

CHANGE FUNCTIONS, BOOST PERFORMANCE



*Deputy Commissioner (Administration)
John Johnson.*

WIDE-ranging changes to the duties of the Australian Federal Police to help make the force more efficient and cost-effective have been proposed by Deputy Commissioner (Administration) John Johnson.

"Platypus" presents this edited version of his talk to an Australian Institute of Criminology seminar on police resources and effectiveness on May 31 in Canberra.

There are resource-intensive functions for which the AFP is responsible that are non-productive in terms of the achievement of our objectives and priorities and which may, with some administrative thought and legislative fine tuning, be eliminated from the AFP's work responsibilities.

I turn first to the administrative innovations to federal policing introduced on our initiative in the past 12 or so years. The first and most important was the recommendation to Government that a single criminal law enforcement authority be established at Commonwealth level by merging the Commonwealth and Australian Capital Territory police forces. This recommendation followed a government decision in 1977/78 to provide the Commonwealth with a more effective law enforcement arm by upgrading the then Commonwealth Police. The argument that the police put forward when advising on this issue was that the Commonwealth would achieve better and more cost effective results by dissolving the major existing law enforcement agencies and forming one new organisation from those resources — AFP.

Other innovative action from that fundamental decision includes developing common police services — on the recommendations of the police attached to the Task Force on the creation of the AFP; the extension of the Overseas Liaison Officers' program, initially introduced by the Federal Bureau of Narcotics; the

transfer of the Protective Services component to a new organisation; and in more recent times the Career Structure Review initiative which will result in cutting police work levels from 11 to 5.

The Career Structure Review and the initiatives flowing from it are perhaps the most innovative and far reaching administrative actions taken by police for many years. A leading United States researcher in the area of police management once said that: 'changing police rank structures in the United States can be likened to bending granite'. The AFP is achieving its objective with much more success and staff acceptance than that experienced in other countries and jurisdictions. The Career Structure Review is also recommending changes in police training and promotion procedures which will result in more efficient and effective police organisation.

Big changes

Regarding innovation in police operations, the AFP since its inception in 1979 has introduced into Australian policing some innovative techniques not previously used to any great extent in this country. The telephone interception powers which came to the AFP with the merging of the Federal Bureau of Narcotics have been used to their fullest extent. When linked to other technical listening devices available to the AFP under judicial warrant, and other

surveillance techniques, the result has been some outstanding successes in combating organised crime. A good example of the use of this technology, as well as other state of the art targeting techniques, was demonstrated in Operation "Lavender".

There are some duties that have been traditionally matters for the police but which should now be discarded. It is time for committal proceedings in indictable cases to be dispensed with. The time and resources applied to committal hearings in Courts of Petty Sessions/Magistrates Courts around Australia by the AFP is reaching extraordinary levels. The AFP is involved in several hundred committal proceedings each year, some requiring up to 18 months of court time to complete. The courts, which are already overloaded with criminal prosecutions, are finding that when pleas of not guilty are entered for summary offences they are having to remand cases in committal proceedings for hearing, sometimes for 12 to 18 months. The expenditure of legal aid resources must also be significant. This problem in the criminal justice system could be alleviated, if administrative hearings such as committals were dispensed with. Committal hearings in the days before the appointment of a Director of Public Prosecutions (DPP) with judicial status, were relevant and necessary, but since the development of highly professional and independent DPP Offices throughout Australia, they have become an unnecessary and time consuming irrelevancy.

I envisage a procedure that could be adopted whereby briefs of evidence would be provided to the DPP by the

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police and depending on the case and the law relating to its prosecution, the DPP would initiate prosecution proceedings in a Magistrates Court or in a Court providing prosecution before judge and jury. It would perhaps be necessary in these cases for the police brief to be provided to the defence well before any decision by the DPP to allow for representations by counsel for the defendant. At any rate, it would not seem to be beyond the wit of man to develop some reasonable and just procedures for this purpose.

