



Committee on Law and Safety

Report 1/57 – November 2020

Assaults on members of the NSW Police Force



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The motto of the coat of arms for the state of New South Wales is “Orta recens quam pura nites”. It is written in Latin and means “newly risen, how brightly you shine”.

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Chair's foreword

As Chair of the Legislative Assembly Committee on Law and Safety, I extend my thanks to those who contributed to this inquiry into assaults on members of the NSW Police Force.

I acknowledge every member of the NSW Police Force for their role in protecting our communities, and convey our gratitude for the work they do, and the risk they take every day while carrying out those duties.

The aim of this inquiry was to hear evidence from a range of stakeholders about assaults on police officers and, from that evidence, make recommendations to the NSW Government. That evidence informs the recommendations and findings set-out in the report. The focus of the recommendations is to enhance support for officers through the minimisation of harm in a work environment that is often unpredictable.

It was pleasing to hear that measures already taken such as body-worn video have had a positive impact in assisting and protecting police officers in the course of their duties.

I thank my fellow Committee members for their valuable contributions to the inquiry process, and Committee staff for their hard work and professionalism.

A handwritten signature in black ink, appearing to read 'Wendy Tuckerman', with a long horizontal flourish extending to the right.

Wendy Tuckerman MP
Chair

Executive summary

On 24 June 2020 the Committee on Law and Safety received a letter from the Minister for Police and Emergency Services, the Hon David Elliott MP, requesting the Committee conduct an inquiry into assaults on members of the NSW Police Force. On 23 July 2020 we resolved to commence this inquiry per the request. The full terms of reference can be viewed at Appendix One.

At a similar time, the Attorney General, the Hon Mark Speakman SC MP, requested that the NSW Sentencing Council review sentencing for offences involving assaults on police officers and make recommendations for any reform considered appropriate.¹ In the terms of reference to this inquiry we note the NSW Sentencing Council review. As such, issues related to sentencing for offences involving assaults on police did not form part of this inquiry.

We wish to comment that any assault on a police officer is unacceptable. Assaults on police officers are not only an offence against that individual officer but are an offence against the community. Assaults on police officers impact both their physical and mental health and form the bulk of work, health and safety incidents reported by police. It's important that police get the support they need to perform their duties as safely as possible. Assaults on police remove resources from the community and demonstrate disregard for the justice system.

In this report we make 15 recommendations and 3 findings aimed at reducing the incidents of assault on police, supporting police resilience and minimising the harm they may experience while doing their job.

Chapter one explores the current incidence of assaults on police officers and the impact they have on officers, their families and the community.

We found that while current data suggests the trend in assaults on police officers is stable, the actual number of assaults may be underreported. More qualitative research and in-depth analysis is needed to better identify the extent of assaults and the contextual factors surrounding assaults.

The impact of assaults on the health and wellbeing of officers and their families is concerning. It is important that officers, and their families, receive support to help them recover as quickly as possible and we recommend that current assistance provided to police be reviewed.

Physical assaults on police are the main work health and safety incident reported by police. When officers need to take leave as a result of an assault, this places strain on the police workforce and the individual officers themselves. We recommend additional resources be provided to cover vacancies and that consideration be given to creating a reserve pool of officers to backfill temporary vacancies. We note the Army Reserve model as an example of a group of trained officers available when additional support is required.

During the inquiry it became apparent that further research is required to better understand the factors that lead to assaults on police. Such research should be conducted in consultation

¹ The NSW Sentencing Council will also review the sentencing for offences involving assaults on correctional staff, youth justice officers, emergency services workers and health workers.

with the NSW Bureau of Crime Statistics and Research and academics. This research can then help design strategies and solutions to prevent assaults.

A consistent issue raised through evidence was the correlation between individuals with a history of violence and those who assault police officers. In order to reduce this re-offending behaviour, and violence more broadly, we recommend the development of an offender education program targeted at offenders convicted of an assault police offence.

We also recommend consideration be given to the establishment of a violent offenders register for people identified as having a propensity for violence. To be removed from the register, a person would need to attend a program aimed at addressing violent behaviour or provide evidence of behaviour change.

Chapter two explores strategies to protect police officers mainly through the provision of adequate training and effective coordination.

Police officers are provided with training at the start of their careers and throughout their service. Despite regular training the nature of policing means that officers will be confronted with uncertain and difficult situations. We heard that new members of the police force can often face culture shock and may not be adequately prepared to face the situations they are presented with. We recommend that new recruits fulfil a period of service learning in the community where they are stationed before they commence active duties. New recruits should also be provided additional resilience training to prepare them for hostile or challenging situations.

Another issue raised during the inquiry was with the number of complex incidents involving people with mental health issues. Police as first responders are increasingly being called to attend incidents involving offenders with mental health. We heard that the nature of these incidents can be confrontational and escalate into assaults unnecessarily. Police officers receive training in mental health intervention however we consider this training should be increased.

We note the Memorandum of Understanding between the NSW Police Force and NSW Health sets out principles on how police and staff from NSW Health will work together when responding to people with mental illness. However, we have concerns about the effectiveness of the memorandum and recommend it be reviewed, with particular attention given to clarifying who is the lead agency for responding to mental health related incidents.

The use of body-worn video was also raised during the inquiry. From the evidence received we found that body-worn video is a positive tool in assisting police to protect officers and also improve trust and transparency in their interactions with the community.

Chapter three explores how community engagement strategies can assist in building positive relationships and interactions between the police and the community. Ultimately through better relationships and increased positive interactions, this will help to reduce assaults on police.

We emphasise the importance of positive engagement between the police, children and young people. The school environment provides a good opportunity for police to engage with children and young people across a number of age groups. We highlight the work of the School Liaison Police Officers and Youth Liaison Officers and recommend additional resources to

support their ongoing work and expansion of programs to include programs for primary school aged children.

We also highlight the need to support better relationship building within the youth sector as a whole. Additional resources to support community organisations working in this area is recommended.

We also acknowledge the work of the Police Citizens Youth Clubs NSW (PCYC) and, in particular, the involvement of police officers in the activities of the PCYC. We commend the commitment of officers to attend activities and recommend additional resources be provided to support increased participation of police officers across NSW.

We also consider strategies currently in place to improve relationships between police and Aboriginal and Torres Strait Islander people in the community. We emphasise the importance of these strategies and in particular recommend that all cultural awareness training be reviewed and evaluated in order to ensure best practice cultural training is being provided.

Findings and recommendations

Finding 1	1
The Committee finds that it is difficult to identify the true extent of assaults on police officers due to possible underreporting and the way in which assaults are recorded.	
Recommendation 1	3
That the NSW Police Force review the adequacy of the current assistance provided to police officers who have been assaulted.	
Recommendation 2	5
That the NSW Police Force be provided with additional resources to cover police officers on work health and safety leave as a result of an assault.	
Recommendation 3	5
That the NSW Police Force consider options to create a reserve pool of officers to backfill temporary vacancies.	
Recommendation 4	7
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.	
Recommendation 5	9
That Corrective Services NSW and Juvenile Justice develop an offender education program targeted at adult and juvenile offenders convicted of an assault police offence.	
Recommendation 6	9
That consideration be given to establishing a violent offender register for people identified as having a propensity for violence.	
Recommendation 7	12
That the NSW Police Force investigate a period of service learning for new recruits before commencing duties on patrol.	
Recommendation 8	12
That the NSW Police Force consider resilience training for new recruits to prepare them for hostile or challenging real life scenarios.	
Recommendation 9	14
That the NSW Police Force increase the current mental health training provided to police officers.	
Finding 2	14

The current Memorandum of Understanding between the NSW Police Force and NSW Health is an inadequate response to the ongoing reliance on police officers as first responders.

Recommendation 10 _____ 14

That the NSW Police Force and NSW Health review the effectiveness of the memorandum of understanding, with particular attention given to clarifying the lead agency.

Recommendation 11 _____ 17

That the NSW Police Force evaluate current training in communication skills and de-escalation strategies to assess whether improvements are required to deliver best practice training.

Finding 3 _____ 19

The use of body-worn video when police conduct their activities is a positive tool in assisting police with their duties as well as engendering trust between police and members of the community.

Recommendation 12 _____ 21

That the NSW Police Force be provided with resources to fund additional School Liaison Police Officers and Youth Liaison Officers.

Recommendation 13 _____ 23

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.

Recommendation 14 _____ 26

That the NSW Police Force be provided with additional resources to support officer attendance at PCYC activities.

Recommendation 15 _____ 28

That the NSW Police Force review current Aboriginal and Torres Strait Islander cultural awareness training to ensure best practice training is being provided.

Chapter One – Assaults on police officers

Incidence of assaults on police officers

Summary

Current reporting shows the trend in assaults against police officers to be stable, however, the actual number of assaults may be underreported. More in-depth data analysis may help to better identify the extent of assaults.

Finding 1

The Committee finds that it is difficult to identify the true extent of assaults on police officers due to possible underreporting and the way in which assaults are recorded.

- 1.1 There were 1600 assaults on police officers this year during the period January to September. In 2019 there were 2500 assaults. That figure equates to 200 assaults per month or six or seven assaults every day.²
- 1.2 While these figures are concerning we were told that the trend of assaults on police officers is stable. We were told that over the past ten years, the average number of assaults per year is 2436. The rate of assaults means that the NSW Bureau of Crime Statistics and Research (BOCSAR) classifies the trend as stable.³
- 1.3 The Police Association of NSW (PANSW) noted that a stable number of assaults could reflect a decreasing rate given a growing population and an increase in the number of police officers.⁴
- 1.4 Even though the rate of assault may be categorised as stable, we reiterate our view that any assault against a police officer is unacceptable. It's important to remember that behind each assault statistic is a person who has been injured, and the impact of that assault on them, their family, and fellow officers.
- 1.5 We heard there are some notable trends in the assault data, including:
 - an increase in assaults occasioning actual bodily harm
 - officers being assaulted in the course of attending incidences of domestic violence, or responding to people experiencing an episode of poor mental health can result in an officer being assaulted
 - a decrease of alcohol related assaults have reduced over time
 - males aged between 25 to 39 are the most common group assaulting police

² Ms Leanne McCusker, Assistant Commissioner, NSW Police Force, [Transcript of evidence](#), 25 September 2020, p 13

³ [Submission 13](#), Police Association of NSW, p 6

⁴ [Submission 13](#), Police Association of NSW, pp 2, 6

- no evidence of an increase in weapons used in assaults on police.⁵
- 1.6 While males aged 25 to 39 are more likely to offend, there has been an increase in the number of those in older age brackets who also assault police. However, assaults by younger males has not increased.⁶
- 1.7 Most assaults continue to happen in outdoor/public places such as roads, streets, and footpaths. The second most common place is in residential premises as the NSW Police Force focus on domestic violence.⁷
- 1.8 The *Crimes Act 1900* set out what constitutes an assault, and also specifically what constitutes an assault against the police. We heard that in lay terms, the police consider an assault to be:
- ...the application, or fear of application, of unlawful force from one person to another. The extent of the force will vary from incident as will the extent of the injuries.⁸
- 1.9 It was suggested to us that an accurate analysis of the number of assaults against police is extremely difficult to quantify and there could be underreporting. Police officers may be willing to accept an increased level of violence before charging an offender with the offence of assault police. Instead, offenders who assault police may be charged with lesser offences, such as resist and hinder officers or intimidate police. The use of these charges could mean that the true number of assaults against police officers is not being accurately reported.⁹
- 1.10 When a police officer is assaulted, the details of the assault are recorded in the police Computerised Operational Policing System (COPS). If an officer is assaulted multiple times in the one encounter, then this is recorded and counted as one incident of assault. Details about the assault, are noted in the narrative of the record but not included in the statistical reporting. We were advised that for a number of punches to be recorded as multiple assaults, there has to be a large enough break in the continuity of the offence to make them separate incidents.¹⁰
- 1.11 NSW Police Force informed us that the figures they provided to the Committee about the number of physical assaults may not include figures about other assaults. This includes assaults where an officer is hit with an object or shot at, obstructing, hinder and resist, and other types of offences.¹¹
- 1.12 Though there has been a reduction in some types of assaults, such as those related to alcohol, there hasn't been a decline in overall assault numbers. As the

⁵ [Submission 13](#), Police Association of NSW, pp [8-13](#); Assistant Commissioner McCusker, [Transcript of evidence](#), 25 September 2020, pp [13](#), [14](#), [24](#)

⁶ [Submission 17](#), NSW Police Force, p [8](#); Mr Christopher Quiring, [Transcript of evidence](#), 21 September 2020, p [47](#); Assistant Commissioner McCusker, [Transcript of evidence](#), pp [14](#), [24](#)

⁷ [Submission 13](#), Police Association of NSW, p [9](#); [Submission 17](#), NSW Police Force, p [11](#); Assistant Commissioner McCusker, [Transcript of evidence](#), 25 September 2020, p [14](#)

⁸ [Answers to questions taken on notice](#), NSW Police Force, 8 October 2020, p [2](#)

⁹ Mr Quiring, [Transcript of evidence](#), pp [45](#), [46](#)

¹⁰ [Answers to questions taken on notice](#), NSW Police Force, p [2](#)

¹¹ [Answers to questions taken on notice](#), NSW Police Force, p [2](#)

number of assaults continue to remain stable, more analysis is needed to better understand how to reduce assaults on police .¹²

Impact of assaults on the health and wellbeing of police officers

Summary

Assaults on police officers impact both their physical and mental health, sometimes with long term effect. It's important that officers, and their families, receive the support they need to help them recover.

