

REPORT OF PROCEEDINGS BEFORE

GENERAL PURPOSE STANDING COMMITTEE No. 3

INQUIRY INTO POLICE RESOURCES IN CABRAMATTA

¾¾¾

At Sydney on 23 April 2001

¾¾¾

The Committee met in camera at 10.15 a.m.
[Transcript later made public by resolution of the Committee - 23 April 2001]

¾¾¾

PRESENT

The Hon. Helen Sham-Ho (Chair)

The Hon. R. D. Dyer
The Hon. J. Hatzistergos
The Hon. J. H. Jobling
The Hon. G. S. Pearce
Ms Lee Rhiannon
The Hon. I. W. West

CHAIR: This is the eighth hearing conducted by the Committee in its inquiry into police resources in Cabramatta. The Committee has resolved this morning to conduct this hearing in camera. Before the hearing commences, I would like to briefly outline the background to today's hearing and the procedures being adopted by the Committee. At the hearings held on 13 and 30 March I read onto the record letters from the Police Association of New South Wales concerning a supplementary submission that was being prepared by the association on behalf of a number of officers from the Cabramatta local area command. I table those letters, together with a further letter from the Police Association which was hand delivered to me by Mr Greg Chilvers on 4 April 2001. As outlined in the letter of 4 April, the submission that had been drafted by the association was not endorsed by the Cabramatta branch of the association at a meeting on 3 April. Mr Chilvers has since advised that the matter was reconsidered by the Cabramatta branch at a further meeting on 9 April, at which time the same decision was made, that is, not to endorse the submission.

When Mr Chilvers came to see me on 4 April we discussed the matter in some detail, including the question of what would happen to the submission that had been prepared and whether the officers who had participated in the focus group would wish to address the Committee. Mr Chilvers indicated that the submission would be provided to the officers who had participated in the focus group and that it would be up to them what they did with it. The submission has since been submitted. In relation to the question of the officers who had participated in the focus group addressing the Committee, I expressed the view to Mr Chilvers that whilst I understood that members of the association at Cabramatta "did not want to dwell on the past", it was essential for the Committee to have a clear understanding of what had gone wrong at Cabramatta if it were to develop recommendations that would assist in ensuring that those problems did not recur in the future.

Mr Chilvers and I also discussed the circumstances in which the officers would be prepared to address the Committee. I suggested to Mr Chilvers that, whilst the Committee would make these decisions—which it did make this morning—I would be prepared to recommend that the officers give evidence in camera. Further, when deciding about possible publication of the transcript the Committee would consider deleting the names of the officers and replacing them with Officer A, Officer B, et cetera, in the same manner as occurred with the transcript of the consultation at Cabramatta High School. This issue is still to be decided by the Committee. Essentially these arrangements were proposed so as to ensure that today's hearing did not become a media circus. I asked Mr Chilvers to extend to the officers an invitation to appear before the Committee and to mention the possible arrangements that I had suggested. At my direction, the Committee Director subsequently contacted one of the officers who participated in the focus group. I was advised that four of the officers who participated in the focus group were available to appear before the Committee today and that they have indicated they would wish to do so on the basis of my discussions with Mr Chilvers. I welcome the four officers here today.

This morning the Committee has deliberated, as I said earlier, and has made the following decisions in relation to today's hearing. The hearing will be held in camera. Only Committee members, Committee staff, Hansard reporters and the witnesses will be present. Following the hearing, the transcript will be amended to delete any reference to the names of the officers giving evidence, and their names will be replaced with Officer A, Officer B, et cetera. At the conclusion of the hearing, and possibly after also receiving the response of the New South Wales Police Service, the Committee will then consider the publication of the amended transcript. The Committee will also decide whether the amended transcript, with names deleted, will be forwarded to the New South Wales Police Service for response. That provides the background to this morning's hearing and the procedure to be followed.

Before we proceed, there are two further matters that I would like to mention. Firstly, I wish to say to the witnesses that, as I said earlier, it is vital for the Committee to have a full understanding of what went wrong in Cabramatta. From your submission, it appears that some of the problems lie with Police Service management. It is important for the Committee to be fully informed about your views in this regard. However, I would ask that as far as possible in any discussion of this aspect of your submission you try to keep references to the names of officers to a minimum. Otherwise, the committee will need to provide an opportunity for named officers to reply, which could divert the Committee from the key issues. The Committee will recall Assistant Commissioner Clive Small and

Superintendent Frank Hanson. Secondly, for the record, I would like to express my appreciation to the four officers who have come forward to give evidence to the Committee. You have shown courage in coming forward to address the Committee and in making your submission. I will not tolerate the intimidation either of this Committee or of any witness who gives evidence or makes a submission to this Committee. For the benefit of any persons who may read the transcript of this evidence in the weeks ahead, I draw attention to Erskine May's *Treaties on the Law, Privileges, Proceedings and Usage of Parliament 1989* at pages 131 to 132, which states:

Any conduct calculated to deter prospective witnesses from giving evidence before either House or a committee is a contempt ... On the same principle, molestation of or threats against those who have previously given evidence before either House or a committee will be treated by the House concerned as a contempt. Such actions have included ... insulting or abusive behaviour ... or censure by an employer.

A, Police Officer, Cabramatta Police Station, Corner Phelps Street and Bartley Street, Cabramatta, and

B, Police Officer, Cabramatta Police Station, Corner Phelps Street and Bartley Street, Cabramatta, and

C, Police Officer, Cabramatta Police Station, Corner Phelps Street and Bartley Street, Cabramatta, and

D: Police Officer, Cabramatta Police Station, Corner Phelps Street and Bartley Street, Cabramatta, sworn and examined:

CHAIR: In what capacity do you appear before the Committee?

A: As a police officer.

B: As a police officer.

C: As a police officer.

C: As a police officer.

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

A: Yes.

B: Yes.

C: Yes.

D: Yes.

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

A: Yes.

B: Yes.

C: Yes.

D: Yes.

CHAIR: Do you wish to briefly elaborate on your submission or make an opening statement?

C: The Committee has a copy of a submission and we wish to change some wording of it.

The Hon. G. S. PEARCE: Will that submission be incorporated as part of the evidence?

The Hon. R. D. DYER: Does the witness refer to the draft submission of the Police Association that was not adopted at the meeting at Cabramatta or does he refer to some other document?

C: It is an amended version.

The Hon. J. HATZISTERGOS: We have a document that was faxed through with a cover sheet.

D: It is the same document that I faxed through and there are a number of word changes in that document.

C: There are not too many.

The Hon. J. HATZISTERGOS: Would you take the Committee through them?

C: Page 9, paragraph 5.1 starts with the words "A number of police" to be changed to "We". Paragraph 5.2, second line, sentence starting "Officers at Cabramatta" to be changed to "We". Paragraph 5.3: second line, "officers at Cabramatta" to be changed to "we"; last word on fourth line "they" to be replaced with "we"; fifth line "confirm that they" to be changed to "confirm that we"; next line "officers express concern" to be changed to "we express concern"; and the next line, "They are concerned" to be changed to "We are concerned". Paragraph 5.5, third line, "Officers believe" to be changed to "We believe". Paragraph 5.6, second line after "causes significant dismay to officers at Cabramatta" to be changed to "causes significant dismay to us". Page 10, paragraph 5.7: "the police at Cabramatta" to be changed to "we"; and "state their" to be changed to "state our"; and the third line "they commend" to be changed to "We commend". Last page, paragraph 7.2. states that the document has been signed by all the police present as well as other police who are not here today.

The Hon. R. D. DYER: With regard to the statement just made by the witness, I do not understand why my copy has no signatures on it.

D: I was contacted by David Blunt last week who informed me that he would like a copy of the submission. As a result of that I faxed a copy of that submission through to him immediately. I told him that a signed document would be available on the morning of the inquiry. That is why your copies do not have signatures on them.

The Hon. R. D. DYER: Is it correct that the document to which you are referring contains the signatures of the four officers who are here this morning?

D: That is correct.

C: Plus two others.

CHAIR: Would you tender your signed copy to the Committee?

D: Yes. We only have one copy from which we are going to read.

CHAIR: Will you tender it after the hearing as part of your evidence?

D: Yes.

The Hon. J. H. JOBLING: Do you confirm that you have individually signed and are satisfied with the contents of the submission?

A: Yes.

B: Yes.

C: Yes.

D: Yes.

The Hon. R. D. DYER: Subject to the amendments you have made?

The Hon. J. H. JOBLING: As amended, yes.

C: As amended.

The Hon. J. HATZISTERGOS: Apart from the Committee and the people who have signed this submission has anybody else seen it?

A: Yes they have. That document was at the police station. V left it for me last week. I made it known to quite a number of police who were working that the document was there. To my knowledge quite a number of them read the document, quite a few that I spoke to agreed with the document but they were not prepared to sign it.

The Hon. J. HATZISTERGOS: It is a document that has been circulated around the station?

A: Yes.

D: As a matter of fact there has been no secret of the document. It has been handed to management at Cabramatta as well. They have got a copy and I am sure the Police Service has a copy of it as well.

The Hon. J. H. JOBLING: Did any of your colleagues either refuse to acknowledge or reject the document?

D: Not that I am aware of.

A: I do not know of anybody that rejected it.

The Hon. R. D. DYER: In responding in that fashion, is it not the fact that the Police Association put the draft document before a meeting of serving police officers at Cabramatta, and that meeting by majority decided not to adopt it?

D: That is partially correct. There was a meeting I think on 5 April or on 3 April when the original copy was put to the branch. I am not 100 per cent sure about how many people were there. I was not there myself. I think there were 20 or 30 police there on the morning. They rejected it—they did not reject it, they just did not want a submission put forward to the parliamentary inquiry because they did not want to rehash the past. A number of people have read the document and believe it but they do not want a submission put to the parliamentary inquiry on their behalf. Previous to that meeting, at a salary meeting which was attended by some 40 police, we had organised that we would have a focus group attend a location in Parramatta and that all persons were invited to attend. I think about 10 people attended that focus group. As a result of that focus group we have this document before you now. At the second branch meeting which I think was on 9 April we had no intention of putting the copy back before the branch but we had Greg Chilvers attend to explain to the members why the second submission was drafted. As a result of that meeting the branch reaffirmed—I must stress there are 110 police at Cabramatta and I think there were 30 police there on the morning—that they did not want a submission going in on their behalf. As a result of that we have come and we have put the submission before this Committee ourselves.

The Hon. R. D. DYER: I simply put that question to you because in a letter dated 4 April to the Chair of this Committee the Police Association said:

At a branch meeting held on 3 April the proposed submission was not endorsed.

D: That is correct and I believe I answered the question so far as saying that the branch did not want a submission to come to the parliamentary inquiry. They did not want any type of

submission. They wanted to let the past be the past and move on. As a result of that we are here today and we are putting this submission before the Committee.

CHAIR: I think I explained well in my opening statement why you are here. Can any of you, or the four of you, elaborate on the circumstances that led you to seek to make this submission? The submission has now become the submission of the four of you. You have this focus group of 10 people. Why did you want to make the submission?

D: The reason that the focus group was formed is that I was certainly under the impression that the Committee wanted to hear from some officers from Cabramatta's side of the story. I believe that if you want to know the story of what happened in Cabramatta during the last three years, you have a good cross-section here before you this morning. We will endeavour to tell you what has occurred and what is now occurring in Cabramatta, to the best of our knowledge.

CHAIR: Were there any specific parts of the submission to which the branch objected because it did not want to endorse it, and were there any parts of the submission that met with general approval?

