



The Hon. David Elliott MP
Minister for Police and Emergency Services

13 May 2021

Ms Wendy Tuckerman
Chair
Committee on Law and Safety
Macquarie Street
SYDNEY NSW 2000

Dear Ms Tuckerman 

Please accept the NSW Government's response to the Committee on Law and Safety's Inquiry into Assaults on members of the NSW Police Force.

A copy of the response is enclosed.

Yours sincerely



The Hon. David Elliott MP
Minister for Police and Emergency Services

Encl.

NSW GOVERNMENT RESPONSE

RECOMMENDATIONS OF THE INQUIRY INTO ASSAULTS ON MEMBERS OF THE NSW POLICE FORCE

	RECOMMENDATION	GOVERNMENT RESPONSE
1	<p>That the NSW Police Force (NSWPF) review the adequacy of the current assistance provided to police officers who have been assaulted.</p>	<p>Supported.</p> <p>NSWPF regularly reviews its welfare services and assistance to officers to ensure they are of the highest standards and are meeting their needs. When an officer is injured, the NSWPF personnel system provides for efficient and timely notification through online lodgement and recording of an injury which triggers a welfare / support response based on the incident: this can include injury management, welfare plans, support plans and medical treatment. A team of internal injury management advisors assist with coordinating a safe a durable return to work for officers after injury and their commands provide welfare support.</p> <p>NSWPF also has a myriad of other wellbeing support services available to employees including those that may have been assaulted. These include but are not limited to peer support, police chaplains, the Family Support Coordinator and the Employee Assistance Program (EAP). EAP is available to all employees and their immediate family members 24/7.</p> <p>With the launch of the Mental Health Wellbeing Strategy in 2020 NSWPF has committed to a wide range of works dedicated to mental wellbeing, including building greater organisational awareness through training, building a wider support network such as the Family Support Service and developing the resources that enable pathways for officers transitioning into new vocations. The Mental Wellbeing Strategy sets the framework for a five-year plan to support NSWPF employees and reduce psychological injury. It has four key pillars: prevention, awareness, recovery and transition. Resources have been committed over the life of the strategy to build a platform of support services focussing on access and early intervention, and person-centred support.</p> <p>A Command Wellbeing Manual has been developed and made available to all commands and business units across the state. Importantly, it provides all members of the NSWPF and their families with a capture of the support available to them. This information is also provided to students at the Police Academy to ensure</p>

		<p>they are aware of the support services available to them from the outset. Officers can also access RECON, an in-house preventative and rehabilitative program.</p> <p>Embedded in Commands are Physical Training Instructors who are able to assist in continued rehabilitation and support by developing and delivering programs and health and fitness initiatives that contribute to the recovery for injured workers.</p> <p>As an additional layer, each command has Peer Support Officers (PSOs) who provide appropriate support to employees during and after times of professional and personal distress. They offer immediate assistance through one-on-one peer support and assess the need for referrals to health professionals or alternative support programs.</p>
2	That the NSW Police Force be provided with additional resources to cover police officers who have been assaulted.	<p>Noted.</p> <p>The NSW Government has already committed to increased resources to the NSW Police Force which will address the concerns in this recommendation.</p> <p>In November 2018, an additional 1500 police officer positions were approved for the NSWPF. These additional positions were to be rolled out over 4 years from 1 July 2019. To date, phase 1 and 2 roll outs have been implemented, totalling 700 positions across the NSWPF.</p> <p>The new positions have greatly aided operational capacity, and the NSW Police Force is satisfied that the organisation has sufficient capacity to cover the impact of assaults on officers.</p> <p>All police resources attached to Police Districts or Police Area Commands are flexible resources available to respond to incidents across the Command / District.</p> <p>All local resources are also supplemented by specialist police (highway patrol, major crime squads, covert resources and the like) who are managed centrally but can be deployed across boundaries to meet the changing community needs and respond to changing crime patterns and emerging issues. NSWPF also utilises Flexible Working Arrangements, Secondments and relieving via Higher Duties to provide flexibility for the organisation and its employees.</p>
3	That the NSW Police Force consider options to create a reserve pool of officers to backfill temporary vacancies.	<p>Noted.</p> <p>Arrangements already exist to address the issues identified by the Committee. NSWPF considers all options and continuously make improvements to help create a more agile and flexible workforce. Temporary Vacancies are usually backfilled by the existing Higher Duties mechanism. This provides</p>

