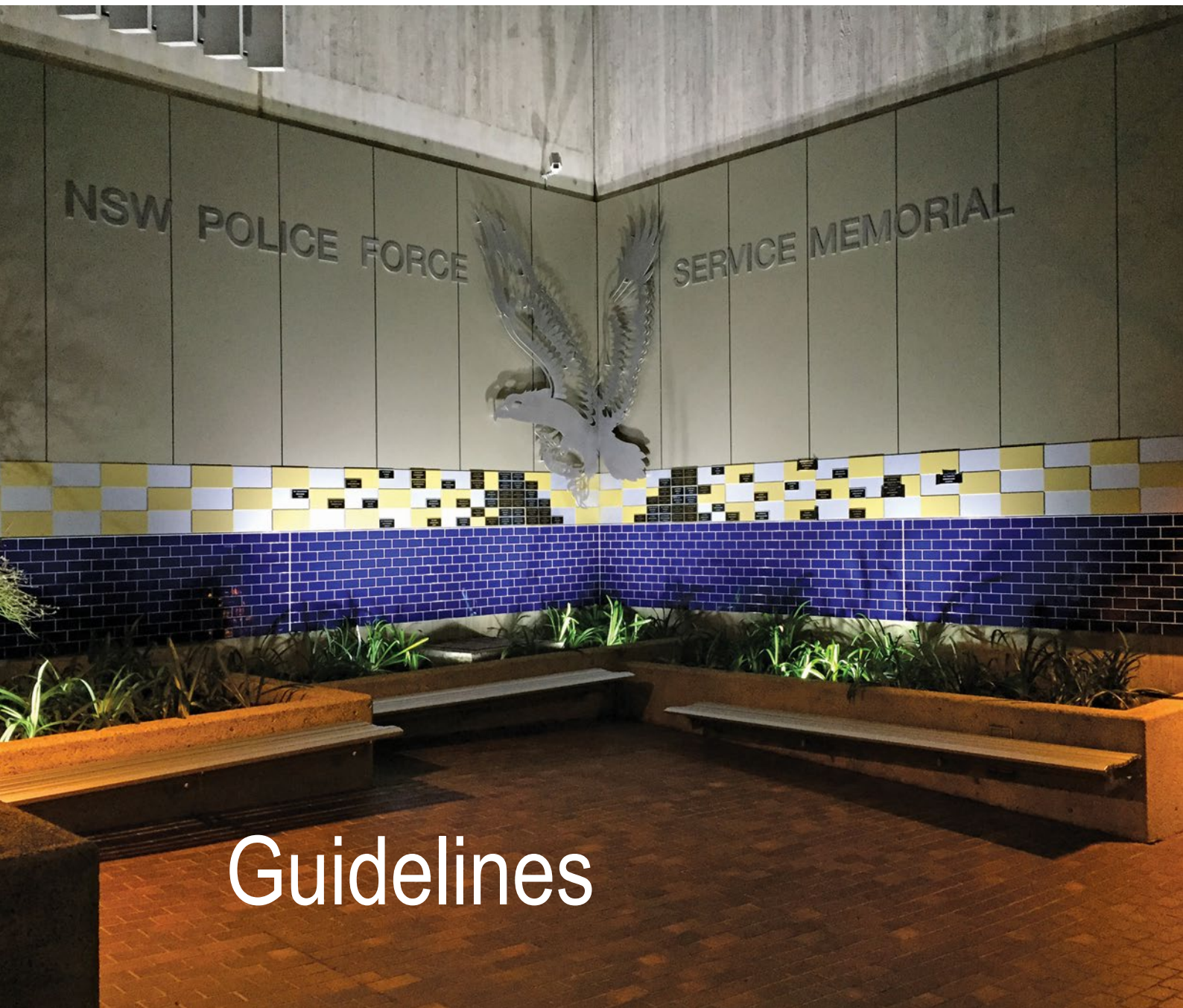




NSW Police Force

NSW Police Force Service Memorial



Guidelines

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NSW Police Force Service Memorial Guidelines

Introduction

These Guidelines have been prepared in two parts.