A: I did not think it was put individually. After reading it, a number of members said they had no knowledge of certain parts of it and therefore they could not agree to it; they could not all endorse it. Apart from going through each specific point and putting each specific point to the branch and having it voted on then—that was just a time-consuming exercise and the majority of the people there did not want to do that. They just said, "We will just reject it as it is." If anyone wanted to come down to the inquiry and say what happened, they were quite welcome to do so.

The Hon. J. HATZISTERGOS: You have amended parts of the submission to restrict it to your own opinions or views. However, in terms of what you say should happen I notice that those references are still left as a general phrase. For example, you say, "Staff at Cabramatta wish to see a genuine commitment by management" and "Staff wish to seek an acknowledgement of senior management that the crime index is not suitable." I am wondering how you distinguish between those general phrases which you use to say what your demands are. In some sections of the submission you seem to be speaking on behalf of people apart from yourselves, and in other sections you appear to restrict it to yourselves. Is it appropriate that we simply regard the submission as reflecting your views, or are there aspects of the submission which we should look at as a broader, cross-sectional view?

D: As I pointed out first thing this morning, a number of people have had the opportunity to read the submission. They agree with everything that is in the submission but are not prepared to put their name to it, for reasons we can all speculate. The fact of the matter is that numerous people at Cabramatta do agree with this submission. If the Committee believes that it would be better served to make it our own opinion, then so be it. But what I am saying is that numerous police at Cabramatta feel the same. We have stood up and have been prepared to come here and give evidence, whereas other people are not as comfortable doing that.

CHAIR: I refer to page 4 of your submission, which refers to the operations and crime review process [OCR]. In view of the fact that the OCR process is focused upon the performance of the local area command, what is the source of your criticism of the process? Could you clarify the focus of the criticism of the process. Is it focused upon the five crimes contained in the crime index, or is there something about the structure of the OCR process itself which is problematic? It is not the use of the crime index being stopped, because Commissioner Jarratt told us that it stopped more than a year ago.

C: As we have stated in the submission in paragraph 2.12, most local area commanders find the OCR process one of the most stressful parts of their job. That is one of their criticisms of it.

CHAIR: Why is that?

C: Because it is regarded as a process whereby their every action and inaction is thrown up against a wall and minutely examined. If there is a slight increase in the percentage of break and enters, for example, they are asked, "What's going on? You're not working. Why aren't you doing this?"

What have you done about it?" It puts them under an inordinate amount of pressure. That is one of our criticisms of it. Because they are so focused on it, and because it is one of the most stressful parts of their job, we are all focused on it too, the whole command.

I remember an OCR they did last year. The command basically stopped as they prepared for the OCR. The intelligence office stopped doing intelligence, stopped responding to us, and started again responding to the commander, who was fielding questions or preparing for the OCR process. It took our eyes off the ball, I suppose—or took the eyes of the people who were supposed to be looking after us away from us and onto the OCR process.

The Hon. J. H. JOBLING: That might explain the stressful part of the job. But your submission starts off: "The reality for most local area commanders has been that the OCR process has become one of fear and dread." I understand stress, but I would like you to amplify fear and dread.

C: I suppose it goes hand in hand. I would assume that fear and dread are part of the stress process.

The Hon. J. H. JOBLING: What do you fear?

C: The concept of having your every action and inaction plastered up on a high screen and—

The Hon. J. HATZISTERGOS: Accountability?

C: Accountability I suppose, yes.

D: The transcripts of the OCRs were there for everyone to read, on the police bulletin board. If you are one of the 80 LACs and you go down to the OCR and all of the questions and answers that are put to you are available to be read by your peers, obviously there is an opinion that will be formed by other commands. If you go down there and your break and enters have gone up by, let us say, 20 per cent, you are going to be severely criticised at the OCR and everyone is looking at your answers and how you are going to get out of it.

My opinion of seeing the reaction of the commanders who were preparing to go down to the OCR was something of fear. They did not want to go down there; they did not know what was going to—

The Hon. J. H. JOBLING: That would be the case if the figures were not good. However, if the figures were good, would it not turn into pride?

D: Yes, that is possible. But more than likely, if your figures are were not good—

The Hon. J. H. JOBLING: I can understand concern. However, fear and dread appear to have very specific implications. I have the feeling that there is more behind those words than you are telling us at this stage. Would any of your colleagues like to add to that?

The Hon. R. D. DYER: You are not saying you do not want to be accountable, are you?

D: No, not at all.

A: Let me put it this way. You have an OCR that covers assault, car theft, break and enter, robbery and stealing.

The Hon. I. W. WEST: Nothing on drugs?

A: We have Cabramatta; it is drug-related. Everything that was directed for crime reduction at Cabramatta was directed in those five core areas, because they are the only things that you really had to worry about when you went down to the OCR. What I say is this: If you are going to have an OCR, let us make it specific for the area. In Cabramatta you have a major problem with drugs.

The Hon. J. HATZISTERGOS: We have heard evidence about how the method of reporting in relation to drugs is different from the method of reporting in relation to property offences. In relation to property offences, someone will ring and report the fact that the property has gone missing, and therefore police have to act. Whereas, we understand that the level of reporting in relation to drug activity is somewhat reflective of the level of police activity, in the sense that not many people will ring up and say, "Someone is smoking pot."

You have these statistics that indicate the level of customer complaint—for example, that property has gone which should not have gone. Perhaps other categories should be involved in it, but that is another issue. I still do not understand where the fear and dread come from. Specifically, could you indicate where the source of your knowledge is coming from? Who are the LACs who fear and dread being accountable in this matter?

D: I come back to the accountability question. I was simply saying, if you want to be accountable, let us make it accountable. The fact of the matter is that Cabramatta has a drug problem. If you want to be accountable, what have you been doing about the drugs? Nothing is mentioned about that at all.

In relation to reporting, the fact of the matter is that perhaps the police at Cabramatta have not been reporting the issues correctly. With the break and enters, people steal stuff, break into your house around Cabramatta, Canley Vale or Canley Heights, for a specific reason: to steal, to sell. It is drug-related. What they want to do with the proceeds is to buy heroin. Then there are the robberies. They rob people, they hit them over the head, and so on. What do they do with the proceeds? They buy drugs. It is drug-related. To say that there is a level of reporting there, I do not agree. Basically 95 per cent of the crime at Cabramatta is drug-related, and there is an associated factor in the COPS system which allows you to endorse the offence as drug-related.

The Hon. I. W. WEST: I refer you to page 10 paragraph 6.1 of your submission. You say, "We support the points made in the Association's submission to the Committee regarding the poor management practices that have significantly contributed to the problems at Cabramatta local area command." We have not received a submission from the association.

D: I think that is the original submission that was presented by president of the association.

The Hon. I. W. WEST: Can you elaborate on that?

D: There were comments made there are that we endorsed. All the problems that stemmed from Cabramatta were managerially based, I suppose, and the recommendations that were in that submission—which at the moment escape me—we endorsed.

The Hon. R. D. DYER: For reasons of clarity, though, the reference there to the association's submission is not a reference to this draft submission but to the earlier one?

D: The first submission that was made. I do not know the date.

Ms LEE RHIANNON: The submission to the inquiry?

D: Yes.

The Hon. J. HATZISTERGOS: What happens following these meetings where the LAC goes to the commissioner's executive team to account for the OCR? Assuming that the statistics for the command are "poor", and that some criticism or expression of opinion takes place at the meeting, what then happens?

D: I do not know what happens after an OCR meeting if the statistics have gone through the roof. I do not know.

The Hon. J. HATZISTERGOS: You said that they are put up on the board?

D: There is a bulletin board. The transcript of the evidence is put up on the bulletin board for all persons to read. I think that takes a couple of weeks to come up. You can go into the police memo system and go into the bulletin board and read the transcripts of all the LACs that go before the OCR and what was asked of them and how they answered it. I have seen some people pass comments on the way some people have answered. Some people have passed comments like, "Gee, he got belted" or "He didn't answer that one well." That is what I meant by the transcripts.

The Hon. J. HATZISTERGOS: Does that affect only the LAC, or does it affect the other officers as well?

D: What do you mean?

The Hon. J. HATZISTERGOS: The LAC is at the meeting; he is told off because his statistics are going through the roof. What happens after that?

D: I would say it is a flow-down effect.

The Hon. J. HATZISTERGOS: Do you feel it?

C: We did as I think every command would. Since 1997 I have only worked in Cabramatta, so I cannot say how every other local area command—and they have been in existence only since July 1997—responds to the OCR process. But we certainly responded to the OCR process.

The Hon. G. S. PEARCE: With resources or putting people on the street?

C: Our strategic planning and tactical employment focused on the OCR process.

The Hon. J. HATZISTERGOS: What sorts of things would you be told to do?

C: "Drugs are not a problem. If you do not arrest people for drugs you have not got a drug problem." Drugs were not on the index.

Ms LEE RHIANNON: Who actually said that to you?

C: It is in our submission. It was never told to me but it certainly was told to other police at the command, who have said, "Yes."

The Hon. G. S. PEARCE: Was it Hanson?

C: No.

CHAIR: Are you saying that the commander actually told policemen not to worry about any crime other than the five categories of crime on the crime index?

C: I do not know whether it was specifically said, "We only have to worry about the five key things", but there was certainly a focus on that.

A: With the daily taskings of the car crews at one stage it was given to the duty officer to task the car crews. There were five duty officers and each of those five duty officers had a portfolio. One had a portfolio for robbery, one for break and enters, et cetera. So the taskings of the day would depend on which duty officer you had on duty that day.

The Hon. G. S. PEARCE: But there was not one for drugs?

A: No.

The Hon. R. D. DYER: When you say "at one stage", whose administration are you referring to? Is it Superintendent Y? Could you be a little less general?

A: Superintendent X. The duty officers had specific taskings. If you had a duty officer whose portfolio was for car theft you would have taskings. Car crews would be deployed to patrol areas where cars were being stolen. Now that would come from our intelligence package, which would tell us that two cars were stolen in Mount Pritchard on Tuesday night between 8.00 and 10.00. So you would have car crews deployed to do patrols of that area between those times. In that time there might be 100 drug transactions down at the railway station, but they were not addressing those. They were addressing things that were in accordance with their portfolios.

The Hon. J. H. JOBLING: Let me take you back to the bad old days when, as a serving officer, you dealt wholly and solely with the area that you were given and you would walk past anything else that was happening because that belonged to another section.

A: I do not know of anybody who would turn a blind eye to other crimes that were happening. If something came up on the way to your taskings, that would be addressed. But you were accountable for your taskings.

The Hon. J. H. JOBLING: You said earlier that there were five major headings under the OCR and that drugs were not one of them. It is quite clear from Cabramatta's point of view that you would like to see drugs as a benchmark measure. How would each local area command go about identifying the five or six benchmarks applicable to their area? How would you go about changing the existing system?

D: I would like to clear up one thing relating to the last comment that police would not walk past a specific thing. I have been in the Police Service nearly 17 years. The police in Cabramatta are junior but they are probably the best junior police that I have ever had the privilege of working with. This came to fruition because there was the drug problem up the street. They did not seem to be doing enough about it. When they had commanders coming out and saying, "Do not arrest for drug problems. Do not arrest for drugs because if you do not arrest for drugs you do not have a drug problem", it got them pretty rolled up.

As a result of that certain things happened early in 2000. I have not known police officers at Cabramatta not to arrest or do something about any crime that is happening that they are aware of at a specific time—taskings or no taskings. But I think A was trying to say that you were expected to do your taskings regardless. If your tasking time was between 1.00 a.m. and 2.00 a.m. for stolen cars on the other side of the patrol and you did not do that tasking you would be asked why. You would have to have a fairly good reason why you did not complete your tasking. It would be very rare that you would ever get a tasking dealing with drugs.

