



POLICE REGISTRATION AND SERVICES BOARD

2015-16 ANNUAL REPORT

Authorised and published by the Police Registration and Services Board

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1. President's Report

The Board has had a constructive and busy year. We made significant changes in how we approach our work and undertook research and planning for significant new projects for 2016 and beyond.

The *Victoria Police Act 2013* introduced new advisory roles for the newly established Board in relation to professional standards, training and professional development, as well as introducing a new function (unique in Australia, if not the world) to administer a professional register of police officers. These new functions were added to long-standing tribunal functions undertaken by the Board's predecessor bodies in reviewing disciplinary decisions, promotions, transfers and other employment-related decisions. During the 2015-16 reporting year, the Board has made significant progress in building police registration and has actively engaged with its stakeholders in planning the next stages of its work.

As the specialist professional regulator for Victoria Police, it is vital the Board stays abreast of changes affecting Victoria Police and the profession of policing more broadly. In 2016 we saw the delivery of two major reviews of practices and culture in Victoria Police. The Victorian Equal Opportunity and Human Rights Commission's *Independent review into sex discrimination and sexual harassment, including predatory behaviour in Victoria Police* comprehensively examined workplace behaviours, systems and culture and the impact on women in Victoria Police. The Victoria Police *Mental Health Review* pointed to similar underlying concerns about culture and deficiencies in 'people-focused' leadership skills. A further context is the focus on sexual predatory conduct by police officers of Victoria Police (Taskforce Salus) and related reports by the Independent Broad-Based Anti-Corruption Commission.

These Reviews are of landmark importance, will guide initiatives in Victoria Police for years to come and impact significantly upon the Board's future work. These Reviews highlight the importance of people-focused leadership capabilities (such as responding to unhealthy workplace cultures and behaviours; giving effective feedback; having difficult conversations and ethical thinking.) Workplace systems including capability frameworks, training and professional development and transfer and promotion selection systems (including the Board's appeal function) are needed which support and drive these desired cultural changes. This will be a focus of the Board's activities going forward.

We have been working to implement the Reports' recommendations which affect the Board's functions.

Key projects include:

- A professional development program for Board members covering unconscious bias, human rights, understanding of victim impact and decision writing; and
- Developing models for expanding the Board's Police Registration activities to support leave without pay and career breaks.

Other initiatives and key achievements for the year to date are set out below.

Review Division Process Reforms

The Board convened a Review Users' Group made up of Board members and staff and advocates from the Discipline Advisory Unit and The Police Association, to develop new pre-hearing procedures, new application forms and agreed timeframes for conducting reviews. The process was highly cooperative and developed agreement to significantly shorten hearing timeframes and established clearer processes that identify the key issues in dispute at an earlier stage of the process. The Group will continue to meet regularly to bed down these process changes and make sure that reviews are conducted in a timely, fair and efficient manner.

The Board's decision in *ABC* (A72/2015, 22 January 2016) set out the Board's approach to publication of information in its decisions which may identify complainants, other people adversely affected by alleged police misconduct and witnesses. The Board noted the important public interest in encouraging people to come forward if they witnessed misconduct. The Board decided not to identify witnesses. New pre-hearing processes will ensure that such issues are identified early in proceedings.

The Board is exploring options for audio and video-conferencing using new web-based technologies, especially for the hearings of transfer and promotion selection appeals involving regionally-based parties.

Police registration and workforce mobility

There have been significant achievements in developing Victoria's unique professional registration system for police officers:

- The Board significantly revised its processes for considering registration applications including by developing new application forms and declarations. Ongoing liaison with Victoria Police has resulted in improvements to the process for assessing applications for registration.
- The Board will launch a survey of former police officers in July 2016. The survey will provide valuable information about career paths after policing and the potential pool of skills and experience available to Victoria Police should former police officers seek to return. This will help guide the Board's future work, including in developing a greater understanding of the potential value (to the public, Victoria Police and individual police officers) of a more mobile workforce.

Police professionalisation

The Board is in the final stages of developing a significant report titled *Towards Police Professionalisation* which will set out the results of extensive stakeholder consultations and research on how the Board can best promote the 'professionalisation' of policing in Victoria.

The report outlines proposed projects for 2016 and 2017 (contingent on resources) which focus on:

- Building the registration scheme to support mobility (leave without pay, secondments and career breaks);
- Development of people-focused leadership skills; and
- Projects to enhance ethical understanding and professional norms in the maintenance of professional boundaries with members of the public.

Governance and appointments

The Board engaged in a merit-based open selection process to advise the Minister on new appointments to the Board's Review Division. The proposed appointments will diversify the skills, experience and perspectives available to the Board and ensure capacity to deal with any increases to workloads.

The Board has developed a new privacy policy and related information collection statements, applied a new 'rolling' work planning process and has continued to apply a risk management planning system to its activities.

I would like to convey my sincere thanks to Deputy Presidents Bernice Masterson and Leigh Gassner, to all members of the Board and to our highly capable staff members, Chris Deftereos, Shay Keating and Board Secretary Graeme Knights. Thank you for your hard work and dedication throughout the year and for your support and assistance as I have settled into the role of President. I would also like to express the Board's appreciation to my distinguished predecessor, Mr. Leslie Ross QC and to convey my thanks for his encouragement and support.

The remainder of this report is organised into three sections:

- Section 2 outlines the management and structure of the Board and its supporting arrangements.
- Section 3 provides a profile of Board members of each Division and Board staff.
- Section 4 reviews the performance of the Review, Registration and Professional Standards Divisions for the 2015-16 reporting period.

2. Management and structure

The Police Registration and Services Board (PRSB or 'Board') is an independent statutory body. The *Victoria Police Act 2013* ('the Act') establishes and governs the Board. The Board is accountable to the Minister for Police.

Section 202 of the Act sets out the Board's functions:

- *Review:* The Review Division conducts independent reviews of discipline decisions (including dismissals) and merit-based appeals of promotions, transfers and some other employment-related decisions;
- *Registration:* The Board supports a more mobile police workforce by registering former police officers of Victoria Police on the Police Profession Register and advising the Chief Commissioner on proposed appointments;
- *Professional Standards:* The Board can advise the Chief Commissioner on education and professional development matters; and
- *General:* The Board is also able to advise the Chief Commissioner and Minister about any matters related to its functions and to inquire into and report upon any matter referred to it by the Minister or Chief Commissioner.

