Minister for Police, Fire and Emergency Management Minister for Housing and Planning Minister for Skills and Training

Level 5, 4 Salamanca Place, HOBART TAS 7000 Australia



GPO Box 123 HOBART TAS 7001 Australia

Ph: +61 3 6165 7770

Email: minister.ellis@dpac.tas.gov.au

Hon Tania Rattray MLC Chair Budget Estimates Committee 'B' Legislative Council

By email: <u>julie.thompson@parliament.tas.gov.au</u>

Dear Chair

Thank you for your letter of 26 September 2024 requesting additional information in relation to the Department of Police, Fire and Emergency Management on behalf of Budget Estimates Committee B.

Please see the requested additional information below:

Overview

1. On what date did Tasmania Police cease its 2018 Professional Standards Investigation into former Tasmania Police Officer Paul Reynolds?

The Professional Standards investigation into Paul Reynolds' conduct was launched on 6 September 2018 and continued for some months after Reynolds' death, including to inform the Coronial Inquest into Police Suicides which was released in September 2023.

Available online at:

https://www.magistratescourt.tas.gov.au/__data/assets/pdf_file/0015/722103/Hunt,-Reynolds,-Darke-and-Cooke-SJC-1-9-23-WEB.pdf

The criminal investigation specific to Paul Reynolds' sexual offending was not further advanced after his death on 13 September 2018.

Output Group 1 – Public Safety

- 1.1 Support to the Community
- 1. In relation to Professional Standards investigations:
 - a. How many internal police professional standards investigations have been undertaken in each of the past 5 years? Please provide a breakdown of those numbers in terms of the nature of the allegation which prompted an internal investigation, rank of officers involved, duration of internal investigation and outcome.

In 2023, there were 325 complaint cases against police officers dealt with by Tasmania Police's Professional Standards command.

The 2023 Professional Standards Complaints and Outcomes Summary Statement provides a breakdown of the nature of the allegations made, the corresponding classification 'level', and the outcomes.

Compiling this information for previous years would require a significant amount of time and resources to manually gather and analyse data. Another routine disclosure for 2024 will be released in early 2025.

The 2023 Summary Statement can be found here https://www.police.tas.gov.au/uploads/V2.0-Tas-Pol-Disclosure-statement-for-complaint-outcomes-2023.pdf

2. In relation to investigation of police officer perpetration of domestic and family violence:

a. How many internal investigations have involved complaints of alleged domestic or family violence against serving police officers? Please provide data for each of the past 5 years, including a breakdown of the rank of officers involved, duration and outcome of investigation.

Professional Standards has investigated 30 complaints of alleged domestic or family violence against serving police officers between 1 October 2019 and 1 October 2024.

1 October 2019 – 1 October 2020

Duration of Investigation	Outcome	Rank of Involved officer	Order Issued	Referred to DPP
173 days	Filed	Constable	Yes – IFVO	No
283 days	No Breach	Constable	Yes - PFVO	Yes
115 days	No Prima Facie Case re substantive charges	Constable	Yes – PFVO	No
115 days	No Prima Facie Case re substantive charges	Constable	Yes – PFVO	No

1 October 2020 – 1 October 2021

Duration of Investigation	Outcome	Rank of Involved officer	Order Issued	Referred to DPP
432 days	Breach	Constable	Yes - PFVO	Yes
2 days	Filed-No further action	Constable	No	No
3 days	Filed pending further info	Snr Constable	No	No
640 days	Resigned	Constable	Yes – PFVO	Yes
464 days	Breach x 30. Resigned	Sergeant	Yes – PFVO	Yes

1 October 2021 – 1 October 2022

Duration of Investigation	Outcome	Rank of Involved officer	Order Issued	Referred to DPP
6 days	Family Argument. Filed	Snr Constable	No	No
63 days	No Prima Facie Case re substantive charges	Snr Constable	No	No
28 days	Filed pending further info	Snr Sergeant	Yes – PFVO	No
90 days	Filed pending further info	Snr Sergeant	Yes – PFVO	No
371 days	Breach	Snr Sergeant	No	No
17 days	Filed-no further action	Snr Constable	No	No
16 days	Filed – no further action	Sergeant	No	No
336 days	Filed pending further info	Sergeant	No	No
340 days	DPP opinion no pros. Nil CoC Breach	Snr Constable	No	Yes
2 days	Filed – no further action	Constable	No	No