They are:

- ◆ **Part A** of this document describes the role and function of the New South Wales Police Force Service Memorial Committee (the Committee), and the process for determining applications for an individual to be included on the NSW Police Force Service Memorial (the Memorial).
- ◆ **Part B** of this document describes the eligibility criteria for inclusion on the Memorial, and includes application forms.

Scope

These Guidelines and criteria within only relate to the NSW Police Force Service Memorial dedicated on Sunday 27 September 2015.

Background

The New South Wales Police Force Service Memorial Committee formed in January 2015 to design a memorial to honour the service of NSW Police Force sworn and unsworn officers following their untimely passing.

The Memorial Committee comprised of NSW Police Force representatives essential to progressing such an installation – Police Property Group, Protocol Unit, Corporate Communications and Human Resources

Command. This representation also ensured that both sworn and unsworn groups were consulted. In recognition of the sensitivities attached to building a Memorial, it was important that the broader police family had their say. Representative partners were:

- ◆ NSW Police Legacy
- ◆ Police Association of NSW
- ◆ Retired Police Association of NSW
- ◆ Public Service Association of NSW

To ensure inclusion, a design competition was conducted across the NSW Police Force and partner organisations. The Committee worked through a number of submissions and agreed upon a combination of design elements submitted by:

- ◆ Superintendent Darryl Tuck
- ◆ Chief Inspector Catherine Cole
- ◆ Amanda Duncan
- ◆ Constable Brody Mulry.

NSW Police Force gratefully acknowledge the contribution of Craig Saltmarsh, Gray Pucksand Architects who, in a pro bono arrangement, transformed the design into the reality of construction. Thanks also to BGIS, NSW Police Force building management contractors and Olympia Group for construction.

The Memorial is located in the north east corner of the Sydney Police Centre on the corner of Goulburn and Riley Streets, Surry Hills. The Committee has been proud to have delivered a Memorial in keeping with the architectural intent of the Sydney Police Centre but more importantly, a contemporary and respectful place for reflection.

Part A

NSW Police Force Service Memorial Committee

Terms of Reference

Role of the Committee

The role of the Committee is to:

- ▶ consider all nominations for inclusion on the NSW Police Force Service Memorial
- ▶ make recommendations to the Commissioner of the NSW Police Force (or their delegate) of names to be placed on the Memorial
- ▶ provide a list of names for inclusion on the Memorial to Commissioner of the NSW Police Force by 1 July each year for approval of the installation of a plaque on the Memorial in the week of National Police Remembrance Day
- ▶ ensure consistency, accountability and transparency in reviewing the applications and making recommendations
- ▶ provide feedback to the applicant
- ▶ provide the principal point of contact for any issues surrounding the Memorial
- ▶ in consultation with the Commissioner of the NSW Police Force, determine what ceremonial activities will be conducted at the Memorial (including making out-of-session recommendations).

Membership

Generally membership of the Committee will consist of a representative from:

- ▶ NSW Police Force Protocol and Awards Unit (Chair)
- ▶ NSW Police Force Human Resources Command
- ▶ NSW Police Legacy
- ▶ Police Association of NSW
- ▶ Retired Police Association of NSW
- ▶ Public Service Association of NSW.

The Committee may, from time to time, seek the advice of other individuals and groups on a needs basis.

Frequency of meetings

The Committee will normally meet once annually to determine and respond to applications for inclusion on the Memorial.

Application process

Whether a former member of NSW Police Force is honoured by inclusion on the Memorial is completely voluntary.

Applications for **sworn** officers should be completed and submitted on **Form 1** in these guidelines supported with any additional information or evidence associated with the application.

Applications for **unsworn** officers should be completed and submitted on **Form 2** in these guidelines supported with any additional information or evidence associated with the application.

Completed applications can be submitted by:

- ▶ **Post:** Protocol & Awards Unit,
Office of the Commissioner, Locked Bag 5102,
Parramatta NSW 2124
- ▶ **Email:** memorial@police.nsw.gov.au

Applications for inclusion on the Memorial are required by 31 March each year. Applicants will be advised in writing on the outcome of their application by 1 September of that year.

Making recommendations

The Committee will evaluate each application on its merits as to the suitability for including the nominee on the Memorial and in particular whether the eligibility criteria in Part B are satisfied.

