INVESTIGATION WITHIN THE AUSTRALIAN FEDERAL PUBLIC SERVICE: COMPETENCIES AND TRAINING FOR A FUTURE-FIT PROFESSION

A thesis submitted by

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For the award of

Doctor of Professional Studies

2022

ABSTRACT

Investigators are an essential component of regulatory bodies, however, there is little evidence to suggest that a journey to professionalisation has begun. Using an exploratory, mixed-method research design, this study seeks to understand where investigation is placed within that journey, what professionalism means to its practitioners, and how professionalisation might be achieved. To aid in this understanding, various models of competence are considered along with training structures which contribute to the discussion of professional evolution.

Eleven investigation practitioners were interviewed utilizing a semi-structured approach, and the resultant transcripts thematically analysed. The qualitative data obtained from the interview phase were utilised to construct a quantitative survey instrument, which was administered online by way of networking and social media contacts to 156 potential respondents working in both Federal and State Government investigative roles with 55 completed responses received.

The interviews and survey provided corroborative data indicating that investigators in both Australian State and Federal Government agencies possessed a diverse variety of skills, from basic report writing and statement taking to more advanced conceptual skills, such as empathy and cognitive interviewing. While pre-existing skills brought with them from previous training environments were described favourably, the training investigators received in their agency was described at best as adequate and at worst misdirected and ad-hoc. Investigators' perceptions of professionalism were founded on a misconception of how their investigative functions could be self-described rather than any evidence of actual professional traits. Consequently, this study proposes a set of recommendations that may contribute to the professionalisation of Australian Federal Public Service investigators and illustrates the deficiencies of professional development within this sphere of investigation along with development opportunities. Further research is necessary to explore these opportunities and to identify and qualify fit-for-purpose investigation training to establish a viable future for investigators and the profession.

CERTIFICATION OF THESIS

I Troy Andrew Dux declare that the PhD Thesis entitled INVESTIGATION WITHIN THE AUSTRALIAN FEDERAL PUBLIC SERVICE: COMPETENCIES AND TRAINING FOR A FUTURE-FIT PROFESSION is not more than 100,000 words in length including quotes and exclusive of tables, figures, appendices, bibliography, references, and footnotes. The thesis contains no material that has been submitted previously, in whole or in part, for the award of any other academic degree or diploma. Except where otherwise indicated, this thesis is my own work.

Date: 3 August 2022

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Student and supervisors' signatures of endorsement are held at the University.

Acknowledgements

This research has been supported by the Australian Government Research Training Program Scholarship.

I would also like to acknowledge the work of Libby Collett in editing this thesis. She provided polish to the work which included spelling and grammar review and some stylistic suggestions to improve the format only.

Thankyou immensely to my supervisory team, Dr Lee Fergusson and Dr Shayne Baker OAM. They are the bedrock of my research and were always there when I needed help, guidance, and instruction. Their commentary and feedback have sustained me.

I would also like to thank the Professional Studies program at the University of Southern Queensland, for believing in my project and teaching me to be a scholarly professional and Associate Professor Luke van der Laan, who listened patiently, provided inspiration, and made me believe.

To my research participants who are investigative practitioners and former colleagues, my thanks to you all for being with me for part of the journey and for your unflinching cooperation.

To my family who are grown and gone, your interest from afar was a reminder of your enduring support.

Lastly and most significantly, on what can be a lonely and challenging quest of self-discovery, my wife Sharon, whose love, wise counsel, and support on a daily basis kept me going through the dark times. You have been my muse for this project and perhaps the greatest reason it began.

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CHAPTER 1 - INTRODUCTION

1.1 BACKGROUND

The term ‘investigation’ has many interpretations within regulatory environments and is applied in just as many contexts. Different agencies at both the State and Federal levels of government in Australia employ the use of investigators to assist in the identification of appropriate laws and the application of those laws. Society demands law and order, not only with the detection and prevention of crime and criminal behaviour but also in the application of a myriad of other laws which apply to our daily lives, from regulating the supply of electricity to determining who pays for a dividing fence between properties. These laws require evaluation and appropriate application by practitioners across various fields of expertise. The legal profession is regarded as the foremost advocate for the presentation of the various arguments that comprise the application and testing of the laws in courts, however, it is the investigator, based on lines of enquiry, who determines and gathers the relevant facts and in most cases of regulation, initially constructs the case. Although predominant in criminal law, this process of investigation and subsequent prosecution finds an ever-increasing application, with appropriate modification, in other regulatory environments.

A typical investigator within a government agency usually possesses a minimum vocational qualification and undertakes the gathering of facts and evidence to determine breaches of relevant legislation. The qualification required is the level 4 certificate course in government investigation, which will be discussed further in the thesis. Investigation therefore primarily includes the correct application of an appropriate law and the rules of evidence to the particular regulatory environment where its applied, i.e., the gathering of facts and evidence to present to a decision-maker in order for them to make an appropriate finding (Miller, 2014). It can be accomplished by a mix of social and behavioural skills necessary to interact successfully with the primary sources of evidence, such as witnesses and offenders. It requires the application of proficient communication skills during the evidence gathering process and particularly interviews, which form the basis of such interactions (Walsh & Bull, 2010, 2015; Walsh & Milne, 2008). It is this collaboration between the ability to communicate and apply the information obtained from the

various sources of information, including evidence, which enables effective investigation work (Maguire, 1991; Scott et al., 2015; Westera et al., 2016).

Historically in the Australian Federal Public Service, investigators have been drawn from within the respective State and Federal police forces. Policing has provided a source of appropriately skilled and experienced investigators, skills which were developed in the demanding field of criminal justice. More recently, investigators have become an amalgam of ex-police and agency-trained public servants. However, it is unlikely to be sustainable for any agency involved in regulatory work to divest itself of an internal mechanism to train investigation practitioners on the basis that pre-trained staff will continue to be available to populate vacancies. These potential employees may be either unavailable, or inappropriately or insufficiently trained for, that environment. If a piecemeal approach to the selection and training of investigators occurs, it may be driven by a lack of coordination. Professional status may accord investigation with more defined and understood parameters as can be found in such professions as medicine and the more closely aligned profession of law.

1.2 RESEARCH PROBLEM

In Australia, investigation within a government regulatory environment has been traditionally considered an occupation, or at most a vocational pursuit, deriving its design from vocational training providers. The framework of investigative skills is applied in a work-based context as the application of competencies taught and tested by training providers that deliver these education programs in reaction to the relevant demands of industry and employers. However, leaving aside the consideration of policing, it is difficult to separately identify investigation training providers from the operating space of the private sector, where investigation may find its most accurate description as a separate and self-contained vocational pursuit.

Investigation as a professional practice relies more on its application to drive perception than any consensus view of a profession in a formal or academic sense. Investigation is presumptively regarded as merely a skill that can be utilised by anyone with a desire to extract information or facts from circumstance. It is this utility of application that can dilute and obfuscate the examination of whether investigation should be a profession and how it translates into more mundane or routine applications.

Any superficial view of investigation and its applications may stem from those outside the practice rather than those from within it. Furthermore, from any perceived

superficiality follows what could be regarded as a haphazard and opportunistic approach to its training delivery, where predominately private vocational trainers are engaged on an ad-hoc basis to impart knowledge, leading to a distinct lack of a cohesive and rigorous approach. Investigation may find application in a working environment, but its true identity has remained elusive. Professionally, it can be argued that investigation is more than just an application and may be intrinsically bound to perceptions of its own identity.

The regulatory environment employs the use of investigation in many ways: from determining breaches of workplace legislation, through enforcing workers and employers' rights, to prosecuting taxation-related frauds. The Australian Federal Government mandates alignment of its employed investigation practitioners with standards, such as the Commonwealth Fraud Control Guidelines, which stipulate the minimum qualification required in each agency that undertakes investigation as a core function (*Commonwealth Fraud Control Guidelines*, 2011).

However, the regulatory demands in the modern, globalised environment are complex. It can be argued that practitioners in this space require a uniform and consistent level of competence and training that can adequately address the demands posed by legislation, technology, and stakeholders. Devoid of this level of uniformity, investigative resources may be wasted at different stages of the process from gathering evidence through constructing a case and on to prosecution. Moreover, in a fiscally conservative age, resources wasted in such a manner can attract targeted and potentially embarrassing criticism. Maximising the use of resources is an important consideration of any modern federal agency budgeting and, where identified, efficiencies of this nature can be leveraged for other advantages.

It can be further argued that in order to grow and maintain sufficiency of standards and relevance, investigation should move towards professional recognition or at the least be regarded with the same rigour and foundational strength that a profession would otherwise demand. From that basis, the pedagogical analysis of investigative training in the public sector is relevant as a means of establishing the historical application of investigative training in the sector and from there can seek to redefine a way forward toward professionalisation. It is to these topics this thesis will devote most attention.

PROFESSIONS, PROFESSIONALISM, AND PROFESSIONAL IDENTITY

Although scholars debate the definition of a profession, professionalisation and professionalism, there is a general consensus that a profession is underpinned by a minimum standard of training, experience, and expertise (Evans, 2013; Telep & Somers, 2019). However, professions are losing their traditional identity and becoming watered down by a multiplicity of applications to other occupations and in other environments (Baizerman, 2013), a topic recently explored in South Korean policing (Lee et al., 2019). A professional status transcends any particular working environment and draws its practitioners together in a collegial community of practice promoting a greater diversity of applications. Despite divergent modern views of the exact nature and definition of professions and professional status, it can be argued the occupational benefits to a group of practitioners, which can be derived from professional identification, are inexorably linked to the need for a structured competency-based framework and training regime.

More than 20 years ago, Eliot Freidson wrote extensively on professions. In particular, he based his research on what has been termed by many scholars in the area as the 'archetype of professions' – medicine (e.g., Calnan, 2015). According to Freidson, a profession is an advanced occupation, defined by an officially recognised body of knowledge, founded on abstract concepts and theories, and requiring the exercise of discretion. It operates within and depends upon an operationally controlled, internal division and exercise of that labour and derives from an operationally controlled training program, usually associated with tertiary education (Freidson, 1999). Freidson's broad definition of a profession will inform the basis of its use in this research and will be discussed further in the review of the relevant literature.

However, there are more recent schools of thought that hold to more altruistic ideals of professional construction and behaviour, such as those advanced by Macdonald (2013) and Muzio et al. (2013), but the modern globalised society and current workplace demands stemming from that environment place such views as somewhat anachronistic. It is the concept of a profession in the Australian Federal Public Service, that will be examined in this work and as such an appropriate definition should apply to form the bounds of that examination.

Fit-for-future professions are those where practitioners possess employability skills derived from appropriately designed, contemporary training, and skills that allow practitioners to integrate quickly and capably into the professional environment ("Future fit: preparing graduates for the world of work," 2010). Such practitioners seek to employ new methods and technologies in their practice; they search for new and innovative uses for the skills and technologies they currently possess (Miles & Scaringella, 2012), including the use of so-called 'soft skills' (Zuo et al., 2018). Crucially, these professions maintain relevance despite the passage of time. Maintaining relevance in the workplace, and therefore consolidating professional influence and control, are cornerstones of the modern professional. The ability of a professional to distinguish his/her value over-and-above the median level of a relevant application of that work, maintains their need as a provider of services, which in turn maximises a profession's own longevity and that of its constituent practitioners.

Professionalisation is the journey from an occupation or vocation to a profession. Despite the nebulous nature of defining professional identity, each occupation that has reached this status has undertaken a journey. This journey to professional status is framed existentially by the working environment of the time and the desire of the practitioner group to exert influence and maintain control. The review of literature will examine this concept implicit within the professions and review some of the relevant and associated journeys to the professional status of those groups that we now commonly associate with the term.

This research project will critically analyse and evaluate current competency and training for investigators within the regulatory environment of the Australian Federal Public Service and the influence that professional identity has on competency and training.

1.3 JUSTIFICATION FOR THE RESEARCH

This study seeks to delineate the investigation profession by examining the relationships between what constitutes an investigation professional, the competencies required by such a professional, and the resultant training mechanisms necessary to achieve them, along with related and dependent variables such as demographics, environment and setting of the profession, and actual tasks undertaken to perform investigation.

The objective of the research is to critically evaluate investigation in the Australian Federal Public Service environment reflecting on current research surrounding the identified variables of competency, training, and professional identity. An analysis of these variables will be undertaken to explore the current state of investigative practice. The recommendations derived from the research process will seek to form the basis of a checklist informing the development of investigation practitioners in regulatory environments, which reaches beyond the current level of vocational training and targets higher education as its repository. Engagement with practitioners as part of sociological research into this problem will be an integral part of the research project.

RESEARCH QUESTIONS

The primary question guiding this research is: What are the competencies and training needs that define, describe, and develop a fit-for-future investigation profession in the Australian Federal Public Service? This research question can be broken into nine 'sub-research questions', each contributing to and providing guidance and focus for the study:

Training

a) How and to what extent do effective training strategies in Australia maximise delivery within target industrial environments?
b) How and to what extent does the current training regime meet practitioner needs?
c) What is the relationship between training and perceptions of competence?

Competence

a) What competencies form the basis of an investigation professional?
b) How and to what extent are relevant competencies present in the Australian public service regulatory environment and how are they met?
c) What is the interrelationship of the identified competencies and are they dependent on training?

Professional identity

a) How and to what extent do environmental influences affect investigative practice and perception in the Australian Federal Public Service?

b) How do practitioners regard themselves and to what extent do they identify with being professional?
c) Is there a relationship between professional identity, competence, and training?

As much as these sub-questions contribute to the main research question, there may also be a relationship between the variables of training, competence, and professional identification. The preliminary conceptual model in Figure 1 illustrates the relationship of the variables as constituents of an occupation. Professional identity is represented as an extension of the occupational construct towards recognition as a profession, reliant on competence and training. A degree of competence might be obtained without prerequisite training as illustrated by the link, perhaps described as being experiential or learnt on the job. However, while that relationship should be acknowledged, professional identity is more likely predicated on competence developed by training. At the outset of this project, the model conceptualises the professional journey and will be addressed in subsequent sections of the thesis.

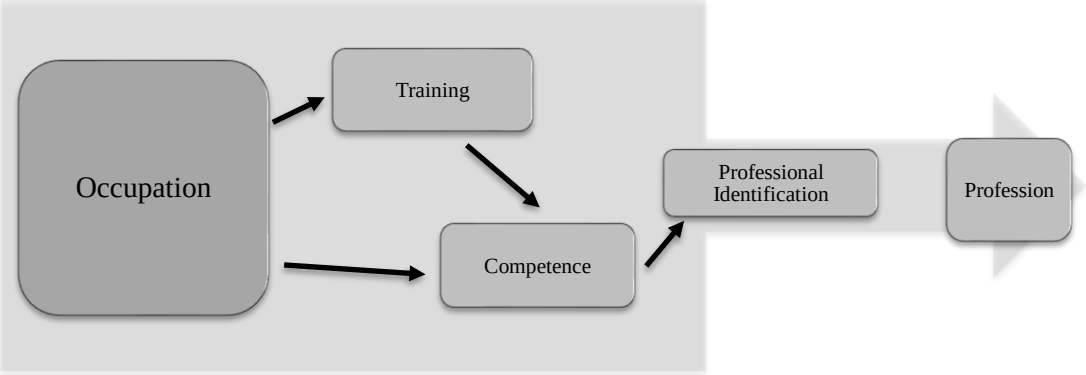

Figure 1: Preliminary conceptual model of key research elements.

These three avenues of enquiry—training, competence, and professional identification—form the basis of the enquiry underpinning this thesis. These contextual and situational variables will be identified and explored during the initial research phase as they will play an integral role in determining adequate and relevant ongoing questioning and discussion points with selected subjects during subsequent phases. Answering the primary and sub-research questions, along with any further

lines of enquiry established or derived from engagement with subjects, will drive the output of this thesis.

An interesting parallel to this research project lies within the work of Fergusson et. al. (2020) who considered the concept of advanced practice professionals as an extension of competency and capability-based models. They observed that one of the catalysts proposed for this desire to improve the human capital of the Australian public service context was evidence from the Advisory Group on Reform of Australian Government Administration's report from 2010 indicating the spend on staff development was less than 1% of agency budgets of almost half of the agencies (Moran, 2010). The report identified an imperative to develop staff which would also lead to retention of 'intellectual capital' This is a relevant observation given the locus of the current research project and its examination of the potential advancement of a constituent area of practice. It is not proposed to expand this concept of the advanced practice professional within the bounds of this research, however the continuum proposed by the work of Fergusson et.al. (2020) provides a useful context and affirmation that competency can lead to professional identity albeit through capability, the latter being more in the province of established professional practice rather than one that is still emerging. It is therefore reasonable to propose that inherent in this continuum is a degree of relevant training.

1.4 WORK-BASED PROJECT

Many professionals are learning more from their experiences at work than in a formal classroom environment, with up to 70 per cent of employees learning from on-the-job experience rather than training programs (Jennings, 2012). Managers now claim to obtain most of their knowledge from personal exchanges with other people and experience, with up to 90 per cent of this knowledge acquired this way. This type of learning needs to evolve from knowing to conceptualising and applying knowledge in innovative and desirable new ways (Fergusson et al, 2020c).

Traditional notions of training and knowledge acquisition are being challenged in the workplace, particularly in the private sector (Fergusson, Allred, Dux, & Muianga, 2018). Learning in the workplace can be considered part of a program of career development and while this notion of 'career development' may suggest learning and development beyond the workplace it is within this environment that it has its most obvious application. For example, two decades ago Bezanson (2003) drew

a link between career development and lifelong learning, which although related are quite distinct. Lifelong learning, and taking a broader view of learning and development through self-preparation for engagement in the workforce and in society generally, is dependent on career development as an integral part of the overall process of development of the self (Gouthro, 2017). We spend much of our lives in the workforce in various capacities and although not the ambition of everyone, career development plays a large part in most employees' working goals. The benefits of workplace learning translate into the workforce by way of participation and production, the community and the economy (Bezanson, 2003; Kauhanen, 2018).

Mumford (2016) highlights the changing face of the workplace and the learning required within it. She proposes that the workplace is no longer a place where knowledge is applied; it is a space where knowledge is produced. Workers are expected to contribute to the production of new knowledge and therefore existing knowledge may no longer be enough (Hordern, 2018; Mumford, 2016). Learning at work is also about the interrelationships between the active participants and the environment. Integral to this is the relationship between the social and individual spheres, as Illeris (2004) said almost 20 years ago. Knud Illeris referred to this relationship as the interaction of the working practice experience that is filtered through the perspective of the personal experience of the learner, or the individual's work identity. It is this overlap of the two spheres that define workplace learning (Illeris, 2004, 2018). Learning is ongoing and situational; it stems from and contributes to our living and working environments. It is an individual and subjective experience that becomes part of an objective process (Illeris, 2017).

Drawing from the workplace learning experience and extending this process to the area of professional development presents the problem of maintaining continuing and ongoing learning at an appropriate level. Professional doctorates and more specifically Professional Studies as a distinct program within universities, is gaining traction as both a relevant and attractive option for professionals seeking to maintain ongoing learning and development in a context that has a current and practical application (Blackman, 2016).

Action learning theory proposes that professionals will learn most effectively when learning is achieved by addressing real-world problems in the context of their normal working environment, which is workplace learning (Fergusson, 2019a; Gregory, 1994). Action learning can be expressed as learning by doing (Grzybowski,

2008). Action learning with its foundations in tangible and real-world problems can be a catalyst for social regeneration impacting schools, social welfare, hospitals and contributing to industrial wealth (Boshyk, 2014). Gregory (1994), in earlier research, drew the distinction between action learning and action research, founding the latter on the former as perhaps derivative and emphasising that action learning as derived from learning in the workplace and bound by real-world problems and solutions, becomes action research when applied to specific problems addressed by a defined research strategy with a view to solution and improvement.

Action learning has similarities with action research in that it includes an action-oriented query, which is considered collaboratively, with the goal being experiential learning and resultant improvement (Coghlan & Brydon-Miller, 2014). Learning in the workplace offers as many opportunities as learning in the classroom but to be competitive in the marketplace in the 21st century, it must be underpinned by reflection on practice (Fergusson et al., 2019; Raelin, 2008).

Nesbit (2012) saw reflection as a meta-skill and as a part of the three skills he considered crucial for self-development in his self-directed leadership development model. Although not exclusively the province of managers and leaders, development of managers is crucial to the organisation, and it is these individuals who are likely to be professionals seeking learning opportunities. Deep and considered reflection is crucial to a learner's understanding of their personal and institutional shortcomings and it is an individually derived and driven process; yet given the obvious benefits to structured reflective practice, the motivational demands from such an isolated process are problematic.

There are dangers of inadequate reflection that stem from personality, as identified by Galea from Dewey. She observes Dewey's view that some thinking through reflection can be devoid of inquiry, hasty and inconclusive, and that a careful and considered approach, lacking as much as possible the interference of individual bias, is most productive (Galea, 2012). Nonetheless, the reflective professional is pivotal for workplace learning and effective workplace research to be well-founded and productive (Raelin, 2008; Ruth, 2015).

There is a growing demand for universities and higher education institutions to become involved in work-based learning and professional development and work-based learning as opposed to discipline-based learning, traditionally the primary focus of higher education. Work-based learning is becoming the subject of university

courses to cater for the demand of in-situ professionals (Lester & Costley, 2010). As Lester and Costley observed, there is a growing body of evidence to suggest that adult participation in higher education is increasing directly as a result of the link between work-based learning and higher education. The resultant alliances and projects stemming from this relationship are adding value to the workplace. Critics of the programs stem from paranoia about the integrity of the programs in an academic sense, both in structure and assessment, and the roles that teachers play in these programs (Lester & Costley, 2010).

Some of the benefits and concerns were observed in an earlier study involving surveying course participants at Coventry University during 1999–2000 (Johnson, 2001). Benefits indicated by the students, included flexibility of training and attendance, up-to-date course material and gaining marketable skills. The University counted an increase in staff knowledge and training and collaboration with corporate partners and associated funding benefits. Employers also saw benefits in the flexible approach with a relatively low cost of training and improvements arising from workplace-based projects.

As detractions, students saw the apparently loose structure of the course and requirement for self-motivation as an impediment to course completion, and course credibility was also cited as a concern for some students and employers. Employers considered intellectual property security as an issue and the provision of mentors in the workplace. Universities saw the overarching problem as emanating from the perception of the courses as being substandard in comparison to their more traditional research-based programs and the academic snobbery and resultant logistical issues of staff training and allocation. It can be seen however that types of Professional Studies programs are gaining traction in conservative academic quarters as higher degree programs with integrity and purpose and with tangible benefits to working communities (Blackman, 2016).