1 October 2022 – 1 October 2023

Duration of Investigation	Outcome	Rank of Involved officer	Order Issued	Referred to DPP
230 days	Breach	Snr Sergeant	Existed Prior	Yes
34 days	Filed – no further action	Constable	No	No
23 days	Filed – no further action	Constable	No	No
42 days	Resigned	Constable	Yes – PFVO	No
85 days	Filed – no further action	Constable	Yes – PFVO	No
87 days	Filed pending further info	Constable	No	No
208 days	Resigned	Constable	Yes – PFVO	No
2 days	Filed pending further info	Sergeant	No	No

1 October 2023 – 1 October 2024

0061 2023 - 1 0				
Duration of	Outcome	Rank of	Order	Referred
Investigation		Involved officer	Issued	to DPP
153 days	Active Investigation	Sergeant	Yes – IFVO	Yes
103 days	Active Investigation	Constable	Yes – PFVO	No
26 days	Active Investigation	Constable	Yes – IFVO	Yes

b. How many of the internal investigations involving allegations of domestic or family violence against serving police officers have been referred to the DPP for charges?

Of the 30 investigations involving allegations of domestic or family violence against serving police officers, 8 have been referred to the DPP.

3. How many firearms are currently in police possession due to seizure of firearms due to family violence?

According to the data recorded in the Firearms and Weapons Data System:

- 519 firearms were surrendered or seized by Tasmania Police in a family violence context in 2022-23.
- 474 firearms were surrendered or seized by Tasmania Police in a family violence context in 2023-24.
- Tasmania Police currently still holds 753 firearms that were previously surrendered or seized (in a family violence context). Note that this includes some firearms surrendered/seized prior to 2022-23.

Return of these firearms stored at police stations is a process overseen centrally by Firearms Services and only occurs when it is assessed that the owner is a fit and proper person. Invariably this includes interviewing any person previously protected by an order to determine if there are grounds not to return the firearms. Even after an order has expired, and a previously protected person has indicated no objection to the return of firearms, that will not always result in return of firearms if there are further grounds for licence suspension.

If firearms were seized by police as a result of a Family Violence Order a person's licence is automatically cancelled under Section 51(1) of the Firearms Act 1996. Upon expiry of the order, the person would need to reapply and be successful in being granted a firearms licence before return of firearms could occur.

4. How many guns are currently registered in Tasmania?

According to the Firearms and Weapons Database, there are 155,135 registered firearms in Tasmania as at 30 September 2024.

5. How many guns currently held by Police are registered to an expired licence?

According to the Firearms and Weapons Database, there were 885 firearms recorded as relating to an expired licence and currently being held by police as at 30 September 2024.

6. How many antique firearms have been handed in?

Following cancellation of exemption number 4 on 18 January 2023, owners of unregistered antique firearms have been supported to either apply for and obtain a suitable licence; apply for an individual exemption; or if they already held a licence - to register their antique firearms.

Five firearms have been handed in for destruction in relation to the cancellation of the Antique firearms exemption.

7. How many people on the Tasmanian sex offenders registry hold a current gun licence?

Police systems show that one (1) reportable offender on the *Community Protection Offender Register* has a current firearms licence. This person was convicted in Queensland of possessing child exploitation material in 2011, before relocating to Tasmania and obtaining a firearms licence in 2014.

While there are no specific provisions of the *Firearms Act 1996* ('the Act') that preclude the granting of a firearms licence to a person who has been recorded on the *Community Protection Offenders Register*, section 29 of the Act provides that the Commissioner must not grant a firearms licence to an applicant unless satisfied they are fit and proper, which is defined within the Act and includes consideration of any criminal activity of the person in Tasmania or elsewhere.

Further, the Act precludes the granting of a firearms licence to any person who has been convicted of any crime involving violence within the previous 5 years or has at any time been sentenced to imprisonment for any crime involving violence. The Act further provides that a licence must not be granted to a person who in the opinion of the Commissioner of Police, presents a risk to public safety. Where there are sufficient grounds to refuse a licence, it is always refused in the interests of community safety.

8. How many people with FV orders hold a gun licence?

None. Section 51 of the *Firearms Act 1996* provides that a licence is automatically cancelled if the licence holder is issued with a family violence order. All firearms licence holders who are issued with an order have their licence cancelled and firearms seized. These matters are continuously monitored by Firearms Services and actioned as a matter of priority.

9. How many people with previous family violence orders hold a gun licence?

Tasmania Police is unable to provide an answer to this question as it would involve a manual checking of every firearms licence held in Tasmania. Tasmania Police's Firearms Services unit assesses each firearms application on a case-by-case basis, and any previous matters are considered through that process.