The Board is led by the President, Ms Andrea Lester, and Deputy Presidents, Ms Bernice Masterson (Review Division) and Adjunct Prof. Leigh Gassner (Registration and Professional Standards Divisions). The President is accountable to the Minister and is responsible for overall management of the Board. Board members are appointed by the Governor in Council. The President and Deputy Presidents are salaried appointments while other members work on a sessional basis.

The Act establishes three Divisions to perform the Board's registration, professional standards and review functions. The Act prescribes membership requirements for each Division. The President may allocate a member to more than one Division.

In 2015-16, the Department of Justice and Regulation coordinated an Expression of Interest process via the 'Get on Board' website to identify suitable candidates for sessional member positions with the Review Division. The process aimed to diversify the skills sets and perspectives the Board can draw upon in hearing discipline reviews, promotion and transfer appeals, developing strategic direction and undertaking references and projects. Subject to the necessary approvals, the appointment of new members is anticipated later in 2016.

The President and the Board are supported by three Victorian Public Service employees who manage the daily business of the Board. Victoria Police delivers financial, human resource, information technology and other corporate services to the Board. For administrative purposes, the Board's budget is included in the overall budget of Victoria Police.

3. Who we are

3.1 Board members

Police Registration and Services Board members are appointed, subject to the *Victoria Police Act 2013*, by the Governor in Council on the advice of the Minister for Police. Board meetings are held at least four times per year in accordance with the requirements and procedures outlined in section 214 of the Act. The Board met on four occasions during 2015-16.

President

Ms Andrea Lester [15 October 2015 – present]

Ms Lester was appointed as President of the Board on 15 October 2015. Ms Lester worked as a solicitor for 12 years, specialising in public sector workplace relations and employment matters, conducting litigation in State and Commonwealth courts and tribunals. From 2002 to 2010, Ms Lester acted in senior public policy and management roles with the Victorian and Commonwealth Governments, with a focus on workplace relations and justice matters. From 2010, Ms Lester conducted a consulting practice specialising in policy and systems reviews, workplace relations, mediation and investigations. Ms Lester holds degrees in law (with honours), science and a Masters of Public Policy and Administration from the University of Melbourne.

Mr Leslie C. Ross QC [1 July 2013– 14 October 2015]

Mr Ross is a former County Court judge and former Special Investigations Monitor. Mr Ross was appointed the inaugural President of the Police Registration and Services Board on 1 July 2013.

Deputy President Review Division

Ms Bernice Masterson

Ms Masterson is a former Assistant Commissioner of Victoria Police. She has a total of 36 years' experience in policing in Victoria and internationally. Her most recent professional activities have been as a consultant in policing and justice in developing countries in the Pacific and Asia, including Cambodia and East Timor. Ms Masterson was first appointed Deputy Chairperson of the Police Appeals Board (PAB) in 2004. From 2006 to 2013, Ms Masterson was Chairperson of the PAB. Ms Masterson was re-appointed to the PRSB on 24 July 2014.

Deputy President Registration Division and Professional Standards Division

Adjunct Professor Leigh Gassner APM

Professor Gassner is a former Assistant Commissioner of Victoria Police and was appointed to the Board as Deputy President on 17 December 2013. He has a total of 34 years' experience in policing in Victoria including leadership roles across regional commands and police education and development. Prof. Gassner has in recent years advised government and social services sectors in solving complex social issues including Aboriginal health, violence against women and gender equity in the medical research sector. He was appointed Adjunct Professor, Torrens University in May 2016. Prof. Gassner was re-appointed to the Board on 17 December 2015.

Board Members – Review Division

Mr Ron Beazley

Mr Beazley was the Victorian Government Solicitor from 1991 until 2000 during a period of unprecedented change in the management of the public sector. In this role, he was principal legal advisor to the Attorney General, Ministers, statutory office-holders, departmental secretaries and senior officers of departments and Government agencies. Mr Beazley was Deputy Chairperson of the PAB from 2002 to 2013. Mr Beazley is currently the Chair of the Racing Victoria Integrity Council. He was re-appointed to the Board on 25 October 2013.

Mr Peter Bull APM

Mr Bull served in Victoria Police for 39 years and worked in operational, corporate, training and service roles in metropolitan and rural areas. He performed Government liaison and industrial relations duties and managed corporate projects as well as managing a large station and several operational divisions. He is a graduate of the Australian Institute of Police Management, a Williamson Fellow (Leadership Victoria) and was awarded the Australian Police Medal. Mr Bull was appointed to the Board on 4 February 2014 and is a member of the Review and Professional Standards Divisions. He was re-appointed to the Board on 16 February 2016.

Mr John Frame APM

Mr Frame is a former Deputy Commissioner of Victoria Police. Mr Frame has a BA (Criminal Justice Administration) and a Diploma in Criminology, and has been awarded the Australian Police Medal, Centenary Medal and the National Medal and Clasp. In 1993 he was appointed the inaugural Director of Security and Loss Prevention for Coles-Myer Ltd. Mr Frame was Deputy Chairperson of the PAB from 2004 to 2013. He is currently the Chair of the Board at Barwon Child Youth & Family – Geelong. Mr Frame was re-appointed to the Board on 17 July 2014.

Ms Rosalyn Hunt

Ms Hunt has served in the Victorian Public Service (VPS) in a number of senior roles including six years as the Director of Women's Affairs and four years as the Registrar of Land Titles. She has a Law Degree and a Masters in Educational Studies. Since leaving the VPS in 1999 she has worked as an independent investigator for government agencies, a hearing officer for grievances in government departments and as the Independent Chair of tripartite panels in classification disputes. Ms Hunt was a member of the Liquor Licensing Panel from 2006 to 2012 and Deputy Chairperson of the Police Appeals Board from 2000 to 2013. Ms Hunt was re-appointed to the PRSB on 20 May 2014.

