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**Update on  
Heart2Heart**

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**2022 AFPA  
snapshot**

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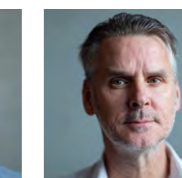
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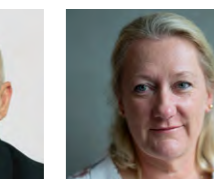
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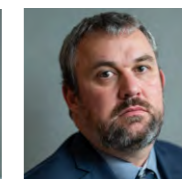


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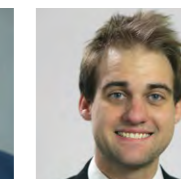
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Media and Government Relations Manager



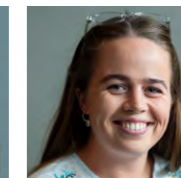
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**Wendy Black**  
Industrial Officer



**Maria Nazir**  
Industrial Officer



**Megan Wardle**  
Industrial Officer



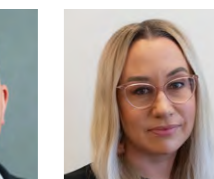
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**Courtney Posantzis**  
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**Annie Swaker**  
Reception and Administration Officer



**Brian McIver**  
Communications Advisor



**Gerry O'Connor**  
Member Support Officer



**Sairam Poosarla**  
IT Projects Officer



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Thousands of mourners including QPS members, politicians and dignitaries attended a memorial service in Brisbane



President  
Alex Caruana

# PRESIDENT'S REPORT

Alex Caruana, President

Regular Items

## VALEDICTORY FOR RACHEL AND MATTHEW

The deaths of Constables Rachel McCrow and Matthew Arnold of the Queensland Police Service were the sad outcome of an abhorrent crime. Taking the lives of members so young and already full of accomplishment was truly evil. I again extend my condolences to the family, friends and colleagues of Rachel and Matthew.

I also extend my gratitude to the members of QPS' Special Emergency Response Team (SERT), whose actions resolved the crisis swiftly.

The AFPA attended the memorial service for Rachel and Matthew in Brisbane last month, laying a wreath on behalf of the Association and our membership.

We have prepared a valedictory on page 20.

With honour they served, and we will remember them.

## NATIONAL COUNCIL 2023

This year's National Council will be held on March 8 & 9 at the Realm Hotel in Barton, ACT. At the time of writing this report, we have sent official invitations to our entire roster of Delegates and Convenors, as well as relevant members of the AFP Executive, other dignitaries, sponsors, guest speakers and session facilitators.

**The main business of National Council is to update delegates on the current and ongoing activities of the Association, and discuss the progress of previously set targets and campaigns. It's also a good time for delegates to get together to share experiences, highlight concerns, and share knowledge.**

As this year sees the final pay rise for the current Enterprise Agreement (EA), there will understandably be much focus during Council on EA outcomes and wins.

**I would like to reassure members that there will be dedicated sessions during Council for discussion of the upcoming EA. I also draw attention to the below other preparatory work undertaken by the Association.**

Over the last six months, we have been rolling out a series of targeted surveys to members seeking their feedback, input and suggestions for the next EA. Members have been (and still are) able to submit general ideas at <https://www.afpa.org.au/future-enterprise-agreement/>.

Suggestions for specific sections of the EA can be made at:

- Remuneration and Classification Structure <https://www.afpa.org.au/ea-survey-2/>
- Broadband and Advancement Arrangements <https://www.afpa.org.au/ea-survey-3/>
- AFP Working Patterns <https://www.afpa.org.au/ea-survey-4/>

At the time of writing, we are still waiting on the Public Service Commission to provide tangible detail on what the new bargaining framework will look like and how it will work in practice. We have directly engaged with Minister for the Public Service Katy Gallagher and Public Service Commissioner Peter Woolcott in order to expedite the process as much as possible.

## LETTER TO ACT DIRECTOR OF PUBLIC PROSECUTIONS REGARDING ONGOING ISSUES WITH THE ACT DPP

By the time of publication of this magazine, I will have sent correspondence to ACT Director of Public Prosecutions Shane Drumgold SC concerning unethical practices being undertaken by the Department of Public Prosecutions (DPP) which affect ACT Policing (ACTP) and AFP appointees.

These specific practices not only force members to breach the Enterprise Agreement, they are heavily weighted towards the defence's availability and arbitrarily override previous

conventions regarding how members nominate the days where they are unavailable to appear in an ACT court.

Linked to this are multiple independent accounts of disclosures (allegedly by DPP staff) of AFP/ACTP members' personal information. Additionally, there has been an allegation that a leak from an accused's legal team resulted in two outlaw motorcycle gang (OMCG) members threatening two civilian witnesses, and instructing them not to appear in court for a matter involving another member of the same OCMG.

Mr Drumgold has certainly not distinguished himself in recent months; his wanton and reckless media appearances have sought to smear AFP investigators and their "perceived" inaction during the R v. Lehmann mistrial.

**The AFPA maintains both an official and unofficial network of contacts with the ACT Government, and we are determined to see arrangements for our members remain civil, professional and transparent.**

Further updates will be provided as soon as possible.

For the benefit of our members, my letter to Mr Drumgold SC follows this report.

## RECENT FAIR WORK FINDINGS ON FLEXIBLE WORK ARRANGEMENTS (FWAS)

FWAs are increasingly common in contemporary work environments; recent figures show about a third of current employees work under an FWA. Despite their prevalence, police members can still face prejudice when applications to establish an FWA are unreasonably refused for business and operational reasons.

Megan Wardle, one of our senior Industrial Officers, has written an article on a recent Fair Work decision which upheld a VicPol refusal on an FWA application due to "reasonable business grounds".

Megan's analysis of the implications for other FWA applications, especially for those made by AFP appointees, begins on page 10.

## INFOGRAPHIC – REVIEW OF 2022

It's important to be able to finish the year with a clear understanding of the AFPA's activities during 2022, both internal and external. With this in mind, our communications advisor and editor (thank you, Brian!) has prepared an infographic breaking down key data and metrics for each of the AFPA's functions (Legal and Industrial, Membership, Communications and Media, and Government Relations). You'll find the infographic on page 16.

If you have any follow up questions about the data in the infographic, please feel free to email us at [afpa@afpa.org.au](mailto:afpa@afpa.org.au).

