

**REPORT OF PROCEEDINGS BEFORE**

**GENERAL PURPOSE STANDING COMMITTEE No. 3**

**INQUIRY INTO CABRAMATTA POLICE RESOURCES**

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**At Sydney on Friday 23 February 2001**

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**The Committee met at 10.00 a.m.**

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**PRESENT**

The Hon. Helen Sham-Ho (Chair)

The Hon. R. H. Colless

The Hon. R. D. Dyer

The Hon. J. Hatzistergos

The Hon. G. Pearce

Ms Lee Rhiannon

The Hon. I. West

**MICHAEL TIMOTHY PRIEST**, Detective Sergeant of Police, City Central Detectives, Sydney, sworn and examined:

**CHAIR:** Mr Priest gave evidence before the Committee on 18 December last year. It is my understanding that perhaps as a result of events since that date Mr Priest feels that it is important that his evidence be clarified or elaborated upon. In what capacity are you appearing before the Committee?

**Mr PRIEST:** As a police witness.

**CHAIR:** Did you receive a summons issued under my hand in accordance with the provisions of the Parliamentary Evidence Act 1901?

**Mr PRIEST:** I did.

**CHAIR:** Are you conversant with the terms of reference of this inquiry?

**Mr PRIEST:** I am.

**CHAIR:** Do you wish to elaborate on your submission or make a statement first?

**Mr PRIEST:** I will just make a brief opening. I have become aware, since the last time I appeared before this Committee, that a highly confidential and important document was formulated by the investigators at the South-East Asian organised crime unit in October-November 1999. This document, in the form of a report, requested that an urgent task force be set up into information that had been received from a highly reliable informant which indicated that within a very short space of time a major gang war was about to break out in Cabramatta and Bankstown. That report was given the highest priority. It was given urgent attention. It was signed off by an acting superintendent at South-East Asian and forwarded to Commander Small at crime agencies. Nothing was done with the report. It sat there. Some three to four weeks later gang warfare broke out. The forecast—

**Ms LEE RHIANNON:** Can you give us the date?

**Mr PRIEST:** I just said October-November 1999. The forecast contained in the material was chillingly accurate. Over 40 shootings occurred. People were murdered, and numerous people were seriously wounded. The community and the police were placed in grave danger. This could have been prevented. In fact, if they had got a strike force up and running immediately they would have not only prevented what occurred but locked up the majority of players in it. Most of them have been arrested since, some 18 months later, for a variety of offences, including murders, kidnappings, attempted murders, malicious wounding.

It is reprehensible that that report was hidden. And it still remains hidden, but it is at crime agencies and the South-East Asian strike force. This was an opportunity to make major inroads into organised crime in Cabramatta. It was not acted upon. It is almost criminal neglect that the strike force was not allowed to form, was not allowed to act, and the persons responsible should be brought to justice. They should be brought to the public and made to explain why a report so important and so vital to policing and community safety was hidden and not acted upon.

**CHAIR:** Mr Priest, I overlooked to tell you that if you should consider at any stage during your evidence that in the public interest certain evidence or documents you may wish to present should be heard or seen only by the Committee, the Committee will be willing to accede to your request.

**Mr PRIEST:** I understand that. I think that by putting it on the public record it is the only way you will achieve honesty.

**CHAIR:** In that case are you willing to tell the Committee, when you say "the persons responsible should be brought to justice", who are these people?

**Mr PRIEST:** I believe the person most responsible is in fact Commander Small, the previous head of the crime agencies and now the region commander of greater Hume. The report was addressed to him. He did not act on it. In fact, the South-East Asian strike force only became involved some months after the initial shootings.

**CHAIR:** I just want to caution you that if you make certain allegations you have to be very careful about this. Although you will have some privilege during the Committee hearing, I just want to make sure that you understand that when you make a particularly serious allegation outside this Committee hearing there is no privilege that can protect you.

**Mr PRIEST:** I will not be making any allegations outside here. I am here because of a summons and I do not intend to make any public comment. I am only here to assist the Committee.

**CHAIR:** We appreciate your frankness and directness. Can you tell the Committee what has happened to your career since your last appearance before the Committee on 18 December? Have you or others experienced any intimidation, particularly now that you are being very frank about things? Is there any fear of future intimidation?

**Mr PRIEST:** My career is finished. That is it in a nutshell as far as I am concerned. What I perceive as my career is over. I was given a project under the sponsorship of the two deputy commissioners, Mr Maroney and Mr Jarratt, who are both fine, honourable men, but it incurred problems with Commander Small from the very start. He did not want any part of it. I do not think he overly assisted or was overly enthused by it. Despite that, I got every assistance from Superintendent Paul Jones at the South-East Asian strike force and other members of the South-East Asian strike force, but I felt it was never going to go anywhere simply because Mr Small did not want it to go anywhere. Mr Small did not believe in the aims of the project and it was not his own idea.

After less than two months, Mr Small made overtures to have me transferred out of South-East Asian crime to a general duties or uniform sergeant's job at Campbelltown, yet the region and the Police Service in general were screaming out for detective sergeants, particularly those with Asian crime experience. There is no other explanation other than that it was a punishment to remove me from a highly specialised job and simply send me to a uniform job at Campbelltown. Other detectives who did speak out at Cabramatta have been transferred out to Windsor and Fairfield. Some are just languishing at Cabramatta itself. They have very little input into the actual running of the station anymore or any contribution to meaningful solutions to Cabramatta.

Basically my career is stalled and so is that of others who have spoken out as well. I just want to get one thing clear: I am not a whistleblower; I am not an insider. It is just my duty to tell it how it is. I do not want to be known as a whistleblower. I hate that term. It is as though you are given a tag that you do not deserve. This is just part of being an honest policeman with integrity and something is wrong. It is the community that is at risk and it is up to us to say what is happening. But in some parts of the police executive, no doubt we are looked upon as troublemakers and as outspoken. It is not that; it is just that we are trying to get things right again.

Many of us are now paying the price and continue to pay the price every week with comments made by commissioned officers to other commissioned officers about where we should be and where they can send us to, as in where they can transfer us away so that we are no longer heard. But I also have to say that, since arrival at City Central Police Station with Superintendent Graham and Chief Inspector Cooper, I have had nothing but admiration and support. I am confident that I am safe there from any interference at this stage, so to speak. But, sadly, I cannot say that about other detectives and other police at Cabramatta who have spoken out.

**CHAIR:** Thank you for being so frank. The other side of the coin is: Do you believe that police officers or those in the service are promoted not according to their merits but according to the boys club, as you call it?

**Mr PRIEST:** The boys club still exists and continues to exist. It is so heartbreaking and frustrating to see really capable, competent and honest police who will never rise above the rank of sergeant because they do not belong to a clique and they do not have a sponsor. One of the things that is destroying this Police Service now is agendas. Everybody has an agenda—not everybody, but those

who are ambitious have an agenda. It is not for the community's betterment; it is not for the Police Service's betterment; it is for their own promotion, and that is disgraceful.

**CHAIR:** How does this system effect Cabramatta policing in relation to the drug problem?

**Mr PRIEST:** The most capable people should be in there. I must say that Superintendent Frank Hansen, for whom I have great admiration as a policeman and as a person, is what Cabramatta probably needed for years ago. But the horse has bolted and he has a hell of the job to do to try to bring it back under control. But there are people who could fill in some other spots at Cabramatta so capable and so effectively but they will never ever be given the chance because they are not connected to anyone. They do not have sponsors. The promotion system is not based really on merit. It is based on opportunism.

Many police now have just given up. They do not feel as though the promotion system is treating them honestly. The assessment centre is just—I mean, it is not just me. It is many thousands of police who just consider it an absolute farce. One example is one of the requirements or prerequisites. They assume that you have assumed knowledge of the position you are going for. That is not tested. Just because I can go to an assessment centre and take part in a role play, speak, be assertive, that gets me through. But there is no real test to see what your ability is as a policeman or what your knowledge of the law is or what your knowledge of police policy, practice and procedure is. There is no test for that so we basically get people who are salesmen who are promoted and get through the assessment centre.

**CHAIR:** I intend this to be my last question at this point and if I have time I will come back to you. You said that this is the end of your career. Is that because you have opened up and opened up to the Committee about these problems? Can you elaborate on that comment?

**Mr PRIEST:** It goes back to the start of the problems at Cabramatta. At the very base that report, which was ignored, has caused the careers of many police to suffer besides the fact that it has resulted in people being murdered or seriously wounded. But when we spoke here about the troubles at Cabramatta, we obviously upset the comfort zone of a lot of people. We have trodden on toes and we have pointed out deficiencies in the police hierarchy. We did not deliberately set out to do that but it goes hand in hand and if things are not done right, someone has to be responsible for it.

I must also say that the majority of rank and file police have the utmost admiration for Mr Ryan and I think he is a decent fellow, but we all believe that he is not getting told the full story—that he is not been given the right information—otherwise he would not have made the comments about Cabramatta that he did. I think most of us agree now that he must have been very poorly advised and he was not told the truth.

**CHAIR:** That was to be my last question at this point, but can you tell the Committee: Is there a solution to this?

**Mr PRIEST:** There is, but it is not easy. I sort of liken Cabramatta to a motor vehicle. If you do not service a car over a period of three or four years, it suddenly costs you far more money to fix the engine up when it has broken down than what it would have ever cost you to service it. Cabramatta was never serviced from a policing perspective. The budget was cut to pieces. The dollar was the bottom line and the most important part of policy in Cabramatta. Now we have to try to put it back and it is going to cost infinitely more money to do that than what it would have cost had the proper resources been put in place.

I warn you now, too, that gang warfare is going to continue and they are going to spread all over Sydney, the likes of which you have never seen before. They are breaking out everywhere. Unless the service comes to grips with a policy on gang warfare, this city will be torn apart. When you have a 16-year-old kid with no criminal record shoot somebody at a bus stop at 3 o'clock in the afternoon at Bankstown, that is reprehensible because we are doing nothing about it. It is going to continue to occur and it will happen more and more and more.

Unless we get on top of it now—and we are running out of time—you can have all these committees and forums and everything else but unless there is positive action and unless someone

puts his hand up and says, "Yes, we are going to do something", it is going to get out of control. You will leave a terrible legacy to your kids and to your grandkids and to my kids and the people out there in that community. It has to be done now. People have to put their agendas aside and start to focus on what is good for the community, not for themselves.

**The Hon. R. D. DYER:** Mr Priest, you might recall when you last appeared before the Committee we had an exchange and you asked me whether I was suggesting to you that you are a dinosaur facing the ice age. Do you recall that exchange?

**Mr PRIEST:** I do.

**The Hon. R. D. DYER:** Do you think perhaps that you are a dinosaur facing the ice age in the sense that you are out of sympathy with efforts being made to update and modernise the Police Service? I would instance assessment centres for executive recruitment of police as one instance of that.

**Mr PRIEST:** Well, it is a hard question to answer. To put it on a simpler level, Cabramatta's solution at this moment appears to be region based. That region has very, very few resources. It has no electronic resources at its immediate disposal and it has got to go into town to get electronic intercepts and that sort of stuff. There is no surveillance element that is properly trained or properly resourced at the region. They are getting uniform constables with two or three years service, putting them in plainclothes, giving them an unmarked car and saying to them, "You are our surveillance unit". So, really, the resources in respect of what we are talking about at Cabramatta are not been updated and not being increased.

As far as stuff like DNA and police launches are concerned, I am sure they are very modern and very up to date and that is great, but we are talking about basic community policing. It does not need any fancy gadgets and multimillion-dollar spending. It just needs a commitment of police resources with some very basic things like surveillance equipment, electronic equipment and money being spent to allow police to work the hours they should be working.

**The Hon. R. D. DYER:** What I am putting to you is your attitude and your perception and sympathy or otherwise towards cultural change and the like within the Police Service. You have said that you support Commissioner Ryan. Commissioner Ryan, as you know, comes from Great Britain. He held high office in the police training area. I have little doubt that he would be a supporter of assessment centres. What I am putting to you is your attitude to change in the Police Service with a view to upgrading its performance. I know that you are no doubt a very competent street policeman and that you are very committed to the objectives of the Police Service, but do you think it might be capable of being said justly that you are out of sympathy with the changes that the commissioner is introducing?

**The Hon. G. S. PEARCE:** Point of order: This inquiry is not about the reform process. I think it is unfair for the witness to be asked to comment on the reform process per se. It is about police resources and the statistical recording of information and the other issues that are within our terms of reference. I think those questions are frankly going right outside those terms of reference.

**The Hon. R. D. DYER:** To the point of order: The witness himself, in addressing the Committee, has had a lot to say about how he perceives the Police Service to stand at the moment. He has made remarks to the effect that he thinks his career may be at an end because of various things that have happened to change the Police Service. If it is good enough for the witness to put these things to the Committee, it is good enough in my view for the Committee to elicit what he means by the statements he makes.

**CHAIR:** I think I will allow the question because it is linked to the Police Service and what happened in the Police Service before which will link up with Cabramatta. Please answer the question.

**Mr PRIEST:** You may say that I am out of sympathy, but I am certainly not out of touch. I make no criticism of Mr Ryan whatsoever. I make criticism of a system that I do not think is working. I do not have to be an academic to say that I can see that the system in my view, and in view of many other police, is not working. It is not getting its most capable people through. It is stalling. It needs to

be revisited and reviewed. I just do not believe it has worked and you do not have to be a dinosaur to see that.

**The Hon. R. D. DYER:** How long have you known Assistant Commissioner Small?

**Mr PRIEST:** Fourteen years.

**The Hon. R. D. DYER:** Would you agree with me that Assistant Commissioner Small has a general reputation, both in the wider community and within the Police Service, as a highly capable, effective and honest police officer?