Recommendation 1

That the NSW Police Force review the adequacy of the current assistance provided to police officers who have been assaulted.

- 1.13 Physical assaults on police officers can result in injury that is painful and may require medical treatment. Time off work may be needed as part of their recovery. The type of injuries sustained include superficial abrasions, bruising, sprains, open wounds and fractures.¹³
- 1.14 Physical assaults can also cause psychological trauma due to the nature or ferocity of the incident and the fear it instils. While physical injuries may heal without an ongoing impact, psychological injuries can have a long term effect. The fear of being assaulted again can put a strain on the mental wellbeing of the assaulted police officer.¹⁴
- 1.15 It is also noted that in some cases, psychological injuries caused by assault may not show for some years after the incident or may be caused by a growing impact from several separate incidents.¹⁵
- 1.16 We heard that the NSW Police Force has programs and services in place at every local area command and in its corporate Human Resources to support officers. These include peer support officers, the Employee Assistance Program (EAP), and police chaplains. There are also programs in place to support injured police officers to return to work. This includes physical training officers to support injured officers with their recovery. Family support service coordinators are also available to help the families of police officers.¹⁶ The Committee did not assess the effectiveness of these programs.
- 1.17 One inquiry participant told us that the EAP is 'inadequate' and support may not be available at the time when it may be most needed after an incident.¹⁷

¹² [Submission 13](#), Police Association of NSW, pp [13-14](#), [17-18](#); Dr Kate Linklater, Research Officer, Police Association of NSW, [Transcript of evidence](#), 21 September 2020, p [2](#); Assistant Commissioner McCusker, [Transcript of evidence](#), p [23](#)

¹³ [Submission 17](#), NSW Police Force, p [6](#); Dr Linklater, [Transcript of evidence](#), pp [2](#), [7](#)

¹⁴ [Submission 13](#), Police Association of NSW, p [20](#); Dr Linklater, [Transcript of evidence](#), pp [2](#), [7](#)

¹⁵ [Answers to questions taken on notice](#), NSW Police Force, p [2](#)

¹⁶ Assistant Commissioner McCusker, [Transcript of evidence](#), pp [14](#), [22-23](#)

¹⁷ Mr Quiring, [Transcript of evidence](#), p [50](#)

- 1.18 Following an incident, the police officers involved may not have a formal debrief where they can discuss the incident. Instead we were told that officers themselves may arrange an informal debrief session at the end of their shift or when they are next on duty. These informal debriefs give officers the chance to review what happened during the incident, why it may have escalated and what could have been done differently, and what went well.¹⁸
- 1.19 When a police officer is injured there is a review process to look at the circumstances of the incident. We were told by one inquiry participant that this investigation can be cursory, with limited input from the officer involved in the incident. They were also critical about the level of mental health support available to officers suffering post-traumatic stress disorder (PTSD). Officers may be concerned that a PTSD diagnosis could harm their career.¹⁹
- 1.20 The risk of being exposed to an infectious disease when bitten or otherwise exposed to bodily fluids during an assault is a concern for police officers. At present, offenders are not tested. Instead an officer can undergo regular testing over several months to know if they have been exposed to diseases, such as hepatitis B or C. This can be a time of mental strain for both officers and their families. The PANSW told us they believe mandatory testing of offenders would help to reduce anxiety for the assaulted officer and their family.²⁰
- 1.21 This issue of mandatory testing has been considered by the previous Committee. In the report into *Violence against emergency services personnel*, the Committee recommended that the Government consider introducing such a testing scheme. The report acknowledged that mandatory testing raises complex health, legal and privacy issues, and that any scheme be based on current medical evidence.²¹ We reiterate those concerns in this report.
- 1.22 On 11 November 2020, the Government introduced the *Mandatory Disease Testing Bill 2020*. The bill proposes a mandatory testing scheme to protect frontline workers, including the police officers, where a person's bodily fluid has come into contact with a worker as a result of the person's deliberate action and the worker is at risk of contracting a blood-borne disease as a result. Penalties would apply to those who refuse to be tested.²²
- 1.23 Assaults on police also impact their families. The general wellbeing of a police officer's family can be impacted. We heard how officers may receive threats of violence not only against themselves but also their family. Mr Quiring told us that as an officer in a small community he is aware that when he is out with his family, he may see someone who could potentially harm him or his family. In such situations he leaves his family so that they are not put at risk.

¹⁸ Mr Quiring, [Transcript of evidence](#), p 50

¹⁹ Mr Quiring, [Transcript of evidence](#), pp 50, 51

²⁰ Mr Tony King, President, Police Association of NSW, [Transcript of evidence](#), 21 September 2020, p 8

²¹ Legislative Assembly Committee on Law and Safety, [Violence against emergency services personnel](#), report 1/56, Parliament of New South Wales, August 2017, pp 81-86

²² [Mandatory Testing Bill 2020 \(NSW\)](#)

- 1.24 Mr Quiring also told us that he is aware of police officers who have been confronted by offenders while out shopping with their children. Other officers have had offenders come to their home and threaten violence against them and their family. An officer's family may also be shunned, especially if living in a small community, if the officer had an negative encounter with a local resident.²³

More resources to support police

Summary

Temporary workforce vacancies created by police officers being on leave should be filled. This could reduce the pressure on injured officers to return to work earlier than they should. It could also avoid other officers having to take on the workload of their injured colleague. Improvements to managing workers' compensation claims could also speed up the return to work of injured police.

Recommendation 2

That the NSW Police Force be provided with additional resources to cover police officers on work health and safety leave as a result of an assault.

Recommendation 3

That the NSW Police Force consider options to create a reserve pool of officers to backfill temporary vacancies.

- 1.25 Physical assaults are the main work health and safety (WHS) incident reported by police officers. There were around 1400 reported WHS incidents caused by physical assault in each of the five years from 2016-17 to 2019-20. They accounted for 15 per cent of all WHS incidents.²⁴
- 1.26 In the same five years, injuries caused by physical assault cost the NSW Police Force \$36 million in workers compensation claims, and over 510 000 hours in time lost. These figures don't include other types of assault, such as officers being struck with an object or shot with a firearm.²⁵
- 1.27 We heard that when a police officer is on WHS leave due to a claim for workers compensation they are not replaced by another officer. This also happens when an officer is on maternity or sick leave. This means the colleagues of an injured officer take on the additional workload and shifts of that officer. Knowing this, injured officers may feel pressure to return to work earlier than they should to relieve the additional workload on their colleagues.²⁶ The Committee believes that this may affect the work culture.
- 1.28 Having a pool of police officers available to fill temporary vacancies caused by WHS or sick leave could help ensure staffing levels are maintained. We note that

²³ [Submission 6](#), Mr Christopher Quiring, p 1; Mr Quiring, [Transcript of evidence](#), p 51

²⁴ [Submission 17](#), NSW Police Force, p 26; Dr Linklater, [Transcript of evidence](#), p 2

²⁵ [Submission 17](#), NSW Police Force, pp 26, 29. The NSW Police Force advised that due to data matching issues, some figures provided in their submission, such as those for claims costs and time lost, could potentially be higher.

²⁶ Dr Linklater, [Transcript of evidence](#), p 3

other essential service workforces, such as teachers, have this option to fill temporary vacancies. We also note the Army Reserve model as an example of a group of trained officers available to assist when additional support is required.

- 1.29 The impact of not being able to replace staff who are on leave may have a greater, more disproportionate, impact in rural and regional communities. These areas can have a smaller number of officers in comparison to metropolitan areas.
- 1.30 The PANSW told us that strict conditions would be needed to create a pool of officers to fill temporary vacancies. These officers would have to be members of the NSW Police Force, who are fully trained and ready to work in a sworn capacity. There may also be issues in terms of how they should be treated in comparison to the broader police workforce.²⁷
- 1.31 Another solution from the PANSW is to have an extra 15 per cent resource loading for staffing. We were told that staffing in most commands is around 80 per cent. Giving certain police commands additional staff could help to fill temporary vacancies that arise. This could be especially helpful for regional areas. Newcastle was given as an example where additional staff could be based, and then sent to another regional area like Ballina to fill a temporary vacancy there.²⁸
- 1.32 Faster processing of workers compensation claims could also help get injured police officers back to work sooner. We were told that claims currently take too long to be resolved. More support for injured officers returning to work could also help get them back to work sooner.²⁹
- 1.33 We note the comments from the NSW Police Force that the workers compensation process is complex, and that timeframes for accepting or denying a claim, and accepting liability for a claim are set out in legislation.³⁰
- 1.34 We also note that the average cost per compensation claim has decreased in the past two financial years to \$10 100, down from \$12 000. The cost of claims caused by physical assault are mostly lower than the average costs of all claims.³¹

²⁷ Dr Linklater, [Transcript of evidence](#), p 3

²⁸ Mr King, [Transcript of evidence](#), pp 3-4

²⁹ Dr Linklater, [Transcript of evidence](#), p 4

³⁰ Assistant Commissioner McCusker, [Transcript of evidence](#), p 16

³¹ [Submission 17](#), NSW Police Force, p 28

More research to better understand why assaults on police occur

Summary

More research into the factors that lead to police officers being assaulted will help to understand why assaults happen, and their full impact on injured officers. Research can also help design strategies and solutions to prevent assaults.

Recommendation 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.