The detractions are outweighed by the advantages; workplace flexibility and the ability to undertake and incorporate relevant learning contextually are major influences in the modern workplace. A lack of structure, as seen by some, can translate into study on demand, with the nine-to-five paradigms in the workforce of today being less relevant. Shift work and working from home are far more prevalent and the situation where an employee does not have a permanent desk space, as part of

workforce efficiency, is becoming more commonplace. This agility in the modern working environment demands less traditional approaches to learning and education.

THE PRACTITIONER AS AN INSIDER RESEARCHER

Intertwined with the notion of action research and practice-based research, born of a researcher's need to address a real-world problem and often based within a discrete area of professional practice, is the concept of the insider or outsider researcher. The outsider researcher can be seen as a much more objective researcher whose observations and subsequent data collection experience and interpretations are unsullied by preconceptions and biases that may be present with an involved participant. However, the outside researcher may not have the advantages of an insider, who may have an intimate knowledge of the phenomenon observed and may be able to ascribe underlying meanings and interpretations of data unavailable to the uninitiated (Oliver, 2010). Debate about the relative merits of perspective is not new and is often found within the discourse of mixed methods research where practice-based studies abound. The key to remaining objective and preserving integrity is the ability of the researcher to detach oneself from preconceptions and to control for bias (West et al., 2013).

Aligned with the earlier discussion of Professional Studies program in universities, in which this research project is founded, is the quintessential idea of reflexivity, "a conscious use of reflection to examine one's own personal biases, views and motivations to develop self-awareness in interaction with others (Powell, 2012, p. 36, p.36). Researchers are encouraged to acknowledge their presence and characterise their role in the formation of knowledge and to self-monitor the impact of their biases, beliefs and experiences on their research (Finefter-Rosenbluh, 2017). The Professional Studies program at the University of Southern Queensland has embedded the practice of reflection into its research-training regimen and encouraged the students to adopt reflective practices in the workplace. Mechanisms, such as learning diaries and their reflective implications, self-examination of experience and associated learning and the application of a micro-reflective cycle based on Kolb's model (Fergusson et al., 2019; Kolb, 2015), pertain to the insider practitioner, thus being more personal and targeted to individual, catered learning (Fergusson et al., 2018).

It is therefore important, with regard to being an insider researcher in this project and the application and perception of reflexivity (or otherwise), to consider the

position of the researcher within the context of this practice field of investigation. Insider researchers are those who undertake research in an organisation or area of practice where the research project is based, rather than an external researcher who visits for the duration of the research (Holian & Coghlan, 2013). In an organisational setting, research undertaken by managers relating to staff, by staff upon the organisation or peers, can be undertaken from the bottom up or the top-down and is defined by the link that the researcher has with the organisation, the research project, and the participants. Projects are typically selected on the basis of identifying a real-world problem within or associated with the organisation, and developing a mechanism for improvement or solution to a problem (Holian & Coghlan, 2013).

This distinctive research relationship is susceptible to risk insofar as academic rigour and ethical considerations are concerned. The imbedded nature of the researcher, and the influences of the working environment and relationships, have a potential bearing on the researcher and the research. The environment can provide resistance or concerns regarding the confidentiality of information and associated access problems, commercial concerns and hesitance by leadership to accommodate the various aspects of the study having little control over the execution. Interpersonal stressors may arise with participant recruitment and engagement being influenced unduly by the supervisory connection of the researcher or their place in the organisation. These factors all need to be considered when planning and undertaking research of this type.

Coghlan and Brannick (2005) pointed to some of the core elements of insider enquiry, including a pre-understanding or people's prior insights, knowledge, and experience. This is related to the underlying nature of organisational culture and how that affects the interpretation of the data, maintaining closeness to the data concurrent with distance, objectivity being the goal; role duality, where researchers have two roles, those of worker and researcher, also contribute to insider research. Fleming (2018) thus argues that the concept of the insider researcher is often too narrowly applied and that someone can be deemed an insider researcher by having 'a priori' or intimate knowledge of the practices of the group but may not be a member of that group. This can lead to role conflict and crises of loyalty, behavioural claims, and identification; and managing organisational politics. Working out how to engage with the internal working of the organisation, who to engage with and on what terms.

Managing each of these elements of enquiry is integral to successfully navigating the difficulties that present to the insider researcher. It is essential that the researcher places themselves in this environment knowingly and acknowledging the potential factors that may influence the research, not only negatively but more importantly positively, and maximising the prospects of the research that by its nature, has the significant potential to contribute to the area of practice where the project is housed.

The primary research investigator commenced this project while employed within the Australian Federal Public Service. This relationship ended with a change in occupation. No data gathering took place within an environment that necessitated contact with peers or colleagues and while the project remained work-based, considerations of potential bias or vested interest decreased. To that end, it can be argued that the assignation of insider researcher no longer applied at the time of data collection.

CASE-SPECIFIC EXAMPLE – RESEARCHER BACKGROUND

It is also appropriate to mention some of the experience and background that placed the researcher in this instance, initially in the insider-researcher/practitioner-researcher paradigm and specifically address at this point, the pre-understanding and organisation management elements referred to by Coghlan and Brannick (REF) at project commencement. Fleming (2018) broadens the scope of 'insider researcher' to encompass practice-specific knowledge and how that may affect data interpretation, however, this argument may be more compelling when the researcher is placed within the working environment. It could also be argued that a degree of advanced practice knowledge rather than contributing to bias, may allow understanding and interpretation otherwise unavailable to a more objective researcher. Therefore, the insider researcher label should be associated where there is a direct line of sight to the location of the project.

In the 1980s, the researcher embarked on investigation as a career. My time in the military was coming to an end and it so happened that the new Commissioner of the Australian Federal Police (AFP) at that time, Major General Ronald Grey was actively seeking the background of discipline found in the military in an aggressive marketing campaign in the Australian Army newspaper. I subsequently applied and was accepted into recruit training at the AFP college Barton in February 1988 and so began a close association with the practice of investigation.

The AFP had not yet seen its first ten years. It was the preeminent law enforcement body of the commonwealth, charged with policing federal legislation and interests. At that time, it also had the responsibility of undertaking normal policing functions in the Australian Capital Territory (ACT), which was what many would consider normal day-to-day policing in uniform. The balance of investigative functions was undertaken from the various capital cities and in plain clothes, detective-style investigations. To be placed into detective-type roles after a three-month training course was seen as anomalous by the other State policing bodies, where the detective classification was relatively more difficult, consisting of successive training courses and with a minimum time in service as a precursor to participation in the training program.

This led to a colloquial reference of 'plastics' applied to AFP officers, due to the perceived lack of credibility amongst the broader policing community and derived from the early days of the AFP which was a conglomeration of the Commonwealth Police and ACT Police (Waterford, 2018). The latter, which adopted a more identifiable role as uniform officers, saw the former as 'not real cops' as they had not 'cut their teeth' on real-world policing cases; they did not investigate everyday offences such as traffic breaches, assaults and murders. This view translated to the other State agencies and remains a legacy issue for the AFP. This experience honed a perception of inter-police relationships, the respective duties of State and Federal policing and how they sometimes intertwined, and the degrees of training and experience found amongst the front-line investigators of each level of policing and how that influenced case management. There were some interesting cases seen within the AFP at that time including a suspicious death in international waters on an Australian cargo ship; arms shipments from the local Indian expatriate community to Fiji in support of the rebels fighting the coup of Colonel Rabuka; and a multimillion-dollar fraud from the Middle East, dealing with currency exchanges.

After a brief exposure to the practice of investigation with the AFP, an opportunity was presented to join the Queensland State Police Force (QPOL) in 1989. This led to a move back to Brisbane from Melbourne and enrolment in the QPOL academy in 1989. This was around the conclusion Fitzgerald Inquiry into Police corruption in Queensland which reported to the Queensland government in July 1989.

This enquiry will be mentioned subsequently in this thesis in regard to training outcomes however it was an interesting time to be commencing a new policing job with tumultuous change occurring in policing methodology and public perception. As was subsequently the case with inquiries into corruption that involved the police, one of the reactions to the problem was to apply an educative correction to the workforce. There are distinct advantages in educating and professionally developing any workforce, which is the purpose of this research, however, it is the method of application and its consequences that can often be problematic. A program of tertiary training was implemented as a pre-cursor to regular police training to educate the prospective officers in regard to more worldly topics such as ethics and criminal behaviour (*Report of a Commission of Inquiry pursuant to orders in council*, 1989). There was also the advantage of placing police recruits into an open academic environment, where they rubbed shoulders with everyday students and integrated with them in ways that enhanced their ability to develop interpersonal skills. Prior to that policy change in police education, police academies were solely responsible for the education of police recruits and did so in a relatively cloistered environment where what could be termed a 'Police Culture' was developed and nurtured.

Having reflected on what that meant, it seemed to be a case of 'us and them'. This was not a defined perspective but nonetheless pervaded the everyday training activities at the police training college and continues, albeit substantially subdued and tempered by experience, to this day and can be seen in research with police practitioners tending to associate during work and socially predominantly with their peers (Paoline, 2003; Paoline et al., 2015). Thus, it was perceived by the rank-and-file police at that time, that this new paradigm of training recruits, with its sudden break of tradition, was a waste of time and resources. This view was compounded by the feedback from recruits undertaking the training that they were not receiving appropriate skills during the tertiary period, to allow them to competently transition into the field during their ongoing training as a probationary officer after leaving the academy. It is not proposed to investigate this phenomenon further at this point suffice to say that a personal experience of this transition, albeit temporary given that it was later disbanded due to a lack of need identified by internal management, gave me an insight into the issues that can present when moves towards professionalisation lack sufficient consideration.

The Queensland Police Force at the time, in the latter part of the 1980s, was undergoing an upheaval in its functions and identity. No one would dispute that major change was needed and the evidence from the Fitzgerald Inquiry was testament to that need. The police 'force' changed into a police 'service' and the motto 'firmness with courtesy' became 'with honour we serve' which indicated the more collaborative approach police were expected to take with the community. Addressing the internal capability of the police staff became a priority as the service reidentified itself and its role and this manifested as the constable and management development programs, each of which was targeted to its respective cohort. This training program involved completing internally issued workbooks and undertaking competency-based testing. It was viewed sceptically by staff given the open-book approach to assessment and the lack of rigour applied to the completion of the modules. It was also linked to promotion, which made the lack of integrity in the program a source of ethical complaints regarding staff selection and advancement. The impact of these changes, as they applied to the rank and file, founded a personal distrust of internal training mechanisms that was undone by subsequent tertiary training and reflection but were nonetheless, crucial in forming a perspective about the needs of the practitioner training and views on how best to achieve favourable outcomes.

My service with the Queensland Police, some 13 years, was spent at first in uniform and then in plain clothes. Duties were undertaken as an investigator in such areas as the State drug investigative unit, the child and sexual assault investigation unit, the property crime squad, and the fraud squad. There were also specific task force investigations into organised crime, concluding in a district criminal investigation branch at the Gold Coast. This final posting saw exposure to a broad cross-section of investigations from fraud to murder.

Leaving the police meant a multitude of ad-hoc occupations coming to terms with the transition into civilian life. Policing 'gets into the blood', and it became more than an occupation, where one lived the role rather than merely discharging it. Country police service was typical of that distinction, where as a member of a close local community, police were called upon at every hour to attend to investigations and incidents. This influence accords with academic evidence of police culture earlier mentioned (Paoline, 2003; Paoline et al., 2015), but investigation has a multitude of applications and in a few years, an opportunity presented itself as a Senior Investigator

with the Australian Building and Construction Commission (ABCC). This was an interesting role in many respects.

The ABCC was an industrial regulator formed as a result of a recommendation from the Cole Royal Commission which looked at the role of trade unions in disruptive and anti-competitive behaviour on commercial building sites (Cole, 2003). It was created by the Howard government and was a conservative construct, with the sole purpose essentially to limit the activity and control that the construction unions had on the basis of improving productivity and protecting workers' rights regarding freedom of choice, the union movement in that environment being particularly proactive in recruiting (some might argue coercing) members. It was certainly apparent during my time there that coercion was a stock-in-trade mechanism for increasing membership and much of my investigative time was consumed investigating allegations of coercion primarily from employers and managers, who had the most to lose and the least to gain from such a tactic. The ABCC by its nature and its operating remit was a contentious agency, and industrial relations a minefield of legal application and interpretation.

This was a first foray into the regulatory space, away from the criminal law investigation undertaken by the police. The differences between the two environments will be further discussed later in this study however at this stage of the agency's evolution, approximately 60% of the staff being employed were ex-police. This was on the basis that they had already received the highest level of investigative training available, and the agency merely needed to convert that experience into a regulatory investigation with its slightly different techniques and goals. Staff would undertake a two-week course which covered the appropriate legislation, The Building and Construction Industry Improvement Act 2005. This Act read like many others, and it was clear that the principles of applying legislation integral to policing investigations, were applied in the same manner. Offence provisions were deconstructed and applied to prove each of the elements of the alleged offence to the facts of the matter being investigated. This is a core tenet of the investigative process and crucial to the understanding of the application of investigation into any area of regulation, criminal or civil.

What also became evident during my time at the agency was rubbing shoulders with the few investigators that were employed when internal policy changed, that did not have the policing credentials of the previous majority of practitioners. This basic

principle of applying the elements of the legislation ‘elementising’ to the facts in issue, was a mystery to these staff. What was taken for granted within policing, was not seen to be as important in the training received by the other employees. It had occurred to me there were some major deficiencies in the training that regulatory officers, who were not previously police, were receiving.

It was also during my tenure at this agency that my awareness of tertiary education developed. It was not a lack of previous exposure that had prevented contemplating the idea of university study; I had previously participated in study at several institutions. Initial failure was, on reflection, due to lacking the associated need to study to provide motivation that overcame the inconvenience. At this agency at that time, investigative functions were still developing and with procedures internally aligned substantially to the policing model, as earlier indicated, it did not demand effort to complete the assigned functions. As a result, it was suggested that to undertake some tertiary study on the basis that several of my peers were enrolled. University programs were explored, and a post-graduate program offered by Charles Sturt University, which had a number of post-graduate program options that were derived from their close association with the New South Wales Police, was selected. These programs had an established investigation pedigree and there was transferrable knowledge and skills derivable from these courses. The choice made was for fraud and financial investigation, as fraud and money laundering were a hot topic within the government at that time. A part of that post-graduate program was a unit in investigation ethics which in part dealt with the professionalisation of investigation as a concept. Upon reflecting on that concept, in conjunction with my previous experience as a practitioner, this focussed my thinking regarding appropriate training and the ability of practitioners to transition through different regulatory environments effectively.

A promotion opportunity and the need for a change led to my next position as an Investigation Manager at the Tax Practitioners Board (TPB), a sub-agency of the Australian Taxation Office (ATO). This agency administered the profession of Tax Agents and business activity statements (BAS) agents, those responsible for acting as an intermediary and advisor in tax and related matters, between taxpayers and the ATO. This was my first prolonged stint as a manager of investigators in a broader and non-criminal investigation environment. It provided a different perspective on the

needs of the regulatory practitioner, the factors influencing those needs from a more strategic perspective and also the shortcomings of the average practitioner involved in federal government regulation. Placing members of the team without previous policing experience, into the nominated investigative training provided by the government, provided insight into the adequacy or otherwise, of that training and how it related to the actual work undertaken.

There was a distinct lack of investigative experience in the TPB. There were only a couple of ex-police including myself and we were placed into management roles, by virtue of overall experience rather than design. It became clear quite early, that this type of investigative experience was both undervalued and misunderstood. More senior managers who were often career public servants, saw policing as an impediment to the broader public service environment, seeing that experience as likely to taint an individual's ability to adopt a wider and more inclusive perspective about issues. There was no regard for the ability of police to relate to all walks of life, often innovatively to facilitate the gathering of facts and how that may translate into a communication advantage. There was an example of this where police experience was blamed for the disengagement of an employee from the overall agency direction rather than their personality, which only reinforced a bias against policing experience and further diminished its relevance. That is not to say that policing was a necessary precursor to successful regulatory investigation, it is merely an advantage and only because the alternative preparation was sub-par, and this is one of the lynchpin arguments of this research.

From this position could be seen the basics of successful investigation substantially deficient within the team and on liaising with other managers across that agency and the broader ATO this was a consistent theme. The basic ability to deconstruct legislation into its constituent elements, in order to allege or prove a breach, was simply not there. That is a core skill that transcends policing. What was interesting at the TPB was this deficiency brought an exaggerated level of disagreement with the agency lawyers, who were charged with reviewing the product of the investigators prior to sanction consideration by the ultimate reviewing authority in the agency. Although it was not directly articulated, they found it surprising that the content of the reports they were receiving was not presented in a way that exhibited knowledge and understanding of the proofs and evidence, in a way that they took for

granted primarily as a result of their professional training, as none of them had policing experience. Sitting across this divide, it was obvious and perplexing as to why the situation was not understood by more senior management and actually addressed.

This is the professional journey that has informed and motivated this research project. As mentioned earlier, it is important in the field of action research to place the researcher legitimately into the field of research rather than merely as an onlooker. This provides unique insights into the problem, the data, and the findings. However, it is also critical to be mindful of the hurdles that impede academic rigour and promote bias.

It is with this perspective that I seek to understand and explain the research problem and present a solution; it is with that in mind that I now turn to the world of academic research to explore what is being said about the various aspects of this topic.

CHAPTER 2 – LITERATURE REVIEW

2.1 INTRODUCTION

This review of the literature will explore the concept of investigation, its meaning, origins and compare criminal and regulatory investigation. Investigation as placed within the public service will also be reviewed along with the civil penalties approach and regulatory culture and its influence. The variables of training, competence and professional identity will be examined to determine some of the current thinking around these variables. Training, and specifically competency-based training with its influence on investigators in this space will be reviewed. Competence as a concept presented in various regulatory environments and jurisdictions, will be reviewed, and discussed along with professional identity, its origins and effects on some professions.

2.2 INVESTIGATION

According to Zulyadi (2020, p. 408), "Investigation is an act of the investigator to find and gather evidence, to make a description of the criminal act that occurred and to find the suspect".

Zulyadi's definition is typical of many in encapsulating the phenomenon of investigation and is used specifically in a criminal investigation context. It is difficult to find variations on this definition with investigation mostly referred to as axiomatic and self-evident. The concept of 'investigation' has many interpretations within regulatory environments and is applied in just as many contexts. Investigation as a practice relies more on its application to drive perception of it than any consensus view of a profession in an academic sense and is commonly regarded as merely a skill set, that can be utilised by anyone with a desire to extract information or facts from circumstance. Consequently, this utility of application complicates the issue of examining whether investigation should or could be considered a profession and how that translates into more mundane or routine applications. Perhaps such a superficial view of investigation and its everyday application stems from those outside the practice rather than within and furthermore, from this perceptual superficiality follows what could be described as a haphazard and somewhat opportunistic approach to its training delivery where vocational institutions bid for and are engaged ad-hoc to

transfer knowledge. Investigation may find an application in a working environment but its true identity, if it indeed has one, has remained elusive.

Investigation is rarely encountered without an associated descriptor ascribing application to specific environments such as criminal investigation, fraud investigation or more specific subsets such as murder investigation and other associative investigative functions. Indeed, when a search of an online database such as Google is undertaken with the term investigation included in the search parameters, the results are undeniably a conjunction of the use of the terms '*investigation of something*'. An occupation such as a mathematician or an economist which are readily identifiable as multi-faceted professions involves the undertaking, by its respective practitioners, of constituent components or tasks (Cassidy, 2017; Kea et al., 2013). The environmental application of investigation and its perception as a task rather than an occupation complicates its analysis and limits the amount of academic consideration applied so far. Whilst investigation has been overlooked in this occupational capacity, the world of policing, where investigation is an integral part, has received more attention in the popular media in such fictional terms as 'Sherlock Holmes', rather than being the focus of research (Tong & Bowling, 2006).

THE FOUNDATIONS OF RECOGNISED INVESTIGATION

Criminal investigation has widespread understanding and acceptance, being the most widely known and referenced form of investigation. Policing, and in particular, the investigation specialisation within the police or the detectives (as they are commonly known), is a fairly recent phenomenon. During the mid-19th century, the first incarnation of the modern English police was formed under the guidance of the then British home secretary Robert Peel (Tong, 2009). Forming concurrently with the uniform police was the forerunner of the modern criminal investigation function, the Bow Street Runners, led by Henry Fielding who was a magistrate. They were a small band of plain clothes constables tasked with breaking up the gangs of robbers who were terrorising London at the time (Pike, 1978). What was subsequently to become the Metropolitan Detective Branch was regarded as a haphazard and incompetent group of undesirable police who were described by their newly appointed Director of Criminal Investigation, a barrister by the name of Charles Edward Howard Vincent, in the following light:

"The divisional detectives consisted for the most part of illiterate men, many of whom had been put into plain clothes to screen personal defects which marred their smart appearance in uniform. They were but nominally controlled by a sergeant, little superior to themselves. Every Inspector gave them orders, and in reality, they were employed as much as messengers, as in detective's duties, which they discharged pretty much as they liked. They never were withdrawn from duty so long as they committed no flagrant breach of discipline and with some exceptions lived a life unprofitable to themselves, discreditable to the service, useless to the public (Tong, 2009, p. 4, p.4)."

This was not an auspicious beginning for an investigation specialisation and its recognition from within, which no doubt led to similar perceptions from the broader community. As was observed in chronicling the inception of criminal investigation as a recognised function of policing; the investigative function more or less evolved in response to the perceived need for catching thieves and miscreants, rather than being properly directed in any proactive sense, during that early period of the Metropolitan Police (Newburn et al., 2012). There was no immediate need identified for a specialist investigative cohort within the police and the pace of their implementation, into established and recognised policing as a distinct function, was a relatively slow process taking another 30-40 years (Shpayer-Makov, 2009).

The early police investigative efforts were focussed on a suspect-centred approach to solving crime (Tong, 2009), where the investigator relied upon witnesses, the public to nominate suspects, and the police reacted to the circumstances of the case piecing together the evidence trail to be utilised in subsequent prosecutions. There was a reliance on seeking a confession from the offender in order to substantiate an arrest and subsequent charges (Roberts, 2012; Tong, 2009). This approach was underpinned by the inherent ability of the investigator/detective, through appropriate experience and the application of intuition, instincts and hunches and is referred to by Tong as the art and craft of investigative work (Tong & Bowling, 2006). Not only was this intangible approach to investigation difficult to replicate and teach, with experience being the primary determinant, the demands of the modern police force with sophisticated crimes to treat and modern forensic methods to employ, dictate a more scientific and measurable approach to the task. Criminal investigators require

knowledge, skills and experience (e.g., of efficiently and effectively conducting a successful investigation leading to prosecution) (Miller & Gordon, 2014).