**Mr PRIEST:** That sounds like a political question. I am not aware of what the community thinks of Mr Small. I can certainly tell you there is a perception in the police community that is not as—how can I put it—complimentary as that.

**The Hon. R. D. DYER:** Despite your perception of Mr Small, he has risen to the office of Assistant Commissioner. He is said to be in contention for another position at the top of the Australian Federal Police. Do think it is likely, having regard to your perception of him, that he would have progressed to that extent and been successful in criminal investigations to the extent he has—

**The Hon. G. S. PEARCE:** Point of order: The witness has already responded in relation to his personal views about Mr Small and it is inappropriate to try to trap him into making some sort of derogatory comment about Mr Small.

**CHAIR:** I uphold the point of order. Perhaps the Hon. R. D. Dyer will deviate from that point.

**The Hon. R. D. DYER:** With regard to the report you started to describe when you commenced your oral submission to the Committee, namely the one about gang warfare, may I ask you whether the police hierarchy, if I could use that expression, may well have had a good reason, at the time or subsequently, not to reveal or act on that particular document?

**Mr PRIEST:** I could see no reason whatsoever. There would be absolutely no reason whatsoever that they would not act on a document like that.

**The Hon. R. D. DYER:** You were not involved in any discussions at a high level within the Police Service concerning that matter, though, were you?

**Mr PRIEST:** You know that. You know that I would not be, so what is the point of that question? Of course, I would not.

**The Hon. G. S. PEARCE:** Was there a downgrading from category 1 to category 2 as a result of the crime index statistics when you were at Cabramatta?

**Mr PRIEST:** Yes, there was.

**The Hon. G. S. PEARCE:** When did that occur?

**Mr PRIEST:** I think it was around about May 1999 or March 1999; somewhere around there.

**The Hon. G. S. PEARCE:** What effect did that have on the resources available at Cabramatta?

**Mr PRIEST:** I am not sure of the actual break-up of the resources between a category 1 and a category 2, suffice to say that the LAC got very little after that in the way of anything.

**The Hon. G. S. PEARCE:** It was a downgrading?

**Mr PRIEST:** It was a downgrading, yes.

**The Hon. G. S. PEARCE:** Given that there is clearly organised crime in the area, were you aware of any contact with the Federal police, the National Crime Authority or with Australia-wide international organisations or agencies?

**Mr PRIEST:** Only apart from Task Force Coltsfoot, which was a crime agencies/NCA joint venture, which was closed down by Mr Small as well in about November of 1999. So Cabramatta lost its real organised crime function shortly after that.

**The Hon. G. S. PEARCE:** Are the police trusted by the community in Cabramatta?

**Mr PRIEST:** It has gone from—

**The Hon. G. S. PEARCE:** Does the community readily report crime to the police?

**Mr PRIEST:** No, they do not. They view police as inept and incapable. I do not think it is a trust on a corruption basis; I think that has been overcome. But they just now view police as incompetent, I suppose. That is the only way to describe it.

**The Hon. G. S. PEARCE:** We have heard evidence that goes further than that, that describes the police out there as like a colonial police force, with implications of racism and essentially, in effect, protecting the criminals. Would you agree with that sort of statement?

**Mr PRIEST:** They may say that, but it is certainly not the perception of police themselves. We police them as we police anybody else. They are Australian citizens; they are part of our community. But I can understand how they would feel that way.

**The Hon. G. S. PEARCE:** Some time ago there was a promise of anti-gang units in every police district to gather evidence on gangs. I want to clarify your previous evidence. Were you ever aware of any such initiative in Cabramatta?

**Mr PRIEST:** No, definitely not.

**The Hon. G. S. PEARCE:** Do you have any comments on the cultural change program and its effect on Cabramatta?

**Mr PRIEST:** Cultural change as in—?

**The Hon. G. S. PEARCE:** As a response to the police royal commission?

**Mr PRIEST:** Some very positive things have come from it. Very positive things in cultural change have had to occur. But I do not necessarily think that I would be an expert on that.

**The Hon. G. S. PEARCE:** Can you tell me what happens to the videotapes and surveillance cameras and what action the police take on those tapes? How are they dealt with and what actually happens with them?

**Mr PRIEST:** That CCTV set-up in Cabramatta is farcical. It is operating at probably about 10 per cent of its capacity. There is daily interference from Fairfield council, which actually runs the CCTV. You could not even say that it resembles any sort of a police instrument.

Those cameras could be a great source of police intelligence, a great operational tool, but they are not allowed to be used as such. I understand there have to be privacy concerns and there have to be regulations that govern that. But it just gets interference from Fairfield council on a daily basis. Yet the CCTV here in the city of Sydney is completely different. It is manned by competent operators who are there to assist the police. In other words, it is run properly, whereas the one at Cabramatta is run hopelessly.

**The Hon. G. S. PEARCE:** What do you mean by "interference by Fairfield council"? Do you mean that they physically take the tapes, or what do you mean?

**Mr PRIEST:** They view it as a council tool, not a police tool. They view it as their own property. They are constantly badgering the Cabramatta LAC about privacy issues that border on being extremely trivial. They had a very, very good security company in there running it before, a company that had been doing it for a number of years and were really adept at picking out criminals and criminal activities, and at predicting things that were going to occur on the street. They lost the contract. I do not know why. Possibly it is a fiscal thing. A whole new group came in, they have had to be retrained all over again, but they have just not measured up. As I said, it is farcical.

**The Hon. R. H. COLLESS:** Are you aware of the effect of the recent announcements by the Police Service on the drug trade in Cabramatta? I am referring, of course, to the announced crackdown on dealers and addicts on the street.

**Mr PRIEST:** It is having some effect—there is no doubt in the world about that. Any extra resources into Cabramatta were always going to have some effect. Whether it has any long-term effect, I am highly sceptical, because a number of things have not been put in place. These are all short-term solutions to a long-term problem.

To give you an example, last Monday or Tuesday there was an incident at Cabramatta High School where carloads of gang members turned up at the school and frightened a few of the kids, who then went inside and told some teachers. The principal and some other teachers went outside to try to shift the cars containing the gang members, and they were set upon, and their cars had rocks, wood and other things thrown at them. They were chased back inside the school. They contacted the police. The police managed to get one of the cars as it drove out of there, but all they did was tell the people inside the car that their behaviour was inappropriate. Their behaviour was criminal, in my view.

We are not breaking up the continual cycle of recruitment by gang members from Cabramatta High School and the other schools in the area. These gangs drive down there in their cars, they get out, they show their fancy jewellery to these kids; they show them wads of money, fast cars, easy women. It is such an attraction to these kids who are struggling away at 15 or 16. Of course it is going to lure them. But the worst part is that they are actually luring them at the front gate of a school—not up the street or at a party. They are actually going directly to the school to recruit these kids. What hope have these kids got in the first place, and what had have we got in cracking down on gangs?

**The Hon. R. H. COLLESS:** As I understand it, Cabramatta High School is fairly well regarded by community members in terms of its cleanliness from the drug problem and the gang problem. Are you saying that that is infiltrating the high school as we speak basically, or it is simply a recruitment stage by the gangs going into the high school?

**Mr PRIEST:** I am sure that the school community is a brilliant community in a very hard area. I make no judgment upon them—in fact, I think they do a magnificent job. But what I am saying is that these kids are recruited out of the high schools in the area. If you looked at the background of every young person locked up in Cabramatta for selling drugs, they would have to come from a high school. Many of them are recruited by things that are so attractive to them: money, drugs, girls, cars, power and excitement. Unless we break that cycle, it is just going to be a never-ending recruitment source of these gangs.

**The Hon. R. H. COLLESS:** I have not been to Cabramatta for a few weeks, since the announcement. Do you feel that there are now more police on the streets of Cabramatta?

**Mr PRIEST:** There are. But it has to go further than that. It has to be a 24-hour operation, seven days a week, not between nine and three. The gangs and the drug sellers out there do not operate on shifts, they operate 24 hours, just as an addict has 24 hours worth of need for drugs.

**The Hon. R. H. COLLESS:** Would the presence of the police there be simply shifting the problem to other suburbs?

**Mr PRIEST:** It will. Unless there are long-term solutions, it will simply shift it to Bankstown, Marrickville or Campbelltown. All you will do is shift the problem around. One of the shortfalls of this region-based tag team is that it is Greater Hume. Bankstown is a matter of kilometres



away but it is in a different region, so there is no interaction. There is no exchange of intelligence; there is no exchange in police operations. That is why it needs greater than a region-based operation. It actually needs a specialist unit, like Southeast Asian, who have done an absolutely remarkable job in a short time in Cabramatta with drughouse legislation, Portville and Scotsville with their murder inquiries and gang inquiries. They should be at Cabramatta 24 hours a day, seven days a week, for the next three years. They have the resources, the expertise, the commitment and enthusiasm. They should be focused solely on Cabramatta, Bankstown and Green Valley, based there, acting there, and that way you will get on top of it.

**The Hon. R. H. COLLESS:** We hear from press reports that Jarratt and Ryan are constantly kept up to date on a daily basis in relation to the state of the crime in Cabramatta. Are they accurate reports, do you think, and if so what does that mean to the police on the beat in Cabramatta?

**Mr PRIEST:** I do not know whether they are kept up to date. There has been a perception, particularly last year, that things were said by the executive that would not have been said had they known the true picture. I cannot say whether they are kept up to date.

**The Hon. R. H. COLLESS:** Who do you think is responsible for misleading them, if that is the case?

**Mr PRIEST:** I cannot point the finger at anyone. It is probably something that you would have to ask where they get their reports from. But it certainly must have come from the Greater Hume region.

**The Hon. R. H. COLLESS:** I refer to some of the comments you made earlier about the boys club and so on. With regard to the detectives and other police who also believe in the values that you described to us earlier—that is, integrity, honesty and doing the right thing by the community—their employment prospects have obviously suffered as a result, as you have described. Do you feel that there is any risk to their own personal safety as well, and do you fear for your own personal safety?

**Mr PRIEST:** I suppose we all do. It is hard to quantify. I really could not give you an accurate answer on that, other than that it is possible. I suppose if you upset people, powerful people, they quite often spring back. Anyway, I do not sort of think about that.

**The Hon. I. W. WEST:** You said at the commencement of your evidence that you were representing the police. Is that right?

**CHAIR:** He came here as a policeman.

**The Hon. I. W. WEST:** Whom are you representing?

**Mr PRIEST:** I am a police witness.

**The Hon. I. W. WEST:** For how long have you been in Cabramatta?

**Mr PRIEST:** Four years.

**The Hon. I. W. WEST:** Do you say that in that time drug dealers have been recruited from Cabramatta High School and you know some of those?

**Mr PRIEST:** What I am saying is that if you went through the backgrounds of 50 young people who have been arrested for selling drugs in Cabramatta in the last six months, they would have come from some high school in that local area.

**The Hon. I. W. WEST:** But you do not know of any who have come from Cabramatta High School?

**Mr PRIEST:** I think I do, but I cannot recall their names. It would be a fairly easy proposition to find out.

**The Hon. J. HATZISTERGOS:** It would be a fairly easy proposition to work out that if there were 50 people arrested for drug dealing the majority of them will at some time in their lives have gone to a high school.

**Mr PRIEST:** That is correct.

**The Hon. J. HATZISTERGOS:** It is a different proposition to say that they have been recruited from the high school, isn't it?

**Mr PRIEST:** I will go back to what I said.

**The Hon. J. HATZISTERGOS:** No. I would like to know: It is a different proposition, isn't it, to say that they have been recruited from the high school?

**Mr PRIEST:** No, it is not.

**The Hon. J. HATZISTERGOS:** Can you tell me what evidence you have to indicate that they have been recruited from the high school?

**Mr PRIEST:** I just gave you a scenario. What was a gang car doing, with gang members in the car, parked outside the high school? Why would they attack the principal—

**The Hon. J. HATZISTERGOS:** When did that occur?

**Mr PRIEST:** This week.

**The Hon. J. HATZISTERGOS:** Now, you are based at City?

**Mr PRIEST:** City Central.

**The Hon. J. HATZISTERGOS:** How long has been since you have been to Cabramatta as a police officer?

**Mr PRIEST:** A couple of weeks. I was at the South-East Asian Strike Force up until this week.

**The Hon. J. HATZISTERGOS:** What is your continuing involvement with policing in Cabramatta at the moment?

**Mr PRIEST:** This inquiry.

**The Hon. J. HATZISTERGOS:** Apart from this inquiry, in active policing what is your involvement in Cabramatta?

**Mr PRIEST:** It ended when I started at City Central on Monday.

**The Hon. J. HATZISTERGOS:** When way you last in Cabramatta doing active policing?

**Mr PRIEST:** Three or four weeks ago.

**The Hon. J. HATZISTERGOS:** What is the source of your knowledge about what happened last week?

**Mr PRIEST:** Viewing a COPS event.

**The Hon. J. HATZISTERGOS:** On the screen?

**Mr PRIEST:** That is right.

**The Hon. J. HATZISTERGOS:** And the information you have given us here today is on the basis of that information that you obtained from the police computer?

**Mr PRIEST:** What information are you talking about?

**The Hon. J. HATZISTERGOS:** The information you have told us about the—

**Button and Mr PRIEST:** The Cabramatta High School incident? Yes, it is.

**The Hon. J. HATZISTERGOS:** Apart from that incident, are there any other incidents which you are aware of that show that Cabramatta High School is used as a recruitment source?

**Mr PRIEST:** To answer that, I do not want to focus on Cabramatta High School, and I am not trying to focus particularly on Cabramatta High School.