- 1.35 During our inquiry we heard there is a need for a better understanding of factors that can lead to assaults on police. Greater analysis of assault data and research could help to identify when and why assaults happen. This will lead to evidence based solutions to better protect police.³²
- 1.36 Currently there is a lack of research into the patterns and trends of assaults against police in NSW. It's a similar situation in the other states and territories. We heard that the majority of research on this issue comes from the United States of America. While extensive, this research can't be easily applied to the Australian context due to the different nature of our society and policing practices here.³³
- 1.37 Dr Kelly Hine explained that there are two main reasons why there is an absence of research. The first issue concerns a lack of funding to carry out the research. Second, getting access to police data can be difficult as the police have become more selective about who is allowed access to their data.³⁴
- 1.38 We also heard the subject of policing is still an emerging field of academic research. Research should expand as the number of academics in this field increases.³⁵
- 1.39 To provide an evidence based response, it's important to first collect data and allow experts in this field to analyse it. This can help understand the different types of incidents that police officers are involved in, and how they respond to them. Knowing more about the things that may have gone wrong is important but so is understanding the things that officers did well.³⁶

³² See [Transcript of evidence](#), 21 September 2020: Dr Linklater, pp [2](#), [5](#), [6](#); Dr Kelly Hine, Lecturer, Australian National University, pp [12](#), [19](#); Dr Alex Simpson, Senior Lecturer in Criminology, Department of Security Studies and Criminology, Macquarie University, p [15](#); Dr Ken Wooden, School of Social Sciences, Western Sydney University, p [19](#); Ms Samantha Lee, Solicitor, Police Accountability and Administrative Law, Redfern Legal Centre, p [37](#); Ms Sarah Crellin, Principal Solicitor, Criminal Law Practice, Aboriginal Legal Service, p [38](#); and [Transcript of evidence](#), 25 September 2020: Ms Penny Musgrave, Member, Criminal Law Committee, Law Society of NSW, p [2](#); Assistant Commissioner McCusker, pp [23](#), [24](#)

³³ [Submission 4](#), Dr Hine, pp [2](#), [7](#)

³⁴ Dr Hine, [Transcript of evidence](#), p [12](#); Dr Wooden, [Transcript of evidence](#), p [19](#)

³⁵ Dr Hine, [Transcript of evidence](#), p [12](#); Dr Wooden, [Transcript of evidence](#), p [19](#)

³⁶ Dr Hine, [Transcript of evidence](#), p [12](#)

- 1.40 The NSW Police Force recognises the need for more research. They see the value of better understanding factors such as individual behavioural issues, and broader socio-economic issues that can lead to assaults. Research could also help identify why the annual trend in the rate of assaults remains stable given the increase in population.³⁷
- 1.41 Police officers capture detailed information about assaults in the COPS reporting system, and in their injury management system. Some of this data is reported on by the NSW Police Force and BOSCAR. As previously mentioned, there is additional information about each assault included in the event narrative of these records. This information is not currently available to researchers for analysis.³⁸
- 1.42 Giving researchers access to all of this data could help in learning more about the nature of the assaults, and give a clearer understanding of the impact that assaults have on police officers. The influence that issues such as drugs, alcohol and mental illness have in incidents of assault could also be better understood. From this, evidence based solutions can be put in place to help reduce the rate of assault. More research could also identify if a multi-agency response may be more appropriate to some situations that police currently deal with on their own.³⁹
- 1.43 We heard about loss aversion theory as one way of considering why a person might resist arrest. The theory proposes that during an incident with police, a person may resist arrest because they fear losing something greater than being arrested. People in relationships may fear losing their spouse or partner due to being arrested. For others who may be carrying drugs, their fear of being caught with these might be greater than their fear of being arrested, so they also try to resist arrest.⁴⁰
- 1.44 Dr Hine's research into assaults against officers of the Queensland Police Service provided some insight into how police officers are injured. Her research showed a number of issues, including that most injuries happened during incidents that were already volatile, and where a person was being physically aggressive, such as during incidents of domestic violence.⁴¹
- 1.45 We also heard that Dr Hine's research showed that police officers in Queensland are less likely to be assaulted by a person with a mental illness. She speculated that this could be due to the way police are trained to deal with mental health related incidents under the Queensland system. She noted it was an issue that required more study.⁴²

³⁷ Assistant Commissioner McCusker, [Transcript of evidence](#), p 23

³⁸ Assistant Commissioner McCusker, [Transcript of evidence](#), p 18; [Answers to questions taken on notice](#), NSW Police Force, p 2

³⁹ Ms Lee, [Transcript of evidence](#), pp 34, 37; Ms Crellin, [Transcript of evidence](#), p 38; Ms Musgrave, [Transcript of evidence](#), pp 2, 3

⁴⁰ [Submission 4](#), Dr Kelly Hine, p 6; Dr Hine, [Transcript of evidence](#), p 11

⁴¹ [Submission 4](#), Dr Kelly Hine, p 4

⁴² Dr Hine, [Transcript of evidence](#), p 16

Access to programs for offenders

Summary

Offenders who assault police officers often have anti-authority attitudes that influence how they react to police officers. Programs to improve these attitudes, in both adult and juvenile offenders, may help promote more respectful behaviour, and reduce recidivism.

Recommendation 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.

Recommendation 6

That consideration be given to establishing a violent offender register for people identified as having a propensity for violence.

- 1.46 We heard there is a correlation between individuals who have previous convictions and those who assault police officers. The PANSW told us their analysis showed that between 60 to 67 per cent of those convicted for assault police between 1 January 2018 and 30 June 2019 had prior court appearances in the previous five years. These previous offences are not always assault police and there is a very small percentage of repeat offenders who only assault police.⁴³
- 1.47 Discussed throughout the inquiry was a propensity for violence that some offenders may have. One of the reasons that some people use violence, and continue to use violence, is that it has worked for them in the past. Ms Danielle Matsuo, Director, State-wide Programs, Corrective Service NSW commented:
- ... with violence, one of the reasons that someone who is violent continues to be violent is because once they have tried it and it actually works for them in terms of solving a problem or affecting an outcome that they want, then it reinforces that behaviour. Again, that is a purely psychological principle of negative and positive reinforcement. They will continue to do it. If you put it in that perspective, if someone who has generally antisocial or negative attitudes, who has used violence and it has worked for them, then they will continue to use it in any scenario where it is going to assist them to get the outcome that they want.⁴⁴
- 1.48 We heard that the core beliefs and attitudes of many violent offenders influence their reactions to a range of situations. These are formed at a young age and often involve a lack of respect for, and hostility towards, authority figures of all types, including police officers. We heard that addressing these core beliefs and attitudes could help prevent recidivism.⁴⁵

⁴³ [Submission 13](#), Police Association of NSW, p 19; Dr Linklater, [Transcript of evidence](#), p 2; Mr Quiring, [Transcript of evidence](#), p 49; Ms Danielle Matsuo, Director, State-wide Programs, Corrective Services NSW, [Transcript of evidence](#), 25 September 2020, p 32

⁴⁴ Ms Matsuo, [Transcript of evidence](#), p 30

⁴⁵ Ms Matsuo, [Transcript of evidence](#), p 30; Ms Musgrave, [Transcript of evidence](#), p 3

- 1.49 Early intervention strategies, such as programs within schools and the juvenile justice system, can be a good way to promote positive relationships. They can help shift anti-authority attitudes before they become entrenched. We heard that developing programs for young people to promote understanding and respect for authority figures could help prevent future negative interactions with police.⁴⁶
- 1.50 Corrective Services NSW told us that they run a variety of evidence-based programs to address violent and aggressive behaviours in adult offenders. Criteria for participating in the programs is set using a Risk, Needs and Responsibility model, which is based on international research into reducing reoffending. The programs don't address specific types of violence, such as assaulting police officers.⁴⁷
- 1.51 Programs like the Violent Offenders Therapeutic Program (VOTP) and the Explore, Question, Understand, Investigate, Practise and Succeed (EQUIPS) Aggression program target violent offenders at high risk of reoffending. The VOTP is an intensive program aimed at men who are serving a current non-parole period of at least two years. The EQUIPS program is a moderate intensity course for male and female offenders serving a custodial or a community-based sentence.⁴⁸
- 1.52 We heard there could be merit in having a specific component within the existing programs to address anti-authority behaviour, such as violence against police officers and other authority figures. Corrective Services NSW also noted that reducing rates of reoffending by 5 per cent by 2023 is one of the Premier's Priorities.⁴⁹
- 1.53 The criteria that assesses offenders as high risk means there are some lower risk offenders who are ineligible for these programs. It also means that those offenders who do not enter the adult justice system do not have access to similar programs.⁵⁰
- 1.54 We heard it could be useful to have a program similar to the Sober Driver Program. This program, run through Community Corrections and Managed Training Services, aims to change the attitudes and behaviours of repeat and high risk drink driver offenders. A similar program for offenders convicted of assault police offences could see these offenders referred to this type program to help reduce their risk of reoffending.⁵¹

⁴⁶ Ms Pam Smith, Branch Assistant Secretary, Independent Education Union of Australia, [Transcript of evidence](#), 25 September 2020, pp 9-11; Ms Marnie O'Brien, Executive Director, Health and Safety, NSW Department of Education, [Transcript of evidence](#), 25 September 2020, pp 26-27; Ms Matsuo, [Transcript of evidence](#), pp 30-31

⁴⁷ Ms Matsuo, [Transcript of evidence](#), pp 29-30

⁴⁸ Ms Matsuo, [Transcript of evidence](#), pp 29-30; NSW Government, Communities and Justice, [Compendium of Offender Behaviour Change Programs](#), May 2020, pp 56-58, 62-64, viewed 28 October 2020.

⁴⁹ Ms Matsuo, [Transcript of evidence](#), p 30

⁵⁰ Ms Matsuo, [Transcript of evidence](#), p 29

⁵¹ Dr Linklater, [Transcript of evidence](#), pp 2, 8; NSW Government, [Sober Driver Program](#), 20 June 2019, viewed 20 October 2020.

- 1.55 We also recommend that consideration be given to the establishment of a violent offenders register for people identified as having a propensity for violence. A condition of the register could include a suspension from visiting licensed premises or public gatherings for a period of time. To be removed from the register, a person would need to attend a program aimed at addressing violent behaviour or provide evidence of behaviour change.

Chapter Two – Training and coordination: strategies to protect police officers

Importance of gaining experience

Summary

Police officers are provided with training at the start of their careers and throughout their service. However, the nature of policing means that officers will be confronted with uncertain and difficult scenarios. New recruits often face culture shock and may not be adequately prepared to face these situations. More support is needed for new recruits during their training and once they start active duties.

Recommendation 7

That the NSW Police Force investigate a period of service learning for new recruits before commencing duties on patrol.

Recommendation 8

That the NSW Police Force consider resilience training for new recruits to prepare them for hostile or challenging real life scenarios.

- 2.1 Training for police officers begins from the onset of their career at the NSW Police Force Academy and continues throughout their service. From their initial training as part of their studies, new recruits are prepared to face challenges in their career as a police officer.⁵²
- 2.2 A significant part of their training is to develop qualities that are highly valued by NSW Police Force. NSW Police Recruitment highlight how the courses develop communication and interpersonal skills, decision-making and problem solving skills and personal resilience.⁵³ This is reflected by the evidence we heard from NSW Police Force.
- 2.3 Assistant Commissioner McCusker told us that the training for the NSW Police Force is significant and robust.⁵⁴ The training includes tactical operations, defensive tactics, firearms, de-escalation training⁵⁵ including weaponless control as well as mental health training, Aboriginal and Torres Strait Islander and cultural awareness training.⁵⁶

⁵² NSW Police Force, [NSW Police Recruitment](#), viewed on 14 October 2020.

⁵³ "The Modules were designed by the NSW Police Force and provide enrolled students with common foundational learning linked to qualities we highly value: communication and interpersonal skills, decision-making and problem-solving, engagement, leadership and teamwork, personal resilience, professionalism, and self-reflection." See: NSW Police Force, [NSW Police Recruitment](#), viewed on 14 October 2020.

⁵⁴ Ms Leanne McCusker, Assistant Commissioner, NSW Police Force, [Transcript of Evidence](#), 25 September 2020, p [13](#)

⁵⁵ Known as STOPAR, which refers to stop, think, observe, plan, act and review.