The emerging and evolving roles that police and policing agencies play in the community have dictated changes in structure, skilling, and training requirements. Although the move towards university-educated police around the world has been recognised and discussed, it is only recently that there is a concerted effort amongst the practitioner community to argue the case for the application of a more consistent and recognised tertiary approach to police training. Inherent within that discussion is the role of the investigator (Flanagan, 2008; Gardiner, 2015; Tong & Wood, 2011).

This brief examination of some of the formative aspects of criminal investigation is a useful lens through which to view regulatory investigation, arguably a derivative and which substantially resides within government regulatory agencies. In the twentieth century and on through the twenty-first, regulatory agencies and their investigations have been on the rise. High profile investigations, such as the Enron and Worldcom cases in the US (Conrad, 2010) and the collapse of One.tel and investment schemes such as Storm Financial and Opes Prime (Woodhead, 2012), have seen regulatory agencies designed to address such corporate enquiries grapple with the investigation and prosecution of what are complicated matters involving technical fraud and deception. These types of investigations frequently attract media attention due to the scale of the losses involved and the number of affected victims. The media demand investigatory integrity and capability within the relevant investigating agencies commensurate to that degree seen in criminal law enforcement. Paradoxically, this is where traditional policing finds itself logistically constricted in its approach to investigation, thereby preventing an adequate and proportionate response. Consequently, demand for a suitably capable investigative cohort within regulatory agencies is on the rise.

CRIMINAL INVESTIGATION VERSUS REGULATORY INVESTIGATION: THE PUBLIC SERVICE PERSPECTIVE

There is far less material to consider academically when the subject turns to a more regulatory than criminal focus regarding the actual and specific investigation and its origins. So, police work - and the investigation component that forms such a critical part - is a useful and relevant comparator for analysis in reviewing the foundations of investigation and how it has been applied to enforce legislation on behalf of the

government. This is where a broader approach to regulation is required. After all, regulatory and criminal enforcement is cut from the same cloth, however, there are distinctions in the application of each of the respective forms of investigation which shape the way investigators are required to operate.

In criminal enforcement, where an offender ultimately risks incarceration as a punishment, there is an associated higher 'burden of proof' to be applied to the prosecution's case. The burden of proof is the requisite standard, or level of proof required by the considering party/tribunal on which to determine that something is accepted or proved (Kaplow, 2012). This standard is set at 'beyond a reasonable doubt' and that is the test to be applied usually but not exclusively, in the Australian justice system. It is interpreted by a jury of peers regarding the evidence broadly and more specifically to the proofs relating to each of the elements of the offence. This translates into each provable element of an offence or allegation, requiring consideration to a degree that is literally beyond what a reasonable person would consider is doubt, so a level of certainty (Martin, 2010). This is an appropriate degree of rigour to minimise the risk of false conviction where the stakes such as imprisonment for life, or death in some jurisdictions, are high and is founded on a justice system steeped in tradition and judicial precedent.

Contrasting in the regulatory environment is that with a reduction in the severity of the applicable punishment, in light of little if any risk of incarceration, comes a commensurate level of proof that is required to prove the elements of the offences. The burden of proof is 'on the balance of probabilities' and that translates into – more probable than not. So in order to obtain a favourable judgment in the regulatory environment, the prosecuting authority needs to be able to convince a jury of peers or some other adjudicating entity, that each of the elements of the alleged breaches is proven to a degree that it is more probable that it occurred than not probable ("Commonwealth Law Bulletin: Judicial Decisions," 1987; Ward, 2016). This can be considered as a detractor in determining the appropriate skill level requirements of regulatory as opposed to criminal investigators, where the requisite and lower level of regulatory proof engenders a sense of superficiality or lack of seriousness. Consequently, regulatory investigators can lack a perceived sense of the importance of their function and the pressing demands of their stakeholders to improve their training and development.

This has been historically driven in the policing context by identified investigatory shortcomings such as the Guildford Four and the Birmingham Six in England (Gudjonsson & Mackeith, 2008) and cases such as the Doctor Haneef investigation in Australia (Vogel & Kebbell, 2011) where the prosecution of criminal cases and police reputation have suffered. Regulatory failings and their resultant review and examination are not as common, however, that is not to suggest an ongoing absence of oversight. A good example of that recently was the Royal Commission into Misconduct in the Banking, Superannuation and Financial Services Industry which concluded and reported in 2019. The financial services industry regulator, the Australian Securities and Investments Commission (ASIC), was viewed by some to lack oversight regarding the banking and finance sectors (Gilligan, 2018; Verrender, 2018). ASIC had a history of compliance that was seen as being too soft on the banks, with enforceable undertakings being the preference over prosecutions. The findings of the Commission of enquiry resulted in the new ASIC chief proclaiming a renewed emphasis on litigation in cases of the type that were previously negotiated outcomes. This observation and criticism by the Royal Commission targeted the agency as a whole and tended to incriminate its management rather than pointing to any deficiencies within the organisation (Hayne, 2019). This contrasts with the examples provided in policing, where criticism is focussed on a case-by-case basis through the lens of the courts and specific investigative methodologies are examined and learned from.

Regulatory enforcement is a more recent phenomenon arising primarily out of the needs of government authorities, to ensure compliance with the respective laws that they are designed to enforce (Sherrin, 2010). Sherrin draws a useful distinction between the two spheres of enforcement and their underlying purpose, which while relating to the Canadian jurisdiction, has relevance and application in Australia given their mutual legislative heritage as Commonwealth countries. Importantly the differing ultimate goals of the two investigative paradigms, those of seeking compliance in a regulatory investigation, and that of punishment in the criminal space, are quite critical in determining pathways taken by investigators and the requisite skills and training they need. He says:

“It is alleged that the purposes of regulatory and criminal investigations differ. Regulatory investigations are intended to ensure compliance with the law. The goal

is to educate, correct problems, and prevent a recurrence. Prosecution is not of primary concern. By contrast, in criminal investigations prosecution is of primary concern. The goal is to detect offences, gather evidence, and punish offenders. Compliance is a desirable but merely incidental consequence." (Sherrin, 2010, p. 95, p.95).

This manifests in the tactical and strategic approaches that government regulatory agencies adopt in dealing with enforcement and compliance. Whilst there can be a more quasi-criminal enforcement strategy undertaken by agencies such as the Australian Taxation Office. This is where the types of offences detected including serious tax crimes and tax evasion are punished, and more appropriately dealt with criminally. However, most agencies and departments are adopting the regulatory approach where enduring compliance with the law is a more desirable outcome ("Tax Crime Explained," 2017). This is evidenced by the proliferation and adoption of such models as the 'compliance pyramid' (Figure 2). This model illustrates the graduated approach undertaken by regulatory agencies regarding their stakeholders. The wider base of the pyramid is representative of the more persuasive and low-level approach adopted in most cases and the starting point of engagement in most compliance matters. It tapers as it climbs through administrative sanctioning towards the top where compliance mechanisms are more punitive although less commonly adopted by virtue of increased cost and effort to apply. The need for Commonwealth agencies to be appropriately seen as utilising punitive measures is a last resort. This compliance pyramid provides a graphical representation of the regulatory approach referred to as responsive regulation, where the regulator adopts a graduated response that is proportionate to the required effect of intervention, seeking enduring compliance rather than incidental punishment as a deterrent (Ayres & Braithwaite, 1992; Braithwaite, 1985; Drahos, 2017; Wood et al., 2010).

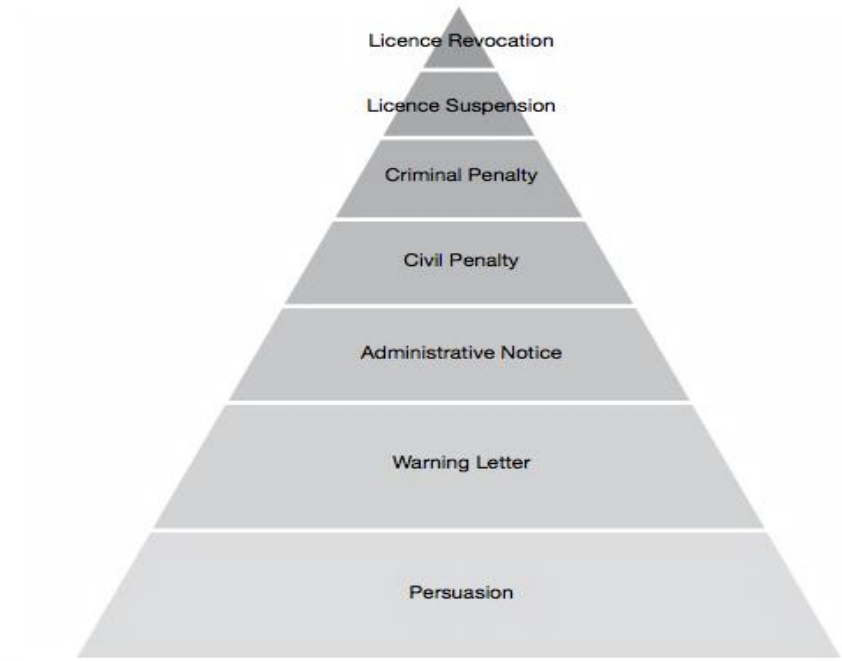

Figure 2: Compliance pyramid (Drahos, 2017)

THE CIVIL PENALTIES APPROACH AND ITS SIGNIFICANCE TO REGULATORY INVESTIGATION

As discussed, the evolution of regulatory enforcement has seen a diminishing but residual reliance on criminal treatments utilised by some agencies, albeit with lighter sentencing generally. More modern areas of regulatory enforcement are realising monetary or pecuniary penalties and fines as a more appropriate alternative to incarceration at even the more serious end of the compliance spectrum. This is in line with societal expectations that breaches of regulatory types of offences should not attract terms of imprisonment in anything but the most extreme of circumstances. It also accords with the goals of regulatory compliance and investigation, where prevention of recurrence and ongoing compliance is more important than prosecution. This is described as the civil penalties approach, and it relies on litigation where the action is adversarial rather than accusatorial as in criminal matters. It is principally directed towards general and specific deterrence rather than retribution and rehabilitation (Bannan & Losurdo, 2016). It evolved from the Senate Standing Committee on Legal and Constitutional Affairs and their report entitled, ‘Company Directors’ Duties: Report on the Social and Fiduciary Duties and Obligations of Company Directors’ or the ‘Cooney Report’. Its recommendations related to the

application of penalties by the Australian Securities and Investments Commission regarding the enforcement of company directors' duties, where criminal treatments were seen as deficient and financial penalties the preference (Comino, 2014). These recommendations were also based on the principles of responsive regulation.

The civil penalties preference adopted by regulatory agencies comes with some distinct advantages over criminal prosecutions. There is the scope to vastly increase pecuniary penalties for breaches of legislation; the evidentiary procedures and criminal court processes are not applicable and can be specifically referenced to that effect in the respective legislative frameworks; and as indicated previously the standard of proof is lower and easier to reach (Bird et al., 1999; Welsh, 2009). These advantages, in particular the second and third points, allow for a relaxation of the rules of evidence and procedure which are being more readily seen in modern regulatory legislation dictating how agencies operate. This means that there can be a less constrained approach to investigation and presentation of resultant findings to relevant decision-makers. However, this can sometimes be misconstrued as being an environment devoid of sufficient regulatory integrity and the 'relaxation' of structure and process can also lead to a decrease in capability demand from the organization regarding the investigators based on the mistaken premise that the regulatory work lacks the depth and sophistication required in criminal investigative practice.

Civil penalties options are drawn from and compliant with the principles of responsive regulation and take their place at the pinnacle of the enforcement pyramid as the alternative to criminal treatments that were applicable in the past (Welsh, 2009). This has led to a preferential increase in the use of regulatory enforcement by public agencies and authorities and the resultant increase in demand for regulatory trained and experienced investigation practitioners.

Upon further dissecting the degrees of regulatory enforcement undertaken by the Australian Federal Government, there are primarily two levels of adjudication in which to address allegations of breaches of legislation: The civil penalties area, where matters are determined in the Federal Court by way of litigation by the authority or agency; and the administrative decision making by government authorities and agencies themselves via the principles of administrative law. The latter is overseen by the Administrative Appeals Tribunal to ensure independent, quasi-judicial accountability and oversight of administrative decision-making. Each of these regulatory environments requires specific knowledge and practice to navigate

successfully and can be quite alien, even to an experienced criminal investigator, despite their pre-existing investigative skills and background. Furthermore, responsive regulation and its increasing adoption by government agencies, provides a graduated approach in response to an alleged breach, whereas a criminal approach necessitates a lineal response of arrest and prosecution, and the lower areas of the pyramid would not apply. Therefore, regulatory enforcement prescribes a different practitioner mindset to criminal enforcement where a more lateral rather than linear way of applying dedicated statutes to a regulatory problem needs to be considered.

THE CULTURE OF REGULATION AND ITS INFLUENCE ON INVESTIGATORS

Regulatory culture is a precipitating factor in the way regulatory authorities formulate and translate their objectives to a regulated community. Regulation can be described as the intentional, goal-directed, problem-solving attempts at order undertaken by both State and non-State actors (Black, 2002).

As far back as 1987, Meidinger alluded to the underlying structural aspects of regulatory culture in that:

> "…critical aspects of regulation are in fact worked out in the daily interactions of members of regulatory communities. In these interactions, structural constraints, political pressures, general cultural assumptions, legal requirements, and bureaucratic procedures are actually turned into a form of regulatory culture which organises the activity of regulation" (Meidinger, 1987, p.373).

He asserted that as these factors occurred at the coalface of regulation, and this is where research needed to focus to better understand the interrelationships and how they translated into actual regulatory behaviour.

These regulatory cultural factors are also present in the field of criminal enforcement and although policing is a crucial part of that overall consideration, the more methodised and conventionally established procedural approach in criminal enforcement lends itself to particularisation and examination. As to the sources of regulatory culture, Meidinger (1987) identified several contingent contributors: The general culture of the agency; the social structure; the law that applies – that being the legislation and the interpretation by the courts and the regulatory traditions and the regulatory work undertaken; and inertial factors which impact with change resistance to risk aversion, are all significant factors (Kerin, 2020). More contemporary

researchers observe regulation to be a politically constructed mechanism in which the perceptions of society and culture shape what is risk and the appetite for that risk (Cinar et al., 2019; Johnstone & Sarre, 2004). There are two additional factors which are important to regulatory culture: regulatory work problems, which are perhaps related in part to previously identified constituents, and the professional backgrounds and training of regulatory workers, although the exact nature and bearing of this second factor have not been substantially investigated by researchers. There appears little research on how the background and experience of regulatory officers influences or contributes to their regulatory culture, although there is a suspicion that it may be significant and should warrant further consideration (Johnstone & Sarre, 2004; Kerin, 2020; McGarity, 1987; Meidinger, 1987).

What is distinctive in the public service regulatory culture is that it is often a conglomerate of previously experienced practitioners in the investigative cohorts of respective agencies. This experience, which is drawn from the respective backgrounds of the employees, contributes to the regulatory culture and how they translate their functions (Fantham et al., 2020; McGarity, 1987), although that correlation is not well researched and can be elusive (Williams, 2020). This conglomerate of experience can be dichotomous in adding value to the breadth of thinking and the application of regulation if integrated well while becoming severely limiting within the same parameters if performed poorly. The Australian Taxation Office and its move to responsive regulation in the late 1990s provides a useful illustration of the latter (Job et al., 2007). The predominance of recruiting until that time (and arguably continuing) sought to attract employees with what were anticipated to be relevant and readily applicable skills into regulatory work, that being audit and inspection-related duties. With accountants, auditors and lawyers dominating the landscape within the agency, the transition to responsive regulation proved challenging as the core skills and capabilities of those groups often translated poorly into the less punitive forms of regulatory response required by the new model and the dependence on more lateral thinking. As they observed there was a tendency for staff to fall into established paradigms of behaviour and seek to refine responses to the public by formative scripting which sounded contrived and lacked credibility (Job et al., 2007).

Although involved in regulatory activity parallel to other regulatory professions, by applying the coercive power of the State to guide the activities and

behaviour of the citizenry, police see themselves delineated from other regulatory activities by virtue of the exact nature of how and what they need to deal with (Sparrow, 2012). It is arguable that policing can separate itself from the broader incarnations of regulatory enforcement with the paramilitary style of approach to regulation adopted by policing agencies. As Sparrow observed, these responses are guided by the nature of the problems police are presented with and the often-confrontational approach that is necessary. Along with the inherent cultural differences that can evolve in such a regulatory archetype, the relationship of policing to regulation more globally is the subject of some academic attention with scholars still debating the connections and influences.

The relevance in this research context of regulatory culture and the background of practitioners, is that staff recruited by various public regulators into investigative roles can be drawn from the respective police forces, both State and Federal within Australia. Although research on the correlation between available and trained investigators leaving the police to forge a new career in the public service is difficult to find, voluntary separations from the police and the underlying reasons have been the subject of academic consideration (Lynch & Tuckey, 2008). Although there is no data indicating ongoing employment for these ex-police and their propensity to seek other regulatory positions, research indicates approximately 5% of 46,000 police was the average turnover due to resignation over the periods they looked at during the period 1999–2003 (Lynch & Tuckey, 2008). While this is an approximation and equates to about 2,300 employees over a four-year period, or approximately 750–800 per year, these data are not insubstantial if a significant number of those departing police officers are seeking further regulatory opportunities in the public sector.

WHAT MAKES A PUBLIC SERVICE INVESTIGATOR?

Historically, investigators in the Australian Public Service have been drawn from the ranks of the respective State and Federal police forces, which have provided a source of appropriately skilled and experienced criminal investigators, refined in the more technically demanding criminal justice field (Gill & Hart, 1997; Prenzler & King, 2002). It is commonplace in this modern federal regulatory environment to see ex-police staff utilised to fill the roles of investigators, their foundation skills and ongoing training applied in a regulatory context. This is also evident in the private sector which has traditionally leveraged its need for investigation practitioners on a ready supply of

ex-police investigators (King, 2020). The demands of the criminal context regarding the higher standard of proof required to prosecute an offence to conviction and associated evidentiary demands and considerations have necessitated well-trained police with an established and appropriate level of experience. This experience and training originated from and were driven by the demands and scrutiny of the courts, moulded over time, and influenced by the evolution of judicial precedent, which has reflected public norms and expectations and the legislation derived therefrom. This system provides a useful level of intrinsic skilling to the investigators from the criminal sphere and makes them a ready source of competent and capable practitioners in the regulatory space. This desirability of former police officers has been observed by Williams in the American context, specifically in the field of forensic accounting, a field that has come to the fore with a regulatory focus on corporate fraud. Former police provided knowledge of the law and processes, investigative training, and networking opportunities (Williams, 2006).

A typical investigator within the current federal government agency environment undertakes the gathering of facts and evidence to determine breaches of relevant legislation, which in practice involves the correct application of the law, legal conventions, precedent, and the rules of evidence. It also includes social and behavioural skills to interact successfully and productively with witnesses and offenders from whom evidence can be obtained. While investigators in the federal regulatory sphere have been predominately an amalgam of ex-police and agency-trained public servants, the latter is becoming more prevalent, particularly where an identified sense of a ‘police culture’ can prove to be an impediment to regulatory investigation practice.

This cultural identification is more occupationally focused than the concept of regulatory culture discussed previously and is more dependent on job-related idiosyncrasies rather than job functions such as investigation. Policing by its nature can be an isolating occupation in a societal or communal sense. The ethical demands of policing and the constant and enduring identification as a police officer, rather than just another member of the community, can interfere with the unfettered exercise of social discourse and integration. While there is little doubt as to the integrity and value of police investigative training, the environment in which police officers operate leads to a distinct police culture where behaviours and traits exhibited by police are shaped.

The inherent danger of policing and the battles faced both within the internal bureaucracy and amongst the community can breed suspicious, conservative investigators who develop coping mechanisms in response to that environment (Paoline, 2003; Whelan, 2015). This predisposition can create conflict in a more liberal public service context and the legacy of organisational culture can lead to an imperfect fit for prospective employees in the public sector and decreases the potential size of the merit pool of applicants in selection processes, necessitating alternative approaches to the recruitment of investigators such as building capacity rather than recruiting it.

The regulatory environment employs the use of investigation in many contexts; from determining breaches of workplace legislation upholding workers/employers' rights to prosecuting taxation-related frauds. The Australian Government mandates alignment of its employed investigation practitioners with standards such as the Commonwealth Fraud Control Guidelines (2011), which in the past stipulated the minimum qualifications required in each agency that undertakes investigation as a core function. These same standards have now been incorporated into the Australian Government Investigation Standards (AGIS), instigated by the 'heads of commonwealth law enforcement agencies committee' (HOCLEA) to address a deficiency in baseline investigation standards and procedures across Federal and State government bodies (*Australian Government Investigation Standards*, 2011). These standards dictate in section 1.5 that the minimum level of training applicable for Investigation staff is either:

> Certificate IV in Government (Investigation), or its equivalent, as set out in the Public Services Training Package (PSP04). This qualification should be obtained before an officer is primarily engaged as an investigator; otherwise, the officer should be under the supervision of a qualified investigator.
>
> Diploma of Government (Investigation), or equivalent, as set out in the Public Services Training Package (PSP04) for staff primarily engaged in the coordination and supervision of investigations (*Australian Government Investigation Standards*, 2011, p. 2).

AGIS (2017c) stipulates the procedures to be adopted during an investigative process and was formulated out of a desire to introduce a uniformity to investigative standards across the myriad of agencies that employ these staff. The AGIS provides an underlying basis for the structure and methodology for investigations and as stipulated in the document and as agreed at formulation, is a mandatory requirement

for Government investigation practitioners. This is an important consideration as AGIS (previously the Fraud control guidelines) is the primary motivator for driving the training needs across the public sector for investigation practitioners as it references the relevant vocational training package requirements. What is also evident in the formation of these standards is the involvement of law enforcement agencies, HOCLEA, as the lead designers of the standards which in essence mirror what has existed in the criminal law enforcement paradigm for quite some time, evidencing the ongoing links between criminal and regulatory enforcement.

Regulatory demands in the modern, globalised environment are complex. Practitioners in this space require a uniform and consistent level of competence and training that can adequately address the demands posed by legislation, technology, and stakeholders. Devoid of this level of uniformity, investigative resources are wasted at different stages of the process from gathering evidence, through constructing a case and on to prosecution. In a fiscally conservative age, resources wasted in such a manner are seldom tolerated. Maximizing the use of such resources is an imperative of modern federal agency budgeting and where identified, efficiencies of this nature can be leveraged for a host of advantages. Therefore, given the demands of modern regulation, it is insufficient to rely on pre-trained or co-opted recruits to bolster the numbers of appropriately trained staff.

