DESPERATELY SEEKING SAVINGS,
PERFORMANCE AND ACCOUNTABILITY

POLICING OPTIONS FOR THE
AUSTRALIAN CAPITAL TERRITORY

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Discussion Paper No. 37, September 1993

ISSN 1030 2190
ISBN 0 7315 1836 5
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The views expressed in this paper are those of the author and should not be construed as being representative of the Department of the Prime Minister and Cabinet. I thank those who have assisted in the preparation of the paper. Any errors are, of course, my own.
Preface

The aim of this paper is to identify the primary advantages and disadvantages associated with the various options for providing community policing services to the Australian Capital Territory.

The paper commences with an analysis of the factors currently influencing the ACT policing environment. It then evaluates, from both the ACT and Commonwealth perspectives, the four most realistic options for providing policing services to the ACT community. The paper then concludes with a number of suggestions about pursuing the most viable of these options.

It should be noted from the outset that this is not an evaluation of the Australian Federal Police's performance in the ACT. Any analysis of ACT policing options must, however, consider the pros and cons associated with the AFP providing policing services under the current Policing Arrangement. The AFP’s performance under the Policing Arrangement forms the benchmark for assessing alternative ACT policing options.

It should also be noted that this paper considers a range of issues which extend well beyond the ACT. These include the responsiveness of Australian police services to changing government and community expectations, the changing nature of community policing, and the future of the AFP as the Commonwealth’s primary law enforcement agency.

"It is both reasonable and appropriate that government be able to direct the priorities, procedures and development of a police service. If government cannot thus influence the organisational environment of a police service, it cannot discharge its responsibility to the community for the performance of that service" (Kerr 1993, p6).

1. INTRODUCTION

Few would refute the claim that the Australian Capital Territory’s political and governmental landscape has undergone fairly radical change since the commencement of self-government in 1989.

During this period the ACT has experienced, for the first time, the high and lows that come with quasi-statehood in Australia’s federal system of government.

This new found role has not, however, come cheaply. Since self-government the ACT community has had to rapidly adapt to significant reductions in direct Commonwealth financial assistance and a new, and unique, form of government (Dowkins 1993, p6 & Follet 1992).

These pressures have produced a melange of policy results. In general, however, the fiscal realities of statehood, combined with a quick transition to state based funding arrangements, have meant that successive ACT governments have had to focus on reducing public sector expenditure while trying to maintain existing levels of services. And while cuts in expenditure have occurred across the board, they have been clearly prominent in the education and health sectors – the two largest areas of ACT public expenditure.

It comes, therefore, as little surprise that the ACT Government has recently begun to concentrate on the third largest sector of its budget – that relating to law, order and public safety. This interest is illustrated by recent moves to review and rationalise ACT emergency services, and to review ACT policing services (Clack, 5 May & 23 July 1993). This later review is particularly significant as policing is a core government responsibility currently costing the ACT community some $50.2 million per annum.

Such a review is topical given the steady transfer of responsibilities from the Commonwealth to the ACT since self-government. It is also timely given domestic and international trends towards recognising community policing as a highly specialised function which is significantly different to other forms of law enforcement. These trends raise immediate questions about the future direction, structure and development of Australia’s police services.
It is also clear that the future of ACT policing is critically linked to the future of the Australian Federal Police (AFP) as the Commonwealth's primary law enforcement agency. A move, for instance, by the ACT Government to establish its own police service would fundamentally change the nature, goals and corporate structure of the AFP, particularly as almost a quarter of the AFP's personnel are currently involved in ACT policing (AFP Annual Report 1991/92, p48-42).

This raises a key question as to whether the AFP should continue to maintain a community policing base, or whether it should become entirely focused on national/international crime and on protecting the Commonwealth's interests. There is, for example, little doubt that today's law enforcement environment is significantly different to that of 1979 which saw the creation of the AFP through an amalgamation of the then Commonwealth and ACT police forces, and subsequently the Federal Bureau of Narcotics.

These differences are highlighted by the dramatic structural changes to Australian law enforcement that have occurred over the past 14 years (including the creation of the National Crime Authority, the Australian Bureau of Criminal Intelligence, the Australian Transaction Reports Analysis Centre, the NSW Independent Commission Against Corruption, the NSW Crime Commission, Queensland's Criminal Justice Commission, and various Commonwealth/State 'common police services').

They are also highlighted by changes in the Commonwealth's law enforcement legislative regime and by the fact that the Commonwealth Government's requirements and expectations of the AFP have changed since its establishment. And it is these sorts of changes that prompted the Commonwealth Government to recently instigate, in the budget context, a fundamental review of Commonwealth and national law enforcement arrangements (Waterford 1993).

This paper attempts, therefore, to identify the primary advantages and disadvantages associated with the four main options of policing the ACT during a period in which the ACT and Commonwealth governments are considering fundamental questions about the future of their police services.

2. THE ACT POLICING ENVIRONMENT

2.1 Background


Prior to this date the then ACT Alliance Government assessed it had two policing options: either to negotiate with another government for the provision of policing services on a cost recovery basis or to set up an autonomous ACT police service (Caulfield 1991, p32). The Alliance Government decided, following consultations with the Commonwealth Government and a review of contract policing in Canada, to avoid a hasty decision by seeking a continuation of the AFP's community policing role in the ACT.

In brief, the Policing Arrangement requires:

- the Commonwealth to provide police services to the ACT community in accordance with certain agreed goals, objectives, priorities and resource levels;
- the ACT to pay for those services and the AFP to credit revenue derived from those services to the ACT;
- the ACT Chief Police Officer to consult with the ACT Government on resource allocation and priorities;
- disputes to be resolved between the relevant ACT and Commonwealth Ministers;
- the policing services and levels of funding to be open to regular review, with the Commonwealth paying for those services associated with Canberra's status as national capital (currently some $2.2 million per annum in addition to the ACT policing budget); and
- an 18 month termination period by either party.

The Policing Arrangement also allows the AFP Commissioner to vary policing resources between the AFP's national and ACT community policing functions in response to emergencies. This occurred, for instance, during the 1991 AIDEX demonstrations at no additional charge to the ACT.

2.2 Goals and Performance

The AFP have two primary goals under the Policing Arrangement: to make the ACT a safe and peaceful place in which to work, live and visit, and to provide a high quality, responsive police service to the ACT community.
To achieve these goals the AFP provides a range of services which have been defined as the preservation of the peace, the protection of people and property, crime prevention and detection, the enforcement of ACT laws, and the development and maintenance of community participation in the provision of policing services (Collaery 1990, p34 & AFP Annual Report 1991–92, p44).

