

1874.

VICTORIA.

REGINALD GREEN.

PETITION.

Ordered by the Legislative Assembly to be printed, 23rd June 1874.

TO THE HONORABLE THE LEGISLATIVE ASSEMBLY OF VICTORIA IN PARLIAMENT ASSEMBLED.

The humble Petition of Reginald Green, late Superintendent in the Police Force :

RESPECTFULLY SHEWETH :—

1. Your Petitioner entered the Police Force as a cadet in the year 1852, and in the following year was promoted to the rank of lieutenant, and in the year following, to the rank and pay of sub-inspector, and again, in the next year was placed on an increased salary in recognition of his services.

2. In 1856, your Petitioner was appointed District Paymaster of the Avoca and Maryborough Districts, which appointment he held for three years, until it was abolished.

3. In 1862, your Petitioner was again promoted to the rank of second-class superintendent, which appointment he held until November 1870.

4. During the whole of the eighteen years your Petitioner served in the Police Force, involving varied duties in different localities, throughout the colony, he never became involved in any difficulty, and never met with censure or reflection ; but, on the contrary, was frequently highly commended by his superior officers for the mode in which he discharged his duties, and for the efficiency and discipline of the constabulary in the districts where he was quartered, until the month of September 1870, when he had occasion to report to head-quarters the gross insubordination of a constable named Morrison.

5. Morrison had been appointed by the Chief Commissioner to act as clerk at your Petitioner's quarters, whilst stationed at Kilmore, and had acted in that capacity for eight months prior to the occasion in question, occupying, as is customary, a seat in your Petitioner's office, and having access to, and charge of, official papers under your Petitioner's directions.

6. In consequence of misconduct and insubordination on the part of Morrison, your Petitioner placed him under arrest, and, whilst under such arrest, it was his duty to withdraw from your Petitioner's office, which he did, and removed to another building, where it was his duty to remain ; but, instead of doing so, Morrison soon after broke his arrest, and returned suddenly to your Petitioner's office, and rushed to the desk he had occupied, and was about to remove some official papers, which he might have destroyed, when your Petitioner personally interfered to prevent him, and made him desist and retire, and placed him again under arrest, and reported his conduct to the Chief Commissioner.

7. Superintendent Bookey then made a special visit of inspection to your Petitioner's District Station at Kilmore, and enquired into the case, and reported thereon to the Chief Commissioner. No charges had been previously made, nor were there any then made by Morrison, or any other person affecting your Petitioner, nor were any such entertained by the Superintendent, but solely those made by your Petitioner against Morrison. Your Petitioner himself, handed to the Inspector certain papers of Morrison's, found in his desk, with notes in his handwriting containing personal allusions to your Petitioner and other officers in the Police Force, but which called forth no comment from the Superintendent, excepting a casual observation that something might arise out of them.

8. The report made by Superintendent Bookey was never seen by your Petitioner, but soon afterwards a Board (consisting of Mr. Templeton, Mr. Thomson, and Mr. Steavenson) was appointed, with instructions to enquire into, and report upon the circumstances.

9. The nature of the instructions given to the Board were not, nor were the subjects of enquiry, communicated to your Petitioner, who had not been informed of any charge affecting himself, nor was he asked to explain anything previously. Notice, simply that a Board would sit at Kilmore the following morning, was, it is true, received by your Petitioner late the previous night by telegram, whilst he was absent at Seymour on duty, and he returned thence to Kilmore (25 miles) during the night, and attended the next morning at ten o'clock accordingly, believing that he had simply to sustain his charges against Morrison. It was only incidentally, that what have since been called charges affecting your Petitioner arose, and were put into shape, as such, during the enquiry by the Board, from the notes found in Morrison's handwriting as aforesaid ; but your Petitioner did not at the time consider that he was asked to meet them as charges, or that what was stated by Morrison involved anything more than his own explanation of the circumstances. Morrison was represented and assisted by an attorney, whilst your Petitioner, as already stated, was previously unaware that he would have to meet any counter charges, or that he should be mixed up in a joint enquiry with a constable on matters affecting his own position as an officer, further than as regarded his obligations as such to establish his complaints against Morrison, and he now submits that such a course was unusual, unprecedented, and wholly irregular.