Professor Jenny Morgan

Ms Jenny Morgan is a Professor at Melbourne Law School, the University of Melbourne. Prof. Morgan has published work on sexual harassment, homicide law reform, reproduction issues, understandings of equality and media representations of violence against women. She has been a part-time member of the Human Rights and Equal Opportunity Commission, the Social Security Appeals Tribunal and a commissioner with the Australian Law Reform Commission. She has also worked with the Australian Football League on its Respect and Responsibility Policy, and was a member of the Victorian Government's Sentencing Advisory Council from 2003 to 2013. Prof. Morgan was appointed to the Board on 23 February 2016 and is a member of the Review and Professional Standards Divisions.

Mr Anthony Walsh

Mr Walsh was previously employed in the Victorian Department of Justice and Regulation where he developed legislation, including the amendments that established the Police Registration and Services Board, together with road safety initiatives. Previously, he was engaged in legislative development at the Department of Premier and Cabinet and provided advice on governance issues and general legal advice and conducted litigation. Mr Walsh was appointed to the Board on 15 April 2014 and is a member of the Review and Registration Divisions. He was re-appointed to the Board on 15 April 2016.

Board Members – Registration Division

Commander Shane Cole APM

Commander Shane Cole joined Victoria Police in 1976 and his policing career in Victoria spans over 39 years. He was appointed to the rank of Commander in 2012 and currently oversees the Health, Safety and Deployment Division of the Human Resource Department. He holds a Graduate Diploma in Public Administration and has participated in various executive leadership courses. Mr Cole was appointed to the Board on 26 May 2015

Sergeant Alexandra Griffith

Sergeant Alexandra Griffith is the current Officer in Charge of the Prahran Proactive Unit. Ms Griffith has 16 years operational experience working at police stations such as Frankston, Footscray, Altona North and South Melbourne. Ms Griffith is passionate about member welfare and increasing the profile of female officers in Victoria Police. She holds a Bachelor of Applied Science and is The Police Association (TPA) delegate for Port Phillip and one of two female members of the TPA Executive. Ms Griffith was appointed to the Board on 26 May 2015.

Superintendent Fred Johansen APM

Superintendent Frederick Johansen has been a member of Victoria Police for 43 years and has served in general duties, traffic, crime, internal investigation and emergency management functions. He is a recipient of the Australian Police Medal. Mr Johansen has previously held the role of the President of The Police Association, member of the Board of Control of the Police Federation of Australia and Director of the Police Credit Cooperative (BankVic). Mr Johansen was appointed to the Board on 26 May 2015.

Detective Inspector Chris Murray

Detective Inspector Chris Murray is currently working in the Surveillance Services Division. He has 30 years of policing experience specialising in serious and organised crime investigation with duties at areas including the Organised Crime Squad, Asian Squad, Joint Counter Terrorism Team and the Echo Taskforce. Mr Murray was appointed to the Board on 26 May 2015.

Commander Clive Rust APM

Commander Clive Rust has served in Victoria Police for 43 years. He is presently the Commander, School of Policing Leadership and Management, People Development Command responsible for providing development programs to senior police officers and VPS managers. Previously, he was a metropolitan divisional commander and also served at the Professional Standards Command where he promoted a culture of high ethical standards throughout Victoria Police. His other experience includes

leading investigations into serious and organised crime, general policing and working on corporate projects. Mr Rust is a recipient of the Australian Police Medal. Mr Rust was appointed to the Board on 26 May 2015.

My Anthony Walsh is a member of both the Review and Registration Divisions.

Board Members – Professional Standards Division

Assistant Commissioner Debra Abbott

Assistant Commissioner Debra Abbott is a serving member of Victoria Police currently performing the role of Assistant Commissioner State Emergencies and Security Command. Her 29 years of service has been in operational, corporate and support roles. Ms Abbott has managed and led large corporate projects as well as managing inner city stations and divisions. She holds a Bachelor of Science, Graduate Certificate in Applied Management and a Graduate Diploma in Executive Leadership. Ms Abbott was appointed to the Board on 26 May 2015.

Sergeant Carolyn Deer

Sergeant Carolyn Deer has served in Victoria Police for over 27 years, working in operational and non-operational areas both metropolitan and regional. She is currently working at Epping Police Station. Ms Deer has a BA (Criminal Justice Administration) with Distinction, a Diploma of Frontline Management and Certificate IV in Training and Assessment. Ms Deer was appointed to the Board on 26 May 2015.

Professor Jenny Morgan and Mr Peter Bull are members of both the Review and Professional Standards Divisions.

3.2 Board staff

The Board is supported by three Victorian Public Service employees who are employed under Part 3 of the *Public Administration Act 2004*. Board staff members manage the daily business of the Board, including secretariat services, coordination of research, policy development, reporting and guidance for clients and other stakeholders.

General Manager – Mr Chris Deftereos

Project and Policy Officer – Ms Shay Keating

Secretary – Mr Graeme Knights

4. Year in Review

4.1 Review Division

Appeals against promotion and transfer decisions in 2015-16

The Board's Review Division has responsibility for hearing appeals against promotion and transfer decisions made within Victoria Police. Police officers and Protective Services Officers (PSOs) can challenge such selection decisions where they were the unsuccessful applicant for the position.

The Review Division provides an independent and objective review of the claims of the parties to the position, and assesses the relative 'efficiency' of competing candidates. The *Victoria Police Act 2013* ('the Act') defines "efficiency" as meaning:

- (a) the aptitude and special qualifications necessary for the discharge of the duties of the position in question, together with merit, diligence, good conduct, quality of service, mental capacity and physical fitness; and
- (b) the potential to develop the executive ability and leadership and management skills essential in senior executive positions – in relation to the rank of inspector; and
- (c) the executive ability and leadership and management skills essential in senior executive positions – in relation to the rank of commander, chief superintendent, superintendent or chief inspector.

The Board member provides written reasons for the decision, which is final. The Chief Commissioner must give effect to the appeal decision.