While an assessment of the AFP’s performance in meeting its goals under the Policing Arrangement is beyond the scope of this paper, it would appear that to date this form of contract policing has proved to be valuable to both the ACT and the Commonwealth for a number of reasons.

From the ACT’s viewpoint the Policing Arrangement has ensured, via the AFP, the maintenance of a high degree of stability and consistency in ACT community policing services. It has enabled successive ACT governments to influence, at least in broad terms, the major goals, objectives and priorities of the AFP in the ACT. And it has meant that the ACT has not had to develop and maintain its own police service.

The AFP has also achieved what would appear to be a reasonable level of success under the Policing Arrangement (although, as is noted below, its services have been expensive). It has not, for instance, been tainted by corruption and its performance has received general public endorsement via several independent surveys (Collaery 1991, p35; Commonwealth Attorney-General’s Program Performance Statement 1991–92, p193; AFP Annual Report 1991–92, p42).

In addition, the AFP has worked with the ACT Government in successfully implementing cuts of some $2.1 million to the ACT policing budget over the past two years. And it has taken the initiative in developing, in consultation with the ACT Government, a range of community policing strategies including:

- a renewed focus on the patrol officer and the decentralisation of policing services to take them as close as possible to the community;
- the development of a major crime response plan;
- improvements in administration arrangements and in consultation processes with the ACT Government and community; and

The Policing Arrangement has also been valuable to the Commonwealth. It has, for example, enabled the Commonwealth to maintain a significant community policing capability for Australia’s territories and for contributions to international peace-keeping operations (in Cyprus and Cambodia) and to various aid projects within the Asia/Pacific region. It has provided a means of addressing overlaps between the national and community policing functions within the ACT. And it has enabled the cross fertilisation of ideas and the maintenance of broader career opportunities within the AFP.

Finally, and perhaps most importantly from the AFP’s point of view, the Policing Arrangement has enabled the AFP to maintain a link with what is sometimes perceived, at least within policing circles, as ‘real policing’. This link was considered by the architect of the AFP, Sir Robert Mark, as vital if the AFP was to maintain its status with other police forces, both nationally and internationally (Mark 1979, p2). Mark also argued that the maintenance of a community policing base by the AFP would significantly contribute to the performance of its other duties.

A number of problems have, however, started to surface in relation to the operation of the Policing Arrangement. The ACT Government has, for instance, voiced concerns about:

- the fact that the AFP (ACT Region) is not directly and legally accountable to it;
- the amount of control it has over the AFP’s priorities in the ACT and the lack of information it is receiving on the costs of policing services;
- the effectiveness of annual review processes and the rigid nature of the Policing Arrangement, and
- the level of funding provided by the Commonwealth (Connolly, 2 April 1993).

These concerns are illustrated by the ACT Government’s repeated calls on the Commonwealth to meet the costs involved in the investigation into the death of Assistant Commissioner Winchester and for security arrangements for a 1992 visit by a Turkish Minister of State. They are further illustrated by recent funding cuts to several community policing services (including the Neighbourhood Watch and School Programs) and a reduction in AFP overtime and penalties. These cuts produced a community backlash and an increase in tension between the ACT Government and the AFP (which perceives the cuts as potentially undermining the AFP’s corporate structure).
It is these concerns which prompted the ACT Government to set in train a wide ranging ACT/Commonwealth review of ACT policing. The Review is currently under way and is due to be completed in December this year. Its primary objective is to "devise a new strategy for policing the national capital" (Clack, 2 April & 23 July 1993).

The Australian Federal Police Association (AFPA) is also on record as noting that there are problems emerging in the AFP's role in the ACT (AFPA 1993, p7). In particular, the AFPA National Secretary has been quoted as saying that "as long as the ACT Region of the AFP has two masters there will always be problems" (Juneau 1999).

These concerns go to the very heart of the Policing Arrangement and raise fundamental issues about control, accountability and performance measurement. At the very least they call into question the future of the Policing Arrangement and, therefore, the future of the AFP.

2.3 Key Policing Expectations

The above concerns illustrate a general tendency by governments and the wider community to have higher expectations of public services, including police services, over the past two or so decades.

Without wanting to revisit the significant and, in some cases, fundamental changes that have impacted on all aspects of public service during this period, it is important to note that police services should be, and are, treated in the same general manner as other public services. For example, police services are expected to:

- be open and accountable, to both the government of the day and to the wider community;
- measure their performance by evaluating their effectiveness in terms of outcomes against stated goals and objectives;
- measure the efficiency with which allocated resources are used to achieve these goals and objectives; and
- be free of corruption, to use their powers judiciously, to treat the public without bias, and to reflect Australia's gender and multicultural makeup in their ranks.

The ability of Australia's police services to meet these expectations has clearly varied from jurisdiction to jurisdiction over recent years. But there is ample evidence to indicate that they are moving, albeit at varying speeds, towards meeting each of these expectations (see Kerr 1993, Goldring & Blazej 1993, Hunt 1993, Lauer 1993 & Palmer 1993).

It is equally apparent that, when it comes to control and accountability, governments and the wider community generally have higher expectations of police services than most other public services. This is due to the nature of the policing function and the powers given to police officers, some of which enable significant interference with the liberty and physical integrity of other people. It is also a result of the "classic Anglo-Saxon view of police as agents of the law, not of the government of the day, standing apart from national politics ... with clear responsibility for the preservation of peace, safety and good order" (Plehwe & Wettenhall 1993, p1).

This has direct legal implications for police officers in the performance of their duties and implies restrictions on a government's power over the police force as a whole (Plehwe & Wettenhall 1993, p4). This has, in turn, cemented in place the principle that governments should provide broad policy directions and guidelines to their police services and should not interfere in specific policing operations.

The need for police services to be accountable, unbiased and free of corruption has been emphasised time and time again over the past two decades. For example, fundamental changes have flowed from both specific investigations of police misconduct and more wide ranging investigations, including those into the corruption that plagued some Australian police services throughout much of the 1970s, 1980s and, to a lesser extent, more recently.

The same government and community expectations played a significant role in the establishment of several law enforcement agencies (including the National Crime Authority, the NSW Independent Commission Against Corruption, and Queensland's Criminal Justice Commission) and reviews of the role of the police in the criminal justice system. This later aspect was well illustrated by the findings of the Royal Commission into Aboriginal Deaths in Custody (RCIADIC) which included some 200 law and justice recommendations, most of which focused on police detention arrangements (RCIADIC 1991).