## THE FIRST QUARTER OF 2023 (what to expect, what's my focus)

My primary focus for the first quarter of 2023 will be the development of the next Enterprise Agreement. The last salary increase due under the current Agreement is due in May this year.

**It is my goal and intention to have a new Agreement approved before May 2024 to ensure members receive their pay rise on time.**

As mentioned earlier in this report, the AFPA are still waiting on further detail on the government's workplace bargaining policy. We will provide updates to members as the situation develops.

Beyond the Enterprise Agreement, I will be continuing to lobby the Federal Government, Opposition and AFP on the recommendations from our Operation Recognition campaign. Particularly, I will be focused on the development and introduction of presumptive legislation covering mental health injuries suffered by AFP employees. I have had positive engagement with both sides of politics on this issue and your Association is optimistic about the future of this proposal.

Additionally, there are encouraging signs on the establishment of a National Firearms Registry. This is something we have been discussing with government for several years, and we appreciate that there finally appears to be movement on this issue.

**Finally, I will continue to push for an increase in AFP personnel numbers. Nearly all areas of the AFP consistently report to us that more staff are required to address ballooning workloads.**

With the ever-growing complexity of cyber-crime and transnational serious organised crime networks, qualified experts are required. We must ensure we attract and retain the right people by offering a generous remuneration package to prevent loss of staff to other industries.

## IN THIS ISSUE

As well as the articles mentioned above, AFPA Media and Government Relations Manager Troy Roberts provides an update for **Operation Recognition** on page 12.

And AFPA Executive member D/Sgt Vince Pannell APM has more news on the upcoming Heart2Heart charity walk, beginning on page 28.

The AFPA is also happy to announce a new collaboration with Greyhounds NSW to facilitate the adoption of greyhounds to AFPA members. Full details can be found on page 30.

As always, stay safe and do not hesitate to reach out to our membership team on (02) 62851677 if you need help at any time.

In solidarity,

**Alex Caruana**  
President

6 February 2023

**Mr Shane Drumgold SC**

Director of Public Prosecutions  
GPO Box 595  
Canberra ACT 2601



Dear Mr Drumgold,

**ACT POLICING AND AFP APPOINTEES – UNAVAILABILITY DATES**

Today, I am writing to you about a concerning and unethical practice being undertaken by the ACT Office of the Director of Public Prosecution (DPP) in relation to unavailability dates of ACT Policing (ACTP) and Australian Federal Police (AFP) appointees.

It has been brought to my attention by AFPA members that the DPP have requested detailed justifications from appointees for their submitted unavailability dates. In all cases, the unavailability dates have been supplied as the appointee will be away from their duties and unable to attend court.

Per the AFP Enterprise Agreement, members are entitled to take time away from work and be deemed unavailable. By forecasting and nominating unavailability dates, the AFPA believes that the appointees should not be burdened or have to change their circumstances when the appropriate notifications have been made promptly and per agreed practices.

The AFPA's contention is that DPP or the ACT Courts should not attempt to dictate when and why an ACT Policing or AFP appointee is or isn't available. While I understand the difficulties in scheduling judicial processes, it should be recognised that ACT Policing and AFP appointees also have protected entitlements and many already struggle with a proper work-life balance. When unavailability dates are submitted promptly, and per agreed practices, they must be recognised and accepted by the DPP and ACT Courts.

We are aware of a recent instance where the DPP disclosed personal information about an appointee's unavailability to a defendant and their legal team. Again, the question of why the appointee isn't available at a specific time is not a matter for the accused or their defence. It is alarming and disappointing to hear that this type of information has been shared, understandably causing distress to the appointee involved.

It has been brought to my attention that recently two civilian witnesses were approached at their residential addresses by members of an Outlaw Motorcycle Gang (OMCG). They were threatened and told not to attend court in a matter involving another member of the same OMCG. It is concerning that OMCG members or associates appear to be actively seeking out the residential addresses of witnesses to incite fear and intimidation. It's likely that this information was obtained by the OMCG directly from the accused's legal team.

I would welcome the opportunity to meet with you to discuss this matter. Should you or your staff require any information or wish to organise a meeting, please do not hesitate to contact me on 0421 281 439 or the AFPA Media and Government Relations Manager, Troy Roberts, on 0409 812 690 or [troy.roberts@afpa.org.au](mailto:troy.roberts@afpa.org.au).

Yours sincerely,

**Alex Caruana**

President

# MEMBER SERVICES

**Courtney Posantzis**, Member Support Administrator



Member Support  
Administrator  
Courtney Posantzis

Regular Items

► Welcome to 2023; I hope you had a safe festive season, the opportunity to spend time with your loved ones, and to soak up some fabulous summer weather!

Welcome also to your AFPA Membership Benefits for another year. Over the next 12 months, we look forward to bringing you new and exciting benefits to enhance the suite of fabulous providers we already work closely with.

With this in mind, we are excited to bring you our first new partnership of the year; BOC – Gas and Gear. Delivering a discount Australia-wide of up to 35% off their products, we are keen to offer our members the opportunity to access quality goods at a fantastic price. If you want to know how to take advantage of this, or you feel that there is a partnership that members would like to see, email us at: [afpa@afpa.org.au](mailto:afpa@afpa.org.au) or call 02 6285 1677. We are keen to develop key strategic relationships that our AFPA members genuinely want and would likely utilise.

**As the year starts to gain momentum, it is more apparent than ever that increasing financial constraints are at the forefront of most of our members' minds.**

With news that we are expecting several rate rises, our members are starting to feel the pinch. I want to walk you through the everyday benefits available to you as an AFPA member. Far from onerous, getting into the habit of checking in to your AFPA Member Advantage Portal regularly can save you money on everyday items (including food, petrol and electronics). On top of basic necessities, each fortnight brings you a raft of heavily discounted items (up to 50%).

Heading into 2023, we should also take a moment to talk AFPA Membership Admin! If you have a period of leave (without pay), your deductions may not come through for your AFPA membership – this causes an interruption to your dues, and as a consequence,

your membership is at risk of lapsing. This jeopardises your various entitlements; legal and industrial support, insurance coverage and critical membership benefits. We know this isn't the intention of the member going on leave, we just want your membership to run as smoothly as possible. Give us a quick call or email to let us know if you are going on LWOP. We can take care of the heavy lifting, administratively speaking. Similarly, if you change roles, locations or residential addresses, please let us know - this too helps your membership continue seamlessly.