10. How many people on current FV orders hold a gun licence?

See question 8.

11. When undertaking a digital background search for a gun licence application are shared addresses checked as part of the application process?

Yes.

Output Group 2 - Crime

2.1 Investigation of Crime

1. Please provide data on Tasmania Police interdictions (including charges laid) for cannabis use, possession and trafficking and cultivation since 2020, by year.

Number of Cannabis Drug Offenders

Indicator	2020-21	2021-22	2022-23	2023-24
Trafficking in Drugs	30	30	36	36
Import Drug	0	2	1	1
Sell Drug	116	105	92	63
Supply Drug	29	19	16	28
Cultivate Drug	198	199	149	158
Possess/Use/Administer				
Drug	1,449	1,198	1,148	1,166
Fail to Comply Drugs	28	16	11	12
Total Cannabis Offenders	1,583	1,322	1,253	1,275

Sources: Prosecution System, Information Bureau, Drug Offence Reporting System and the Department of Justice Fines and Infringement Notices Database as at 1/10/2024.

Note:

The sum of Drug Offenders by Indicator is higher than the total Cannabis Offenders due to multiple indicators recorded for the same offenders. Note that not all drug offences relate to the indicators listed above.

2. Please provide the data for methamphetamine use possession and trafficking since 2020, by year.

Number of Methylamphetamine Drug Offenders

Indicator	2020-21	2021-22	2022-23	2023-24
Trafficking in Drugs	42	29	39	55
Manufacture Drug	3	6	1	0
Import Drug	5	6	2	8
Sell Drug	100	46	69	61
Supply Drug	6	5	5	7
Possess/Use/Administer				
Drug	634	450	606	681
Fail to Comply Drugs	14	11	3	5
Total Methylamphetamine				
Offenders	693	515	662	741

Sources: Prosecution System, Information Bureau, Drug Offence Reporting System and the Department of Justice Fines and Infringement Notices Database as at 1/10/2024.

Note:

The sum of Drug Offenders by Indicator is higher than the total Methylamphetamine Offenders due to multiple indicators recorded for the same offenders. Note that not all drug offences relate to the indicators listed above.

- 3. In relation to the use of City of Hobart CCTV cameras:
 - a. Is there an MOU in place between the City of Hobart and Tasmania Police relating to the partnership which provides for direct, real time monitoring by Tasmania Police of the City of Hobart CCTV cameras?

The Hobart City Council and Tasmania Police have engaged in a reciprocal arrangement for many years whereby the Council has provided access to CCTV footage to Tasmania Police upon request. This arrangement is to be improved through a new Memorandum of Understanding currently being developed between Tasmania Police and the Hobart City Council.

- b. If so, please provide a copy of the MOU. Not applicable.
 - c. If not, what consideration was given to the establishment of an MOU, to outline the agreed details of the partnership?

As per part a, above.

2.3 Fisheries Security

1. Have there been any interdictions, investigations or charges laid by the Tasmania Police Fisheries Security Marine division in relation to Animal Welfare Act breaches in or around salmon farms? If so, how many and at what location?

No. The Department of Natural Resource and Environment Tasmania (NRE) works alongside other Government agencies and regulatory bodies to manage Tasmania's aquaculture and related activities.

A key activity of NRE is enforcing animal welfare standards, working under the Animal Welfare Act 1993. NRE supports sustainable development and operational compliance of marine farms, including managing planning and licencing processes.

Tasmania Police has had no reason to interdict with salmon farm operations. Tasmania Police has not received a complaint, regarding a breach under the Animal Welfare Act 1993, by a salmon farm operator.

2. Marine offenders for 2022-23 was 1081. What percentage of those are boat safety infringements versus those that are offenders who break the law taking fish illegally.

Below are the numbers of Marine Offenders proceeded against by Tasmania Police in the last five years. These are disaggregated by whether the underlying legislation was Marine and Safety (boat related infringements), or Fisheries (fish related offences) and Fisheries is further disaggregated.

In general, the number of Marine Offenders proceeded against by Tasmania Police has reduced over the five-year period. However, the statistics below do not include offenders detected by Tasmania Police but prosecuted through the Office of the Director of Public Prosecutions. This might contribute to the reduction in the statistics.