**The Hon. J. HATZISTERGOS:** I think you have.

**Mr PRIEST:** No. I gave you a scenario of an incident that I read on a COPS event, and it mentioned Cabramatta High School. That was my only mention of Cabramatta High School as such. I could have mentioned other high schools in the area that would basically be in the same position.

**The Hon. J. HATZISTERGOS:** You have made a serious accusation against that high school in particular.

**Mr PRIEST:** No I haven't. I have not made it at all.

**The Hon. J. HATZISTERGOS:** I must say that it seems to be somewhat contrary to the evidence that we have from the school itself and from the school community in our consultations. And, if it is so, I just need to know whether there have been any other instances which have given to you the impression that this school, or indeed any other school, has been used as a recruitment source for drug dealing. You mentioned the fast cars and the money that are attractive to young kids. Those are the statements you have made.

**Mr PRIEST:** That is right.

**The Hon. J. HATZISTERGOS:** I want to know what the evidentiary base for those statements is.

**Mr PRIEST:** I am sure, if you would allow me to research, I could come back with the names. I could come back—

**The Hon. J. HATZISTERGOS:** So you have not got them at the moment?

**Mr PRIEST:** Not off the top of my head. But there is a thing called commonsense, and commonsense when you are a policeman in Cabramatta says that when you see and hear things, that that is what is occurring.

**The Hon. J. HATZISTERGOS:** There is also a thing called responsibility when you are making statements of that nature and you are unable to support them.

**Mr PRIEST:** I can support them. I think you are misleading this Committee by your questioning. I said there was a car pulled up outside the Cabramatta High School. I did not say Cabramatta High School was the number one stop for gang recruiters in this State. You have tried to make it that way. I will tell you again I did not stipulate that Cabramatta High School was the number one gang recruiting station. I said it occurs there—and it must occur there because kids come from that high school. You are not being honest. You are not allowing me to answer the question in the way I want to answer it. You are trying to hijack what I have said, and that is disgraceful, absolutely disgraceful.

**The Hon. J. HATZISTERGOS:** No. What I want you to do is to support what you have said.

**Mr PRIEST:** No you did not.

**The Hon. J. HATZISTERGOS:** And you have not done so.

**CHAIR:** Can the member ask the question without actually arguing?

**The Hon. R. D. DYER:** Madam Chair, this is appalling arrogance on the part of the witness. Mr Hatzistergos has asked a question and there has been—

**The Hon. G. S. PEARCE:** Point of order, Madam Chair. What is—

**The Hon. R. D. DYER:** I am taking a point order, Mr Pearce. There has been no attempt to impede the witness responding to any question in whatever fashion he chooses. So it is absolutely out of order, in my view, for the witness to attack a Committee member for asking a question to which he, the witness, is entitled to respond as he chooses.

**The Hon. G. S. PEARCE:** To the point of order: Mr Hatzistergos, in pursuing his line of questioning, in fact put to the witness that he must only answer the questions as they were being put to him and did not give him the benefit of the proposition that Mr Dyer is now putting forward—and with which I agree—that the witness may answer the question in any manner that he wishes.

**The Hon. J. HATZISTERGOS:** Madam Chairman, I do not mind the witness adding whatever he wants to, but I would like in some part if he could respond to the question that I have put, especially when it involves serious accusations against the school which, from all impressions of Committee members I think so far, have a pretty positive view of, in terms not only of the staff and the community there but also of the students, who, I might say, are quite appalled at the way they are maligned constantly from various sources—

**The Hon. I. W. WEST:** And anecdotally.

**The Hon. J. HATZISTERGOS:** Anecdotally and otherwise, about their reputation.

**Ms LEE RHIANNON:** To the point of order: There was a clear line of questioning. Mr Priest has had the opportunity to make a statement. There was a clear line of questioning from Mr Hatzistergos. I myself felt that only one example had been given, and I was waiting to hear you give other examples to back up this quite serious charge that it is a recruiting ground. There were some quite emotional things said by you in the latter part of what you said when you just spoke, Mr Priest. But I would just ask you to go back and answer the questions. If there is anything else that you want to say, you have ample opportunity to do so before this inquiry.

**CHAIR:** I will rule on the point of order. The member has every right to ask questions and I would ask the witness to answer the questions directly. I think that would rule out any implication or allegations. I ask the member to ask the question again, perhaps to clarify the matter.

**The Hon. J. HATZISTERGOS:** I think I have got the response I want. He just started an attack on me. I can take that; I'm not that sensitive.

**Ms LEE RHIANNON:** I would like to ask you a question, because you did make the allegation about it being the recruiting ground. You have given us one example, of an incident last week. You said that you would need time to research names. We are not actually asking you for names at this moment. Can you give any other incidents, apart from the one that occurred last week, where there was what you understood was recruiting going on at the school—because that is the allegation you have made and that is what we are finding sits uneasily with what we saw at the school?

**Mr PRIEST:** I will try to explain it again. I gave an example of what happens at Cabramatta. In no way am I saying that Cabramatta High School is opening its gates for gang members to be

recruited. I am just saying that an incident occurred there this week, and that is the sort of incident you have got to stop happening. You have got to stop the gangs going to the school and parking out the front. There are other instances of attacks in Cabramatta High School. They are on the COPS event. I cannot give you the date or the year, but there are reports of machete fights—

**Ms LEE RHIANNON:** In the school?

**Mr PRIEST:** In the playground. There are reports of kids being frightened to leave the school because gangs were waiting for them outside. That is specific. I cannot give you the date, and I cannot give you the time, but that has happened. That is my knowledge. That is me listening to it over the police radio.

**The Hon. J. HATZISTERGOS:** Let me put this to you. We went to the school and we had a totally different impression to that given to us. The words, I think, that were used by teachers, parents and schoolchildren is that that school is an oasis.

**Mr PRIEST:** Well, the water just got—

**The Hon. J. HATZISTERGOS:** Is that a statement that you disagree with?

**Mr PRIEST:** Well, the water just dried up there last Tuesday, obviously, because that happened.

**The Hon. J. HATZISTERGOS:** You have given us a number of other incidents that you say occurred at that school which would, I would suggest to you, give one the impression that it is otherwise than an oasis.

**Mr PRIEST:** A lot of this stuff goes on covertly and secretly, and the teachers and probably the school community would not be aware of it. But, certainly the kids are. That school community, I am sure, if they knew about it, would do their utmost to stop it.

**The Hon. J. HATZISTERGOS:** What the school is concerned about, Mr Priest, is that people such as yourself go out and make statements about them which harm their image and reputation when they, all of them, seem to be thinking that they are progressing very, very well within that environment.

**Mr PRIEST:** So this is—

**The Hon. J. HATZISTERGOS:** They are concerned also about what is going on outside. I have to also indicate that. But to suggest that they are part of it is a pretty serious accusation to make.

**The Hon. G. S. PEARCE:** Madam Chair, with respect to the line of questioning, it has raised some of the evidence that came from the visit to the school. We have not yet decided whether that evidence is public or not. However, without disclosing any of that evidence, there were definitely statements that parents and children were scared to leave the school. We heard of various things outside the school which are consistent with what the witness is putting to us. I have not taken the witness to be saying that he is alleging that the school is a recruiting ground. He has talked about the arrival of gangs outside and the impact of that. I think it is taking a leap which is not appropriate.

**The Hon. I. W. WEST:** Well then, can I ask—

**CHAIR:** Hang on. Could the member not ask a question on a matter that the Committee has not decided whether it should be disclosed in public.

**The Hon. J. HATZISTERGOS:** It was not a private meeting. The media were there.

**CHAIR:** No, the media were not there. There were only the Committee members.

**The Hon. J. HATZISTERGOS:** There was one person there.

**CHAIR:** No, there was not. There were no media there.

**The Hon. I. W. WEST:** It was not in camera.

**The Hon. G. S. PEARCE:** The evidence clearly was that people were afraid to leave the school.

**CHAIR:** We have not decided. I do not want an argument over this. We have not made a decision on this. I ask the member not to pursue the line of questioning related to the meeting, particularly in the school, at this point of time.

**The Hon. I. W. WEST:** Can I ask the witness a question?

**CHAIR:** Yes.

**The Hon. I. W. WEST:** Can you confirm for us that Cabramatta High is not a recruitment ground?

**Mr PRIEST:** No, I cannot say that. What I can say is that kids are recruited out of there. Now, whether you want to say that is a recruitment ground, or that it is not, I am just saying kids are recruited out of there and end up on the streets of Cabramatta selling drugs. If you do not want me to say "recruited", maybe I can say they are hired out of there, or that they are leased out of there, but they certainly come from there.

**The Hon. J. HATZISTERGOS:** Did you ever conduct an operation, or were you ever part of an operation, to break the recruitment cycle from Cabramatta High School, in the four years that you were there?

**Mr PRIEST:** I suggested one. I put it in the submission, and it has not been used.

**The Hon. J. HATZISTERGOS:** When did you do that?

**Mr PRIEST:** In May last year, or April last year.

**The Hon. J. HATZISTERGOS:** Whom did you make the submission to?

**Mr PRIEST:** To this inquiry.

**The Hon. J. HATZISTERGOS:** Did you make it to any officer in the Police Service senior to yourself in the time that you were there as an active police officer at Cabramatta?

**Mr PRIEST:** No. Well, it was not appropriate to do it.

**The Hon. J. HATZISTERGOS:** Why?

**Mr PRIEST:** Because we did not have the support, and it would not have been acted upon, it would have been lost in a file.

**The Hon. J. HATZISTERGOS:** Did you ever draw it to anyone's attention that—

**Mr PRIEST:** I just answered that. I just said that I made a submission to this parliamentary inquiry, which I thought, until I came here today, was an independent, objective Committee on how we can improve Cabramatta. That is why I sent it here.

**The Hon. J. HATZISTERGOS:** Did you ever make a suggestion to any officer senior to yourself in the time that you were in the Cabramatta region that something should be done about stopping drug recruitment activities in Cabramatta High School?

**Mr PRIEST:** I have already entered that. I said no.

**The Hon. J. HATZISTERGOS:** Thank you.

**The Hon. G. S. PEARCE:** Madam Chair—

**CHAIR:** I will allow one more question because of time constraints, because I have another question to ask.

**The Hon. R. D. DYER:** Ms Rhiannon has another question.

**The Hon. G. S. PEARCE:** Detective-Sergeant Priest, I think the confusion that exists here is that what you are saying is that the gangs have been actively recruiting outside the high school in the last week. That is the case?

**Mr PRIEST:** That would appear to be so from what I have read.

**The Hon. G. S. PEARCE:** That does not necessarily mean that Cabramatta High School itself is in any way, shape or form at fault.

**Mr PRIEST:** No. This is—

**The Hon. G. S. PEARCE:** I think that is where the confusion existed.

**Mr PRIEST:** It was hijacked. My actual statement was hijacked. Now I can see this is going to be needlessly reported tomorrow or today that Cabramatta High School is a recruitment ground for gangs. Every major study in the western world where Asian crime is a problem tells you that gangs are recruited out of schools. They are not recruited from the Yogi Bear Club or anywhere else like that. The kids come from schools. It is an attractive proposition to kids that are struggling, particularly minority kids that have a loss of identity. That is what I am saying. Cabramatta High School does a magnificent job in very difficult circumstances. It is not their fault. I am saying it is the gang's fault. So we should not place blame on anybody. That really is the crux of it. No-one should get the blame. There should simply be a solution.

**The Hon. G. S. PEARCE:** Thank you.

**Ms LEE RHIANNON:** When you started off you started talking to us about the report that you said was suppressed, and that linked to that were these very serious charges that you have made that people, you believe, had been murdered because that report was not acted on, that police careers were stalled, that gang warfare broke out. To summarise, they are obviously very serious charges to link with this report not being released. You have spoken to us today about it. Could you outline what you did within the force to try to ensure that that report was released, or what measures you have taken within the Police Service itself to take up this matter? I appreciate if you have not done anything, and I am not casting any aspersions on that. I just wanted to see how that has worked within the service.

**Mr PRIEST:** I waited for today so I had the protection of this parliamentary committee to do it. It is the only safe forum to do it. Other police have tried to get the report out to the public and have failed, so the worry is that the report may be destroyed. So by only publicly announcing it before this Committee, this Committee may well be able to subpoena the document.

**Ms LEE RHIANNON:** So this is the first time. You have not said anything within the Police Service?

**Mr PRIEST:** No, I have not.

**CHAIR:** This is a very important question and I would like you to think about it carefully before you answer it. I want to go back to the initial question that I asked. Are you saying that you, and others may be, have been specifically victimised as a result of making a submission or giving evidence to this Committee or are you saying that the victimisation has arisen from speaking out about policing in Cabramatta generally, for example, in the press, through the Police Association, meeting other officers and that kind of thing? There is an important distinction from our point of view. If the

former is the case the Committee may need to report this matter to the Legislative Council for possible investigation by the Privileges Committee as contempt of the Parliament.

**Mr PRIEST:** I will be specific about that. When I say we spoke out, we spoke out before this Committee was formed, so we are talking about last year, in relation to the internal problems at Cabramatta and in relation to the drug problems at Cabramatta. That is what I feel that we are being punished on. I have absolutely no evidence that we are being punished because of any submission or any appearance we made before this Committee, so they are two separate issues.

**CHAIR:** Thank you for coming forward and I do hope that you are not being victimised or punished.

**Mr PRIEST:** So do I.

**(The witness withdrew)**



**THOMAS DIEP**, Medical General Practitioner and President of the Cabramatta Business Association, Shop 123, 117 John Street, Cabramatta, and

**KEITH ROSS HEWLETT**, Solicitor and Honorary Secretary of the Cabramatta Business Association, 1st floor, 180 Cabramatta Road, Cabramatta, sworn and examined:

**CHAIR:** Did you receive a summons issued under my hand in accordance with the provisions of the Parliamentary Evidence Act 1901?

