



The Principal Research Officer,
Community Development and Justice Standing Committee
Legislative Assembly Committee Office
Level 1 / 11 Harvest Terrace
West Perth, WA 6005

Attention: Dr Sarah Palmer

Dear Dr Palmer,

Thank you for the opportunity to provide a submission to the Community Development and Justice Standing Committee (CDJSC).

Specifically, I refer to the current 'Inquiry into Methods of Evaluating WA Police Performance' and the final focus of that inquiry, examining how WA Police evaluates its performance in regard to the management of personnel.

In context of the inquiry's final focus, I note the following Terms of Reference:

1. How recruitment practices are managed, in particular in relation to developing ethnic and cultural diversity within the force.
2. How training is managed, both for recruits and on an ongoing basis.
3. How police misconduct is managed internally.
4. How employment-acquired medical issues, such as post traumatic stress disorder, are managed.

Firstly, by way of introduction, I am Chairman of the City of Bunbury's 'Community Access Committee' (CAC).

The CAC exists to guide the Bunbury City Council towards attaining best practice on matters of access and inclusion and makes recommendations to Council based on the following Terms of Reference:

1. To develop proposals and make recommendations to Council on matters of access and inclusion relating to City of Bunbury buildings, facilities, services and information.
2. To seek funding opportunities that improve access and inclusion within the City of Bunbury.
3. To provide advice and information to City of Bunbury Officers and Councillors on decisions of best practice on matters of access and inclusion relating to Council buildings, facilities, services or information throughout Bunbury,
4. To provide information to the private sector in relation to access and inclusion to assist in development and redevelopment of buildings and facilities.
5. To monitor the implementation of the Disability Access and Inclusion Plan for City of Bunbury buildings, facilities, services and information.

Deputy Mayor Brendan Kelly

H: 10 Turner Street, Bunbury WA 6230 **M:** 0407 219 515 **E:** btkelly55@gmail.com

Note: the views expressed in this correspondence are the view of the author only and not necessarily those held by the Bunbury City Council.

Within this framework, the City of Bunbury resolved (Council Decision 263/14) to set as its goal to become the Most Accessible Regional City in Australia by 2020, the MARCIA concept (enclosed).

MARCIA is intended to work in conjunction with the community to provide and promote access to public spaces, accessible public spaces and accessible facilities and technology, in an access and disability aware community, through embedded uniform guidelines and inclusion initiatives.

Against that background, the work of the CAC has brought a number of particular instances to our attention and one such occurrence (described) has subsequently led to this submission.

Relating to Item 2 of the CDJSC's terms of reference, the case in point (below) will be used to illustrate how training and ongoing training for police recruits and serving officers could be enhanced, by including the need for an exacting understanding of the needs of people living with disabilities.

- **CASE IN POINT**

Peter is a high level tetraplegic, living in his own unit with the support of a team of carers. Peter runs his own company, which employs a team of carers by the name of Team Gorilla 2.0. Peter uses an electric wheelchair and also has type II diabetes, which makes him reliant on injections of insulin. With the level of his paralysis he has zero hand function and requires the assistance of his support workers with the most menial tasks, e.g. remaining hydrated, eating, etc. Approximately 12 months ago, a young man (carer) working for Peter left his house in suburban Carey Park to ride a push bike to his lunch shift with Peter in Dalyellup. The carer was late leaving his place of residence, as he was looking for a bicycle helmet, but was still going to make it to work, albeit just on time. As it turned out, unfortunately there was an altercation with a couple of police officers, due to the lack of a bike helmet. Although the details of this incident did not concern Peter, as he was not there, what bothered him is that the carer told the officers on several occasions that he was going to be late to work with Peter, and that Peter was alone and needed hydration and time sensitive medication. The carer reported that the officers ridiculed him over the name of Peter's company and refused to let the carer call Peter or another worker. They also refused to call the number the carer provided them. As stated, the incident with the police had nothing to do with Peter and he has no comment to make on the circumstances, but he needed his rostered-on carer as a priority. Peter advised that he telephoned the 'sergeant-in-charge' the next day but was met with a negative attitude about the carer. The sergeant would not listen to Peter's point, which was that he wasn't interested in what the carer had previously done. Rather, Peter was concerned that no one from the police had contacted him to let him know that

his carer would not be attending the shift. Due to Peter's tetraplegia he requires medication at exact times, and due to the incident some of these medications were delayed by up to 2 hours. Peter emphasises the point that he is not interested in the altercation between his carer and the police, but is upset that the circumstances were not considered by the police on this day. Peter believes if the carer was lying and had given a false number to the police, it would have only taken a few seconds for the police to ascertain whether he was being untruthful or not.

Source: Personal communication, email, Peter Seares, 8th October 2015

From this case in point, I believe it is self-evident that police officers require a specialised level of training to help recognise the particular needs of people living with disabilities and their carers and families.

When dealing with people with disabilities police officers need to have an added awareness of circumstances that may mislead their perception of what they are dealing with. For example:

- a person who has cerebral palsy may appear intoxicated at first glance, or a person who has autism, uncooperative,
- people who are unable to speak, or who are deaf, may have difficulty in communicating, which could be seen as being obstinate,
- individuals with intellectual disabilities may not understand what is required of them when confronted with a police direction, which can lead to misunderstanding and unwanted outcomes.

Equally, people who are the families of people with disabilities, or act as carers are charged with a particular responsibility for those in their care.

The actions or reactions of those families and carers are governed by their concern for their responsibility, which might lead to unforeseen and otherwise emotional circumstances arising.

This in turn could require acute recognition of the situation and the need for particular strategies, to be used by police officers in their line of duty.

The case in point in this submission is one illustration, where dealing with a carer, albeit without the person being cared for present, led to unintended circumstances, which could have had further ramifications.

Whilst the City of Bunbury can make improvements to physical access for people with disability as well as internal organisational structure and processes, the concept of social inclusiveness and awareness is one which necessitates the engagement of a diverse range of stakeholders - business, government and the community, including the WA Police.

In recent times disability access and inclusion has held a higher profile in the community, in part due to the National Disability Insurance Scheme and the work of the Disability Services Commission Board, which continues to promote best practice in the field.

The current climate presents an ideal opportunity for the WA Police to expand its training techniques, to ensure that people living with disabilities and their families and carers are not inadvertently disadvantaged.

It is hoped that the Community Development and Justice Standing Committee can consider the following:

RECOMMENDATION: that the WA Police Commissioner initiate a training module, both for recruits and on an ongoing basis, which specifically targets the needs of people with disabilities, their families and carers, in circumstances where exacting personal interaction strategies are required.

I thank you for the opportunity to make this submission and am happy to provide further testament if required.

Yours faithfully

A handwritten signature in black ink that reads "Brendan Kelly". The signature is written in a cursive, flowing style.

Councillor Brendan Kelly,

DEPUTY MAYOR

CITY OF BUNBURY

Chairman, Bunbury Community Access Committee

9th October 2015