What frustrated the police at Cabramatta was the fact that they wanted to do something about the drug problem but, for some reason, robberies might have been up that month and they would have been told, "We have got to get the robberies down." A chart was put up at some parades each morning stating, "This is the white line or the black line. Here is the red line. This is where the robberies are. We are above the levels. We have got to get them down. We are doing pretty well. We are only 50 or something on the index for robberies." But there was never anything there to indicate where we were with drugs. The fact was that we were getting belted up the street with drugs and all that the police wanted to do was address that problem. We have said all along that if you hit and hit and hit drugs you will find that your assaults, your break and enters, your car thefts and your stealings would probably come down.

The Hon. I. W. WEST: You keep coming back to this perception that you were not to worry about drugs. But no-one here appears to have been told that.

B: When the controlled operations Act came out in 1997, Cabramatta used to do all its controlled operations by sending under cover police officers to buy drugs. When the law changed and it was illegal for police to do unlawful acts that is when Mr X came to Cabramatta. To get a controlled operation you had to do a formal request through the deputy commissioner. If you dotted your "i's" and crossed your "t's" wrong it kept getting sent back. From the end of 1997 until the end of 1999—correct me if I am wrong—I believe that there was only one controlled operation in November 1999, which actually sent under cover police to go and buy drugs from this shop.

Someone might have said, "Do not go and target drugs." However, there was also the perception that nothing was being done to organise it, to get an operation up and running, and to send police up the street to target drugs. So for two whole years the only way that we ever caught people for selling drugs was if we had a closed circuit television camera, we caught the drug user who bought the heroin and we caught the drug dealer seconds after the drug user, using video evidence. That was the only way we could do it. V said earlier that we were really upset that we could not get the drugs up the street.

I think there was a meeting with Mr Jarratt about changing the way we applied for controlled operations, to make them less formalised and easier to get. After that we had a blanket operation for Cabramatta. In July last year it was absolute success; it was like shooting barrels at a duck. We sent police out, the dock was full and everybody was happy. It was one of the best times to work when the whole station was involved in getting drug dealers. But for nearly two whole years—correct me if I am wrong—there were no controlled operations. When they did one—quite a celebrated one on the [name deleted] restaurant on old Cabramatta Road—that was a great success using controlled operations. It was the only one in two years.

The Hon. J. HATZISTERGOS: How many applications have been made?

B: I put in two. I do not know where they went. But for that whole time—I am not sure who put them in—there were no applications in place targeting street level drugs like we have now, which are really great.

The Hon. R. D. DYER: You are all using the past tense a lot. Am I correct in assuming that the position now is very much better than it might have been in the past?

A: Yes, it has improved greatly.

The Hon. R. D. DYER: Do you all agree with that?

D: Yes.

The Hon. J. H. JOBLING: But you still do not have drugs on the OCR index.

C: Our region commander, Mr Small, focused the region on drugs. He has said, as we have said for three years, that without drugs you really have not got a problem. Everything—

The Hon. J. H. JOBLING: Nevertheless, it is still not one of the five indices, so you are still not recording it?

CHAIR: I would like to hear the answer.

C: Mr Small said, as we have said all along, that most crime is drug related. If you have not got drugs you have not really got a problem. That is our firm belief. I have firmly believed that since I have been at Cabramatta, and I always have. Cabramatta is a shining example of that. Most of the people who are arrested for armed robberies, break and enters or stealing—which are crimes on the crime index and which I suppose are really committed because of the underlying drug problem—are all drug users. Most of them are drug affected at the time of arrest and the time of arrest is usually after the time of the offence.

CHAIR: Is it true that, since Commissioner Clive Small started, the management started to change and he has improved the situation?

C: I do not say for one second that Mr Small is solely responsible for fixing the problem by just walking in and waving a magic wand. But at the time that Mr Small took up office at the region, Mr Hanson took up office at Cabramatta. So we had a double change of leadership at different levels. The middle management level of the police station has improved markedly too with that duty officer rank in that office. People in that room are now much more responsive to us and I would say that they are more capable leaders.

The Hon. R. D. DYER: Your submission states in paragraph 4.1:

Since Commander Clive Small has been appointed Region Commander, there has been some progress made in regard to addressing some of the concerns at Cabramatta.

I take it that, as you are putting this document before us, you agree with that sentiment?

C: Yes.

D: Could I say something about the drug problem? Back in April 2000 after the incident with Mr X and the vote of no confidence, Mr X assigned me and at the time I was performing uniform duties I think at Operation Puccini. He asked if I could set up a small plain clothes unit to look at drugs up the street. We had been after that for some time. We had been arguing until we were blue in the face. Although the uniform presence of Puccini was valuable up the street there also needed to be a plain clothes contingent working closely with the uniform staff to have a maximum effect.

Unfortunately, we were not allowed to do that for an extended period of time because of the operational orders. The operational orders for Puccini would not allow plain clothes police to work up the street. It came to the point in April where the orders were being revisited by Superintendent Z from the region office. I think some of the recommendations that he was putting out were that it should be a split up of uniform and plain clothes police working up the street. In the 15 shifts that I have worked, the plain clothes up the street made significant numbers of arrests of offenders for the supply of and knowingly taking part in the supply of heroin.

There were also a number of property offences. People were arrested for property offences. I am not 100 per cent sure as I could not find my figures but I think between 36 and 38 charges were preferred, 32 offenders were charged and approximately 18 or 19 offenders were charged for the supply of or knowingly taking part in the supply of heroin. Of that number, one offender pleaded not guilty, but he changed his plea in court.

New management then came to Cabramatta and for some reason no plain clothes work was done. I was taken away from there; the Olympics came. As a result, a dedicated crime reduction team was started under, I think, Mr Y. A lot of changes were made during the Olympics and we now have a dedicated plain clothes team, which I think has six personnel doing covert drug work.

The Hon. I. W. WEST: Is there any interrelationship? Do you have any communications with those people or are they separate altogether?

D: They are housed at Cabramatta and they have their own little office. I am a supervisor in the GDs and I only tend to see them when they bring in the offenders. I do their record of interview adoptions, and that is about the extent of my contact with them. It may be different for the other officers here.

The Hon. J. H. JOBLING: I have a more specific question for B. It is my understanding that there were 11 strike forces operating in Cabramatta between December 1999 and January 2000. Is that correct?

B: I would not say that there were 11. As a matter of fact, I was involved in Operation Pitten, which I believe is one of the 11 mentioned. It started at the end of October and went until halfway through December and targeted drugs in Cabramatta. I believe both task forces Unicorn and Thunderbolt were phone-ins—Crime Stoppers. So I suppose that Crime Stoppers could be a strike force too. I am pretty sure that Oldenburg was a City Central police station investigation into Lebanese drug couriering from Uruguay.

Ms LEE RHIANNON: Do you mean that it was not really focused on Cabramatta?

B: I think the closest it got to Cabramatta was Greenacre. The Lee kidnapping involved a gentleman who was kidnapped from Bankstown and brought to Cabramatta. He was released after the police spoke to the solicitor. As a result, he said that he did not want to take any action. So that was never a strike force. In terms of these strike forces' names, in my experience strike forces are named alphabetically: For example, the strike force after "Pitten" would be called something beginning with

"Po", such as "Portville", which was the next strike force. In my opinion, it targeted all Asian crime in Cabramatta. I served on that strike force as well. Before then, Pitten is the last one on the list and I think [name deleted].

CHAIRMAN: I remind officers that the Committee would rather you did not mention the names of operations, particularly those that are before the court.

The Hon. G. S. PEARCE: None of those are before the court.

The Hon. J. H. JOBLING: I think they are all completed. I was led to believe that B supplied a chart setting out details of gang structures and incidents so that the strike force had an idea what it was looking for. Is my information correct?

B: Yes, I did do that but I think you might have to ask Mr Small for the Police Service documents.

The Hon. J. H. JOBLING: Am I also correct in assuming that the strike force had a document that is now referred to as the Cook report?

B: I know about that only from reading the Committee's previous transcripts. I have never seen it.

The Hon. J. H. JOBLING: Obviously Detective Sergeant Priest looms fairly large for the Committee. Have you read his submission?

B: I read his original submission halfway through last year, but I have only read the transcript from when he appeared before the Committee last time.

The Hon. J. H. JOBLING: In relation to comments made about the Cabramatta local area command [LAC] intelligence office and its interaction with strike forces, do you believe those comments and criticisms are valid?

B: I believe that at the time of the strike forces, particularly when a lot of the shootings occurred, the intel office was very understaffed. So much was happening at Cabramatta that they were not able to keep up with all the information coming in.

The Hon. J. H. JOBLING: I want to know whether you think, from your experience, that the allegation that has been bandied around is valid—it can relate to you, other officers at Cabramatta and particularly Detective Sergeant Priest. It has been suggested that you have been harassed from time to time about the stand on drugs and gangs in Cabramatta. Do you believe that allegation has validity?

B: A little bit. At the time I was mainly looking at Task Force Pitten and doing all the intelligence myself. As Sergeants C and D said before, a lot of the intelligence time was spent focusing on the OCRs—robberies and so on. Because they only had one full-time sergeant, a constable and a spare part-time lady, I do not think they were able to keep up with the enormous volume of intelligence. That is why it was eventually taken over by Task Force Portville.

The Hon. G. S. PEARCE: So during all these supposed task forces, the intelligence on drugs was being collected by one sergeant and one constable and the strike forces—to the extent that they existed—did not have any intelligence component. Is that correct?

A: I might be able to shed some light on that. I worked on a strike force that arose out of a job in [deleted].

The Hon. G. S. PEARCE: Was that [name deleted]?

A: Yes. We had a strike force into a murder that occurred in Cabramatta. [sentence deleted]. With [name deleted] came an analyst from South-East Asian crime, who was basically our intelligence officer. He liaised with other intel officers around the place to try to gather intelligence.

Most of the strike forces that were set up would have had an analyst attached to them. However, the analyst we had on [name deleted] was not full time; he was there part time with South-East Asian crime and a couple of other strike forces. We would be lucky to have him one day a week. So the resources were fairly sparse. A lot of the intelligence that comes in and is gathered by a strike force is not normally disseminated back to the local area command; it stays with the strike force.

Ms LEE RHIANNON: Returning to the question I asked before about some strike forces seeming to have a tenuous link with Cabramatta, when Mr Small gave evidence he listed the 11 strike forces and certainly left us with the clear impression that they were associated directly with fighting crime in Cabramatta. What you are saying seems to be at variance with that position. Is that a fair comment?

A: Some strike forces are set up and given specific guidelines. For example, [rest of sentence deleted]. It had no other guidelines: It was initiated solely for that purpose; it did not look at drugs anywhere. It looked at the gangs that were involved and I believe what you refer to as [rest of sentence deleted]. I certainly approached our commander at the time and said that we really needed to focus on some of the gangs. I was told in no uncertain terms that we would not be doing that because we could put a strike force on it, tie up so many police and at the end of it have only one or two people in the dock facing one or two charges. That was not what was wanted.

Ms LEE RHIANNON: So how many of those 11 strike forces were linked directly with fighting crime in Cabramatta?

A: I am looking at the list of names and most of them do not mean anything to me. The only ones that mean anything are Pitten and Portville.

Ms LEE RHIANNON: I ask all the officers present: Of those 11 strike forces, do you know which ones were linked directly with fighting crime in Cabramatta?

B: I know that Thunderbolt dealt only with drugs and was a phone-in.

Ms LEE RHIANNON: So Thunderbolt is a phone-in?

B: I am pretty sure it is. I think Unicorn is a phone-in too. The Lee kidnap job went nowhere; it was never a strike force. Pitten looked at drug crime.

The Hon. J. HATZISTERGOS: What do you mean when you say that it was "never a strike force"?

B: If it was a strike force it would not be called the "Lee kidnap"; it would have some weird name.

