



**Police Federation
of Australia**

The National Voice of Policing

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Inquiry into the Australian Government's response to the COVID-19 pandemic

Introduction:

The Police Federation of Australia (PFA) is the national body representing the professional and industrial interests of Australia's more than 64,000 police officers, across all state, territory and the federal police jurisdictions.

	Membership as at 31/12/19
Police Association of South Australia	4,895
Western Australia Police Union of Workers	6,587
Queensland Police Union of Employees	11,798
The Police Association (Victoria)	17,287
Police Association of NSW	16,773
Police Association of Tasmania	1,330

Northern Territory Police Association	1,551
Australian Federal Police Association	3,901
Police Federation of Australia	64,122

Police and Emergency Services:

Police have a unique role in Australian society.

The oath of office that police swear upon attestation, makes them very different from other government workers. This oath of office, while giving police enormous powers, also places upon them great responsibility. It is this personal responsibility that differentiates the obligations of the police officer from other emergency services workers in two primary respects:

1. The oath of office obliges the officer to place him or herself into situations of physical or psychological danger where it is necessary to keep the peace or to protect the lives and property of members of the public. A police officer's obligation to the law places everything else in a secondary position.
2. The oath obliges the officer to be on duty effectively twenty-four hours a day, seven days a week making the officer obliged to intervene in any situation where they perceive an offence is being committed, regardless of whether they are on rostered duty. There are well documented instances of disciplinary action being taken against officers who have not fulfilled this duty. His/her office is one that is independently exercised and subject to no one's direction. Even though the powers of the constable are significant (including the power to take both liberty and life), the consequent obligations are heavy and under constant oversight. These obligations flow also to the officer's private life. Officers may lose their employment and their career for behaviour that in all other occupations would be considered private. In many ways, the police officer "sells" more than just his or her labour when taking the oath of office.

Providing public safety is one of the most essential activities and the cornerstone of any community, particularly during a time such as the COVID-19 Pandemic.

The police role in such emergencies covers all aspects, including the development and implementation of community safety strategies, responding during emergencies to reduce injuries, loss of life and any potential property damage. It is the role of police to enforce the laws made by their respective local, state, territory, and the Australian Government. As was

witnessed during COVID-19, that sometimes saw police feeling the brunt of community backlashes against some laws, particularly those restricting the community's movements.

Due to the standing of police in the community and the broader role they perform, community expectation is that police will play a leading role in the prevention, response and recovery stages. A significant part of the prevention role also includes assisting communities in building resilience.

The PFA, through its' state, territory and federal branches, has identified a number of issues, that we would encourage the committee to closely review. Many of the issues identified are also applicable to other more recent disasters, including the summer of 2019-20 bushfires.

As with all such significant events including this pandemic, police and other emergency services play a vital role from start to finish. Police are the public face of authority and are required to coordinate the response for all major incidents, maintain peace and public order and rebuild community confidence and stability.

Occupational Health and Safety:

As with any such major police operation, numerous occupational health and safety issues arise.

There are inherent risks in operational policing activities, however COVID-19 significantly elevated the potential for members to be exposed to harm. This is important to note, when the Occupational Health and Safety legislation places the responsibility to minimise any risk to their employees so far as is reasonably practicable, on the respective police departments.

Personal protective equipment (PPE) and priority procurement

Inevitably, one of the first issues raised when such high-profile police operations evolve, is the slow access to and provision of personal protective equipment (PPE).

It is clearly the responsibility of the employer to provide such equipment, unless arrangements have been made for it to be provided by someone else with equal responsibility in respect to work health and safety requirements. Such equipment should be –

- Suitable having regard to the nature of the work and any hazard associated with the work;
- A suitable size and fit and reasonably comfortable for the worker who is to use or wear it;
- Maintained, repaired or replaced so that it continues to minimise risk to the worker who uses it, including by ensuring that the equipment is:
 - clean and hygienic
 - in good working order

- Used or worn by the member, so far as is reasonably practicable.

During COVID-19 shortages of, or inferior PPE made members feel very unsafe in the performance of their duties. In some instances, state police were advised by their respective police union to not attend a job until they were provided with the appropriate PPE.