**Dr DIEP:** Yes, I did.

**Mr HEWLETT:** Yes, I did.

**CHAIR:** Are you conversant with the terms of reference of this inquiry?

**Dr DIEP:** Yes, I am.

**Mr HEWLETT:** Yes.

**CHAIR:** If you should consider at any stage during your evidence that in the public interest certain evidence or documents you may wish to present should be heard or seen only by the Committee, the Committee would be willing to accede to your request. I want you to keep that in mind. Do either of you wish to make an opening statement?

**Dr DIEP:** Today I come here in my capacity as the President of the Cabramatta Business Association to represent the Cabramatta business community and also in my capacity as a medical general practitioner who has been practising in Cabramatta since 1985, to report to the inquiry the feeling, the frustration and the beliefs of the people in Cabramatta and ethnic communities as I have been told by them. As ordinary citizens, businessmen and professionals it is not within our capacity to make any comment or recommendation based on any statistics or professional survey. Rather, I would like you, Madam Chair, and the members of the Committee to look at the issues from a philosophical point of view and from the community's perspective.

After many years of suffering from the plague of drugs, gang war and violence in Cabramatta the launch of the Puccini operation and the Cabramatta project gave people in Cabramatta a promise and hope that the Government would reclaim the town and turn it back into an ordinary safe suburb. However, three years on, in the year 2000 and now, the people of Cabramatta are disappointed and bewildered. The people of Cabramatta do not expect the Government to totally clear drugs in New South Wales but what they do observe, ask and expect is that drug dealing has been too concentrated in Cabramatta for years. Please break it up from Cabramatta and minimise it.

However, the Cabramatta people, including business people, local residents and ethnic communities in general now live in fear and uncertainty for their future. They have started to ask questions. Do they have to bear this stigma of being the capital of drugs forever? They have started to question why police failed to control heroin in Cabramatta, and the policies, strategies of policing and the willingness of government and police to drive heroin out of Cabramatta. I put that in my submission to alert the Committee, the Parliament and the Government that there is an increasingly popular belief in the community of the so-called containment policy. I make it clear that I have not advocated this conjecture and I do not mean by mentioning this in my submission and my speech today to advocate conjecture, but I raise this as we have great concerns about this belief among the community. It would and does significantly affect the confidence of business people and residents towards the Government and the Police Service and further aggravates the problem of the wall of silence and the co-operation between the community, the Government and the police.

Relating to reference No. 1, "the adequacy of police resources in Cabramatta, especially in relation to drug crime", in general the Cabramatta community's consensus to this question is: The police resources are clearly not adequate to address the severe drug and other crime problems in Cabramatta. It is understandable that the community wants more police resources as they perceive the failure of the current Puccini operation as a result of inadequate police resources. I would like to draw

your attention to what the business community has observed. The presence of drug activity and violence appeared to increase significantly whenever Operation Puccini seemed to downgrade their efforts. Our business members reported that when police patrols decreased, drug activity within the CBD increased. None of us in our association has enough access to comprehensive information or research in relation to policing. Without the knowledge of how police operate I do not think we are in a position to make any comment as to how many police officers should be considered adequate or what police strategy or direction should be adopted. However, the business community wants to see at least, first, the full capacity of the Puccini operation reinstated and maintained so that the presence of a high turnout of police patrols in the CBD shall have a visual deterrent effect and make shoppers feel safer to do the shopping.

Second, do whatever is necessary to change Cabramatta back into an ordinary suburb. We have identified certain issues that need to be especially mentioned, firstly, the lack of co-operation between the community, particularly the non-English speaking background community and the Police Service; secondly, it appears that there has not been a significant and systemic effort to break the wall of silence. In relation to reference No. 2, "the impact of crime on Cabramatta policing", first of all, I have to say that any index based on crime reports from the people of Cabramatta is grossly and significantly inaccurate in my opinion. I would strongly believe in what Councillor Thang Ngo told the Committee, that of the 85 break-ins in a small local area only nine were reported to the police. I personally heard from many of my patients who did not report to the police when their houses were broken into. This is possibly due to several factors such as language barriers, delayed response time, poor experience in the past in dealing with the corrupted element in the Police Service and no confidence in the Police Service, et cetera.

I do not think I need to go through the detail and make comments on this. The Committee has heard different experts' comment and analysis on this. Further, although the police leadership's explanation of the reason for setting up the index was for internal purposes only, the community perceived the low crime index rating of Cabramatta as misleading. This further affected the confidence of the community in the police. I would like to make certain recommendations to improve the frequency and accuracy of crime reports. I would suggest a crime report form in different ethnic languages for the clients to fill in. This would be very helpful; especially for those who report the incident to the police after hours when an interpreter is not readily available; the attending police officer can use this form. This will shorten the time required to serve these client. For those who do not want the police to come to investigate, they should be encouraged to fill in a simple report form in their ethnic language which is easily available in banks or post offices. They can fill it in and send it to the police. This would improve the statistics of crime in Cabramatta. Also, to provide information in relation to crime an anonymous report form would be helpful. I think people may feel more comfortable if given information in writing anonymously rather than to pick up the phone and ring the Dragon line.

In relation to reference No. 3 relating to the effectiveness of the Police Service in addressing the needs and problems of people from a non-English speaking background in Cabramatta, in general, in my opinion, the consensus is that the police are still substantially ineffective. To address this issue we are talking about the relationship between the police and the non-English speaking background community. I believe we have to look at this issue from a philosophical point of view.

I have included a diagram in my submission, which I now show on the screen. It has four corners, which are marked "police leadership, police leader, rank and file police and non-English speaking background people". We want to see a good relationship, a trust, between the rank and file police and the NESB people. What we have achieved so far is something between police leadership and community leadership. It is very easy to establish this relationship, but the problem would be how the community leaders can pass on their information or relay to people to trust and co-operate with the police.

To achieve a good relationship between the police and NESB people we need to work a link from different angle. We have to construct a triangle, establish a relationship between the police leadership, rank and file police and the people. We also have to establish a relationship between the community leaders, the police and the people also a triangle relationship between the police leaders, community leaders and the people, a triangle between the police leaders, rank and file police and community leaders. Through these different triangle relationships we can link four corners in my

diagram together. Some programs have been introduced to address the issue such as the Neighbourhood Watch program and the Business Watch program and various youth and community programs. The NESB people did not participate actively in the Neighbourhood Watch program.

The Business Watch program appears to have lost momentum. The Police Customer Council is not an appropriate forum to raise any problem or relationship issue between police and NESB people. I draw your attention to the dilemma for the community leader to raise the issue of relationship. Raising any case of police insensitivity in treating NESB people could be perceived by rank and file police as attacking the reputation of police, as discrediting their efforts to help the community fight the drugs war. This further aggravates that strained relationship.

The wall of silence stems from the fear of NESB people in dealing with police. Therefore, building a relationship between NESB people and police becomes the cornerstone for success in controlling crime in Cabramatta. I recommend that we set up a Relationship Working Group to set policy, strategy and research and especially structured Ethnic Relations Committee, other than the existing Police Customer Council, at State-level and local levels. The committee should consist of representatives from police leadership, community leaders, rank and file police, and perhaps the Police Association, and also the residents.

There have been many submissions calling for police training in ethnic language, culture and belief. We support those recommendations. To improve the effectiveness of the Police Service in addressing the needs and problems of people from NESB in Cabramatta, I would like to comment on several issues. First, the recruitment of NESB police. We all know that there is low representation of NESB police. Apparently there is a need for the Police Service to recruit more NESB police. I also agree with Deputy Commissioner Jeff Jarratt who said, "It is a two-way street. We cannot recruit people of any particular ethnic origin if the community does not put forward its young people to become police officers." I agree with that.

It does not, however, mean that we should not recruit NESB police. Instead, the reality points to the need to look at the issue in depth. Experiences from some NESB police officers show that they were under a lot of stress. Potentially they would be subject to intimidation from the gang in their ethnicity, they lack support, and it also raises the question of how they can cope with the police culture and in particular who will be able to support them. Therefore, the recruitment of NESB police officers must proceed in conjunction with a large-scale effort to improve the relationship between NESB people and the Police Service, as I mentioned before.

Unless our community reaches the stage that people can feel at ease with the police, have confidence in the Police Service and can feel sure that their young son or daughter will have enough support from an Ethnic Relations Committee, recruitment of NESB police officers shall not be successful, in our opinion. I would like to make a comment about ethnic community liaison officers [ECLOs]. First, in Cabramatta at present there are three ethnic community liaison officers, they are Vietnamese, Laotian and Cambodian. We welcome the proposed new Chinese-speaking liaison officer joining the Cabramatta Police Service.

Generally the efforts of the ethnic community liaison officer is very helpful to local communities. However, we identified several related issues. There is no clear job description of the ethnic community liaison officers. Basically they have two functions, first to assist the Police Service and the ethnic clients in individual cases; and, second, to help the local Police Service to liaise with the community. Second, there is no central control body to put together and co-ordinate the ECLOs. Third, there is a lack of support. Fourth, as far as I know not many people in our community know of the existence of the ethnic community liaison officers, there needs to be an outreach to the community.

We recommend that the role of assisting the Police Service to deal with their ethnic clients in individual cases should be shifted to multilingual civilians or administrative staff or NESB police officers. We recommend that the ethnic community liaison officer should concentrate on assisting the local Police Service to liaise with the community and to work with the local Ethnic Relations Committee that we propose, to implement the strategy and project of improving relationships between NESB people and the Police Service. We also recommend that the public be made more aware of the role through the ethnic media.

I recommend that multilingual civilians or administrative staff in the Police Service be utilised. As I have mentioned, the task of assisting individual NESB clients in police matters can be replaced by multilingual staff. That would have the following advantages: multilingual civilians or administrative staff are more easily recruited. There are now many young members in the community who can speak many ethnic languages.

**CHAIR:** Dr Diep, do you have very long to go, you had been speaking for more than 10 minutes.

**Dr DIEP:** No, I am nearly finished. The relatively large number of administrative staff can work in rosters or on call to assist their clients after hours when many incidents occur. I would like to conclude my speech by saying that it is time that any government in power, the Police Service and the community work together, but not by political rhetoric and not for short-term political merit, but by looking at this issue in depth, frankly and honestly. It is time to look at the initiatives and innovations to solve the problem. To achieve success we need to solve the vast related issues with the support of all political parties and perhaps in a non-political way. I ask the Committee to accept my speech and my further submission.

**CHAIR:** Mr Hewlett, do you have a short statement to make to the Committee before we ask questions?

**Mr HEWLETT:** No, I have nothing to add, Madam Chair.

**CHAIR:** To date there has been some discussion in our Committee hearings about the possible reasons for the existence of two separate organisations representing the business community in Cabramatta. Could you outline the background to the establishment of your organisation and your relationship with the Cabramatta Chamber of Commerce?

**Dr DIEP:** The reason that we formed the Cabramatta Business Association was that at present between 80 per cent and 90 per cent of business and property in Cabramatta are owned by people of non-English speaking background, particularly the Asian people from Indochina. We have observed that very few businesspeople attended the Chamber of Commerce meetings, because of the language barrier. When they had problems they had nowhere to go, no-one to represent them. Therefore, a group of businesspeople thought they needed to form an association for them to liaise with, to try to establish a link, a bridge, between them with the Chamber of Commerce, the Fairfield Council and the politicians. We have been very active in the first few years.

We organised a welcome dinner for the former local commander, Superintendent Peter Horton and to welcome Helen Boyton, the manager of Cabramatta project. We initiated the Moon Festival and its purpose was twofold: first, to attract customers to Cabramatta and, second, to try to facilitate, or establish, a relationship between our business members and the residents with the police. We asked the police to be there to present gifts to the children, to the family. We find that it is a good way, a good start, towards building a relationship between the community and the Police Service.

**CHAIR:** Mr Hewlett, do you have anything to add?

**Mr HEWLETT:** No, I think that just about sums it up.

**CHAIR:** As you are aware, I am intensely interested in the relationship between the Police Service and the non-English speaking background community. I am very interested in your statement about the wall of silence. Apart from the language barrier can you elaborate on the wall of silence? How do you overcome it?

**Dr DIEP:** I have included that in my submission.

**CHAIR:** We understand your submission. I want you to put it on the public record before this Committee.

**Dr DIEP:** The first reason that there is a wall of silence is the language barrier. The second reason is that you must remember that we came from Indochina, a country in which police symbolise power.

Police have a record of abusing their power and of violence. Therefore, people cannot trust the Police. Coming to Australia for more than 20 years they have no chance to reshape their thinking, to change their past experience. Therefore, there is the fear of non-English speaking background people, towards police. The third reason is that they may have encountered or heard experiences or conduct from some corrupt elements in the past. Therefore they cannot trust the police.

The wall of silence becomes a way to survive in their country. They still adopt that mechanism in Australia. In my opinion the wall of silence is very important. To achieve success in policing you have to have the people on your side. Unfortunately, people just cannot trust them. Therefore, they cannot provide you with information that the police require. They cannot stand in court as a witness, because of fear of intimidation.

Therefore, I think to break the wall of silence is more important. Now would be the best time, because the Royal Police Commission has given the people an image that the police were much cleaner, and they should be able to trust the police. However, something has to be done to put them together, to alleviate the anxiety.

**CHAIR:** In your written submission you talk about the war in Vietnam. Would you like to speak about this in relation to this wall of silence and the relationship between the community and the police at this point of time?