Did you know that you can also reach out to your local delegate as well as the AFPA National Office? This is a fabulous network you can tap into – do you know who yours is? They are equipped to assist and advocate for you in your workplace; AFPA delegates take their role very seriously when it comes to supporting our members alongside staff in the National Office.

**They [AFPA delegates] are well placed to bring attention to matters affecting multiple members, but also those of the individual. They are a great first port of call if you are wondering what the AFPA can do to support you.**

This advocacy work doesn't just sit in the legal and industrial space however – we encourage you to reach out to your AFPA delegate and engage in Membership Services should you feel that AFPA Welfare Assistance is something that you would like to/ need to access. Our delegates are very comfortable reaching out on your behalf to get a conversation going or services initiated.

As we move through the year (and it appears that it is gathering steam quite quickly already!), the Membership Services Team look forward to another busy year, not only ensuring that our members are making the most of their general membership experience but also being able to assist those members who find themselves in less-than-ideal circumstances. Wishing you a safe 2023 to all our AFPA members! ◀



# FAIR WORK AGREEMENTS

Megan Wardle, Industrial Officer

Industrial Officer  
Megan Wardle

## Recent Decision for Fair Work Agreements in Policing

▶ The latest release from the Australian Bureau of Statistics shows that almost over one-third of Australian employees had a Flexible Workplace Arrangement (**'FWA'**) in place. The release covered August 2022 and found that FWAs, including working from home, had increased since the COVID-19 pandemic by approximately 10%.

On a global scale, Australia's lean toward FWAs has been noted, with the Chief Experience Officer of OfficeMaps commenting, "Research from the National Bureau of Economic Research in the US found that Aussies worked an average of two days a week at home". Australia, by comparison, scored higher working from home days than 27 other countries.

So, what does this mean for the workforce post-COVID, and what are the workplace's obligations for employees seeking an FWA? Studies from July 2022 by the Melbourne Institute found a discrepancy between what satisfied an appropriate FWA when viewed by the employee versus the employer.

**The study found that over half of employees (61%) believed working-from-home arrangements were practical, and of the 88% of employees who sought these arrangements, only half of the employers (49%) were amenable to implementing the FWA.**

### THE POLICE FEDERATION OF AUSTRALIA (VICTORIA POLICE BRANCH) V CHIEF COMMISSIONER OF POLICE T/A VICTORIA POLICE (2022) FWC 2223: RECENT DECISION FOR FWA IN POLICING

In November 2022, the Fair Work Commission considered the rejection of an FWA by a Victorian Police member. The application, brought by The Police Association of Victoria (**'TPAV'**), asked

whether Victoria Police (**'VICPOL'**) had reasonable business grounds to refuse the member's request for an FWA.

The member, First Constable (**'FC'**) Azmi, had previously made a request to his business area for permanent days of Monday, Tuesday, and Sunday rostered off. The basis of FC Azmi's request related to responsibilities for caring for his wife and children. Discussions between FC Azmi and the business area were unsuccessful, and an agreement could not be reached. Subsequently, FC Azmi's FWA request was rejected based on operational and business needs.

Over the hearing, both TPAV and VICPOL made submissions in support of their respective claims. TPAV's contentions were twofold:

1. That there were sufficient resources to perform the necessary shifts, and the loss of two (2) shifts by FC Azmi's FWA would not change this.
2. That, given the loss of two (2) shifts would not change the resource availability for shifts, there were no reasonable business grounds for the declined FWA.

VICPOL, on the other hand, relied upon section 65 of the *Fair Work Act 2009* (**'the Act'**), which provides for flexible working arrangements, and submitted that the circumstances of FC Azmi and the business area needed to be balanced. Without such balance, VICPOL maintained the rejection of the FWA.

In considering both parties' submissions, Deputy President Bell referred to the objective standard for "reasonable business grounds". As held in *Family Friendly Working Arrangements* (2018) FWCFB 5753, the Full Bench stated that employers must adequately consider employees' requests for FWAs and provide sufficient reasoning for any rejection of that FWA. As a result of the decision, the Full Bench published a provisional clause requesting a change in working arrangements, including requirements for employers to provide detailed reasoning for rejecting an FWA. The Flexible Work Decision, as published by the Full Bench, is supplemented by section 65 of the Act about requests for FWAs.

Deputy President Bell did not accept TPAV's first submission relating to the loss of shifts not impacting the workplace, stating that "If a flexible work arrangement would result in an employee being unable to perform useful or productive work for a meaningful portion of their proposed work pattern, I would consider this would prima facie be a reasonable business ground to refuse a flexible work arrangement request".

Deputy President Bell dismissed TPAV's application and held that VICPOL had reasonable business grounds for the rejection of FC Azmi's FWA request (**'the Decision'**).

### APPLICATION OF THE DECISION

While an unfavourable decision for TPAV, the Decision and submissions have furthered the conversation on expectations and processes when an application for an FWA is made. Specifically, the Decision has re-confirmed that common law cases supplement the Act and provisions relating to these arrangements.

Such applicable principles are:

1. Refusals of FWAs may only be made on reasonable business grounds. These grounds must have an objective basis for the decision.
2. Employers must appropriately consider the personal circumstances of the applying employee with regard to the costs of implementing the FWA.
3. Should employers seek to rely on additional costs as the basis of rejecting an application for FWA, these costs must be over and above what is regarded as "inevitable small adverse impacts".

The AFP has similarly identified principles for determining applications for FWAs, congruent with the national standard laid out in the Act. The *Better Practice Guide on Flexible Work Arrangements* provides these principles, as well as how applications for FWAs may be considered, reviewed, and terminated.

With growing requests for FWAs across the Australian workforce, it is not unexpected that our members will request the same of their business area. During COVID-19, workplaces were required to adapt their processes to allow informal FWAs to be implemented to ensure the safety and wellbeing of their staff. Now, in a post-pandemic world, the AFP must ensure they continue to consider the needs and expectations of our members. All AFP employees are entitled to request an FWA for any reason and at any time. While a request for an FWA may be refused based on reasonable business grounds, the AFP should apply "flex by default" principles and consider requests with an open mind. ◀

**For almost two years, flexibility in the workplace was paramount. This must continue, if not for the retention of members and being an employer of choice, then to ensure that members achieve a work-life balance.**



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# OPERATION RECOGNITION

**Troy Roberts**, Media and Government Relations Manager

Media and Government Relations Manager  
Troy Roberts

## Update

▶ Politics is often a game that isn't won on the first day or during the first battle; it's a game of strategy, timing, relationships, a bit of good luck and the knowledge that you may lose some ground but hopefully still win the war.

