

**Submission  
No 8**

**FOLLOW UP OF THE AUDITOR-GENERAL'S  
PERFORMANCE AUDITS APRIL 2011 - SEPTEMBER  
2011**

**Organisation:** NSW Police Force  
**Name:** Mr Andrew Scipione  
**Position:** Commissioner of Police  
**Date Received:** 21/11/2012



**NSW Police Force**

**OFFICE OF THE COMMISSIONER**

Mr Jonathon O'Dea MP  
Chair, Public Accounts Committee  
NSW Legislative Assembly  
Parliament of New South Wales  
Macquarie Street  
SYDNEY NSW 2000

Our ref: D/2012/166524  
Your ref: LAC12/457


Dear Mr O'Dea

I refer to your letter dated 28 September 2012, requesting a submission outlining the NSW Police Force's response to the Auditor-General's report on *The Effectiveness of Cautioning for Minor Cannabis Offences*.

The NSW Police Force response to the relevant recommendations and progress to date are detailed in the enclosed table. There are no objections to this material being made publicly available.

The NSW Police Force will continue to work collaboratively with other agencies on progressing the recommendations.

Yours sincerely,



A.P. Scipione APM  
Commissioner of Police

19 NOV 2012



## NSWPF PROGRESS TOWARDS IMPLEMENTATION OF AUDITOR-GENERAL'S RECOMMENDATIONS

<p>1. by December 2012, implement strategies to increase the number of adult offenders contacting the drug helpline.</p>	<p>Not Supported</p>	<p>New South Wales Police Force undertook a pilot project in an attempt to increase calls to the drug helpline through active follow-up of caution recipients. The pilot involved telephoning and/or texting those cautioned to encourage them to take the opportunity to ring ADIS. The following steps were undertaken:</p> <ul style="list-style-type: none"> <li>○ Three trial Local Area Commands were identified and their agreement to participate in the pilot sought.</li> <li>○ Volunteers in Policing (VIPs) were recruited to conduct the follow-up.</li> <li>○ Contact scripts were designed.</li> <li>○ VIP and ADIS training developed and delivered</li> <li>○ Data collection</li> <li>○ Analyses completed</li> </ul>	<p>Nov 2011 Nov 2011 Dec 2011 Dec 2011 Jan-April 2012 June 2012</p>	<p><b>Completed</b> The pilot resulted in modest improvements in call rates. The continuation and or expansion of this project will be dependent on the outcomes of the evaluation and the identification of recipient use levels and a determination as to the appropriateness and effectiveness of the current intervention.</p>	<p>NSW Police Force, in consultation with NSW Health</p>
<p>2. by April 2013, evaluate whether cautioning reduces the drug use of adults cautioned for minor cannabis offences and recommend ways to improve its effectiveness.</p>	<p>Supported subject to funding</p>	<p>Funds were identified to undertake the evaluation in 2011/2012. NSW Police Force is currently negotiating rollover for 2012/2013. Draft Request for Quote (RFQ) developed and five research institutions approached regarding the study.</p>	<p>By Sept 2014 subject to funding</p>	<p><b>Delayed</b></p>	<p>NSW Police Force, in consultation with NSW Health</p>

<p>3. by December 2011, broaden the eligibility criteria to allow adult offenders with old convictions, that is those capable of becoming spent convictions, to be cautioned for minor cannabis offences</p>	<p>Supported</p>	<p>Approval was sought and gained within NSW Police Force to broaden the eligibility criteria. Inter-agency support was also sought through Senior Officers Committee on Drugs and Alcohol (SOCODA) NSW Health restructure resulted in the suspension of SOCODA activity. NSW Police Force re-initiated this issue by writing to Health seeking advice on support for the proposed change, with Ministry of Health having responded in October 2012 supporting the change. NSW Police Force will proceed to implement the recommendation through the revision of policy, reference/resource materials and police training. Refer to NSW Health.</p>	<p>By April 2013 Subject to approval from NSW Health</p>	<p>Delayed</p>	<p>NSW Police Force</p>
<p>4. by December 2011 collect information on the profile of adult offenders who have contacted the drug helpline to assist future evaluations on cautioning and its impact on drug use</p>	<p>N/A</p>			<p>See NSW Health response</p>	<p>NSW Health, in consultation with NSW Police Force</p>
<p>5. by December 2012 develop new ways for adult offenders to contact the drug helpline and seek help for their cannabis use.</p>	<p>Not supported</p>	<p>Refer to NSW Health</p>		<p>See NSW Health response</p>	<p>NSW Health, in consultation with NSW Police Force</p>

<p>6. by December 2012, help increase the cautioning rate for young offenders with minor cannabis offences by:</p> <ul style="list-style-type: none"> <li>a. reviewing the youth cautioning process to resolve any issues that may prevent its use</li> <li>b. developing guidelines and training police on the revised youth cautioning process</li> </ul>	<p>Not Supported</p>	<p>NSW Police Force agreed to review current youth cautioning processes with the view to maximising the use of cautioning options for minor cannabis offenders. Also acknowledging that in keeping with the intent of the <i>Young Offenders Act</i> police responses need to be proportionate to the offence.</p> <p>The commitment to review the cautioning process has been superseded by the NSW Attorney General and Justice Department's current review of the <i>Young Offenders Act</i>.</p> <p>Should this result in amendments to practice and process these will be the subject of revised guidelines and training.</p>	<p>Subject to completion of AG&amp;JD review</p>	<p>Delayed</p>	<p>NSW Police Force</p>
<p>7. by December 2011, update guidance on the <i>Young Offenders Act</i> 1997 to inform police that warnings can be issued to young offenders for minor drug offences</p>	<p>Supported</p>	<p>This information is contained within the Youth Induction Manual and training is provided for Specialist Youth Officers and Youth Officers. Further action is as per recommendation 6. The AG&amp;JD review is ongoing. All further updates will be dependent on the outcomes of the review.</p>	<p>Subject to completion of AG&amp;JD review</p>	<p>Delayed</p>	<p>NSW Police Force</p>
<p>8. by December 2011, introduce a standard approach for recording the needs of young offenders such as drug use, peers, school and home environment</p>	<p>Rejected</p>	<p>While the NSW Police Force recognises that these issues would generally be addressed in a cautioning session it does not believe it appropriate that the details of these discussions should be electronically captured in a police record.</p>		<p>Rejected</p>	<p>NSW Police Force</p>

<p>9. by December 2012, develop ways to help young offenders seek help for their cannabis use.</p>	<p>Not Supported</p>	<p>As per recommendation 6 and 7</p>	<p>Subject to completion of AGJD review</p>	<p>Delayed</p>	<p>NSW Police Force, in consultation with NSW Health</p>
<p>10. by April 2013, evaluate whether cautioning under the Young Offenders Act 1997 reduces the drug use of young people cautioned for minor drug offences</p>	<p>Supported subject to funding</p>	<p>NSW Police Force will, subject to funding, conduct this evaluation. NSW Police Force is currently negotiating roll-over for 2013. Draft Request for Quote (RFC) developed and five research institutions approached regarding the study.</p>	<p>By Sept 2014 subject to funding</p>	<p>Delayed</p>	<p>NSW Police Force, in consultation with NSW Health</p>