Issues identified concerning PPE included:

- Members being told to use PPE sparingly in the early stages of the pandemic to keep it in reserve for when things got worse;
- Low stocks of face masks as the pandemic came closely on the back of the bushfires;
- Initial sourcing and funding of PPE was the responsibility of the local station/district leading to shortages of equipment and an inability to source. Ultimately a central supply was established and triaged based on the greatest risk/need;
- Insufficient equipment being available when police were deployed to various hotels around the capital cities where people were being placed into quarantine;
- The fear of transmission from random breath testing (RBT);
- Basic equipment like hand sanitiser being rationed in police stations and vehicles;
- Members not being appropriately trained to use some basic equipment such as facial masks;
- Members manning travel checkpoints not having gloves when auditing traveller's movements;
- Inappropriate PPE issue where police were required to undertake compliance checks on people who were required to place themselves in self isolation; and
- Cleaning of police vehicles and prisoner pods at regular intervals with properly trained and equipped contractors to minimise the potential spread of the virus. Of interest is the Ford Interceptor police vehicles being rolled out in the US and Canada at present which contain a "heat blast treatment to kill coronavirus"
<https://www.axios.com/ford-self-cleaning-police-cars-coronavirus-8cefa790-6334-42d9-b1f1-12d5e9a6773a.html>

As the vast bulk of police are state/territory based in Australia, the provision of PPE equipment is a jurisdictional responsibility, but as can be witnessed from numerous previous major incidents, they are often ill equipped to deal with the issue with insufficient supplies available. This is particularly the case in some of the smaller jurisdictions who may not have the capacity to stockpile such equipment.

Disasters such as the 2019-20 bushfires and now the COVID-19 outbreak sees a greater emphasis on a new federalism in policing. State and territory borders remain but are being enhanced by greater national strategies and national collaboration. These national initiatives, being driven by a national coalition of government and public safety agencies is vitally important when tackling disasters that cross state borders.

However, in policing, in many instances, when it comes to equipment, each jurisdiction still –

- Draws up its own standards and product specifications;
- Individually trials the same or similar products;
- Separately determines potential suppliers;
- Separately writes contracts for products;
- Individually undertakes tender evaluations; and finally
- Purchases products.

In September 2007, as part of its Strategic Plan 2008 – 2015, the Australasian Fire and Emergency Services Council (AFAC) identified one of its key goals was '5.4 - Cost effective use of resources and savings achieved'. One of the means to achieve this was to 'Develop and expand the Collaborative Purchasing Initiative'. Since then AFAC have moved forward with a range of cost-effective methods of procuring equipment for their respective agencies saving both the agencies and their respective governments many millions of dollars.

The Australia New Zealand Police Advisory Agency (ANZPAA) has also now set standard specifications for police vehicles which is used when purchasing and have commenced a collaborative procurement project on bulk purchasing of ammunition and Tasers. They have managed to commence this process with no federal funding.

The PFA has always strongly advocated for a similar procurement arrangement to that of AFAC and has offered its support for such an outcome on many occasions.

One way of achieving this, could be to ask the Federal, Parliamentary Joint Committee on Law Enforcement to undertake an inquiry into building a national repository of personal protective equipment for police for use in future national emergencies or disasters.

A Term of Reference for such an inquiry could be to ask the Committee to examine:

1. Total annual expenditure by law enforcement agencies on personal protective equipment (PPE);
2. The scope for inter-agency collaborative procurement of policing's PPE by Australia's Commonwealth and State and Territory law enforcement agencies using ANZPAA as a potential cross-jurisdictional agency that could assist with ensuring secure supply chains and best pricing of equipment;
3. The scope to store such supplies to be readily available as required by jurisdictions;
4. The reduced duplication of effort likely to come from common procurement strategies, storage and agreed standards, specifications and cost sharing for the acquisition and application of such equipment and technology;
5. Potential savings which might be re-invested in frontline policing; and
6. The potential to improve the quality of such resources available to police personnel.

A collaborative approach to purchasing such commonly used equipment across police jurisdictions, particularly as we move to the next stage of easing COVID-19 restrictions, would be central to the Australian Government's drive to improve productivity, enhance national standards and performance and make monetary savings where feasible thus assisting in rebuilding our national economy. Any such outcome will likewise improve frontline services to the community.

RECOMMENDATION

That the Committee recommend a model of collaborative purchasing and storage of personal protective equipment for Australia's police to ensure ready availability of supplies in times of urgent need.

Priority testing of police and other first responders

During any future event such as COVID-19, there should be a clear and concise commitment, that police and other first responders would be given priority testing in respect to any symptoms that might arise. This did not take place in most jurisdictions until the pandemic operation was well under way.

Western Australia Police were the first to be provided priority testing after four police officers were required to physically restrain an offender who claimed to be infected by COVID-19. The Union argued that priority testing of police would ensure a healthier workforce and would maximise the number of officers available for frontline duties.

Further, the PFA believes it would be prudent of all police jurisdictions to offer all their staff flu vaccinations each year. For example Queensland Police offers a flu vaccination to all of its staff throughout the state, through the Pharmacy Guild, however this year some supply shortages were reported, particularly in rural and country areas, due to the high take up rate due to COVID-19. The QPS also considered offering this service to officer's families, however it was deemed too expensive.

RECOMMENDATION

In any future declared pandemic, police and other first responders, and where appropriate, their families, should immediately be afforded priority testing status.