The history of investigation has been discussed and in particular, the area of investigation that translates more equitably into the Government regulatory sphere, that of the detective, or full-time investigator. From the origins of investigation through policing, the relatively short history of the investigative practitioner suggests a professional evolutionary journey that can only be in its infancy. The foundations of investigation within policing sets the baseline for investigative standards and research, which has then led to applications into other areas of regulatory behaviour, which are more recent.

Considering the influence of criminal investigation upon regulatory investigation and comparing and contrasting the two aligned but distinct operating environments, provides a useful context to understand the origins of regulatory investigation. The apparent agility of regulatory investigation is designed to deal with breaches of legislation where the regulatory focus is on correcting the behaviour rather than seeking punishment. Punitive measures are a last resort and achievable at any

stage of the investigative process, rather than a pre-set or predetermined outcome, as occurs within a criminal investigation. This is important and a reflection of current community standards.

The implementation and adoption of the AGIS show the persistent link between law enforcement and government regulation and reinforce the underlying standards of criminal investigation as the basis for any regulatory investigative work. The next sections of this thesis will look at the constituent parts of the occupation of investigation and how they translate into determining and constructing a competent and/or capable investigator.

2.3 COMPETENCE, INTERNATIONAL EXAMPLES, AND THE AUSTRALIAN CONTEXT

Over the last few decades, competence has been the subject of considerable academic debate. While the amount of research regarding competence has increased over the last 20 years, competence has proven difficult to define and measure (Blažun et al., 2015). There have been a number of conceptual analyses over the last decade indicating the complexity of competence and the ongoing debate (Axley, 2008; Garside & Nhemachena, 2013; Valloze, 2009) but there is a lack of consensus on definition (Flinkman et al., 2017; Watson et al., 2002). However, it is important to consider the debate generally and more specifically, how it has developed in various relevant employment jurisdictions insofar as how that may be an influence on the development of competence within investigation training and practice.

The broad concept of competence and it needing to meet some sort of recognised standard in the performance of tasks has been around for centuries in applications such as the indenture of apprentices within guilds, learning their craft from masters and reaching a predetermined level of skill in order to progress (Horton 2002). Much before that, competence was mentioned in the work of the philosopher Plato and subsequently present in the Latin incorporation of similar terms *competens* and *competentia*, translating as ‘being able’ and ‘capability’ (Mulder et al., 2007). It is only within the last 20 – 30 years that competence has become a focus in human resource and training discussions evolving to describe among other things, a standardised measure of skilling across industries or sectors of employment in response to the pressure of workplaces to achieve greater efficiencies and outputs against growing market competitiveness (Horton, 2002).

More specifically, competence can be an underlying set of personal traits or a capability that can be applied contextually to a work-based process (Boyatzis, 1982, 2008), a substantive and overt behaviour contributing to competent performance (Woodruffe, 1993), an inherent characteristic or personality trait able to predict effective or superior performance at work or situationally (Spencer, 1993), or a holistic view of a person's ability to undertake a task, reliant on their inherent ability, knowledge skills and attitudes (Ennis, 2008; Eraut, 1994; Horton, 2002; Lester & Jolanta, 2017; Singh & Modi, 2013).

Competence is also a term that can mean many things in the workplace and many definitions have been offered (Woodruffe, 1993). As Le Deist and Winterton observe in an analysis of the use of competence; "There is such confusion and debate concerning the concept of 'competence' that it is impossible to identify or impute a coherent theory or to arrive at a definition capable of accommodating and reconciling all the different ways that the term is used" (Le Deist & Tūtlys, 2012; Le Deist & Winterton, 2005, p. 29).

In a review of the various definitions of competence, Hoffmann (1999) suggested that competency is variously mentioned as an observable performance; the standard or quality of a performance outcome; or the underlying attributes of a person, with some authors incorporating aspects of one or more of these principles. He also observed these three views of the competence discussion are linked by the common aspect of human performance.

Each of these authors agrees that competence is a factor that needs to be applied and measured contextually and actual tasks performed have a direct bearing on its application. Included in this understanding of competence there are extended or derived contributions such as job competency, a measure of underlying characteristics related to employees resulting in effective or superior performance; and organizational competence, relating to competency across an organization not merely the competence of individuals, and indicates the collective learning and effective coordination of tasks as the key to competitiveness (Rothwell & Lindholm, 1999).

During the 1990s, when competence was becoming a more prevalent discussion in both the human resource and vocational education and training sectors, there were two predominating competence approaches burgeoning on opposite sides of the Atlantic. In the United States, the behavioural competence approach (*competency*) dominated; described as 'input'-driven regarding the attributes

necessary for an individual to perform competently. While in the United Kingdom it was the functional competence approach (*competence*), or 'output' driven where the demands of the job took precedence. However, as much as these two fairly broad categories predominated the competence discussion, the concept of competence was further compounded by the use of competency and competence as interchangeable terms inconsistently applied (Le Deist & Tūtlys, 2012; Le Deist & Winterton, 2005; Winterton, 2009), which seems to persist in the literature.

In the United States, behavioural competence was viewed as a derivative of the person rather than the task they are required to perform. It delineated an average from a superior performer and came to early prominence when compared to intelligence, a previous substantive determination of job suitability as coined by McClelland and championed by such authors as Boyatzis (1982), Spencer (1993), and Eraut (Boyatzis, 1982; Eraut, 1994; McClelland, 1973; Spencer, 1993). According to Woodruffe (1993, p. 29), "Competencies are behavioural repertoires that some people carry out better than others".

While the behavioural approach was predominant it left gaps in application with inherent high performer abilities needing a more accurate application to specific jobs and tasks. Subsequently, literature focussed on functional competence integration, grounded on behavioural abilities but including a more diverse view, indicating a move to a more holistic approach (Le Deist & Winterton, 2005). This approach to competence can also be referred to as the individual or attributes approach where competencies including skills, attributes, and motivations inherent in a more complete assessment of a person's ability are described, enabling a person to perform competently. Competence can be seen as personally intrinsic, changing and evolving over time in accordance with changes in situations and experiences (Lester, 2014a).

The functional competence approach, which was prevalent in the United Kingdom, arose from an identified need to address skills deficiencies in the workforce and underpin vocational education and training with a competence approach (Le Deist & Winterton, 2005). Out of this redesign was born the National Vocational Qualifications (NVQs), which were drawn from a functional analysis of jobs and based on occupational standards. This process was primarily drawn from employer-led demand for job-specific skills or competences focussing on practical skills, however, it was criticised as having little underpinning knowledge (Ertl, 2002). Workplace

functions were grouped into elements of competence to satisfy job roles, but underlying knowledge was not independently tested. Where it was assumed to be a factor it was seen as being reflected in the performance of the actual task. Also termed the external or activities-based approach, functional competence was criticised as being too narrow and one-dimensional (Brockmann et al., 2008). This is where competence is based on functional analysis and broken into constituent parts that are applied to specific job tasks based on outcome-focused models of training and assessment (Lester, 2014a). While each of these models of competence developed in apparent isolation, much of the rest of Europe was engaged in the competency debate within their own jurisdictions which have tended to draw upon variations of both themes, ultimately leading to a more holistic and multi-dimensional approach to competence, considering knowledge, skills and behaviours as appropriate competence dimensions (Le Deist & Tūtlys, 2012; Le Deist & Winterton, 2005).

Lester (Lester, 2014b, p. 32) organises the various traditions, or as he refers to them, the way in which 'able to do' is conceptualised, in Table 1. This table provides a useful summary and correlation of the various competence paradigms internationally and provides some occupational examples where the approaches have been illustrated in research. It illustrates the different methodologies and their source, and how the competence approaches are contextualised in various occupational groups. Lester describes the 'competency' approach of scholars in the United States as being internal, individual, and attribute-based, versus the European approach of competence evidenced by external, social, and activity-based attributes in the second half of the table. Lester's pictorial representation of the different competence perspectives illustrates the differences in approach of the debates as they relate to inherent abilities versus outcome-driven necessity.

Table 1: Approaches to competence (Lester, 2014b, p.33)

Approach	Primary source(s)	Development methodologies	Format	Examples from Professions
Internal, individual, attribute-based (competency)				
Technocratic		Derived from knowledgebase or course syllabus	Tasks expressed as application of knowledge	Accountancy, partly present in surveying
Instructional design	Draws on Bloom taxonomy	Job analysis, learning needs analysis	Table of knowledge, skills and (often) attitudes associated with the job	Careers guidance
Behavioural	McBer organisation and associated authors, e.g., McClelland, Spencer, and Spencer, Klemp	Behavioural event interviewing, critical incident analysis, repertory grid technique	Behaviours, approaches, and dispositions associated with effective job performance	Supplementary aspects of some frameworks, e.g., personnel and development, civil engineering, project management
External, social, activity-based (competence)				
Task-based	Early MSC/training agency models	Functional analysis	Descriptions of job functions and detailed activities within them	Occupational safety and health, facilities management, most occupational standards
Role-based	Mansfield-Mathew's job competence model and subsequent developments	Job analysis, analysis of roles across profession	Descriptions of broad functions and key activities within them	Engineering, environment, heritage conservation, landscape architecture

It is perhaps not possible to have inherent abilities without outcome-driven necessity. Seeing competence as identified and measured by a work function or task, or more broadly an entire occupation must be dependent on that competence having a pre-existing quality, an inherent ability of a practitioner to undertake the task, notwithstanding it may yet be unrealised by a lack of training. Table 1 also highlights one of the key determinants in identifying competence in the development methodologies column, which further reinforces the point that although they are measured at the various ends of the spectrum of competence, i.e., personally existent versus required by function, they are not mutually exclusive. The column that refers to examples from the professions merely indicates the working environment where the topic was housed or discussed, and it is difficult to imagine each of those mentioned fields not supporting a competence view from either end of the spectrum. This leads us to a more encompassing view of competence that caters for the whole spectrum of competence as discussed by Lester and contained therein.

Adding to the debate, Sandberg (2000) describes an alternate and prevailing view of competence according to the *rationalist approach*. The rationalist approach consists of three variations: Worker oriented; work-oriented; and multi-method-oriented. Worker-oriented is where he classifies authors such as Boyatzis (1982) and McClelland (1973) as seeing competence being possessed by workers as attributes – namely knowledge, skills and abilities applied in a broad and general sense to competence. In the second variation described as work-oriented, the focus is on the task to be undertaken and then reflect on the abilities, skills or knowledge required to determine competence, therefore taking the task or work to be done as the determinant. The third variation or multi-method orientation is a combination of worker and work focussed where the two approaches are combined to allow for a more hybrid and environmentally relevant approach (Salman et al., 2020; Sandberg, 2000). The commonality of this approach to the previous perspectives discussed in both the United Kingdom and United States work environments is that: “within the rationalistic approaches, human competence is described as constituted by a specific set of attributes that workers use to accomplish their work” (Sandberg, 2000, p. 11, p. 11).

Sandburg argues a more comprehensive approach to competence is posited as one where it is not only a combination of underlying attributes and how they differentiate the execution of work-specific tasks by different people, but also how this

is measured or assessed contextually where, “competence is not seen as consisting of two separate entities; instead, worker and work form one entity through the lived experience of work.” (Sandberg, 2000, p. 11, p. 11).

This interpretive approach situates competence intrinsically into the environment, linking the two as inter-dependant and connected. He argues that competence was presented in three broad concepts:

- Competence as a pre-requisite, where competence existed as knowledge and associated permission to practice;
- Competence as an outcome, or performing to a set standard; and
- Competence as a capability applied to accomplish a set work task (Sandberg & Pinnington, 2009).

The interpretative approach (Salman et al., 2020) evolved into an existential or ontological perspective of competence out of research he undertook in an area of professional practice when researching professional competence in an Australian law firm (Sandberg & Pinnington, 2009). Sandberg’s approach to competence argues that some of the more traditional views may fall short of an adequate or appropriate understanding and application of competence.

Reinforcing this more expansive view of competence, Winterton (2009) concluded that intellectual capabilities are required to produce knowledge that is realised by developing applicable skills, applied contextually in and reliant on a work context. The competence model that seems to be most relevant in a workplace context, when compared to narrower interpretations, contains a combination of knowledge, skills, and attitudes. Integrating the interpretive approach, competence becomes holistic and multifaceted. Functional, cognitive and social are further and complementary descriptors of competence allowing for a more holistic view where competence is the application of three constituents – functional, cognitive and social competence applied in a work context (Winterton, 2009). This is represented diagrammatically in the following (Figure 3) where meta-competence (conceptual learning or learning to learn) facilitates the acquisition of the other competencies and is therefore tied to their acquisition.

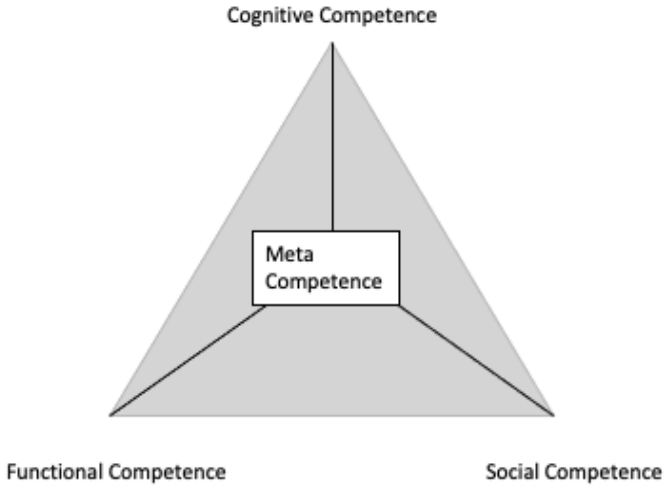

Figure 3: Holistic model of competence

However, it remains a predominant view of competence that its interpretation derives from seeking to apply underlying human attributes in a workplace context. It was born out of a desire to improve the effectiveness and training of the workforce; improve not only employees but at the management level as well, because competence is intrinsic to work (Salman et al., 2020). All the global approaches to the understanding and development of competence have a commonality in that they are intended for application, representing as applied skills. Geographic interpretation and resultant variations of view, have relied upon the relationships between the legislators and the delivery mechanisms such as tertiary and vocational training, tasked with undertaking application.

Notwithstanding what can be a nebulous and multiplicitous subject, for the purposes of this research, it is important to conceptualise and define competence as it will be applied in this dissertation. Sandberg and Pinnington (2009) and Winterton (2009) provide examples of competence that are relevant to professional practice and in fact propose models that may arguably merge towards capability. Sandberg's (2000) interpretive approach sits well within this research as being the most relevant application of competence in the modern workplace. Winterton's depiction of the various aspects of competence correlating and combining into meta-competence, whilst it provides a useful addition to a modern holistic view of competence, go beyond

where competence should be in relation to an emerging profession. Its similarity to capability as a concept blurs the line, if there is one, between the related but distinct levels of 'ability to do'. Therefore, competence or *interpretive competence* (Winterton, 2009) for the purposes of this project aligns with the three principles of Sandberg: competence as a pre-requisite; competence as an outcome; and competence as a capability applied to a accomplish set work task. Competence is each of these things and it may present in any combination. It is with this perspective in mind that competence will be explored as part of this research. As much as the debate continues, the interrelated nature of competence to the situation or perspective in which it is placed remains a common thread amongst competency definitions (Decastri et al., 2020).

Also important to the application of competence in this research is developing an understanding of the history of competence in Australia, as well as its specific application in the training of investigators in regulatory contexts. It is useful to reflect on some of the considerations and definitions of competency and how it has been developed and applied jurisdictionally which suggests why it is such an important facet of vocational education and training. However, rather than becoming mired in the competence debate, it is important to examine how it has been interpreted locally and how that interpretation has shaped the current training programs relating to the practice of investigation. That is not to say that understanding and acknowledging the work that has been done in considering competence is not important, it is unlikely to be resolved within the precincts of this study and its influence holds greater relevance.

Scholarly views regarding the exact nature of competence are as varied as the application of the term and still evolving as education and the workplace change in response to demand, technological improvements, and globalisation. There is an ongoing quest for improvements in training and workplace learning driven by workforce demand. Learning institutions in both the tertiary and vocational sectors are seeking to fill that demand however locating and maintaining relevance to employers and learners will likely see the debate of competence and its application continue. But what exactly does competence mean in a practical sense locally and what relevance and implication does competence have on training? For that, we need to look at the application of competence in the Australian Workplace learning context related to Competency-Based Education or training (and sometimes learning), as it is known.

COMPETENCE IN THE AUSTRALIAN WORKPLACE: A BRIEF HISTORY

In Australia, competence, from the perspective of a vocational and work placed application, has found a home in 'competency-based training' (CBT) where training programs are designed around pre-determined training and assessment outcomes, often designed to meet industry requirements (James, 2002). The predominant application of competence, which has defined learning outcomes based on job-related requirements (or competencies), has been within the Technical and Further Education (TAFE) sector. The focus of education in that sector is more vocational than academic, with the demand for more refined and targeted job skills (Harris et al., 1995).

One of the earliest incarnations of competency-based training seen in Australia followed an American model, essentially being a conglomerate of what was being broadly practised as competency or performance-based teacher education in the 1970s. The student-teacher was expected to exhibit competence in performing the essential tasks of teaching rather than merely achieving satisfactory grades (Elam, 1972). The following set of what Elam referred to as 'generic essential elements' was used as guidance for the Australian teacher education program:

1. Competencies (knowledge, skills, behaviours) to be demonstrated by the student are:
    - derived from explicit conceptions of teacher roles
    - stated to make a possible assessment of a student's behaviour in relation to specific competencies
    - made public in advance
2. Criteria to be employed in assessing competencies are:
    - based upon, and in harmony with, specified competencies
    - explicit in stating expected levels of mastery under specified conditions
    - made public in advance
3. Assessment of the student's competency:
    - uses his performance as the primary source of evidence
    - takes into account evidence of the student's knowledge relevant to planning for, analysing, interpreting, or evaluating situations or behaviour
    - strives for objectivity
4. The student's rate of progress through the program is determined by demonstrated competency rather than by time or course completion.

5. The instructional program is intended to facilitate the development and evaluation of the student's achievement of competencies specified.

The competency-based training program incorporating this set of principles was undertaken at the Croydon Park College of TAFE in South Australia in 1983 and particular focus was placed on principle number 4 regarding the student's rate of progress and was heralded as a "Progressive program that was admired by educators around Australia for replacing the massed lock step progression of traditional apprenticeships with a regime of individualised and self-paced learning" (Hodge, 2009, p. 2, p.2). With multiple programs being commenced concurrently in Victorian TAFE colleges regarding competency-based training, on the back of federal funding and motivation, there was still a predominating view that CBT was little more than an American fad (Harris et al., 1995). Government policy and the desire for more translatable and relevant employment skills drove the establishment of CBT into the mainstream educational discussion.

The original intentions of CBT in Australia, as distinct from the actual applications in the various countries adopting it at the time, can be collated into six key principles (Bowden, 1993). The first was the focus on specifications and assessment of the outcomes (Competencies) of the education and training, rather than the inputs such as student selection methods, length of courses and such. The second was a greater relevance to the workplace, where more traditional knowledge skills taught in higher education have been observed by industry to lack some relevance and immediacy of application. Assumption of workplace needs was an important factor in such employment-based tertiary programs. The third principle was to express the training as explicit and measurable outcomes, as distinct and measurable competencies. The fourth principle regarded assessment of the competencies as being precise and observable in expression allowing a determination to be made as to whether an individual met them or not, shifting the basis from knowledge to ability to perform. The fifth principle was that of improved skills recognition and the recognition of the competence irrespective of how it was acquired, removing eligibility for assessment from course criteria, therefore, increasing access to training and uniformity of results. The final principle was that of improved articulation and credit transfer.

"One of the benefits of a competency-based approach is that it increases opportunities for young people to move, without penalty, between education, training, and employment. It provides the basic agreed standards of performance and consistent approaches to assessing and reporting on achievement that underpin this increased mobility" (Ruby, 1992, p. 46).

What can be seen within these principles are the initial foundations of competence in a training regime where a level of competence being achieved is the aim of the process. Competence, as previously examined, lends itself comfortably to being adopted and applied in a vocational setting. It aligns completely with the work-based training requirements of the modern workplace. A more recent definition of competency as applied within this context was made by one of the sector's governing bodies stating that competency was the "consistent application of knowledge and skill to the standard of performance required in the workplace. It embodies the ability to transfer and apply skills and knowledge to new situations and environments" (Bowman & McKenna, 2016, p. 24).

While the different arguments surrounding the definition of competence and competency continue, it is not surprising that the principles drawn from the competence debate and their fundamental humanity have been applied in a practical setting. The connection of competence to human behaviour, particularly when examined in a workplace context, intrinsically relies upon the inherent traits, knowledge, skills, and experience that constitute its measure. It follows that in an effort to improve those traits, especially in a learning environment that is targeted toward knowledge and skilling in the workplace, that linking competence to a measurable outcome has been sought. In competency-based training, there appears to be a genuine attempt to link the practical implications of competence pedagogically to improvements in training and learning outcomes applicable to a workplace.

Competency-based training structure in Australia

The Australian approach to competency development in practice originally had three main components (Harris et al., 1995): Vocational competencies were endorsed by the National Training Board (NTB) with recognition of overseas qualifications as competencies by the National Office of Overseas Skill Recognition (NOOSR) and generic key competencies that were proposed to be included in all post-compulsory

education and training and developed by the Finn and Meyer committees (Chappell et al., 2020; Finn, 1991; Mayer, 1992: as cited in Harris et al. 1995).

Competency standards bodies that were representative of relevant industry groups and approved by the NTB, set competency standards, which were then promulgated by the NTB. Through a succession of government reviews of the sector and tertiary education more broadly, there has been a metamorphosis of TAFE through Vocational Education and Training (VET). This was predicated on a restructuring of the national awards systems for wages and entitlements and a desire of the Commonwealth government to align competency-based training delivered by the VET sector more with industry demands. Whilst the TAFE system was controlled and run by the respective States, the Commonwealth was driving the agenda for change and alignment nationally (Goozee, 2012).

There has been a myriad of changes to the TAFE sector over subsequent years including more recently a move by the federal government to realign delivery of some aspects of vocational training into the private sector through private training providers. Currently, the Australian Industry Skills Committee (AISC) formally known as the National Skills Standard Council, which was set up by the Commonwealth of Australian Governments Industry and Skills Council in May 2015, consists of industry leaders from across the various industry sectors and provides industry leadership of the vocational training sector ("Australian Industry and Skills Committee," 2017).