10. The report of the Board "fully sustained" your Petitioner's complaint against Morrison, and acquitted your Petitioner of any charge affecting his character ; but it was considered your Petitioner had not acted discreetly in allowing Morrison, some months previously, to provide him temporarily with a few pounds, required for immediate ordinary purposes, which he offered when change was not otherwise at hand at the moment, and which had been repaid to him in due course ; and also in personally interfering instead of directing a constable to prevent the wrongful abstraction, by Morrison, of official papers as above stated. It must not, however, be supposed from this that your Petitioner was in the habit of borrowing from constables, nor that he was otherwise lax in discipline, nor that he had been in the habit of giving way to impulses of temper—the reverse is the case, as your Petitioner was never in an impecunious state, nor overdrawn at his bankers, and he was always acknowledged to be a strict disciplinarian, and to have had his temper habitually under good control.

11. Your Petitioner was notwithstanding, to his great astonishment, forthwith required to resign under threat of dismissal, and the same option was given to Morrison. In reply to his enquiry for what he was called upon to resign, your Petitioner was simply informed it was because of the report of the Board.

12. After remonstrating in vain, and being again threatened with dismissal, unless your Petitioner forwarded his resignation within four days, he did so accordingly, rather than such a stigma as dismissal should be associated

with his name; but your Petitioner protested respectfully against the course pursued, and stated that he resigned under compulsion, feeling himself deeply aggrieved after his long period of service, but that he trusted his compliance with what he considered an order, would be no bar to his reinstatement or appointment to some other office in the public service.

13. Your Petitioner believes that such a result as has followed the report was never for a moment contemplated by the Board of Inquiry, so far as your Petitioner was concerned, and he understands Messrs. Templeton and Steavenson (two of the Board), have reported and certified accordingly, and that Mr. Thomson fully concurs with them.

14. It is now upwards of three years since your Petitioner's enforced resignation was forwarded. He has ever since striven to rectify his position, feeling himself wholly misunderstood, and wrongfully degraded by his removal, and inconsiderately treated, having regard to what had throughout been his general conduct as an officer of police, as was acknowledged by his superior officers and by magistrates and others resident in the various districts where he served.

15. Your Petitioner possesses testimonials from leading residents in the districts where he was quartered from time to time, speaking to the unexceptional propriety of his personal habits and conduct, and as to the satisfaction afforded by him to the public in the discharge of his duties up to the last moment of his connection with the police force. Your Petitioner trusts that he has ever since, under all the trying circumstances in which he has been placed, still continued to conduct himself in a manner to uphold his previous reputation.

16. Your Petitioner's case has been before three successive Administrations. By the first he was assured in 1871 that, "his case was not lost sight of, and would receive attention, but as it was said to be somewhat connected with the case of Superintendent Lyttleton, it had to stand over until that case was disposed of." It may be here stated that the only connection whatever between Superintendent Lyttleton's case and your Petitioner's was that the same constable, (Morrison), on being himself dismissed from the police force had made charges which led to an enquiry into certain matters affecting Mr. Lyttleton (with which your Petitioner was in no way concerned, and which were of a totally different character) as to which a Board was appointed and reported, and which enquiry eventuated in Mr. Lyttleton's being retained in the service, whilst your Petitioner remained still excluded and unemployed.

17. During the succeeding Administration your Petitioner's case was referred to one of the Ministers specially for his report, and was reported upon favourably to your Petitioner, but on that Administration vacating office in 1872, your Petitioner was officially informed that "his case was one which should be dealt with by Parliament."

18. Upon applying to the late Parliament accordingly, during the present Administration in 1872, your Petitioner's motion for an enquiry was withdrawn, upon assurances being given by the Government that he should be early and suitably employed.

19. After repeated applications to the Government accordingly, your Petitioner had to wait long, and then was only employed for a few months in the early part of last year, until his temporary duties were discharged, although it was expressly understood that he was to be well and permanently provided for.