**Dr DIEP:** Yes, I believe it is very much similar. In Vietnam you have the USA, you have the vast power, and all the financial support and military resources and human resources to fight communism. Eventually Southern Vietnam Government fell because the people were not on their side. One of the reasons is because the police and military service had very poor relationship with the people, and similarly the loss of trust was very much similar to the war with the Communists in Vietnam. You have to have the people on your side. If the people are not on your side you cannot win the war.

**CHAIR:** So, you are suggesting that the community of non-English speaking background do not trust the police at Cabramatta?

**Dr DIEP:** That is the problem.

**CHAIR:** So you are suggesting in your opening address different ways of addressing this problem, and one is the relationship working group. Why was that not happening before?

**Dr DIEP:** That is a good question. We did raise informally, we suggested personally, informally to the former local police commander. I remember saying, "Please come to visit shops, our members, not through me, you go direct to the members, you can gain their trust." We did from time to time come to the Police Service to give many recommendations that we put in submission, say a report form, an anonymous report form, et cetera, make available in the bank or the Post Office, but we have never seen that implemented. That discouraged us. That is the reason in the past one or two years we did not participate in any project with the Police Service. We did mention a lot but we did not see any one implemented. It seemed to us that to establish a relationship between non-English-speaking background people and the police, it appeared not top priority for the Police Service.

**CHAIR:** You spoke about the importance of the ethnic liaison officers. How do you see it helping the community and the police to cement the relationship or improve the relationship?

**Dr DIEP:** From my experience in dealing with this matter, that is my personal interest. I came up with the concept of this. If any new local police commander come to Cabramatta we were introduced to the commander through the ethnic liaison officer, in the lunch, and therefore it is very easy to establish a good relationship, even a good friendship, between us and the police leader. But that process stopped. How can I come to tell every member to trust the police. The process stopped but it seems we have gained some sort of credit, we have done something, but it is very superficial. It has not touched the core of the issue.

As I say in my submission, it is a dilemma for us, for myself, say, in the police customer meeting, to raise any case of police insensitively treating the people. I would not raise the issue in the

police customer council, rather I raise the issue informally. I had a quite, private talk with the commander to raise the issue. I realised if I raised the issue in the police customer council the police constable would perceive that I was discrediting their efforts. Therefore we must have a representative of the rank-and-file police in a specially structured committee in which they understand what we are talking about, so they understand why we raise the issue. So they understand we seriously want to build up a good relationship but not to raise an issue to discredit him. This sensitivity in this matter is hard for any one of you to understand.

**Mr HEWLETT:** Just to add to that, I think in the customer council meetings, even myself as an example, and not having the non-English-speaking-background difficulties, I take extreme care in what I would say, because I do not want to say anything that I think would be attempting or be seen to be belittling the efforts of the police. I think simply by virtue of the different appearance if you say something that does possibly have that innuendo, it can be taken as an affront. A committee in which people can speak freely and without prejudice so that it does not affect people's careers and they can just come up with some good ideas and get those relationships going, because, as Counsellor Thang Ngo stated in the transcript, however well-intentioned we might be as community leaders we just cannot do a huge amount, so there has to be a special mechanism there. It may be very difficult to set up and it may require many thought processes, but we believe if people put in the time and effort it can be done, and it should be done.

**CHAIR:** This special mechanism, can you elaborate on what you mean?

**Mr HEWLETT:** I think that is a turn of phrase I have used and I do not mean to imply any special meaning by using those words. But I think that this idea is really good and we need to get those relationships working, because at the moment, definitely from what I can see, there is a good relationship between the community leaders and the police leaders, but the other relationships need time and effort. It does take time and effort, but they need it, and now is an opportunity for us to put this forward to see if we can initiate something really good in that respect.

**The Hon. R. H. COLLESS:** Dr Diep, we have been told by Deputy Commissioner Jarratt that the police staffing level at Cabramatta is currently around about the right number. Do you think that is reflected by the number of police on the street or, if they are not on the street, what do you think they are up to?

**Dr DIEP:** We have no idea. We have little information from the police, how they deploy their police members and what operations are going on. But what we can tell you is from what our members perceive, that whenever the police patrols in Cabramatta decrease then we can see the drug activity increase accordingly. I can tell you at the moment—I believe some of you have already seen—in Arthur Street and Railway Parade there is still a lot of drug activity there, particularly after five o'clock. Even in the daytime, in working hours, we see drug activity there. Of course, the drug activity would shift from the commercial area to the residential area. As a general practitioner, almost every day I hear complaints from my clients and also eyewitnesses, of the suffering of families of clients. I know their children when they are little kids and now they grow up and they are involved with drugs. I understand the distress of families.

Almost every patient says one of the kids or their cousin or their nephew, or whatever, is involved with drugs. It gives me the impression that at least one of their children has got involved with drugs. We do not know how the police operate because it is out of our capacity to understand that, but what we want to see, the business people want to see, is how to drive them out of Cabramatta. It is not impossible. It may be hard to achieve, but at least that is what people want and believe.

**The Hon. R. H. COLLESS:** In your report you talk about 1997 to 1999 as a time of promise and hope when Operation Puccini was launched, and those things.

**Dr DIEP:** Yes.

**The Hon. R. H. COLLESS:** You talk about 2000 as a period of uncertainty and bewilderment.

**Dr DIEP:** Yes.

**The Hon. R. H. COLLESS:** And I think this submission was dated September 2000, so it was written during that period of uncertainty and bewilderment.

**Dr DIEP:** Yes.

**The Hon. R. H. COLLESS:** With the extra police that are supposedly on duty and arresting dealers and addicts, according to the announcements made a few weeks ago, how would you see 2001? Has it changed, do you think there will be a change as a result of the activity?

**Dr DIEP:** I do not know, I do not have any report from my members.

**Mr HEWLETT:** My personal opinion, only as a business person who walks to work and occasionally catches the train, I think that since the press announcement of, I think it was, Assistant Commissioner Small, there certainly seems to have been some publicity about, additional activity, and I think a few incidents reported in the mainstream media. But also, I think, there has been—and, as I say, this is a personal observation and I do not know whether it is correct—a small increase from time to time of patrol police but it would not compare with the turnout in the early stages of Operation Puccini.

**The Hon. R. H. COLLESS:** With the police there in the local area command, are there individual officers there that you feel community people will talk to and can talk to, as opposed, I guess, to the generalised statement you made about the community being unable to relate to the police and the wall of silence, and so on?

**Dr DIEP:** I have not had anyone tell me: I have talked with a particular police or I be friend with a particular police. I am not sure. At our meeting we did not mention anything about any individual case. In the meeting we concentrate more on the general issue about Cabramatta rather than individual cases. I am sorry I cannot give you any comment or view.

**The Hon. R. H. COLLESS:** Are there times when the community wants to go to the police?

**Dr DIEP:** Yes, definitely.

**The Hon. R. H. COLLESS:** And maybe they do not?

**Dr DIEP:** They do want. I can give you an experience. When we organised the Moon Festival, in the afternoon, we organised a barbecue for the business people and the police. We hope it would be a good start to bring the business community members to be close to the police. They responded very significantly. The business people donated meat, sweets or table material for the barbecue but they did not turn up. That means they are willing to help, that means they are willing to work closer with the police, but there is still some certain fear that they would not put into action. Therefore, we should have some sort of the mechanism, some sort of facility, some sort of project, an ongoing project, but it is not easy. It is not a quick-fix problems. You cannot say to somebody, "Come with me to the police." You have to understand their concern, their worry, and you have to have a long-term, ongoing strategy and a well-structured committee in which they can trust and in which they will be close to the police. They always say, "We will come to you as a leader and you can help me." Unfortunately we cannot help. Unfortunately that is what happened for many years, a good relationship between the police leader and the community leader. You can get a lot of publicity and political credit by visiting the leader and putting it in the newspaper, but that is not the answer to the question.

**The Hon. R. H. COLLESS:** We normally assume that the wall of silence you referred to is a wall of silence within the community; people will not talk to the police. Does a wall of silence exist within the police as well? Will they not speak to the community freely?

**Dr DIEP:** I think that may be the case. Imagine, I was a police constable coming to Cabramatta to help these people. I am a person of integrity. I work hard but I cannot communicate with the people. What I heard is the complaint about police conduct. I work with very few choices, and I feel not welcome. But obviously there would be certain rotten elements in the Police Service

who maybe discriminating or who may have some corrupt behaviour but those one or two persons have ruined the reputation of the whole group. Similarly, the language barrier and cultural barrier would affect one particular police, or maybe he had some sort of bad experience or have bad experience in serving the client that give him also a collective view of the whole community. We have to break that misconception. That is the role of the community leader and the role of government, but the question is how. It is very difficult.

**The Hon. R. H. COLLESS:** In that regard—and I take on board what you are saying about this structure—are community leaders such as yourself actively pursuing that with the police leadership? Is your local State member actively pursuing that with the police leadership?

**Dr DIEP:** When they have mentioned it they do have some programs but it touches the question on a very small scale individually. We need a large-scale, ongoing program starting from headquarters into each local police command, police station. We must have a look at the whole issue in an ongoing process and make strategy research. The problem in Cabramatta in my view is similar to the problems in Lakemba, Bankstown and other ethnic communities. There should be research. There should be a strategy so that the organisation can support them and look at the whole issue in depth, not respond to a particular issue.

**The Hon. R. D. DYER:** Dr Diep, I just want to establish something by way of general background. Are you the President of the Cabramatta Business Association [CBA]?

**Dr DIEP:** Yes.

**The Hon. R. D. DYER:** And I understand that Mr Ross Treyvaud is the President of the Cabramatta Chamber of Commerce. I ask you to specify briefly approximately how many members your organisation has and why there is such an unusual arrangement for a suburban shopping centre of having two such organisations.

**Dr DIEP:** We have nearly 100 members start up. The number does not represent actually the representation of associations. Last year when we fought against the development control plan we had more than 250 people signing the petition. I would draw your attention, as I said before, 80 to 90 per cent of business people and property owners are non-English speaking, are from the Vietnamese and Chinese communities. Whenever they have a problem they come to us. Of course, it would be hard for you to say, "Well, you have two bodies representing the business community." It would be very divisive. Actually, our Vice President is an English speaking person, our secretary is an English speaking person and we also have many English speaking people joining our group. It is a matter of fact that in the business circle you have different points of view, you have different interests. Naturally these bodies represent this group of interests and that group of interests.

I do not see us as a rival to the Chamber of Commerce. We are willing to work with the Chamber of Commerce to do whatever possible. Ross has been very good in getting to the heart of the police, the rank and file police. He had the confidence of the police. Unfortunately he could not put our people to the police. We have tried but I do not know. I myself do not know how to approach the police. What I could do in the past, and what I am inclined to do, is to contact the police leadership. I try. I have the concept but I do not know who I should approach, the rank and file police, to put forward my thinking, my willingness to put my people to them. Who should I talk to? I do not know.

In the past maybe certain errors have been made because we raised the issue but the rank and file police considered us as discrediting them. That is what they tell you. We want to establish—as a matter of fact we are pursuing different things. Therefore, from then I come to the concept that we need an organisation, perhaps a representative of the Police Association at the local level with whom we can approach. However, we have not put that into practice yet.

**The Hon. R. D. DYER:** Dr Diep, I listened with interest to what you were saying about people in your community having come from a war torn background and perhaps distrusting police, having regard to their experiences back in Vietnam. I think you will agree with me that it is a desirable objective to recruit into the Police Service more people who speak ethnic languages.

**Dr DIEP:** Yes.



**The Hon. R. D. DYER:** Given that there probably is a cultural difficulty arising out of the background of many of the people in your community, how best, in your view, can that distrust be broken down and the recruitment of people from ethnic communities to the Police Service promoted?

**Dr DIEP:** As I mentioned in my speech, I do not expect that a simple recruitment advertisement will attract many people because parents who do not feel comfortable liaising with the police will not encourage their daughters and sons to join the police.

**The Hon. R. D. DYER:** There is a difficulty there and you are saying that there is no ready answer.

**Dr DIEP:** There is a difficulty. Therefore we must look at the large scale. It does not mean that we should not recruit. We should recruit in conjunction with a large-scale effort. If the parents know that efforts have been done to put non-English speaking background people and the police together, if they are sure that there will be a body in which their leader or anyone there can readily support their children, they might change their ideas.

**The Hon. R. D. DYER:** Dr Diep, is it correct that you are a medical general practitioner?

**Dr DIEP:** Yes.

**The Hon. R. D. DYER:** I have had an allegation put to me that the drug Rohypnol is perhaps being overprescribed by some local medical practitioners and that possibly some local pharmacists may be making it available without prescription. Are you able to comment on that?

**Dr DIEP:** I do not know. Almost every week people come to see me asking for Rohypnol. I say firmly "No, I can't give you but I'm willing to help you if you bring your parents here." I prescribe Valium; I prescribe everything to help them with detoxification. I write a prescription to them but I give the prescription to their parents and I ask the parents to keep the prescription at home to supervise the treatment.

**The Hon. R. D. DYER:** Finally, does the closed-circuit television [CCTV] system in the central business district at Cabramatta have the support of the Cabramatta Business Association? Can we have your brief assessment of the system's effectiveness?

**Dr DIEP:** I believe CCTV would be effective in detecting any related crime rather than directly or, to put it this way, significantly in helping to detect drug dealing. I can remember at the first stage when the CCTV was installed we found that the drug dealers would go into the shops or the arcade to do their dealing. That made CCTV ineffective. Eventually it got to the stage that the business people intended to employ private security to solve the problem in the arcade. As I see it, the effectiveness of CCTV was enhanced when one member proposed, what they did in their strata in the arcade, they contributed money to install a private security camera. Since then every arcade has done the same thing and that became more effective. After that, we saw that the drug dealing shifted to another area. That implied that whatever effort needed to be a co-operation between the community and the government. CCTV simply does not help, does not solve all the problems. However, it is still effective in other ways, and we support it.