We commenced those battles during the 2019 Federal Election campaign, and we continue to fight some of them today under the banner of Operation Recognition. It's pleasing to say that we've already made much headway.

In 2019, we vigorously campaigned for the AFP to be removed from the Home Affairs portfolio. We discussed this scenario with politicians from both sides, including the now Minister for the AFP and Attorney-General, Mark Dreyfus KC MP.

**In 2019, we also lobbied for the AFP to be removed from the workplace bargaining framework. This framework was implemented by previous governments and did what it was intended to do by slowing wage growth and stymying workplace conditions.**

This campaign started discussions around a national firearms database and legislative reform for possessing and importing ammunition for prohibited firearms.

Moving forward to the 2022 federal election, we launched Operation Recognition as the AFP's primary industrial and political campaign. Operation Recognition is comprised of five main criteria, being:

- Recognising the toll
- Recognising the future
- Recognising police work
- Recognising community safety
- Recognising integrity

In the lead-up to the election, the AFPA campaigned tirelessly, meeting many candidates and politicians. We travelled across Australia, meeting present and future Members of Parliament and Senators in nearly every state and territory. Our goal was to achieve positive change for the AFP and its workforce by getting politicians and candidates to buy into the campaign.

**It's now roughly six months since the election. Working with the Albanese Government, it is evident that the relationships we formed with the Australian Labor Party when in opposition have greatly benefitted the AFPA.**

As I mentioned earlier, politics and changes can take time, and one of the first wins we had was seeing the AFP return to the Attorney-General's portfolio. We believe this move gives some independence back to the organisation, away from the bloated spectre of Home Affairs. The AFP's remit is significant enough to require a dedicated portfolio. It also makes sense that Australia's chief lawmaker, the Attorney-General, has ministerial responsibility for the AFP.

The AFPA has a good working relationship with the Attorney-General, and we know he supports the AFP, its workforce and the organisation's critical role. One of his first decisions was to get presumptive legislation on the table. We had undertaken some lobbying with the previous Government, but it had fallen on deaf ears. However, it was reinvigorated by the then Home Affairs Minister, Karen Andrews MP, and work was being done before the election hijacked everything.

We were pleased when we met with the new Attorney-General, who considered presumptive legislation a 'no-brainer'. As a result, we are now working with the AFP and the Department

of Employment and Workplace Relations (DEWR) to introduce presumptive workers' compensation provisions for all operational members<sup>1</sup> of the AFP.

Another development we've seen since the change of government has been the removal of the AFP from the Government's central workplace bargaining policy. What will this mean? We honestly don't yet know. We wrote to Senator Gallagher (Minister for the Public Service), Minister Burke (Minister for Employment and Workplace Relations) and the Attorney-General seeking clarity on this decision.

The AFPA then met with representatives from the Australian Public Service Commission, who played their cards very close to their chests. They confirmed that the AFP had been removed from the policy — at the time of writing this however, they were still working on where to position the organisation and what the new bargaining framework will look like.

**After subsequent discussions with the Attorney-General, we are confident that the new framework won't be as restrictive as the previous one was.**

Still, we are also being realistic — we know that the government can't provide a 'free for all' during negotiations and that there will be some conditions and parameters that we'll need to abide by. Once we have further details on the new environment, we'll be able to inform you how bargaining will work in practice.

Another element of Operation Recognition that has come to fruition has been the implementation of the National Anti-Corruption Commission (NACC). The previous government had consulted on the establishment of a National Integrity Commission. To put it bluntly, it was a disaster. The legislation placed a higher integrity threshold on AFP appointees than on federal politicians. The system wasn't fair and created a protection racket for politicians and senior public servants. It was strange that an AFP Band 2 appointee with no legislated powers, financial authority or access to information would be held to a higher account and standard than a federal politician. It's pleasing to say that the new government listened to our concerns and agreed with many of our recommendations. We now have a much fairer system that will be introduced shortly.

Lastly, we are all aware of the tragic murder of two police officers in Queensland in late 2022. This unspeakable crime has been the catalyst for the AFPA to push even harder for a national firearms database and firearm ammunition reform.

**We now have the Queensland Police Union and the Police Federation of Australia supporting our call.**

Our position is quite simple. We believe that every police officer should have access to a national firearms database to conduct

real-time firearm checks, regardless of where the licence holder resides or where their licence is held. Currently, each state and territory has its own system, with the systems unable to talk to each other. So, for example, an ACT Policing officer can't easily or quickly complete a firearms check on a person holding a Western Australia firearms licence. In addition, AFP National investigators cannot generate one federal-level firearms check when preparing a Commonwealth brief. They are forced to instead painstakingly collate the information from multiple state databases or engage with the ACIC and wait for their response.

**Wouldn't it be nice if when you do a traffic stop on an interstate vehicle, you could run that vehicle and the driver's details through a firearms database to see if they are flagged?**

If you walk into a chemist today and buy a packet of pseudoephedrine-based medication, your details are recorded. Any chemist can see when you last purchased the drug. Unfortunately, the same can't be said for a box (or boxes) of ammunition. It's unbelievable that a recommendation for a national firearms database first saw light after the Port Arthur tragedy over 26 years ago, yet we still don't have one.

The AFPA will continue to lobby the government and politicians on matters important to the AFPA, its members, and the AFP. The AFP Blue Card is still high on our wish list, and we want better pay and conditions for our members.

**We'll keep fighting the battles to win the war. ◀**

<sup>1</sup> | For the purpose of presumptive legislation, the AFPA recognised 'operational' as any AFP appointee that is sworn, along with any appointee that has worked in an operational environment, or on a 24/7 roster (e.g. Investigative Assistance, Forensic appointees and ACT Policing Operations).

