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Gillian GOULD  
Committee Secretary  
House of Representatives Standing Committee on  
Legal and Constitutional Affairs  
Parliament House  
CANBERRA ACT 2600

**RE; SUBMISSION BY ALLAN FRANK GODFREY TO PARLIAMENTARY INQUIRY  
INTO CRIME IN THE COMMUNITY.**

Dear Madam Chair, Members of the Committee

I would like to thank you for the opportunity to make a submission to the Parliamentary Inquiry.

My submission is attached.

Yours sincerely



A F GODFREY

## **INTRODUCTION.**

I was a committed and dedicated serving Police Officer in the New South Wales Police Service for 24 years. During this time I was committed to additional roles with the Police Association as a delegate and branch secretary. I was subjected to continual victimization and finally the subject of unfounded departmental charges being preferred as the result of a conspiracy by Senior Officers. This caused my career to be cut short and for me to exit the Police Service on a Police (Hurt on Duty) Pension in 1996.

The evidence before and the findings of a NSW Government Inquiry into Policing in Cabramatta has highlighted the similarities of intimidation and harassment of Police by a Commander, Assistant Commissioner Clive SMALL. Assistant Commissioner (then Superintendent) Clive SMALL was the Commander at Liverpool at the time of my service there when the unfounded charges were laid and his attitude and behavior does not appear to have changed. I don't believe he should ever again be put in a position of Command, which would allow Police again to be subjected to his behavior.

## **CONSPIRACY IN RELATION TO DEPARTMENTAL DISCIPLINARY CHARGES.**

In January 1993 I was performing night shift at Liverpool Police Station as the Supervising Sergeant. On the 1st and 3rd of January, two, what appeared to be routine incidents arose. I took and recorded the actions that I believed were to be responsible and correct. These actions were later accepted as correct by the Police Tribunal.

About 11.15am on 4 January 1993, whilst at home and asleep between night shifts I received a telephone call from the Patrol Commander (Superintendent Clive SMALL) who informed me that he was taking me off night shift and relieving me of all Supervisory Duties.

An investigation was then commenced by Inspector FINDLAY. A directive memorandum was served on me and I answered all matters of complaint. None of the answers given were taken into consideration or further investigated by Inspector FINDLAY. The Investigation was completed and handed on to Superintendent SMALL, who in his submission compared me to a cancer and recommended that I be charged and sacked. I was charged with the offences of Omission of Duty, Misconduct and Neglect of Duty.

Comments were made by Judge SINCLAIR (Police Tribunal) in relation to the complete inadequacy of the investigation, which, if done properly would have prevented this matter coming to Court and prevented the waste of Court time and expense.

I appeared at the Police Tribunal before Judge SINCLAIR for 5 days from Monday, 1 August 1994. The Judge continually questioned the reasons for the matters being before the Court. He further questioned the credibility of evidence given by a Police Witness, Constable Kevin STRONG and a Civilian Witness/ Mr HANNA. A telephone message pad entry was tendered with half the contents conveniently missing. This resulted in a witness, Inspector Les WALES

(now Superintendent) being recalled to Court and giving further evidence. Other documentary evidence was missing from the prosecution case and produced by myself. Comments were made by the Judge on the lack of documentary evidence produced by the prosecution.

At a later time Constable 1st Class STRONG admitted that he had been intimidated by Inspector WALES to give evidence against me, which he did.

Defending these charges cost me in excess of \$1400.00 above the costs paid by the Police Association in Legal Assistance.

### **LACK OF ASSISTANCE AND SUPPORT FROM EXTERNAL BODIES REGARDING INTERNAL POLICE COMPLAINTS.**

In relation to the treatment dished out to me by Senior Ranks in the Police Service I have made complaints to the following bodies with negative results;

A complaint was made to ICAC and I was subsequently interviewed by an Investigator. The result being that a full investigation would not be conducted as it was outside their responsibilities.

A complaint was lodged and an interview conducted with an Investigator from the WOOD ROYAL COMMISSION. The result was that they were sympathetic to the problems, but had numerous similar complaints and did not have time to hear them. They believed that the Police Integrity Commission would follow up unfinalised matters. I made contact with the Police Integrity Commission and they declined to follow up the matter.

A complaint was made to the Ombudsmans Office and I received a reply that enquiries made with the Police Service revealed that the complaint related to Administrative Matters and it was not their role to investigate. I felt that this was a convenient way of avoiding an Ombudsmans Investigation into Senior Ranks of the Police Service. After the conclusion of the Police Tribunal Hearing I personally attended the Ombudsmans Office and requested that my complaint be reopened due to the findings of the Police Tribunal. I was informed that the file was closed and for me to get out of the office.

In 1995 Submissions were called for in relation to a New South Wales Parliamentary Inquiry to a REVIEW OF THE OMBUDSMANS ROLE INTO THE POLICE COMPLAINTS SYSTEM. Receipt of a comprehensive report I submitted was acknowledged, but the Inquiry was canceled due to the upcoming Royal Commission. The submission I made was mainly regarding the inaction of the Ombudsmans Office regarding Internal Police Complaints, in particular involving Senior Officers.

Over years of unsuccessful attempts to resolve these problems, due to the unwillingness of external bodies to investigate Senior Officers, my health has suffered as a consequence of the total frustration I have endured.

**ILLEGAL ACTIVITIES CONDUCTED ON POLICE PREMISES AND CONDONED BY SUPERINTENDENT CLIVE SMALL (NOW ASSISTANT COMMISSIONER).**

During my service at Liverpool from 1992 to 1993 there was a records room located in the basement car park area of the Liverpool Police Station, which became known as the '**GREEN ROOM**' (green painted doors) where alcohol was sold through a Coca Cola Vending Machine. This machine was filled with a variety of brands of cans of beer, which could be purchased by inserting coins (\$1) into the machine. At the time a carton of beer cost \$18.00.

Part of the exhibit security holding cages adjacent to the '**GREEN ROOM**' was used as a storeroom for cartons of beer alongside exhibits of cannabis in plant form. A Police Officers job was to purchase beer from a local hotel and maintain stock levels.

This room was on occasions frequented by Superintendent SMALL, who was known to consume an occasional beer there.

A member of the public was also known to have partaken in the consumption of alcohol on the premises before having been ejected by Superintendent SMALL. Garbage bins full of cans were removed by the Police Station Cleaner on daily basis.

The operation of the '**GREEN ROOM**' was blatantly in breach of the Liquor Act by virtue of the sale of alcohol without a license.

This operation was concerning to me, other Supervisors and the Local Licensing Police and set a bad example to junior police when their Commander, Superintendent SMALL condoned and participated in this illegal activity. The access to this facility was available twenty four hours a day. Members of the public must have become concerned when they became aware of the activity.

**CONCLUSION.**

I believe that Rank and File Police should be afforded more support in genuine internal complaints involving the hierarchy to prevent victimization as found by the New South Wales Parliamentary Inquiry to have occurred in Cabramatta and similarly with myself.

I am in a position to supply further evidence in terms of witnesses names and documents if further inquiries are conducted.