Whether an individual's name is included on the Memorial is ultimately at the discretion of the Commissioner. There is no right to seek a review of the Commissioner's decision.

However, the Committee may entertain requests for a reconsideration of their initial recommendation to include or exclude an applicant from the Memorial if substantial new information or evidence becomes available in relation to that particular application. Whether or not such a re-consideration takes place is at the complete discretion of the Committee.

The Memorial aims to be inclusive rather than exclusive. Where there is doubt about eligibility, provided the next of kin consents to their inclusion, the benefit of the doubt will generally go towards their inclusion.

Inclusion on the Memorial does not affect separate, independent, legal rights and obligations of that person or their estate as a result of the death, injury or illness connected to the application for inclusion on the Memorial.

Generally speaking, an applicant may not be included on the Memorial if their death, injury or illness is the subject of a current dispute or legal proceedings.

Role of Police Protocol Unit

The Police Protocol Unit will:

- ◆ through the NSW Police Force Internet site and other forms of communication, including utilising the partner agencies, circulate information each year to encourage applications
- ◆ manage all correspondence and take a leading role in resolving issues with applicants unless circumstances dictate other Committee representation may be more suitable
- ◆ maintain these Guidelines to ensure they remain current and relevant to the needs of the police family and the NSW Police Force
- ◆ maintain the NSW Police Force Service Memorial information on the NSW Police Force Intra and Internet sites to ensure it remains current and relevant to the needs of the police family and the NSW Police Force
- ◆ chair the NSW Police Force Service Memorial Committee at least once annually
- ◆ ensure the timeframes set in this guideline are met in terms of the application to ensure sufficient time to produce the plaques in the required specifications
- ◆ maintain records (electronic [preferred] or hardcopy) for the required period
- ◆ conduct inquiries to verify the application and supporting material including reviewing health and probity records.

Part B

Eligibility criteria for inclusion on the NSW Police Force Service Memorial

Commemorative intent

The commemorative intent of the Memorial is to honour both sworn and unsworn members of the NSW Police Force who:

- a) died while serving as a member of NSW Police Force; or
- b) have been unable to continue work with the NSW Police Force because of injury or illness, and who subsequently pass away as a result of that injury or illness.

The Memorial plaques will include:

- ◆ Full name
- ◆ Rank (for sworn officers) or position name (for unsworn officers)
- ◆ Registered number (for sworn officers) or serial number (for unsworn officers)
- ◆ Date of passing.

In addition to having a plaque on the Memorial, these details are published on the internal NSW Police Force intranet webpage, and the publicly accessible NSW Police Force website.

Eligibility criteria

To be eligible for inclusion on the Memorial, an individual must satisfy the following criteria:

- a) They were:
 - i) a sworn member of NSW Police Force
 - ii) a permanent “administrative officer” as defined in s3(1) of the Police Act (e.g. an unsworn permanent member) or
 - iii) a “long term temporary employee” as defined in s91AA of the Police Act (e.g. a temporary unsworn employee with a continuous employment period of at least two years)

b) They have:

- i) died while serving as a member of NSW Police Force or
- ii) have been unable to continue work with the NSW Police Force because of injury or illness, and who subsequently pass away as a result of that injury or illness.
- c) Sworn members are not eligible for inclusion on the National Police Memorial/NSW Wall of Remembrance.

Form 1 sets out a Checklist of Eligibility Criteria for **sworn** officers. **Form 2** sets out a Checklist of Eligibility Criteria for **unsworn** officers. There is no time limit to eligibility.

The death, or the injury/illness which causes an employee to separate from their employment with NSW Police Force and from which they subsequently pass away, **does not have to be work-related** before they are eligible for inclusion on the Memorial.

Provided the individual satisfies the eligibility criteria, it does not matter whether the individual resigns, retires, or is medically discharged. The only test is that the injury/illness meant that the individual was no longer able to continue their working contribution to NSW Police Force and then they subsequently pass away because of that injury/illness.

Where an applicant has been the subject of allegations of either criminal conduct, or misconduct under Part 8A of the Police Act or the GSE Act and these allegations are not sustained, they may still be eligible for inclusion in the Memorial.