	2022-23	2023-24
Total Marine Offenders	1,072	1,176
Marine and Safety Offenders	604	622
Fisheries Offenders	480	578
- Abalone Offenders	23	33
- Fisheries Rules Offenders	28	24
- Inland Fishing Offenders	5	3
- Processing and Handling Offenders	6	1
- Rock Lobster Offenders	231	274
- Scalefish Offenders	145	214
- Scallop Offenders	40	26
- Other Fisheries Offenders	11	32

Source: Tasmania Police Prosecution, FIND and Information Bureau Systems, 1/08/2024

Note:

The sum of the sub-categories 'Marine and Safety Offenders' and 'Fisheries Offenders' is higher than the total 'Marine and Safety Offenders' due to multiple offences being recorded against the same offender in some cases.

The 'Total Marine Offenders' figure for 2022-23 is slightly lower than the figure reported in the 2024-25 State Budget chapter, having been revised through routine data 'settling' processes.

State Fire Commission

1. Please provide a copy of the employment delegation for the Fire and Emergency Commission

A copy of the Instrument of Delegation of the powers of the Head of the State Service under the *State Service Act 2000* to the Department of Police, Fire and Emergency Management is attached.

The Instrument of Delegation delegates a number of employment powers to the Chief Officer, which is a statutory position within the Fire Service Act 1979. The Fire and Emergency Services Commissioner holds the statutory position of Chief Officer in conjunction with his State Service employment, and therefore holds the delegations of the Chief Officer.

2. Please provide list of the community fire safety programs.

- a. The School Fire Education program offers a structured fire safety curriculum to all Tasmanian primary schools from Prep to Grade 6, including classroom lessons and take-home learning resources. It is delivered by specially trained TFS career firefighters.
- b. False Alarm Reduction Strategy the active reduction of false alarms within buildings enables firefighters to be ready for real emergencies, reduces occupant lethargy and complacency, reduces lost productivity, and increases fire safety in buildings.
- c. Australian Fire Danger Rating System the TFS contributes to the ongoing management and development of the AFDRS through national forums. Within Tasmania, the TFS administers, maintains and operationalises the AFDRS.

- d. TasFire Equipment provides fire equipment maintenance services for commercial properties within Tasmania on a fee for service basis and provides fire safety products and advice to the general public. The focus is on areas of the fire protection market where there is market failure.
- e. The Juvenile Fire Lighter Intervention Program is a family-based program for primary school-aged children who engage in unsafe fire-play. It is an extension of the School Fire Education Program and is delivered by the same specially trained firefighters.
- f. Building Fire Evacuation Planning the TFS regulates building fire evacuation plans for specified buildings called up in the General Fire Regulations 2021. Fire evacuation plans enable building occupants to evacuate buildings safely in case of fire.
- g. The Home Fire Risk Mitigation program is a suite of community-based home fire risk mitigation strategies in partnership with internal and external stakeholders. Its focus is on reducing the risk of home fires and fatalities for those groups most at risk.
- h. Community Protection Planning an emergency management, community protection and resilience building initiative. This program identifies places of last resort (Nearby Safer Places), develops pre-incident plans for emergency response, and implements fuel reduction strategies for critical infrastructure and local-level community protection.
- The TFS runs an annual home fire safety campaign, with key safety messages including the importance of working smoke alarms and simple steps to prevent home fires.
- j. Regulating the Fire Protection Industry the Fire and Emergency Services Commissioner regulates the fire protection industry under the General Fire Regulations. The TFS ensures contractors that work in the fire protection industry are appropriately qualified and experienced to undertake this work.
- k. The TFS runs the Bushfire Ready Neighbourhoods program (BRN), which involves works intensively with identified bushfire-prone communities to increase preparedness, including collaboration with volunteer brigades, local government, and other community stakeholders.
- I. Red Hot Tips Program the Red Hot Tips program engages directly with landowners who manage large tracts of land in rural Tasmania to reduce bushfire risk through advice on fuel reduction treatments, assisting with permits and approvals, developing burn plans, and training and mentoring. The State Fire Management Council oversees strategic program direction and planning.
- m. The Bushfire Ready Challenge is a structured program of online activities for participants to understand their risk and take steps to plan and prepare themselves and their property.
- n. Bushfire-Ready Schools Program promotes community resilience to bushfire, through supporting education centres in bushfire-prone areas to manage their bushfire risk. This is done through providing safe school facilities, school emergency management, and disaster resilience education.
- o. Statutory building reporting under building legislation, the TFS is required to report on the operational suitability of fire safety systems within prescribed buildings to ensure