**The Hon. I. W. WEST:** Thank you for your evidence today. It has been very encouraging, and I am much more optimistic that we seem to be finding a way forward. Police leadership, community leadership, rank and file police and people in the community all seem keen to find a solution. We just need to find the catalyst to get them together. As I understand it, you are saying that you are keen to assist in that regard. Can you give us some ideas as to what the CBA is doing now to promote that catalyst?

**Dr DIEP:** To be honest, last year we did not do anything about this. None of us was willing to attend the police customer council meeting because we saw it as a waste of time. It would probably be helpful for the neighbourhood representatives to come to a meeting to raise any issue relating to the neighbourhood. We do not think it was a good forum for us to raise any issue like this. Therefore, no-

one was willing to come. We are waiting from the police whether they are putting this issue. If they put this relationship as the first priority, we are happy to help them.

**The Hon. I. W. WEST:** What you are saying is that you are now leaving it to the police.

**Dr DIEP:** Yes. We are happy to help in this matter because we believe we are the organisation able to do that.

**The Hon. G. S. PEARCE:** Mr Hewlett, Dr Diep gave evidence on a number of occasions that a significant amount of serious crime is not being reported to police. Are you seeing that as well?

**Mr HEWLETT:** I have read through the transcripts of some of the other witnesses and I indicate how this is relevant. Some people of Australian background, I assume, such as myself, gave evidence, I think, to the effect that they did not think the wall of silence was as big a problem as it was made out. I think the answer to your question is that I think there is a lot of unreported crime but I do not think the non English-speaking background people confide in me as much as they do in community leaders such as the Dr Diep and Councillor Thang Ngo. I have no doubt of the integrity of those community leaders in putting forward those assertions.

Anecdotal evidence from speaking to people such as the fellow who had the news agency in the middle of the main street a few years ago was that he also used to ask everybody coming into his news agency whether they had problems with crime and whether they reported that to the police. His comments were that many of them said that they had not reported it to the police. I think there is a whole raft of reasons for that. Response times are in there, and I think that all the publicity and headlines we had last year probably did not help that. There is a significant amount of non disclosure and I would expect it to be higher than in many other communities.

**The Hon. G. S. PEARCE:** We have heard that the police assistance line and triple 0 are not used because of slow response times and the difficulties of language and so on. Would that be your impression too?

**Mr HEWLETT:** Again, it is difficult for me to comment because I actually used the police assistance line last year and found it to be fine. But as far as non English-speaking background people are concerned, I can give another example which is not on the point. In relation to the harm minimisation efforts in the initial stages of the Sydney Harbour Casino, if you rang through to a certain number, which I did to try to help a client, it was eventually referred back to that number. The first sentence I think when you came on to the line was, "If you speak English, press one", or something. It might have been the second line so if you could not understand the first line that was said over the phone, you would not be able to know to press one or press two.

I know that when I ring a lot of elderly people who are my clients or are related to my clients and who have a non English-speaking background—usually I get my staff to do it because they speak other languages— but because I am anxious to get urgent instructions, I may ring them, I will find a difficulty in getting past "hello" when I ring.

**The Hon. G. S. PEARCE:** Dr Diep, I took it from your evidence in response to a couple of questions that there is no rivalry between your association and the other business association. You are happy to work together and the two have been formed primarily to address the problems.

**Dr DIEP:** Yes, of course. As a general practitioner [GP], I myself am very busy so why otherwise should I take on a commitment to perform the job as a president? Sometimes I work up to 12 o'clock or until one o'clock to type a letter for whatever purpose. For example, I was working up until 12 midnight last night to prepare this submission.

**The Hon. G. S. PEARCE:** Thank you very much for that. As a doctor have you seen any increase in specialist medical services available to address the drug problem in the Cabramatta area?

**Dr DIEP:** No. I think the drug problem is a big problem at the moment. We have got something like 20 beds for detoxification but that is not enough. There is a long waiting list. I myself just help from time to time but we can only help those people we know. I simply cannot take anyone

who comes to me and says, "I want to go on detoxification", because a lot of people who come to me saying they want to stop heroin actually want a prescription or Rohypnol or something like that.

I remember a few years ago Professor Harries the Division of General Practice in Fairfield intended to encourage every GP to take on a few patients for detoxification. However, the response was very poor and I understood the reason was that the general practitioner in the area said that if they attract one, then two or three or four more come and they swarm into your surgery so that you cannot work and people are scared off.

**The Hon. G. S. PEARCE:** Do you know why the methadone clinic at Fairfield closed?

**Dr DIEP:** I understood that it was something to do with the abuse of the systems. I am not very clear about that.

**The Hon. G. S. PEARCE:** On a number of occasions in your evidence you have mentioned, in relation to the wall of silence, the rotten elements and corruption in police. Were you referring to corruption in the current Police Force—in our Police Force—or what were you referring to?

**Dr DIEP:** Before the Royal Police Inquiry and before the launch of the Puccini Operation, we did from time to time hear a lot of reports from our members about corruption in Cabramatta. I even remember that when Commander Chris Evans started his position as regional commander, our association invited him to Cabramatta. We took him to have a direct talk to our members. Surprisingly many members approached him and told him how corruption had gone on in the past but now I personally have not heard any member complain about this. I believe the Royal Police Inquiry has given people a lot of trust and that corruption has been very much minimised in the local area.

**The Hon. G. S. PEARCE:** Do you know whether the ethnic and community liaison officer [ECOL] position is now permanent in Cabramatta?

**Dr DIEP:** I am sorry?

**The Hon. G. S. PEARCE:** Do you know whether the ECOL position in Cabramatta is permanent?

**Dr DIEP:** I think it is not permanent position.

**CHAIR:** I want to go back to the relationship question between the police and the community. As you are aware, in recent weeks both a new regional commander and a new local area commander have been appointed to the Cabramatta area. What are your impressions about the immediate future of policing operations in Cabramatta under the new leadership team? Has the new leadership team sought to establish a relationship with your organisation and the non English-speaking community in Cabramatta?

**Dr DIEP:** We have not met the new regional commander but I did meet the local area Commander Mr Frank Hansen.

**The Hon. G. S. PEARCE:** So you have not met the new regional commander?

**Dr DIEP:** No, we have not. I met Frank in the police-customer council. The reason I attended—I told you before that I had not attended a meeting for more than one year—was just because he was a new commander. I wanted to meet him to see what sort of person he is. I am very impressed with him because I remember the first thing he said was, "I am not a person who likes ceremony." That means or implies that he is a person of action and that is the person we need. We have not gone through any issues but a few days ago we had a short conversation during the launching dinner for the Police Officer of the Year in Fairfield. He said he would contact me and have a talk with me about the issues in Cabramatta.

**The Hon. J. HATZISTERGOS:** What was your relationship with the previous commander, Mr Horton, like?

**Dr DIEP:** Personally we had a very good relationship. Unfortunately, as I told you before, I gave him a lot of suggestions but I did not see him implement them. Therefore I believe that he did not see the issue of the relationship between the non English-speaking background people and police as a first priority for whatever reason. Therefore we did not work with him any further in a very active way.

**CHAIR:** On behalf of the Committee, thank you, Dr Diep and Mr Hewlett, for coming to the hearing and for your very extensive and informative submission.

**(The witness withdrew)**

**MATTHEW WILLIAM CASEY**, Director, Real Justice, 17 Dixon Street, Goulburn, sworn and examined:

**CHAIR:** In what capacity are you appearing before the Committee?

**Mr CASEY:** I am appearing before the Committee as a consultant with Real Justice and as a former member of the restorative justice group of the New South Wales Police Service.

**CHAIR:** Did you receive a summons issued under my hand in accordance with the provisions of the Parliamentary Evidence Act 1901?

**Mr CASEY:** I did.

**CHAIR:** Are you conversant with the terms of reference of this inquiry?

**Mr CASEY:** I am.

**CHAIR:** If you should consider at any stage during your evidence that in the public interest certain evidence or documents you may wish to present should be heard or seen only by the Committee, the Committee will be willing to accede to your request.

**Mr CASEY:** Thank you.

**CHAIR:** Do you wish to make a brief statement?

**Mr CASEY:** I do. I was involved with the Cabramatta Local Area Command for about five months from July to November 1998 as a consultant to the management team and as a facilitate with operational police. To locate my experience at Cabramatta within that context, I need first to describe my own background. In November 1999 I retired as a detective inspector after more than 27 years in policing. My career covered most areas of operational policing up to 1992 when I was appointed to head the School of Investigation and Intelligence and then when I was appointed as acting director of the specialist skills program at the Police Academy. Importantly, from late 1996 until retiring, I was with the restorative justice group which was responsible for the development of the behavioural change program.

At the academy, I first experienced a difficulty with senior management due to my attempts to align the detective education program to accurately reflect its documentation and the concern I expressed about inappropriate management practices at the academy. These concerns were ultimately vindicated in Chief Superintendent Kelly's investigation of complaints against a program director of the academy and in a subsequent report of a committee of review.

Unfortunately, I was then subjected to a five-year investigation, 17 charges under the Police Service Act and an attempt to dismiss me under the commissioner's confidence provisions of the same Act. In fact, all the charges were withdrawn; the commissioner's confidence action was aborted; and the entire investigation was strongly criticised after a review by the Police Integrity Commission. I need to mention that the charges related to an alleged roting of travel allowance and motor vehicle use. So keen in fact was the Police Service to be rid of me that exculpatory evidence, which was provided initially to the professional responsibility investigators and later by registered mail directly to Commissioner Ran, was simply ignored. It would seem that the investigation of James Retch, Paul Herring and Ken Seddon has all the hallmarks of my own experience.

It was during this investigation that I was removed from my position at the Police Academy and later became a member of the Restorative Justice Group after collaborating with its members while managing a project on team policing.

That project in itself was interesting, in that the initial brief was to propose how team policing could be implemented. The evidence, however, was that every attempt at team policing around the world has failed. Based on that evidence we concluded that introducing team policing required more than simply marshalling people into groups. Team-based organisations uphold the

dignity of the individual and provide each individual with the opportunity to speak, to be heard, to understand the bigger picture, and to know what they are doing, why they are doing it and how they know it will make a difference.

The Police Service described by the royal commission as a conditioned, inward-looking environment which is being characterised by commanding control, autocracy and suspicion of new ideas was the complete antithesis of a team-based organisation. As I understand, the QSARP report indicates that little has changed.

Within the Restorative Justice Group we took seriously Wood's recommendations. We found that policing was generally impoverished, lacked any rigour around its practices, and paid no attention to any broader examination of what works. There was simply no indication of an evidence-based approach at all. We concluded that, to begin some effective dialogue and discussion, it required a fundamental shift in the management and organisational culture.

Our early experiences at Tamworth, Chatswood and Waratah showed us that when police became engaged and could pay attention to what works, it soon produced some interesting and immediate benefits. Consequently, we began to develop the ideas that reform equals behavioural change. For policing to be effective, it needed to take place within a principled behaviour framework.

In simple terms, operational policing needed an environment that encouraged research and experimentation, rather than the continuing use of police practices largely influenced by custom and practice. The program started, therefore, by identifying and challenging a range of toxic behaviours inherent in the Police Service, contrasting those that were wholesome behaviour and gaining commitment to change by engaging frontline police in the development of a principled behaviour framework.

We then moved on to challenging current strategies through discussion of what works in policing and introducing practitioners to some of the current research around this. The focus of the program is about establishing an environment for insight and learning around the broader issues of policing, the rationale being that the frontline police can be involved in discussions and decisions around appropriate policing strategies based on the facts and research, rather than being constrained by hierarchical rank structures or the whims of commanders.

Unfortunately, the program earned the implacable and unreasoned opposition of the region commanders. I remember being told by the local area commander at Gosford when he withdrew from the program that we needed to be careful about the train that would get us at the crossing. This was in reference to the opposition of the region commanders.

Waratah produced some interesting and encouraging results. This attracted the interest of a number of the local area commands, such as Cabramatta, Green Valley and Campbelltown, within the Great Hume region then headed by Chris Evans.

At Cabramatta I initially presented an overview of the behavioural change program to the management group. As was our custom, they were then asked to decide if they wished to invite us to work with them and introduce the program. This they did.

I need to mention at this stage that within the Restorative Justice Group we are of the opinion that Operation Puccini would never solve the problem, and in all probability would only spread it out. In fact, prior to beginning work at Cabramatta we met with Professor David Dixon seeking the insights provided through his research around drug use and supply there. We felt the broader issues around Cabramatta required a very different set of solutions. We were particularly conscious of the research in North America, the United Kingdom and Europe around genuine collaboration and consultation involving the use of diversionary, restorative processes.

I found that Commander Peter Horton was very much aware of the limitations of the Puccini model, and he expressed his concern that when the resources required could no longer be supplied he would be left with the same problem and no solution.

Bearing all this in mind, along with the opposition of the region commanders, particularly Chris Evans, and the sensitivity around Puccini, we decided to change our approach from our normal. I began consulting with the management group at their meetings and introducing the basic tenets of the program with the various operational teams on training days.

Initially I concentrated on the relational aspects of the program to develop a principled behaviour framework within the command, and then moved on to challenging people around what works. Moving on, practitioners were then challenged around current practice and what works, using both overseas and local research, joining, for example, the findings of Dixon et al on the attitude of police towards drug users and Professor Larry Sherman's insights around police legitimacy.