The Hon. J. HATZISTERGOS: We have a whole bunch of confidential material from Commander Small about that.

Ms LEE RHIANNON: I would like one of the officers to go through these names and tell us about the strike forces. For example, I would not call a phone-in a strike force. What is Noranda?

B: That was South-East Asian; all of these were crime agency strike forces. Pitten was the only one that worked in Cabramatta at the time.

Ms LEE RHIANNON: So out of the 11 strike forces, Pitten is the only one that you would define as being a strike force fighting crime in Cabramatta?

B: Yes, but just drugs.

The Hon. R. D. DYER: Paragraph 5.2 of your submission states:

Officers at Cabramatta point out that only one of these strike forces was directed specifically at crime in Cabramatta.

I emphasise the word "specifically". Is it not possible that other strike forces had more general terms of reference and, while not being aimed specifically at Cabramatta, might have impinged on it in some way?

CHAIRMAN: Before you answer that question, I remind officers that you can answer with as much detail as you can about any past operation. However, I would rather you did not give the Committee details about current operations because other people will read the transcript of evidence.

The Hon. R. D. DYER: I restate my question. Paragraph 5.2 of your submission states:

Officers at Cabramatta point out that only one of these strike forces was directed specifically at crime in Cabramatta.

Is it not at least possible that other strike forces that were less specific with more general terms of reference might have impacted on Cabramatta in one way or another?

B: We would not know.

A: I suppose that crime agencies could have had a strike force that we were not aware of set up somewhere to look at some type of crime in Cabramatta. We did not come under their terms of reference.

The Hon. R. D. DYER: I refer you to paragraph 4.1 of your submission.

The Hon. J. HATZISTERGOS: That is part of the evidence of Commander Small: Crime agencies were involved in some of these ongoing strike forces.

A: That is highly possible.

The Hon. J. HATZISTERGOS: Are you aware only of the ones being dealt with at LOC level?

A: Usually a strike force is set up specifically to address a crime that is being committed. Out of the ones on the list, the only one set up as a proactive strike force was Pitten.

CHAIR: It sounds as if there is some kind of communication breakdown between police and their senior officers.

The Hon. J. H. JOBLING: Or it never existed.

CHAIR: The answers given to the Committee's questions indicate that there are lot of vague and unclear operations. Is it a fair comment that communications between management and police officers are poor?

A: That is a very fair question and a very fair statement. When strike forces are set up they believe that they are a secret entity unto themselves and they do not like telling anybody what they are doing, except their direct commander. Quite often at Cabramatta, police come in and we do not know who they are or what their job is when they get there.

CHAIR: Really!

A: For us working as supervisors, police will turn up with just three or four people, or ask for a caged truck to turn up somewhere. When we get there, we do not know who they are; they will identify themselves as police officers, but there seems to be a great code of secrecy amongst a lot, between crime agencies and the DEA in Cabramatta.

CHAIR: Is there any reason why it is so secretive?

The Hon. R. D. DYER: Is it part of the police culture, perhaps?

A: I think it is, to some degree.

B: It should be secret sometimes.

A: If they have a specific target and want to address that target they do not want everyone to know about it in case someone says a word out of line and it is picked up somewhere. That might ruin three months of an operation.

D: I have spent a lot of my service working in covert criminal investigations. The very nature of the success of the operation will mean a limited number of people knowing what the operation was all about. I would say that criticism towards that style of policing is not right, because the fact of the matter is that more than likely we are dealing with people from organised crime backgrounds. This is on a need-to-know basis, and we may work in a specific area, I do not have to generalise it as Cabramatta, it could be Bankstown. If we are working a target at Bankstown, that could take us all over Sydney, but if the person lives in Bankstown there is really no reason to have the police in Bankstown know that we are doing an operation in the Bankstown LAC.

The Hon. I. W. WEST: Unfortunately, because of the secrecy does that not sometimes lead to the perception that nothing is happening?

D: At what level?

The Hon. I. W. WEST: On the ground. People on the ground think that no-one cares, nobody is doing anything, yet people are doing things at the need-to-know level.

D: Yes. I agree with you in that respect, but we work on the ground, we were trying to do things, but there was always an obstacle for us doing that. That is where the perception came that we were not doing anything about it, not the fact that crime agencies may be out there doing covert operations and not letting us know. The fact was that we wanted to do things and every time we wanted to do things there was some kind of obstacle. That is where the perception came from.

The Hon. I. W. WEST: Can you give any idea as to how we can possibly overcome that dichotomy, that necessary difficulty of communication because of the sensitivity of the issues?

C: It probably goes back to the leadership style of policing. In our submission we referred to the royal commission and what was going on within the police before the royal commission. Some problems had been identified within the policing ranks and we believe that nothing has really changed. In Cabramatta in 2000 nothing had changed in three years post the royal commission in relation to leadership styles. In our submission we make reference to commander control, secrecy, suspicion of new ideas and that type of leadership style. Say we are talking about us not knowing what strike forces are doing or what other police are doing. Our hierarchy would treat us as a need-to-know basis only—that is, we do not need to know that, only they need to know it.

CHAIR: Is that still happening?

C: Yes.

CHAIR: You are saying that is still happening, although they have changed some commanders, as you said?

C: True. In Cabramatta it is much more of an open environment now than it was, say, 12 months ago. We seem to have an exchange of information more than we used to. I cannot speak for servicewide, although I suspect that not much has changed.

The Hon. G. S. PEARCE: I will ask you a question about resources. Sergeant Priest gave evidence of a number of instances of difficulties with resources. He mentioned a young policewoman travelling by train with \$10,000 worth of heroin from Cabramatta to Burwood court. He mentioned overtime freezes, lack of prompt investigation of incidents, lack of availability of cars, and that sort of

thing. To your knowledge are those incidents true? Have they now been rectified to the correct resources that you need at the station?

A: I have personal knowledge of a number of those issues. The constable had to convey drugs by train because no cars were available. I was her supervisor at the time and she came and spoke to me straight afterwards. There has always been a shortage of physical resources for us in Cabramatta in relation to motor vehicles. When we are trying to perform an operation, there has been a shortage of communications equipment, and those sorts of things. I believe that we are getting more police on deck at Cabramatta. To my knowledge I do not think there has been any increase in the number of vehicles available. Referring to radios and communications equipment, V might be able to throw more light on that. We fought and fought to get communications equipment. When it arrived it sat in the boss's office for a number of weeks.

D: When I was asked to start up the covert unit—and I add that it consisted of one person, and that was me—I put in a wish list of things that I really needed to perform my duties at a professional level. The Police Service is always advocating that we should be professional and to be professional I wanted to be fitted up with professional equipment. I submitted a report and to the credit of the region commander, Mr W, he went out of his way to assist me in getting the equipment. I asked for six covert communications kits, and I got four—they are quite expensive, \$1,100 a piece—and I had one on loan from a company.

The covert communications kits are just a wire and loop that enable me to covertly place a portable radio in a bag, or secrete it upon myself, and have a wireless earpiece through which I can communicate with other people on the ground. That way I can get in close and perform my duties professionally. I got the kits, they arrived and were locked in the boss's office. I asked for them but was told by the commander that I had to do a strategic plan on them and SOPs. I specifically said, "Sir, these are just an extension of a portable radio. I do not know what type of plan you would like me to do on them." As a result he would not give them to me, so I said to him that I would not continue performing covert duties until such time as I was equipped to do so.

At no stage did he give them back until I took up an issue with his office regarding Operation Hammer, a covert operation utilising new undercover officers. As a result, a number of officers came to me and outlined the fact that they needed some type of covert equipment. I informed them that the covert equipment was available in the boss's office.

The Hon. G. S. PEARCE: Who was the boss at that stage?

D: Mr Y. I pointed out to Mr Y that it was now an OH and S issue, the fact that equipment was available and because he was not making it available he was putting police at risk.

Ms LEE RHIANNON: Did he give any explanation for not releasing it?

D: No. He wanted the SOPs and a strategic plan. I do not know how I would do a strategic plan for pieces of wire that plug into a radio. We were doing such good work on a covert basis.

The Hon. J. HATZISTERGOS: How did that come to be acquired?

D: I made the request.

The Hon. J. HATZISTERGOS: You made the request, but did he take it off?

D: No, it was ticked off by the region. Operation Puccini is a region-based initiative, everything comes through region. It was signed off by Mr W, who was very good about it. He gave me a video bag as well, which he hand delivered. He said, "Use it and look after it".

Ms LEE RHIANNON: Is it for taking covert videos?

D: It is a covert video bag. Then the comms kits arrived, and they were ordered by region. It was in the transition period from Superintendent X leaving to the arrival of Superintendent Y. During that period I do not know what happened, but we got the comms kits.

The Hon. G. S. PEARCE: I will stop you there, because that is not an answer to my question. Generally speaking, the resources issues of the past that were pointed out by Priest, were correct?

D: Yes.

The Hon. G. S. PEARCE: You support that now. The second part of my question was: Are you all satisfied that the resources are there now if you want them?

D: Yes.

The Hon. G. S. PEARCE: I ask you now about fortified drug houses. When did police on the ground become aware of the fortified drug houses at Cabramatta and what did you do about them over the past two or three years?

B: They mainly started when Operation Puccini was very proactive in uniform. The drug dealers could not operate as freely on the streets so they moved back into the unit blocks. While they were there, they were dealing out of windows but did not have anything on the doors. When the police started with search warrants, we used to break in the doors because they used to lock up and would not let us in. Under the search warrants Act we can go in quickly if we believe that evidence will be lost.

It got to the stage where they realised they had to get steel doors put on. I have been at Cabramatta for 3½ years and I saw the steel doors starting to go on in about the middle of 1999, but originally they were just the bought doors and were not very good. We got around that by using crowbars because the doors just popped straight off their hinges. Then they started to get a lot better and now they are at the stage where the police rescue squad spent 40 minutes cutting a door off with a petrol-driven angle grinder.

That is how good the doors are; they are welded into the wall with six seven-inch dyna bolts which cannot be taken out, they have to be cut off. Probably since the middle of 1999 the steel doors have been on, so it has been virtually impossible to send undercover police, because they cannot be seen through the doors. We have had to come up with other little tricks to get into the premises, because getting into the premises was impossible.

I have come up with a few solutions around that problem, and I originally made a submission last year to the inquiry where I said, "This is that problem. This is what we should do." I did a lot of research, particularly on things in America, and the main way to get around it is the use of civil remedies, by employing the Residential Tenancies Act by getting the landlords to look after their own units. I started going to real estate agents and saying, "Listen, we believe that this man here is selling drugs. We have all these complaints from neighbours. He has put a steel door on the place, which is an instant breach of his contract. I am requesting you to take action by terminating his lease."

Some 99 per cent of them were so grateful that I helped them out, but one gentleman refused. I sent him a letter, which outlined, "I have informed you that they are selling drugs. You are the manager in charge of the premises. Therefore you are accepting rent knowing that it is from the supply of prohibited drugs, therefore you knowingly take part. If you fail to do anything about it the Crime Commission may seize your premises." That changed his mind. Making non-offending third parties more accountable for their properties worked. South East Asian had a 27 out of 27 success rate by using the tenancies Act and they put legislation to the Parliament—

CHAIR: That was great work. It showed great initiative

The Hon. G. S. PEARCE: When was that?

B: Probably at the end of last year. As a result of that I helped out South East Asian to do it. I met with the chairperson of the tribunal. We have to try to get a couple of other laws changed to make it easier to have drugs put on the law—

The Hon. G. S. PEARCE: In evidence Sergeant Priest mentioned the incident at Cabramatta School, which became a cause célèbre. Do any of you know what happened and, if you do, could you outline the incident?

C: A Constable P and Constable Q responded to a VKG call for people causing trouble at Cabramatta High.