The Act specifies that appeals proceed by way of a 're-hearing'. This constitutes a fresh consideration of the relative efficiency of appellants and selectees based primarily on the materials which were before the selection panel, being the written applications, referee reports, the record and scoring of the interview process as well as oral submissions and responses to the member's questions during the appeal hearing. The re-hearing process also provides an opportunity for applicants not short-listed (not interviewed during the selection process) to appeal. This independent appeal process ensures scrutiny and independent review of internal employment decisions which have significant impact on police officers.

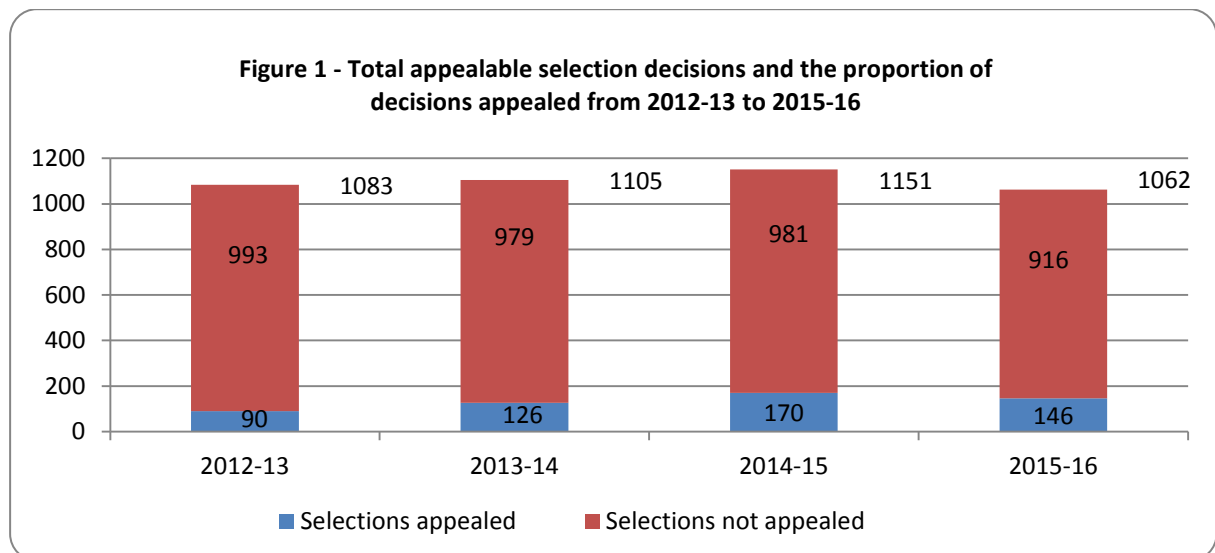
The Board's written decisions support compliance with established human resource policies and procedures by identifying any errors made in the process as well as providing interpretations which assist in the way particular policies are implemented.

In 2015-16, the *Victoria Police Act 2013* was amended to facilitate merit-based transfers for general duties constable and senior constable positions at country police stations and consequential appeal rights. It is anticipated that as the transitional measures for implementing these new appeal rights are finalised, the Board's appeal workload will increase.

Selections appealed

The Board is responsible for hearing appeals against promotion or transfer decisions published in the Victoria Police Gazette. Selection decisions may be subject to multiple appellants.

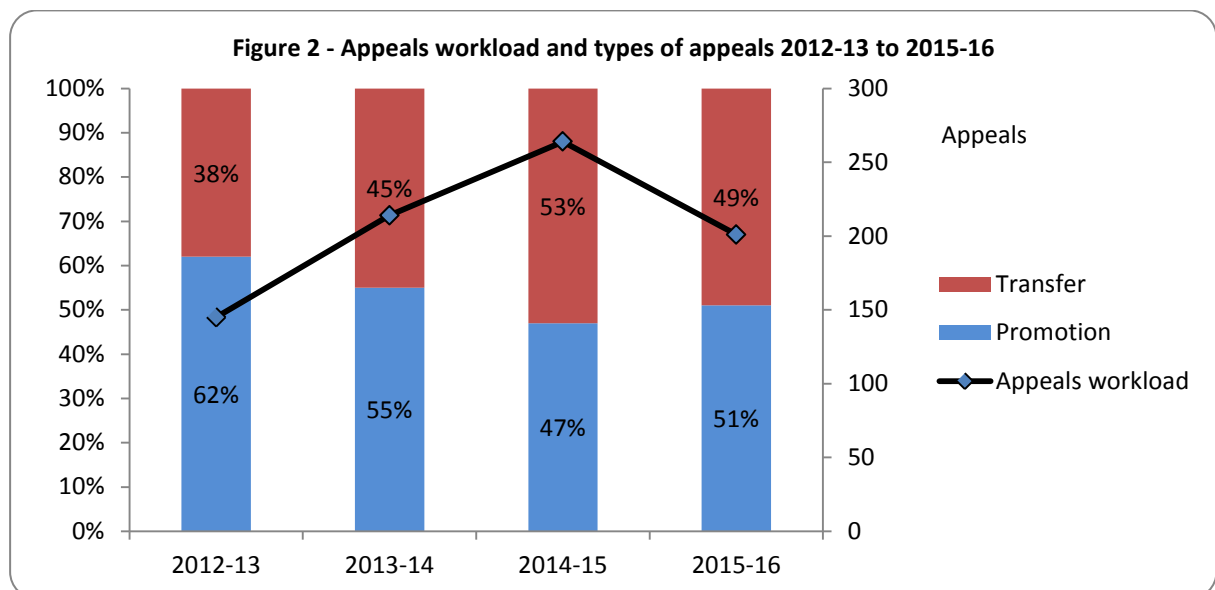
In 2015-16, 146 police officer selection decisions were subject to an appeal which represents 14% of all selection decisions. There were no PSO selection decisions appealed in 2015-16. Figure 1 portrays the pattern of selection decisions appealed over the past four years.



Types of appeals lodged

Appeals lodged with the PRSB are either against a decision relating to promotion or transfer.

Figure 2 illustrates the types of appeals lodged with the Board and appeals workload over the four year period from 2012-13 to 2015-16. In 2015-16, the appeals workload was 205 appeals compared to 264 appeals in 2014-15.