As was the case in other areas, I discovered that while the police were critical of both the research and the researchers, almost nobody had read any of the literature. Nevertheless I felt we were making some headway. But to be sure, I spoke with Peter Horton and suggested we should discontinue the program if he was not happy with the progress. He replied, "Oh God, mate, don't do that. You and your group are the only people who give us any idea about the future. We want you to stay; you are really helping us."

It was at that stage that Peter Ryan asked for a business plan indicating how the program could be rolled out through the entire service. I asked Peter Horton if we could use his comments as a testimonial in the business plan. He agreed, and the document forwarded to Ryan contained Peter Horton's comment.

A couple of weeks later, in November 1998, I called in at Cabramatta. Far from the normal happy greeting, Peter Horton was constrained and kept me waiting for some minutes. In his office he had great difficulty making eye contact with me, and in a very strange conversation said, "I think we've gone about as far as we can with you on the program. Most of the stuff you are telling the troops would be better coming from me, and with the management team you have helped us but I think we should do it all on our own now." I said, "So you don't want me to come back at all?" He said, "Yes. I think you've taken us about as far as we can go."

It was my assessment that Peter Horton was very uncomfortable, and it was obvious that pressure had been placed on him to dump the program. These concerns were confirmed when a week later I was contacted by Cabramatta Education and Development Officer Sergeant Tracey Lingard to confirm arrangements for my attendance at the next training day.

I told her of my conversation with Peter and she was surprised, but told me of a conversation she had the previous week with Superintendent Peter Rankin, a staff officer of Greater Hume. During conversation she referred to me in connection with Cabramatta. Rankin said, "I don't think you will have to worry about him, they won't be around much longer."

It also confirmed our fears about the opposition of Chris Evans and the other region commanders and their preparedness to pressure commanders to dissociate themselves from the program. My submission records Chris Evans' appalling behaviour in February 1999 undermining the program introduction at Campbelltown by encouraging constables to tell them we were already doing it here, then they will "piss off".

What is particularly disappointing about Cabramatta is that the New South Wales Police Service has consistently ignored a host of research. While the local area command was supposed to be the hub of delivery of police service, very quickly the region commanders took it back and matters became directed from there.

At Cabramatta they ignored even the insights of their own multidisciplinary working party to embark on and cling to a one-dimensional, punitive but populist strategy. There is simply no evidence to suggest that Operation Puccini could ever succeed in terms of reducing drug supply and abuse. Beyond the operation itself, the strategy is indicative of the impoverished, unreflective environment that is the New South Wales Police Service and a commissioner and executive simply not up to the task of reform.

In terms of more enlightened thinking, I can go no further than the Shoalhaven local area command, which recorded a reduction in crime indices of the order of 35 to 50 per cent, a reduction in complaints against police, a rise in morale and a significant drop in sick leave. I cite our own insights from Waratah around the involvement of family and community as an adjunct to school drug education programs, and I cite the Northern Territory, where training has now been provided to over 200 officers, including all the school-based constables, providing a genuine opportunity to deal with drug-related incidents in a far more effective way.

**CHAIR:** In your oral submission you said that you need a different set of solutions in Cabramatta. What do you mean by that?

**Mr CASEY:** When we talk about professionalising policing, we talk about introducing constables, police at the front line, to the data and the research around policing. What we see at Cabramatta, and more broadly in the Police Service generally, is a continuation of the old command and control, where the thinking is done at the top and constables are expected to do what they are told.

If we look at how the behavioural change program changed the agenda in Shoalhaven, and now in Orange, it is by introducing police at the front line to the data and the research and giving each of them the opportunity to speak up. We started initially by repairing the relationships, by dealing with the toxic behaviours within the police that prevent people from speaking up. We then move on to introducing the police to the information around what works.

We introduced the idea of contestability. We introduced the idea that a constable can put an argument, not on the basis of "I am a constable and you are a superintendent" but on the basis of "I am a constable, these are the facts, here is the research, and this is what I think"—the same sort of behaviour we see operating in other professions.

The difficulty in the Police Service is that we do not see that. If we have a look at the chart that was on the board before, the difficulty around having the rank and file police interact with members of the community is that the rank and file police are not free to put their own ideas forward.

Within the current structure they are bound either by the whim of the commander or the rigid structure within which they work. If somebody puts an idea forward, the idea often gets defeated on the basis of who it is who put the idea forward or who it is who disagrees with it, or simply on the rank structure: "I am a superintendent; you are not. We are going to do it my way." The facts are, when we talk about different strategies what we introduced was reform into the Police Service and the way it was done so that new ideas could come forward from the police.

The other interesting point around that is that at Shoalhaven I was told by an Aboriginal elder that over a period of 12 months she actually noticed a difference in the way that the young cops spoke to the young Aboriginal kids.

**CHAIR:** We believe that the program has started in Cabramatta. Where does the opposition to the program stem from?

**Mr CASEY:** The opposition to the program stemmed from the regional commanders. In Cabramatta, particularly once Peter Horton left, it remained with John Sweeney, who was appointed as the local area commander. John had taken over from Greg Paff at Tamworth, which is one of the places in which the program first started in its development stage. John came to our office when he was first appointed, spent 4 hours with us, and left the office saying he thought the program sounded like a good idea and he certainly wanted to introduce it.

Unfortunately, at that time we were aware that Peter Walsh, the region commander for the North Coast region, which Oxley local area command was part of, was vehemently opposed to the program. The interesting part is that shortly after John Sweeney left our office and went back to his own region, he simply dropped the program and never, ever provided us with any indication as to why it was dropped.

**CHAIR:** Do you think there would be a different approach under the new leadership team from the Greater Hume region and the Cabramatta local area command?



**Mr CASEY:** It seems to me that if we have a look at what is being done at the moment, we are trying to do more of the same, only this time we are going to do it harder. I have not seen any indication—indeed, it worries me considerably that Clive Small seems to be taking the lead around this. The region commanders were told that they were to be heads on, hands off. The local area command was supposed to be the delivery point for police services. What we have seen is a complete abrogation of that, and the region commanders wanting to go down and play in the sand pit all the time instead of attending to what they are supposed to be doing, which is coaching the mentoring commanders.

I do not see that there is going to be a terribly great change. If you are going to view policing as an exercise in arresting people, and you hope to reduce crime by simply arresting people, it is like measuring a carpenter on the number of nails he or she bangs in during a day. It is simply ridiculous. You judge them on the structure. We only need to have a look around. If we have a look at what has been achieved at Shoalhaven, and then have a look at what has not been achieved at Cabramatta, we can see a difference immediately.

**CHAIR:** Do you think there would be any success if the behavioural change program were reintroduced in the Cabramatta area?

**Mr CASEY:** The difficulty is that what Peter Ryan has done has effectively sacked the people who have the capacity to deliver the program. In fact, what I am told is occurring now is that Jeff Jarratt has indicated to people, "We want the program, but we don't want behavioural change." What a nonsense. How ridiculous. The fact was that the Wood royal commission identified what was wrong culturally with the Police Service. The behavioural change program set out to address it. What Jarratt and others are saying now is, "We want all the success, but we don't want to fundamentally change the culture." They have not changed the culture. Indeed, when people are introduced to the academy they are introduced to it straightaway.

**The Hon. R. D. DYER:** Mr Casey, when did you leave the Police Service?

**Mr CASEY:** I left the Police Service in 1999.

**The Hon. R. D. DYER:** Would it be fair to say that you are a disgruntled former police officer?

**Mr CASEY:** No, it would not be fair to say that. It would be fair to say that I am a former police officer who is very disappointed with what has occurred around an opportunity to reform policing.

**The Hon. R. D. DYER:** Would it be fair to say that you are aggrieved as a result of your group, if I might put it that way, not being able to implement behavioural change and other people now being in charge of that process?

**Mr CASEY:** No, it would not. It would be fair to say that I am very disappointed that the opportunity to reform the Police Service has not been taken and that what we have seen is the powers that be within the Police Service, the old culture, reasserting itself and removing the capacity to change the culture of the organisation.

**The Hon. R. D. DYER:** You said during the latter part of your oral remarks a short time ago, "The commissioner and the executive are not up to the task of reform." That is a rather large and generalised statement, if I may say so. What do you mean by that, and why do you say that?

**Mr CASEY:** What I mean by that—and I think that my remarks would be supported by the QSARP report—and what I do notice is that prior to that report coming out there was all sorts of talk about reform. Now, suddenly, it is, "No, sorry, we were too busy bringing crime down to introduce reform." The fact of the matter is that when Peter Ryan arrived he described the New South Wales Police Service as a frightened and dispirited organisation. He then invited all the frighteners to his top table. The fact is we have not seen reform in terms of reform of the way business is done within the Police Service. We have not seen that change at all. Indeed, Peter Ryan's style is the complete

antithesis of it. I have my own personal experience with the commissioner around that, and my own experience with a number of the regional commanders. In fact, one of them remarked to a colleague of mine one day, "We will get around this shit soon. We'll get back to commanding and they'll get back to doing what we want." That was very soon after we had all the restructure implemented in 1997.

**The Hon. R. D. DYER:** Were you here earlier this morning when Detective-Sergeant Priest gave his evidence?

**Mr CASEY:** No, I was not. I arrived shortly after Tim gave his evidence.

**The Hon. R. D. DYER:** One thing, among others, that Mr Priest attacked was the concept or the reality of assessment centres. I would, from my perspective and I think that of the police hierarchy, if I might put it that way, regard that as an element or an aspect of reform, or certainly very different practice from what the selection method once was, namely, pure seniority. I am talking about a considerable time ago now. Do you think it is fair to say that the hierarchy have abandoned reform when measures such as that, which are really shaking up the Police Service, have been introduced?

**Mr CASEY:** Could I remark on that in two ways. One, I am an absolute supporter of the assessment centre system. I think it is a very appropriate way to go. What does interest me about it is that when the local area commanders were assessed they were assessed as either competent, not competent but possibly could be, or not competent. What we got out of that process was about a 22 per cent pass rate, after the figures had been jiggled a bit. I think initially we got about a 2 per cent pass rate. What is interesting around the region commanders is that the assessment was changed—and this is when things started to fall off the rails—to competent, competent but needs improvement, and not competent. As I understand it, an interview process was then put in place to enable some of them to get through. I have been told that in fact only four of the region commanders actually passed and that the others had to be helped through, and it would have been too embarrassing to have to remove them from their positions. At that stage I knew we were starting to get into trouble around reform.

The other thing I notice is that the assessment centre process itself is supposed to be the mark by which it is decided whether people are assessed as capable of being appointed to a position. What I do notice is that we have now introduced, from nowhere, an interview process to go along with it. Now, as I understand it, that interview process was not part of the original assessment centre process. It has been introduced. From my perspective, and from the perspective of others, it was introduced as a concept of helping people to get over the line or helping people not to get over the line. So that it affects reform in a very significant manner.

The other difficulty around it is that people in the assessment centre process are assessed against a set of imperatives that are about a different style of leadership. If we look at the appointments that are made, the appointments made and what the region commanders are demanding is a completely different measure by which may want to appoint people.

**The Hon. R. D. DYER:** Can I ask you to advise the Committee, given that this inquiry is primarily into police resources in Cabramatta, what in your view needs to change on the ground in Cabramatta to improve the fight against drugs and crime generally?

**Mr CASEY:** I would say that what we need to do at Cabramatta, based on my experience and the success of the program in other places, is to begin at a relational level at Cabramatta by changing the way that police relate to one another. What we found was that the police were generally more frightened of the police station than they were of the street. By that I mean you could ask any one of them, or any group of them, "Come with me. We've got to swim across the river and save that person on the other side." They will do it happily. "Come with me. We've got to go out there and we might have to have a gunfight." They will do it happily. "Come with me. We've got to go in their own fight with a whole lot of people." They will do it happily. Then you say to one of them after you have done any or all of those things, "Oh, mate, the boss wants to talk to you" and they go, "Oh God! What have I done wrong?" The Police Service still works on fear. So we need to remove that as a starting point.

Then we need to introduce the police within the local area to what works around policing. So, rather than continuing to imagine that we can solve the problems by using purely the criminal law and

simply arresting people, we need to have them using the whole lot of policing, which is about problem solving in the community, and we need to start looking at a different way to look at the problems there, a more relational focus, to start looking at what we can do in terms of diverting people away from a lifestyle and reconnecting them with family and with significant others within their life. We are simply going to get nowhere if we think we can solve these problems with a purely legalistic approach.

**The Hon. R. D. DYER:** None of that in fact related directly to resourcing. Do you have any views regarding resourcing as such?

**Mr CASEY:** My thought around resourcing is that in all probability—and I have not looked at it recently—we have probably got enough police there. What we need is to have them doing the things that we need them to do, things that will work, rather than concentrating on doing a whole lot of things that won't.

**The Hon. G. S. PEARCE:** Mr Casey, thank you for your evidence. It is apparent that you are very sincere in your efforts to assist in reform. I was a little disappointed with the effort earlier this morning to characterise you as disgruntled or aggrieved or in some way discrediting you. I am pleased that that was not successful.

**CHAIR:** Could the member please ask a question.

**The Hon. G. S. PEARCE:** Could you tell me your views on the crime index and whether it has been used as an appropriate tool to record the level of crime?

**Mr CASEY:** The difficulty around a crime index, whilst it can be useful in many ways, is that it was linked to the operational crime review. The difficulty around that was that it was basically an exercise in beating people up. They went there and asked a whole heap of questions that people may or may not have known the answers to. I have had more than one commander say to me, "Gee, I survived the last OCR, I did pretty well at it, but I'm not game to take any credit because things change. I don't know why they were so good last month, and I don't know why they could be so bad next month." The fact of the matter is that people were being asked questions about matters of which they simply had no knowledge. As I mentioned in my submission, it brought us back to Demming's exercise around the red and white balls. We went back to random chance.