Reform Needed

There are other time consuming and manpower intensive duties for which the AFP is responsible that could also be dispensed with, allowing for the total commitment of the organisation to the pursuit of crime and criminals, without adversely affecting the criminal justice system. One area in need of reform is the process by which police are used as debt collectors for the courts where fines (mainly traffic) are not paid on time. This process involves issuing commitment warrants or, in interstate cases, warrants of apprehension that have to be executed by the police in order to recover debts owing to governments. This process is far from being cost effective. It would seem to me that the use of credit cards at the time of conviction or the use of some other more modern commercial type of debt collection process, would be much more efficient than the use of warrants. In the ACT, the AFP has warrants in its possession awaiting execution with a face value of more than \$1 million. If the AFP were to make an all-out effort to execute the outstanding warrants, it would probably cost much more than \$1 million — not good business. It would also result in significant manpower resources being diverted from our primary law and order and crime prevention and detection responsibilities.

The service of other court-related process (summonses and subpoenas) is another time consuming resource intensive operation and a waste of scarce and expensive police resources. Imagine a constable at our Sydney office being told to go out to Palm Beach to serve a summons or subpoena, only on reaching the address to find nobody home. The costs to the AFP and the Australian taxpayer of allowing this process to continue is enormous. The AFP serves thousands of summonses each year. Why can't the courts serve summonses and subpoenas of this nature by certified mail?

Family Court

The AFP performs a range of bailiff duties for the Family Court. These duties

are also time consuming, expensive and not related directly to the enforcement of the criminal law. There have been cases of AFP officers being required to arrest and escort interstate Family Court litigants at AFP expense with the resultant diversion of resources away from our objectives and priorities. Even the proper functioning of program budgeting would suggest that this process is inappropriate. I suggest that the AFP be relieved of these responsibilities and the duties be transferred to bailiffs employed by the Court.

Sir Robert Mark at paragraph 21 in his 'Report to the Minister for Administrative Services on the Organisation of Police Resources in the Commonwealth Area and Other Related Matters', when referring to airport policing said:

"The concept that federal property, both ground and buildings, including airports, outside the ACT, should necessarily be policed by a federal force may be justifiable administratively but operationally is disadvantageous. It is a token gesture in

disregard of the realities of policing which call for clarity and unity of the command role in emergency and for the immediate availability of extensive police resources at short notice when necessary. Indeed, the creation of a second or duplicate body for what are, after all, conventional police purposes is likely to detract from, rather than enhance, the effectiveness of police arrangements."

Sir Robert's sentiments still apply. I have nothing further to add.

There is no doubt that, as the resources provided by Government to the criminal justice system diminish, we will need to look even more critically at our methods of running the system. If my suggestions regarding Family Court bailiff duties, airport policing and the service and execution of process are not acceptable then it may be necessary for the police to apply the "user-pays" principle to the departments responsible for the administration of those systems and agencies.



AN AFP FIRST

A quick thinking officer has had the unique distinction of getting the first AFP Commissioner's Certificate to be awarded by Commissioner Peter McAulay.

Senior Constable Greg Lovell (Industrial Relations) was highly commended for "his timely and appropriate assistance to a member of the Australian Federal Police who had received serious injuries in a traffic accident on 27 November 1987. There is no doubt that his prompt and correct actions contributed to saving the officer's life".

Greg was on his way to the AFP College at Barton when he turned on the police radio to hear of a motor vehicle accident possibly involving a police officer.

"I was just driving out of the Canberra headquarters basement when I heard the message about the accident two kilometres away," he said.

"Constable Bob McCarthy had been knocked off his bike and was lying in the middle of a left turn lane and traffic was still passing near him.

"I positioned my car to protect him. He appeared to have major head injuries and wasn't breathing. I gave him mouth-to-mouth resuscitation and put in a situation report via the radio before giving Bob cardio pulmonary resuscitation.



Sen. Const. Greg Lovell

Greg, a member of the ACT Search and Rescue Squad for four years, has strong views on first aid.

"Industrial Relations has circulated a first aid draft policy document to all commanders for comment," he said.

"Not all officers would have been able to provide the same level of assistance at the scene of Bob's accident as I did because AFP officers are taught only very basic first aid over two hours as part of their initial training. I believe all police should be qualified in first aid because they can so easily find themselves in situations where knowledge on their part would help them save a life.

"Courses such as those run by the St. John's Ambulance Brigade should be a must for AFP members," he said.