Appeals workload

In 2015-16, the appeals workload for PRSB was 205 appeals. The Board heard and made decisions on a total of 169 appeals and 32 appeals were withdrawn before hearing or decision.

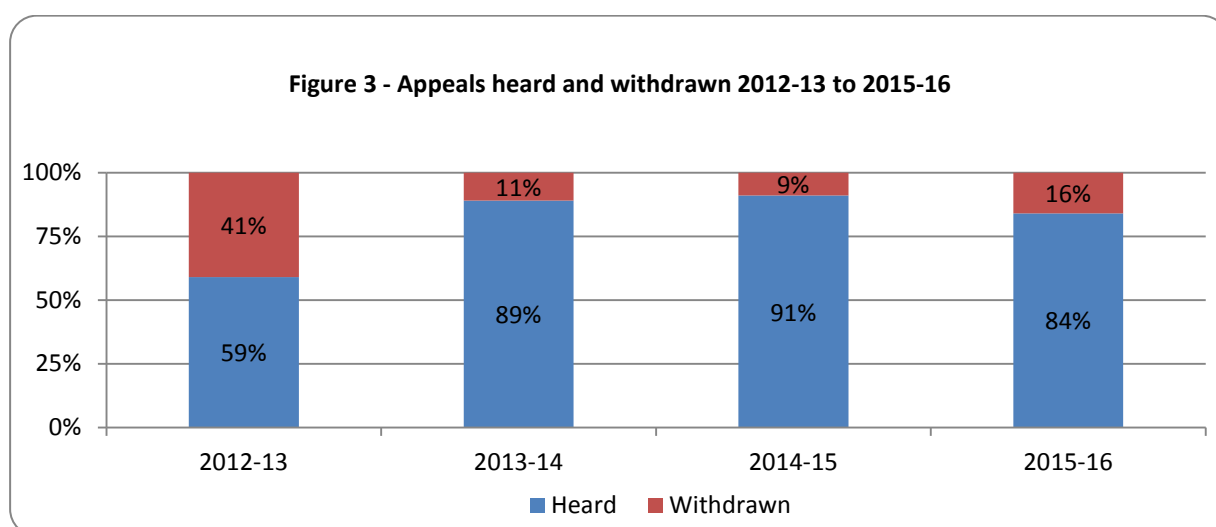
Table 1 summarises the appeals throughput for 2015-16. As at 30 June 2016, 4 appeals remained outstanding. This was due to the publication of the Victoria Police Gazette on 27 June 2016, 4 days prior to the end of the 2015-16 reporting period.

Table 1 Appeals for 2015-16

Activity	PSO Appeals	Police Officer Transfer Appeals	Police Officer Promotion Appeals	Total Appeals
Appeals on hand as at 01/07/15	0	4	0	4
Appeals lodged in 2015-16	0	98	103	201
Workload for 2015-16	0	102	103	205
Appeals allowed	0	11	16	27
Appeals disallowed	0	73	69	142
Appeals withdrawn	0	16	16	32
Appeals finalised	0	100	101	201
Appeals outstanding as at 30/06/16	0	2	2	4

Appeal outcomes

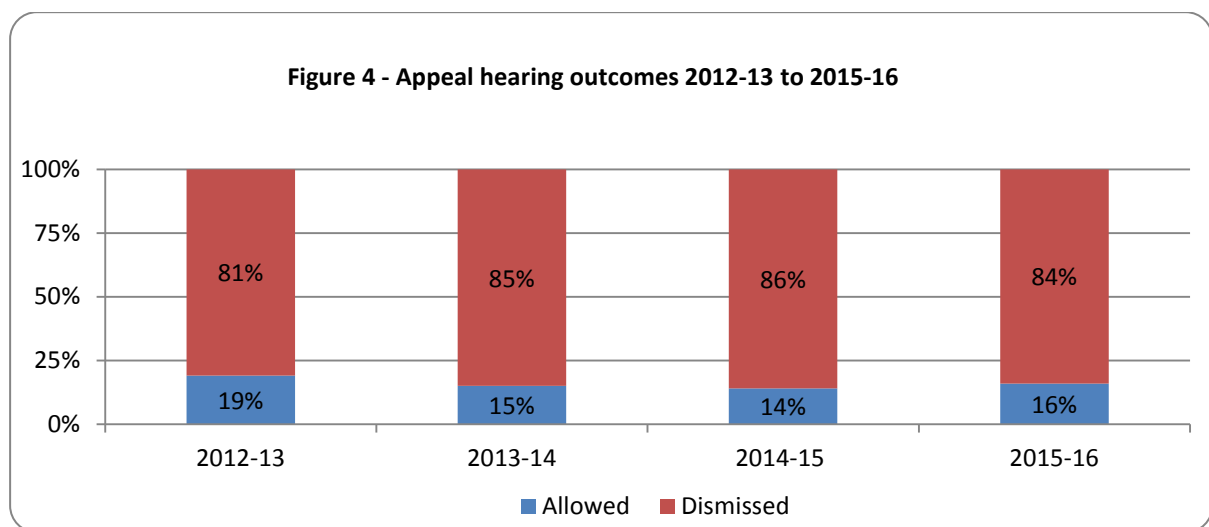
There has been a significant reduction in the proportion of appeals that were withdrawn before hearing since the implementation of the streamlined appeals process on 1 July 2013. Figure 3 indicates that the proportion of appeals withdrawn decreased over the period 2012-13 to 2014-15 and have increased steadily in 2015-16.



In 2015-16, a total of 27 appeals were allowed (that is, the original selection decision was overturned), being 16% of appeals heard. This represents 2.2% of all police officer selection decisions.

A further 142 appeals were disallowed (that is, the original selection decision was implemented) being 84% of all appeals heard.

Figure 4 reflects a consistent trend in the proportion of appeals allowed by the Board over the past four years.