Spitting and coughing on 1st responders

The issue of people coughing, spitting and sneezing on police, nurses and other first responders was well publicised during the pandemic. These acts were particularly concerning, when offenders did so whilst claiming to be COVID -19 positive, placing greater stress on the victims and their families. As a result, a number of jurisdictions acted to introduce specific legislation to cover such incidents.

It is the PFA's view that any act of spitting, sneezing or deliberately coughing on police or other emergency services workers should be deemed a criminal offence, regardless of whether it is during a pandemic or not.

Another issue that has been raised within policing, is that a number of jurisdictions have provisions under various forensic procedures type legislation, for offenders to be mandatorily tested for communicable diseases if they knowingly expose an officer to the risk of acquiring that disease. This often occurs where an offender bites or spits blood or the like on an officer. There is a question over whether current provisions in legislation covers an act where an offender deliberately coughs, sneezes or spits on a police officer. Any such legislation across all jurisdictions should be amended to ensure such coverage.

RECOMMENDATION

That in all jurisdictions where forensic procedures style legislation exists, it be amended to ensure coverage includes, where anyone deliberately exposes a police officer or other first responder to a serious virus by coughing, spitting or some other like act.

Watchhouse, custody and courts

Some states identified the difficulty of maintaining the 1.5 metre social distancing rule in their watchhouses for both prisoners and staff due to overcrowding. And like the rest of policing, shortages of PPE and hand sanitiser made working in this environment all the more problematic. Much of the overcrowding was due to limited prisoner movement within states.

Policing Indigenous and remote area communities

Indigenous communities were extremely vulnerable to an outbreak of COVID-19 and therefore specific safety measures had to be in place.

For example, South Australia Police (SAPOL) had been required to comply with "guidance" from South Australia Health's human biosecurity officers when entering "designated areas" under the *Biosecurity Act*. SAPOL members were required to self-isolate for 14 days prior to deployment into such an area, however, in mid-May, following consultation, that requirement for police was negated.

Issues under the *Biosecurity Act* also had implications for Queensland police and in particular family members of officers working in such locations. The Australian Government restricted entry to remote Aboriginal and Torres Strait Islander communities (designated areas) in Queensland, with residents who chose to leave their communities being required to quarantine for two weeks upon return. Those designated communities included Aurukun, Cook, Hope Vale, Kowanyama, Lockhart River, Mapoon, Napranum, Northern Peninsula Area, Pormpuraaw, Torres Strait island, Torres, Wujal Wujal, Buke, Doomadgee,

Cherbourg, Mornington, Palm Island, Woorabinda and Yarrabah. Those restrictions remain in place, at this stage, until mid-June 2020. As a result, some community members have cited discriminatory practices and breaches of their human rights, which brought about protests in places such as Yarrabah, Palm island and Woorabinda, all of which required a police presence.

Officers attached to those remote communities were initially advised, that if they had leave pending, during which they would generally leave the area, they would still be required to take their leave, but be forced to remain in their community, even though in a number of instances, their families were not in that location. It should also be noted that officer accommodation in many of these communities is often shared with communal lounge and kitchen facilities – defeating self-distancing requirements.

Most of these communities do not have appropriate medical facilities for intensive care nor do they have ventilators available. Members raised genuine concerns regarding medical treatment and the process for transport out if required.

There were also a number of instances where officers were deployed to rural/country locations from other locations but were often not advised what duties they were to perform. Those deployed officers were therefore unable to pack appropriately for the job and locations they were required to work in.

Another issue identified during this time was the high price for products obtained locally and the increased lack of availability of those products. The PFA notes that the Indigenous Affairs Committee has launched an inquiry into food prices and food security in remote communities, to which the PFA will be coordinating a submission from affected police jurisdictions.

https://www.aph.gov.au/Parliamentary_Business/Committees/House/Indigenous_Affairs/Foodpricing

CSU Research proposal

Charles Sturt University has been successful in gaining a research grant to identify the nature and extent of work stressors associated with the COVID-19 pandemic, specifically in first responders.

As part of the aims of the study, CSU will seek to measure levels of employee workplace distress and anxiety and then distill the characteristics of good crisis leadership.

The project will specifically investigate –

- The extent and type of stressors and impact COVID-19 has on staff, particular those things staff found most difficult to cope with;
- What management support and leadership practices have been helpful, what hasn't been helpful in coping with the new demands;
- What could the organisation do to better support staff in times of service disruption;

- What post-COVID support would be helpful; and
- The level of work stress, anxiety and psychological distress, using standardised, benchmarked measures.

We encourage the Committee during the course of this Inquiry, to reach out to the researchers undertaking the project at CSU to ascertain the study's findings. It is anticipated that the report will be in final draft by the end of 2020.