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**Police  
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# 2022 SNAPSHOT

## MEMBERSHIP



281

New members in 2022

114

Members who retired

### By Zone:

- 478** Protective Service Officer
- 161** WA
- 187** Forensics
- 289** QLD
- 628** Canberra
- 83** SA
- 947** Community
- 186** Executive/International
- 428** VIC/Tas
- 37** NT
- 430** NSW



## MEDIA AND COMMUNICATIONS

Began training in **User Experience (UX) Design and Lean Office (Six Sigma)**

Deployed various campaigns to **allow members to contribute** and have their say

Started a new monthly digital newsletter -the **AFPA Dispatch**

Average open rate for emails to members

AFPA **78.26%**

Unsubscribe rate

AFPA **0.06%**

Top three most-viewed pages on our site were:

EA Survey 2

Member Benefits

EA Survey 3

## FINANCIAL AND WELFARE ASSISTANCE



AUSPOL and AFPA Welfare	TOTAL PAID OUT <b>\$20,242</b>
Household assistance (meals, cleaning, gardening)	APPROX. <b>240</b>
Contributed for badge board requests	APPROX. <b>\$20,000</b>
Members accessing Estate Planning Services	<b>16</b>

## LEGAL AND INDUSTRIAL



**580** Total cases resolved, including:

- 93** medical-related matters
- 89** PRS matters
- 96** industrial matters (promotion & transfer/payment/unfair dismissal)

**\$500,000** saving in potential legal fees for members

**210** Total cases ongoing



## GOVERNMENT

- ▶ Oversaw the **return of the AFP to the Attorney-General's portfolio**; we began advocating for this in 2019
- ▶ Oversaw the **removal of the AFP from the Federal Government's bargaining framework**
- ▶ The **federal anti-corruption body and model** we pushed for is being implemented.

# Comcare Claims



David Tarrant  
(Partner)

Capacity to Work with the employer. The Compensation form is found on the Comcare online forms portal at <https://forms.comcare.gov.au/>. The Certificate of Capacity will need to be completed by the AFPA Member's treating doctor.

In the event that Comcare denies a claim, AFPA members should immediately contact David Tarrant from Carroll & O'Dea Lawyers on 02 9291 7121 who will advise you about requesting a reconsideration of the Comcare decision.

**Time limits are crucial in Comcare matters and you only have 30 days to submit a reconsideration request form to Comcare if you disagree with Comcare's initial decision.**

Following a request for reconsideration, Comcare will issue a reviewable decision. If you remain unhappy with that decision you have 60 days to file an Application for Review of a Decision in the Administrative Appeals Tribunal (AAT).

If a claim cannot be resolved with Comcare following the lodgement of the application with the AAT the claim will proceed to a conciliation conference and if not settled to a hearing in the AAT which is a no cost jurisdiction. However, if an AFPA member is successful in a claim in the AAT then they would be entitled to claim a portion of their costs from Comcare.

If a member's claim is not successful in the AAT you have 28 days to lodge an appeal in the Federal Court of Australia. However, an appeal to the Federal Court of Australia can only be made on a question of the law. AFPA members would require a solicitor and barrister's advice as to whether an appeal of the AAT decision would have reasonable prospects of success as there are costs consequences if the appeal is unsuccessful.

Eligible Australian Federal Police Association Members who suffer physical or psychological injuries as a result of their AFP work duties, may have a potential Comcare claim.

Under the Comcare scheme a worker with an organisation or agency covered by Comcare, such as the AFP, may have an entitlement to claim:

1. reasonable and necessary medical treatment and rehabilitation expenses;
2. payment of weekly wages;
3. payment for lump sum permanent impairment and non-economic loss (if assessed at greater than 10% whole person impairment);
4. and, in some cases, the cost of domestic care.

**It is important to note that all Comcare claims are considered on their individual merits and an AFPA member will have to establish that their employment was a significant contributing factor to them suffering the injury.**

In the case of a claim for physical or psychological injuries, after establishing the work was a significant contributing factor to the injury, Comcare will then determine whether the AFPA member reasonably requires treatment and what services are required.

If an AFPA member is injured during the course of their employment they should notify the Australian Federal Police (AFP) in writing of the incident as soon as practicably possible after the injury.

They should also submit an Australian Government Comcare Workers Compensation Claim form along with a Certificate of

For all matters including personal injury and workers compensation, please complete our enquiry registration [www.codea.com.au/contact-us/](http://www.codea.com.au/contact-us/)



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& O'DEA  
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**1800 059 278**

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Level 18, St James Centre, 111 Elizabeth Street, Sydney, New South Wales, 2000



# With Honour They Served

If you are struggling in the wake of the events of 12 December 2022, we implore you to speak to your GP in the first instance.

Additional counselling and support services are available via AFP Welfare and SHIELD to supplement primary care.

The AFPA Member Support team can be reached on (02) 62851677, and Lifeline (13 11 14) provides support 24/7 (anonymously if you wish).



▶ A first responder being callously murdered while serving the community is in itself incomprehensible; two young members being ambushed and then slaughtered while seeking to locate and assist a missing person is simply evil.

In the aftermath of the events of 12 December 2022, members of the blue family around Australia were stunned and shell-shocked.

The growing prevalence of violence against police and extremism in the community should not be something that governments resign themselves to simply enduring and expecting. I've spent many sleepless nights during my career, most recently from 12 December 2022, trying to understand just what drives people to extremism.

I have no idea why – all I know is that it must and can be stamped out. Police personnel are almost always on the front line and the first to have their lives endangered. I hope that the new government's chest-puffing about renewed funding for cryptography and national investigations is complemented with legislative reforms and better resourcing.

This cannot be another area robbed of funding.

Constables Rebecca McCrow and Matthew Arnold embodied the Queensland Police Service's motto "With Honour We Serve".

Thousands of mourners comprising QPS members, politicians and dignitaries and members of the public attended a memorial service in Brisbane. We were given the great privilege of learning about Rachel and Matthew, seeing photos of them at different stages in their lives, and hearing from those who worked with them and were lucky enough to call them friends ◀

*We will remember them.*

Special feature





Special feature



The thought that **police members can be targeted for simply doing their job** is sadly one that sits in the back of all our minds.



All images have been kindly provided by Queensland Police Service

A letter of support sent by the AFPA to the members of the Queensland Police Service

13 December 2022



Dear members of the Queensland Police Union,

Today the members of the Australian Federal Police Association stand in solidarity with you.

The thought that police members can be targeted for simply doing their job is sadly one that sits in the back of all our minds.

Our job is difficult and nuanced, requiring skill, tenacity, and depth of character. For two young members dedicating their lives to such a demanding profession, it is abhorrent that they have been murdered by members of the public during a search for a missing person.

This is not typical of Australia, nor is it of Queensland and Wieambilla. Our thoughts are with the residents of this small community.

The AFPA hopes that they can find some small measure of solace from the extraordinary support and professionalism Queensland Police and Queensland Police Union members are providing them while at the same time managing their own trauma.