The crime index is useful in that it shows us, on an index of crimes, where we are in terms of crime this month. It does not show us what looks like an effective strategy around it, especially if you are looking particularly at drugs. The difficulty around drugs is that if you are going to charge people with possession of drugs, until you actually go and arrest them you have not got a crime. So you can have discontinuity come into it because of that.

**The Hon. G. S. PEARCE:** We have heard that as a result of the use of the crime index Cabramatta was downgraded from a category 1 to a category 2 station. Do you know what that means in terms of resources?

**Mr CASEY:** It would mean it would not have so many resources. It would downgrade a whole range of things, in terms of salaries probably too. The fact of the matter is that the difficulty you had at Cabramatta was that if you go outside the main street and the central business area you have a pretty quiet suburb, you have got quite a nice place. So trying to use the crime index as a measure did not fit for that particular area because you had specific crime around a specific area. That simply was not being addressed properly. But when they did get on top of it and the crime went down you needed to keep all the resources there to keep it at that level. It was like keeping your finger in the hole in the wall of a dam: the minute you took it out the water flowed and kept flowing. So it was not a very effective use there.

**The Hon. G. S. PEARCE:** What actually happened when you left Cabramatta? Did the behavioural change program continue, or did someone replace you?

**Mr CASEY:** No.

**The Hon. G. S. PEARCE:** What actually happened?

**Mr CASEY:** What happened was that Peter indicated they simply wanted us to continue no more there, so we did not go back there. What I understand happened was that some time after John Sweeney arrived they realised they were in real strife, and at this stage Ken Seddon had convinced Peter Ryan that the program was worth running with. So they were actually invited to go back there. But what is particularly interesting around that is that they were invited back conditionally. They were invited back on the basis that Jim Ritchie was not allowed to go there because John Sweeney did not like him.

**The Hon. G. S. PEARCE:** So Ritchie was not allowed to go there?

**Mr CASEY:** Ritchie was not allowed to go there because John Sweeney did not like him, so Paul Herring and Ken Seddon went there. What they found was that John simply wasn't up to it. And by that stage things had become so polarised within the local area that there were a whole lot of arguments that were actually about everything else but what was effective.

**The Hon. G. S. PEARCE:** Have you had any discussions with Herring or Seddon about what their experience was there?

**Mr CASEY:** I have spoken with both people at various times. I have kept my finger on the pulse around things. I still know a lot of people in the Police Service so I hear lots of things from lots of people.

**The Hon. G. S. PEARCE:** So we would expect that they would support your views on this?

**Mr CASEY:** I would think so, yes. I think the difficulty you have is that, as I understand it, they are not allowed to talk to anyone at the moment.

**The Hon. G. S. PEARCE:** I am not sure whether you would have seen the audit report on the reform process, but from what you have read about it what is your general view of that process and what it has resolved or is showing?

**Mr CASEY:** We were very pleased when we saw that the QSARP process was going to come in. I note that Peter Ryan definitely did not want it. The reason they did not want it was that the senior police knew that there was nothing like reform occurring. As I understand it—and bear in mind I will receive a copy of it next week, but at the moment I have not read it—and from what I have heard, it is absolutely accurate.

**The Hon. G. S. PEARCE:** Would you be happy to come back and give us your views when you have read the document?

**Mr CASEY:** I certainly would, yes.

**Ms LEE RHIANNON:** You spoke about Operation Puccini. When it was introduced were the upper echelon of the police seeing it as just a PR exercise, or did they honestly believe that it was going to do something? What are your views?

**Mr CASEY:** My view is that what was wanted was to get drug dealing out of the main street of Cabramatta.

**Ms LEE RHIANNON:** My question was about why Operation Puccini was introduced. Did they introduce it just as a PR exercise, so that it appeared to be doing something, or was there conviction that this was the way to go? I am just asking you for your opinion.

**Mr CASEY:** As I understand, there was a multi-disciplinary working party that had been put together that had the former local area commander, I think the commander of Taskforce Oak and other people on it, including some very eminent academics. My understanding is that they had a number of options and that a Puccini-style operation was right at the bottom of the list. I understand that, when

Chris Evans was appointed as region commander, very quickly he came to the group and suddenly Puccini was elevated, or it was indicated that a Puccini-style operation was what was going to be run.

I think at that time people within that group actually voiced their concern that this would not actually help; in fact, it would make the problem worse in the long run, but, nevertheless, they decided to run with that, a populist option. I do not think that the senior police ever had any conviction it was actually going to work in terms of reducing crime. What they hoped it was going to do was take drug dealing out of the main street.

**Ms LEE RHIANNON:** So it had a nod from the senior police as a populist move?

**Mr CASEY:** I understand it was Peter Ryan's preferred operating system and that Chris Evans was carrying out his wishes.

**Ms LEE RHIANNON:** Are you still doing any consultancy work with the police?

**Mr CASEY:** I am not doing consultancy work with the New South Wales police but I am consulting with other police services.

**Ms LEE RHIANNON:** In Australia?

**Mr CASEY:** Yes.

**CHAIR:** A former local area commander, Alan Leek appeared before the Committee. He suggested that the position of local area commander should be advertised rather than appointed so that someone who wants the job will be involved in a competitive process. You have any comments on this?

**Mr CASEY:** I have not turned my mind to it of late. It sounds like a reasonable sort of suggestion in that people, if they wanted to apply for a position, could certainly put their hand up for it. The difficulty I have around simply appointing people to positions is that while the culture within the Police Service remains what it is, we have the situation arising where people can be appointed to positions for anything but all the right reasons. What we saw prior to the royal commission, and I have got to say since the royal commission, is people looking after others within their own network. In fact, Jim Ritchie has written an interesting paper on this. My concern around the whole system of merely appointing people is that the bastardisation of the assessment centre process leaves us open to having people appointed on the basis not of what they know but who they know and who knows them.

**The Hon. R. H. COLLESS:** You made the comment that senior police at Ryan's table—and I think you referred to them as the frighteners—are embracing behavioural change verbally but not embracing it in practice. Is that the way you see it?

**Mr CASEY:** What I said around that particular point was that, as I understand it, since Ritchie has been sacked, Seddon has been got rid off and Paul Herring has been suspended, that Jeff Jarratt has indicated that what he wants to see is the operational strategies but not the behavioural change.

**The Hon. R. H. COLLESS:** This morning and in some previous hearings when Mr Priest address the Committee it was suggested he was like a dinosaur approaching the Ice Age. Do you think that analogy could also be made of some senior police who do not want to see that behavioural change occur within the Police Service?

**Mr CASEY:** I think that a number of senior officers do not want the behavioural change to occur within the Police Service because it challenges, first, their own operating environments and, second, it enables people to challenge them. You have to understand that a whole lot of these people exist like Chinese warlords. Everyone calls them "Sir", "Mr" and genuflect in their presence, which is ridiculous in an organisation where people are running around thinking that fear is an appropriate way to run things. What they do not like about the behavioural change program is the place it starts is by attacking, identifying and mandating change of the toxic behaviours where people are not treated with dignity within the organisation and where decisions are made on the basis of the whim of the

commander not on the facts and the research. Yes, a whole lot of them do not like it and they do not like it for the reason that it challenges their own operating style.

**The Hon. R. H. COLLESS:** We had information this morning relating to a report that went from the South-east Asian crime unit in October or November 1999 requesting an urgent task force to look at combating gang warfare. Are you aware of that report?

**Mr CASEY:** No, I am not.

**CHAIR:** The Committee has heard a great deal about the problems of drug-related crime in Cabramatta. There is almost a consensus on what the problems are, however, the Committee has been given different ideas about possible solutions. Everyone has their own ideas.

**Mr CASEY:** Absolutely.

**CHAIR:** You have inferred that Operation Puccini and an emphasis upon a roster of work and new "smart" approaches are required, such as the behavioural change program. However, a number of community leaders in Cabramatta seem to be calling for more resources, more arrests and a better Operation Puccini. The police seem to be caught between ideas about the need for a new approach and the wishes of the community. How do we solve this dilemma?

**Mr CASEY:** That is a big question. Professor John Braithwaite from the ANU advanced the theory a while ago that there are a million reasons we can look at as to why people commit crime. What we need to look at is why most people do the right thing most of the time. If we start to examine things from that perspective and ask how we engender change of behaviour. Basically, a whole lot of people may be using drugs but not all of them are drug addicts. How do we engender change within them? Then as police and as a community we should then think about how we can approach things differently.

If we look at an arrest policy such as Puccini and we look at what Dixon, Meagher and others discovered, they discovered that police tend to treat drug offenders, drug users, in a fairly dismissive manner. There was one instance in which a girl was strip searched. I am not arguing the point that you have to do things if you are dealing with drug offenders and drug users because of their desperation to get the drugs very often, but we should look at the way they are treated and I use the instance where a 14-year-old girl was searched, not that a male constable was looking but a policeman was in the vicinity but that he could have looked and could have seen. This young woman said to the researchers, "I don't even take my clothes off in front of my mother."

She was being treated by the police in a way that she found absolutely offensive. In her estimation, whether the police were right or wrong, whether she was a drug offender or dealer does not come into it, out of that process she did not feel it was fair. If we start dealing with people on the basis of fair process we reach a stage where the fundamental principle of fair process is that people will accept almost any outcome if the process by which that outcome is achieved is seen to be fair.

If we look at how we deal with drug users and even drug offenders and how we connect these people back up to a community or those who are important in their lives in a way that can engender significant change in their life or enable them to see what is occurring through their behaviour, we start to have a possibility of changing it. The difficulty we have is what we tend to do is to stigmatise people, to treat them differently. If we look at the reason people use drugs, and is the same reason that lots of other people use alcohol, it is to help us feel okay about ourselves. If we have a process that intrinsically in itself instead of trying to help them actually makes them feel bad about themselves, we are not getting very far.

I am not saying we need to stop arresting people but at Shoalhaven they had a massive reduction in crime—and bearing mind there is a large Aboriginal population there—without a significant increase in their arrest rate. If we look at the same practice in the Thames Valley they achieved a 30 per cent crime reduction without a significant rise in their arrest rate. One should focus on how do we reduce crime not how do we arrest people. The role of the police is about keeping the peace—it is a twofold process—and enforcing the law. The police have absolute discretion around enforcing the law but they have no discretion around keeping the peace so if we start to concentrate on

what reduces crime rather than how we arrest offenders, we start to focus on something that has a greater chance of success.

My thought is that we need to use programs such as the behavioural change program and use the experience of the Thames Valley and the Bethlehem study and ask: what was done there? Principally, it is about changing the operating environment which the police have. Once you have done that you then reach a stage where new options in terms of the way police behave, the way we address crime, start to become possible but until we do that the leopard has not changed its spots. Until we do that we are still trying to go down the old path of saying the way we do this is by arresting people, by adopting a response to crime approach rather than a reducing crime approach.

**CHAIR:** Do you have any community education element to the behavioural change program?

**Mr CASEY:** The behavioural change program did not have a community education element. It introduced police to a different way of viewing the community. I can give you an example of this. At XXXXXX, where we introduced the program, four kids were caught bringing drugs to a school. The youth liaison officer, rang Terry O'Connell, who was the head of the justice group and said, "Terry, I have a principal here and four kids who brought drugs to the school." Terry said, "What are you ringing me for?" She said, "He wants me to charge them." Terry said, "Why don't you do that?" She said, "Because that will not work." Terry said, "Well, now you're talking my language. What is it you want me to do?" She said, "Can you run a process?" Terry went up there—and this was really interesting—and convened a conference around this. This is really fascinating. He brought in the kids' mothers and fathers, the school principal, the deputy and the teacher in charge of drug education, who was really annoyed. She said, "Those little buggers. I have just run a two-week drug education program and look at what they do." Terry said, "You had better come inside." He brought her in and sat her down. He started by asking each of the boys to describe the experience. He then asked the principal "How did it feel for you?" The principal was nearly in tears describing what it was like having to come down to the police station with the kids.

The interesting part was the drug educator, who was in tears almost all the way through this. But think of the mothers, how do you think they felt? Terry asked each of the parents to describe what it had been like for them. He came back to one of the young fellows and said, "What has been hardest thing about this for you?" He said, "I've broken my mother's heart." He asked these boys, "What do you think you need to do?" And the boys said, "We think we need to do something about helping the drug program at the school." Terry said, "You need to talk to the drug education teacher about this."

A few weeks later we were up there and she came along to tell us a wonderful story. She said, "You would not believe it. These four boys came to see me and they said that they wanted to help with the drug education program." She said, "That's wonderful. What you want to do?" They said, "We want to talk to the other kids about the fact that they shouldn't be using drugs and about what happened to us."

She said, "You cannot do that, it will be too embarrassing." They said, "No it won't. We want to tell them." When they did that other kids said to them, "You'll go back and use drugs." They said, "No we won't. We have seen how that hurts other people." I am not saying that you are going to solve all the problems simply by doing that straightaway, but what you are going to do is introduce people to another model. You will reintroduce them to those who are important in their lives. You are going to give them an opportunity to repair relationships, to repair harm and to start again.

What we do not do in the current system is anything even remotely approaching that. Imagine if we had taken those kids straight to the court. They would not have had to say a word, somebody would get up and make a whole heap of excuses for them, and then they would have got pelted out of the school. There would not have been a lot of learning done from that.

**CHAIR:** Some members may want to ask you other questions. Perhaps they can invite you to answer questions in writing, or the Committee may recall you. We thank you for your time today and for sharing your experiences and your knowledge.

**(The witness withdrew)**

**(The Committee adjourned at 1.03 p.m.)**