The Pandemic's Impact on Community Attitudes Toward Police:

There is no argument that police played a significant and prominent role during the pandemic. While many other emergency services workers were lavished in praise, and rightly so, police often had many critics due to the role they had to perform.

Recent reports in Victoria suggested that more than 102,000 calls were received at the Police Assistance Line in April, compared to nearly 71,000 in March – a 30% jump. Victoria Police said that the assistance line and on-line reporting averaged 3,500 – 11,500 calls a day at the peak of the pandemic, the vast majority relating to coronavirus breaches.

The pandemic also had an impact on crime statistics. See the later section on the pandemic's impact on crime.

Whilst the general perception from police on the front line is that the communities response to the unprecedented measures introduced have been positive, this has primarily been brought about by the way police have carried out their roles by educating the community and showing compassion and taking enforcement action, when and where necessary.

It is not uncommon that during times of protest, police are required to enforce unpopular laws. During the pandemic, whilst the vast majority of the public abided by the laws introduced by the federal and state/territory governments, police were also required to police a number of high profile and significantly important public spaces during the lockdown, including beaches and parks. The penalties police were legally obliged to impose were substantial in dollar terms. In the minds of the public the social distancing messages from government and the media were confusing. This led to a number of negative stories in the media about police actions and as is often the case in these circumstances, protestors used their interactions with police to gain publicity for their own causes, at the expense of police.

It is no coincidence, that during the pandemic, some community attitude surveys, taken after high profile police interventions, showed a slight drop in the public's attitude toward police performance. Whilst the standing of police remained very high throughout the pandemic, with the vast majority of citizens supporting police interactions, it appears coverage of these interactions did have some minor impact on community attitudes.

Community attitudes toward police is very important long term from a community policing perspective, so it is imperative governments and the media ensure that police are

supported in their roles that they are expected to perform. Long term, negativity of those roles by the public, can have a hangover affect well after such significant incidents have passed.

The Pandemic's Impact on Police Resourcing:

As noted above and later in this submission, it appears that during the pandemic, general offending rates and traffic issues slowed, however other areas of policing required a significant expansion of resourcing. Not only did police departments need to ensure that they had a fit and ready workforce, should an outbreak of the virus take hold within their ranks, they were required to police a range of new lockdowns and social distancing laws as well as border restrictions in a variety of geographic areas and communities during the period.

Resourcing issues were such a concern in Western Australia that WA Police reached out to try to attract retired officers to return to work voluntarily during the pandemic to assist. We understand that only three officers expressed any form of interest. The PFA vigorously opposes such a method being used during such a crisis.

Major cities and remote areas of the country have their own unique issues.

For example, in Sydney, 1,400 officers were required to police the quarantining of approximately 5,500 people in hotels across the city and this is being played out in other major capital cities across the country. Whilst in Queensland, not only did police have to guard and monitor hotels in Brisbane, but also Cairns, the Gold Coast and Townsville as well. Police were also required to monitor movements within the hotels, including access areas for smoking, medical checks, etc. Many police reported the lack of a consistent approach to movement protocols, including the fact many were not appropriately educated in proper procedures and protocols leading some to experience passive smoking exposure.

Police were also understandably required to deal with detainees' frustration, anxiety and anger resulting in officer stress and fatigue.

In regional and remote areas, similar resourcing issues have occurred. As mentioned earlier, there is a significant resourcing impact on remote indigenous communities where, for example, in Auruken in Queensland, police have been unable to leave since Christmas and in smaller stations with only a few police attached, fatigue management is an issue with officers being forced to work extended hours outside their normal operating hours.

Policing the borders has also become a very resource intensive operation for some states, for example remote areas of Queensland and Western Australia, where in many locations, biosecurity officers, Australian Defence Force personnel, Australian Federal Police and state police are all in place. In Western Australia and Queensland issues of fatigue were raised. In Western Australia this was felt mainly amongst senior officers due to their not being paid overtime and required to work extended hours coordinating the Western Australia Police response to the pandemic. Also, in the Northern Territory, Australian Federal Police officers

are being required to work extraordinarily long hours and not being afforded their normal industrial entitlements.

In Queensland border patrols between New South Wales and Queensland and Northern Territory and Queensland were established in both rural and established areas with main thoroughfares with RBT style checkpoints and static road closures and roaming patrols in remote or regional areas. These were established very quickly. Whilst the main thoroughfare site reported safe working environments with adequate PPE and amenities, the same could not be said for a number of the more rural sites. The lack of workplace amenities as required under legislation included:

- Toilets;
- Showers;
- Protection from weather;
- Provision of meals; and
- Suitable facilities for sleeping.

It should be noted though, that with the assistance of the ADF and more permanent facilities being erected, many of these issues began to be addressed.