The Hon. R. D. DYER: Were you present?

C: No.

The Hon. R. D. DYER: So you are giving this second hand?

C: At the time of the incident I was the acting duty officer or the acting inspector. When Mr Priest gave evidence it caused a bit of a ruckus in the media. Mr Hanson contacted me from his home and said, "Can you find out what is going on; what happened at the school?" Constable P was working at the time, and I got a three-page written document from him, which gave me the precise details about exactly what went on at the school. I have a copy of the narrative from the COPS event and that three-page screed, and I sent them by fax to Mr Hanson at his house.

The Hon. G. S. PEARCE: What Sergeant Priest said did occur?

C: There was an incident, which involved a stolen car and a couple of Asian male kids. There was an incident, certainly.

The Hon. J. HATZISTERGOS: Was there recruitment of drug members to the gang, displays of jewellery, easy women, roles of cash, and were teachers cars rocked and smashed? Was all that part of what took place that day?

The Hon. G. S. PEARCE: Or any other day?

C: Not to my knowledge.

The Hon. J. HATZISTERGOS: That is what Mr Priest told the Committee. Do you know where he could have got that sort of information?

D: No. I would just like to add that over the last couple of weeks I have attended two incidents where a large group of schoolchildren had been housed in a couple of fortified units in the company of a couple of known—

Ms LEE RHIANNON: When you say "housed", do you mean they live there?

D: No. One of the units that we attended had approximately eight kids of school age. It was a vacant unit, which they had taken over. They already had a security super door put on it. They had even gone to the extent of on the inside—

Ms LEE RHIANNON: The kids had?

D: Somebody had. They were in there. What attracted our attention was that a known drug dealer was seen with a Caucasian male walking up John Street. As a result we followed. One of the constables I was working with had seen a transaction. We arrested the known dealer who went to the window of this particular unit before he got to the Caucasian, and we had arrested them for the possession of, I think it was, a quarter weight of heroin. As a result of that we sealed off the place and we were in the process of getting a search warrant. The juveniles inside the premises then allowed us to gain entry. Upon entry we saw approximately eight to 10 juveniles in there.

The Hon. G. S. PEARCE: School kids?

D: Yes, and one adult.

The Hon. J. HATZISTERGOS: When was this?

D: Two or three weeks ago.

The Hon. R. D. DYER: When you say they were school kids, how do you know they were school kids?

D: From our inquiries. The average age was 14 to 15 years old.

The Hon. J. HATZISTERGOS: Which schools?

D: I do not know. I did not get into that. Then we went through, we took them back and we contacted their parents.

Ms LEE RHIANNON: When you say you took them back, took them back to the station?

D: We took them back to the police station. What we have seen is an increase in parents, two that I am aware of, that have reported their children missing. They then come to the police station. When they report them missing they say that they are in this particular place, one in John Street and there was another one in McBurney Road. They are saying that they are now linked up with the gangs and they are using them to sell drugs and courier drugs to Brisbane, and they were very concerned.

Ms LEE RHIANNON: Using the kids to courier drugs to Brisbane?

D: Yes, that is correct. We took these kids back, called their parents and they came and picked them up, but to no avail. They will do the same thing again. A week or a week and a half later on night work we got called down to—

B: It was 12 April.

D: We got called down to another address in McBurney Road, which was an address that had already been knocked over by way of search warrant where a number of people were arrested and charged. The place should be vacant because the windows at the back are smashed and the security bars on the window have been pulled off. The initial call was to check whether a missing juvenile was in there. When we got there, 12 or 15 juveniles were all drinking beer, sitting around in a huddle.

B: It was 2.00 a.m.

D: B was there on the night as well. One gentleman had the identification of a gang member who is in custody at the moment. It just seems to me that this is another way that they are recruiting the kids now. It is becoming a problem because a lot of these kids are leaving home. Their parents are reporting them missing. They are telling us where they are. They are at age 14 or 15. We go down, we take them back, they go back to their parents, but the next day they just go again. That may assist in some way, that the recruiting may not be occurring just at the schools but also outside school hours.

The Hon. J. HATZISTERGOS: Is it occurring at all at the schools?

D: I cannot answer that.

A: I have read a number of intelligence reports where registered informants give information saying that there is current activity in the schools to recruit kids to different gangs.

The Hon. J. HATZISTERGOS: Have you communicated that to principals?

A: Yes.

The Hon. J. HATZISTERGOS: Is Cabramatta High one of those?

A: Yes.

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

A: That was through our Youth Liaison Officer, and it was done in the last couple of weeks.

The Hon. G. S. PEARCE: Are any of you aware of anything that you would regard as intimidation, harassment or undue pressure that has been applied to any of you about giving evidence or speaking up about the drug problems in Cabramatta?

D: I was told by a commander that I was being shafted to another command.

Ms LEE RHIANNON: Is shafted moved?

D: Yes. That was the word, "shafted". That was his exact word.

The Hon. G. S. PEARCE: Was that recently?

D: That was back in January 2000.

The Hon. J. HATZISTERGOS: Who was the person who told you that?

D: Superintendent X.

The Hon. G. S. PEARCE: That was about giving evidence at this—?

D: No, not about giving evidence. This is about speaking up. I want to clarify that: Nobody has intimidated me or threatened me because I have come down here to give evidence. As a matter of fact, Mr Hanson, the local area commander, has put me on duty to come here today. I want to make it perfectly clear that I have not been threatened in any way.

The Hon. R. D. DYER: Were you transferred or, to use your expression, "shafted" at the time you referred to? Were you then at Cabramatta and are you still at Cabramatta?

CHAIR: I was going to ask a similar question. On page 6 of your submission you state that by mid 2000 the impression of police at Cabramatta was that that if you spoke out against what was happening you were likely to be targeted with change of duties or transfers. It is very much the perception we are talking about. Have many offices been transferred?

D: I have been offered numerous transfers from Cabramatta local area command. I had a green form put in front of me and was told "Sign this." No, I did not sign it. The only reason I am still at Cabramatta is that the Police Association took up the cause. The police at Cabramatta rallied behind me and two other officers who were also being shafted. As a result of the staff rallying behind us a vote of no confidence was placed on the superintendent in charge at the time. Those transfers or shaftings were rescinded, and we went into consultation with the management at the time the day before the vote for the no confidence. Certain undertakings were made by senior management that certain things would change. In good faith we took that on board and the association meeting rescinded that motion.

As a result the covert team, of which I am member, was put in a position to do some covert work up the street. Region was then relooking at the operational orders for Puccini to try to incorporate covert police to work closely with uniform police. You have to remember that operation Puccini had one set of orders that ran for the duration of the operation, but in that time the dealers, the offenders, will change their mode of operation. They were continually changing the way they were selling, dealing and whatever. But our operational orders were never revisited. We were just continued. The amount of obstacles that you would face to try to get those changed was enormous. The operational changes were never forthcoming.

The Hon. R. D. DYER: Does this relate back to early last year?

D: That is correct.

CHAIR: Are there ongoing issues with the transfer?

D: Specifically, I am quite vocal in regard to issues at Cabramatta and at every opportunity I would take these issues to management. I do not know what their perception of me was. All I can say is that I was given the opportunity to transfer anywhere I wanted to go. But I did not want to go anywhere. I was happy at Cabramatta. I enjoy the work and I enjoy the people, and that's where I stayed.

CHAIR: Do you know of any other police officers who were really transferred against their will?

D: There were three of us who were being transferred against our will on that occasion. I was included in that three.

CHAIR: The others were transferred?

D: No, their transfers were rescinded as well because the staff rallied behind all three of us and we got that stopped.

The Hon. I. W. WEST: Would you clarify whether we are talking about issues that are unrelated to this inquiry? Do the issues involve management and association relations on site and management matters at Cabramatta?

The Hon. G. S. PEARCE: About raising concerns at Cabramatta.

C: Yes.

The Hon. I. W. WEST: It is not about giving evidence.

D: No, and I clarified that before. I am sure that I speak for the four of us when I say that we have had the blessing of Mr Hanson to come here today.

Ms LEE RHIANNON: Are you all being paid today and the Police Service knows that you are here?

D: Yes. We have not hidden anything. Even with the preparation of this submission, we invited Mr Hanson and the crime manager to attend on the day. The crime manager did attend and had some input. The crime manager has a copy of the submission.

Ms LEE RHIANNON: If, as you say, it has been open and you feel that you have not been intimidated, why did you want these proceedings in camera?

D: We did not want the media to make—

Ms LEE RHIANNON: It is because of media problems, not because of problems in the Police Service?

D: Yes. We do not think that anybody can benefit if the media gets hold of it and distort things that have been said. If we tell you the truth to the best of our knowledge, that is the fairest way to do it.

Ms LEE RHIANNON: When dealing with people from non-English speaking backgrounds, would you elaborate on the problems you are confronted with in carrying out your day-to-day work?

B: It is very hard. I particularly work on general duties at the moment. I find it very hard sometimes dealing with people from non-English-speaking backgrounds who cannot speak English at all. That was one thing a lot of us raised mid-last year, that we would like to do language classes. Mr Small said that he would offer it to us in the future. In terms of support from ethnic liaison officers, we have been let down a bit. The Vietnamese people are our biggest nationality there, yet we have one Vietnamese, one Cambodian and one Laos ethnic community liaison officer. Proportionately, I do not

feel that we are getting the support from the ethnic community liaison officers helping us out with inquiries, coming out with us on certain jobs and developing a link with the community. In my submission, that is a major problem we have had with the community. The community does not trust us and we cannot talk to them properly.

Ms LEE RHIANNON: When you say you are not getting support from the ethnic community liaison officers [ECLOs], do you mean that there is not enough of them or they do not support you?

B: There is not enough of them and they are not really accountable to anyone at the police station. They are not asked to come with us. I am not sure whether that is being changed at the moment with their new management. I feel, and some others agree, that the community would like to see more involvement with their ethnic community liaison officers, not just with the police. They work Monday to Friday.

Ms LEE RHIANNON: Do they still work nine to five?

B: Yes.

A: If I could add to that, just recently our business manager asked us to put our officer G on a work performance plan because he was not working up to standard. The first question back to the business manager was: What are the guidelines they are employed under? The business manager said "I don't know". We have liaison officers at the station and we do not know what their guidelines are. They are not permanent staff at the moment; they are only there on a casual basis. They are supposed to be available to communicate between the community and police. They have been asked to draw up three-monthly plans on the meetings they have. Sometimes they will turn up on a Sunday to go to a meeting and then they will take off 1½ days during the week because they are on time and a half.

C: I will give you an example of our relationship with the ECLOs. We had a sudden infant death of an eight-month-old Vietnamese child on, I think, a Friday morning or a Monday morning. The family was obviously distraught. What English they could speak they were incapable of doing. They wanted to talk to us in Vietnamese. We obviously needed a Vietnamese interpreter. The first person we would normally call upon would be an ECLo, one of the ethnic community liaison officers. Only one of them at Cabramatta is a Vietnamese speaker. When we made some inquiries, that person had been off sick for over a week and we did not know.

Ms LEE RHIANNON: Is the problem with the ECLOs the chain of command and who is responsible rather than a resource issue, or is it both?

C: It is a resource issue and the ECLOs need to be made accountable.

B: We need more and a cross-section of the community too. Cabramatta has predominantly Vietnamese, Cambodian and a lot of Chinese. There are not a lot from Laos, yet we do not have a Chinese community liaison officer. We get people who are Chinese and we just say "Sorry".

A: We are pretty lucky, we have a support officer—

CHAIR: As you are aware, the Premier's new package increases the number of interpreters?

Ms LEE RHIANNON: From your experience, day-to-day on the ground how many ECLOs would you need for the different language categories?