For the residents of Tara, we can only offer our deepest condolences for the loss of these two members who were born and grew up in your town.

We have been fielding many calls from our members to offer their support, and we have encouraged them to reach out directly as is appropriate. This morning, members of the AFPA recited the Police Ode in memory of Rachel and Matthew. Our thoughts will be with their families, especially during the Christmas period.

If the AFPA can be of any assistance to the Queensland Police Union and its members, we stand waiting for that call.

With honour they served, and we'll always remember their names, Constable Rachel McCrow and Constable Matthew Arnold.

In united solidarity.

Alex Caruana  
President

**Australian Federal  
Police Association**

**A** Level 3/53 Blackall Street, Barton ACT 2600  
PO BOX 4576, Kingston ACT 2604

**P** 02 6285 1677  
**ABN** 95 799 543 741

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[www.afpa.org.au](http://www.afpa.org.au)



# “It was a routine haircut. My hairdresser saw the lump on the back of my neck. I thought it was just a pimple. She told me another client had a similar lump, which turned out to be cancer.”

- Adrian Heinjus, Retired SAPOL officer & Fraud Investigator

**CONTENT WARNING:** Adrian's account of his cancer diagnosis and treatment may be upsetting for some readers.

“Turns out, she was right. It was Basal Cell Carcinoma. It, initially, presented as a small spot that required a straightforward removal, which returned two years later with a larger margin. Five operations later, with a pathology showing the severity of the growth, radical surgery was required.

**“Without Police Health, the costs would’ve been crippling. I would’ve taken a financial hit more than once, with multiple major operations. Police Health takes care of everything, with minimum fuss. I can’t ask for much more than that.”**

treatment went well, but unfortunately, I had to retire to focus on my health.

“I transitioned into intel, which led to a two-year role in Canberra. This gave me a whole new perspective into the world of crime. I moved back into active work, then ended my career in CIB. My police background was complimentary to roles various held roles in Government such as Medicare and the Australian Tax Office.

**“He cut a big hole in my head, which would later be tidied up with cosmetic surgery. It was described as ‘one of the most difficult cases.’**

“The constantly changing landscape of my head is a challenge, physically and mentally.

“Without Police Health, the costs would’ve been crippling. I would’ve taken a financial hit more than once, with multiple major operations. Police Health takes care of everything, with minimum fuss. I can’t ask for much more than that.”

“While the agencies provided career progression, the force gifted me the lifelong friendships. My police family and two children helped me through some of my darkest days.

“Last year, my son noticed blood in my ear. The cancer was back. This time, they removed parts of the muscle in my neck and took a piece of my thigh to attach to the problem area. It was a nine-hour operation. The pathology came back, ‘indeterminant’.”

“I was in SAPOL for 24 years, followed by 16 years in the Commonwealth Government doing fraud investigations – which is where I retired. I’ve been a member of Police Health since day one – for the past 43 years.

**“You’ve got to be really aware of what is happening within your body. I thought my big cancer diagnosis was just a pimple.**

“A ‘clean-up’ of the area revealed they’d only discovered the tip of the iceberg until now. There was another section, hidden under good flesh. Unlike melanoma, Basal Cell Carcinoma with peri-neural attributes use the nerve tunnels to move around. It spreads locally, rather than widely.

**“My favourite part of a police career was the diversity. I started out on foot patrols ‘on the road’, which still are some of the best days of my life. I worked alongside the same people for years, where we developed deep trust and safety. We knew how to read situations, as well as each other’s cues.”**

“Too dangerous to operate on, I had 33 sessions of radiotherapy – one every single day, except for weekends. The

You’ve got nothing to lose by going to see a doctor. Don’t put off tomorrow what you can do today. It’s why we have insurance, to take care of us if the day comes when we need it.”



**Adrian has claimed over \$105,000 on his Police Health policy since joining in 1979**

**“If you don’t have your health, you don’t have anything. It’s the simple things in life that are most precious.”**

To join more than 65,000 other members of Australia’s police community already enjoying peace-of-mind from Police Health’s gold-tier insurance, call **1800 603 603** or visit **policehealth.com.au**.

Please note: some information in this article has been compiled from material obtained externally. Although we make every effort to ensure information is correct at the time of publication, we accept no responsibility for its accuracy. Health-related articles are intended for general information only and should not be interpreted as medical advice. Please consult your doctor. The views expressed in articles are not necessarily those of Police Health.



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# Heart2Heart Walk Update

The inaugural Heart2Heart charity walk is gearing up at a breakneck pace as more and more people commit to being part of this wonderful event!

The route is now slightly longer at around 3006 kilometres (refer to the updated map in this article), with a few stops changed in the last leg before reaching Canberra (now via Brindabella instead of Wee Jasper).

The Walk's planning team, led by Detective Sergeant Vince Pannell APM, has been extremely busy meeting with sponsors and supporters and preparing for the Walk's official launch event on the 14th of February. By the time you read this, the event would have been held at Parliament House. Vince would be the first to admit that none of the progress to date would have been possible without the fantastic team of volunteers working on bringing the Heart2Heart Walk to life.

The Official launch took place at Australia's Parliament House, with invitations sent to all federal politicians, as well as all Premiers and Chief Ministers and key opposition parliamentarians, Police and Emergency Services Ministers, first responder organisations, unions, mental health and well-being support providers, sponsors and supporters.

#### THE ORDER OF SERVICE WAS:

- 7:30am: Lake walk – National Emergency Services Memorial** | Commenced and finished at the National Emergency Services Memorial (NESM).
- 9:00am: Morning pre-launch event – National Emergency Services Memorial** | All available ACT Emergency Service Authority (ESA) personnel, vehicles, ACT Policing, and NSW personnel from reciprocal agencies were in attendance, with supporter and sponsor vehicles also at the event.
- 12:00pm: Official Launch –Parliament House** | Over three hundred invited guests –including all federal parliamentarians and key state/territory counterparts, heads of relevant agencies, key stakeholders, sponsors, supporters and family members of those committed to this cause and the Walk itself.
- 5:00pm: Post Launch Function – Canberra Services Club, Barton** | This was an opportunity for the Walk's participants and other first responders to meet all the various Emergency Services executives and politicians involved with the Walk.