This has meant that, in general, Australian governments have faced irresistible pressure to move into areas previously considered to fall within the policing domain. Governments have demanded, and got, considerably more influence over the directions, priorities and strategies of their police services. This is probably best illustrated by the fact that throughout Australia the police themselves, to their credit, have been at the forefront of these changes and have embraced the notion of 'service' rather than 'force'.
Governments have also required the police to become far more responsive to changing community needs in order to provide higher levels of service. They have created new and more effective accountability regimes, and have fundamentally changed policing recruitment and promotion procedures. And while many of these changes have been implemented with the full cooperation of the police, these changes reflect the fact that governments will act if police services fail to measure up to community expectations.

This should not, however, be taken to mean that Australian governments should, or in fact have, assumed a new degree of power over the police. The tension that exists between a police officer's duty to independently enforce the law and that same officer's duty to follow commands and to adhere to government policy remains.

Similar tensions exist in other areas of public service (for instance in the areas of immigration and customs) in which an individual is given under legislation a power that can only be used, and sometimes must be used, in specific circumstances. And while this may impact directly on a government's relationship with what is a special type of statutory body, the fact remains that police services are accountable to governments on a wide range of key variables (see Plewe & Wettenhall 1993 and Goldring & Blazey 1993).

This means that, as a general guide, Australian police Ministers are "politically accountable for the overall efficiency and effectiveness of the police but will not, in the Australian Westminster system, be held to account for matters at the case level where he or she was not and should not have been personally involved" (Canberra Times Editorial, 12 November 1992). This principle can, however, be interpreted with some flexibility, particularly when governments and police services are attempting to deal with apparent policing (or ministerial) failures.

It is not, therefore, surprising that the ACT Government has raised control and accountability issues as key concerns about the operation of the Policing Arrangement. As would be expected of any other Australian government, the ACT Government is obviously keen to influence decision making on community policing priorities and to obtain sufficient information to enable it to assess the effectiveness and efficiency of its policing services.

This is in no way a censure of the AFP's performance in the ACT. Rather, it is a reflection of the fact that under the terms of the Policing Arrangement the ACT Government, as a democratically elected government, has primary responsibility for policing in the ACT. It is also a reflection of the fact that the AFP is a Commonwealth agency and that, on occasion, Commonwealth interests in ACT policing do not (and cannot) fully coincide with those of the ACT Government.

A simple example of this occurred last year when the Commonwealth Government acted against the wishes of the ACT Attorney-General to have a number of officers removed from outside the Indonesian Embassy (Clack 1992). In this case both governments claimed to have the right to determine the legitimacy (or otherwise) of this form of protest activity. This highlights the type of conflict and confusion that can arise over the AFP's national and ACT community policing roles.

More significantly, however, it should be noted that the ACT Government is under considerable pressure to reduce public sector expenditure across the board and that, over the past five or so years, the ACT Region of the AFP has received comparatively more funding than any other police service in Australia.

### 2.4 The ACT Policing Budget

As previously indicated, the ACT is in the process of a rapid and painful transition to state based funding arrangements. The decline in Commonwealth payments to the ACT, standardised over the past five years, is illustrated in a global context in Table 1.

<table>
<thead>
<tr>
<th>Year</th>
<th>NSW</th>
<th>VIC</th>
<th>Qld</th>
<th>WA</th>
<th>SA</th>
<th>TAS</th>
<th>NT</th>
<th>ACT</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>1988/89</td>
<td>3650</td>
<td>2675</td>
<td>2242</td>
<td>1460</td>
<td>1316</td>
<td>488</td>
<td>681</td>
<td>430</td>
<td>13297</td>
</tr>
<tr>
<td>1989/90</td>
<td>3668</td>
<td>2710</td>
<td>2439</td>
<td>1494</td>
<td>1397</td>
<td>501</td>
<td>695</td>
<td>373</td>
<td>13278</td>
</tr>
<tr>
<td>1990/91</td>
<td>3702</td>
<td>2712</td>
<td>2523</td>
<td>1548</td>
<td>1433</td>
<td>522</td>
<td>729</td>
<td>434</td>
<td>13601</td>
</tr>
<tr>
<td>1991/92</td>
<td>3612</td>
<td>2649</td>
<td>2632</td>
<td>1556</td>
<td>1482</td>
<td>563</td>
<td>800</td>
<td>430</td>
<td>13704</td>
</tr>
<tr>
<td>1992/93</td>
<td>3640</td>
<td>2804</td>
<td>2781</td>
<td>1599</td>
<td>1545</td>
<td>563</td>
<td>843</td>
<td>394</td>
<td>14189</td>
</tr>
<tr>
<td>Mean</td>
<td>3660</td>
<td>2710</td>
<td>2523</td>
<td>1533</td>
<td>1435</td>
<td>532</td>
<td>750</td>
<td>408</td>
<td>13547</td>
</tr>
</tbody>
</table>

Note: Figures for 1992/93 are estimates.
(Source: Dawkins 1963, 9)

This table reveals that since 1988/89 the ACT has experienced a decline (in real terms) of approximately eight per cent in direct Commonwealth funding. This has clearly placed significant financial pressure on successive ACT governments.

In addition to this pressure, the very fact that the ACT is spending more of its budget on policing services than any other government except the Northern Territory (which faces the highest policing costs in Australia due to a range of geographic, social and demographic factors) is proving difficult to ignore.

This is illustrated in the following tables (where it should be noted that the calculation of a national 'average' has deliberately excluded data from the ACT and, due to their extreme values, the Northern Territory).
This table reveals that between 1987/88 and 1991/92 the ACT spent an average of 20 per cent more per capita on 'Law, Order and Public Safety' services than the Commonwealth Grants Commission standard. This is illustrated in Figure 2.

The high cost of ACT policing services is, however, more clearly illustrated in the following table.

This table reveals that the ACT is ranked third in Australia (behind the Northern Territory and Western Australia) in policing expenditure per capita.

More significantly, the data indicates that between 1987/88 and 1991/92 the ACT spent over 16 per cent more per capita each year than the national 'average', and approximately 15 per cent more each year than the Commonwealth Grants Commission standard.

Of even greater concern is the fact that the divergence between ACT expenditure, the national 'average' and the Commonwealth Grants Commission standard has grown over this period by between three and four per cent. This trend is highlighted in Figure 3.
Figure 3: Comparisons of Policing Expenditure per Capita

A similar trend is also evident in the costs of policing. Table 5 reveals that ACT policing cost over 16 per cent more per annum than the national ‘average’ between 1987/88 and 1991/92.