D: Before we discuss increasing the number of ECLOs, we need to address the fact that they need to be there. Somebody must let us know what their duties are. I have been there for five years and I have not used them because, one, I may not be able to find them and, two, I know that when somebody has asked them they are not available. The fact is that the police find it a lot easier to fax a form through to the Ethnic Affairs Commission and get an interpreter on the phone to do a statement. For example, if Castle Hill station had a domestic and Anglo-Saxons walked in, it is just a matter of knocking out two or three statements, which takes them one hour or 1½ hours. At Cabramatta we may have the same amount of staff, but with non-English-speaking people, we have to fax a copy through

to the Ethnic Affairs Commission. Then we contact the commission and the interpreter says that he is 1½ hours away. The interpreter comes in, then we spend another two hours doing the statement because it is a three-way statement. It draws on the resources and it is really, really difficult. Before we talk about increasing the number of ECLOs, we need to define their duties and who they are accountable to, because at the moment they are not accountable to anybody.

The Hon. I. W. WEST: And define whether or not they are police officers.

D: Exactly.

A: With a lot of them, I think their portfolio is that they can be there to translate and do statements. But if we have an offender they will not buy into it at all.

The Hon. J. HATZISTERGOS: They are not accredited interpreters. They would not have accreditation for the purpose of court matters.

D: I will give you an instance. One of my constables came to me and wanted a document translated. I cannot remember what the document was. The document was given to one of the ECLOs and he said, "I can have that translated for you in a month". Let's get real.

CHAIR: Do you think there should be more co-operation between the Community Relations Commission and the police officers so that translations can be done immediately? As the Hon. J. Hatzistergos said, ECLOs are not accredited translators or interpreters. They should not be used for that purpose.

The Hon. J. HATZISTERGOS: Most of them would be involved in liaising with the various community groups.

CHAIR: At the moment a review of their duties is taking place.

D: Madam Chair, if we have a counter inquiry from a Vietnamese couple, regardless of the language, we should be able to call upon the ECLOs to assist us in that inquiry. It may well be that the people have come in to report that their car has been stolen or their house has been broken into, but the ECLOs are not there. We need to address this issue. If we are going to have more ECLOs, there should be a statement of their duties. If they need to have accreditation of some description, they should be given that.

The Hon. R. D. DYER: I would like to put to you a few matters from your submission. Toward the end of paragraph 4.1 you say:

For the first time the significance of the drug the problem has been highlighted. It is also pleasing to note that Commander Small intends to establish region-wide consultation about the plan.

That is the seven-point plan. The paragraph continues:

This can only be a positive move.

You have made that submission to us. Do you adhere to that?

D: Yes. That paragraph about consultation in relation to the plan with police at all levels was raised at the focus group on that day. That was terrific and we agreed with it. Mr Small has come out in the first point of his plan and said that drugs are a problem. We applaud him for that. As to consultation with all levels, I have not seen it.

The Hon. R. D. DYER: I want to put something to you that is slightly critical. In paragraph 4.3 you say:

Beat policing is central to both community-based policing and intelligence-driven policing. There is a fear that the TAG (Tactical Action Group) concept will remove any permanent uniformed presence from Cabramatta.

How real is that fear?

C: Very much so. The indication that we are getting from TAG leadership at the moment is that the officers will not work uniformed in Cabramatta. They will work in plain clothes. They will do whatever they do in Cabramatta, but they will not be doing it in uniform. That then leaves the uniformed response to the Cabramatta local area command. We have a six-man covert drug team or action team and we have four bikes, which has just been increased by another three, giving seven bikes, and that is it.

The Hon. R. D. DYER: In connection with what D said a moment ago about the region-wide consultation, if you have concerns about the matter I have just raised you can put your views forward. Is that correct?

C: Our line of communication with Mr Small is through Mr Hanson, our crime manager. If we have views that we want expressed, we express them to him and he takes them to Mr Small.

D: I would also like to point out that point 2 of the seven-point plan specifically relates to the uniformed presence at Cabramatta. We disagreed with point 2 of Mr Small's plan and the fact that he wanted to amalgamate Puccini, a number of anti-theft operations and everyone together to form the TAG and not have a uniformed beat policing presence at Cabramatta. We would say that Cabramatta needs a permanent uniformed policing presence in the central business district [CBD] that has to be attached to Cabramatta.

A: With Puccini—I do not know the exact numbers, C might be able to fill those in—there was a uniformed response in the CBD to drive out the drug dealing in the CBD. It was very effective at doing that. It drove out the main body of dealers from the CBD into units, which were beyond their control. A number of operations were going on at railway stations and related areas, and they drove them out. Puccini's focus was to remove the fear in the CBD, which they did. The drug dealers went to the units, which have now become fortified. We are addressing that, and the dealers are now moving on to selling from motor vehicles. Back in the CBD there is no uniformed presence any more and the drug dealers are coming back in.

The Hon. R. D. DYER: Do you mean that there is no uniformed presence?

A: There is none at all at the moment.

C: Except for four police on push bikes.

A: Before there were 40 attached to Puccini. They have been removed to go into the TAG team. The idea of having 90 extra police in Cabramatta is not real. They have taken 40 out of Puccini and they have dissolved the anti-theft squad, which used to also operate in Cabramatta looking at jobs in pawn shops and things like that. They have been amalgamated into the TAG team. They have drawn on other resources from Cabramatta to go into the TAG team. So again it is not a realistic extra 90 people coming to Cabramatta to address the drug problem.

The Hon. R. D. DYER: Is it correct that you are conceding that the TAG team has a role but you are saying it should not be at the expense of beat policing?

D: That is correct.

C: It would probably be useful for the Committee to have some background into Puccini because [rest of sentence deleted]. Historically Puccini was a uniformed police presence in the CBD of Cabramatta: it did nothing else. It was not allowed to go outside the specific boundary that was the CBD. When Puccini mobilised and started to do what it was doing in the CBD it was effective in a short period of time and had a dramatic effect on the overtness and the concentration of drugs within just that small area of Cabramatta. The problem was that the police presence dispersed drug use and dealing outside the CBD. Police were not allowed to follow them. The problem we found all along with Puccini was that it was directed from a distance. The region directed Puccini, not the local area command.

When we asked that the order be varied so we could go outside, we were told we could not. When we asked if we could work some police in plain clothes we were told we could not. When we asked why we could not we were told that the community does not want us to do that. We were being told from the region. That is some of the stuff that went on in the background leading up to that motion of no confidence on 28 February 2000. As a result of that motion of no confidence the commander, Mr X, and Mr W approached us and said "What you want?" We said that we just want some flexibility with Puccini and with the way we deal with street level crime and street level drugs so we can make a difference because we know that everything involves around the drug trade in Cabramatta and if we do drugs, then we will fix everything else up in the process. There was then a general concession that perhaps we might be heading on something.

In relation to the control operations Act I know D was talking about comms kits. We would actually have controlled operations that will cover a specific period of time over a specific geographical area. [first part of sentence deleted] I went to a Puccini-specific OCR—we talk about OCRs—with Mr Jarrett, Mr O and Mr X and Mr F who was then the crime manager. Mr Jarrett asked us in that OCR if anything caused us dramas with Puccini and if anything was holding us back. I said "Yes we have" and he asked what it was. I said with this controlled legislation we cannot move on it, it is too hard to use. He asked why. I said because it is so cumbersome and if we make one little mistake and we are nearly at the top of the slippery dip it comes all the way back down again. He said "We will have to change it" and he did. It was nearly instantaneous. Later in that week they actually convened a meeting with the Attorney General's Department's high-ranking police and a few other police at Cabramatta. They reinterpreted the Act and changed the way that they could use it.

As a result of that motion of no confidence we got some flexibility with Puccini. We had the hierarchy of the police department saying that perhaps we could reinterpret the way we are using the controlled legislation and then we rolled into Puccini 13 [words deleted], D was plain clothes and we had people doing all sorts of wonderful things and we were getting great results. We were going pretty well with it. The reason we did well with it was because it was not being controlled from a distance. In fact, I was writing the operational orders in the end and we were doing pretty well what we wanted to and we were getting good results. Going back to TAG, my concern is that again it is directed from a distance. TAG is at Wetherill Park and they come to Cabramatta. We do not know when they come or when they go. We do not know what they are doing.

A: They are a regional resource.

C: They are a regional resource as Puccini was a regional resource. None of them are stationed at Cabramatta. In fact, some of them have come to Cabramatta to get our intelligence, as they have been told. In the early stages of TAG there were significant relationship problems with the commander of TAG and our crime manager. Police were told to come over here, get Cabramatta's intelligence, do not talk to her, and that type of stuff which is very negative. I think that is slowly getting fixed up over a period of time but it should never have happened in the first place. But there still has been no true interaction between TAG and local Cabramatta police. One of the problems a couple of weeks ago was when our crime response team went to execute a search warrant at a fortified premises only to find TAG personnel, plain clothes police, crawling all over it. They did not know that they were there and they should have never been there. They should have told us that they were going to be there in the first place but they did not. That is the problem we have at the moment and it is my concern that we are going to have another Puccini getting directed from a distance again.

The Hon. R. D. DYER: C the issue of police outside the area and that there may well be legitimate reasons sometimes for confidentiality was discussed earlier. I understood this morning that some of you in the past agreed with it.

C: I can understand confidentiality in the middle to upper level type of drug activity but I am talking about street level crime. There is no need for confidentiality in street level drug dealing. In fact, it is dangerous not to have interaction because if something happens and then somebody rings up and says that "there is a couple of blokes here. They reckon they are police, they are getting belted up" we would say "no, they should not be any police there, all our police are here". That is why it is dangerous. They should tell us they are going to be there but they do not

D: The purpose of TAG teams was that they were formed specifically to assist local area commands. They were not formed for local area commands to assist them. We have got a group of, I do not know how many police at the TAG unit, Greater Hume, that should be utilised by the entire Greater Hume and not a Cabramatta resource.. You should remember that the Greater Hume TAG team which encompasses a number of other local area commands is not the Cabramatta TAG team. The fact is that they have been set up so that local area commands can draw on their resources to assist them in specific tasks that need to be done. The experience I have had with TAG at the moment is that they have been set up, they are running the show and we are there to assist them. Well, that is not the way it should be. That is very dangerous.

The Hon. R. D. DYER: At the end of your submission in paragraph 7.1 you say:

We note the announcement by Premier Carr of significant legislative reform and an injection of resources for police, health and education strategies addresses many of the concerns raised in our first submission to the Committee.

Without exhaustively going through that so far as police powers are concerned, there are proposals, for example, to amend the law to provide for an offence and for police to arrest anyone who acts as a look out, guard or raises the alarm for others in a suspected drug house or who enters or leaves a suspected drug house unless they can establish a legal purpose. That is not an exhaustive statement of the reform that is proposed. Do police on the grounds see that as useful?

C: Yes, they are very happy with that.

D: Yes, very useful and welcome by police that I know that I have spoken to but they all come back to the one thing—they say it is only as good as the magistrates. It is good to have them, all the penalties—the first offence carries 12 months and the second offence is three years or whatever

The Hon. R. D. DYER: I am not referring to penalties though, I am referring to the actual offences.

D: Yes, the offences are good. It is a step closer.

C: I will give an example of how good that legislation would be. The crime response team did a vehicle stop last Sunday morning. Approximately seven males were in a car, all Asian and all well-known dealers, nothing in them. They were actually outside their unit. They let us go in because they knew there was nothing in there and that is exactly what it was: There was nothing in there but some mattresses on the floor, a heap of origami with which they were making Asian stuff, a bong, a heap of cut up foils which were used to wrap up heroin and that was it. We cannot do anything with that. We just walk away. They have got a very strong steel door so you cannot get in. They are up the top level so they have got heaps of lookouts to see police activity. They can see for quite a distance. It is a drug house, nothing more, nothing less. They say, "that's my bed there" and "that's my bed there." Without that legislation we walk away but with that new legislation they are under arrest and locked up and charged with run drug house.