⁵⁶ Assistant Commissioner McCusker, [Transcript of Evidence](#), p [13](#)

- 2.4 Police officers are also trained in assessing situational awareness to respond quickly to potentially high risk situations. Their training at the NSW Police Force Academy includes both theoretical and practical training. We were told that:
- they [new recruits] actually will go out to a police station and they will work with our senior police out at a police station. That is some field-based training that they do receive. That really reinforces to that recruit as to what the nature of policing is going to be and they can get some very visual and hands-on experience from those senior police officers as well.⁵⁷
- 2.5 NSW Police Force provides annual and mandatory training to ensure police officers continue to have up to date operational skills and safety knowledge.⁵⁸ NSW Police Force mandatory training is determined by the NSW Police Force Commissioner's executive team, responses from new or updated legislation and NSW Law Enforcement Conduct Commission findings.
- 2.6 Despite training to prepare police officers for the different scenarios they may face, the nature of policing means officers will be confronted with uncertain and difficult situations involving hostility, disrespect and sometimes violence. We heard that this can be particularly challenging for younger, inexperienced recruits.⁵⁹
- 2.7 We understand that new recruits are given significant training in the two years they are at the academy.⁶⁰ However we were told that the police academy is also an insulated world and it is difficult to simulate real world experiences in that environment. Mr Quiring told us about the difference between his experience at the NSW Police Force Academy and in real life as a current police officer:
- if you are training in a situation ... it is still a police officer ... the scenario is still played out in a certain way. The reality is that, especially with people with mental health issues, or people who are facing issues with drugs and alcohol, until you interact with those people when they are at their worst, it is very hard to teach those sorts of skills.⁶¹
- 2.8 The challenge with new recruits is to apply their training to real world scenarios once they are out of the academy. Whilst experienced police officers still face challenges in dealing with hostile or high risk scenarios, inquiry participants told us that new police officers 'suffer real shock when they go to some communities' as they are 'inadequately prepared to handle social problems'.⁶²

⁵⁷ Assistant Commissioner McCusker, [Transcript of Evidence](#), p 19

⁵⁸ Assistant Commissioner McCusker, [Transcript of Evidence](#), p 13

⁵⁹ Mr Vince Hurley, Associate Lecturer, Department of Security Studies, Macquarie University, [Transcript of Evidence](#), pp 17-18, 21 September 2020; Dr Ken Wooden, School of Social Sciences, Western Sydney University, [Transcript of Evidence](#), 21 September 2020, p 18; Mr Christopher Quiring, [Transcript of Evidence](#), 21 September 2020, p 48

⁶⁰ Associate Degree in Policing Practice (ADPP) at Charles Sturt University: the first year in the ADPP will include a field observation placement, then after the second year will the officer will be employed as a probationary constable and lastly, if the recruit is successful, they will be as a constable. See: NSW Police Force, [University Certificate in Workforce Essentials, NSW Police Force Recruitment](#), viewed on 14 October 2020.

⁶¹ Mr Quiring, [Transcript of Evidence](#), p 48

⁶² Dr Wooden, [Transcript of Evidence](#), p 16

- 2.9 More support is needed for new recruits during their training and once they start active duties. One suggestion is for recruits to spend a period of time working directly with community groups in their patrol before they start active duties and not just as observers.
- 2.10 This is called 'service learning'. Dr Wooden from the School of Social Science at Western Sydney University told us that service learning would be beneficial for new recruits as it would include working with community groups before they commence their duties at the patrol.
- 2.11 This short period of service learning should be within their chosen patrol which gives them an opportunity to spend time and interact with the community they will be policing, including engagement with culturally diverse communities. This may provide them with a better understanding of the challenges of that patrol, building their resilience and improving responses to high risk scenarios.
- 2.12 NSW Police Force does provide field based training to recruits while they are still at the academy. Upon graduation, new police officers are also assigned a buddy for the first three months of their policing careers.⁶³ While this does provide some level of support for new recruits, we consider there is merit in investigating new recruits fulfilling a form of service learning within the community.

Police as responders to mental health situations

Summary

NSW Police Force are often called to complex situations involving mental health. Data suggest assaults on police where there was a mental health intervention have increased. Police officers are trained to address mental health intervention, including collaboration with NSW Health through the Memorandum of Understanding 2018.

Recommendation 9

That the NSW Police Force increase the current mental health training provided to police officers.

Finding 2

The current Memorandum of Understanding between the NSW Police Force and NSW Health is an inadequate response to the ongoing reliance on police officers as first responders.

Recommendation 10

That the NSW Police Force and NSW Health review the effectiveness of the memorandum of understanding, with particular attention given to clarifying the lead agency.

- 2.13 NSW Police Force are often called to complex situations involving people with mental health issues. In 2019, the NSW Police Force responded to 54 571 mental

⁶³ Assistant Commissioner McCusker, [Transcript of evidence](#), p 20

health related incidents.⁶⁴ The nature of these situations can lead to confrontation and possible assaults on police officers. According to NSW Police Force data, 12 per cent of assault officer incidents involved a mental illness associated factor or a *Mental Health Act 2007*⁶⁵ incident between 1 January 2015 and 31 December 2019.⁶⁶

- 2.14 Data suggest assaults where there was a mental health intervention have increased. Situations can escalate when police officers are arresting or restraining offenders. Although there was a slight decrease in physical assaults against police while officers were arresting or restraining offenders during a mental health intervention from 2018 to 2019; the numbers have increased by 27 per cent from 2015 to 2019.⁶⁷ In 2019, ten per cent of finalised charges for an assault police offence were dismissed by the lower courts due to mental illness/health.⁶⁸
- 2.15 NSW Police Force told us that they have significant training to address mental health intervention. Since 2014, all police officers have one-day of mental health training and a significant number of staff received an additional four day training. The training aims to ensure that officers can identify when a person is suffering from a mental illness and apply the appropriate de-escalation techniques to protect individuals and others in the community.⁶⁹
- 2.16 NSW Police Force collaborates with NSW Health to address police officers responding to mental health situations. NSW Police Force told us that training techniques are designed in collaboration with NSW Health and that senior clinicians are a part of developing that training.⁷⁰
- 2.17 One of the key measures to address the issue of mental health and first responders is through the NSW Health – NSW Police Force Memorandum of Understanding 2018 (MoU). The MoU sets out the principles to guide how staff from NSW Health and NSW Police Force will work together when responding to and delivering care and treatment to people with mental illness or disorder, as well as patients in police custody who are brought to a health facility. It provides a framework that focusses on interagency cooperation to deliver care to patients in a safe environment.⁷¹
- 2.18 NSW Police Force emphasised the importance of the MoU and their collaborative response to mental health incidents with NSW Health and NSW Ambulance. They told us that in most instances where a person with an acute mental illness requires intervention, police officers will attend along with NSW Ambulance. The

⁶⁴ NSW Police Force, [Corporate Sponsor's Message](#), viewed on 15 October 2020.

⁶⁵ [Mental Health Act 2007](#), sections 20-22. Sections 20-22 of the Mental Health Act outlines the role of ambulance officers and police officers when they can take a person who appears to be mentally ill or disturbed to be declared to a mental health facility.

⁶⁶ [Submission 17](#), NSW Police Force, p 22

⁶⁷ From 2018 to 2019, the incidents of physical assaults against police while officers were arresting or restraining offenders during a mental health intervention was 74 to 73. [Submission 17](#), NSW Police Force, p 6

⁶⁸ [Response to questions from the Committee](#), NSW Bureau of Crime Statistics and Research, 9 September 2020, p 57

⁶⁹ Assistant Commissioner McCusker, [Transcript of evidence](#), p 22

⁷⁰ Assistant Commissioner McCusker, [Transcript of evidence](#), p 22

⁷¹ NSW Health, [Mental Health Branch](#), 10 April 2018, viewed on 15 October 2020.

MoU clarifies the responsibilities and roles between the different agencies in responding to these situations and ensuring the safety of individuals.

- 2.19 However, the current MoU between NSW Police Force and NSW Health may be inadequate. Inquiry participants told us that in most situations there is a level of unpredictability, when attending as a first response despite the level of training or protocol outlined in the MoU. We heard that this is an accepted part of policing, which can put police officers in high risk situations.⁷²
- 2.20 Many stakeholders also told us that NSW Police Force should not be the first responders in these situations, however they are the ones that attend. A contributing factor is due to the lack of resources in the mental health area which means that NSW Police Force is the only resource available to attend a situation.⁷³
- 2.21 There is an 'over-reliance' on police responding to mental health related incidents which can cause distress and increase the risk of injury for both police officers and individuals.⁷⁴ Mr Tony King, President of the Police Association of NSW, told us that:
- [with the MoU] NSW Ambulance should be one of the responding [to mental health intervention] because it is more a medical issue rather than a police issue. But with the lack of resources in the ambulance service, ... the lack of facilities, especially in regional areas, to actually treat and detain these patients when they are having an episode, and then it falls to police. ... In the space of mental health it is the police that are the last port of call. We are the ones that are having to do the work of other agencies as such in that space.⁷⁵
- 2.22 Increased police training on mental health should be considered. Inquiry participants told us that police officers are more likely to be injured when engaging in incident responses in which they enter a situation with little information about the risk they face. Situations for which police received specialised training (in particular mental health intervention) resulted in a lesser risk profile, due to the officers' preparedness for the specific situation.⁷⁶
- 2.23 While police officers have had some training for these situations they also need support from other agencies. We heard that the Government will expand the Police, Ambulance and Clinical Early Response program which means that some Local Area Commands have trained mental health nurses at stations and accompany police officers to psychiatric emergencies.⁷⁷ We welcome the expansion of this program in metropolitan areas however regional communities

⁷² Mr Hurley, [Transcript of Evidence](#), p 13

⁷³ See [Transcript of Evidence](#), 21 September 2020: Ms Lee, p 35; Mr Tim Leach, Executive Director, Community Legal Centres NSW, p 41; Dr Simpson, p 15; Mr Quiring, p 49; [Submission 21](#), Public Interest Advocacy Centre, p 6

⁷⁴ [Submission 21](#), Public Interest Advocacy Centre, p 11

⁷⁵ Mr Tony King, President, Police Association of NSW, [Transcript of evidence](#), 21 September 2020, p 7

⁷⁶ [Submission 13](#), Police Association of NSW, p 23

⁷⁷ NSW Police Force, [Corporate Sponsor's Message](#), viewed on 15 October 2020.

would also benefit with such initiatives. We look forward to its evaluation with a view to rolling it out more broadly.⁷⁸

- 2.24 These issues were raised in the 2016 report of a previous iteration of this Committee. A number of recommendations in the report highlight the importance of ongoing monitoring of procedures and protocols in the MoU as well as reviewing options to enhance collaboration between the NSW Health, NSW Police Force and NSW Ambulance to the needs of mental health patients.
- 2.25 The Government responded to these recommendations, and we heard that NSW Police Force is committed in continuing to uphold the principles of the MoU. However, we found that the application of the MoU appears to be inadequate in addressing police responding to mental health situations, which puts police officers and individuals at risk.
- 2.26 We recommend that the NSW Police Force and NSW Health review the effectiveness of the MoU, with particular attention given to clarifying the lead agency for responding to mental health situations. It is our view that NSW Health should take a lead role in providing resources and support when responding to mental health related incidents.

Enhanced training in communication skills and de-escalation strategies

Summary

Communication skills and de-escalation strategies are crucial skills that can prevent assaults on police officers. A key part of NSW Police Force training, both at the academy and annually for all officers, is communication skills and de-escalation strategies. Inquiry participants support training in communication skills and de-escalation strategies, however training could be increased and improved.

Recommendation 11

That the NSW Police Force evaluate current training in communication skills and de-escalation strategies to assess whether improvements are required to deliver best practice training.

- 2.27 Communication skills and de-escalation strategies are crucial skills for police officers when responding to situations. Policing is a difficult profession as there are expectations on police officers to be many things, especially as the 'problem solvers' to a diverse range of issues in the community.⁷⁹
- 2.28 This expectation of police officers comes from not just the public, but also from other services. Mr Quiring told us about his experiences both working as a metropolitan police officer and in a rural community. He told us that:

In policing we have a common saying, "Whenever it is too difficult for anyone else to handle, they ring us." That is across health through mental health, drug and alcohol,

⁷⁸ NSW Health, [Groundbreaking first responder and mental health collaboration boosted by \\$6 million investment, media release](#), 10 August 2020, viewed on 17 November 2020.

⁷⁹ Police Association of NSW, [Transcript of evidence](#), p 7

family and community services. We sort of become a backstop for everyone. Yes, we do provide a 24-hour response. [Police] certainly a lot of hats ... especially in small communities, there is no one else who can do it. We can't throw our hands up and say, "That's too hard." I have never come across a police officer who would. At the end of the day we get the job done.⁸⁰

- 2.29 Communication is a clear focus for NSW Police Force.⁸¹ A key part of NSW Police Force training is to run de-escalation training called STOPAR, which refers to stop, think, observe, plan, act and review. This de-escalation strategy trains police officers in situational awareness and provides the skills needed to apply the relevant communication techniques in a specific scenario, including mental health intervention. This training starts at the NSW Police Force academy and then is ongoing annually for all officers.⁸²
- 2.30 Managing clear communication links between local area commands also plays an important role in protecting police officers. The Communications and Security Command (VKG) operates police communication and supports frontline officers through personnel and business technology systems, such as radio.⁸³ NSW Police Force told us that the officers who work in the VKG are extensively trained to gather information on calls coming through and to ensure that the officers responding to those locations have as much information to protect themselves and the community.
- 2.31 Communication skills and de-escalation strategies can help prevent assaults on police officers. We were told that in situations where suspects were noticeably prepared and willing to use high degrees of force (for example clearly acting aggressively, or possessing a weapon), officers usually chose options of lesser force, because if the situation escalated into physical violence, this would expose them to risk of serious harm, so they instead managed the situation through de-escalation techniques.⁸⁴
- 2.32 In regional and rural areas, communication and de-escalation strategies are crucial for police officers. We were told that single police units in rural communities may not have back up within 70 km or more. The ability to 'talk to people, de-escalate the situation and assess the situation is very important if something goes wrong'.⁸⁵
- 2.33 Stakeholders support training in communication skills and de-escalation strategies. Inquiry participants acknowledge that although the current police training is very good, it is a more generalised system of training and not 'what it used to be'.⁸⁶ Current training can be improved to prevent assaults on police.