Again, in Western Australia, where police are not covered by workers compensation, the Western Australia Government granted employees up to 20 days of COVID-19 Leave, however one of the provisions to access that leave, was that they had to have no remaining personal or sick leave entitlements. This disadvantaged members by forcing them to cut out their sick or personal leave before accessing this new entitlement. This issue was of particular importance for members working in the designated biosecurity zones of the Kimberley, East Pilbara and Ngaanyatjaraku. Travel to and from these areas is limited to essential purposes only, but many of those members stationed there, have families residing outside the zones (a similar situation to some of the remote areas in Queensland). Apart from dealing with the stresses of policing remote communities, police had the additional burden of being uncertain as to when they would be allowed to take leave outside the zones.

These issues are all taken up on a jurisdiction by jurisdiction basis, but collectively they are having a significant impact on police resources.

Childcare:

The announcement of free childcare for essential workers was widely appreciated by police, however some providers sought additional written information about the working conditions of parents in order to prioritise childcare positions. Whilst this is understandable in many instances, it did put another layer of burden on parents.

A more streamlined process would be better developed for similar situations in the future.

Free Car Parking for Emergency Services:

It was pleasing to note during the height of the pandemic, that many major capital city councils' provided assistance with car parking, ensuring that emergency services workers did not have to catch the limited public transport available, unless they had no other option. Those councils that provided this support measure to those workers should be applauded. It should be noted that some Councils refused to do so, including Adelaide City Council.

Mental Health:

Research shows that disasters and major events such as the COVID-19 pandemic crisis, pose significant mental health risks to police and the wider public. From a police specific perspective, exposure to communicable diseases, violent and traumatic events have long been identified as occupational hazards, of which continued exposure has a significant impact on their mental health.

It is well accepted, that police and other emergency services workers themselves, are at greater risk of experiencing a mental health condition than that of the wider community and mental health issues in the Australian Defence Force are already widely known and publicised. Issues such as the COVID-19 pandemic, only exacerbate the problem for those frontline workers.

The Beyond Blue's, Answering the call national survey, "National Mental Health and Wellbeing Study of Police and Emergency Services" should be compulsory reading for the Royal Commission.

Key findings of that survey included:

- One in three police and emergency services employees experience high or very high psychological distress compared to one in eight Australian adults;
- Over one in 2.5 employees and one in three volunteers report being diagnosed with a mental health condition in their life compared to one in five Australian adults;
- Employees and volunteers report suicidal thoughts over two times more often than adults in the general population and are three times more likely to have a suicide plan;
- Over half the employees surveyed experienced a traumatic event during the course of their work that deeply affected them;
- Poor workplace practices and culture are as equally debilitating, as is exposure to trauma;
- Employees who have worked more than ten years in police and emergency services are almost twice as likely to experience psychological distress and six times more likely to have symptoms of PTSD compared to those with less than two years' service; and
- Three in four employees who had made a claim for psychological injury found the current workers' compensation process to be detrimental to their recovery.

Of particular interest to the PFA, the survey identified that:

- Respondents appeared to have “poor mental health literacy”;
- That they avoided telling people about their mental health condition (61% of respondents); and
- 11% of police had probable PTSD (almost three times higher than the Australian average).

As a result, over the past several years, the PFA and the National Police Memorial Co, a charity registered under the Australian Charity’s and Not for Profits Commission, supported by the Federal Government, have embarked on a range of activities to educate members, their colleagues and their families about mental health and well-being issues and how to better understand and prepare themselves for their stressful daily jobs.

We encourage the Committee to avail themselves of the final Report of the 2018 Senate Education and Employment Committees Inquiry, into ‘The role of Commonwealth, State and Territory Governments in addressing the high rates of mental health conditions experienced by first responders, emergency service workers and volunteers’

https://parlinfo.aph.gov.au/parlInfo/download/committees/reportsen/024252/toc_pdf/The_people_behind_000_mental_health_of_four_first_responders.pdf;fileType=application%2Fpdf

The findings and recommendations of that Committee are very insightful into the mental health and well-being issues confronting Australia’s first responders, many of which we argue, will have been heightened by the type of work they were required to perform during the COVID-19 pandemic as well as the potential impact of their work on the mental health and well-being of their families and close friends.

RECOMMENDATION

That the Committee support the efforts of Australia’s police associations/unions in highlighting the importance of the mental health and well-being of Australia’s first responders.

Workers Compensation:

Whilst at this stage, anecdotal evidence suggests there has not been a substantial rise in workers compensation claims by police as a result of the pandemic, it is important not to be complacent about officers being exposed to the virus and any other illness or injury as a result of their work.

One of the biggest fears for members and their families, was the worry about contracting the virus as a result of their work. The PFA is clearly of the view that if a police officer contracts the virus, then from a workers’ compensation perspective, there should be a presumption that the virus was transmitted to the officer whilst they were on duty and therefore they should be automatically covered by work cover provisions. In other words,

there should be a reverse onus of proof on the employer to prove that the virus was not contracted as a result of their duties.