CHAIR: On page 8 in paragraph 4.4 you call for recourse to community and officer consultation in developing performance measures for policing in Cabramatta. Have you suggested to Commissioner Small and Superintendent Hanson their response to your suggestion?

C: Before we spoke about if there were a crimes index how would each individual command respond to whatever the problem was, how would they know what to draw up as a problem. For example, in Cabramatta you would draw up a drug problem or whatever else. What we are saying is that is one of the ways you would do that in consultation with the community.

CHAIR: How?

C: Every community is different. I spent a great deal of my service in the country and country policing is about talking to people over a gate of a cow shed but Cabramatta is different. Obviously at Cabramatta there are so many different dialects, languages and cultures and it is very hard to interact with everyone in that type of environment in that way. You are certainly using your community leaders as gateways, I suppose, into the community and you should be getting an indication of their problems, what they perceive as a problem and how they perceive the police. If you

organise it properly with all those community leaders you then look at drawing up some responses and obviously highlighting some serious, significant concerns of the community. To organise that you then have a consultative process or a council or something that is obviously recognised, that has meaning, it has people in it that are a true representation of the community so—not wanting to flog a dead horse—say the Chamber of Commerce, and that is probably not a bad representation of the community side of things because it is the Chamber of Commerce.

A: Neighbourhood watch?

C: You might have representation from the neighbourhood watch committee. Then starting to draw a reasonable cross-section of the community into an environment that the police can relate to, develop the two and maybe we can draw up some responses.

CHAIR: The community has suggested that in previous evidence.

A: Along with that, C and I approached Ross Treyvaud, President, Chamber of Commerce, Cabramatta, at one stage and asked him what he perceived the community wanted us to provide. There is no point in us going out and policing a set of issues that the community does not want. Our job is to look after the community. We spoke to him for about an hour and he said basically they want to get rid of the drug dealers from Cabramatta. That way we had a bit of an idea of the way that we could put it to management and to the car crews away that we can access the problems. We have got something that we can work towards and I think two days later, a couple of our inspectors went up and spoke to Mr Treyvaud and said "we are going to address the users"—

C: It is not co-ordinated.

A: It is totally not co-ordinated.

C: What A and I did was a very informal way of doing something you could do in a formalised way. If you have got organised and do it in a formal way you could get some very good results. Although you would have to look at the history of community policing in the State and be careful not to go down the same track

For example, you would look at neighbourhood watch committees, business watch, rural watch, marine watch, and so on. I have run all those community committees, especially when I was in the country. At the end of the day, when you go to these community committees as a police officer, you think, "What am I going to tell them?" You are struggling to find things to do.

I remember we were forced to have a community consultative committee in the country. It was a pretty messy town with dirty roads and everything, so just to give us something to do I thought, "We will have a tidy towns committee. At least that will give us something to do." So that is what we did. There is nothing to talk about. That is the problem you would find you would have to get around. You are going to have to make it relevant, you would have to have a good cross-section of people, you would have to have something relevant to talk about, and you move forward from there.

If you look at, say, the crime index, you would say, "How are our crimes going? We have all agreed that drugs are going to be a problem. Obviously, you would then have to relate with the community to become a more relevant body.

CHAIR: The community assessment of this performance would be included in the OCR process?

A: With Cabramatta, if you put 300 police in there and task them specifically to go out covertly and arrest drug dealers, you would probably find that you would be looking at 500 a month to start with. A couple of years ago we were running a covert operation and we were locking up about 100 a month on one count of supply. In Operation Hammer we sent an undercover person out, they would buy some drugs, and they would be arrested straightaway. We arrested about 100 a month.

The focus then went off that. Because of the Covert Operations Act that was brought in, we were told that we were not to do that any more, and the whole focus went back to Puccini with

uniformed police, and they were tasked to address trespassers because there were a lot of complaints about people buying their drugs, going to units and using. In the space of weeks they arrested 100 people a week for trespassing.

The perception from our management was that we have beaten drugs. We were locking up 100 a month; but now we are only locking up five a month for drug offences. We went from zero trespasser arrests to 100 a week. If you correlate one trespass to one supply—which is what it was—we have got four times worse. But the facts and figures were that our drug arrests had gone down, and the perception of our management was that we have beaten drugs because we were not arresting for it.

C: Going back to the community component of the OCR process, in my opinion you might be hitting on something pretty good with that. The problem we have at the moment in relation to Ross Treyvaud is that the only way Ross is able to vent his spleen or get some action is by going to the media. Then all of a sudden the government and the hierarchy of the police listen because they do not want the bad coverage. The only problem with what Ross does is that it hurts us. All of a sudden you have police who do not want to look at cameras, who do not want to have to fight their way around camera cords and have microphones shoved in their mouths; they find it very uncomfortable. All they want to do is lock up the baddies and they want them to talk to the media; that is the sort of personalities they are. That is one problem that puts them under intense pressure.

Also, the media tend to portray hierarchical inaction as the inaction of street-level police. All of a sudden we have become the baddies, when we are not. I do not think the intention is that we be portrayed in that way; that is the problem. If the hierarchy of the police department or the hierarchy of a police station were to become responsive to committees through the OCRs, it would negate people like Ross going to the media screaming that they want something done.

The Hon. I. W. WEST: Is there not also the issue of community police? You spoke about your country activity. Was not the most important thing there not what was on the agenda but that the community actually got to know you, that they actually knew who you were and knew that you were a person they could talk to?

C: Exactly.

The Hon. I. W. WEST: If the agenda at the meeting becomes the primary focus, you have lost the focus. I am a little concerned to hear that the relevance of those meetings was being dictated to by what was on the agenda, as opposed to what came out of the relationships.

C: Formalising communication is very important. That is where you build up trust in a relationship.

CHAIR: I wish to read an excerpt from the evidence of Commissioner Clive Small of 27 February and would appreciate your comments in relation to it. I asked:

You outlined in your opening statement a range of activities in relation to the gathering of intelligence and subsequent operation to address organised crime in the Cabramatta area in late 1999 and 2000. However, it was during this very time that the relationship between the Cabramatta LAC and the Cabramatta community seemed to break down and the Cabramatta LAC became embroiled in turmoil.

Because of time constraints I ask you to take this question on notice. What went wrong in Cabramatta? Why did the community lose confidence in Cabramatta LAC at this time? Why was not more done to assure the community that concerted action was being taken to address drug-related crime in Cabramatta at that time? Is there a way in which you can better take the community into your confidence?

This very much relates to the answer you have given the Committee. I would appreciate your comments. What went wrong in Cabramatta?

A: I think during that time frame there were about 40 shootings. With all the shootings that were happening, it did not appear that anything was being done. Almost on a nightly basis somebody would be abducted and shot, or there would be a drive-past shooting. I think the community's perception was that nothing was being done. There were no major media releases that these things were being done.

At one stage Strike Force Pitten had a major operation and there were about six target premises at which they were going to execute search warrants. I worked at the police station; I was the commander of one of the sites and I was given that address. I knew of another one, because it was across the street from the address that I had. There were another four addresses at which search warrants were going to be executed. I was a site commander and I did not have the location of these other places. It was not common knowledge amongst the whole heap of people who turned up there as to where all the other search warrants were. We were given our location at about 4.30 in the morning when we had a briefing. At 6 o'clock we turned up at our location. When we turned up at our location, there was a media van parked where we stopped around the corner. We were waiting for a go-ahead to execute the search warrant. As soon as we stopped, we approached the media guy and asked, "What are you doing here?" He said, "I have known about this for two days."

CHAIR: So internal communication is poor?

A: He had obviously been told about it, and I believe that at four of the six addresses there were media vans. Potentially, that could have been very dangerous. I was not the first one through the door. We had support staff who went through the door with body armour. But if the media knew about it, other people might have known about it as well. Going into a fibro house, there could have been shots fired, people driving to work, kids walking—anything could have happened.

The Hon. G. S. PEARCE: When was that?

A: That was on 8 December 1999.

The Hon. J. H. JOBLING: Would that sort of problem have been passed up the hierarchical chain? I presume you reported the situation. What happened after that? Was there an investigation?

A: I saw the commander at Cabramatta and discussed with him the fact that the media were there before we were, and suggested that maybe the media were there just to show that the police were doing something. But the potential for danger for all the police who were there—not only the one I was that, but all the other ones as well—was tremendous. I asked him, "Who told the media?" He said, "I don't know." He then said, "A, if we start scratching, we might not like what we find." I said, "Well, sir, I think an inquiry has to be done into how the media got to know that." I believe he started an inquiry then, but I do not know what the result of it was.

The Hon. J. H. JOBLING: It is almost a Police Integrity Commission inquiry.

A: That is what I thought, too.

C: With regard to community policing, you asked what went wrong back in those days. If you want to blame anything or anyone for the problems that you had back in those days, it is very hard to go past the OCR process, because it directed us, both strategically and tactically, at the street level. Therefore, when the Committee expressed concerns about drug dealers here, there and everywhere, we said, "Thanks for that, but we are still going to do this." That was our main problem. Therefore community relations broke down, and we therefore stopped finding out what was going on at the street level because the community had lost faith in us. Although we went to community meetings and interacted with the community at the street level, at the level above us the contact was becoming less and less and the trust was getting worse and worse. I would say it is very hard to look past the OCR process to find a reason for that.

The Hon. I. W. WEST: Are you suggesting that the relationship with the community at some point in time in the past was at a respectable level and that it has diminished?

D: At one stage we had two officers specifically tasked to striking up relationships with the business community. They were doing an excellent job, but for some reason that that was stopped. I would say that that was probably the biggest mistake that the command ever made. You have to keep your community consulted to some degree, because you can learn a lot from the people who are running the businesses. All you have to do is go up there and, instead of introducing yourself as D, say, "Hi, my name is D." They know who you are, because you are dressed like a police officer. You

just have to try to strike up a rapport with these people. I think the sooner we do that, the sooner we will get the community of Cabramatta starting to trust us again.

The community has a perception—and the perception is not right—that they see the drug dealings, the robberies, the shootings and all these crimes happening day in and day out, but they do not see the police doing much about it. Coming from a different country, they have a perception of their law and order over there and believe that we are doing the same here; they believe that we are turning a blind eye and are not doing anything. If we can get over that perception and have them trust us again, I think we will go a long way towards getting their confidence back and doing some more good work.

The Hon. J. H. JOBLING: May I revisit a comment made by A. With regard to the operation you referred to, you arrived at about 6 o'clock in the morning and around the corner there was the media van. I understood you to indicate that a similar sort of thing happened in about four of the six operations, is that right?

A: Yes, that is correct.

The Hon. J. H. JOBLING: Did any of the officers who were leaving the other four or five operations make comment to you, or did you speak with them?

A: I spoke to some of them, yes. They commented that they had the same problem that we had. We got a signal to execute a search warrant. As we were going down the street, these people were running down after us with a camera.

The Hon. J. H. JOBLING: What action did they take, if any?

A: I told them that I was going to speak to the commander about what happened at my location. When I spoke to him he was fully aware that the media were at a number of locations. So he had communication from the other sites that the media were there.

The Hon. J. H. JOBLING: If the execution of four of the six search warrants was compromised, using different groups and teams and team leaders at each place who had no knowledge of the other operations, that would constitute a major security leak?

A: Definitely.

B: A big investigation was conducted straight after that by the Green Valley LAC.

The Hon. J. H. JOBLING: It was purely internal.

The Hon. J. HATZISTERGOS: What happened to that?