Table 5: Cost of Policing Provision Ratios

<table>
<thead>
<tr>
<th>Year</th>
<th>NSW</th>
<th>VIC</th>
<th>QLD</th>
<th>WA</th>
<th>SA</th>
<th>TAS</th>
<th>NT</th>
<th>ACT</th>
<th>Average</th>
</tr>
</thead>
<tbody>
<tr>
<td>1987/88</td>
<td>93.91</td>
<td>87.71</td>
<td>105.45</td>
<td>115.47</td>
<td>90.96</td>
<td>92.70</td>
<td>101.59</td>
<td>97.55</td>
<td></td>
</tr>
<tr>
<td>1988/89</td>
<td>94.00</td>
<td>87.45</td>
<td>105.45</td>
<td>115.44</td>
<td>89.71</td>
<td>91.82</td>
<td>100.12</td>
<td>97.31</td>
<td></td>
</tr>
<tr>
<td>1989/90</td>
<td>94.06</td>
<td>87.34</td>
<td>105.53</td>
<td>115.28</td>
<td>89.43</td>
<td>91.63</td>
<td>98.10</td>
<td>97.21</td>
<td></td>
</tr>
<tr>
<td>1990/91</td>
<td>94.11</td>
<td>87.13</td>
<td>105.79</td>
<td>115.08</td>
<td>89.20</td>
<td>91.50</td>
<td>98.45</td>
<td>97.38</td>
<td></td>
</tr>
<tr>
<td>1991/92</td>
<td>94.34</td>
<td>86.85</td>
<td>105.73</td>
<td>115.02</td>
<td>89.02</td>
<td>91.50</td>
<td>98.00</td>
<td>97.04</td>
<td></td>
</tr>
<tr>
<td>Mean</td>
<td>94.04</td>
<td>87.23</td>
<td>105.55</td>
<td>115.26</td>
<td>89.48</td>
<td>91.71</td>
<td>99.43</td>
<td>97.21</td>
<td></td>
</tr>
</tbody>
</table>

Notes: (1) Figures in the ‘Average’ column exclude data from the NT and ACT.
(2) Figures are derived from standard net expenditure expressed as a proportion of total expenditure.
(3) The cost of policing provision ratio is defined as the ratio of standardised net expenditure per capita to standardised net expenditure per capita.
(Source: Commonwealth Grants Commission 1993, p211–220)

But perhaps the most telling trend comes in the following table.

Table 6: Level of Policing Provision Ratios

<table>
<thead>
<tr>
<th>Year</th>
<th>%</th>
<th>NSW</th>
<th>VIC</th>
<th>QLD</th>
<th>WA</th>
<th>SA</th>
<th>TAS</th>
<th>NT</th>
<th>ACT</th>
<th>Average</th>
</tr>
</thead>
<tbody>
<tr>
<td>1987/88</td>
<td>2.76</td>
<td>107.88</td>
<td>113.80</td>
<td>59.60</td>
<td>91.25</td>
<td>108.68</td>
<td>107.26</td>
<td>102.80</td>
<td>114.91</td>
<td>101.50</td>
</tr>
<tr>
<td>1988/89</td>
<td>7.77</td>
<td>105.52</td>
<td>110.20</td>
<td>77.21</td>
<td>101.86</td>
<td>115.84</td>
<td>106.08</td>
<td>60.62</td>
<td>123.45</td>
<td>102.95</td>
</tr>
<tr>
<td>1989/90</td>
<td>7.32</td>
<td>105.84</td>
<td>114.09</td>
<td>78.29</td>
<td>97.01</td>
<td>110.49</td>
<td>106.68</td>
<td>51.61</td>
<td>122.81</td>
<td>102.73</td>
</tr>
<tr>
<td>1990/91</td>
<td>7.65</td>
<td>105.15</td>
<td>111.45</td>
<td>65.66</td>
<td>91.98</td>
<td>109.82</td>
<td>109.25</td>
<td>59.47</td>
<td>118.84</td>
<td>102.42</td>
</tr>
<tr>
<td>1991/92</td>
<td>7.65</td>
<td>105.49</td>
<td>109.77</td>
<td>95.23</td>
<td>86.09</td>
<td>105.60</td>
<td>102.34</td>
<td>48.88</td>
<td>106.61</td>
<td>100.90</td>
</tr>
<tr>
<td>Mean</td>
<td>7.47</td>
<td>106.58</td>
<td>111.86</td>
<td>83.34</td>
<td>93.62</td>
<td>109.97</td>
<td>107.10</td>
<td>72.88</td>
<td>117.32</td>
<td>102.06</td>
</tr>
</tbody>
</table>

Notes: (1) The ‘%’ column indicates policing expenditure as a proportion of total expenditure.
(2) Figures in the ‘Average’ column exclude data from the NT and ACT.
(3) Figures are derived from standard net expenditure expressed as a proportion of total standard expenditure.
(4) The level of service provision ratio is defined as the ratio of actual net expenditure to standardised net expenditure. A very low ratio generally implies that the service is not performed in the State.
(Source: Commonwealth Grants Commission 1993, p231–240)

It is doubtful that this high level of funding was a conscious policy decision, by either the ACT Government or the Commonwealth Government before it, given that the ACT does not appear to experience higher crime rates than other comparable urban populations within Australia.

This level of funding is also called into question by recent claims that the incidence of many types of crime in Australia is falling and that Canberra's burglary rate, while on the increase, is now only beginning to approach that of Sydney and the Illawarra (Weatherburn 1993 & NRMA 1993).

This does not mean, of course, that the ACT does not have specific crime problems. There is, for example, good reason to be concerned about the level of juvenile property crime and violence within the ACT. But the above levels of service provision are difficult to justify on these specific and fairly recent problems alone.

The above factors provide significant incentive for the ACT Government to question whether it is receiving value for money under the Policing Arrangement. In a period of fiscal restraint it appears incongruous that the ACT is spending considerably more than relevant national averages on policing services.

The data also calls into question the ability of the AFP to provide cost-effective community policing services. While this issue is beyond the scope of this paper, the data suggests that the AFP may either be over servicing the ACT and/or facing higher administration and salary costs than other Australian policing services. It also gives some credence to claims by the
AFPA that AFP resources are being wasted, a claim that is flatly rejected by the AFP (see Riley 1993).

It should, however, be noted that the above data forms only part of the total picture. The data does not, for instance, measure the effectiveness of police services in meeting community needs. Nor does it take into account the range of policing services provided.

It is also important to note that in 1991 the Commonwealth Grants Commission assessed the ACT as being disadvantaged relative to the national standard in relation to policing. The factors taken into account in this assessment included:

- the cultural makeup of the ACT population – considered an advantage given the "relatively small population of Aboriginals and people with low fluency in English";
- the age breakdown of the ACT population – a disadvantage because of the concentration of people in lower age groups;
- the demand on police services from surrounding regions in NSW – a disadvantage;
- the urbanisation factor – an advantage; and

The ACT was also considered to have a scale diseconomy because of its small population and was given a national capital allowance to reflect the additional costs of providing policing services for visits by foreign dignitaries.