The AISC reported to the Standing Council for Tertiary Education, Skills, and Employment (SCOTESE) now known as the Council of Australian Governments Industry and skills council, which in turn reports to the Council of Australian Governments (COAG). The AISC has a collaborative management arrangement with the Industry Reference Committees (IRC) of which there are currently approximately 70, which in turn liaise with the respective industries and recommend to the AISC the content of current and future training needs and drive the development of the relevant training packages. The IRCs in turn are supported by Skills Service Organisations (SSO), which are independent professional service organisations assisting the IRCs in engaging with industry and developing and reviewing training packages.

With regard to the public service vocational training requirements where investigation training is the focus of this research, the relevant IRC is the Public Sector Industry Reference Committee which is supported by Skills IQ as the SSO ("Public

Sector Industry Reference Committee," 2017). The whole system is multi-layered and while there is a focus placed on industry relevance of training by involving representatives from the relevant industry in the design and influence, there is still an opportunity for self-interested Skills Service Organisations to promote their own agenda, rather than that of the sector they purport to represent. These SSOs come and go and are quite often private companies who have chosen out of commercial imperative, to develop and consult on training package content. It could be argued that there is a level of self-interest contained therein which could unduly and incorrectly influence training package design which lacks national cohesion and objectivity. There is also the question of excessive bureaucracy, which can be evidenced by the aforementioned structure and how that can influence meaningful and timely change.

An example of the bureaucratic problems that the vocational training sector has been battling, and Federal/State government relationships impeding this process, is an ongoing project where changes are being considered to the training package for the private investigation industry. The relevant qualification being considered is CPP30607 - Certificate III in Investigative Services. The skills service organisation in this case is a private company, Artibus Innovation, and they are providing program support to the Property Services Industry Reference Committee. Artibus had been travelling around the country conducting forums for interested parties to attend and provide feedback on the proposed module changes. There was a fervent discussion recently in the Brisbane round of the forums about desired content. The facilitator of the forum from Artibus indicated that if realistic changes were desired by the industry, without a delay of approximately two years, then manoeuvring through the respective State-based department was the desired option rather than its federal counterpart. The system as regulated by the Federal Department of Jobs and Small Business is constructed with various layers of oversight. It had become apparent through previous experience in Western Australia, that it was far quicker and easier to have training accepted and in place via State government implementation, than being able to have it federally recognised and therefore adopted nationally. This was a back door which bypassed the intention of the process and as in any pragmatically aligned environment such as employment, was discovered as being the preferred option. Arrangements and shortcuts of this nature and a perception by stakeholders that this route is the preferred

option, do nothing to assuage the concerns within the investigation industry that there is a lack of national coordination and cohesion.

The current training of investigators within Commonwealth agencies, which is the specific focus of this research, is met primarily by private training providers in accordance with the aforementioned standards and guidelines. However, while the training and its implications will be dealt with in greater detail, competence or in this case – competencies remain the determinant of qualification in competency-based training. Competency is synonymous with TAFE and vocational training and is arguably the best and most accepted methodology for assessing learning.

2.4 TRAINING IN AUSTRALIA: COMPETENCY-BASED TRAINING THROUGH TO TERTIARY TRAINING

Competency-based training through VET was designed primarily with employers in mind, to address their needs and those of the national economy more broadly as envisaged by policymakers seeking to modernise the workforce (Hodge, 2016). Hodge argues that the documentary approach of competency-based training, where the knowledge requirements are uniformly recorded and applied, is too prescriptive and prejudicial to a greater depth of knowledge, merely succumbing to the controlling needs of industry and policy makers. Documenting the knowledge requirements of occupations in such a dogmatic way limited the ability of learners to contextualise learning to a workplace and the inherent learning qualities associated therein. “Insofar as they employ the theory of behavioural objectives, education based on competency documents is susceptible to the charge that it neglects subtle, non-observable factors that contribute to competent work performance” (Hodge, 2016, p. 172). This approach to competency within VET is constricting and focussed on measurable outcomes rather than an employment or situationally contextual assessment or ability. It might be described as being two-dimensional however it remains the predominant training methodology for investigation.

As much as competency-based training is firmly entrenched in the VET sector there is ample academic criticism of its efficacy. Wheelahan (2016) argues that competency-based training skims over the actual knowledge underlying an occupation and that focussing the educators and learners on descriptors of the skills required ignores the theories and concepts constituting capable performance. Furthermore, the race to the bottom of private providers leaping headlong into the training sector has

amplified the sporadic and disconnected approach to VET training and qualifications with a consequent diminishing of integrity and TAFE involvement in the sector. Disadvantaged groups who may be some of the most likely clients in this market are susceptible to such declines and social consequences may follow impacting the disadvantaged. There is a tension between the aspirational goals of the government seeking to have an agile, capable and flexible workforce and the constraints implicit in behavioural measures housed within competency-based training (Billett, 2016) and these types of measures are inadequate for assessing a 21st-century workforce. The modern worker needs to be able to negotiate the global market, utilise technology and the multitude of social discourses now available, not only interpersonally but online, and possess social productivity, initiative and leadership (Billett, 2016).

Consequently, there can be a lack of depth and a two-dimensional approach to VET which confers a level of competency that is sometimes unwarranted. For example, the current VET process for investigators would cater for a new student, without prior experience or requisite learning, to enrol in the Certificate III course for investigation and on successful completion of some competencies, apply for an established position. As such, an investigator can be made with little if any investigative experience other than whatever practical exercise could be built into a training organization's curriculum, despite being deemed competent. Conversely, there are many examples of currently operating investigators in regulatory agencies who have been occupying substantive roles and do not possess VET qualifications. Although competency-based training acknowledges and integrates recognised prior learning into its programs, the difficulties in interpreting and managing acknowledgement in the face of a system that is predicated on ongoing observation and measurement are problematic for experienced applicants.

There are different perspectives on the efficacy of competency-based training. Pauline James examined the delivery of competency-based training through the lens of the national project 'Evaluating the contribution of competency-based training'. There were many stories derived from research participants attesting to the advantages and pitfalls of the application of competency-based training (James, 2002). As might be expected from any such study, the results reflected differences of views between managers and employees as to the efficacy of competency-based training. Some saw it as focusing on practical skill application and knowledge rather than theory, which had shortcomings in areas where theory was regarded as equally important such as the

health sector. One tertiary graduate commented: “When I came out with a tertiary qualification, I thought I was it and a bit: it only takes a week to work out that you know nothing. CBT doesn’t leave people at the end of the course knowing nothing” (James, 2002, p.374). However, despite the mixed perceptions of the training, there is value to be had.

A survey of staff was undertaken in the United Kingdom civil service relating to the delivery and reception of training in a time of fiscal austerity when it might reasonably be assumed that training budgets were under pressure. Several interesting results were obtained which suggested the inherent importance of maintaining such training. Staff suggested that training contributed to the well-being of the organization and particularly enhanced client service which is a core function of the public service (Jewson et al., 2014). Jewson et al also observed that “Among professional and high skilled staff in the public sector, there was a sense of responsibility for and pride in their commitment to maintaining high quality service via continuous training.” (Jewson et al., 2014, p.232). If done well in a Government organization, training can not only enhance individual employee performance and productivity, which feed into broader organizational goals, it can also have a positive influence on employee alignment, engagement and overall performance (Ice, 2009).

But not all training is effective and well placed. Training and concurrent experience form an important part of the improvement of staff skills, which leads to efficiency enhancements in the organization and in order to establish the effect of training, an equivalency in staff skilling should be evident (Rahmati et al., 2014). Effectiveness is an important consideration of any training regimen. Evaluation of the training is also important in establishing its relevance and effectiveness and it needs to be built into the training package in the construction phase. It must verify that a change occurred and that it was a direct result of the training and also that it can occur again with other employees (Sims, 1993).

There is an emphasis in the modern workplace on ‘lifelong learning’ derived from the connection between competence and adult learning outside of more formal education (Nicoll et al., 2013). However engaging employees with this ideology can be problematic. O’Keefe et al (2017) conducted research in an Australian public sector organization composed of various educated levels of staff, from scientists to administration. They found that the more formally educated staff were unlikely to avail

themselves of training opportunities presented and that a cultural problem in the organization, may be a major factor preventing what had been assumed would be the take-up rate of training opportunities and that this could send a powerful message to subordinate staff.

Wherever there is a government there is a bureaucracy and improving the efficiency and output of these civil services can be linked to an investment in training. However, there appears little if any consideration is given to particular public service subset functions such as the role of investigation, which can transcend any specific agency. Investigation may suffer from identification as a vocation rather than a profession. This appears particularly evident in the public service that contains a multitude of regulatory environments in different agencies with related but distinct investigative methodologies. Consequently, the competence-base and ongoing level of training applicable to practitioners are often deficient if it is at all present or misdirected. Whether training contributes to a profession, or professional standing may demand better resourced and defined training, are questions that may have a bearing on any proposed or perceived improvements. Associated with this consideration is the relationship between technology and training and how technology may be utilised to integrate and collaboratively apply training in a collegial partnership of training organizations and academic institutions.

THE GLOBAL TREND TOWARD TERTIARY EDUCATION

The relationship between tertiary education and regulatory training has received little attention academically and as has been the case previously in this thesis, it is proposed to explore the policing experience in this regard as a useful guide to possibilities. Given the aforementioned argument about best practice investigation techniques coming primarily from policing, it is proposed that the exploration of such training links and associated research can be extrapolated into the regulatory space. As discussed previously, there has been a move towards a more formal tertiary basis for the education and ongoing training needs of Police worldwide (Flanagan, 2008; Gardiner, 2015; Tong & Wood, 2011) and this is also a trend developing in Australia. The next section of this thesis will briefly delve into these respective jurisdictions to take a look at the tertiary education experience of criminal investigation.

TERTIARY EDUCATION AND POLICING IN THE UNITED STATES

The American experience has been well documented with research and government commissions during the 1960s and 1970s indicating a zenith of interest and debate, failing to arrive at a consensus view of the benefits (if any) of a college education for Police in the United States (Paoline et al., 2015; Roberg & Bonn, 2004a). Various researchers identified both positives such as open-mindedness and less dogmatic thinking (Guller, 1972; R. Roberg, 1978) and negatives such as increased cynicism and dissatisfaction with their job (Hudzik, 1978; Regoli, 1976). What Paoline et al (2015) observed was that the earlier research on the relationships between college education, police effectiveness and attitudes had been hamstrung by a lack of sample sizes for the population and other methodological deficiencies which rendered the findings inconclusive.

In turn, they found that while the research undertaken previously in addition to theirs, which focussed on the attitudinal factors associated with college education and the effects on operational officers' attitudes to the job and the public, was that each of seven the police organisations in the study, whilst not requiring a four-year degree to gain entry, nonetheless consisted of a predominance of college-educated recruits. This education had been undertaken primarily before application to the respective departments "we found that 45% (of the 2109 patrol officers) voluntarily held baccalaureate degrees (or higher), nearly all of whom completed them before they started their policing career. In addition, another 43% of the officers in our study had completed some college" (Paoline et al., 2015, p.67). What Paoline et al also observe in summary is that despite the assumption that a college education makes sense for aspiring officers, the exact reason why education appears to be playing a large part in the makeup of police applicants has not yet been determined. Despite the shortcomings of the research at that stage, it was sufficient to say that whether it is to appear competitive at the application phase, to enhance subsequent career prospects or some other undetermined reasoning, a college education is seen by potential applicants as advantageous. It provides a perceived link between tertiary education and policing, although it does not appear to support an identified need from within the policing agencies, perhaps merely an added benefit.

This needs to be considered in the context given the difference in worldwide jurisdictional structures. The Unites States example has its own idiosyncrasies

regarding the size and nature of policing. The federal system in operation gives rise to a multiplicity of policing agencies at the Federal, State, and local levels. The delegation of legal responsibility allows for the respective governmental layers to construct their own policing agencies resulting in excess of 18000 separate policing authorities and "an extremely fragmented police system" (Cordner, 2011, p.107).

In 2001 a national survey was undertaken of State and Local policing agencies and was comprehensive. Its aim was to expand on the 1977 Rand report including 3123 agencies of all sizes (Horvath et al., 2001). The 1746 respondents (56% response rate) employed approximately 350000 staff in the agencies, being over half the total national policing cohort of full-time, sworn officers. Over 50000 (16%) were investigators. The survey found that only 39% of agencies (562) reported that their investigators required any ongoing investigative training by way of in-service classroom instruction. The average number of required training hours was 41. The training covered the usual topics of crime type, investigative techniques, legal issues and management and reporting. Over 70% of the agencies reported efforts made to enhance the training of their patrol officers however only 35% required their officers to undertake ongoing training in the classroom during their service, other than what was received at the relevant police academy. In summary the survey found that despite the changes in operational policing since the Rand report in 1977, there has been no substantial or corresponding change in police training over that time, with less than half of the respondent agencies requiring ongoing, in-service training, yet the paradox was that the agencies reported training was one of the three most influential factors on crime clearance rates (Kingshott et al., 2015)

What the early research showed and was subsequently affirmed, is that while there is little if any correlation between tertiary education and measured effectiveness or outcomes in practical policing, there is nonetheless a desire amongst prospective practitioners to undertake some form of tertiary study prior to, or in some instances post, application and joining.

There are some advantages that have been identified in a better-educated police force. There is an increasing desire in the Unites States for a more independent, capable and reflective thinking police force to respond to modern globalised demands such as those posed by terrorism and other multijurisdictional criminal threats (Roberg & Bonn, 2004b). The correct interpretation and application of community-based policing

by a more educated and capable police force is paramount to the ongoing development of police and community operating partnerships and the problem-solving abilities of officers can directly benefit from college education (Roberg & Bonn, 2004b). However, while the actual benefits to policing may be intangible, there are distinct advantages in tertiary training manifesting in broad terms as an intellectual application advantage that officers are taking into their daily duties. This debate in the United States is ongoing without a broad consensus being reached.

TERTIARY EDUCATION AND POLICING IN THE UNITED KINGDOM

In the United Kingdom, similar issues have been experienced in the proposed adoption of tertiary training programs for policing services. However, there has been much less academic consideration given to the perceived benefits of university education on the constabulary of England and Wales (Paterson, 2011), with the only authoritative review of training and research being undertaken by Her Majesties Inspectorate of Constabulary in 2002 (Training Matters, 2002). This study received commentary and analysis by authors such as Peace (Peace, 2006) and Alexandrou and Davis (Alexandrou & Davis, 2005), who whilst commenting on the regionalised nature of the police force in England and Wales gave rise to problems in consistency and oversight of training, discussed the andragogy versus pedagogy of the training for new police rather than any examination of the application. There was more interest in the way the required knowledge was acquired than its actual benefit or application across the force.

There is also a resistance to academic study by police in what they see as a vocationally based occupation (Paterson, 2011). Rather than focussing on the advantages or implications of tertiary studies on policing, a substantial body of available policing research has been driven by responses to critical incident stimuli such as a major failing in policing practice (Gudjonsson & Mackeith, 2008; Vogel & Kebbell, 2011). These incidents generally catch the attention of the media and government, and the pool of available funds for research in the United Kingdom, and to a lesser extent the United States, is resultingly directed to explore these failings and is referred to as “policy-based, short-term crisis funding” (Manning, 2005, p.39). Manning argues that this has led to a lack of cohesion in the academic consideration of police studies, which though coloured individually by the differing environments of policing in the two jurisdictions, nonetheless face a similar conflation of problems for

research. He underlines the propensity for policy makers to simply align police training with a particular tertiary institution thereby legitimising the professionalisation of the resultant training by little more than the association alone.

TERTIARY EDUCATION AND POLICING IN AUSTRALIA

In Australia, we have seen a similar motivation for the improved training desires of policy makers, arising from critical incidents and the consequent need to educate the policing cohort. The first 'crisis' in policing to encourage discussion about the need for tertiary trained police was the Fitzgerald enquiry in Queensland which reported in 1989 (Fitzgerald Report of a Commission of Inquiry pursuant to orders in council, 1989). The enquiry grew from perceived corruption within the Queensland Police service under the leadership of Commissioner Terrance Lewis, which was particularly ensconced within the confines of the Police licensing branch and its focus on prostitution and associated organised crime. This enquiry resulted in an overhaul of the Queensland Police and as a part of that overhaul, the education and training of officers were highlighted by Commissioner Fitzgerald who commented in the report regarding training that:

> "Police need a deeper appreciation of social, psychological, and legal issues which are intrinsic to their work-an understanding which can only be acquired by higher education…. Education programs in Colleges of Advanced Education or other tertiary institutions which provide basic knowledge of criminal justice processes and foundations of social science are needed. The courses would be ideally attended by police along with people from other disciplines, to ensure the breadth of experience essential to the study and understanding of human behaviour." (Fitzgerald Report of a Commission of Inquiry pursuant to orders in council, 1989, p. 250).

There have been two other anti-corruption inquiries into policing of a similar nature in Australia; the Royal Commission into the New South Wales Police (1994-1997) known as the Wood Royal Commission (Brown, 1997) and the Royal Commission into whether there has been corrupt or criminal conduct by any Western Australian police officer referred to as the Kennedy Royal Commission (Kennedy, 2004). Each of the commissions of inquiry looked at the underlying causes of police corruption as a part of their remit and aligned with the Fitzgerald Royal Commission

earlier, referencing a desire for police and university partnerships to provide a liberal education for junior officers and a diminishing of the cloistering effect that an exclusive 'Police academy' approach to basic training may promote. This would expose trainee officers to the breadth and depth of learning in society, diversifying their education towards social issues and considerations rather than operationally focussed training alone (Wimshurst, 2010). As observed by Wimshurst and Ransley (2007) earlier regarding the Fitzgerald Inquiry in Queensland the actual impact on police recruits was spuriously qualified in the report, with the nexus of tertiary education and related improvements in police service delivery questionable.

As research has indicated in the respective jurisdictions, whilst there are improvements in critical thinking and what can be termed 'liberal' views desired as a basis for police officer interactions with the public, actual and measurable benefits are difficult to argue and quantify often due to a lack of targeted research. This of course does not detract from the overall benefits of tertiary training; however, making a sustainable case to policy makers that this is the way forward is problematic.

2.5 EXAMPLES IN AUSTRALIA WHERE TERTIARY TRAINING HAS BEEN TESTED

Both Queensland and New South Wales partnered with tertiary institutions to introduce pre/early employment training courses for police as a result of the respective inquiries already mentioned. The intention was to have the teaching partnership consolidated before and in-service training, potentially articulating into a baccalaureate qualification (Wimshurst, 2010; Wimshurst & Ransley, 2007). In Queensland, the Police formed an alliance with Griffith University and the Queensland University of Technology to deliver four course units which the prospective applicant was required to complete as part of initial probationary training. These units were then acceptable as credit for ongoing tertiary study at the university and this was ground-breaking in Australia insofar as university and policing partnerships existed (Bryett, 1992).

These units constituted the 'Advanced Certificate in Policing'. The program lasted approximately two years having succumbed to a convergence of negative pressures. These included the sense of being no longer required, the crisis of confidence being over, insufficient integration of the theoretical and operational components of the program and complaints from within the police that graduands

possessed insufficient practical knowledge. Also, educators from within the police structure such as those from the academy, where probationers completed the second part of their recruit training after the tertiary component, were suspicious of losing control of the content of the program. There were complaints from within policing that academics did not know what policing was actually about and the program favoured training new recruits which were disadvantageous to existing police and a negative factor in career progression opportunities (Wimshurst, 2010).

After the demise of the Advanced Certificate of Policing, the Queensland police looked towards in-service education and devised the Constable Development program that was designed to address the needs of Constables moving to a Senior Constable status and the Management Development Program, which catered to the Sergeant and Senior Sergeant levels. These were both composed of course modules designed to be self-paced distance learning and were competency-based, underlining a prevailing vocational view of police training. Both of these programs are utilised in much the same way today ("Earning your stripes," 2011) and it is interesting to note that there is a course credit arrangement with Charles Sturt University in New South Wales, where at the conclusion of the Constable Development Program police officers from Queensland are eligible for 152 Credit points in the Bachelor of Policing degree, necessitating another five units to be completed for the award ("Bachelor of Policing," 2018).

The New South Wales government introduced the Constable Education Program (CEP) as a replacement for the Police Recruit Education Program (PREP) in 1998, which was seen by the Wood Royal Commission as inadequate in addressing systemic corruption (Longbottom & Van Kernbeek, 1999). CEP was an amalgamation of three existing training courses, PREP, the Constable Development Program, and the Police Services Investigators Course and as Longbottom and Van Kernbeek point out, the motivation of the change was to reduce corruption and increase the professionalisation of the police service. These previously separate training components awarded a certificate and diploma of policing respectively, allowing for a graduated award dependent on training and experience. CEP introduced a two-year Diploma of Policing Practice (Longbottom & Van Kernbeek, 1999) where the New South Wales Police and Charles Sturt University undertook a collaborative approach to design and deliver an appropriate training package. Delivery took place at the police

academy for the first year and in the field for the next phase, with on-the-job training forming an integral part of the program.

This training program has now evolved into the Associate Degree of Policing Practice while continuing the partnership with Charles Sturt University and being a prerequisite qualification for entry into the Police as a probationary constable ("Associate Degree Policing Practice," 2018). The program consists of coursework undertaken at the Goulburn Police Academy and placement and field training on the job at Police stations and local area command centres. It is interesting to note that the New South Wales Police training relationship with a university endures despite being exposed to the same influences that have led to the demise in Queensland of a formal training association between police and tertiary institutions. Given the influence of the respective State governments on the formal enquiries that identified the need for, and the subsequent financial support required to set up and maintain, the training relationships; it is not proposed to examine that in detail for the purposes of this research, as it is sufficient to observe the influence that tertiary education is having, or at least has had, on Police training and how that may be reflected in the evolution of training in a regulatory environment. This reflection is an extension of the proposition made earlier that policing developments form a useful gauge by which to predict how regulatory investigation may evolve.

2.6 TERTIARY COURSE CONTENT AS APPLIED TO POLICING

QUEENSLAND POLICE

Bearing in mind that the Queensland Police program instigated from the Fitzgerald Inquiry no longer exists in that form as a tertiary education collaboration, the following course-related information pertains to a review at that time of the process shortly after implementation (CJC, 1992). The course was designed to involve two competing universities that were pitching to be involved in the program of training with the Queensland Police Academy. The Police Education Advisory Council (PEAC) was formed to oversee the process and consisted of members of the Police Service, the Police Union, the Criminal Justice Commission, the Police Academy and independent educational experts (CJC, 1992). PEAC awarded participation in the program to both Griffith University and the Queensland University of Technology to undertake the tertiary component of the training and

avoid any assertion of a particular ideology of training. Each university delivered the following four components of training:

Table 2: University course modules (CJC, 1992, pp. 56-58)

Griffith University	**Queensland University of Technology**
Legal studies and justice administration	Introduction to the legal system
Issues in Australian society	Contemporary issues in Australian society
Accountability, professionalism, and ethics	Social ethics and the justice system
Communication studies	Communication

Reading through the descriptions of the course content summarised in table two above, there is a consistency between the different institution's offerings and what might be expected as part of a designated tertiary training program. There is a focus on accountability and ethics and exposure to topical issues in Australian Society of the day, all of which reflect the grounding in humanities that has been described as necessary to the training of Police in light of modern demands and specifically mentioned in commissions of inquiry. At the conclusion of the tertiary training component, the recruits would then attend the police academy to undertake more practically focussed training contained within subject areas such as: 'Police professional Studies' and 'Operational Competencies' (CJC, 1992, p. 58). Topics such as traffic accident investigation, watch-house procedures, use of police computers, physical fitness, swimming, and firearms training were the more practical constituents of the second half of the initial training process that prepared recruits for operational deployment. This was followed by an actual deployment in the field under the supervision of a Field Training Officer. As discussed previously the tertiary program lasted a couple of years before it was terminated as an official requirement for entry into the police service and ongoing in-service training requirements have been met by the constable and management development training programs ("Earning your stripes," 2011).

