



AFPA

Australian Federal
Police Association

Commonwealth Government COVID-19 Response Inquiry

Department of the Prime Minister and Cabinet

Submission by the Australian Federal Police Association

Level 3/53 Blackall Street

Barton ACT 2600

Tel: (02) 62851677

Email: afpa@afpa.org.au

Acknowledgments

The AFPA thanks the Independent Panel and the Department of the Prime Minister and Cabinet (PM&C) for providing the opportunity to inform the *Commonwealth Government COVID-19 Response Inquiry*.

The AFPA approves making this submission publicly available at the discretion of the Independent Panel or the PM&C.

Overview of the AFPA

The AFPA is a registered organisation and an autonomous sub-branch of the Police Federation of Australia. The AFPA represents the industrial, political, and professional interests of members of the Australian Federal Police (AFP) and ACT Policing (ACTP), law enforcement officials in the Australian Criminal Intelligence Commission, and members of the Department of Parliamentary Services.

Our members provide an essential service to Australia and the Australian Capital Territory (ACT). They are the backbone of the ACT and the Commonwealth's principal law enforcement agency, performing crucial investigative, intelligence, and national security functions.

The AFP is responsible for the following:

- 🌱 providing community policing services to the Australian Capital Territory and other territories, including Christmas Island, Cocos (Keeling) Islands, Norfolk Island and Jervis Bay,
- 🌱 enforcing Commonwealth laws that combat complex, transnational, serious and organised crime, child exploitation, fraud, corruption, and cybercrime,
- 🌱 protecting Australians and Australian interests from terrorism and violent extremism,
- 🌱 removing illegally obtained assets and property from criminals,
- 🌱 protecting Commonwealth infrastructures such as designated airports, Parliament House, and embassies,
- 🌱 protecting domestic and foreign dignitaries, including the Governor-General, Prime Minister, and ambassadors,
- 🌱 protecting at-risk individuals,
- 🌱 representing Australian policing and law enforcement at an international level and
- 🌱 developing unique capabilities and employing advanced technology to support Australia's national interests.

On top of providing industrial relations support, the AFPA provides welfare support for its members. Support takes on many aspects, including mental health and living support for our members injured mentally and physically in the workplace while executing their lawful duties in protecting Australia and its many communities.

Introduction

The COVID-19 pandemic in Australia was an environment that policing organisations and their members had never previously worked within. Police officers and other first responders were at the coalface of the Commonwealth, state and territories' response to the pandemic. This took a heavy toll not only on the members involved but also on their families.

Commonwealth, state, and territory police continued to carry out their primary functions and duties while broadening their purview to support efforts to limit the spread of COVID-19. Police organisations had to reallocate staff and balance existing and new obligations, such as managing lockdowns and quarantine sites, running border checks, and enforcing social distancing laws.

The need to respond to the developing and ongoing pandemic crisis taxed law enforcement's resources and interfered with their ability to handle other operational policing issues.

AFPA considerations and experiences

At a national level, police forces across the country encountered significant resource constraints in implementing COVID-19 containment measures, primarily because policing operations took place over broad geographic areas. The AFP and ACT Policing especially felt this pressure as not only did they have to control the ACT/NSW border and quarantine sites, but they also had to deploy officers to assist the Northern Territory Police Force (**NTPF**). The NTPF did not have the resources to realistically manage both their border and biosecurity checkpoints due to the significant size of the NT.

In recent times, Senator Jacqui Lambie has proposed the establishment of an Australian "National Guard" to supplement existing police and Australian Defence Force (**ADF**) resources during extraordinary situations such as pandemics or natural disasters. The AFPA believes this idea has merit and could reasonably be expected to alleviate pressure(s) on Australia's policing responses during another pandemic.

The role of a "National Guard" within the scope of a potential future pandemic should not be to undertake community policing in any form but rather to assist police and other first responders in managing borders and enforcing relevant legislation. With respect to this second mandate, National Guard personnel could be given special powers during a declared incident, such as biosecurity checking authority, the authority to request personal details, or the power to stop and detain for suspected breaches of pandemic or natural disaster restrictions.

Another issue faced by AFPA members was the availability of appropriate personal protective equipment (PPE) and Rapid Antigen Tests (RATs). During the early stage of the pandemic, the AFPA supplied PPE and RATs to its members, as the AFP and ACT Policing both experienced difficulties in doing so themselves.

In the ACT and other jurisdictions around Australia, there were regularly reported instances of people purposely coughing or spitting on police officers and stating they were infected with COVID-19. This took an often heavy physical and psychological toll on the members involved and their families. It also caused additional staffing pressures, as affected members were required to be stood down while awaiting testing results.

Recommendations

Recommendation 1:

That a dedicated Commonwealth-led, Australia-wide polymerase chain reaction test (PCR) testing regime for police officers and other first responders be designed and implemented in partnership with state and territory agencies.

Recommendation 2:

That legislation to provide law enforcement agencies with an irrevocable purchasing priority for PPE and Rapid Antigen Tests (or similar testing devices) upon declaration of a pandemic be drafted and implemented within a reasonable timeframe.

The AFPA recommends that the inquiry examines the process undertaken by the Department of Health in Western Australia and considers a similar approach for first responder agencies across Australia in partnership with state and territory governments¹.

Recommendation 3:

That legislation to establish a Commonwealth offence for people who weaponise bodily fluids and deliberately endanger police officers and other first responders by coughing or spitting on them during a pandemic be drafted and implemented within a reasonable timeframe.

Such legislation should mandate testing for the alleged offender and prioritise testing for any police or other first responders victimised by this behaviour.

Recommendation 4:

That a feasibility study of a potential Australian “National Guard” to assist police and first responders during a pandemic be undertaken, with a focus on initial costings and expected readiness timeframes.

Conclusion

The AFPA again thanks the Independent Panel and PM&C for this opportunity to provide commentary on this important inquiry.

The AFPA would be willing to participate in any public hearings or provide more advice at the discretion of the Independent Panel or the PM&C.

¹ https://www.health.wa.gov.au/Articles/A_E/Coronavirus/Advice-on-how-to-access-Personal-Protective-Equipment