20. Your Petitioner then caused a petition to be presented during the last session of the late Parliament, upon which petition, however, no action was taken, as the case was then specially referred to a member of the present Administration to report upon officially, which your Petitioner was informed was, towards the close of the session, done accordingly, to which report (which your Petitioner has not been permitted to see) he begs to refer.

21. After patiently awaiting the result, and at length again urging attention to his case, your Petitioner was offered by the Government towards the end of last year, a clerkship at the rate of £175 per annum, which your Petitioner (whilst most desirous to be beneficially occupied) did not accept, having been led to expect better employment, and preferring to await some better opportunity which might be open to the Government to meet his case in a way more in accordance with what he understood was recognised officially as due to his merits and his claims upon public justice; and considering that the acceptance of such duties might fetter his independence of action in the assertion of what he conceived to be his just rights; and the employment offered being of a nature to which he was unaccustomed, and which he was advised would be detrimental to his health.

22. No other employment, and no hopes of any better being offered by the Government to your Petitioner, and some reflections having, for the first time, been officially made on the eve of the last Parliament, as regards his efficiency as a police officer and his power to control men, and, considering such reflections only aggravated his grievances and placed him under greater disabilities than ever, your Petitioner having then no longer an opportunity of applying to Parliament in the matter, applied to the Government to have a full and complete "enquiry made by a Board specially appointed to consider any matters affecting himself, and to report and recommend accordingly, if the Government were not prepared otherwise to deal with his case in such a way as to admit of his restoration to his appointment," to which application your Petitioner received a reply, intimating that "the Chief Secretary was not disposed to do more, under present circumstances, than to consider an application from your Petitioner for employment in some department of the public service other than the police force."

23. Thereupon, reluctantly contemplating employment in another colony, of a nature to which he had been accustomed, such as he had been deprived of and was still denied him in Victoria, and considering that his case had never had a fair hearing, your Petitioner urged the Government to afford him "so much justice as would not necessarily deprive him of suitable employment elsewhere, having regard to his antecedents here," and your Petitioner then represented that he could not hope to obtain such employment amongst strangers, unless afforded an opportunity of having his case considered by a Board specially appointed to inquire into any question affecting his reputation as an officer of police; and he again requested the appointment of such a Board accordingly; to which application your Petitioner received a reply, expressing "the regret of the Chief Secretary that, in dealing with the repeated applications of your Petitioner, he was unable to accede to his request for a fresh Board."

23A. Being thus left without any opportunity of rectifying his official difficulties your Petitioner then applied to the Government "to be permitted to inspect and take copies of the papers relating to his case," but was in reply informed "that it would be neither convenient nor usual to comply with his request." Upon a further application "for permission to inspect and make short extracts from the papers relating to his case," your Petitioner was informed "that it was not usual to allow persons not in the public service to examine files of correspondence belonging to a Government department, and that therefore, while Mr. Francis regretted your Petitioner's position, he was sorry to be obliged to refuse compliance with his request."

24. The prospects and position of your Petitioner and his family here and elsewhere have been thus blighted, after his having devoted the best years of his life to the active, zealous, and honorable discharge of his duties as an officer in the police force of this colony.

25. Believing in the justice of his case, and all along hitherto having placed implicit reliance in eventually receiving justice from the Government, your Petitioner has never ceased to use every proper and becoming effort, in a proper and becoming manner, to have his character and position restored. To accomplish this object your Petitioner and his family, whilst exercising all due patience and supporting themselves as best they could, have had to submit at times to great privations, all the greater as your Petitioner has been obliged since his enforced resignation, to restrict himself to such occupation as was consistent with his continuous prosecution of the end he has had in view, with which (still relying hopefully in the result) he has contrived so far to suffer nothing else to interfere.

Your Petitioner's efforts, however, otherwise to set himself right having been all in vain, he now appeals to your Honorable House to take his case into consideration, and prays that such steps may be adopted and such relief afforded him as to your Honorable House shall seem fit.

REGINALD GREEN.

[Approximate Cost of Paper.—Printing (750 copies), £2 4s. 0d.]

By Authority: JOHN FERRIS, Government Printer, Melbourne.