NEW SOUTH WALES POLICE

The New South Wales Police have enjoyed a long-standing training collaboration with Charles Sturt University since the Wood Royal Commission in turn found that training as it stood was insufficient. Unlike the Queensland example, the New South Wales Police Force continues to link recruitment and probationary training to tertiary education mandating an Associate Degree in Police Practice. This qualification is a

precursor to an offer of employment by the police and the prospective recruits have a choice of full or part-time study, which is delivered via the NSW Police academy. At the completion of the first two phases of this program, suitable applicants are offered places as probationary constables in the NSW Police and placed in the workforce to continue several more phases of the program. The following units compose the first two phases of the Associate Degree program ("Associate Degree Policing Practice," 2018):

> **Course Structure**
> Students must complete 10 core subjects (120 points).
> Fulltime and External students have different Session 1 enrolment patterns.
> PPP20C Practical Policing (8) is awarded at the completion of Session 5 recognising proficiency credit in workplace learning.
> **Fulltime Session 1**
> PPP145 Law Policy & Procedure 1 (16)
> PPP146 Investigative Practice 1 (12)
> PPP147 Communication and Police Professional Standards, Conduct & Values 1 (12)
> **Session 2, (All students)**
> PPP148 Officer Safety (8)
> PPP149 Law Policy & Procedure 2 (12)
> PPP150 Investigative Practice 2 (8)
> PPP151 Communication and Police Professional Standards, Conduct & Values 2 (8)

There are three more phases (3-5) which comprise the balance of the study program but are undertaken during field placement activity in an operational environment where the students are utilising a competency-based training approach to apply the knowledge to work-based applications, constructing an 'Operational Portfolio of Competency' ("Associate Degree Policing Practice," 2018). At the successful conclusion of these five phases of training the recruit is confirmed as a constable.

UNITED KINGDOM POLICE

It is useful at this point to look at the process for Police recruitment in the United Kingdom, the home of modern policing and arguably closest to our policing model, to observe how another modern Policing agency deals with similar issues and concerns. It is unnecessary to examine the complete history of Police recruiting in the United Kingdom for the purposes of this research, the goal being merely to provide an extra-territorial example from Australia that has parallels to experiences here, with a

common background and application of law enforcement. A more recent time period will be explored for comparison.

In 2012 the College of Policing was established, in part to centrally coordinate the training needs of the forty-three separate Police forces in the United Kingdom. The college maintains carriage and administration of the National Policing Curriculum (NPC) comprising the national learning and development standards for policing ("National Policing Curriculum," 2018). The college was in the process of designing the Policing Education Qualification Framework (PEQF) and as indicated on its website by way of a definition: *This is a professional training framework for police officers and staff. It's based on a modern curriculum of dynamic operational training, underpinned by sound theoretical education. Currently focused on new joiners to the police, the PEQF is being developed to cover the range of professional training, including some voluntary roles, and staff and officers at all levels.* ("Policing Education Qualification Framework ", 2020)

The framework offers alternative routes to police entry and is attempting to inject consistency into the training of police which is currently administered by the respective forces in line with their local operational demands and varies from force to force regarding minimum qualifications. The college proposed several changes to routes of entry consisting of the following options:

A three-year police constable degree apprenticeship paid for by the force, allowing individuals to 'earn while they learn' - spending 80% of their time on the frontline, and the rest completing their degree while receiving a salary. A practical policing degree, as seen in other professions, where the student would complete a three-year self-funded course and apply for a job once qualified.

For graduates, a six-month postgraduate conversion course funded by the police

Other changes to be introduced include:

A national set of qualifications for officers following promotion, for example in skills such as management and leadership

A requirement for officers applying to be an Assistant Chief Constable or above to have a Master's degree - to be paid for by their police force ("All new police officers in England and Wales to have degrees," 2017).

Researchers working on the design of the new training options have received positive feedback from most critics and observers regarding the laudable objectives of

professionalising the Police Force in the United Kingdom. The previous work of police education academics is not lost in the motives of implementation here; however, it has not been without negative criticism with some observers indicating a lack of need for tertiary education of police with commentary such as this: “The only degree a police officer needs is a degree of common sense, they'll learn on the job. The public don't care about police having degrees. They want someone competent, caring and capable.” ("All new police officers in England and Wales to have degrees," 2017).

The vocational heritage of policing is a difficult stereotype to surmount but it is worth considering the academic benefits of tertiary training and the bearing that may have on addressing such concerns. Ample evidence since the 1970s supports the conclusion that police who have completed higher education directly benefit in the way they apply their duties while being cognisant of the welfare of the citizenry and are generally more capable (Guller, 1972; Longbottom & Van Kernbeek, 1999; Manning, 2005; Regoli, 1976; Roberg & Bonn, 2004b; Wimshurst, 2010).

The professional competence of police in the United Kingdom with the primary responsibility for investigation, was addressed by the introduction of the Professionalising Investigation Programme or PIP (James & Mills, 2012). The model proposed delivering face to face training which was tiered according to the requirements of the officers utilising the program. The lowest of three tiers was devoted to introductory investigation specific training to relatively inexperienced staff with the highest tier reserved for supervisors and senior investigation officers. While the model proposed provided an underlying and consistent approach to professional investigative training supported by continual professional development requirements which were ongoing, critics observed that the policing structure and concurrent bureaucracy would be unlikely to respond favourable to the proposed change. This was ongoing evidence of the problematic debate surrounding the professionalising of policing in the United Kingdom.

The professionalisation of policing through the mechanism of tertiary training is an ongoing discussion amongst academics and policy analysts and it is reasonable to suggest that there is a consensus view amongst practitioners and observers at the various levels that reform is overdue. Whether it has been identified via anti-corruption inquires as a means of re-establishing integrity, or a logical evolution along the journey to professionalisation, tertiary education is bound like never before into the proposed

training methodologies of policing authorities around the globe. But what does that have to do with the broader regulatory paradigm? As mentioned previously, the links between investigation processes in the two sectors is no coincidence. Policing is an exemplar of best practice investigation, and it is not uncommon for regulatory investigation practitioners to have that skill set in their repertoire. Therefore, the purpose of this examination of police recruiting and training has been to consider what lessons can be learnt and applied in the regulatory context.

2.7 AUSTRALIA – THE REGULATORY CONTEXT

The vocational training course that underpins investigative training in the Federal Public Service is included in the training package – *Public Sector Training Package* (PSP) - that in its current form was released on 7 March 2016. The overall package lists the qualifications available from Certificate I – IV level and on to the Diploma and Advanced Diploma qualifications ("National Register on Vocational Education and Training ", 2017). It also contains all of the competencies that have been identified which can form part of the various qualification strands as compiled by the respective Registered Training Organisations (RTO). The specific qualifications that represent a focus of this research are those pertaining to Investigator training as mentioned previously. These are the core skills and commensurate competencies which are drawn from the Australian Government Investigation Standards as being required to undertake investigative work within a government regulatory environment. Those qualifications, derived from the PSP, are the Certificate IV and Diploma of Government Investigations.

The minimum standards to be applied by a training provider for the certificate IV course in investigation are set within the national register and consist of a mandated group of core units of competency and a larger list of electives. The standards indicate that in order to receive the qualification, a student must complete 15 units of competency comprised of 6 core units and 9 electives ("Certificate IV in Government Investigations," 2018). These courses are individually constructed by the respective training providers and allow them some flexibility by way of elective inclusion, to cater for individual student requirements and commercial differentiation. The vocational ties that bind the training of regulatory investigators have a genesis in the pedagogy surrounding the training of investigators more broadly, however, it can be seen that in the world of policing, where investigators have been resident far longer,

the journey to tertiary education is far more advanced. The non-regulatory environment is not actually entertaining the thought of tertiary education in any form at this time. It would seem logical that the proposed alignment of criminal and regulatory investigation methodologies necessitates alignments in training. The actual investigative functions in each paradigm are remarkably similar and each environment faces those same contextual challenges. As police are led towards a path of higher learning, albeit with an apparent degree of practitioner resistance, regulatory investigators should expect to follow.

Regulatory training in Australia does not have a distinct history such as that in policing. As earlier discussed, the training program has been in response to industry requirements in much the same way as any other vocational qualification and as much as there is a timeline of evolution and development in that regard, it is not the same as improvements specifically targeted by government directives or investigative failings, such as the police examples. Nonetheless, given the proximity of regulatory investigators to high-profile investigations and therefore a parallel risk environment, policing provides examples from which to learn.

2.8 PROFESSIONS, PROFESSIONALISM, AND PROFESSIONALISATION

PROFESSIONS AND PROFESSIONALISM

The concept of what constitutes a profession is amorphous. Scholars have debated the criteria for decades with different perspectives prevailing. Defining the professions can be problematic and complex with the topic academically avoided on occasion (Edwards, 2014; Evetts, 2003; Freidson, 2001). The terms profession, professionalism and professional can have misconstrued and interchangeable meanings (Evetts, 2013; Freidson, 1994). Some aspects are clear and when looking at the different perspectives, there seems to be a prevailing view that professions are comprised of occupations that, by virtue of their organisation and store of knowledge, exert considerable influence and power in society (Lawrence, 1999). Looking at the works of other researchers and authors, Lawrence examines the somewhat self-serving views that professions have of themselves. It can be argued that they are collectives of members united by their subscription to the ideals and goals of the profession, usually enunciated by the leadership group, where present, and perpetuated by this group through controlling the selection of members. The profession is accorded such benefits

as; "...the status of a profession and the rewards of a profession, such as secure income, a rising salary scale and fringe benefits" (Lawrence, 1999, p.96).

Viewing professions as primarily self-serving and constructs of their membership for self-fulfilment would seem to be a two-dimensional view of professions generally. Miller and Alexandra look at the practical application of the duties of the professional to their clients or patients as the case may be (Alexandra & Miller, 2009). They conclude that professional practice is implicit with an ethical dimension, and they are not simply governed by betterment and self-worth. They are in fact intertwined with a moral responsibility to undertake their professional conduct in a manner that is in the best interests of the people who engage them and this, in turn, generates a moral responsibility to those people.

It would seem self-evident that a professional organisation would seek to do the best job it could for those it serves. This mindset fosters a continued relationship between the two parties and creates ongoing financial and collateral benefits. Although a rudimentary analysis, this mindset may find an application in any two-party relationship, such as that observed where the professional-client interaction is one which is founded on some fiduciary duty. This analysis does not consider the other stakeholders in the professional equation, the membership of the profession. Who should the profession serve and how is this done in a morally accountable way? It is perhaps this blurring of the lines of accountability and the corresponding ascendance of the profession over the people it serves that has led to the wider perception of the aloofness and decreasing relevance of the profession in the modern age (Lawrence, 1999).

Allan Asher reiterates this view of a self-serving and insular professional environment, where he looked at the role of the profession from a 'marketplace' perspective. Focussed on the legal profession, the parallels with the field of investigation are easy to draw. Asher (2009) echoes some of the sentiments in Lawrence's work and points out that in the modern age, whilst the community should not accept open deregulation of the professional environment for trade practices concerns, a profession cannot be permitted to maintain a right to continue old philosophies and their constructed monopolies without constant and meaningful self-examination and fine-tuning relevant to modern societal demands.

Historically, Durkheim (1957) looked at 'the profession' likening it in some respects to the historical concept of the guild in which a group of artisans might band

together to form an economic collective for the purpose of market advantage. From this heritage the evolution of the profession can be seen, however, he observed that there is more to the modern profession by necessity than this historical view. He also argued that the existence of the guilds or a corporatized structure was necessary not only for economic reasons but also more importantly for moral reasons. This extra-materialistic view of the profession has a place in the modern sociological sense. A profession has an inextricable link to society as a 'moral community' of like-minded members whose influence extends into the wider community over time with the interactions that take place (Frankel, 1989). Durkheim's views early in the debate, on the moral and collective good of professions, were echoed by other early sociologists with their view that the moral fibre of professions stemmed from their ability to place fairness, knowledge, and altruism at the centre of society and government (Muzio et al., 2013). Durkheim discussed the role of professions within society in terms of their functional performance. This functionalist view of professions, which dominated their early analysis centred on the concept of collective rather than self-orientation, the call to serve society (Macdonald, 2013).

The functionalist view also focussed on professional traits and how a profession could be categorised and comparisons made with other occupational groups and was known as the 'trait approach', these models being popular in the 1950s and 1960s (Johnson, 1972; Macdonald, 2013). One such model incorporating some of the traits commonly discussed and considered is depicted in the following Table 3:

Table 3: Defining characteristics of professions (Leicht & Fennell, 2001, p.26)

1. Knowledge-based on theory; complex intellectual techniques
2. Mastery of knowledge base requires a long period of training, usually university-based, which is technically specialised and designed to socialise trainees into the culture and symbols of the profession.
3. Tasks are inherently valuable to society, and relevant to key social values (health, technological progress, legal rights, etc.)
4. Practitioners are motivated by service to the client's welfare and to the profession.
5. Performance of tasks characterised by a high degree of autonomy.
6. Practitioners exhibit a long-term commitment to their profession.

7. Practitioners enjoy a well-developed sense of community within the profession.
8. The profession has a well-developed code of ethics that guides professional behaviour and defines the profession's values.

Items one to seven in table three above, include concepts widely accepted in scholarly debate and mentioned at least in part, by the various aforementioned scholars in their respective contributions. Listing them as a type of recipe for a profession can both limit the debate but contrastingly and more importantly, summarise the overall profession discussion into a recognisable checklist for professional status that has a degree of utility. These traits are not definitive or exclusive of the approach and have been reinterpreted and modified as debate required. Personal and professional interests gave rise to inclusions, and as Leicht and Fennel observed:

"…questions of the relevance of traits led to questions of whether different traits were substitutable; would strict licensing compensate for lack of control over credentials? Could strong professional associations 'bid up' the rewards and prestige of an occupation without control of education and licensing? Does it matter whether professionals actually adhere to a professional code of ethics or does the mere existence of the code itself constitute sufficient justification in the eyes of consumers?" (Leicht & Fennell, 2001, p.26)

In terms of the general traits that may be applicable to a profession, table 3 includes the moral and ethical perspectives grounded in the functionalist approach to professional identification. A high level of knowledge founded usually on tertiary education, and closely guarded in terms of its availability to the broader community, accompanied by a resultant demand in the community for that specialised knowledge, are still cornerstones of the wider view of a profession exhibited today. However, whilst the attribute approach and the traits listed in Table 3 are still relevant in determining the constituent components of a profession, the 'traits' approach fails to consider the organisational and environmental factors present today. These factors influence the role and perception of the profession in the modern workplace and the concept of a professional group that places a high value on the welfare of the community it serves, and its membership may be anachronistic and no longer relevant or in many cases exhibited.

In opposition to this altruistic role that professions claimed to occupy, was a criticism that bureaucracy and managerialism were heavily influencing professions.

The exclusivity of the specialised knowledge that professions had held was becoming heavily influenced by the demands of the modern workspace where knowledge was being corporatized and franchised amongst professional groups as accessibility and desire for that knowledge were brought to bear (Macdonald, 2013).

Within the sociological study of professions, one alternative perspective has been symbolic interactionism. Whereas the functional approach to professions examines them from the perspective of the social construction and function, moral calling and their contribution to societal wellbeing, the symbolic interactionism perspective focuses on the interaction of individuals and groups with each other as being the source for extracting the meaning of reality (Durkheim, 1957; Muzio et al., 2013; Saks, 1983). This has transferred the study of professions into how individual workers construct meaning from their work and social worlds. So, the sense of perfection implied to professions from a functional perspective no longer applies, workplaces and professions are imperfect social constructs. Professions are no longer seen as groups of altruistic servants of the people and social good but rather as symbolic manifestations or ideologies used by an occupation for the furtherance of their own agenda/s. Professional altruism gives way to a desire for control and to hold onto power, the ideological pursuit of self-interest by professions (Freidson, 1984). Saks refers to the 'Neo-Weberianism' approach to professional formation as the most appropriate macro-perspective when viewing how a profession interacts with the State. This is where a profession mobilises as a group of members in the face of competition in conjunction or underwritten by the State (Saks, 2016b; Saks & Adams, 2019). He observes that Freidson was an earlier contributor to what he describes as the most prominent theoretical perspectives of the social scientific study of the profession.

Professional control and a profession's apparent desire to monopolise their respective areas of practice for reasons of self-interest and perpetuity gives rise to Eliot Freidson's earlier interpretation of professions exemplified as the 'professional power approach'. Freidson is an influential professional scholar and a leading voice in the theses that professions employ the use of monopolisation and control through the medium of knowledge specialisation. His work is interspersed with the concepts of formal training controlled by professional organisations, the associated assignation of credentials and resultant market monopoly – leading to professional power (Evetts, 2013; Freidson, 1988c, 1994, 2001; Saks, 2016a; Saks & Adams, 2019). Professional control stems from unified and codified standards of practice governing the actual

performance of work, catering for exclusivity and an associated level of compensation. Freidson talks about a model for occupational control, which he attributes to professionalism, where there are two sets of variables; those which he calls institutional constants that can be used to ideally define professions and professionalism and those which he terms institutional variables which are contingent on the actual interactions of professions with their environment. Freidson's summary of professional constitution is described as follows:

> "The defining elements of the ideal type, the constants, are, first, an officially recognized body of knowledge and skill which is believed to be based on abstract concepts and theories and to require the exercise of discretion, second, an occupationally negotiated division of labor, third, an occupationally controlled labor market based on training credentials, and fourth, an occupationally controlled training program that is associated with a university and segregated from the ordinary labor market. The contingent elements, the variables, include the organization and policy of State agencies, the organization of the occupation itself, the dominant ideologies of the time and place, and the substance of particular bodies of knowledge and skill." (Freidson, 1999, p.118)

Freidson argued that professions by their nature as collectives of individuals interacting within their occupational groups and amongst the broader workforce must account for the influences exerted upon them by external agencies such as the government, regulators, and internal professional organisations, all of which influence and control the profession and professionalisation. In analysing the effect of contingent variables, the profession takes shape, contextualised by the external environment in which it operates. Freidson's work is underpinned by the notion that the specialisation of professional knowledge leads to power and ensures market dominance in the specific professional area of expertise, thus knowledge remains a social construct and not an objective proposition and accords with the symbolic interactionism theory, socially constructed problems are professionally attended by socially constructed knowledge (Callaghan, 2014; Freidson, 1994). Therefore, professional analysis cannot be undertaken by assuming an underlying set of traits as a basis for comparison, but rather, each individual profession must be considered and analysed distinctly. Thus, the initial views of a profession, as a collective body of expert practitioners morally

and ethically bound to their professional and client community, are no longer sufficient. While a profession possesses inherent traits, which may go some way to concluding alignment with that description, they lack the ability to reflect the profession's dependence on the demands of the modern workplace. Professionalism is the manifestation of the profession, the act of being a professional and as observed the terms are essentially interchangeable and indistinct.

A profession is an officially recognised body of knowledge based on abstract concepts and theories and requiring the exercise of discretion. It relies on an occupationally negotiated division of labour and utilises an occupationally controlled labour market delineated by virtue of its internal training structure and credentialing, which is discrete from the community and elevated beyond regular occupational requirements. Thus, Freidson's pragmatic analysis of a profession, as being contextual to modern market demands, is the most suitable for the purposes of this research and the lens through which the professional analysis of investigation will be undertaken.

PROFESSIONALISATION: FROM OCCUPATION TO PROFESSION

Over the course of the twentieth century, some occupations have tended to professionalise. Given a lack of an accurate and uncontested definition, and the difficulty in delineating occupations and professions (Callaghan, 2014; Evetts, 2003, 2011; Freidson, 2001) the theories surrounding professional formation continue to be discussed (Bucher & Strauss, 1961; Freidson, 1983; Millerson, 1964; Saks, 2020). Work of many kinds gains more official recognition, transitioning to an occupation. An occupation implies a greater degree of skilling and specialisation than that accorded to work (Hughes, 1971) and some occupations further develop into professions (Evetts, 1997). Similarly to professions, occupations can be bound by the desire for self-protection, guarding their skill set and specialising to a degree that sustains their market share of the workspace (Vollmer & Mills, 1966). However, there is a distinction between the two levels of work that has incorporated qualifying descriptors such as paraprofessional and semi-professional to differentiate between what is and what is not a profession (Macdonald & Ritzer, 1988). Perhaps a good summation of the apparent difference comes from Bosanac and Jacobs who observe:

"Occupations differ from professions in that they generally require less advanced training, fewer credentials, and tend to lower wages and less substantive benefits packages. This is not to diminish the value of occupations, nor is it to neglect the

reality that many occupations provide high-quality jobs. However, within Western society, professions have generally been privileged over occupations because of the generally rigorous and lengthy periods of training required before someone can take up a professional position." (Jacobs & Bosanac, 2006, p.45)

During the course of the nineteenth century, the fields of law, medicine and divinity, the latter being a field that included university teaching, achieved professional status in the English-speaking world (Evetts, 2003; Freidson, 2001). Evetts (2003) observes that there are other occupations throughout the twentieth century that have pursued professional recognition such as pharmacists, computing experts, members of the armed forces and even police with each of these occupational groups manifesting this experience differently. The rapid expanse of the service economy in the latter half of the twentieth century has seen an emergence of occupations seeking professional recognition with many structures and functions in fact mirroring professions but falling short in traditional honour or moral authority, adopting what can be termed semi-professional status such as social workers, nurses and school teachers (Etzioni, 1969; McClellan & Gustafson, 2012). Engineering is another group that has pursued professional recognition, although comparisons with established professions such as medicine and the law leave engineering deficient in monopolising their services to the public and dilution by way of the diversity of engineering functions (Larson, 1979). According to Larson, specialisations of engineering, including civil engineering and mechanical engineering, lacked the united approach to client service that medicine exhibited and aspects of engineering or derivatives such as instrument making, never reached, or aspired to professional status.