It is doubtful, however, that these factors are capable of explaining the above funding discrepancies, particularly those identified in Figures 1 & 4.

It is also doubtful that they would explain the significant difference between ACT per capita policing expenditure compared to that of (say) Tasmania, NSW, Victoria, or the national 'average' (Figure 3). And perhaps just as importantly, it should be noted that the above assessment does not take into account the generally higher levels of income and education within the ACT community – two factors that would be expected to act as a restraint against some forms of crime.

It is also relevant to note that, in considering the transition to state based funding arrangements, the Commonwealth Grants Commission recommended a transitional allowance for policing equal to the difference between standardised and actual per capita expenditure in 1989–90.

This assessment occurred prior to the commencement of the Policing Arrangement and was on the basis that it appeared the ACT Government would have little control over policing in the ACT (Commonwealth Grants Commission 1991, p26–27). Policing was the only function to receive a 100 per cent transitional allowance, and this is to be phased out over the next four years (Rye 1993).

2.4 Commonwealth Interests in ACT Policing

The ACT policing environment is heavily influenced by a number of Commonwealth interests.

It is clear, for example, that in managing the AFP the Commonwealth cannot avoid directly influencing ACT community policing services.

This is illustrated, in the widest sense, by the Commonwealth Government's administration of the legislation governing the AFP (including the Australian Federal Police Act 1979 and the Complaints (Australian Federal Police) Act 1981). This is typified by the authority given to the Commonwealth Minister for Justice to issue directions on matters of general policy to the AFP, including in relation to ACT community policing. No similar authority resides with the ACT Attorney-General.

It is equally apparent that the ACT Government cannot directly influence AFP training or recruitment procedures, nor AFP appointments within the ACT Region (although it must be consulted on the appointment of the ACT Chief Police Officer). Nor can the ACT Government influence the terms and conditions of AFP members operating in the ACT.

There is also doubt about the ACT Government's ability to influence a Commonwealth response to an investigation into allegations of misconduct or corruption involving AFP members working within the ACT. Without wishing to overstate the case, it is possible the ACT Government could find itself, in these circumstances, confined to the sidelines as an interested but powerless observer while the AFP, or the Commonwealth Ombudsman, conducted an investigation which was then acted upon by either the AFP Commissioner or a Commonwealth Minister.

The above factors represent a major impediment to the ACT Government exerting a degree of control over its police services which would be considered essential by all other Australian governments. This is, in essence, the principal disadvantage the ACT faces under any contract policing option.
The Commonwealth's interests in the ACT policing environment are not, however, restricted to the management of the AFP. The Commonwealth is, for instance, clearly concerned about the enforcement of Commonwealth law and the protection of Commonwealth interests in what is, after all, the seat of national government. And as in a number of other policy areas, the line between Commonwealth and ACT interests in making the ACT a safe place to live, work and visit is difficult to draw. In fact, the two are often inseparable.

This was illustrated during the 1991 AIDEX demonstrations when the AFP allocated additional resources (from within and outside Canberra) to deal with a level of violence that had ACT and national ramifications. It was also illustrated by the Commonwealth Government's decision to pay for all of the security arrangements for the visit to Canberra by former US President Bush. These two examples highlight the range of policing interests shared by the Commonwealth and the ACT, and the flexibility of the Policing Arrangement in meeting specific law enforcement needs.

The Commonwealth's interests in ACT policing extend, however, beyond these types of issues. As indicated previously, the future of the AFP as the Commonwealth's primary law enforcement agency is closely linked to the future of ACT policing. While an analysis of the future of the AFP is beyond the scope of this paper, it is apparent that there would be a number of advantages and disadvantages associated with the AFP moving away from its community policing base. These are discussed in more detail below.

3. THE FOUR OPTIONS

3.1 Key Policy Requirements

There are a number of factors which need to be considered in attempting to identify the most effective, efficient and accountable means of providing policing services to the ACT community.

Firstly, it must be noted from the above that the ACT's policing environment is both similar to and different from other jurisdictions within Australia.

It would seem reasonable, for instance, to claim that while the ACT has its own 'home grown' problems, it faces similar crime problems to other urbanised populations within Australia.

It would also seem reasonable to claim that ACT residents have much the same expectations (in terms of control, accountability and performance) of police services as their counterparts in the States and the Northern Territory.

In fact, it could be argued that the ACT community might have higher expectations due to the level of funding provided for policing over the past five or so years.

There is also the question of the level of Commonwealth involvement in ACT policing given its interests in maintaining a fully effective AFP and in ensuring the national capital is a safe place to work, live and visit. But the importance of these interests should not be overestimated given that Commonwealth law enforcement extends well beyond ACT community policing, that it is the ACT Government that is primarily responsible for this function, and that it is the ACT community that almost exclusively meets the costs involved.

This does not represent a diminution of the Commonwealth's interests in ACT policing. Rather, it is a recognition of the fact that the ACT Government, like any other Australian government, must determine what it considers is the best means of providing policing services to its community.

A 'best' ACT policing option must, therefore, take into account the law enforcement needs of the ACT and Commonwealth governments (though they are generally complementary) and be able to meet a number of key policy requirements. From the ACT's perspective these would include:

- ensuring that the ACT Government was in control of the direction, goals and priorities of ACT policing services (to the extent that it could fundamentally shape those services to meet specific needs and budgetary constraints);
- ensuring that the agency delivering policing services was fully accountable to the ACT Government and community (and that this was reflected in its performance reporting and in its responsiveness to changing community expectations);
- ensuring that policing services were effective (a measure of quality defined against specific targets such as police response times, investigation success rates, crime prevention strategies, public consultation processes, complaints rates, and public attitudes as reflected in independent surveys); and
- ensuring that the services were efficient (also measured against specific targets to ensure that the ACT was getting value for money).

A 'best' policing option from the Commonwealth viewpoint would be one which, in general, ensured that the Commonwealth's interests in the ACT were protected cost-effectively and in a manner which did not threaten the
viability of the AFP as the Commonwealth's primary law enforcement agency.

It comes, therefore, as little surprise that a 'best' option will depend on a normative judgement as to the relative importance of the above policy requirements. It will also depend on an evaluation of a range of other factors, including the future of ACT community policing.

In this context it is worth noting that, while the principle of 'community policing' is often all things to all people, there are definite trends within Australia and overseas towards recognising it as a highly specialised function which is significantly different to other forms of law enforcement (see for example Bayley 1991, Beyer 1991 & Moir 1991).