RECOMMENDATION

Where a police officer or other first responder acquires a virus that has been declared a pandemic, then the onus of proof that the transmission occurred whilst the officer was not on duty, should fall on the employer.

Workers compensation is a stressful process at the best of times. It should not be made more stressful for someone who contracts the coronavirus.

The Beyond Blue report identified that three in four first responders found the current workers compensation process to be detrimental to their recovery.

Our own research indicates that one of the biggest issues faced by police is the adversarial worker's compensation process; with the arduous and unhelpful process of making a claim, often standing in the way of many members getting quick access to effective treatment.

The recommendations we made to the Senate Inquiry, identified above, included -

That the issue of the mental wellbeing of first responders become a standing item on the COAG agenda.

That the Committee recommend that all workers compensation systems for police deliver timely assessment for claims in a way that protects those who are distressed and psychologically unwell.

That the Committee recommend that the issue of Presumptive Legislation, recognising psychological injuries to police and other first responders, be referred to COAG with a view to the development of harmonised legislation across every jurisdiction.

That the Committee recommend that the issue of the Provisional Acceptance of claims for psychological injuries to police and other first responders, be referred to COAG with a view to the development of an intergovernmental agreement on the issue.

In our submission and when we appeared before the Senate Inquiry, we gave evidence that members had reported to us that they felt, "isolated from their employers and former colleagues" during the workers compensation process, with reports that some officers making psychological damages claims could wait up to six years to settle.

We also pointed out that research shows that people who seek compensation for PTSD are more likely to have a poorer prognosis, more severe symptoms and longer recovery time than those who haven't sought compensation and according to findings, there are plausible reasons for this pattern including:

- People seeking compensation are doing so because their psychological injury is more severe; and
- The claims process is prolonged, triggers further stress and exacerbates symptoms or otherwise hinders recovery.

Further issues we raised included:

- The process involved in many workers compensation claims have actively prevented members from returning to good health;
- They have prevented members from returning to work; and
- When members have returned to work, often times, treatment is taken away thus making it difficult for members to remain at work.

It has also been suggested that in some jurisdictions, key performance indicators had been imposed on those agents tasked with processing claims, as well as performance - based bonuses to agents.

The PFA is a strong supporter of harmonised, presumptive legislation across every jurisdiction.

In respect of presumptive legislation, we suggested that the recognition of PTSD as an occupational illness for emergency services workers would:

- Recognise the value and risks associated with the work performed by emergency services workers;
- Acknowledge the psychological toll that repeated exposure to trauma has on our emergency services workers;
- Remove barriers to obtaining treatment by providing our emergency services workers suffering PTSD with fair access to worker's compensation benefits by reversing the onus of proof so that the employer must show that PTSD was not caused by work; and
- Remove the adversarial approach to PTSD claims that will reduce the stress and anxiety already felt by emergency services workers and enable earlier treatment, so they make a speedier recovery and return to work sooner.

We also argued that the provisional acceptance of claims could be introduced in tandem with presumptive legislation. Such a move would go a long way to reducing the trauma on officers during the difficult process of making a workers' compensation claim for psychological injury.

Provisional acceptance of claims would allow police to access services immediately following an incident and maintain that support throughout any subsequent proceedings.

This would take some of the immediate stress away from the injured worker and their family by ensuring that the insurer commences the immediate payment of any claim,

including medical expenses, but also protects the insurer by allowing them not to admit liability at this early stage.

Accepting provisional liability allows the insurer time to make a more informed decision on liability and at the same time allows the injured worker to provide more information/evidence that might be required, whilst being paid the provisional claim.

It was pleasing to note that one of the key recommendations by the Committee was, Recommendation 8 –

The committee recommends that the Commonwealth Government establish a national stakeholder working group, reporting to the COAG Council of Attorneys General, to assess the benefits of a coordinated, national approach to presumptive legislation covering PTSD and other psychological injuries in first responder and emergency service agencies. This initiative must take into consideration and work alongside legislation already introduced or being developed in state jurisdictions, thereby harmonising the relevant compensation laws across all Australian jurisdictions.

The Government's response, tabled in Parliament on 25 February 2020, in respect to this recommendation was - **Support in principle.**

The response went on to say,

"The Government supports a nationally consistent approach to workers' compensation arrangements and the opportunity to convene a working group, reporting to an appropriate ministerial forum, to consider the benefits of a coordinated national approach to presumptive legislation covering PTSD and other psychological injuries in first responder and emergency services agencies.

However, as workers' compensation is primarily a state and territory responsibility, any such working group would depend on the cooperation of the states and territories. Any legislative changes to address first responder mental health will also need to take into account the different characteristics and circumstances of the various schemes".