Regardless of debate regarding what constitutes a profession, there is a general consensus that a profession is underpinned by a minimum standard of training, experience, and expertise (Evans, 2013; Saks, 2016a). However, some professions are losing their traditional identity and becoming watered down by a multiplicity of applications to other occupations and in other environments (Baizerman, 2013). But professional status transcends any particular working environment and draws its practitioners together in a collegial community of practice promoting a greater diversity of applications. Despite divergent modern views of the exact nature and definition of professions and professional status, the occupational benefits to a group of practitioners, which can be derived from professional identification, are inexorably

linked to the need for a structured competency-based at the least, framework, and training regime, hence the application to the occupation of investigation.

The examples of professionalisation contrasted by the Anglo-American approach have centred on the two interpretations of professionalism exhibited; the market shelter approach, where occupational closure is the focus in America as described by Freidson, and the broader European example focussing on occupational identity and trajectory, professional training, expertise and public service (Brint, 1993; Evetts, 2003, 2013). Where Freidson saw professions and professionalisation as a market-driven construct, where control of a market was achieved by access to specialised knowledge and administered by self-interested groups of practitioners operating with self-control over their work and their clients, the European model emphasised: "elite administrators possessing their offices by virtue of academic credentials" (Evetts, 2003, p.398). The pragmatic approach of the American example versus the idealistic approach of the European can, in some part, be attributable to the differing professional environments, whereas in Europe the traditional role of the professional has been in bureaucratic employment in the public sector with limited independent control (Evetts, 2003).

Despite the ongoing debate regarding the definition of and journey towards professional recognition and professionalism, occupations are lining up to take advantage of an elevation in status that professionalisation accords. Whether it is to achieve improved standing or income, professionalisation has changed the division of labour in society (Collins, 1990; Lawrence, 1999). According to Evetts, "For most researchers, professions are regarded as essentially the knowledge-based category of service occupations which usually follow a period of tertiary education and vocational training and experience" (Evetts, 2011, p.5). The professionalisation of occupations can have a multitude of contributing factors. Modern comparisons with the fields of medicine and law, which are widely held as benchmarks of professionalism, abound when scholars turn to debate occupational qualifications. For the purposes of this study, there are two recent forays into the realm of professionalisation that may provide some context for proposing a similar journey in the world of investigation, those fields are nursing and paramedic medicine.

THE PROFESSIONALISATION OF TWO OCCUPATIONS: THE EXAMPLES OF NURSING AND PARAMEDICINE

Nursing. Florence Nightingale, the founder of the modern profession of nursing, began the journey when she published 'Notes on Nursing: What it is and what it is not'. First published in 1859, the notes were subsequently published in amended editions to cater for different audiences of the time and illustrated an advanced reach of her pivotal message of healthcare for not only the masses but also importantly, what would emerge as a nursing profession (Davies, 2012; Skretkowicz & Skretkowicz, 2010). Nightingale saw nursing as an independent professional equivalent to medicine however that was at odds with how society more broadly viewed nurses, as subordinate to, but inseparable from the medical profession, which was dominated by male practitioners (Hoeve et al., 2014). Her experience during the Crimean War and her observations about topics that are taken for granted in modern medicine such as sanitary behaviours and hygiene were ground-breaking at that time and led to substantial reductions in mortality not only on the battlefield but also in field hospitals (Davies, 2012).

While there were attempts by the early practitioners to professionalise nursing, according to Matthews it gathered momentum in the 1950s when the American Nurses Association (ANA) commissioned Robert Merton (Merton, 1958) to assist the association in understanding the requirements of the profession of nursing by examining the functions of professional associations in the United States (Matthews, 2012). This work by Merton and other authors in the field such as Bucher and Strauss (Bucher & Strauss, 1961) and Hillman (Hillman, 2005) led Matthews to reflect on a series of professional characteristics she sees as relevant to the nursing profession and its evolution:

- a basis in systematic theory—a distinct way of viewing phenomena surrounding the knowledge base of the profession.
- specialised competencies and practitioners who are effective in practising the professional role.
- dedication to raising the standards of the profession's education and practice.

- availability of professional education as a life-long process and mechanisms to advance the education of professionals established by the profession.
- the presence within the profession of individuals with varied identities and values forming groupings and coalitions that coalesce into unified segments—known as specialities with specific missions.
- authority recognised by society and the clientele of the profession.
- approval of the authority sanctioned by a broader community or society.
- a code of ethics to regulate the relationships between professionals and clients.
- self-regulation that protects practitioners and supports disciplinary criteria and actions to censure, suspend, or remove code violators; and
- a professional culture sustained by formal professional associations, such that the membership may develop a biased perspective through their profession's lenses (Matthews, 2012, p. 3).

As can be seen from this list of characteristics there are similarities with some of the parameters earlier discussed in the traits approach to professions arising from the functionalistic professional paradigm. There are the traditional virtues aligned with the moral authority of the profession along with recognition of not only high-level training but ongoing, lifelong learning which is sustained by the profession as mandated by the profession by way of the professional association. These characteristics, whilst they are derivative of the functionalist paradigm of professions, do not account for the contextual place of the profession in society as indicated by Freidson (Freidson, 2001), however, the task of professional recognition starts with searching for or establishing these parameters.

While there have been competing views of the existence and application of professions into the workforce as discussed, it is common to see such aspirational lists

appearing at the inception of professional groups. Commonalities such as codes of ethics and cultural position statements are standard and in the case of nursing, these characteristics along with the work of Merton and the ANA led to the formation of three documents that defined nursing as a profession in the United States: Code of Ethics for Nurses with Interpretative Statements (Code of Ethics for Nurses with Interpretive Statements, 2001); the Social Policy Statement: Essence of the Profession (Nursing's Social Policy Statement: The Essence of the Profession, 2010); and Nursing: Scope and Standards of Practice (Nursing: Scope and Standards of Practice, 2015). These publications form the basis of the modern profession of nursing within the United States (Matthews, 2012).

The professionalisation of nursing has been a worldwide phenomenon with the construction and adoption of various nursing protocols, guidelines and such policies and ethical statements as evidenced in the American example including developments in education and training. However perhaps the most powerful force retarding the growth of the nursing profession may be some of the stereotypes that nursing faces. Founded historically in a time when society viewed nursing as a support mechanism for medicine, the nurse is often portrayed in the media as the executor of repetitive tasks at a patient's bedside and essentially the doctor's handmaiden (Bridges, 1990).

Yvonne Ten Hoeve et al. (2014) undertook a literature search across three major medical databases MEDLINE, CINAHIL and PsycINFO to retrieve relevant studies from 1997 to 2010 to locate studies that dealt with the public image of the nursing profession, self-perception of nurses and the professional identity of nurses. From 1216 citations they distilled the papers down to 18 articles, which formed the basis of their discussion paper. The studies selected, ranged from several different countries and their findings indicated that nursing stereotypes such as feminine and caring or being portrayed angelically, prized for their virtue rather than their knowledge, still abound. This confounded the views of the practitioners themselves and their sense of professional identity to a degree where it was affecting the attraction and retention of nurses. The findings were inconsistent with other segments of the media such as movies and online portrayals on platforms such as YouTube offering more professional worldviews of nursing, however, these more positive perspectives still fell short of a truly professional image of nursing (Kelly et al., 2012).

Despite influences operating against professionalisation, the groundswell of work already undertaken by the various professional nursing bodies, combined with the efforts of the practitioner group, is transforming the occupation of nursing into a recognised profession. In the United States, the Institute of Medicines report in 2010 provided a leap in the professionalisation process with its findings. Drawn from a two-year study of nursing and recommendation for its future, the report recommended that 80% of registered nurses attain their baccalaureate degree in nursing science by 2020 and for a doubling of nurses with doctoral degrees, which was achieved in 2014 (Hunt, 2017). Thus, on the back of tertiary training, nursing is marching inexorably towards professional status and recognition. It has by no means been an easy or straightforward journey, but it is a contemporary study of professionalisation allowing for parallels to be drawn for an occupation such as investigation.

Paramedic medicine. Whilst nursing has been working for over a century on aspects of professionalisation given its long and well-publicised heritage, paramedic medicine has a relatively short tenure. Over the last 30 or so years, the Ambulance service in the respective Australian States has undergone substantial change in methodologies of assessment and treatment of patients. This has mirrored developments in other countries such as England and Canada, where the demand for a greater level of clinical intervention at the point of patient engagement, has been sought by both practitioners and patients (Cooper, 2005; Cooper et al., 2004; Williams et al., 2012). Ambulance officers are no longer considered sufficiently employed as patient transporters. In England, there are four categories of ambulance officers commencing at the assistant level with limited clinical care options to the Emergency Care Practitioner, who is university trained and is considered an advanced practitioner in emergency care (Cooper et al., 2004). Associated tertiary level training has been observed by Cooper in his research to manifest as empowerment of the practitioner, improved decision making and reflective practice improving patient triaging and leading to better and more responsive decision making about immediate and ongoing patient care.

This seems like a new section here as you do not come back to paramedic medicine

Williams et al (2012, 2014) draw some important observations and connections with professional identity and professionalisation in their research surrounding the

journey of paramedics to professional status. Combining together work from authors such as Freidson (Freidson, 1988a, 1988b) and Hall (Hall, 1975), Willensky (Wilensky, 1964) and Vollmer and Mills (Vollmer & Mills, 1966) and more recently Dowling (2018), they discuss professions and the move away from what a profession is and that ongoing debate, to more relevantly what a profession does. Professional identity in the modern age is a dynamic concept rather than a specific and achievable goal: "every occupation that is called a profession is, in reality, a semi-profession manifesting a number of professionalizing aspects" (Vollmer & Mills, 1966, p.4).

According to Williams et al., the functionalist model of professions, with its traits approach as discussed previously, forms the basis of a set of attributes assigned to a profession, with perhaps a design slanted towards application in a medical perspective. These attributes include Altruism, Authority, Autonomy, Code of ethics, Commitment, Knowledge, Prestige, Professional association, Service, Theoretical base, and Trustworthiness (Williams, 2014). It can also be seen from this relatively comprehensive list of traits, that there is a commonality with various related views of constituent professional attributes that have been traditionally prescribed to the functionalist model of professions. These frameworks that are proposed as comprising the archetypal professional makeup, share the traits or functionalist approach. These attributes are ubiquitous in describing professional status although that said, it is again here that we are to see the constituent parts of a profession and what it might look like, without placement within the environment it seeks to occupy or serve, as Freidson (1994) would have us consider. From these core characteristics of a profession, comprising a prolonged and specialised education and a collective approach to social welfare (Goode, 1960), come what we accept as more contemporary and additional professional attributes such as high income, academically complex bodies of knowledge, recognised elevated status within a community and an associated perception of power and autonomous practice (B. Williams et al., 2014).

That is not to say that there have not been disagreements between academics and commentators about the construction of a profession, or indeed whether its manifestation is as important as its role in modern and globalised society. However, there must be a basis upon which an aspirant group to professional status can draw when seeking to establish not only its structure but also its credibility and reason for being. Therefore, the usefulness of such a roadmap as offered by the paramedics'

journey has a legitimate and relevant place in the consideration of the professionalisation of investigation.

Professionalisation presents when an occupation seeks to obtain professional status and recognition whether by actual or perceived mechanisms and means (Williams et al., 2014). As discussed, professionalisation does not occur in a vacuum and is contextual and temporally dependent (Evetts, 2013; Freidson, 1994; Vollmer & Mills, 1966). Wilensky (1964) earlier referred to the professionalisation process as constituted by the following steps and more recently refined by Williams et al. (2014) into an abbreviated list:

Process of professionalisation

1. Development of full-time occupation and formation of occupational territory

2. Establishment of training schools or colleges; linkage to university education should occur within several decades

3. Occupational promotion to national and international parties

4. Professional licensing and accreditation

5. Code of ethics is implemented

(Wilensky, 1964; Williams et al., 2014)

What is presented can be applied as a roadmap to professional recognition, presented as a timeline for professional emergence from an occupational identity. As the occupation coalesces, training develops and crystallises into a regulated and quantifiable form and then evolves into tertiary training within several decades. So, there is a distinct maturity in the education of practitioners. Promotion of the occupation as a profession occurs as widely as possible, seeking to gain acceptance and credibility and then professional licensing and formal accreditation, accompanied by legislative constraints is observed. Finally, a code of practice is developed and implemented as binding both internally and in some cases externally, dependent on the associated legislative construct. Whilst this journey is based on the paramedics' road to professionalisation, it would not be surprising to see a similar process evident in other professional journeys, both established and emerging.

As suggested previously, professional, semi-professional, quasi-professional and other such descriptors can be applied as occupations transition through the professionalisation process (Etzioni, 1969; McClellan & Gustafson, 2012). An interesting and useful example of such an application occurs within the medical profession. Using Etzioni's (1969) hierarchy of perceived professional status, Williams et al. applied the various layers of the healthcare sciences to the model:

Professions:

(e.g., Physicians, Surgeons, Nurses, Physiotherapists, Dieticians, Pharmacists)

Semi-professions:

(e.g., Paramedics; Optometry; Podiatry; Social Workers, Opticians)

Non-professions:

(e.g., Medical Receptionists, Ward Orderlies, Allied Health Assistants, Pharmacy Assistants, Theatre Technicians)

(Williams et al., 2014, p. 5)

This hierarchy as presented assigns a degree of status to the various functions involved in health care. It is reasonable to label non-professional status to medical receptionists, ward orderlies and pharmacy assistants' etcetera when applying inclusivity tests based on attributes such as – professional association existence/membership, code of ethics and a theoretical base. However, it could be argued that nurses, who reside in the professional healthcare group, have little if any autonomy. The layering of health services in such a manner may not be truly reflective of a degree of professional status and each of the categories as assigned and their occupational inclusions are arguable. It could also be argued that some accepted professions, such as lawyers, don't have as many layers within their occupational hierarchy, which may restrict such comparisons as applying to specific examples and situations.

It is important to remember that professional status carries with it tangible benefits for the practitioner groups, such as prestige, with an associated rise in compensation and exclusivity of knowledge limiting and controlling practitioner participation. What is also clear is that the perception of a profession and the inherent labelling of what may be considered its constituents, as observed in the sphere of medicine, profoundly influences its recognition as a profession. This can be from

within as much as without and can contribute substantially to establishing inertia that is resistant to change and further professionalisation of occupational subsets.

2.9 A SUMMARY OF THE LITERATURE

INVESTIGATION

Investigation is many things; it is contextual and is often applied to a task that can be undertaken by anyone. This is not inaccurate but contributes to a broad perception that investigating is something you do rather than something you can be. The history of criminal investigation is relatively short, finding its first organised steps within the 19th century within the realm of policing, which was born out of a need to enlist local people into detecting and fighting crime (Newburn et al., 2012), however, investigation more broadly now reaches into our everyday lives. Investigation in its most rudimentary form plays a part in almost every governmental regulatory decision. Whilst the police are certainly an arm of the government and investigation within the respective police services is argued as best practice both academically (Tong & Wood, 2011) and from practitioner experience, the criminal application of investigation has a far shorter reach into our lives than dealing with the more common agencies of government. That said, the foundations of investigation as a profession are located within policing although paradoxically, the police forces and services around the world are only now grappling with professionalisation and the impact that may have on perceptions (Flanagan, 2008; Gardiner, 2015).

Within the government, investigation is starting to find a recognisable place as a speciality area of expertise. This is associated with the changing regulatory approaches adopted by governments, which are transitioning away from the punitive approach of criminal law into the civil penalties arena, where monetary implications and loss of reputation are the preferred options for regulatory transgressions (Sherrin, 2010) and to correct undesirable individual and corporate behaviour. The growing popularity and interest of the public in corporate governance and oversight, the sense of corporate self –indulgence and in some cases greed (Giroux, 2008) have driven governments to expand the role that government agencies play in regulation. The distinction between criminal matters has become better defined and academics have identified the motivational factors that have the most efficient deterrence of unlawful behaviour (Ayres & Braithwaite, 1992). Criminal responses continue to have a place but apportioning criminality to corporate malfeasance is now viewed as essentially

excessive and reserved for the most egregious of breaches. Increasing the resources applied to the civil sphere of regulation has brought with it a commensurate need to employ and engage a suitable quorum of investigative practitioners, with no less ability than those practitioners working in the criminal space. Governments around the world are recognising this problem and somewhat belatedly addressing it. Australia is no exception.

The overall research question forming the basis of the research is as follows: What are the competencies and training needs that define, describe, and develop a fit-for-future investigation profession in the Australian Federal Public Service? Investigation is the area of practice under the microscope and a proposed need for development within the government drives this project. It is also vital that any proposed changes to the way that investigation training is identified or delivered, are able to stand the test of time and remain relevant to the changing demands of the workplace, both environmental and applicational. So, future-fit practice is an integral aspect of the research.

In order to become an investigator in the federal public service, a practitioner needs to meet the requisite standard that applies generically to the role. In the Australian Federal Public Service, that bar is currently set at the certificate four-level, which is a vocational qualification. External private training providers, who compete for contracts with the respective government departments which are all vying to legitimise their investigative staff, primarily provide this. The standard known as AGIS (Australian Government Investigation Standards, 2011) was agreed upon by a group of senior police, who drew upon the conventional wisdom that the policing model should underpin any serious attempt at standardising investigative qualifications, and it is from this standard those agencies must draw upon as a baseline for recognition as an investigator. It can be applied arbitrarily by agencies, which do not always see the need to qualify their staff. It is not uncommon to have investigation practitioners undertaking work without any degree of explicit investigative training, the mere intention of future compliance with the AGIS justifying an investigation by untrained and unqualified staff. Convenience outweighs the fear of recrimination for the agencies, as there are no legislated demands stipulating a degree of professional identity. It is easy to contrast this with lawyers working in the same regulatory environment, who are prevented from engaging in their roles without the pre-requisite

university training and professional recognition, including legal practising certificates and the like as issued by the relevant professional associations.

TRAINING

In Australia, the link between competency and training is well established. Competency-Based Training (CBT) forms the basis of vocational training, and this is currently where investigation training resides. However, scholars such as Hodge and Wheelahan are of the view that CBT is prescriptive and shallow in regard to examining the underlying depth of knowledge within an occupation (Wheelahan, 2016). The dogmatic approach of vocational training substantially diminishes any attempt at contextualising learning and identifying capable performers (Wheelahan, 2016). Wheelahan goes further to suggest that the market-based approach to training has led to a race to the bottom, where training providers clamour to compete with each other promoting courses and qualifications that have a spurious connection to actual benefit. This can be seen in the provision of investigation training in the public sector where there is an apparent lack of consistency in the training approach. Different training providers engage with different agencies and whilst the actual training is underpinned by the course requirements as governed by the Australian Industry Skills Committee ("Australian Industry and Skills Committee," 2017) and administered through the respective Industry Reference Committees. These are in turn supported on the ground by Skills Service Organisations, and it can be argued that such a complex arrangement of stakeholders can provide fertile ground for self-interest to emerge.

Pauline James (2002) found that CBT had advantages. It bridged the divide between learning and doing to a greater degree than tertiary education was capable in some vocational areas and students expounded the virtues of the practicality of the training. However, professional development is inherently linked to tertiary training where it is regarded as a cornerstone to professional formulation (James, 2002). As policing is proposed as the best practice model for the development of the investigation, it is evident around the world that tertiary education is becoming synonymous with professional development in policing. The United States has its own peculiarities impinging on a unilateral system of policing education, given the jurisdictional quandary of its federated structure but the United Kingdom, which has a much closer alignment with the Australian perspective, is currently undergoing a reidentification of training, where centralisation of approach and institutions such as

the College of Policing in the U.K. are underlining the sharpening of focus regarding the need for tertiary training ("Policing Education Qualification Framework ", 2018).

The Australian perspective has been unfortunately motivated by commissions of enquiry, where external examinations have indicated a need for a more holistic and worldly approach to the education of police. This is where tertiary education is seen as the logical solution. What is interesting in this view is that it is an observation made from the lens of judicial oversight. That does not diminish the usefulness of that view but is perhaps why its sustainability in those jurisdictions has failed to outweigh operational expediency.

Despite the failings of tertiary education to remain an attractive option for police administrators, and the resistance of the rank and file to the benefits of tertiary education, worldwide the alignment of police training with tertiary education is on the rise. Currently, there are programs in New South Wales where policing relies on tertiary education as a basis for probationary development ("Associate Degree Policing Practice," 2018). Programs such as Professional Studies at the University of Southern Queensland have formed intrinsic relationships with policing and emergency services which while they do not contribute directly to initial employment training, establish a legitimate place in the ongoing professional development of practitioners. It is difficult to imagine investigation growing in standing and reputation without dedicated links to tertiary education.

COMPETENCE

Competency – knowledge skills and attributes, the ability to do (Ennis, 2008; Eraut, 1994; Horton, 2002; Lester & Jolanta, 2017; Singh & Modi, 2013); all of these descriptors have been applied to the ongoing debate about what competence and competency are (Le Deist & Winterton, 2005; Winterton, 2009), and how they are identified and measured. The American school of thought portrays competence as emanating from the person and being bound to the behaviour of the person with regard to a task performed. However, it was deemed by some to be two-dimensional and not always adequate. In the United Kingdom, where the competence debate was concurrently undertaken, the functional approach was the preference (Le Deist & Winterton, 2005). The task at hand drove the design of requisite competence which was then applied to the performance of the task and met on completion, irrespective of underlying knowledge, but again, this was determined as being too narrow

(Brockmann et al., 2008). From these two foundations, a broader perspective was needed, and the debate turned to the attributes or activities-based approach to competence, where intrinsic human abilities were seen as holistically applied to work-based contexts. Competence moved on towards more expansive views. Winterton talked about Meta-competence, where the workplace contextualised competence and learning to learn facilitated the realisation of competence, functional, social and cognitive competence becoming contributors to a more advanced level of knowledge, skills and abilities, where the workplace became pivotal to relevance (Winterton, 2009). Winterton and Sandberg, as earlier discussed, both conceptualise competence as an advanced and multifaceted description of the ability to do and for the purposes of this project, their view of competence is adopted. That view as represented by interpretive competence is competence as a pre-requisite, competence as an outcome and competence as a capability applied to a accomplish set work task, present in any and all combinations.

Recognising what is competence leads to how it has been applied, in particular in the Australian context. Competency-based training had its genesis in the technical and further education sector in Australia, with its work-based pedigree a comfortable fit (Harris et al., 1995). Competency was seen as an enabler, allowing a more accurate degree of training application and assessment, greater definition of tasks, a greater degree of relevance to the workplace and portability of qualification (Bowden et al., 1993). Competence and vocational training became bedfellows. A raft of government reviews and reinventions settled on an industry-led model, where employers had direct input into the skills they sought and the applicable training programs. This is where industry-based vocational training sits today.

