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Ms Gillian Gould
Secretary

BY:.....

Submission 110

House of Representatives Standing Committee on Legal and Constitutional Affairs
Parliament House
Canberra 2600

Dear Ms Gould

Inquiry into Crime in the Community: Victims, Offenders and Fear of Crime

I have been advised of the existence of your Committee and I ask that you consider my submission and request to be able to give evidence to your Committee. I am a police officer who is extremely concerned at what is happening (and not happening) within New South Wales and this submission sets out my concerns and evidence.

My Service History

My name is Larry James Cook and I am a serving New South Wales Police Sergeant. I joined the NSW Police in 1980. I have served in metropolitan and country NSW. I have been engaged in General Duty, Highway Patrol, Plain Clothes and Instructional Duties in NSW and I was an Adviser to the Royal Papua New Guinea Constabulary from 1993 to 1995.

I am the holder of the Star of Courage, the Royal Human Society Bronze Medal for Brave Conduct. I hold the National Medal and 25 Year Clasp. I hold the Defence Long Service Medal with 20 and 25 Year Clasps. I have three commendations for my work in PNG. I was awarded the Surf Life Saving Association of Australia Certificate of Merit in 1989 and was named the Young Achiever of the Bicentennial Year in 1988 by Gosford City Council. I have been included in 'Who's Who in Australia'.

I have a Bachelor Degree in Education and I am an Officer in the Royal Australian Navy Reserve at the rank of Lieutenant. I am an Intelligence Specialist Officer.

During my service with the NSW Police I have consistently performed at a very high level. I have references to attest to my diligence and devotion to my duties. Commissioner Moroney, when leaving his position as Commander of Education and Training, sent me a personal, hand written card thanking me for my assistance to him whilst in command of Education Services.

As a result of my stand against corruption and ineptitude within the NSW Police I have been on sick leave with stress-related illness for the past three and a half years. My last day of service will be 10 January 2003. Sadly, I have no feelings of pride in regard to my career due to the actions and inactions of the NSW Police, Ombudsman and PIC. I want to leave NSW as soon as I can possibly do so.

Complaints and Inaction

I was, until 1999, a motivated, conscientious and loyal police officer who did his best to ethically train and motivate student and rejoiner police officers at the NSW Police Academy. My career came to a crashing end when I reported Internal Affairs Officers for their criminal behaviour against serving police officers and, subsequently, me. At the same time I was defamed, at the instigation of management at the Police Academy, to student police officers. This was at a time when I was vocal and made complaints about corruption issues (which are now proven) at the Police Academy.

The end result of these incidents was a total ignorance of my complaint issues, non-interview of all nominated witnesses and a systematic campaign of vilification, breaches of the Police Service Act and Protected Disclosures Act, false and failed criminal action commenced against me, harassment and defamation. Buck-passing and cover-ups of my serious complaint issues, to this day, was an almost continual action by Internal Affairs and other senior police. The non-investigation and neglect of my complaints by Internal Affairs, the Ombudsman, the Police Integrity Commission and the Inspector of the PIC can be proven beyond question. The actions of members of the NSW Police Management, Internal Affairs, Academy Professional Standards Managers and senior police officers with vested interests in having me ignored has ruined the career of an honest and dedicated policeman.

I must inform you that the Wood Royal Commission was a failure. The NSW Police Force is as corrupt as it was pre-Commission. There is just a different type of corruption that exists today. The Wood Royal Commission stopped at the time that the real reason for police corruption was beginning to be exposed. I believe that the real reason for police corruption was, firstly, an abysmal failure of police managers to manage; the wrong officers were promoted by the 'mates network'; a total lack of professional knowledge and; the absence of any drive or determination to stamp out corruption. All these issues combined led to disillusioned police entrepreneurs branching out into more lucrative criminal activities. In short, the Police hierarchy were too busy feathering their own nests and fighting for promotion. Since former Commissioner Avery introduced promotion by merit there has been a total absence of role models within the NSW Police. Just look at who has been promoted. Promotion was (and is) a club and you had to be invited to join. Merit had nothing to do with it and that sad fact still remains.