RECOMMENDATION

That the Committee support the development of a national standard of practice for dealing with workers compensation claims for all members of emergency services agencies who contract coronavirus including a presumption that they contracted the virus as a result of their work.

The Creation of a Dedicated National Independent Service Provider Network:

The April 2019 Federal Budget contained a \$2.5 million grant to the PFA to work with the Police Association Victoria (TPAV) and the Australian Federal Police Association (AFPA) to develop a 'BlueHub' support network. This network would be a dedicated independent service provider network, which would provide clear pathways for those seeking assistance with mental health injuries, with an emphasis on early intervention, accurate diagnosis and treatment.

We are currently working on establishing a pilot centre of excellence, to be complemented by satellite support services across Victoria, as part of the trial funded by the Federal Government, with a view to ultimately creating a national network to provide appropriate evidence-based services and treatment to the people who serve our community in high stress environments.

Given the geographical coverage required to meet the needs of our members, a national approach and funding was deemed to be the best option, piloted in Victoria, but ultimately being available in every jurisdiction, to allow for specialist psychiatric and alternative therapy services, including when members are acutely psychiatrically unwell or potentially suicidal.

The 'BlueHub' initiative will focus on the delivery of evidence-based treatments to members, in a timely manner that is both cost effective and has strong clinical governance.

The concept has been developed as acknowledgement that there is a current service delivery gap nationally where members present for treatment that is outside of the internally provided agency based psychological services or employee assistance programs. Police members are reluctant to engage with the public health system due in part to the delays in accessing accurate and reliable treatment options in a timely manner and the stigma around being forced to use the same facilities as members of the public that they may interact with in a professional capacity. The same stigma would apply to other arms of the emergency services. Significantly, of the members accessing PTSD treatments through the workers compensation system in Victoria, only 25% are receiving the recommended evidence-based treatment.

The current model of treatment seeking in most jurisdictions is heavily reliant on internal service provision and the use of Employee Assistance Programs (EAP), which have been identified as having significant shortcomings.

The 'BlueHub' concept is planned to create a centralised Hub with satellite sites operating, initially in Victoria and the ACT, and ultimately nationwide. The key 'BlueHub' facility would provide a best-practice clinical assessment framework at a dedicated site for police officers. The facility would provide a research, training and development component as a resource for practitioners in satellite locations. A quality assurance framework will be developed to ensure that all mental health practitioners aligned to the 'BlueHub' program, receive the appropriate training and support to provide evidence-based treatment to

members. This oversight role performed by the 'BlueHub' concept addresses several key issues raised in various organisational reviews.

Once established, 'BlueHub' services may be able to be expanded to other emergency services, both current serving and retired at a national level. By maintaining a central management oversight structure, clinical standards can be maintained, continuous improvement strategies can be implemented, and research opportunities can be identified and explored.

In support of our argument for the BlueHub support network, recommendation 10, from the Senate Committee, earlier referred to, stated -

The committee recommends that the Commonwealth Government establish a national register of health professionals who specialise in first responder mental health.

The Federal Government's response to this recommendation is that it be - **Noted**

The response went on to say –

“Given the localisation of many practitioners, a national register may be of limited utility, however, could be considered further as part of the National Action Plan being developed by the Department of Home Affairs”.

RECOMMENDATION

We encourage the Committee to support the 'BlueHub' concept as outlined, as a preferred model of providing a best-practice clinical assessment framework, including research, training and development for mental health professionals to provide services to police and other emergency services personnel.

Education and Training of Public Safety First Responders:

During the 2019/20 bushfire season, followed almost immediately by the COVID-19 pandemic, public safety agencies, including police, fire, emergency service and defence personnel, faced unprecedented challenges.

Interoperability is essential when public safety agencies are required to respond to such incidents across the country, however, such interoperability, is dependent on comprehensive and robust education and training systems to prepare our personnel to perform effectively and together in emergencies.

Public safety agencies, including police and defence, long ago recognised the importance of quality education and training and for over 20 years have demonstrated their commitment to building their workforce capability by the development of national training packages, qualifications and competency standards, many of which complement one another.

Through collaboration and sharing professional expertise and knowledge, these agencies have improved their understanding of each other's systems of work and have come together to share their education and training expertise and resources. This work has reaped benefits as was evident in the recent fires and during the pandemic.

The Public Safety Industry Reference Committee (PSIRC) is the body through which public safety agencies collaborate in the Vocational Education and Training (VET) sector. The PSIRC comprises employer and employee representatives responsible for the national training package qualifications for a range of public safety agencies, but particularly police and defence. The PSIRC also provides industry advice to the Australian Industry Skills Council (AISC) about public safety workforce capability needs. However, public safety agencies have identified a number of shortcomings in the system, that they are seeking to rectify.