B: Nothing.

The Hon. J. H. JOBLING: Have they reported to your knowledge?

B: They do not tell us. I was on strike force Pitten and they asked me if I elicited information. They interviewed everybody who was involved, but that never came back to us. To my knowledge no-one has ever been found to have done it.

The Hon. J. H. JOBLING: Did you appear before this internal investigation?

A: No, not that I can recall.

The Hon. J. H. JOBLING: As leader of one of the groups executing these search warrants, you were not even asked to appear?

A: No, not that I can recall.

The Hon. J. H. JOBLING: That is unusual.

The Hon. I. W. WEST: Did B indicate earlier that of the 27 fortified sites that were raided he had a success rate of 27?

B: Yes. Lots of different jobs were going on. That particular one was just thinking outside the square sort of thing, hitting them side on instead of head on, using different legislation.

The Hon. G. S. PEARCE: Using the tenancies Act.

B: Yes, using the tenancies Act.

A: The 27 that B was talking about relate to action through the Tenancy Board to evict people. These were six simultaneous search warrants.

B: And they were targeting major heroin suppliers.

CHAIR: Ideally, what would you like to see come out of the Committee's inquiry?

C: A lot of stuff has already come out. They are looking now at a new police station and at Mr Small's seven point plan. He said that drugs are a problem, which is what we have said all along. We are looking at legislation to help us to do our job.

The Hon. G. S. PEARCE: Reverse onus.

A: Yes.

C: We are looking at amendments to the intoxicated persons Act to include drugs. I have been saying for years that we should be doing that. We are looking at more police—an extra six bikes and another 12 detectives. I cannot think of anything else. The only thing is that there has been a promise that we will be doing English and non-English speaking courses, like Vietnamese or whatever. I think I would like to see something more in relation to community type policing. I do not mean going back to community policing as we did in the 1980s, which I think was fatally flawed, but doing something on a formalised scale.

There has been talk of a formal council that will direct and steer the police. I think it would be dangerous if that happened, unless we closely regulated who was on the council. We would not want people telling us, "We are going to be doing this or that" when all our intelligence tells us that we should not be. I do not think that such a council should control the police. However, it certainly should be receptive. I do not know how you would organise something that was fatally flawed in the 1980s. You would have to formulate something that would be receptive to the community and to police needs and resources. I do not know how you would do that. I would like to see something like that.

CHAIR: You are talking about the style of management—management that is receptive to police and the community?

C: Another thing that we would like to see is a change in management and a change in the style of leadership in the whole police hierarchy, which at the moment is stifling free thought. We have a promotion system that makes people toe the line to get a good report and to get promoted. That is a big problem. We were talking about that on our way over here. One of the biggest internal problems that the police department has to this day is the promotion system. The only form of reward or recognition in policing to this day is promotion. It is a big problem getting people who are great policemen, great operational thinkers, strategists and planners. You put them in a leadership position and they do not have a clue how to talk to people and how to motivate them.

That is the only way in which these great operational police get rewarded. They do not get any extra money for being a great strategist as senior constables. They get more money for being horrible leaders as sergeants. It does not make any sense. We have been talking about this for a long time. Actually, part of our latest industrial agreement is the creation of a senior constable rank. It will

motivate people in the senior constable rank who have no prospect of being promoted and who are horribly demotivated. They are saying to them, "If you start at senior constable rank we will pay you more money than we pay a sergeant, but you have to be on the street. You will be subject to annual review by your peers and if you stay there you will get paid that amount of money on a performance basis. If you drop off you do not get paid."

I suppose that that goes to another thing. Perhaps we should be looking at what we are doing with our commanders. If we are putting a community focus on, say, the OCRs, perhaps we should have a subordinate focus on our commanders. Perhaps they should be subject to a 360 degree appraisal. This is a bit of a wish list.

The Hon. I. W. WEST: Why did you say earlier that you thought community policing in the 1980s was fatally flawed? What was the fatal flaw? You made a reference to that on several occasions.

C: I was heavily involved in it in country policing. They forced us to do things that were irrelevant. They forced us to talk to people. Well, we talk to people all the time. So what? They forced us to go to community meetings. All that we were given to take to community meetings were statistics. So you would say, "Last week there were 15 break and enters", and then you would go home. What was the point of that?

A: When they implemented that I was working down the coast. It was quite a large community. They would say, "Okay, you are going to go and look after this area and someone else is going to look after that area." A lot of constables who would be living in one area would be in charge of another area. If they had to go to a community meeting they wanted to go to a meeting in the area in which they lived. They would be told, "No, you have to go to that one." As C said earlier, it is one of those command and control things. "You will go and do this because this is what the whole State is doing." Once you get that happening people at the meetings say, "Here he is again. All he is going to do is throw some facts and figures at us. He has no interest in this area." When the policeman turns up he has no interest in that area.

C: I made a reference earlier to the community consultative committee. We would not just go there and say, "These are the facts and figures. Have a nice day." We actually did something. We formed a committee in which everyone got involved. All of a sudden we were doing it for a reason.

CHAIR: Would anyone else like to comment on my question?

D: I would like to see a multiagency approach. Either last month or this month the Premier made some good comments. At the moment we are the only agency that works 24 hours a day, seven days a week, 365 days a year. At 2.00 a.m. when we have a drug affected person we try to find a proclaimed place. I can tell you that B tried to do that last week. We cannot find a proclaimed place for anybody at the moment. Everybody needs to realise that the police cannot solve this problem on their own. Everybody else must help.

We need the involvement of the Department of Health. We need more rehabilitation beds and more detoxification centres. We need a lot of things. We cannot achieve what the public wants us to achieve on our own. But to do that we need all other agencies to be accessible 24 hours a day, seven days a week. Until we do that, it will be a hassle. If you make something too hard for people they are going to avoid it. If you make it easy, they will use it. It is all right to give us these powers, but you have got to make them friendly. If they are not friendly they are not going to work.

B: I agree with D. There has to be a holistic approach to the drug problem—mainly through a multiagency approach. I have come up with a few ideas which were in my original submission. We mainly need to get people involved. I instance the case of Al Capone in America. He never got done for murder and racketeering; he got done for tax evasion. I refer to the old adage that there is more than one way to skin a cat. You have to think outside the square. It is elementary problem solving in relation to a lot of things in Cabramatta. In the drug unit one of the ways we got away with it was by using a different law which we never get involved in, such as the tenancies Act.

I found that, working with crime agencies and doing major jobs on drug dealers, we do nothing at all to try to recover from them millions of dollars worth of assets. You find, if you do cost-effective investigations, that if you spend all your money getting all these drug dealers you do not make a profit. There are other things as well. I have found that I have hit a brick wall, particularly in relation to drug dealers, who drive around in flash cars and have nice houses. I want to go and tell Centrelink. You know that they are receiving unemployment benefits, yet they have all the resources under the sun.

You would just like to let people at Centrelink know, but they say, "No, you cannot tell us anything." I do not want information from them; I just want to be able to tell them about those whom I suspect of being criminals who are robbing the Government. In promoting the police at Cabramatta I have tried to let immigration officials know about anyone who gets more than a 12-month gaol sentence as they could remove unlawful citizens from the country. If drug dealers start seeing that they will get really scared. I have come up with a number of things. I have referred to what is being done in America and things like that. A lot of people tend to think that what happens in America will come to Cabramatta 10 years later. We mainly require a holistic approach, using the different Acts that are available to us and thinking outside the square.

The Hon. I. W. WEST: Have you had any response from the hierarchy to your tenancy initiative?

B: I was told recently that they were not going to do it in Cabramatta because it was too hard, which I thought was a bit strange. I was tempted to say, "I do not really care what you say. It is a great idea and everybody else thinks it is good." I also said, "We are not doing it. We are getting other people to do our work for us. We are telling real estate agents to get off their butts and to do what they are supposed to be doing." I thought that was cost-effective, ethical policing—something to which Mr Ryan always refers. It probably needs a bit more advertising. I will probably have to sell it a bit more. I have brought a copy of it, which I will give to you later.

The Hon. G. S. PEARCE: When were you told not to do it?

B: I was not told not to do it. I was told that it was not a good idea—that it was too time-consuming.

The Hon. G. S. PEARCE: When was that?

B: Last week.

CHAIR: I think it is a good idea. We need the co-operation of all people concerned.

B: Mr S from [agency deleted] thought it was the best idea that he had ever heard of. He decided to put people on it. He enabled me to meet the tribunal head and to get it up and running. Because their charter is major crime they cannot really come down to the lower levels. They have gone and they have taken it with them. However, while they were in Cabramatta they were doing a great job. Now they have gone. It was not their idea; it was Cabramatta's idea, but it has been put into the too hard basket. It is a great idea.

The Hon. G. S. PEARCE: Who told you last week not to do it? We will follow it up for you.

B: It is definitely a part of the issues that we have talked about today; it is a wish list. The ideas are there and they will eventually be realised if everybody pushes them. It is a totally new idea; it has never been done before in Australia. It has been done in America for the last six years and all the literature attached to it shows that it has been fantastic and really successful. It is about trying to sell something new: People are a bit hesitant but we will get there.

A: There are a lot of cross-purposes in Cabramatta at the moment. The community wants something done: shopkeepers do not want people dealing in their doorways and residents do not want users coming to their units. Council people conduct needle exchanges in the street—I do not think

anyone has ever exchanged a needle; they simply give out handfuls of needles to people. In the right vein, I suppose that they are trying to do the right thing.

The Hon. J. H. JOBLING: That is an unfortunate pun.

A: Perhaps it is the wrong vein. People give away coffee and food to the homeless. There is no one on the street at 9.00 p.m. on a cold night but as soon as a coffee van pulls up to give free coffee to homeless people, swarms of them come from everywhere and all of a sudden there are 10 people on the street. If a train pulls up, all those people will think about where they are going to get their next fix and whoever steps off the train is their next target. Instead of dispersing the problem, it tends to encourage people to congregate in areas where crime is committed. People are trying to do the right thing by the homeless, but they are actually doing the wrong thing by the community. So we are at cross-purposes in that respect.

As to the whole scenario, everybody expects us to solve the drug problem in Cabramatta. Drugs are a worldwide problem: drugs and money laundering are probably the biggest businesses in the world at present. Small countries whose entire economies are based on the sale of drugs will sell those drugs to someone. Drugs are coming into Australia and filtering down through the system to us. We are then told to go out and address the problem on the street. We can try to address it with the resources we have, but it is a very hard task.

D: With the Committee's assistance, I hope that we can get something done. I reassure the Committee that there are 110 police in Cabramatta who are committed to policing the Cabramatta area and to giving the community the service it deserves. I do not think any officers here today would disagree that we have probably some of the best junior police in the State in Cabramatta and they are doing an exceptional job. If we can get some changes—hopefully the Committee will make some good recommendations—I assure you that we will have the absolute commitment of 110 police in Cabramatta.

CHAIRMAN: The Premier and the Government have been quite responsive in the evidence-based package that they have announced. To clarify, I remind officers that this hearing is being conducted in camera. The Committee will delete your names from the transcript and at the end of the hearing the Committee will consider arranging for the transcript, with the names deleted, to be forwarded to the Police Service for a response and made public by the Committee. I hope you understand that. If you have any comments about matters to be considered by the Committee— such as forwarding the transcript to the police for a response—perhaps you can provide your views when you return your copy of the transcript that any corrections. You will receive a copy of the transcript after the hearing. If you have any further thoughts, you may want to write to us.

On behalf of the Committee, I thank you very much for appearing today. I think you are very courageous and your evidence has been very helpful. Is it the wish of the Committee that B's document be tabled? That being so, the document is tabled.

(Conclusion of evidence in camera)

(The Committee adjourned at 1.04 p.m.)