The concluding acts of the Wood Royal Commission saw the buck stop with no Commander. The people running the NSW Police then are still in place. Pawns who were secretly videotaped and those tapes sent to a hungry media justified the existence of PIC and their circus by providing trophies. How many went to gaol?

Promotions

The real corruption now is committed through the promotion system. It is far more lucrative to not go out on the street, earn \$100,000 per year and end up on a pension of about \$72,000 indexed for the rest of your life. Where else do you find end results like this. And this is all legal! No more risks, no more gaining riches through the colloquial 'Cash, Bash and Gash'. How do you get promoted? You must join a 'mates network' and then you 'go along to get along'. Can anyone explain to me how

the NSW Police can have 'Promotion by Merit' and have no form of ongoing assessment? How does the NSW Police 'fast tracking' program select candidates for 'fast tracking' with no form of ongoing assessment? Does someone go out to the front lines, follow police officers around and find the motivated and knowledgeable? I know that there is nothing farther from the truth.

How is merit judged? It is judged by being like minded and complying, not making waves and certainly not by standing up to overt corruption. Just turn a blind eye. I was a target for recruitment to a network. I turned down the recruiter who laughed at me and said, "You'll learn". Shortly after this my career came tumbling down.

The Culture

There exist now a culture within the NSW Police that is the antithesis of the police officers 'Oath of Office' of conducting your policing duties without fear or favour, malice or ill-will, according to law. Should a police officer take a stand against corruption, a stand that he is legally compelled to take, he will find that all his efforts are met with actions that immediately create fear within the officer complaining. He is soon made aware of the favours that the 'mates network' do for each other to protect the corrupt officer. All dealings had with the officer reporting corruption are conducted with a demonstrated high degree of ill-will.

The Watchdogs

I can inform you with the utmost confidence that there is no statutory body in NSW that has the will, capacity or integrity to tackle corruption within the NSW Police. In the four years of my struggle to expose what has happened to me and other honest police officers I have been ignored, complaint issues directly provided to the branch to which the offending officers belonged and have been subject to conspiracies to pervert the course of justice as the various bodies protected criminal police officers.

There seems to be a standard operating procedure against those who dare complain about corrupt and inept police. Firstly, your complaint is received and then held for an undue period of time with the primary aim of making the complaint 'old news'. When you question and complain about this delay you are told that there is either a shortage of investigators or the investigating body is awaiting further detail from the branch of which the officer or officers you are complaining about belong. In most cases further details are asked for (in order to find out exactly what you have and how best to combat what you assert).

You then complain to the next highest authority who again holds your complaint for months before inevitably handing it back to the police service to investigate themselves (especially when the complaint is about IA). In most cases your complaint is just ignored and no return contact is made. Should you complain about non-action by PIC and complain to the Inspector of PIC you will be asked for more detail. Finally, the Inspector of PIC takes the word (no matter how fanciful the reply by PIC) as the truth. He then finds it is all too hard and then tells you that all is well (and not one of your specific questions on inappropriate behaviour of the Watchdog is answered). My complaints were held, without investigation, for two years before

being returned to me as finalised – ‘you have no grounds for complaint’. Not a witness I nominated was interviewed and I have the documentation to prove this!

The end result is that the police investigate the police. The police inevitably find that there no justification for your complaint and this decision is given the ‘rubber stamp’ by PIC or the Ombudsman as being valid and proper. The ‘mates network’ uses this imprimatur to validate their criminality and to vilify you and substantiate that you are just a ‘nut’. You are alone, without assistance, lacking credibility (that was removed from you by the inaction and concurrence of the Watchdog) and the police criminals gather strength as they go.

One of the most distressing incidents that I have experience was the day in 1999 when I escorted the widow of former Sergeant Phil Arantz onto the Parade Ground at the Goulburn Police Academy to receive an award from Commissioner Ryan. This award was for the courage of Sergeant Arantz in coming forward and ‘blowing the whistle’ on crime statistics. How ironic was this award when Commissioner Ryan stated that he would ‘tack the hide’ of police who went to the media to a tree in Hyde Park. Should Sergeant Arantz have ‘blown the whistle’ during Ryan’s tenure as Commissioner he would have been writing to you as well. The hypocrisy of the NSW Police management is astounding.