The Committee would be well aware of the importance of ongoing public safety sector education and training. Police, fire, emergency services, and defence have a decades long history of working collaboratively on behalf of public safety stakeholders and the recent pandemic has again highlighted the importance of collaboration between police and defence training. It is in the best interest of the Australian community that the public safety sector continues this work together to build our national education and training and workforce capability.

This cooperative approach has enabled the public safety sector to anticipate future challenges and build a model for its education and training. This approach also supports governments and communities in preparing, responding to and recovering from major disasters and other catastrophic events.

Of particular importance to this sector, is the need to have agile systems of work that can respond rapidly in line with the unpredictable nature of many of the events confronted by the industry. A lesson learned in summer 2020, or via the COVID-19 pandemic, should be identified, a solution proposed and a change be in place in time for preparation for the next sudden event.

The 2019/20 bushfires and the pandemic, demonstrated how all the public safety stakeholders worked together collaboratively, demonstrating significant improvements over previous disasters and other unforeseen events. Many lessons have been learnt and the sector is keen to future proof national capability and train public safety responders to high standards.

However, as earlier eluded to, public safety agencies, representing public safety stakeholders have identified some shortcomings in the current arrangements, particularly as they apply to our industry.

For example, these agencies, are required to continue to make significant financial and in-kind contributions to the development of relevant training packages. These financial and in-kind contributions allow the public safety sector to develop and review national industry qualifications, skill sets and units of competency using subject matter expertise. The

associated costs continue to grow, particularly as the complexity, breadth and depth of disasters and incidents grow exponentially. Funding to progress this increasingly demanding and crucial work is essential. However, under the current funding arrangements and the system under which the development of such products operates, it is becoming increasingly difficult to allocate scarce resources to this activity.

As funding for this development and review is only provided in the existing VET structure to Skill Service Organisations, agencies representing the public safety stakeholders are required to self-fund their own development and review work. This represents funds that would otherwise be budgeted to supporting frontline services but are now re-routed to agencies to undertake this work. Estimates suggest that this comes to **several million dollars annually**. It should be noted that this is just the development of the training packages and does not include the actual training cost incurred for delivering education and training to frontline personnel.

The public safety sector has for some time, questioned whether the current VET funding arrangements is as effective and efficient as it could be.

In policing, this work is undertaken by ANZPAA through the Australia New Zealand Council of Police Professionalisation (ANZCoPP), on which the PFA sits. All of this work is funded by the various police agencies and the PFA to ensure that our members have the skills and expertise to ensure that the Police Training Package is properly maintained. However, far more work on reviews and development could be achieved if federal funding for this work was applied.

RECOMMENDATION

That the Committee support public safety stakeholders through key identified agencies reviewing the current model of funding training package development with the view of identifying a better, fit for purpose model.

The Pandemic's Impact on Crime:

Much of the current anecdotal evidence points to a decrease in many crime types during the COVID-19 pandemic period. Some early research is being carried out by investigating whether the adoption of unprecedented domestic and international travel restrictions as well as stay-at-home and social distancing regulations have altered criminal activity.

Most of the current data around COVID-19's impact on crime in Australia is based on media reports, which draw on crime data, generally provided by police, however limited details of that data have been critically analysed.

For example, in Western Australia, preliminary data indicated the number of Assault Police Officer offences for March 2020 were the lowest for that month in four years. However, Computer Aided Dispatch reports suggest the number of officers who were assaulted was higher than average.

The PFA recommends that the Committee seek the expert advice of The Australian Institute of Criminology (AIC) who are already involved in various research initiatives, including the impacts of social distancing measures on recorded crime, in particular, violent crime and property crime and the AIC could also direct the Committee to relevant international research.

Of particular importance, will be research into **family and domestic violence trends**. Whilst at this early stage, some crime statistics coming from police and other crime data agencies indicate no increase in domestic violence reports, other reports suggest that 50 percent of domestic violence service providers in New South Wales reported an increase in demand following the onset of the pandemic in February. At the same time, some domestic violence helplines have recorded a drop in calls of up to 30 percent, however none of this data has been subject to rigorous assessment. Again, the expertise of the AIC will be helpful for the Committee in tracking appropriate research into this very important issue.

ANZPAA also undertakes work of this nature and they have developed an Innovation and Research team that has the capability and skills to undertake data and research projects and have done work in the family violence space. One of the advantages of ANZPAA doing research work is that policing, as a collective, own the Intellectual Property and not another institution.

RECOMMENDATION

The PFA recommends that the Committee engage with the Australian Institute of Criminology (AIC) and ANZPAA to assist with any in-depth analysis of crime trends, particularly in family and domestic violence, arising from COVID-19.

We thank the Committee for the opportunity to make this submission on behalf of Australia's Police. The PFA offers any further support to the Committee that you deem appropriate including appearing to give evidence if requested.

Sincerely yours

Scott Weber
Chief Executive Officer
4 June 2020