⁸⁰ Mr Quiring, [Transcript of Evidence](#), p 49

⁸¹ NSW Police Force, [Transcript of Evidence](#), p 20

⁸² Police Association of NSW, [Transcript of evidence](#), p 9

⁸³ NSW Police Force, [Communications and Security Command](#), viewed on 14 October 2020.

⁸⁴ [Submission 13](#), Police Association of NSW, p 23

⁸⁵ Mr Quiring, [Transcript of Evidence](#), p 46

⁸⁶ Dr Wooden, [Transcript of Evidence](#), p 17

- 2.34 The Police Association of NSW told us that they would welcome any further education for police officers. They added that the following strategies are potentially successful in reducing police officer injuries as a result of assaults:
- improvement of the information available about a situation prior to an officer's intervention;
 - participation in training exercises that prepare officers for these particular circumstances;
 - enhancing the ability to identify risk of physical assault in a variety of circumstances; and
 - having all available options to select the safest method of resolution, including de-escalation techniques where possible.⁸⁷
- 2.35 We support stakeholder calls for more training and reviewing current strategies. It is for this reason we are recommending that the NSW Police Force evaluate current training in communication skills and de-escalation strategies to continue to provide best practice training in communication and de-escalation skills.

Body-worn video

Summary

Body-worn video cameras are used to support police officers in a variety of operational activities. Stakeholders acknowledge that body-worn video is a good tool to protect officers and are generally supportive of its use. It provides evidence of the range of situations and behaviour that officers face, including assaults on police as well as their interactions with the community.

Finding 3

The use of body-worn video when police conduct their activities is a positive tool in assisting police with their duties as well as engendering trust between police and members of the community.

- 2.36 Body-worn video (BWV) cameras support operational policing activities. They are used where police officers believe it is appropriate to record the events taking place or the environment they are operating in. BWV support police investigations by recording visual and audio evidence of an incident or crime. The Surveillance Devices Act 2007 allows police to use BWV in a broad range of situations. Officers can record in public places, in private dwellings and premises, for example businesses, and in vehicles where they are lawfully entitled to be.⁸⁸ The use of BWV is not, however, mandatory.
- 2.37 Many stakeholders told us that BWV is a good tool to protect police officers. It provides evidence of the range of situations and behaviour that officers face,

⁸⁷ [Submission 13](#), Police Association of NSW, p 22

⁸⁸ NSW Police Force, Education and Training Command, [Body-Worn Video Camera - Standard Operating Procedure](#), p 4, viewed on 19 October 2020.

including assaults on police. The Police Association of NSW told us that BWV shows 'real evidence' and the 'degree of assaults on police'.⁸⁹

- 2.38 Evidence or footage from BWV can be used as a learning tool as part of ongoing NSW Police Force training. We heard from Dr Kelly Hine, Lecturer from the Australian National University, that BWV can be useful to review which policing techniques work especially in situations that involve assaults of police officers.⁹⁰ The use of BWV can therefore inform police training in communication and de-escalation strategies.
- 2.39 BWV can also improve NSW Police Force interactions with the community and build trust. Ms Samantha Lee, Solicitor from the Police Accountability Practice at Redfern Legal Centre told us that BWV can help inform what is impacting on assaults against police and also the need for systemic changes in regard to any form of violence in the community.⁹¹ Redfern Legal Centre calls for the mandatory use of BWV whenever police officers stop someone under section 21 of the *Law Enforcement Powers and Responsibilities Act 2002*.⁹²
- 2.40 Mr Quiring also told us that, from a policing perspective, BWV can be used as a means to review police interactions with the public, in particular when complaints are made about NSW Police Force.⁹³
- 2.41 Although the impacts of BWV are not yet fully known, there are initial evaluations that show indicative trends of de-escalation of the levels of aggression and assault by members of the public on police officers.⁹⁴ We support any further evaluation of the use of BWV and how it can protect and reduce assaults of police officers and related injuries.

⁸⁹ Police Association of NSW, [Transcript of evidence](#), p 6

⁹⁰ Dr Hine, [Transcript of evidence](#), p 12

⁹¹ Redfern Legal Centre, [Transcript of Evidence](#), p 34

⁹² [Submission 16](#), Redfern Legal Centre, p 8

⁹³ Mr Quiring, [Transcript of Evidence](#), p 49

⁹⁴ [Submission 13](#), Police Association of NSW, p 22

Chapter Three – Community engagement

Maintaining and building respect with children and young people

Engagement with schools

Summary

The NSW Police Force engages with school children and young people through the work of School Liaison Police Officers and Youth Liaison Officers. There are a limited number of these Officers to support schools across New South Wales. To support the continued engagement with schools, and the expansion of programs to primary school children, funding for additional Officers is recommended.

Recommendation 12

That the NSW Police Force be provided with resources to fund additional School Liaison Police Officers and Youth Liaison Officers.

- 3.1 The NSW Police Force currently employs 43 School Liaison Police (SLP) Officers and 78 Youth Liaison Officers (YLO).⁹⁵
- 3.2 SLP Officers are attached to the Youth and Crime Prevention Command and their role is to engage with high schools and central schools across NSW. They are responsible for liaising with high schools and developing and presenting programs in conjunction with teaching staff.⁹⁶
- 3.3 SLP Officers deliver presentations on a range of issues at the request of secondary schools. These are educational presentations on areas including Cyber Crime and Cyber Safety, Drugs and Alcohol, Domestic Violence, Risk taking behaviour, Property Damage, and Harassment and Assault.⁹⁷ The most commonly requested presentation is Cyber Crime and Cyber Safety.⁹⁸
- 3.4 There are also targeted programs available for when a young person may require specific intervention or where there are emerging issues within a school or community that require support.⁹⁹
- 3.5 Engagement with primary schools is primarily done by YLO's. YLO's are attached to individual commands and they have particular responsibilities in relation to children and young people. For their individual commands they are responsible for ensuring that police officers are trained in the options available under the

⁹⁵ [Submission 17](#), NSW Police Force, p [23](#)

⁹⁶ [Answers to questions taken on notice](#), NSW Police Force, 8 October 2020, p [1](#); [Submission 17](#), NSW Police Force, p [23](#)

⁹⁷ [Answers to questions taken on notice](#), NSW Police Force, p [1](#); Ms O'Brien, Executive Director, Health and Safety, NSW Department of Education, [Transcript of evidence](#), 25 September 2020, p [25](#)

⁹⁸ [Answers to questions taken on notice](#), NSW Police Force, p [1](#)

⁹⁹ Ms O'Brien, [Transcript of evidence](#), p [25](#)

Young Offenders Act 1997 to divert children aged 10-17 years from the juvenile justice system.¹⁰⁰

- 3.6 The YLO's are often seen as the 'friendly face' of police to young children. Their presentations to primary schools focus on safety issues such as 'stranger danger', bicycle safety and internet safety.¹⁰¹
- 3.7 Many stakeholders indicated that engagement with children and young people should happen at an early age. We support this approach particularly through increased engagement with primary schools.¹⁰²
- 3.8 We heard that the Youth and Crime Prevention Command and the NSW Department of Education are working on a Year 6 transition program. This program is for primary school children in their final term and addresses issues such as:
- who police are and what they do;
 - violence, drugs and alcohol; and
 - Rail Safety and Transport Officers.¹⁰³
- 3.9 The program aims to target primary school children in order to support the formation of positive relationships between police officers and young people at an early age. The program will be piloted in two Sydney metropolitan areas in Term 4 of 2020. Ms Marnie O'Brien, Executive Director, Health and Safety, Department of Education highlighted:
- We could use those relationships that are formed in the later years of primary school as a foundation for us to be able to provide support from local police in relation to years seven and eight as a bit of a prevention and support program moving forward.¹⁰⁴
- 3.10 We heard there is a strong commitment from schools to work with the NSW Police Force to 'leverage off the programs, support and relationships on offer.' While it is not mandatory for schools to engage with the NSW Police Force, experience has shown there is no resistance to taking up the opportunities on offer.¹⁰⁵
- 3.11 The NSW Police Force indicated that SLP Officers are required to contact NSW Department of Education schools within their area at least once a year. SLP Officers also attempt to engage with schools not covered by the NSW

¹⁰⁰ [Answers to questions taken on notice](#), NSW Police Force, p [1](#)

¹⁰¹ [Answers to questions taken on notice](#), NSW Police Force, p [1](#)

¹⁰² Mr Russell Schokman, Policy Advisor, Independent Education Union of Australia, [Transcript of evidence](#), 25 September 2020, p [8](#); Mr Dominic Teakle, Chief Executive Officer, Police Citizens Youth Club, [Transcript of evidence](#), 21 September 2020, p [22](#)

¹⁰³ [Answers to questions taken on notice](#), NSW Police Force, p [2](#); Ms O'Brien, [Transcript of evidence](#), p [26](#)

¹⁰⁴ Ms O'Brien, [Transcript of evidence](#), p [26](#)

¹⁰⁵ Ms O'Brien, [Transcript of evidence](#), p [27](#)

Department of Education. We were informed that SLP Officers are proactive in attending high schools in their areas on almost a daily basis.¹⁰⁶

- 3.12 Ms O'Brien highlighted that the current SLP Officers work across over 3000 schools in New South Wales so there is a need to prioritise what those officers do and in which schools.
- 3.13 We acknowledge the work of the NSW Police Force and the NSW Department of Education in supporting and building relationships between police and children and young people. Engaging with children and young people at an early age within schools is a positive strategy and one which we support.
- 3.14 We are particularly encouraged by the program being developed for Year 6 students and support its availability across New South Wales.
- 3.15 In order for the current engagement with high schools to continue, and to support the expansion of engagement with primary schools, we recommend further funding to support additional SLP Officers and YLO's.

Further support for relationship building

Summary

It is important for positive interactions between police officers and young people to occur at a young age. Programs aimed at children and young people help to build positive relationships and promote mutual understanding and respect. Additional funding to support organisations working with children and young people is recommended.

Recommendation 13

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.

- 3.16 A key theme throughout the inquiry was the importance of positive interactions between police officers and children and young people. As highlighted above in the context of school programs, stakeholders also indicated the importance of these positive interactions occurring at an early age.¹⁰⁷
- 3.17 We heard that for children and young people the quality of relationships they have with adults is very important. If children and young people feel a positive connection then that can be an 'incredibly powerful relationship for a young person to have.'¹⁰⁸
- 3.18 Mr Dominic Teakle, Chief Executive Officer, Police Citizens Youth Clubs NSW (PCYC), also commented on the benefits of providing opportunities for police to work alongside children and young people. Engagement with police officers provides young people the chance to see that police are not there to just 'lock

¹⁰⁶ [Answers to questions taken on notice](#), NSW Police Force, p 3

¹⁰⁷ Mr Schokman, [Transcript of evidence](#), p 8; Mr Teakle, [Transcript of evidence](#), p 22

¹⁰⁸ Ms Kate Munro, Chief Executive Officer, Youth Action, [Transcript of evidence](#), 21 September 2020, p 30

them up'. Mr Teakle stated that the more police are involved with young people, the more normal it becomes for children and young people to associate with police.¹⁰⁹

- 3.19 In their submission Wesley Mission highlighted the Breaking Barriers program run by Mt Druitt police as an example of positive police engagement with children and young people.