Reviews in 2015-16

A police officer or Protective Services Officer may apply to the Board for a review of certain decisions made by the Chief Commissioner (or delegate). Section 146 of the *Victoria Police Act 2013* ('the Act') specifies the kinds of decisions which can be reviewed, which largely relate to decisions made following a discipline process under Part 7 of the Act (including decisions to dismiss or terminate or impose other outcomes such as a demotion, fine, transfer or salary reduction). Decisions relating to incapacity, directed transfer or a decision that a person is unsuitable for promotion can also be reviewed.

Reviews lodged with the PRSB

In 2015-16, 20 applications were lodged with the PRSB. Table 2 provides a comparison of the number and type of applications lodged over the past six years.

Table 2 Applications lodged with the PRSB by type of decision from 2010-11 to 2015-16

Decision of Chief Commissioner	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16
Dismissal (under discipline provisions)	14	9	9	14	13	11
Reduction in Rank (under discipline provisions)	2	0	3	0	3	0
Dismissal (incapacity)	0	0	0	0	0	0
Compulsory transfer (General Duties Allocation Committee)	11	28	16	2	2	2
Compulsory transfer (non-discipline)	6	3	2	1	0	1
Compulsory transfer (discipline)	4	3	1	2	3	0
Being found unsuitable for promotion	0	0	2	5	1	1
Fine imposed for discipline offence	2	0	0	1	0	1
Non-confirmation of promotion	0	0	1	0	0	0
Termination ¹	3	2	1	4	4	4
Disallow promotion	1	0	0	0	0	0
Reduction in remuneration	0	0	3	0	0	0
TOTAL	43	45	38	29	26	20

¹ 'Termination' refers to the termination of a probationary Constable or Trainee PSO.

Reviews workload

The PRSB Review Division finalised 20 reviews by making decisions in 2015-16. 8 applications for review were lodged and then withdrawn.

Table 3 provides a summary of the review application workload for the 2015-16 year. As at 30 June 2016, 7 reviews remained outstanding.

Table 3 Summary of reviews workload for 2015-16

Decision of Chief Commissioner ¹	Applications on hand at 01/07/15	Applications received 01/07/15 to 30/06/16	Finalised	Withdrawn	Outstanding
Dismissal (under discipline provisions)	10	11	15	1	5
Reduction in Rank (under discipline provisions)	2	0	2	0	0
Compulsory transfer (General Duties Allocation Committee)	0	2	0	2	0
Compulsory transfer (non-discipline)	0	1	0	1	0
Compulsory transfer (discipline)	0	0	0	0	0
Being found unsuitable for promotion	1	1	0	1	1
Fine imposed for discipline offence	1	1	2	0	0
Non-confirmation or disallowance of promotion	0	0	0	0	0
Termination	1	4	1	3	1
Reduction in remuneration	0	0	0	0	0
TOTAL	15	20	20	8	7

¹ Table 3 is a representation of matters received or finalised by the PRSB for the period 2015-16 and does not reflect all matters over which the PRSB has jurisdiction.

Review outcomes

Table 4 provides a summary of the outcomes of the 20 review applications finalised in 2015-16, including the themes and outcomes of the decisions of the Board.

Table 4. Outcomes of review applications finalised in 2015-16

PRSB Ref.	Type of Review	Theme/s	Decision upheld?	Decision/s of the PRSB	Published?
103/13	Fine	Assault	No	Fine reduced	No
200/14	Dismissal	Sexual relations with a complainant	Yes		Yes
207/14	Dismissal	Conduct towards other police officers	Yes		Yes
206/14	Dismissal	Conduct towards a person in custody	Yes		Yes
19/15	Reduction in rank	Alcohol on police premises	No	Charge found proven, dismissal set aside	Yes
20/15	Reduction in rank	Alcohol on police premises	Yes		Yes
131/15	Unsuitable for promotion	Traffic convictions	Yes		Yes
72/15	Dismissal	Sexual relations with member of the public while on duty, duty failure	Yes		No
81/15	Dismissal	Exceed .05	No	Charge found proven, dismissal set aside <ul style="list-style-type: none"> • Fined • Ineligible for promotion for 12 months 	Yes
76/15	Dismissal	Inappropriate behaviour while off duty	Yes		Yes
80/15	Dismissal	Inappropriate conduct at a police function	Yes		Yes
160/15	Termination	Conduct towards other recruits	Yes		Yes
114/15	Dismissal	Assault	Yes		Yes
140/15	Dismissal	Failed drug test	No	Charge found not proven, dismissal set aside	Yes
	Fine	Declarable association breach	Yes		
79/15	Dismissal	Sexual relations with complainant	No	Charge found proven, dismissal set aside <ul style="list-style-type: none"> • Reduced in rank • Transferred • Ineligible for promotion for 12 months 	No

Table 4. Outcomes of review applications finalised in 2015-16 (continued)

PRSB Ref.	Type of Review	Theme/s	Decision upheld?	Decision/s of the PRSB	Published?
122/15	Dismissal	Failed drug test	No	Charge found proven, dismissal set aside <ul style="list-style-type: none"> • 12 month adjournment bond 	Yes
197/15	Dismissal	Possession of prohibited drug	Yes		Yes
198/15	Dismissal	Sexual relations with complainant	Yes		Yes
163/15	Dismissal	Inappropriate conduct towards other police officers	No	Charge found proven, dismissal set aside <ul style="list-style-type: none"> • Reduced in rank 	Yes
26/16	Dismissal	Assault	Yes		Yes

Of the 20 reviews finalised in 2015-16, 14 decisions were upheld. In one matter, the Board found that the main charge (drug use) was not proven and the dismissal was overturned. In a further 5 review matters, the finding that the breach of discipline charge was proven was upheld, but the Board substituted an alternative outcome (such as demotion, transfer, fine, a period of ineligibility for promotion or some combination) after finding that the dismissal, in all the circumstances, was 'harsh, unjust or unreasonable.'

The Board is required to publish written reasons for decision, unless satisfied it would not be in the public interest to do so. For the period 2015-16, the Board published 17 decisions relating to review applications on the PRSB website in accordance with section 154A of the Act. The Board exercised its discretion under section 154A to not publish three decisions, on public interest grounds related to the privacy and welfare of witnesses.