This has been well illustrated by moves throughout Australia to make police services more accessible to the community (via car and bicycle patrols, a renewed emphasis on 'walking the beat', and the establishment of police shop fronts) and the promotion of community participation in decision making on the types of policing services required.

It is also illustrated by the police services making concerted attempts to meet changing community expectations by devolving authority to local police commanders, by breaking down traditional barriers, and by adopting the mantle of 'peace–keeper' rather than 'peace–enforcer'. These changes have contributed to a range of anti-crime initiatives, including the establishment of the Australian Community Safety Council and the annual Australian Heads of Government Violence Prevention Award.

These initiatives indicate that community policing is becoming a more specialised occupation requiring different skills to those employed in the investigation of criminal activity such as organised crime, drug trafficking, money laundering and fraud. This has direct implications for all Australian governments and police services, and particular significance for the ACT Government as it attempts to shape its police services in the light of self-government.

It should, however, be noted that there are clear pitfalls associated with focusing on any one of the above policy requirements to the detriment of the others (see, for example, Mintzberg's 1989 comments on efficiency). And as Michael Keating has noted in a wider sense, it is a "focus on outcomes and the maximisation of the value for money spent in pursuit of these outcomes which is necessary to legitimize public policy" (Keating 1990, p396).

A similar approach is necessary in relation to assessing the following ACT community policing options.

3.2 A Commonwealth Community Policing Agency

The first option for delivering policing services to the ACT community requires the creation of a new Commonwealth agency to provide, as its only function, community policing services to a range of client populations (specifically those within the ACT and the external territories) on a full cost recovery basis.

The objective of such an agency would be to provide responsive and cost–effective policing services capable of meeting a wide range of specific community needs. The agency would be accountable to its clients in relation to the provision of its services and to the Commonwealth in terms of its overall performance. It could be formed through an initial transfer of resources currently allocated by the AFP to the ACT and the external territories, and its future would then be dependent on its ability to meet client needs in much the same way as other similar bodies (including the Australian Protective Service).

There would be a number of potential advantages associated with this option. It would, for example, preserve the Commonwealth's capability to meet its own community policing needs, both within Australia and overseas. It would ensure that community policing services provided by the Commonwealth were specific to government and community needs, and that they were cost–effective (otherwise clients would seek alternative police services). And it would enable the AFP to specialise exclusively in the investigation of national/international crime and on the protection of the Commonwealth's major interests.

There would, however, be a number of significant disadvantages associated with such a move.

In the first instance it is highly doubtful that the creation of a new Commonwealth policing agency would resolve the ACT Government's present problems with the Policing Arrangement, particularly in relation to control and accountability. These problems could only be fully overcome if the Commonwealth Government was prepared to abrogate virtually all of its responsibility for managing the new agency. This would be impossible, at least in political terms, as no Commonwealth Minister could be expected to hand over their responsibility for a Commonwealth agency to a State or Territory government.

It is also doubtful that this option would result in a significant improvement in either the effectiveness or efficiency of ACT community policing services. There is, for example, no basis to believe that a new agency would be able to provide more responsive or cost–effective services than those currently provided by the AFP. In fact, it is likely that this would result in a
reduction in policing standards due to a number of implementation problems and the uncertainty that comes with major change. And as is noted below, it is dubious that relevant client populations would be able to rely on any significant level of ‘free-market’ competition to ensure that police services were cost-effective.

Such a move would also result in a fragmentation of Commonwealth law enforcement and a loss of any economies of scale that presently exist within the AFP corporate structure. And it would be open to criticism (including from the States and Territories) that it was an unnecessary addition to an already complex national law enforcement environment.

For these reasons this would appear, from both the ACT and the Commonwealth perspectives, to be the least attractive option for providing policing services to the ACT community.

3.3 Open Competition

A second option would be for the ACT Government to move to open up the field by allowing any Australian police service to compete for the ACT policing contract.

Implementation of this (and the first) option would require an amendment to the Australian Federal Police Act 1979 which currently appears to be inconsistent with the ACT Self-Government Act 1988 and the ACT Self-Government (Consequential Provisions) Act 1988 in that it identifies one of the AFP’s primary functions as being the provision of police services to the ACT.

The primary advantage of this tendering option is that it would introduce an element of competition which, in theory, would enable the ACT Government to select the police service that appeared most capable of meeting the ACT’s specific law enforcement needs in a cost-effective manner. And it is of interest to note that the NSW Government has already indicated a willingness to bid for the function (Griffiths, 3 September 1993).

There are, however, a number of pitfalls with this option. In the first place it is clear that not all Australian police forces would be either interested in performing the function or in a position to do so. This would restrict the field considerably and mean that, in all likelihood, the AFP, NSW, and perhaps the Victorian police services would be the only serious contenders. And even then State governments would only enter into an ACT policing contract if it was going to be to their financial advantage.

It is also clear that the process of selecting a ‘best’ policing tender would raise several potential problems, including whether or not the selected police service would live up to expectations and perform according to its contract. And the length of the contract would have to be set over a relatively long period, thereby reducing the ACT Government’s flexibility to ‘chop and change’ its policing services. While some of these uncertainties could be minimised through the terms of the contract, this would still have significant implications for a highly sensitive government function and would necessitate a fair degree of ‘risk management’ by the incumbent ACT Government.

In addition, as in the first option it is unlikely that this approach would address the ACT Government’s present concerns in relation to control and accountability. It is difficult, for example, to contemplate another Australian government passing to the ACT Government full responsibility for the management of that element of its police force which was operating within the ACT. Political and organisational realities dictate that this would be impossible.

It is also clear that a new police service would face a fairly steep learning curve in coming to terms with the ACT’s policing needs. And while this could be overcome to a certain extent by the relevant police service assuming control of the ACT Region of the AFP (the Commonwealth would have little need for it), a range of operational and industrial problems would probably remain, especially during the transition period.

This option would be relatively unattractive to the Commonwealth, particularly if the AFP did not win the contract. If this were to occur the Commonwealth would be likely to lose its ability to directly protect its interests in the national capital and it would face a raft of problems (and potential costs) in relation to the future of AFP officers allocated to the ACT Region.

This option would, however, be attractive to the ACT Government if it wanted to continue with the contract policing option in order to avoid the costs associated with establishing and maintaining an autonomous police service. In particular, it would provide the ACT Government with at least some choice of policing services and enable it to exert a degree of leverage over the AFP that it currently lacks. But fundamental problems in relation to control and accountability would remain.

3.4 Staying with the AFP

A third option is for the AFP to continue providing the ACT with community policing services on a cost-recovery basis.