Case study – Breaking Barriers program

The Breaking Barriers program run by the Mt Druitt Police works with Aboriginal Youth in the Mt Druitt area to live a life without crime. A lot of young people that Wesley Mission has referred there have commented about how they see the Police in a different light now. They're not as afraid and a lot more respectful in their dealings with the police since attending the program. The children participating are picked up around 5-6 am every Tuesday and Thursday morning. They participate in physical activities, take turns in preparing breakfast and then are transported to school.

Source: Submission 11, Wesley Mission, p 1

- 3.20 We also heard from Youth Action who surveyed a number of young people about what they see as good engagement between youth and police officers. For youth, good engagement involves everyday activities. Health, fitness and goal setting are important as well as building discipline and routine.¹¹⁰
- 3.21 Survey respondents indicated that the benefits to them from engagement were the opportunity to see police officers differently and for police to see young people outside a crime context.¹¹¹
- 3.22 Ms Kate Munro, Chief Executive Officer, Youth Action emphasised that given the COVID-19 context, opportunities for young people to engage with programs around work readiness and employment skills are important. Ms Munro commented:
- There are not going to be enough jobs for young people. How do we make sure that this is a meaningful time for them? For young people who are in that more vulnerable end, having that opportunity to engage with the police is incredibly empowering for them.¹¹²
- 3.23 During the inquiry stakeholders commented on the operation of the Suspect Targeted Management Plan (STMP). Introduced in 2002, the objective of the STMP is to identify individuals at a high risk of offending, notify them that they

¹⁰⁹ Mr Teakle, [Transcript of evidence](#), pp 23-24

¹¹⁰ Ms Munro, [Transcript of evidence](#), p 31

¹¹¹ Ms Munro, [Transcript of evidence](#), p 31

¹¹² Ms Munro, [Transcript of evidence](#), p 31

are subject to enhanced supervision and then proactively police those individuals.¹¹³

- 3.24 Some stakeholders expressed concern that the STMP increases the number of negative interactions between police officers and young people and advocated for the STMP to be discontinued.¹¹⁴ The Public Interest Advocacy Centre commented that the 'continued use of the STMP on young people will entrench negative relationships between NSW Police and the Aboriginal community in particular.'¹¹⁵
- 3.25 We note that the operation of the STMP has been subject to recent review and evaluations undertaken by the Law Enforcement Conduct Commission and the NSW Bureau of Crime Statistics and Research.¹¹⁶
- 3.26 We heard that the youth sector is open to working more closely with the NSW Police Force in building positive relationships and interactions between young people and police officers. Youth Action highlighted that there are interesting opportunities at a local level and in supporting current strategies of the NSW Police Force.
- 3.27 Wesley Mission echoed this view and indicated they are in conversation with the NSW Police Force about obtaining a greater understanding of what services are offered in the sector.¹¹⁷
- 3.28 Later in this report we acknowledge and discuss the work of the PCYC in engaging with children and young people. The suite of programs that the PCYC offer to a range of age groups is encouraging. Alongside the work of the PCYC, we support additional funding for community organisations working in the youth sector to continue to build and maintain positive relationships with police and children and young people.

¹¹³ NSW Bureau of Crime Statistics and Research, [An evaluation of the Suspect Target Management Plan](#) (Crime and Justice Bulletin No. 233), October 2020, p [2](#)

¹¹⁴ [Submission 18](#), Community Legal Centres, p [3](#); [Submission 21](#), Public Interest Advocacy Centre, p [4](#); [Submission 22](#), Aboriginal Legal Service, p [8](#)

¹¹⁵ [Submission 21](#), Public Interest Advocacy Centre, p [5](#)

¹¹⁶ Law Enforcement Conduct Commission, [Operation Tepito: An investigation into the formulation and use of the NSW Police Force Suspect Targeting Management Plan on children and young people](#), Interim report, January 2020; NSW Bureau of Crime Statistics and Research, [An evaluation of the Suspect Target Management Plan](#) (Crime and Justice Bulletin No. 233), October 2020.

¹¹⁷ Ms Melissa Wise, Regional Manager, Wesley Youth Hope Western Sydney, [Transcript of evidence](#), 21 September 2020, p [30](#)

Work of the Police Citizens Youth Clubs NSW

Summary

The Police Citizens Youth Clubs NSW (PCYC) offers programs for young people aimed at a range of age groups. These programs promote positive relationships with police and address life skills and antisocial behaviours in an informal setting. Essential to the programs is the involvement of police officers. To support the increased participation of officers in PCYC activities, additional resources are recommended.

Recommendation 14

That the NSW Police Force be provided with additional resources to support officer attendance at PCYC activities.

- 3.29 The PCYC is a not for profit organisation with 65 clubs operating across New South Wales.¹¹⁸ The PCYC conducts a number of programs aimed at getting young people active in life; developing their skills, character and leadership; and diverting children and young people from crime.¹¹⁹
- 3.30 Through the RISEUP strategy and the Fit for Life program, the PCYC in partnership with the NSW Police Force, provide a suite of programs for children and young people delivered in an alternative learning environment.¹²⁰ Programs include:¹²¹
- **Fit for Life:** aimed at youth aged 10-17 years who are at risk of anti-social behaviour. The program uses physical fitness, nutrition and social engagement to improve wellbeing.
 - **Fit for Work:** aimed at youth aged 15-17 years to address a young person's disengagement from their family, education and employment opportunities.
 - **Fit for Change:** aimed at youth aged 12-17 years to reduce and prevent re-offending.
 - **Fit for Home:** aimed at youth aged 12-17 years to address the cycle of domestic and family violence. The program aims to develop the skills young people need to treat their family and friends with respect.
 - **Fit to Strive:** aimed at youth aged 8-13 years to prevent and reduce re-offending and reduce the long-term involvement in the criminal justice system. The program focuses on the root of offending behaviour and looks at decision making, values, problem solving and resilience.
 - **Fit to Learn:** aimed at youth aged 14-17 years to re-engage disengaged young people back into the education system.

¹¹⁸ Mr Teakle, [Transcript of evidence](#), p 22

¹¹⁹ Mr Teakle, [Transcript of evidence](#), p 21; [Submission 17](#), NSW Police Force, p 23

¹²⁰ [Submission 17](#), NSW Police Force, p 24; Mr Teakle, [Transcript of evidence](#), p 21

¹²¹ Mr Teakle, [Transcript of evidence](#), pp 21-22. See also: [2020 Fit for Programs Schedule](#) accessed at www.riseup.org.au, 23 October 2020.

- **Fit Together:** aimed at youth aged 10-17 years and is a co-designed program developed with each local community to prevent and reduce reoffending, as well as encourage positive relationships between local police and the Aboriginal community.
- **Fit for Service:** aimed at youth aged 15-24 years to assist young people with a keen interest in pursuing a career in policing, defence and/or emergency services.

- 3.31 We were informed that in 2019 the NSW Police Force, in partnership with PCYC, engaged with over 4000 young people in the "Fit for Life" programs. Since its launch in August 2018, 300 young people have also successfully secured employment after graduating from the RISEUP program.¹²²
- 3.32 Mr Teakle spoke about the benefits for police from participating in PCYC programs. From their involvement they can witness the good that can come from early intervention and the positive outcomes from changing the course of a person's life.¹²³
- 3.33 We were also told that police participation in PCYC activities plays an important part in building positive relationships between police and children and young people. The more opportunities that police officers have to work positively alongside children and young people, the more trust can be developed. Mr Teakle commented:
- The more we have them [police] in the clubs, the more normal it is to associate with a police officer. Therefore what you get is a manifestation of reporting that does not occur when you do not have it, because there is trust. If you get that trust, and you do not break that trust, because you are always there for them, there is the strength.¹²⁴
- 3.34 Assistant Commissioner Leanne McCusker supported this view, commenting that the 4000 young people engaged in the Fit for Life Program is a positive strategy that builds relationships between police officers and young people that will hopefully continue throughout their lives.¹²⁵
- 3.35 Each PCYC club has a club manager. Other staff are generally social workers and activity officers recruited on a part time or casual basis. When programs are conducted Youth Liaison Officers are brought in alongside police officers. We heard that local area commands send a patrol to activities on a daily basis.¹²⁶
- 3.36 We are encouraged by the breadth of programs offered by PCYC, particularly the range of age groups that the programs target. We are also encouraged by reports that police involvement with PCYC activities can not only help to build positive relationships between police and young people; but can also be a rewarding

¹²² [Submission 17](#), NSW Police Force, p [24](#)

¹²³ Mr Teakle, [Transcript of evidence](#), p [25](#)

¹²⁴ Mr Teakle, [Transcript of evidence](#), p [24](#)

¹²⁵ Ms Leanne McCusker, Assistant Commissioner, NSW Police Force, [Transcript of evidence](#), 25 September 2020, p [13](#)

¹²⁶ Mr Teakle, [Transcript of evidence](#), p [24](#)

experience for police officers. It is for this reason we want to support the NSW Police Force in their partnership with the PCYC and the involvement of officers in PCYC activities. Additional resources would provide more officers across NSW with the opportunity to participate in PCYC programs on a rostered or regular basis.

Maintaining and building respect with the Aboriginal community

Summary

The NSW Police Force has a number of strategies aimed at improving the relationship between police and Aboriginal communities. One strategy includes cultural awareness training for all sworn officers. Stakeholders support this training and emphasise the importance of reviewing existing training to ensure best practice is being provided.

Recommendation 15

That the NSW Police Force review current Aboriginal and Torres Strait Islander cultural awareness training to ensure best practice training is being provided.

- 3.37 The NSW Police Force has a number of strategies aimed at improving the relationship between police and Aboriginal people.
- 3.38 The *Aboriginal Strategic Direction 2018-2023* provides guidance and priorities for collaborating with Aboriginal communities. Key areas the Aboriginal Strategic Direction focuses on include:
- ensuring community safety;
 - enhancing communication and understanding between police and the Aboriginal community;
 - improving safety and wellbeing of young Aboriginal people; and
 - reducing Aboriginal over-representation in the criminal justice system.¹²⁷
- 3.39 As part of the Aboriginal Community Liaison Officer (ACLO) Program there are 55 ACLO's working with Aboriginal communities at various commands. The ACLO's aim to 'develop partnerships with service providers; support participation and engagement of Aboriginal people with services; and promote awareness of Aboriginal issues among non-Indigenous police officers.'¹²⁸
- 3.40 We also heard of the Indigenous Police Recruitment Our Way Delivery (IPROWD) program. Over 800 students have completed the program and over 165 students have graduated to become police officers.¹²⁹

¹²⁷ [Submission 17](#), NSW Police Force, p 25

¹²⁸ [Submission 17](#), NSW Police Force, p 25

¹²⁹ Assistant Commissioner McCusker, [Transcript of evidence](#), p 13

- 3.41 Sworn police officers also receive Aboriginal Cultural Awareness Training on a regular basis to support understanding between police and Aboriginal people.¹³⁰
- 3.42 Some stakeholders indicated there are opportunities to review and enhance existing training and community engagement strategies with regard to Aboriginal people and communities.¹³¹
- 3.43 In their submission, the Aboriginal Legal Service (ALS) supported cultural awareness training that included information specific to the community in which police officers are working such as language training, local historical context and descriptions of different groups.¹³²
- 3.44 The ALS also suggested that the NSW Police Force should demonstrate to the community that this training is being done and include some form of assessment of learning for police officers. The training should also be mandatory and ongoing.¹³³
- 3.45 To help build trust between Aboriginal communities and police, the ALS submitted that increased community policing approaches are important. This can include police attending cultural events and programs in their communities. Such interactions can 'combat perceptions of police in the community as only responding to 'bad' situations.'¹³⁴

Case study: Maranguka Justice Reinvestment Project

The Maranguka Justice Reinvestment initiative in Bourke has seen a range of initiatives introduced under the community governance of Bourke Tribal Council – including justice "circuit breakers" aimed at reducing negative contact between community and police. As part of these initiatives, every morning local police officers meet at Maranguka Community Hub with service providers to talk about what has happened in the community in the last 24 hours and identify young people who might need additional supports. This is leading to a gradual shift in policing, with a move towards policing practices that work with the whole community and focus on early intervention and prevention.