		<p>opportunities for employee professional development, succession planning and continuously building capability within the NSWPF.</p> <p>Through the NSWPF Reappointment policy, police officers who have left the NSWPF within 3 years of their last day of service, or for longer periods in other circumstances, can be reappointed to their position.</p> <p>NSWPF has 17,595 funded Police Officer positions (as at 28 February 2021), and the overall funding and rostering arrangements for the workforce already factor in staff vacancies which occur due to injuries, illness, family care commitments, Long Service leave, and annual leave, secondments, and other workplace absences. This includes the use of the Commissioner’s Reserve, which is a pool of Authorised Police Positions (not actual police officers) used to address various operational needs and HR-related issues.</p> <p>NSWPF roster staff in order to maintain first response agreements, and commitments to the safety of the Community.</p> <p>All these measures have also been assisted by the increased operational capacity and coverage provided by the additional 1500 police officer positions provided over four years.</p>
4	That the NSW Government conduct research, in coordination with the NSW Bureau of Crime Statistics and Research and academics into factors that contribute to assaults on police officers.	<p>Noted.</p> <p>The NSW Government notes that the NSW Sentencing Council is currently reviewing sentencing for assaults on emergency services workers, including police officers. The NSW Government will consider the findings of this review and will consider what additional research into factors that contribute to assaults on police officers could be undertaken.</p>
5	That Corrective Services NSW and Juvenile Justice develop an offender education program targeted at adult and juvenile offenders convicted of an assault police offence.	<p>Noted.</p> <p>Corrective Services NSW (CSNSW) and Youth Justice NSW (YJNSW) already deliver programs and services to address violent offending.</p> <p>CSNSW programs are specifically designed to be adaptable to an individual offender. Non-specific intervention programs allow an offender to identify the specific context relevant to their offending (e.g. assault police) and develop strategies on how offending behaviour can be avoided in future. The Inquiry noted that 60 to 67 per cent of those convicted for assault police had prior court appearances in the previous five years, but previous offences were not always assault police and there was a very small percentage of repeat offenders who only assault police. CSNSW’s non-specific approach to program delivery is especially appropriate in this context as it allows offenders who have assaulted police, but do not have a history of assaulting police repeatedly or exclusively, to have their assault against police</p>

		<p>included as part of their offence intervention alongside other offending behaviours. This could cover a number of potential contributing factors including a general antisocial attitude, alcohol-fuelled violence, aggression or anger issues, or hostility towards authority figures.</p> <p>YJNSW uses the Risk Needs Responsivity model, which is based on a large body of work in offender treatment, in its approach to intervention for young people who persistently commit crime. The ‘Needs’ principle shows that to address risk factors, intervention should target criminogenic needs, which are the problem areas that contribute to or support offending instead of address the offence. Each young person who is under YJNSW supervision therefore works with their caseworker through the evidence-based intervention known as Changing Habits and Reaching Targets (CHART). CHART is an effective and structured tool to address thinking patterns that lead to offending behaviour. One aspect of CHART is to map the young person’s offending and to identify red flags and triggers that lead to the offending. If the offending is assaulting police, through case management the case worker and young person will examine the young person’s motives and re-evaluate the potential consequences of their actions.</p>
6	That consideration be given to establishing a violent offender register for people identified as having a propensity for violence.	<p>Not supported.</p> <p>Existing systems already address the issues at which a violent offenders register is aimed, which includes pre-warning police about violent behaviour.</p> <p>Police are provided with relevant and timely information through the COPS database via intelligence and warnings provided in the system. The mobile policing framework provides officers with information targeted at the activities they have been tasked with. A range of platforms are readily available and well-used at operational level to meet the need for appropriate information to prepare police for situations they are about to enter into, including those involving violent offenders.</p> <p>The report also suggests that a violent offenders register could be used to ban people from licensed premises. Existing liquor licensing regulations already contain provisions to manage violence at licenced premises, including, in certain precincts, banning those who have engaged in violent behaviour.</p>
7	That the NSW Police Force investigate a period of service learning for new recruits before commencing duties on patrol.	<p>Not supported.</p> <p>NSWPF in partnership with Charles Sturt University deliver the Associate Degree in Policing Practice (ADPP). This consists of 32 weeks initial training based at the NSW Police Academy, followed by 12 months’ Probation at their allocated police station. The ADPP is a formal academic qualification and it is not possible to include a component of ‘service learning’ into the program because of this.</p>