There would clearly be a number of advantages to both the ACT and the Commonwealth in staying with this option. From the ACT perspective it
would ensure the continuation of a high degree of stability and consistency in community policing services while minimising, to the greatest extent possible, any uncertainty about future policing standards. It would also mean that the ACT Government could avoid all the political, legislative, bureaucratic, and operational problems associated with having to develop and maintain its own police service.

From the Commonwealth perspective this option would be attractive in terms of maintaining the Commonwealth's capability to directly influence the protection of its interests in the national capital, and in preserving its current capability to provide community policing services within Australia and overseas.

This option would maintain any economies of scale resulting from the present AFP corporate structure, it would preserve what has proved to be a flexible means of addressing overlaps between national and community policing responsibilities within the ACT, and it would be attractive to the AFP (it would maintain broader career opportunities for AFP members and the AFP's link to so called 'real policing').

A decision to stay with the AFP would also preserve any benefits the Commonwealth or ACT governments might be receiving in terms of the cross-subsidisation within the AFP of national and ACT policing services (through, for instance, the maintenance of the AFP bomb Squad/special operations teams and training/communications facilities).

In addition, this option would preserve any benefits the ACT might currently be receiving from the AFP's participation in the national common police services (including the Australian Bureau of Criminal intelligence, the Australian Police Staff College, the National Police Research Unit, the National Institute of Forensic Science, the National Exchange of Police Information, and the National Crime Statistics Unit).

It is also apparent that, in pursuing this option, the ACT Government could seek to address a number of its current concerns through a re-negotiation of the Policing Arrangement. It would seem reasonable, for instance, for the ACT Government to seek the inclusion, within the Policing Arrangement, of more detailed consultation and accountability procedures and a listing of the information that it requires from the AFP on the priorities and costs of ACT community policing services.

While this information should be available under the existing Policing Arrangement, there would be advantages in formally setting out the ACT Government's expectations and requirements in this area. The objective would be to enable the ACT Government to increase its input into AFP decision making on the objectives, priorities and strategies underpinning ACT policing, and to increase its ability to assess the effectiveness and efficiency of AFP services. This would also resolve any confusion as to what was expected in terms of consultation and performance reporting.

A re-negotiation of the Policing Arrangement would also enable the ACT Government to press for a reassessment by the Commonwealth Grants Commission of the level of Commonwealth funding for national policing services within the ACT. It is clear, however, that the outcome of such a review could cut both ways and that the ACT could find itself facing further reductions in levels of Commonwealth funding.

It must be noted, however, that even if the above suggestions were incorporated within a re-negotiated Policing Arrangement, the ACT Government's present concerns about control, accountability, and performance measurement would remain. The Commonwealth would not, for instance, relinquish primary control over the AFP and a re-negotiation (while perhaps producing more cost-effective services) would only marginally address the ACT's more fundamental concerns.

This option is, however, clearly viable and an obvious choice if the ACT Government is prepared to exert less influence over its policing services than other Australian governments.

3.5 An ACT Police and Emergency Service

A fourth option is that the ACT Government establish its own police (and perhaps emergency) service.

This would require, at a minimum, long-term and preferably bipartisan political agreement on the need for such a service. This type of agreement is probably only likely to be achieved if the ACT Government decides, either in the context of the current review of ACT policing or in relation to a specific dispute with the AFP and/or the Commonwealth Government, that the Policing Arrangement has outlived its usefulness.

If such a decision was taken a number of implementation strategies could be considered, including a merger of (say) ACT ambulance and fire services with the new police service.

This would clearly depend on the results of the current review of ACT emergency services which, like the policing review, is due to be completed in December this year (Canberra Times advertisement, 19 July 1993). This review should be able to assist in identifying the advantages and disadvantages of such a merger, particularly in relation to the possible savings that might come from centralising a range of common administration and operational requirements, and by eliminating the types of
overlap and duplication problems that have been evident over the last few years (see Dawson 1993 & Clack, 5 & 6 May 1993).

Such a move would clearly require considerable consultation with the ACT community and relevant interest groups, including the members of each of the services involved and their industrial representatives.

The initial structure and charter of a new ACT policing capability could be based on that currently in place for the AFP (ACT Region), but shaped to meet the ACT’s Government’s specific policy requirements. The resources for this service could be based on the AFP resources currently allocated to ACT policing. This would require negotiation with the Commonwealth but there would appear little incentive for the Commonwealth to maintain the AFP’s current structure and resource levels if the ACT decided to ‘go it alone’.

It is also clear that the ACT Government would have to examine the range of policy advice available to it in relation to the development and maintenance of its own police service (currently the ACT is a ‘free rider’ on the Commonwealth’s management of the AFP, particularly in relation to issues such as terms and conditions, appointments, legislative amendments and overall policy directions).

There would be a number of advantages associated with this option, if it was effectively implemented.

In the first instance it would fully address the ACT Government’s current concerns about levels of control and accountability. In particular, a move to establish a separate ACT police service would be a further step in the ACT’s transition to statehood within Australia’s federal system of government; policing is, after all, a core and highly sensitive State/Territory responsibility.

This would be no small achievement given that, for the first time, the ACT community would have a police service which was fully accountable to its elected representatives (the ACT Police Force abolished in 1979 was accountable to the Commonwealth Government).

This option would also enable the ACT Government to shape ACT policing services to meet its specific needs, and it would be consistent with trends throughout Australia to take policing services as close as possible to the communities they serve. This is emphasised by recent moves in NSW to give local police commanders a far greater degree of control over the priorities and resources within their specific regions.

The costs associated with establishing and maintaining a new ACT police service would obviously have to be assessed prior to any decision by the ACT Government.

While it is beyond the scope of this paper to estimate whether the ACT would be better off financially with its own police service, staying with the AFP, or moving towards an open tendering process, it is worth remembering that the ACT has paid comparatively more for its police services over the past five years than any other Australian government. The question, in this context, is whether or not this trend is likely to continue, thereby perpetuating the apparently absurd situation of the ACT Government paying comparatively more for its policing services than all other Australian governments but without the same degree of control and accountability.

Adoption of this option would have a number of major implications for the Commonwealth.

The Commonwealth Government would, in the first instance, have to amend the Australian Federal Police Act 1979 to delete ACT policing as one of the AFP’s primary functions. It would also have to decide whether it needed to maintain a community policing capability and, if so, the extent of that capability (the same decision would have to be made if the ACT Government decided it wanted to obtain police services from another Australian government).

This would mean the Commonwealth Government would have to assess the viability of maintaining a small community policing capability within the AFP for Jervis Bay, for the external territories, and for contributions to overseas peace-keeping operations and aid projects. The clear alternative to maintaining such a capability would be for the Commonwealth to purchase community policing services from relevant State and Territory governments. These issues appear, in any event, to fall within the present review of Commonwealth and national law enforcement arrangements (Waterford 1993).