Eligibility exclusions

An applicant may be ineligible for inclusion on the Memorial:

- ◆ their death, injury or illness is a result of being involved in alleged criminal activity

- ◆ they have been the subject of sustained adverse findings in the context of 181D of the *Police Act 1990* (NSW) and were removed having lost the confidence of the Commissioner of Police, or s69 of the *Government Sector Employment Act 2013* (NSW) (GSE Act)
- ◆ they have been charged with a criminal offence and convicted.

Temporary employees and contractors

Temporary employees and contractors are not eligible for inclusion on the Memorial, unless they are a “long term temporary employee” as defined in s91AA of the Police Act, at the time they pass away, or cease to work for NSW Police Force because of injury/illness.

Contractors are not eligible for inclusion however, the Committee may consider applications from time to time outside of the eligibility criteria – see top right – Recognition of other forms of service to NSW Police Force.

Recognition of other forms of service to NSW Police Force

In exigent circumstances the Committee may consider applications for people who have engaged in other forms of service, for example, NSW Police Force Chaplain, Volunteer in Policing. These will be considered on a case by case basis.

Removal of a name from the Memorial

Former employees whose names are included on the Memorial may be subsequently removed if new information demonstrates the original application is incomplete, misleading or deceptive, or where the Committee subsequently determine that the applicant does not meet eligibility criteria.

A plaque will also be removed with the consent of the family. However, investigation into the circumstances of the request will be made to ensure that it is made in good faith only.

With respect to all applications, the Commissioner of Police may exercise discretion. There is no right of review.

Form 1

Application for **sworn** officers to be included on NSW Police Force Service Memorial, Surry Hills NSW

Details of the deceased

Name

Rank and role

Date of death (dd/mm/yyyy)

Cause of death (as recorded on Certificate of Death)

Last location of service / command

Are they deceased of Aboriginal or Torres Strait Islander Descent?

Yes No N/A

If they are of Aboriginal or Torres Strait Islander Descent, does the family support their inclusion in the memorial?

Yes No N/A

Eligibility criteria

- ▶ Individual must satisfy eligibility criteria (1) **and** (2)(a) **or** (2)(b) **and** (3)
- ▶ Individual may not be eligible if any of the exclusions apply
- ▶ Consent of deceased's next of kin is required
- ▶ Whether an individual is included on the Memorial or not is ultimately a discretionary matter for the Commissioner and there is no right to seek a review of that decision.



| No | Criteria | Checklist | Observations | Additional information included with application? |
|---------------------------------|---|--|--|--|
| 1 | Sworn member of NSWPF AND | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> | | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| 2(a) | Died whilst serving member of NSWPF — irrespective of whether or not they die whilst on duty. OR | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> | Fatality or the injury/disease that causes fatality does not need to be work-related. | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| 2(b) | They have been unable to continue work with NSWPF because of injury or illness, and they subsequently pass away as a result of that injury or illness AND | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> | | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| 3 | They are not eligible for inclusion on the National Police Memorial/NSW Police Wall of Remembrance | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> | If the Committee form the view an applicant may be eligible for these separate memorials, it will seek consent from the applicant to forward the application to the relevant decision-making body. | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| Does an exclusion apply? | | | | |
| 1 | The individual identified above was injured or killed whilst engaged in alleged criminal conduct. | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> | Individual not eligible for inclusion. | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| 2 | The individual identified above has been the subject of sustained adverse findings in the context of s181d of the Police Act and were removed having lost the confidence of the Commissioner of Police. | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> | Individual not eligible for inclusion. | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |




| No | Criteria | Checklist | Observations | Additional information included with application? |
|----|--|--|---|--|
| 3 | The individual has criminal convictions. | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> | Individual is not eligible for inclusion. | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |

Are additional materials included with the application?