8	That the NSW Police Force consider resilience training for new recruits to prepare them for hostile or challenging real life scenarios.	<p>Supported.</p> <p>NSWPF is currently developing resilience training to be delivered to new recruits at the academy through the Your Health First training sessions. Your Health First is a one-day program designed to improve knowledge and teach real skills in understanding and identifying mental health challenges and developing and improving resilience and mental well-being. It encourages employees to seek assistance when it is required and to encourage a dialogue when confronted with challenging and difficult scenarios.</p> <p>While undertaking the Associate Diploma in Policing Practice at the NSW Police Academy, policing recruits are taught and assessed on a vast number of defensive techniques and communication skills in order to prepare them for hostile/challenging scenarios and control persons of interest where there is conflict.</p> <p>These include a number of scenario-based practical assessments based on situations of Domestic Violence, Street Offences, Larceny and Possession Offences. In addition, there is an Assault final assessment for those students who have been remediated twice over the session.</p> <p>Recruits are also subject to;</p> <ul style="list-style-type: none"> - Various “Isolation tests” (mini scenario with live role-player) where the recruit is required to identify numerous threats, and both escalate and de-escalate to an appropriate resolution. - Holistic styled scenarios (Reality Based Training) that provide the opportunity for recruits to demonstrate an ability to respond appropriately to violent and sometimes disturbed persons. - Tactical Options Training Circuit exercise which involves a lengthy period of physical and low level psychological stress leading into a number of operational use of force tasks, with distractions (people, objects, noise) culminating in a one on one interaction with a role player presenting a lethal threat to the recruit who responds positively to de-escalation tactics. The same interaction is revisited in an isolation test later in the program. <p>A new addition to the ADPP Curriculum is an Avalius (interactive video learning platform) lesson on use of force. This includes a number of real scenarios demonstrating both justified and unjustified use of force with the final scenario been an effective de-escalation incident without use of force. This has been trialled with the current cohort, class 345.</p>
9	That the NSW Police Force increase the current mental health training provided to police officers.	<p>Supported.</p> <p>The Committee notes the significant training currently provided in the mental health area by NSPWF to police officers, as set out in the NSWPF submission and during the hearing. Since 2014 (as at 7/1/2021)</p>

		<p>13302 police officers have undertaken a 1-day Mental Health Workshop which includes mental health awareness and communication, responding to mental health incidents and relevant legislation.</p> <p>In addition, between 2008 and 2021, 2263 Police (as at 7/1/2021) have participated in either the 4 day Mental Health Training Course or the revised 2 day Mental Health Enhanced Police Practice Model (MHEPPM) course which was developed in collaboration with NSW Health and accredited by NSW Police Academic Board.</p> <p>In 2014/15, the Mental Health Intervention Team (MHIT) commenced delivering a 1-day training program at the Police Academy which reaches approximately 1200 students per year. MHIT and the NSW Police Academy have partnered to integrate the MHEPPM into the ongoing curriculum of recruit training. This will ensure every student police officer continues to have quality mental health training.</p> <p>NSWPF will continue to roll out and increase mental health training as appropriate and will consider the results of any police assault research in future training programs.</p> <p>In addition to the extensive mental health training now provided to officers, the Police, Ambulance and Clinical Early Response (PACER) program offers significant benefit to police as it recognises Health as the experts in the mental health field and uses their experience to the benefit of police in dealing with those situations.</p> <p>PACER supports first responders by providing mental health experts to appropriately recognise, assess and respond to psychiatric incidents at the scene of an incident or callout. This has resulted in a reduction of emergency department presentations, police and ambulance time on scene and fewer police transports to hospital.</p>
10	That the NSW Police Force and NSW Health review the effectiveness of the memorandum of understanding , with attention given to clarifying the lead agency.	<p>Supported.</p> <p>A review of the 2018 Memorandum of Understanding had already been set down for April 2021 by Police and Health and is in progress. The Committee's view that Health should take a lead role in providing resources and support when responding to mental health incidents is noted and is being addressed in the review.</p>
11	That the NSW Police Force evaluate current training in communication skills and de-escalation strategies to assess whether	<p>Supported.</p>