The Commonwealth Government would also have to consider the protection of its interests in the national capital.

This would not, however, be significantly different to the protection of Commonwealth interests in other Australian cities where the Commonwealth relies, for the most part, on the relevant State police service and the Australian Protective Service. While some specific consultation mechanisms might need to be developed to enable the Commonwealth input into decision making on the protection of its interests in the national capital, national community policing services would continue to be funded at a level determined by the Commonwealth Grants Commission.
It should be noted, however, that none of the above comments detract from the AFP’s achievements over the past fourteen years.

There is no doubt, for instance, that the AFP has developed considerably over this period to become recognised, nationally and internationally, as a highly professional police agency. The AFP has become a principle channel for formal and informal communications between Australian and overseas police agencies. And to its credit it has been relatively successful in assuming a national leadership role, thereby making a substantial contribution to the harmonisation of the activities of Australian police services.

These achievements do not, however, prevent the AFP casting off its community policing base and moving completely into the national/international law enforcement arena to focus on major criminal activity involving the Commonwealth’s interests.

But such a move would have to be handled carefully, particularly in terms of maintaining a coherent and effective law enforcement agency capable of protecting the Commonwealth’s interests. Close attention would also have to be given to ensuring the AFP’s powers and responsibilities remained consistent with, and complemented, existing Commonwealth and national law enforcement arrangements.

These issues represent major challenges for the Commonwealth Government if the AFP is to assume a role akin to that performed by the United States’ Federal Bureau of Investigation. They also have direct implications for the roles and responsibilities of other Commonwealth law enforcement agencies.

4. MOVING FORWARD

A number of factors need to be considered in weighing up whether the ACT should receive police services under a competitive tendering process, via a continuation of the Policing Arrangement, or through the creation of an autonomous ACT police (and perhaps emergency) service.

The choice, from the ACT perspective, comes down to whether the ACT Government and community is prepared to take the next step towards full status within Australia’s federal system of government by assuming total control of its policing services, or whether it is willing to accept the disadvantages associated with contract policing in order to avoid developing and maintaining its own policing capability.

If the ACT Government decides to continue with the contract policing option it should seek to widen its choice by enabling other governments to bid for the policing contract. This would require consultation with the Commonwealth Government and would provide the ACT Government with some (limited) flexibility and leverage over its policing services. And selection of a ‘best’ tender would have to be handled very carefully.

If the ACT Government decides to stay with the AFP then it should attempt to refine the Policing Arrangement so that it meets the ACT’s key policing needs. This is likely, however, to result in only marginal improvements in the efficiency and effectiveness of AFP community policing services, and it will not address key concerns about control, accountability and performance measurement.

If the ACT Government wishes to address all of these concerns it has only one alternative: to establish its own policing capability.

While this would require, at a minimum, significant and long term political (preferably bipartisan) commitment and community/interest group consultation. The ACT Government would also have to give careful consideration to the type of policing capability it wanted and the costs involved. But if appropriately implemented this option would appear to be the most effective, efficient and accountable means of providing policing services to the ACT community.

This option opens up a number of possible implementation strategies, including the formation of an ACT Police and Emergency Service based on a merger of existing police, ambulance and fire services. The benefits and costs of such a merger would, however, have to be closely examined.

If this policing option is to be pursued it would seem reasonable for the ACT Government to examine the outcomes of the current ACT policing review with a view to:

(a) identifying the costs associated with creating and maintaining an autonomous ACT policing capability;

(b) seeking bipartisan/community support for the establishment of such a capability by (say) 1 July 1995, perhaps through the preparation of draft legislation;

(c) commencing negotiations with the Commonwealth on a transfer of AFP resources currently allocated to ACT community policing services; and
(d) ensuring Commonwealth funding of ACT policing services continues to be determined by the Commonwealth Grants Commission with due recognition of Canberra’s status as national capital.

In response, it would appear reasonable for the Commonwealth to:

(a) review the future of the AFP in line with the wider review of Commonwealth and national law enforcement with a view to focusing the AFP, as the Commonwealth’s primary law enforcement agency, on major national and international criminal activity including organised crime, drug trafficking, money laundering and fraud; and

(b) commence negotiations with the State and Territory governments (and relevant community groups) on the possible purchase of community policing services for Jervis Bay, the external territories, and for Australia’s commitments to international peace-keeping initiatives and aid projects from (say) 1 July 1995.

It should be noted, however, that, regardless of which of the above options is pursued, ACT community policing services must meet a range of key expectations. They must be open and accountable, they must be effective and efficient, and they must be free of corruption and institutional bias.

The ACT community, like any other community, deserves no less of its police.

REFERENCES


Beyes, L (1991), "The Logic and Possibilities of 'Wholistic' Community Policing". In The Police and the Community in the 1990s, S McKillop & J Vernon eds. Canberra: Australian Institute of Criminology

Clack, P (16 January 1992), "Need for ACT to have own police force". The Canberra Times

--- (2 April 1993), "ACT pushes for own police force again". The Canberra Times

--- (5 May 1993), "Connolly digs in over squad". The Canberra Times

--- (6 May 1993), "Police ask MLAs to roll rescue squad decision". The Canberra Times


Connolly (16 January 1992), "ACT pushes for own police force again", P Clack ed. The Canberra Times


Dawson, P (12 June 1993), "AFP rescue-squad cut defended", P Clack ed. The Canberra Times
Follet, R (25 September 1992), "ACT–Federal links fashioned by unique factors". *The Canberra Times*


Griffiths, T (3 September 1993), In "NSW drops bid to take over ACT police", Clack ed. *The Canberra Times*


Jumeau, P (2 April 1993), In "ACT pushes for own police force again". P Clack ed. *The Canberra Times*

Keating, M (1990), "Managing for Results in the Public Interest". *Australian Journal of Public Administration*, December


Mintzberg, H (1989), "A note on that dirty word Efficiency". *Our Society Organisations*


NRMA (5 May 1993), "Supposed crime wave more like a ripple: analyst". B Norman ed. *The Canberra Times*


Riley, M (5 May 1993), "Federal police stagnant – union". *The Sydney Morning Herald*


Rye, D (31 July 1993), "Grant Chief to ACT: Lower your sights". C Hull ed. *The Canberra Times*

The Canberra Times (12 November 1992), "Police Independent but Accountable". *The Canberra Times*

Waterford, J (18 August 1993), "Biggest decisions look like non-decisions". *The Canberra Times*

Weatherburn, D (5 May 1993), "Supposed crime wave more like a ripple: analyst". B Norman ed. *The Canberra Times*
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