Timeliness and process reform

A key performance measure for the Board is to significantly improve the timeliness for finalising review applications (from the date of lodgement to the date of decision). The Board established a *Review Users' Group* made up of representatives of Victoria Police and The Police Association of Victoria to reform pre-hearing processes. A Practice Note and new standard pre-hearing timelines will result in much earlier notice to parties of hearing dates (providing certainty), early identification of issues in dispute and most reviews being heard within 8 to 10 weeks of lodgement with decisions made soon thereafter.

The average completion time for the main type of review applications determined in 2015-16 was: 229 days for dismissals; 182 days for terminations; and 211 days for reduction in rank applications. The data on timeliness should be treated with caution due to the low number of review applications, the differences in complexity of each review and the possibility of significant 'outliers' (for example, where a matters is adjourned for many months due to illness or legal reasons outside of the Board's control).

Extension of time applications by the Chief Commissioner

Where the Chief Commissioner has taken an action against a police officer or PSO under subsection 126(2) of the Act and the member has not been charged within 3 months, the Chief Commissioner may apply to the Board for an extension of time under subsection 126(4). No such applications were made in 2015-16.

4.2 Registration Division

The Registration Division is responsible for performing the PRSB's registration functions, including the maintenance of the Police Profession Register.

The Police Profession Register ('the Register') commenced on 1 April 2014 operating under the provisions of the *Police Regulation Act 1958* and continues in its current form under the *Victoria Police Act 2013* ('the Act') which commenced on 1 July 2014.

Police registration is the process of registering police officers at a specified rank on the Register. Under Part 6 of the Act, the Board can register:

1. Former police officers of Victoria Police, other than a former police officer who has been dismissed from Victoria Police, and
2. Police officers who are absent on secondment to another body or institution or on leave without pay (LWOP).

The process of registering an applicant includes the phases of:

- lodgement of application;
- information gathering and checking;
- assessment; and
- decision making.

Under the Act, the Registration Division is required to assess applicant's qualification for registration on the grounds of:

- good character and reputation;
- qualifications and experience for registration at a specified rank; and
- aptitude and efficiency required to perform as a police officer at a specified rank.

In reaching a decision, the Board assesses information collected by the Board (such as work history, qualifications and capabilities) and information supplied by Victoria Police via a former member report which may include prior service history and performance assessments, references from previous supervisors, a probity report and any other relevant information. The Board takes into consideration the professional experience and development of the applicant since leaving Victoria Police. This means an applicant can be registered at a higher rank than the rank they held at the time of leaving Victoria Police.

Registrants who apply for re-employment with Victoria Police will be subject to Victoria Police policies and procedures, including standard pre-employment checks relating to physical fitness, medical, psychological and probity testing. Registration does not guarantee re-employment with Victoria Police.

In 2015-16, the Registration Division members undertook a Board induction program in August 2015 along with the new members of the Professional Standards Division.

Registration of former police officers

In 2015-16, the Board redesigned the registration application process to strengthen the collection of information relating to an applicant's good character and reputation. The Board re-designed the application form and included a declarations section which requires the applicant to disclose a wide range of relevant information relating to probity and character. The Board consulted with the Department of Justice and Regulation, the Independent Broad-Based Anti-Corruption Commission and Victoria Police on the design of the new form. The new form and supporting Frequently Asked Questions (FAQs) will be implemented in July 2016.

In this reporting period the Board developed a *Former Member Survey* to better understand the diverse career paths of former police officers (including into policy, law, security, investigations, management, policing and law enforcement in other contexts). Understanding former police officers' pathways into other work is an important step in assessing the potential value to individuals, Victoria Police and the community of facilitating former police officers to return to policing and career mobility more generally, as well as the barriers and risks in the recruitment of former police officers. The Board will launch the survey of former police officers in July 2016.

In this period the Board has also identified further work to refine and support the Police Profession Register including:

- Evaluating the registration scheme;
- Researching improvements to the Board's registration capability assessment methods;
- Researching how to identify and test for currency of policing practice; and
- Developing options for registrants to maintain their skills and remain connected to policing.

These projects will be scoped out in 2016-17 and progressed subject to the Board having adequate resourcing.

Registration activity in 2015-16

For 2015-16, the Board received 37 new applications for registration on the Police Profession Register and finalised 42 applications including 28 registrations of former police officers for the reporting period (Table 5).

Table 5 Registration of Former Police Officers for 2015-16

Registration Activity 2015-16		Total
Applications on hand – 1 July 2015		45
New applications		37
Registration application workload 2015-16		82
Applications finalised		42
- Registrations	28	
- Refusals	9	
- Applications withdrawn	5	
Applications in progress as at 30 June 2016		40

The majority of registrations in 2015-16 were at the rank of Constable or Senior Constable followed by the rank of Inspector (Table 6).

Table 6 Registration of Former Police Officers by Registered Rank from 2013-14 to 2015-16

Registered rank	2013-14	2014-15	2015-16
Commander		1	
Superintendent	1	3	2
Inspector		3	8
Senior Sergeant		2	1
Sergeant			1
Senior Constable		7	11
Constable		7	5
Total Registrations	1	23	28

Table 7 reports on the status of the Register as at 30 June 2016. The Board has registered a total of 52 former police officers since the commencement of the Register on 1 April 2014. As at 30 June 2016, 20 registrants had been appointed to police officer roles in Victoria Police.

Table 7 Status of the PRSB Police Profession Register as at 30 June 2016

Registration Activity	Total
Registrations since the commencement of the Register on 1 April 2014	52
Registrants appointed to police officer roles ¹	20
Cancellations or suspensions of registration	0
Expiry of registration	0
Registrants on the Police Profession Register as at 30 June 2016	32

Table 8 reports on the appointment of registrants since 1 April 2014. The majority of police officers were re-appointed to positions at the same rank as their registered rank, although two registrants obtained positions at one rank below their registered rank.