Why do police in NSW leak so much information to the media and politicians? They do this because they have no avenue to complain within the NSW Police. If they complain they are branded as renegades or troublemakers and it is all downhill from that point on. There is no interest from any of the Watchdogs. There is no interest from anyone from any statutory body. Complain and you are alone and extremely vulnerable.

I have just been given access to very high-level police documents that illustrate corruption at the NSW Police Academy and recommend criminal charges against the former Commander of the Academy. The Commissioner has full knowledge of these documents and yet the officer named, Superintendent Mahoney, was not charged was given command of Miranda LAC. The reports have been hidden and offenders protected. What signal does this send to anyone who might think about complaining about these corrupt police leaders?

The Police Complaints Management Manual states that there should be a greater emphasis placed on issues of integrity the higher the rank an officer is. In NSW it can be demonstrated that the more junior an officer is the greater the punishment is. Senior officers in the ‘mates network’ are immune from censure or punishment. Junior officers lose their jobs. This is the story of how corrupt police management destroyed my career.

My Evidence

Should I be permitted to give evidence to your Committee I would be willing to give oral and documentary evidence regarding:

- Systemic corruption of the police complaints system, the Police Service Act and the Protected Disclosures Act

- The manipulation of recommendations of the Wood Royal Commission regarding the implementation of Professional Standards (Complaints) Managers who now have a role of personal protectors to Commanders should complaints be made
- The improper relationship between the NSW Police Internal Affairs Branch and the Police Integrity Commission
- The ineffectual role of the Police Integrity Commission
- The ineffectual role of the Inspector of the Police Integrity Commission
- The ineffectual role of the NSW Ombudsman
- Corruption of the Police promotional system by the formation of 'mates networks'
- Distortions of levels of punishment for mistakes, ethical or corruption issues between senior and junior officers
- The lack of protection and criminal treatment of police officers who make complaints involving senior police and police management
- The failure of the police rehabilitation and witness protection systems
- The existence of 'mates networks' and how they operate
- Misconduct, Corruption and criminality at the NSW Police Academy under the command of Chief Superintendent Mahoney
- Conspiracy to pervert the course of justice in the abuse of sections of the Police Service Act against persons who support or socialise with officers who make complaints about police management
- Conspiracy to pervert the course of justice in the abuse of sections of the Police Service Act against officers who make complaints about police management

In conclusion, I believe that this is my last chance to have anything done about the disgraceful state of affairs that exists in NSW. The people who stand to lose the most by corruption existing within the NSW Police are the public of NSW.

Yours Faithfully,

Larry Cook

18 October 2002

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Dear Ms Gould

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On 18 October 2002 I wrote to your Committee with a submission regarding corruption issues within the NSW Police.

I have just been informed about an inquiry underway at the NSW Police College regarding sexual misconduct of staff members. I have also been informed that an Acting Senior Sergeant staff member has been placed in charge of that investigation. Between 1997 and 1999 this Acting Senior Sergeant, who was then a Senior Constable, had at least three complaints of sexual harassment levelled against him by female student police officers.

Two of these complaints are well known to me as the students who were harassed by this person came to me for support and explained what had happened after they lodged formal complaints with Academy management. These matters appear to have been conciliated (as I am unaware of any action taken against this person) and, shortly after the last complaint, the Senior Constable was promoted to Sergeant.

The most disturbing aspect of these 'conciliations' was the circumstances of the last of these complaints made by one of my former police work colleague's daughter whom I have known since she was a baby. The complaint was made and then at least two other students also came to me after they also complained about the Senior Constables sexual harassment. I spoke with the students over the next few days and was told by them that they were dropping the complaint against the Senior Constable. These students were told by the Academy Staff Officer that whilst ever their complaints were under investigation they would not be allowed to 'pass out' of the Academy with their classmates. These students were in the first class of Charles Sturt University students and were not being paid. They dropped their complaints.

I then contacted the EEO Unit at Police Headquarters and told them the story. Nothing further was done about this disgrace and, as I have stated, this Senior Constable was promoted.

The hypocrisy of the placement of this person in supervising an inquiry into sexual misconduct matters is appalling. Perhaps they are setting a thief to catch a thief. I made the details of this persons actions known to Commissioner Moroney personally on 21 August 2000.

Yours Faithfully,

Larry Cook

22 October 2002