Ahead of the launch, Monday 13th February saw the coming together of the Heart2Heart Walk Planning Group, with a key focus on finalising registration, developing a Traffic Management Plan (3000km has its challenges!), exploring a range of ancillary events to be held in remote communities, and much more. The team were delighted that this important event was officially opened by Commissioner Georgina Whelan CSC AM, head of the ACT's Emergency Services Agency.

The official launch was led by AFP Commander Grant Edwards APM (ret'd). Grant continues to be actively involved with the Heart2Heart Walk and provided the foreword for the 2019 inquiry "The people behind 000: mental health of our first responders.". It was therefore very fitting to have him involved so closely with the launch.

#### ADDITIONAL SPEAKERS AT THE LAUNCH EVENT FOR HEART2HEART.

**Senator for the ACT David Pocock.** Senator Pocock's hosting of the launch event was pivotal, and his office's support has been crucial in coordinating invitations for federal politicians to the launch event, as well as the development of broader awareness of the Walk's aims among the federal political community.

**Allan Sparkes CV OAM VA.** Allan (a retired detective senior constable in the New South Wales Police Force) was a keynote speaker for the launch event, in addition to being an Ambassador for the Heart2Heart walk overall. Allan is one of only five recipients of the Cross of Valour, Australia's highest award for bravery, for his rescue of a child from flood waters in 1996. He has long been a champion for first responder mental health and is an ambassador for Beyondblue and Soldier On.

**Nicole Sadler AM CSC.** Nicole is Head of Policy and Practice at Phoenix Australia – Centre for Posttraumatic Mental Health, and the Director of Responder Assist: Victorian Centre of Excellence in Emergency Worker Mental Health. She is also an Enterprise Professor in the Department of Psychiatry at the University of Melbourne. In her speech, Nicole addressed current data research on first responders, what has been achieved since the 2019 Senate inquiry's 14 recommendations, and what still needs to be completed.

**Admiral Chris Barrie AC RAN (ret.).** Admiral Barrie is the former Chief of the Defence Force (CDF) and chairman of Fearless



Outreach, a charity for helping Australians who are living with PTSD. Admiral Barrie is convinced that more can always be done to fight PTSD, with an eventual cure being possible. In his address to the launch, Admiral Barrie specifically addressed the recommendations of the Senate report "When helping hurts: PTSD in first responders", which he helped inform during its drafting in 2018.

**Minister for the AFP Attorney-General Mark Dreyfus KC MP.** Minister Dreyfus has long been a supporter of first responders generally and the Australian Federal Police specifically. The moving of ministerial responsibility for AFP back to the Attorney-General's portfolio has already seen Minister Dreyfus make considerable headway towards progressing presumptive legislation at a federal level (together with the AFPA).

Numerous federal, state and territory politicians from across the political spectrum have now pledged their support for the Heart2Heart Walk and the Foundation. These pledges of support can be found on the Walk website: [www.heart2heartwalk.org](http://www.heart2heartwalk.org)

As planning and preparations gain momentum, so too does sponsorship. This includes:

**Police Bank.** CEO Greg McKenna has confirmed that Police Bank will be a Platinum Supporter of the event.

**Raytheon** has now confirmed they will be one of the Walk's Gold Sponsors. They are joined by the Holan Group, Torode Solutions and Diverse Training Concepts. More sponsors will be announced in due course.

**Richard Rolfe.** Local Canberra businessman Richard has kindly donated 100 Bravery Coins to the Walk.

The Heart2Heart website [heart2heartwalk.org](http://heart2heartwalk.org) has been updated to reflect the new information about the Walk's sponsors and supporters.

As stated in our last article, the Association is proud to support the Heart2Heart walk, and we will continue to provide regular updates in the leadup to the Walk commencing in July.

We think it's fitting to finish this update with some words from Allan Sparkes:

*"In my view, courage is the willingness to care. My belief is, it is how willing you are to care for another is a true measure of your courage. First Responders are truly courageous people. It is their willingness to be courageous that places them at enormous risk. Risk, not only to their physical health but also their psychological health. First Responders are not just courageous once in their lifetime, they are courageous throughout their lifetimes. As a nation, we fail to respect, acknowledge and understand their courage. First Responders are the most essential element of our society. Without them, our society will collapse around us. It is time their courage, their dedication, their sacrifices and their careers are acknowledged, respected and supported in ways never seen before."*

**The Heart2Heart Walk is the start of what has needed to be done for a very long time.** It is the pathway to honour and care for those who have served, are serving and are yet to serve".

# Greyhounds to Service Police in New Life as PTSD Companion Animals

World-first program to retrain retired greyhounds for the Australian Federal Police Association

▶ Retired greyhounds will be retrained to serve as Post-Traumatic Stress Disorder (PTSD) companion animals for Australia's police in a world-first initiative announced in Canberra today.

"This is a truly historic announcement, we are talking about a whole new career for our retired greyhound athletes to be trained for duty as a PTSD companion for Australian police members," said Greyhound Racing NSW Chief Executive Officer Mr Robert Macaulay.

"I could not think of a better match - the most loyal and loving animals in the world side by side with some of the bravest men and women in our country."

**The ground-breaking program is a collaboration between the Australian Federal Police Association (AFPA), Greyhound Racing NSW (GRNSW) and Greyhounds Australasia (GA).**

AFPA President Alex Caruana said his Association was "proud and happy" to welcome greyhounds and partner with GRNSW and GA for this innovative initiative.

"The psycho-social benefits of pet ownership in general, and support animals in particular, for people living with Post-Traumatic Stress Disorder are significant," Mr Caruana said.

**"Police members are at a significantly increased risk of acquiring mental health injuries, and also of those injuries developing into PTSD."**

"The typically busy operational work life of our members, coupled with socially isolating shifts and on-call rosters, means that they often find it exceedingly difficult to switch off and decompress after traumatic incidents. Highly-trained and decorated police members invariably become broken and insular through no fault of their own.

"Meeting and bonding with a support animal gives them so much back over time in terms of independence, manageable routines, exercise, and social independence.

"As an animal lover, I am personally thrilled that these wonderful dogs are able to help people in this way, and at the same time "retire" into a loving environment where they will be showered with love, trust, and lots of treats.

"We look forward to this partnership benefitting AFPA members, and other police association members around Australia."

**AFPA members will also be given priority access to adopt greyhounds through Greyhounds As Pets NSW.**

This announcement comes less than three months after GRNSW and GA announced a partnership to supply greyhounds as pets to the members of the Police Association of NSW (PANSW). The early success of that program has led to GRNSW and GA creating a new career for greyhounds with the AFPA.