	<p>improvements are required to deliver best practice training.</p>	<p>Mandatory training is reviewed annually for operational relevance, to address emerging risks and ensure best practice. De-escalation and communication skills are threaded through training activities with various delivery methods to reinforce learning;</p> <ul style="list-style-type: none"> - Face to face theory-based training, such as PowerPoint based presentations or discussion exercises - Isolation tests, which are short mini-scenarios designed primarily to address a specific skill - Reality based training, involving “full” scenarios, where participants are provided with the full range of tactical options normally available to them, and with an environment specifically designed to facilitate the training. <p>A Mental Health STOPAR (Stop, Think, Observe, Plan, Access, Review) Micro-learn De-escalation Package has been created by Education and Training Command, in consultation with MHIT and is being delivered as a mandatory training package for all police in 2021.</p> <p>In addition, the Guardian v Warrior concept is a series of training packages targeting four Corporate Sponsor areas (Mental Health – de-escalation and suicide prevention, Vulnerable Communities – cognitive impairment, Aboriginal Communities – criminal justice over representation and Youth – crime prevention). Training was trialled in 2019 and the delivery of this training across the NSWPF is part of the 2021/22 Mental Health Action Plan.</p> <p>In addition, as outlined in the response to Recommendation 8, Students at the NSW Police Academy are taught a vast number of defensive techniques and communication skills in order to prepare and protect themselves from violent assaults/attacks.</p>
12	<p>That the NSW Police Force be provided with resources to fund additional School Liaison Police Officers and Youth Liaison Officers.</p>	<p>Noted.</p>
13	<p>That the NSW Government allocate additional funding to support building respectful relationships between police, children and young people, particularly targeted at primary school aged children.</p>	<p>Noted.</p>

14	That the NSW Police Force be provided with additional resources to support officer attendance at PCYC activities.	Noted.
15	That the NSW Police Force review current Aboriginal and Torres Strait Islander cultural awareness training to ensure best practice training is being provided.	<p>Supported.</p> <p>NSWPF delivers Aboriginal Cultural Awareness training programs taught by Aboriginal and Torres Strait Islander people to sworn and unsworn employees on a regular basis to enhance communication with and understanding between police and Aboriginal people. The NSWPF Aboriginal Coordination Team work on a framework of continuous improvement. There is a constant process of review of training, with a flexibility of approach and better systems for capturing information. This starts with 2 levels of mandatory training provided every 8 weeks at the Goulburn Police Academy to student police officers. To respond to COVID-19 and keep people safe, these trainings were made available on multiple platforms, in person, via videoconference and video recording. An entirely new way of training has been initiated and ensures those needing extra support or extra time to learn training materials can replay and revise their trainings. The mandatory on-line Working with Aboriginal Communities Training was revised in 2020 and available to all NSW Police Staff. As well as general Cultural Awareness training programs, bespoke training is being made available to cover gaps in the organisation where more knowledge and awareness in particular subject matter or community geographical areas is needed.</p> <p>The Committee noted the proposals from the Aboriginal Legal Service for cultural awareness training that included specific information for the community in which the police officers were working, including language training, local historical context and descriptions of different groups, and also how to demonstrate to the community that this training is being done. These suggestions are supported and have been part of the ACLO program. Aboriginal Community Liaison Officers are chosen for their particular cultural knowledge. Police Area Commands and Police Districts recruit for ACLOs based on their knowledge of the local area and community, local language and historical knowledge. Part of their role is to provide an induction to new Police staff who come into the Command by taking them out on Country and educating them about relevant Aboriginal history, people and nations, as well as protocols. The Aboriginal Strategic Direction 2018-2023 provides the NSWPF with the outcomes to be delivered in partnership with Aboriginal Communities. Commands report through NSWPF COMPASS system which contains updated localised documents and performance measures.</p>