Source: Submission 22, Aboriginal Legal Service, p 7

- 3.46 We acknowledge the current work of the NSW Police Force in improving the relationship between police and Aboriginal communities. The more opportunities for positive interactions between police officers and Aboriginal communities are available will help lead to better outcomes for the community and police.
- 3.47 We support continued cultural awareness training as a key strategy to ensure police officers have the knowledge and skills to respond appropriately and

¹³⁰ [Submission 17](#), NSW Police Force, p 25; Assistant Commissioner McCusker, [Transcript of evidence](#), p 13

¹³¹ [Submission 22](#), Aboriginal Legal Service, p 5

¹³² [Submission 22](#), Aboriginal Legal Service, p 6

¹³³ [Submission 22](#), Aboriginal Legal Service, p 6

¹³⁴ [Submission 22](#), Aboriginal Legal Service, p 7

constructively in certain situations. We recommend the NSW Police Force review current training provided to ensure best practice training is provided.

Appendix One – Terms of reference

That the Legislative Assembly Committee on Law and Safety inquire into and report on assaults on members of the NSW Police Force, with particular reference to:

- a) the current incidence of assaults against police officers and recent trends in such assaults;
- b) current strategies that the NSW Police Force has in place to engage with the community, including current or past community and school based programs; and
- c) any other related matters.

(Note: The NSW Sentencing Council will be examining sentencing for assault offences against police officers in NSW.)

Appendix Two – Conduct of inquiry

On 24 June 2020, the Committee received a letter from the Minister for Police and Emergency Services, the Hon. David Elliott MP, requesting the Committee conduct an inquiry into assaults on police.

On 23 July 2020, the Committee resolved to commence an inquiry and call for submissions. The Committee advertised the inquiry on its website and media platforms. The Committee also wrote to targeted stakeholders. Submissions closed on Friday 28 August 2020.

The Committee received 23 submissions from a range of stakeholders including the NSW Police Force, NSW Police Association, university and research academics, community legal centres and advocacy organisations. The full list of submissions is at Appendix Three.

The Committee held two public hearings at Parliament House on Monday 21 and Friday 25 September 2020. Due to safety guidelines imposed in response to the COVID 19 pandemic, the hearing room was closed to the public. However, the proceedings were broadcast on the Parliament's website.

The majority of witnesses appeared in person under COVID-19 safety guidelines, while other witnesses appeared via videoconference. The full list of witnesses is at Appendix Four.

Appendix Three – Submissions

1	Name suppressed
2	Mr George Dickson
3	Mrs Dorelle Purcell
4	Dr Kelly Hine
5	Confidential
6	Mr Christopher Quiring
7	The Law Society of NSW
8	Youth Action
9	Macquarie University, Department of Security Studies and Criminology
10	Confidential
11	Wesley Mission
12	Independent Education Union of Australia NSW/ACT Branch
13	Police Association of NSW
14	Association of Catholic School Principals in NSW Incorporated
15	Confidential
16	Redfern Legal Centre
17	NSW Police Force
18	Community Legal Centres NSW
19	Intellectual Disability Rights Service
20	Dr Ken Wooden
21	Public Interest Advocacy Centre
22	Aboriginal Legal Service (NSW/ACT)
23	Women's Legal Service NSW

Appendix Four – Witnesses

Monday, 21 September 2020, Jubilee Room

Organisation	Witness	Appearance
Police Association of NSW	Mr Tony King President	In person
	Dr Kate Linklater Research Officer	
Australian National University	Dr Kelly Hine Lecturer	Videoconference
Macquarie University	Dr Alex Simpson Senior Lecturer in Criminology, Department of Security Studies and Criminology	In person
	Mr Vince Hurley Associate Lecturer, Department of Security Studies and Criminology	
Western Sydney University	Dr Ken Wooden School of Social Sciences, Western Sydney University	In person
Police Citizens Youth Club	Mr Dominic Teakle Chief Executive Officer	In person
Youth Action	Ms Kate Munro Chief Executive Officer	In person
Wesley Mission	Ms Melissa Wise Regional Manager, Wesley Youth Hope Western Sydney	In person
Redfern Legal Centre	Ms Samantha Lee Solicitor, Police Accountability and Administrative Law	In person
Aboriginal Legal Service	Ms Sarah Crellin Principal Solicitor, Criminal Law Practice	In person
Community Legal Centres NSW	Mr Tim Leach Executive Director	In person
Public Interest Advocacy Centre	Ms Verity Smith Solicitor	In person
	Mr Christopher Quiring	Videoconference

Friday, 25 September 2020, Jubilee Room

Organisation	Witness	Appearance
Law Society of NSW	Ms Penny Musgrave Member, Criminal Law Committee	Videoconference
Independent Education Union of Australia	Ms Pam Smith Branch Assistant Secretary	In person
	Mr Russell Schokman Policy Advisor	
NSW Police Force	Ms Leanne McCusker APM Assistant Commissioner	In person
NSW Department of Education	Ms Marnie O'Brien Executive Director, Health and Safety	Videoconference
	Mr Alex Sakis Director, Case Management and Specialist Support	
Corrective Services NSW	Ms Danielle Matsuo Director State-wide Programs	In person

Appendix Five – Extracts from minutes

MINUTES OF MEETING 7

Thursday 23 July 2020

10.00am

Room 1254 and videoconference

Members present

Mrs Wendy Tuckerman (Chair, via videoconference), Mr Mark Taylor (Deputy Chair, in person), Ms Steph Cooke (via videoconference), Mr Edmond Atalla (videoconference)

Officers in attendance

Clara Hawker, Emma Wood, Kieran Lewis, Madeleine Dowd, Abigail Turingan, Ilana Chaffey

The Chair opened the meeting at 10.00am.

1. Apologies

Ms Tamara Smith

2. Minutes of Meeting 6

Resolved, on the motion of Mr Taylor, seconded by Mr Atalla:

That the minutes of the meeting of 4 March 2020 be confirmed.

3. ***

4. Proposed inquiry – assaults on police officers

a) Correspondence

The Committee noted the following correspondence received:

- Letter received 24 June 2020 from the Minister for Police and Emergency Services requesting the Committee conduct an inquiry into assaults on police

b) Terms of reference

The Committee discussed conducting an inquiry into assaults on police per the Minister's request and the draft terms of reference.

Resolved, on the motion of Mr Atalla, seconded by Mr Taylor:

That the Committee conduct an inquiry into assaults on police officers in accordance with the draft terms of reference.

c) Call for submissions

Resolved, on the motion of Mrs Tuckerman, seconded by Ms Cooke:

That the Committee call for submissions to be received by Friday 28 August, and write to listed stakeholders.

d) Media release

The Chair noted that a media release announcing the inquiry would be published on the Committee webpage, and that links to the media release will be posted on the Parliament's Facebook and Twitter accounts.

e) Timeline

The Chair noted that an indicative inquiry timeline had been circulated, giving an indicative timeframe for the conduct of the inquiry and the completion of the report.

5. Next meeting

The Committee adjourned at 10.15am until a date and time to be determined.

MINUTES OF MEETING 8

Tuesday 8 September 2020

2.30pm

Room 1254 and videoconference

Members present (all members via videoconference)

Mrs Wendy Tuckerman (Chair), Mr Mark Taylor (Deputy Chair), Ms Tamara Smith, Ms Steph Cooke, Mr Edmond Atalla

Officers in attendance

Emma Wood, Kieran Lewis, Abegail Turingan, Ilana Chaffey, Gerard Rajakariar

The Chair opened the meeting at 2.32pm.

1. Minutes of Meeting 7

Resolved, on the motion of Mr Atalla, seconded by Mr Taylor:

That the minutes of the meeting of 23 July 2020 be confirmed.

2. Inquiry into assaults on members of the NSW Police Force

a) Correspondence

Resolved, on the motion of Ms Cooke, seconded by Ms Smith:

That the Committee note the following correspondence:

- Email received on 24 July 2020 from Ms Jackie Fitzgerald, Executive Director, NSW Bureau of Crime Statistics and Research declining to make a submission to the inquiry however BOCSAR would be willing to respond to specific questions the Committee may have.
- Letter dated 29 July 2020 from the Chief Justice of the Supreme Court declining to make a submission.
- Letter dated 4 August 2020 from the President of the Children's Court of NSW declining to make a submission.
- Letter dated 5 August 2020 from the Northern Territory Department of Attorney and Justice declining to make a submission.
- Letter dated 20 August 2020 from the Director General, Queensland Department Justice and Attorney General providing information of a similar inquiry currently being conducted by the Queensland Sentencing Advisory Council.

b) Written questions to NSW Bureau of Crime Statistics and Research

The Committee noted the questions that were sent to BOCSAR with a deadline of Monday 14 September 2020.

c) Publication of submissions

Resolved, on the motion of Mr Atalla, seconded by Mr Taylor:

That the Committee publish submissions numbered 2-4, 6-9, and 11-14, 16-18, 20-22 in full.

That submissions numbered 5,10 and 15 remain confidential to the Committee and not be published.

That submission 19 be published with the case study on page 2 redacted.

That submission 1 be published with name suppressed and redactions to last paragraph.

d) Public hearings

The Committee discussed witness selection for the public hearings. In addition to the circulated list of witnesses, the Committee agreed to invite a number of additional witnesses.

Resolved, on the motion of Mr Taylor, seconded by Mr Atalla:

That the Committee invite the listed witnesses, as amended, to give evidence at public hearings to be held on Monday 21 September and Friday 25 September.

3. ***

4. Next meeting

The Committee adjourned at 2.58pm until Monday 21 September 2020.

MINUTES OF MEETING 9

9.26am, Monday 21 September 2020

Jubilee Room and videoconference

Members present

Mrs Wendy Tuckerman (Chair), Mr Mark Taylor (Deputy Chair), Ms Tamara Smith, Ms Steph Cooke, Mr Edmond Atalla (via videoconference)

Officers in attendance

Clara Hawker, Emma Wood, Kieran Lewis, Frances Arguelles, Abigail Turingan, Ilana Chaffey, Gerard Rajakariar

1. Deliberative meeting

1.1 Confirmation of minutes

Resolved, on the motion of Mr Taylor, seconded by Mr Atalla:

That the minutes of the meeting of 8 September 2020 be confirmed.

1.2 Media orders

Resolved, on the motion of Ms Smith, seconded by Mr Atalla:

That the Committee authorises the audio-visual recording, photography and broadcasting of the public hearing on 21 September 2020, in accordance with the Legislative Assembly's guidelines for the coverage of proceedings for parliamentary committees administered by the Legislative Assembly.

1.3 Answers to questions taken on notice

Resolved, on the motion of Mr Taylor, seconded by Ms Cooke:

That witnesses be requested to return answers to questions taken on notice and supplementary questions within 1 week of the date on which the questions are forwarded to the witnesses.

1.4 Response from NSW Bureau of Crime Statistics and Research

Resolved, on the motion of Ms Smith, seconded by Mr Atalla:

That the response from the NSW Bureau of Crime Statistics and Research to questions sent by the Committee be authorised for publication and uploaded on the Committee's website.

1.5 Acceptance of late submission

Resolved, on the motion of Mr Taylor, seconded by Ms Cooke:

That the Committee accept and publish in full Submission 23.

1.6 Publishing transcript

Resolved, on the motion of Ms Cooke, seconded by Ms Smith:

That the corrected transcript of public evidence given today be authorised for publication and uploaded on the Committee's website.

The meeting concluded at 9.32am.

2. Public hearing: Inquiry into assaults on members of the NSW Police Force

Witnesses were admitted. The Chair opened the public hearing at 9.35am and made a short opening statement.

Mr Tony King, President, Police Association of NSW, was sworn and examined.

Dr Kate Linklater, Research Officer, Police Association of NSW, was affirmed and examined.

Dr Kelly Hine, Lecturer, Australian National University, (via videoconference) was affirmed and examined.

Dr Alex Simpson, Senior Lecturer in Criminology, Department of Security Studies and Criminology, Macquarie University, was affirmed and examined.

Mr Vince Hurley, Associate Lecturer, Department of Security Studies and Criminology, Macquarie University, was sworn and examined.