- they will support firefighting operations and enable the safe evacuation of occupants should a fire occur.
- p. The TFS runs an annual bushfire safety campaign, encouraging people to understand their bushfire risk and make a bushfire plan.
- q. Fire Safety Compliance and Auditing the TFS undertakes fire safety compliance and auditing of land and buildings to ensure owners and occupiers are maintaining fire safety systems within buildings, managing fire hazards on the land, and fire protection work is compliant with standards.
- r. Machinery Operations Guideline provides guidance for the operation of machinery, such as harvesters and slashers, in or near dry vegetation to mitigate fire risk.
- s. Building for Bushfire the TFS undertakes statutory functions regarding land use planning and building control in bushfire-prone areas. This includes mapping bushfire-prone areas, accrediting bushfire hazard practitioners, and providing advice, referral service, and reporting.
- t. Building Fire Safety Engagement Programs the TFS engages with a broad range of stakeholders to share industry information and educate building owners and occupiers on the fire safety aspects of commercial, industrial, and public buildings.
- u. Fuel Reduction Program the TFS is one of three agencies involved in the fuel reduction program. It provides executive support of the FRP Steering Committee, and also implements an annual fuel reduction program, as do the Parks and Wildlife Service and Sustainable Timber Tasmania. This program aims to strategically reduce bushfire risk to communities through fuel reduction.
- v. Alarm Signaling Equipment (ASE) Replacement Project the TFS implemented a project to replace ASEs within monitored buildings following the shutdown of the Telstra 3G mobile network. This project ensured commercial, industrial, and public building could maintain their building compliance.
- 3. Please provide the latest statewide data on the number of confirmed or suspected arson caused fires around the state for the last 2 years? Please provide a breakdown of the number of arson related fire incidents in urban areas as well as rural and regional areas?

Arson and Related Offences by offence district

Northern	Southern	Western	State- Wide
124	339	59	522
10	51	8	69
108	268	41	417
6	20	10	36
157	372	74	603
27	54	11	92
130	302	52	484
	16	11	27
	124 10 108 6 157 27	124 339 10 51 108 268 6 20 157 372 27 54 130 302	124 339 59 10 51 8 108 268 41 6 20 10 157 372 74 27 54 11 130 302 52

Source: Tasmania Police Offence Reporting System 2, 1/08/2024

Arson and Related Offences by urban/rural location and offence district

Offence Type	Northern	Southern	Western	State-Wide
2022-23	124	339	59	522
Rural & Country Towns	48	58	11	117
Arson		5	1	6
Unlawfully Setting Fire to Property	44	52	7	103
Unlawfully Setting Fire to Vegetation	4	1	3	8
Urban	76	281	48	405
Arson	10	46	7	63
Unlawfully Setting Fire to Property	64	216	34	314
Unlawfully Setting Fire to Vegetation	2	19	7	28
2023-24	157	372	74	603
Rural & Country Towns	50	85	16	151
Arson	5	6	2	13
Unlawfully Setting Fire to Property	45	74	13	132
Unlawfully Setting Fire to Vegetation		5	1	6
Unknown	2	1		3
Unlawfully Setting Fire to Property	2	1		3
Urban	105	286	58	449
Arson	22	48	9	79
Unlawfully Setting Fire to Property	83	227	39	349
Unlawfully Setting Fire to Vegetation		11	10	21

Source: Tasmania Police Offence Reporting System 2, 1/08/2024

Arson and Related Offences clearance rates by offence district

Allocit and related offerioes cleara	The rates by enem	oo alotiiot		01-1-
Offence Type	Northern	Southern	Western	State- Wide
2022-23	18%	18%	34%	20%
Arson	40%	29%	50%	33%
Unlawfully Setting Fire to				
Property	16%	16%	27%	17%
Unlawfully Setting Fire to				
Vegetation	17%	25%	50%	31%
2023-24	20%	20%	39%	22%
Arson	22%	48%	36%	39%
Unlawfully Setting Fire to				
Property	19%	14%	37%	18%
Unlawfully Setting Fire to				
Vegetation	N/A	44%	55%	48%

Source: Tasmania Police Offence Reporting System 2, 1/08/2024

Note: clearance rate statistics have been provided. An offence is considered cleared if an offender has been identified and proceeded against by police, or cannot be proceeded against and further investigation cannot be established, or if the offence is withdrawn by the victim.

4. Please provide the estimated annual cost of responding to suspected and/or confirmed arson rates spanning the last 2 years?

Tasmania Police does not hold data on the cost of responding to different categories of crime.

5. What is the successful prosecution rates for alleged arson?

Tasmania Police cannot report on the outcomes of prosecutions.

Yours sincerely

Hon Felix €ilis MP

Minister for Police, Fire and Emergency Management

Date: 8/10/2024