Yes No N/A

Schedule of documents provided

| Item / attachment | Description |
|-------------------|---|
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Acknowledgments and consent

- I warrant that, as next of kin/executor of the deceased identified above, I have the authority to allow NSW Police Force to collect the deceased's personal information from me, and to provide consent on behalf of the deceased person to NSW Police Force to use the deceased's personal information on the Memorial.
- I acknowledge that my personal information, and the personal information of the deceased identified above will only be accessed and used by the NSW Police Force for the purposes of administering the NSW Police Force Service Memorial and related purposes, and will not be used for other purposes or disclosed to third parties without my consent, unless otherwise required or authorised by law.
- As next of kin/executor of the deceased identified above, I authorise NSWPF to examine its records for the purposes of considering this application, administering the NSW Police Force Service Memorial and related purposes.
- As next of kin/executor for the deceased identified above, I consent to their inclusion in the NSW Police Force Service Memorial in the north east corner of the Sydney Police Centre, corner of Goulburn and Riley Streets Surry Hills NSW, 2010.
- I am not aware of current legal action regarding the circumstances of the death of the individual I wish to register for inclusion in the Memorial.
- I am aware of current legal action regarding the circumstances of the death of the individual I wish to register. The details of the legal action are included in this application (e.g. why type of legal action; which court are the proceedings in; when is the action expected to be resolved etc).
- I acknowledge that the decision-making process and eligibility criteria for inclusion on the Memorial is completely separate and unrelated to decision-making processes and potential eligibility for legal compensation, or the existence of legal causes of action arising from work-related fatalities, injuries or illness.
- I confirm that the information I have provided is true and accurate and that I am aware that deliberately providing false, misleading or deceptive representations may amount to a criminal offence or give rise to potential civil liability.

Name

Date (dd/mm/yyyy)

Address and contact details (mobile, landline, email, postal address)

I am the: next of kin executor

Signature

Form 2

Application for **unsworn** officers to be included on NSW Police Force Service Memorial, Surry Hills NSW

Details of the deceased

Name

Grade and job description

Date of death (dd/mm/yyyy)

Cause of death (as recorded on Certificate of Death)

Last location of service / command

Are they deceased of Aboriginal or Torres Strait Islander Descent?

Yes No N/A

If they are of Aboriginal or Torres Strait Islander Descent, does the family support their inclusion in the memorial?

Yes No N/A

Eligibility criteria

- ▶ Individual must satisfy eligibility criteria (1)(a) or (1)(b) and (2)(a) or (2)(b)
- ▶ Individual may not be eligible if any of the exclusions apply
- ▶ Consent of deceased's next of kin is required
- ▶ Whether an individual is included on the Memorial or not is ultimately a discretionary matter for the Commissioner and there is no right to seek a review of that decision.




| No | Criteria | Checklist | Observations | Additional information included with application? |
|---------------------------------|---|--|--|--|
| 1(a) | Permanent “administrative officer” as defined in s3(1) of the Police Act OR | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> | Time of service irrelevant. | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| 1(b) | Long term temporary employee as defined in s91AA of the Police Act AND | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> | A temporary unsworn employee with a continuous employment period of at least two years at the time of death or separation from NSWPF because of injury/ill-health. | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| 2(a) | Died whilst serving Member of NSWPF — irrespective of whether or not they die whilst on duty) OR | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> | Fatality or the injury/disease that causes fatality does not need to be work-related. | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| 2(b) | They have been unable to continue work with NSWPF because of injury or illness, and they subsequently pass away as a result of that injury or illness | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> | | |
| Does an exclusion apply? | | | | |
| 1 | The individual identified above was injured or killed whilst engaged in alleged criminal conduct. | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> | Individual not eligible for inclusion. | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| 2 | The individual has criminal convictions. | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> | Individual is not eligible for inclusion. | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |



Are additional materials included with the application?

Yes No N/A

Schedule of documents provided

| Item / attachment | Description |
|-------------------|---|
| | |
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- I acknowledge that the decision-making process and eligibility criteria for inclusion on the Memorial is completely separate and unrelated to decision-making processes and potential eligibility for legal compensation, or the existence of legal causes of action arising from work-related fatalities, injuries or illness.
- I confirm that the information I have provided is true and accurate and that I am aware that deliberately providing false, misleading or deceptive representations may amount to a criminal offence or give rise to potential civil liability.

Name

Date (dd/mm/yyyy)

Address and contact details (mobile, landline, email, postal address)

I am the: next of kin executor

Signature