"When we launched the partnership with the PANSW we heard from a former officer that her adopted greyhound had significantly helped her with her struggles as a sufferer of PTSD," Mr Macaulay said.

"While still in its infancy, that program has already delivered successful adoptions, but importantly it also delivered us the learning that PTSD dogs are in demand.

"Working closely with Greyhounds Australasia chair Robert Vellar, we realised we had to take this one step further, and we have now been able to enter into an agreement with one of the pre-eminent dog trainers in Australia, Steve Austin, to retrain our retired athletes for a new career as a PTSD companion animal.

**"This truly is ground-breaking. We are talking about a whole new career for retired greyhound athletes."**

The retraining of greyhounds for a career outside of racing opens the door to re-imagining the industry. It essentially creates a new career for any non-racing greyhound, and this is in addition to the demand for greyhounds as pets."

GA Chairman Mr Robert Vellar, a former police officer, has driven the union between police and the greyhound industry with expertise on both sides. He knows both the therapeutic benefit of greyhounds as pets and the comfort they can bring those suffering anxiety disorders. Having served as a police officer, he fully understands the mental strain of working on the front line, being exposed on a daily basis to harrowing and traumatic events, which can ultimately lead to officers suffering from PTSD.

"It is with great satisfaction that, together with our other stakeholders, we can announce this relationship with the members of the Australian Federal Police Association," Mr Vellar said.

**"The aim is to facilitate the perfect partnership involving the welfare of these beautiful greyhounds, and the welfare of first responders."**

"As a former police officer, I fully understand the trauma that police face in their daily workloads. Our experience has been that by adopting a greyhound as a loyal, forever companion, it will assist in the management of Post-Traumatic Stress Disorder.

"Greyhounds are loyal, loving and low maintenance and we say if you want a great mate, adopt a greyhound." ◀



Alex had the opportunity to meet some beautiful greyhounds at the collaboration's official launch.





## The Strohm Foundation Cheque Presentation

Scott Weber of the Police Federation of Australia visited Children's Cancer Institute for a cheque presentation on behalf of the generous donation of \$7,000 made by the Strohm Foundation based in New York. These funds were raised at a Gala ball the Strohm Foundation held on Long Island supported by the public safety and military communities at which the Institute was a beneficiary.

▶ The Strohm Foundation was founded in 1999 by three sisters who were all afflicted with breast cancer. As survivors, they found strength in organising a foundation to support those battling this dreadful disease by funding research and raising awareness. The selfless service to humanity performed by Jane Stanczuk, Kathy Sarna and Lucille Montrony has inspired people and has resulted in tremendous growth contributions raising over two million dollars to worthy research foundations, hospitals, institutions, and organisations targeting all forms of cancer around the world. Dr Yolanda Colino Sanguino and Dr Holly Holliday accepted this cheque on behalf of the Institute as the recipient researchers. This grant funding will allow further advancements in research into effective drug treatments for Diffuse Intrinsic Pontine Glioma (DIPG), a brain tumour and the most aggressive childhood

cancer. There is no cure, and current treatments are completely ineffective. Every year in Australia 20 children are diagnosed with DIPG, and 20 children will die of this disease, so it is of utmost importance that we continue our work searching for a cure for this insidious form of brain cancer. It is hoped this research will lead to future clinical trials for DIPG. ◀

**The Children's Cancer Institute is incredibly grateful for the support and looks forward to growing the relationship with the Strohm Foundation.**

## Australian Law Enforcement – Support us to support them



**“Paying it forward”**

It is only through donations that AUSPOL remains viable. AUSPOL assists members and members' families in times of need.

We need every AFPA member to contribute.

[www.afpa.org.au/auspol/](http://www.afpa.org.au/auspol/)



# Merchandise Order Form

## ▶ AFP/AFPA MERCHANDISE



# Catalogue 2019

## ▶ AFP/AFPA MERCHANDISE



### SECTION 1: PERSONAL DETAILS

First Name:	Surname:
Position:	Team/Area:
Phone:	Email:
Billing Address:	
Postal Address:	
Send via: <input type="checkbox"/> Internal Mail <input type="checkbox"/> Express Post (Cost \$20 incl. GST for max 5kg) <input type="checkbox"/> Hold for Collection	

### SECTION 2: ORDER DETAILS

Item	Cost inc. GST (\$ incl. GST)	Qty	Total (\$ incl. GST)
AFP Coloured Shield Plaque	\$70		
AFP Australia Plaque	\$70		
AFP Plaque (Glass)	\$70		
AFP Plaque (Pewter)	\$70		
AFP Coaster Set	\$40		
AFP Cuff Links	\$25		
AFP Gloss Mug	\$15		
AFP Pen	\$20		
AFP Key Ring	\$18		
AFP Stubby Holder	\$10		
AFP Tie Tac (coloured, silver, gold)	\$10		
PWF Plaque (Glass)	\$85		
AFPA Tie	\$25		
AFPA Tie Bar	\$12		
AFPA Lapel Pin	\$7		
AFPA Stubby Holder	\$7		
			Subtotal (\$):
			Express Post (\$):
			<b>Total (\$):</b>

### SECTION 3: PAYMENT DETAILS

Payment Type: <input type="checkbox"/> Visa <input type="checkbox"/> Mastercard	
Card Number:	Name on Card:
Expiry:	CCV:

OFFICE USE   Processed by	Date:	Invoice Number:
Name:		

Please return completed order forms to the AFPA by email: [afpa@afpa.org.au](mailto:afpa@afpa.org.au)

### AFP Merchandise items



Coloured Shield Plaque | \$70.00



Australia Plaque | \$70.00



AFP Plaque (Glass) | \$70.00



AFP Plaque (Pewter) | \$70.00



Coaster Set | \$40.00



Cuff Links | \$25.00



Gloss Mug | \$15.00



Pen | \$20.00



Key Ring | \$18.00



Stubby Holder | \$10.00



Tie Tac (coloured, silver, gold) | \$10.00

### AFPA Merchandise items



AFPA Pen | \$10.00 each



AFPA Silk Woven Tie | \$25.00



AFPA Tie Bar | \$12.00



AFPA Lapel Pin | \$7.00



AFPA Stubby Holder | \$7.00



AFPA Plaque (Glass) | \$85.00

See over the page for the Merchandise order form



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