Dr Ken Wooden, School of Social Sciences, Western Sydney University, was sworn and examined.

Mr Dominic Teakle, Chief Executive Officer, Police Citizens Youth Club, was sworn and examined.

Ms Kate Munro, Chief Executive Officer, Youth Action, was affirmed and examined.

Ms Melissa Wise, Regional Manager, Wesley Youth Hope Western Sydney, Wesley Mission, was affirmed and examined.

Ms Samantha Lee, Solicitor, Police Accountability and Administrative Law, Redfern Legal Centre, was affirmed and examined.

Ms Sarah Crellin, Principal Solicitor, Criminal Law Practice, Aboriginal Legal Service, was affirmed and examined.

Mr Tim Leach, Executive Director, Community Legal Centres NSW, was affirmed and examined.

Ms Verity Smith, Solicitor, Public Interest Advocacy Centre, was affirmed and examined.
Mr Christopher Quiring (via videoconference) was affirmed and examined.

The Committee questioned the witnesses. Evidence concluded and the witnesses withdrew.

The public hearing concluded at 4.17pm.

3. Deliberative meeting

The Committee commenced a short deliberative meeting at 4.17pm.

4. Next meeting

The meeting adjourned at 4.18pm until 9.20am on 25 September in the Jubilee Room.

MINUTES OF MEETING 10

9.29am, Friday 25 September 2020

Jubilee Room and videoconference

Members present

Mrs Wendy Tuckerman (Chair), Mr Mark Taylor (Deputy Chair), Ms Tamara Smith, Ms Steph Cooke, Mr Edmond Atalla (via videoconference)

Officers in attendance

Clara Hawker, Emma Wood, Kieran Lewis, Frances Arguelles, Abegail Turingan, Ilana Chaffey, Gerard Rajakariar

1. Deliberative meeting

1.1 Confirmation of minutes

Resolved, on the motion of Ms Smith:

That the minutes of the meeting of 21 September 2020 be confirmed.

1.2 Media orders

Resolved, on the motion of Mr Atalla:

That the Committee authorises the audio-visual recording, photography and broadcasting of the public hearing on 25 September 2020, in accordance with the Legislative Assembly's guidelines for the coverage of proceedings for parliamentary committees administered by the Legislative Assembly.

1.3 Answers to questions taken on notice

Resolved, on the motion of Ms Smith, seconded by Ms Cooke:

That witnesses be requested to return answers to questions taken on notice and supplementary questions within 1 week of the date on which the questions are forwarded to the witnesses.

The meeting concluded at 9.30am.

2. Public hearing: Inquiry into assaults on members of the NSW Police Force

Witnesses were admitted. The Chair opened the public hearing at 9.31am and made a short opening statement.

Ms Penny Musgrave, Member of the Criminal Law Committee, Law Society NSW, (via videoconference) was affirmed and examined.

Ms Pam Smith, Branch Assistant Secretary, Independent Education Union of Australia, was sworn and examined.

Mr Russell Schokman, Policy Advisor, Independent Education Union of Australia, was sworn and examined.

Assistant Commissioner Leanne McCusker APM, NSW Police Force, was sworn and examined.

Ms Marnie O'Brien, Executive Director Health and Safety, NSW Department of Education, (via teleconference) was affirmed and examined.

Mr Alex Sakis, Director Case Management and Specialist Support, (via teleconference) NSW Department of Education, was sworn and examined.

Ms Danielle Matsuo, Director State-wide Programs, Corrective Services NSW, was sworn and examined.

The public hearing concluded at 1.35pm.

3. Deliberative meeting

The Committee commenced a short deliberative meeting at 1.36pm.

3.1 Publishing transcript

Resolved, on the motion of Ms Smith, seconded by Ms Cooke:

That the corrected transcript of public evidence given today be authorised for publication and uploaded on the Committee's website.

4. Next meeting

The meeting adjourned at 1.37pm until a date and time to be determined.

MINUTES OF MEETING 11

12:35pm, Monday 12 October 2020

Room 814/815 and videoconference

Members present

Mrs Wendy Tuckerman (Chair), Mr Mark Taylor (Deputy Chair) (via videoconference), Ms Tamara Smith, Ms Steph Cooke, Mr Edmond Atalla (via videoconference)

Officers in attendance

Clara Hawker, Emma Wood, Frances Arguelles, Abegail Turingan, Ilana Chaffey

1. Confirmation of minutes

Resolved, on the motion of Ms Smith:

That the minutes of the meeting of 25 September 2020 be confirmed.

2. Inquiry into assaults on members of the NSW Police Force

a. Answers to questions taken on notice

Resolved, on the motion of Mr Atalla:

That the Committee publish answers to question taken on notice received from:

- Police Association of NSW
- Youth Action
- NSW Police Force

b. Draft report

Committee discussed the structure and possible recommendations for the draft report.

3. Next meeting

The meeting adjourned at 1:43pm until a date and time to be determined.

UNCONFIRMED MINUTES OF MEETING 12

2:07pm, Monday 16 November 2020

Room 1036 and videoconference

Members present

Mrs Wendy Tuckerman (Chair), Mr Mark Taylor (Deputy Chair) (via videoconference), Ms Tamara Smith, Ms Steph Cooke, Mr Edmond Atalla (via videoconference)

Officers in attendance

Elaine Schofield, Emma Wood, Kieran Lewis, Frances Arguelles, Ilana Chaffey

6. Confirmation of minutes

Resolved, on the motion of Mr Atalla: That the minutes of the meeting of 12 October 2020 be confirmed.

7. Inquiry into assaults on members of the NSW Police Force

a. Answers to questions taken on notice

Resolved, on the motion of Ms Smith: That the Committee publish answers to questions taken on notice received from:

- NSW Police Citizens Youth Clubs
- Law Society of NSW

b. Consideration of Chair's draft report

Resolved, on the motion of Ms Smith: That the Committee consider the report chapter by chapter.

The Committee agreed to consider the report in reverse order.

Chapter Three

Resolved, on the motion of Ms Smith: That Recommendation 15 be amended by inserting 'Aboriginal and Torres Strait Islander' after the word 'current'.

Resolved, on the motion of Mr Taylor, seconded Mr Atalla: That Chapter Three, as amended, stand part of the report.

Chapter Two

Resolved, on the motion of Ms Smith: That the last sentence in paragraph 2.3 be amended by:

- inserting the words 'Torres Strait Islander' after the words 'Aboriginal and'; and
- inserting the word 'awareness' after the word 'cultural'.

Resolved, on the motion of Mr Atalla: That the first sentence in paragraph 2.11 be amended by inserting the words 'including engagement with culturally diverse communities.' at the end of the paragraph.

Resolved, on the motion of Ms Cooke: That paragraph 2.23 be amended by inserting the sentence 'We look forward to its evaluation with a view to rolling it out more broadly.' at the end of the paragraph.

Resolved, on the motion of Ms Smith: That Recommendation 11 be amended by deleting the words 'continue to provide best practice training in communication and de-escalation skills' and replacing with 'assess whether improvements are required to deliver best practice training.'

Resolved, on the motion of Ms Smith: That Finding 3 be amended by:

- deleting the word 'improving' and replacing with 'engendering'; and
- deleting the words 'in their interactions with the community' and replacing with 'between police and members of the community.'

Resolved, on the motion of Ms Smith, seconded Mr Atalla: That Chapter Two, as amended, stand part of the report.

Ms Cooke left the meeting (2.25pm)

Chapter One

Resolved, on the motion of Ms Smith: That paragraph 1.5 be amended by:

- inserting the words 'officers being assaulted in the course of' at the beginning of the second dot point;
- deleting the words 'can result in an officer being assaulted' from the second dot point;
- inserting the words 'a decrease' at the beginning of the third dot point; and
- inserting the words 'evidence of an' before the word 'increase in the fifth dot point.

Resolved, on the motion of Ms Smith: That the first sentence in paragraph 1.9 be amended by:

- inserting the words 'an accurate analysis of' before the words 'the number'; and

- deleting the words 'may actually be underreported' and replacing with 'is extremely difficult to quantify and that there could be under-reporting.'

Resolved, on the motion of Ms Smith: That the third sentence in paragraph 1.10 be amended by deleting the words 'such as the number of times the officer was hit or punched'.

Resolved, on the motion of Ms Smith: That the last sentence in paragraph 1.12 be amended by deleting the words 'why the current trend in assaults continues to remain stable' and replacing with 'how to reduce assaults on police'.

Resolved, on the motion of Ms Smith: That paragraph 1.16 be amended by inserting the following sentence at the end of the paragraph: 'The Committee did not assess the effectiveness of these programs.'

Resolved, on the motion of Ms Smith: That paragraph 1.28 be amended by inserting the following sentence at the end of the paragraph: 'The Committee believes that this may affect the work culture.'

Resolved, on the motion of Ms Smith: That the last sentence in paragraph 1.42 be amended by deleting the word 'analysed' and replacing with 'available to researchers for analysis.'

Resolved, on the motion of Ms Smith: That the second sentence in paragraph 1.46 be amended by inserting the words 'under the Queensland system' at the end of the paragraph.

Resolved, on the motion of Mr Atalla: That Chapter One, as amended, stand part of the report.

Executive Summary

Resolved, on the motion of Ms Smith: That paragraph 4 be amended by:

- inserting the words 'reducing the incidence of assaults on police' after the words 'aimed at'; and
- inserting the word 'resilience' after the words 'supporting police'.

Resolved, on the motion of Ms Smith: That the last sentence in paragraph 6 be amended by:

- inserting the words 'qualitative research' after the word 'More'; and
- inserting the words 'and the contextual factors surrounding assaults' at the end of the paragraph.

Resolved, on the motion of Ms Smith: That the first sentence in paragraph 10 be deleted:

'An issue we received evidence on is the correlation between individuals who have previous convictions and those who assault police officers.'

And replaced with: 'A consistent issue raised through evidence was the correlation between individuals with a history of violence and those who assault police officers.'

Resolved, on the motion of Ms Smith: That the third sentence in paragraph 13 be amended by:

- inserting the word 'culture' before the word 'shock'; and
- inserting the words 'they are presented with' at the end of the sentence.

Resolved, on the motion of Ms Smith: That the last sentence in paragraph 13 be amended by inserting the word 'additional' before the words 'resilience training'.

Resolved, on the motion of Ms Smith: That the first sentence in paragraph 14 be amended by deleting the words 'mentally ill individuals that police officers respond to' and replacing with 'people with mental health issues'.

Resolved, on the motion of Ms Smith: That paragraph 14 be amended by inserting the following new sentence after the first sentence: 'Police as first responders are increasingly being called to attend incidents involving offenders with mental health.'

Resolved, on the motion of Ms Smith: That paragraph 16 be amended by inserting the words 'and transparency' after the word 'trust'.

Resolved, on the motion of Ms Smith: That paragraph 20 be amended by inserting the words 'across NSW' at the end of the last sentence.

Resolved, on the motion of Ms Smith: That the first sentence in paragraph 21 be deleted: 'We also consider the number of strategies currently in place to improve the relationship between police and the Aboriginal community.'

And replaced with: 'We also consider strategies currently in place to improve relationships between police and Aboriginal and Torres Strait Islander people in the community.'

Resolved, on the motion of Ms Smith: That the last sentence in paragraph 21 be amended by:

- deleting the word 'current' and replacing with the word 'all'
- inserting the words 'and evaluated' after the word 'reviewed', and
- inserting the word 'cultural' after the words 'best practice'.

Resolved, on the motion of Ms Smith, seconded Mr Taylor: That the Executive Summary, as amended, stand part of the report.

Resolved, on the motion of Mr Taylor, seconded Ms Smith:

1. That the draft report, as amended, be the report of the Committee, and that it be signed by the Chair and presented to the House.
2. That the Chair and committee staff be permitted to correct stylistic, typographical and grammatical errors.
3. That, once tabled, the report be posted on the Committee's website.

Resolved, on the motion of Mr Taylor, seconded Ms Smith: That the Committee thanks the Chair for her management of the inquiry.

8. General business

a. ***

9. Next meeting

The meeting adjourned at 3:22pm until a date and time to be determined.