community Development and Justice Standing Committee. I would like to commence by thanking my fellow committee members, the chairman, the member for Girrawheen; the members for Balcatta, Vasse and Collie-Preston; and the outstanding contribution of the committee staff, principal research officer Dr Sarah Palmer and research officer Franchesca Walker.

Having listened to the various comments made by fellow committee members, one has to ask if some of the contributions would have been more in line with a minority report, but we will leave that to one side. I will concentrate my time on issues about recruitment practices. I specifically refer to pages 33 and 34 of the report that has been tabled in Parliament today about the shortages in the recruitment of detectives. Set out on pages 33 and 34 of the report are discussions during the committee hearing process with the Western Australian Police Union about the inability to fill positions in the detective part of the police force. I will commence with a statement made in this house by the Minister for Police to a question from the member for Midland. On 23 September 2015, the member for Midland asked the following question —

Having had time to reflect on the minister's criticism of the Western Australian Police Union of Workers this morning —

- (1) Does the minister now acknowledge that the vice-president, Brandon Shortland, did in fact raise the issue of unfilled detective positions with her when they last met?
- (2) Will the minister correct the record, and apologise to Mr Shortland?

This is the Minister for Police's answer —

- (1)–(2) I thank the member for Midland for the opportunity to correct the record. Mr Speaker, I categorically and emphatically state to the house and the community of Western Australia



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that no member of the police union has raised the issue of detective shortages with me at any time, until I contacted them yesterday —

That would have been Wednesday, 22 September 2015 —

after hearing the media release from the member for Midland. It has not formed part of any of my WA Police Union of Workers' agenda meetings over the last six months, and it has not been discussed with me privately in any capacity by any member of the police union.

I appreciate the opportunity to correct the record. I stand by what I said on the radio this morning. It has not been raised with me; it has been now, and I will get to work with the executive on addressing the concerns of the union, now that I have been made aware of them.

The police minister stated that no-one in the police union had brought up the issue of detective shortages to her. She made this statement in Parliament on 23 September and said she became aware of it only the day before, which was 22 September 2015.

Page 33 of the committee's report states —

WAPU senior vice president Mr Shortland said the reluctance to apply for detective positions was due to perceptions that the position had been devalued, that there were limited promotional opportunities, and that detectives had to spend time on menial tasks which diverted them from core duties.

Mr Shortland said the union had attempted to bring the situation to the attention of police management for some time. Despite the Minister for Police asserting in parliament in September 2015 that no member of the police union had raised the issue of detective shortages with her at any time, the WAPU was able to provide the Committee with an extract from a recording of a union board meeting on 13 May 2015:

*... [which] the Police Minister attended and spoke with the board, and one of our directors raised directly with the Minister and her chief of staff issues regarding detectives and detective vacancies.*

The conversation lasted approximately four minutes. The union representative raised the issue of newly-trained detectives having no say in where they were posted, which resulted in them having to travel large distances to work from home. Some chose to return to uniform roles ...

I will refer to the transcript of the hearing before the committee on 17 February 2016 attended by the Western Australian Police Union president, Mr Tilbury, Mr Shortland and a research officer, Mrs Baker. Page 6 of that transcript states —

**The CHAIR:** Is it strictly true that the 47 vacancies are vacancies of recently created positions, or has this been a longstanding issue?

**Mr Tilbury:** It has been a longstanding issue, and we are having trouble actually getting an itemised list of exactly where the vacancies are and whether they are attributed to current vacancies that cannot be filled, those new positions that are being created or actually a combination of both.

**The CHAIR:** You have said that you have certainly told police and the minister of your concerns for some time. When do you recall that you told the minister, and what were the circumstances?

**Mr Tilbury:** That would have occurred at a meeting last year. I am not sure of the exact date, but we have regular monthly meetings with the minister to raise various issues.

**The CHAIR:** Do you have records of that, so that you could maybe refresh your memory as to when that occurred?

**Mr Tilbury:** No actual minutes are taken; it is just issues that we will raise on that particular monthly basis. I could not give you exact details.

**The CHAIR:** Did the minister ever go to a board meeting, and you raised it with her there?

**Mr Tilbury:** I am not sure if it was raised specifically about the vacancies, but we talk about general policing issues, and vacancies have come up in the past.

**Mr Shortland:** Madam Chair, I recall the May board meeting.

That would be the board meeting in May 2015 —

I think the police minister attended and spoke with the board and one of our directors raised directly with the minister and her chief of staff issues regarding detectives and detective vacancies.

The transcript of that board meeting is found on the committee website; I quote from that transcript —

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Union: How are you going filling the extra 200 detectives positions? Have they briefed you on that part of ...

That was inaudible —

Harvey: Well, they've told me that they've actually started to take some detectives through ... now, I don't know ...

Union: It has commenced. I couldn't tell you what number ...

Minister: "I can tell you how many." It then goes on about the extra 200 detectives et cetera. Further on, the minister states —

I'll raise it and ask for an update of where we're up to with that and how we're going ...

Harvey: Where we're up to with applications and where we're up to with graduates. So I'll ask the right questions.

That was taken from an audio recording in May 2015, which does not seem to agree with the minister's statement in Parliament in September 2015.

**Mr M. McGowan:** We were misled.

**Dr A.D. BUTI:** It would appear that Parliament has been misled by not just a backbencher, but also by the minister who emphatically answered a question put to her by the member for Midland by categorically denying that the issue had been raised with her by the police union. That has been proven to be a lie. She has misled Parliament. She should resign.

*Withdrawal of Remark*

**The ACTING SPEAKER (Mr I.M. Britza):** Member, you must withdraw the comment about the lie.

**Dr A.D. BUTI:** I withdraw the comment about a lie, but what I have read out is true and she has misled Parliament.

*Debate Resumed*

**Dr A.D. BUTI:** I will return to the transcript of the committee hearing on 17 February in which Mr Shortland then states —

**Mr Shortland:** We were telling WA Police and the minister that there was a problem with detectives for some time before that September article and the issue was raised publicly.

**The CHAIR:** Right, so, are you aware that she made the statement in September in the Parliament that she was not aware of the issue and it had not been raised with her? Do you recall?

**Mr Shortland:** I was not sure whether it was raised in Parliament or not. I did hear those comments.

**The CHAIR:** What was your reaction to the comments?

**Mr Shortland:** Personally, I was deeply disappointed.

He was deeply disappointed. That was very mildly put by the senior vice-president of the Western Australian Police Union of Workers.

The Minister for Police has not only misled this Parliament, but also she has misrepresented the concerns expressed by the police union. The police minister cannot argue that on 23 September 2015 she told this Parliament that she had not received, in any shape or form, any concerns or had any conversations with any members of the police union about filling vacant detective positions. She categorically stated in her statement that she had not received any correspondence. She said she was unaware until the day before as a result of some media release.

Several members interjected.

**The SPEAKER:** Time, member.