Table 8 Appointment of Registrants by Rank from 2013-14 to 2015-16

Rank (at appointment)	2013-14	2014-15	2015-16
Commander			
Superintendent	1		1
Inspector		2	3
Senior Sergeant			
Sergeant			1
Senior Constable		4	3
Constable		1	4
Total Appointments	1	7	12

¹ Registrants appointed to police officer roles are removed from the Police Profession Register.

Registration of police officers absent on secondment or LWOP

At present, the PRSB has not established registration on the Register for police officers absent on secondment to external organisations or on leave without pay (LWOP). The Act permits such registration, but this has not been the Board's focus in the establishment phase of the new registration scheme.

The Board is now working with Victoria Police on extending the registration process. Greater mobility in employment (mobility between police forces and mobility between police forces and other employers) is a theme in several reports, including the VEOHRC Report *Independent review into sex discrimination and sexual harassment, including predatory behaviour in Victoria Police* and the *Victoria Police Blue Paper*.

In 2016, the *Victoria Police Mental Health Review* made a specific recommendation that Victoria Police collaborate with the Board around career break options:

Recommendation 38: As part of the VicPol Mental Health Strategy, further consultation should be undertaken with the Police Registration and Services Board, to develop appropriate career break options, including:

- *Planned (an unplanned) career breaks;*
- *Expansion of leave without pay policy;*
- *Review staff funding and counting model; and*
- *Consider the existing process around suspension of police powers (VP Act s.54) for extended periods of absence.*

The Board has identified the next steps for the registration system to facilitate a more mobile workforce particularly by supporting career breaks, secondments and LWOP. Improving police career mobility in collaboration with Victoria Police will be a key focus for the Registration Division in the next financial year.

4.3 Professional Standards Division

Section 202(1)(b) of the *Victoria Police Act 2013* defines the Board's professional standards functions as follows:

- to advise the Chief Commissioner about competency standards, practice standards, educational courses and supervised training arrangements for police officers, protective services officers and police reservists; and
- to support and promote the continuing education and professional development of police officers, protective services officers and police reservists.

In 2015-16, the membership of the Professional Standards Division was finalised and new members undertook a Board induction program in August 2015.

In this period the Board developed a substantial draft report titled *Towards a Shared Vision of Police Professionalisation* ('the Report') examining the future of police professionalisation in Victoria and the Board's role in supporting the professionalisation agenda. The Board undertook extensive research and consulted widely with stakeholders and experts.

In 2015-16, the Division closely studied the findings of the Victorian Equal Opportunity and Human Rights Commission (VEOHRC) Report *Independent review into sex discrimination and sexual harassment, including predatory behaviour in Victoria Police* (2015) and the *Victoria Police Mental Health Review* (2016) to inform future work for the Division. The Report builds on the findings of these reviews in addition to the feedback provided by Board members and Victoria Police and the Department of Justice and Regulation.

The Report proposes key projects where the Board could contribute to police professionalisation including through its professional standards, registration, review and general functions. The Report will be a key strategic document for the PRS Board when finalised.

The Board will then liaise with the Minister for Police, Victoria Police and other stakeholders regarding priorities and resources before developing a work program to guide the Board's activities over the remainder of 2016 and 2017.

Appendices

Appendix 1 – Disclosure index

The Police Registration and Services Board Annual Report for 2015-16 was prepared in accordance with the relevant Victorian legislation and financial reporting directions (FRD). This index has been prepared to facilitate identification of the Board's compliance with statutory disclosure requirements.

FRD	Requirement	Page
<i>FRD 22G Standard Disclosures in the Report of Operations</i>		
FRD 22G	Manner of establishment and relevant minister	5
FRD 22G	Objectives, functions, power and duties	5, 10, 14, 18, 22
FRD 22G	Nature and range of service provision	2-5, 10-22
FRD 22G	Summary of the financial results for the year	24
FRD 22G	Consultancies	25
FRD 22G	Statement of availability of other information	25
<i>Other FRDs</i>		
FRD 10A	Disclosure index	23
FRD 15C	Executive officer disclosures	25
FRD 30C	Design and print specifications	All

Appendix 2 – Financial Statement

Financial Statement for the Police Registration & Services Board (PRSB) 2015-16

Summary		\$
a. Staff salaries and on costs payable to VPS, President and Deputy Presidents		739,282.14
b. Sessional fees payable to Board Members		160,965.00
c. Payroll Tax		47,987.92
d. Employee Superannuation Contributions		84,576.01
e. Travel & Subsistence		6,489.93
f. Office Operating Expenses		
- Communications	3,331.36	
- Computer Costs	2,957.68	
- Supplies & Services	15,452.66	21,741.70
g. Legal Costs		18,202.71
h. Motor Vehicle costs		1,188.94
i. Building & Property Costs		2,406.53
j. Amortisation		39,684.53
TOTAL COSTS		1,122,525.41

Explanatory notes

1. Operating expenses of the PRSB are paid out of the PRSB budget.
2. WorkCover, accommodation expenses and other facilities management costs have been incurred centrally by Victoria Police and are not reflected in the summary table above.
3. Amortisation relates to the leasehold improvements (\$158,738.13) for the commencement of the fitout of the PRSB office which took place in May 2014. This asset will be amortised over four years.

Certification

We certify that the financial statements of the Police Registration and Services Board for the period 1 July 2015 to 30 June 2016, in our opinion, present fairly the payments made by, or on behalf of the Police Registration and Services Board.



Andrea Lester
President
Police Registration and Services Board
July 2016


P. Froutzis
Director Finance (CFO)
Victoria Police
July 2016

Appendix 3 – Additional information

Declaration of interest

Declarations of pecuniary interests have been duly completed by all relevant officers.

Details of consultancies

In 2015-16, there was a single consultancy where the total fees payable to the consultants were less than \$10 000. The total expenditure incurred during 2015-16 in relation to this consultancy is \$8,800 (excl. GST).

Documents to assist clients

The following document is available to assist police officers and protective services officers:

- Victoria Police Manual - Procedures and Guidelines - Police Registration and Services Board – Appeal process

The following PRSB guides are available by visiting the [PRSB website](#) or contacting the Secretary of the PRSB:

- [Appeals: A guide for police officers and protective services officers](#)
- [Police Profession Register: FAQs](#)