Competence is still the predominant indicator of operational readiness when it comes to the vocation of investigation. This research recognises the importance of competence and seeks to understand the impact it might have on investigation.

PROFESSIONS, PROFESSIONALISM AND PROFESSIONALISATION

The academic debate regarding the constituents of, and the journey to, a profession from an occupation has gathered momentum. The more traditional views of scholars, such as Durkheim (1957), Mead (1937), Mead and Muzio et. al. (2013), who maintained that professions exist as a moral calling and are examined by way of their social construction and function, have been countered by a more pragmatic and

self-interested view of professions. This is where managerialism and bureaucracy heavily influence the demand for professional status. Professional monopoly for materialistic reasons, or the 'professional power approach' as argued by Freidson, are in the ascendancy (Freidson, 1984, 1986, 1988c, 1994, 2001). This has transitioned into the Neo-Weberian perspective where the monopoly of professions is tied to their relationship with the State and State actors (Saks, 2016b, 2020). Globalisation and the pervading influence of a worldwide market economy mean that a profession must be considered and analysed distinctly. The nostalgic view of a profession as being a collective of like-minded, morally responsible, and bound practitioners is insufficient. A profession still possesses pre-requisite traits however the traits approach (Johnson, 1972; Macdonald, 2013) is no longer an adequate determinant for the inclusion of an occupation into professional status. Professions must be considered not only by the agreed and established parameters within but importantly the interactions of the profession with the environment in which it is placed. Professions exert and attempt to maintain control over their environment and the guardianship and exclusivity of knowledge become a primary economic motivator. It is through this power that market dominance ensues, and professional longevity is perpetuated.

Professionalism is the manifestation of the profession or the act of being a professional. It is also a term that often represents a ubiquitous view that any work or task for reward implies professionalism. Thus, the word has a multiplicity of applications and is perhaps best placed to flag the presence of professional thinking in the research and associated discussion.

Professionalisation, or the journey towards professional recognition within an occupation, is accompanied by a greater degree of training, more credentials and tending towards higher wages (Jacobs & Bosanac, 2006). There are numerous examples of professionalisation in the 20th century with occupations such as pharmacy and information technology (Evetts, 2003). The expansion of the service economy more recently has seen the rise of semi-professions where traditional honour and moral authority fall short of more established professions. This includes occupations such as nursing and teachers, although it could be argued in both of these cases that professionalisation is incomplete (Etzioni, 1969; Hoeve et al., 2014; Hunt, 2017; McClellan & Gustafson, 2012).

In the two examples of professionalisation that were discussed previously, nursing and paramedic medicine, a commonality in structure can be observed. The

process of professionalisation and therefore of becoming a profession was best summarised by Wilensky (1964) as consisting of: the formation of a full-time occupation and associated territory; establishment of training colleges and links to tertiary education within an established timeline; targeted promotion of the occupation nationally and internationally; professional licensing and accreditation; and the establishment of a code of ethics. Dissecting modern professions reveals evidence of these steps. Further to these emerging profession examples, Kleinig (1996) talks about ethics and policing and the interactions between what might be regarded as commonly accepted social morals as influenced by the organisational demands of policing. He argues police are more than social peacekeepers, they are professional peacekeepers and that there is a call to professionalise the police which has been discussed in part already. A profession operates with a code of ethics that provides a convention between professionals; it establishes a uniformity of practice by the profession towards the community it might serve. Any professional journey, including those highlighted here, must include a code of ethics and historically such codes have been promulgated as part of any professionalisation approach.

For the purposes of this research, the professional identity of investigation practitioners will be examined and discussed. The interdependence of professional identity with an established level of competence, which in turn relies on appropriate training, is integral to the professional journey.

Susskind & Susskind (2015) talk about the influences that technology such as the internet may have on the application of professional practice and societal demands regarding professional knowledge. Professions must evolve in order to not only survive and remain relevant but to be able to take advantage of the opportunities that advances in technology present. Computers and the automation of work-related tasks are not limited to what might be described as unskilled or semi-skilled labour, and professions can be susceptible to the influence of technology in applications such as online medical advice (Susskind & Susskind, 2015). Investigation needs to incorporate this future-fit thinking into design and practice and police forces worldwide, as has been discussed, are grappling with the demands posed by this ongoing problem.

As indicated at the beginning of this thesis, the objective of the research is to examine the occupation of investigation as I would describe it, in terms of its current

levels of requisite training, the competencies required to undertake the practice, and what level of professional identity exists. The purpose of this analysis is to determine where investigation currently sits as an area of practice, with a view to extending that position into becoming a fit-for-future profession. Competency-based training with its underlying roots in vocational training is where investigation practitioners in the Australian Federal Public Service currently gain their credentials. As indicated in the earlier conceptual model, competence can be attained by experience to a degree however there is a requirement for qualification to operate as a practitioner. Training analysis, insofar as what currently exists and what it should be, also forms part of this inquiry and its association with competence and the vocational sector has been stated. However, it is the practitioner's views of what currently exists that inspire this project. Professional identity, it is argued, is the final destination for an occupation that seeks to evolve. Examples of professionalisation abound within the modern regulatory landscape, in particular with policing, and an identified focus and increasing reliance on tertiary education.

It is with these factors in mind, that have been drawn from an examination of the literature, that the project will take shape. In order to examine this phenomenon, an appropriate research methodology must be selected and applied, and I will turn to that aspect of the project in the next chapter.

CHAPTER 3 - METHODOLOGY

This Chapter will discuss the methodology developed for this research project. Paradigm selection and the justification for that selection on the basis of the mixed methods approach will be presented, along with the mixed methods research design.

There are two proposed phases of the exploratory mixed methods approach – qualitative and quantitative. A complex work-based problem of the type demands a mixed-methods approach. The qualitative design section will discuss participant selection and the impact it may have on the data and the quantitative section of the discussion.in broken into two parts – the proposed survey instrument design process including respondent selection and proposed numbers, alongside the actual survey design implications as resultant from the qualitative phase of the project.

The following sections of this chapter will discuss data collection techniques and subsequent analysis, with a discussion surrounding the validation of the respective data analysis mechanisms employed for both data gathering phases of the research project. Problems with the respective phases of the research and logistical implications are mentioned here in addition to the concluding chapter of this thesis, where they are further discussed. The final part of this chapter then introduces the research participants for the qualitative interview phase with a synopsis of their background for context.

3.1 RESEARCH PARADIGM

Paradigms are basic human beliefs; they define the nature of the world from an individual perspective (Davies & Fisher, 2018; Guba & Lincoln, 1994). Therefore, the research paradigm represents the epistemological approach adopted in order to best address the methodology proposed for gathering, analysing, and interpreting the data. “Without nominating a paradigm as the first step, there is no basis for subsequent choices regarding methodology, methods, literature or research design” (MacKenzie & Knipe, 2006, p.193).

Morgan (2014) argues that Pragmatism, whilst being inexorably linked to mixed methods research, is much more than merely the basis for the design of the research. It is a complete philosophical system and in concert with its practical advantages in research design and application to real-world problems, encompasses a complete paradigm. Classic Pragmatism is not a methodology per se; it is a doctrine of meaning, a theory of truth. It rests on the argument that the meaning of an event

cannot be given in advance of experience. The focus is on the consequences and meanings of an action or event in a social situation. This concern goes beyond any given methodology or any problem-solving activity (Denzin, 2012).

Pragmatism is commonly applied to mixed methods research situations and allows the researcher to overcome the constraints of Positivism/Post positivism and Constructivism, focussing on the problem and consequences of the research (Feilzer, 2009). Using Creswell as a source, the research question and sub-research questions for this study were best served by pragmatic knowledge claims within the project. As Creswell (2003) suggests the underlying assumptions are that the knowledge claims are drawn from actions, situations, and consequences where the problem to be solved is paramount. Data can be drawn from both quantitative and qualitative mechanisms to provide a best-fit approach to understanding the research problem.

The overall research project regarding the professional identity of investigation and its practitioners was conceived as likely dependent on underlying competency and the associated training of those practitioners. The relationships of these topics of investigation—training, competence, and professional identity—and the proposal to study them by virtue of this project, relies on interactions with practitioners. These interactions are found in the workplace and any attempt at analysis and assessment of data, necessitates work-based research which by its nature is best served by Pragmatism.

Pragmatism is not tied to any one system and can draw on both quantitative and qualitative approaches; research methods are applied to best suit the need. This research is problem-based with a focus on exploration (Creswell & Plano Clark, 2017). In reference to the work of Tashakkori and Teddlie (1998), Creswell observes that many different authors embrace Pragmatism as the worldview or paradigm for mixed methods research. Furthermore, where identifying situational causality and resolving best-practice methodologies are the focus of the research, these goals sit well within the Pragmatist paradigm (Creswell & Plano Clark, 2017). Therefore, Pragmatism is the most relevant paradigm with which to consider the project and upon which to base project design.

3.2 METHOD

Mixed methods research began as a distinct methodology in the late 1980s when researchers sought alternative ways to investigate and apply qualitative

techniques in a time where qualitative research lacked legitimacy (Creswell & Plano Clark, 2017; Creswell & Plano Clark, 2011; Tashakkori & Teddlie, 1998). The formation of the Journal of Mixed Methods Research was as recent as 2007, however, it signifies a ratification of mixed methods research as a dedicated and discrete methodology sometimes referred to as the third methodological movement (Kettles et al., 2011).

The often multi-faceted and complex problems presented in the field of social science research, particularly in the world of work (Fergusson, 2019), create constrictions if traditional approaches applying either quantitative or qualitative methods alone are utilised (Creswell, 2009). Mixed methods approaches provide advantages when exploring complex research problems (McCusker & Gunaydin, 2015). However, when the two methods are combined, a richness of data and associated analysis results allow a greater degree of confidence in the research process and outcomes (Simpson, 2011). This research methodology seeks to explore the concepts articulated by the research question where it is not known in advance, what factors or variables are present or known and allows the research project to analyse a phenomenon in greater depth (Creswell, 2003).

Leech and Onwuegbuzie (2009) have explained the various mixed-methods typologies as including, to varying degrees, the following dimensions – (a) a level of mixing, whether they are partially fully mixed, (b) the orientation of the research and whether the stages run concurrently or sequentially and (c) the emphasis placed on the data regarding the level of importance on the qualitative or quantitative phases. How they can be mixed is illustrated by Plano Clark and Ivankova (2016) in the following diagram where the authors conceptualise one of the three basic design typologies that form the basis of this project's research design:

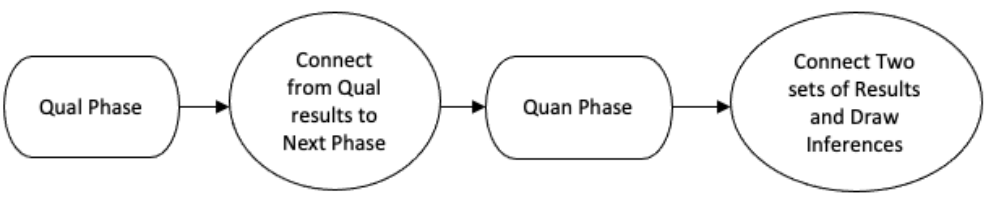

Figure 4: Basic mixed methods design logic (Plano Clark & Ivankova, 2016).

The example in Figure 4, insofar as the design of the mixed methods approach in this project might present, sat well where exploration of the themes identified in the qualitative phase would influence quantitative design. As Creswell observes, the qualitative and quantitative phases of the project can be interposed within the design in the order that suits the specific project. As much as the three examples listed above are presented as being the basic design logic by Plano Clark and Ivankova, this particular research project aligned with the design of example 'c', where a qualitative phase commences the research data gathering phase and provides an emphasis on exploration of the phenomenon, followed by a quantitative phase where data gathering seeks to explain and validate the qualitative data.

Therefore, an exploratory, sequential mixed methods research design was selected as the basis for the research (Creswell & Plano Clark, 2017). This entailed beginning with the collection and analysis of qualitative data by way of interviewing subjects, exploring and where necessary expanding on the primary and sub-questions. Drawing from these data, quantitative data analysis ensued in the second phase of the data gathering process for the purpose of testing and verifying the results of the qualitative analysis.

3.3 RESEARCH DESIGN PROPOSED

SEMI-STRUCTURED INTERVIEWS

Data collection contained both qualitative and quantitative techniques combined in a mixed-methods approach. The first phase of the research process involved qualitative data collection with the aim of exploring the primary research question by virtue of the sub-research questions and establishing a design basis for the second phase of the research process. The qualitative phase was designed to specifically explore the first two sub-research questions (a and b) in each of the respective variables – Training, Competence and Professional Identity. The remaining sub-research questions within each variable group (i.e., question c) sought relationships between variables and was best addressed by the quantitative phase of the research project. All of the sub-research questions guided the formation of the quantitative instrument which, by virtue of the mixed methods approach, was dependent on the execution firstly of the qualitative phase.

A useful model of an actual research study (expanding on the model in Figure 4), with which to compare the design of this project regarding investigation

practitioners, is the exploratory sequential mixed methods design utilised by Moubarac et al. (2012). In the Moubarac study the initial qualitative phase was conducted to situationally explore the consumption of sweetened products within a church community and to identify the full scope of influencing factors. The following diagram illustrates the different phases of the research using the model from Moubarac et al. modified for use within the context of this project.

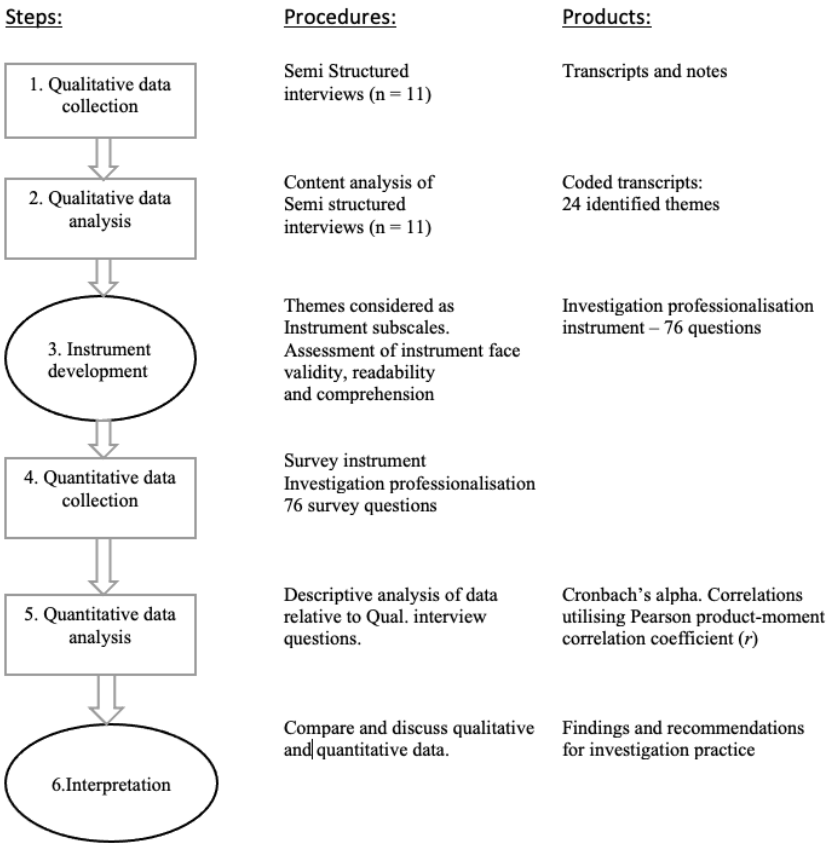

Figure 5: The exploratory sequential design used for instrument development

The Moubarac study, although not related in any way by research topic, aligns because it explores phenomena in the same basic way as the project described in this thesis. The Moubarac study emphasised the qualitative phase with a focus on validating the thematic exploration of the phenomenon in the initial phase that was investigated by way of the interviews (Moubarac et al., 2012). As can be seen in Figure 5, a similarity of project design provides a basis for the integrity of the data in this project which has a distinct design alignment. A similarity with the research project, the subject of this paper, is not only the design but the emphasis placed on the

respective phases (i.e., a greater emphasis placed on the first qualitative phase followed by a qualitative phase, and thus the QUAL/quan design) and the overall purpose being initial phase validation and broader application.

In this project regarding investigation practitioners, the initial group size for the qualitative phase was based on purposive sampling of the overall population, where a group of participants is selected based on their existing practitioner knowledge and the likelihood that they can provide useful and relevant information and reflections in the initial phase of the research (Teddlie & Yu, 2007). Further consideration in refining participant selection was undertaken utilising maximal variation sampling to select an appropriate group of suitably diverse participants, enabling application of findings and therefore representation to a much larger group (Teddlie & Yu, 2007).

As Creswell and Plano Clark (2017) observed, this method of selection would increase the likelihood of providing differences of view in the qualitative stage, which enhanced the persuasive value of the qualitative data. The size of this group was projected to be 11 participants to maximise sufficient depth of information obtained with three to five questions drawn from each of the areas of professional identity, competence and training addressing the sub-questions as proposed. It was posited that given the research topic, the proposed group of participants in this phase and the relationship the researcher had with both the topic and the participants, this group size should lead to saturation where all of the questions have been explored in detail with no new concepts or themes emerging (Trotter, 2012).

While representation of the overall population sample was a consideration driving initial participant selection, representative need given the specific application of this project would shape that view. With an initial population of approximately 33200 people working in regulatory or compliance roles in state and federal public agencies ("Inspectors and regulatory officers," 2021), it would be necessary to reduce the overall population to a sample size that would provide sufficient participants to enable useful data to be obtained. Participants were selected from various levels of the regulatory investigation and given the scope of the participant numbers, primarily from the federal government. However, given the timeframes and mobility of participants, some had migrated to other investigative areas including the State government and the private sector. Any change in location was not likely to noticeably detract from the relevance of their responses, being able to draw upon previous experience and in some cases enhancing that with new experiences gained from new

investigation perspectives. Maximising diversity while balancing the potential dilution of the results was a primary consideration.

However, despite purposive sampling being non-probabilistic, this phase was exploratory and was not seeking to validate or generalise findings across the investigation more broadly (Etikan et al., 2016, pp. 1-4). The likelihood of the selected participants' ability to contribute meaningfully and relevantly to the qualitative phase of the project outweighed the prejudicial elements relating to the subjectivity of the selection process. A useful safeguard here was the project design being mixed-methods, and the exploration of data from the first phase being applied to a larger population group by way of the second phase of the project. Demographic considerations and influences were also explored as part of qualitative interviewing. A study undertaken by Waysman & Savaya (1997) evaluated the work of a consultancy in Israel utilising a similar methodological structure although they added a third qualitative phase after the quantitative phase in order to refine the data in more detail. As the researchers observed, an advantage of that type of mixed-methods approach was the data obtained added depth and complexity by combining methods or data acquisition. Greene et al. (1989) originally referred to ‘complementarity’ where the data from one phase can elaborate and shape the data from another or subsequent phase (Ramlo, 2021), and triangulation and corroboration of the results can be a benefit with mixed methods approaches (Molina-Azorin, 2016). Each method employed has inherent biases and the utilisation of multiple methods and mixing them allows a greater degree of trust and validation of the data to be obtained by minimising the dominance of any one aspect of the method.

SURVEY INSTRUMENT

Based on and deriving from the results of the qualitative data-gathering stage, the data were used to formulate a quantitative instrument. The model and instrument used by Williams et al. (2015) and applied to the professional examination of paramedic students which was drawn from Durham University’s ‘Questionnaire to Explore Professionalism as a Multidimensional Construct’, served as a useful comparator for the design of this research. The Williams et al. study utilised 77 items, using a combination of binary ‘yes’/‘no’ questions and unipolar Likert scale (Strongly disagree = 1, Strongly agree = 5; or Never = 1, Always = 5) with 11 subscales (Williams et al., 2015).

Previous research undertaken in the field of paramedicine has potential application to this research project with a survey model utilised that may provide a basis for an instrument in this project. The relevant model contains questions that may provide a basis on which to construct the instrument in this project. This was only to be considered in broad terms as the data from the qualitative phase in this project would have an overarching influence on instrument design given the exploratory nature of the initial data-gathering phase. Students in Williams et al.' survey were invited to participate from three different universities (N = 479). A sample size such as this would fit the requirements of the mixed methods approach proposed in the quantitative phase of this project because "…quantitative data analysis works to uncover relationships and interconnections. Those relationships and interconnections extend beyond a single study's data and connect it to other studies" (Albers, 2017, p. 218).

The primary importance of this quantitative instrument was to attempt validation of the interview data from a smaller number of sources to a larger sample size of participants in the quantitative phase of the research. This was designed to enhance the rigour of the overall data collection and analysis in this project, with the aim of applying the output from the qualitative phase of the research process to a broader practitioner group enabling inferences and findings to be asserted more broadly in the investigation practitioner cohort. Once the instrument was applied to the larger group and data received, analysis during the quantitative phase would utilise relevant statistical methods, testing and software programs. Data will then be interpreted and analysed.

3.4 DATA COLLECTION

QUALITATIVE PHASE - SEMI-STRUCTURED INTERVIEWS

Semi-structured interviews constituted the data-gathering process in the first phase. Interview structure allows for sufficient depth of information exchange from the participants until the point of theoretical saturation, indicated by a reduction in original insight and contribution from the interviewee (Bullock, 2016).

One-on-one interviews were conducted with appropriate preliminary details apportioned to possible location, interview length and subsequent logistical demands of recording the interviews, and relevant note-taking being incorporated into the research output. Tape recording the interviews and transcribing the product was an

important inclusion mitigating researcher bias that may eventuate should note-taking and paraphrasing be the sole preferred method (Bullock, 2016; The SAGE Handbook of Qualitative Data Analysis, 2014; Scanlon, 2000).

Each participant was interviewed using set questions derived from the main research question, broken down into constituent areas by virtue of the research sub-questions. Some of the participants were interviewed electronically by means of an online face-to-face, video meeting facility, and some were conducted in person. This approach was not pre-determined but was necessary due to Covid restrictions and in response to requirements of the participant. Each of the questions was asked in turn with the participants invited to answer with as little interference as possible. Some commentary was provided by the researcher, to either clarify a question as it was asked or to reaffirm rapport and de-escalate any sense of apprehension on the part of the participant. The goal of the semi-structured interviews was to seek participant's responses to the questions to the point of exhaustion of information, where the participant had nothing more to offer and thereby reaching saturation (Teddlie & Yu, 2007).

The interview questions were based on the three identified thematic areas of research as supported by the literature regarding training, competency and professional identity as initially illustrated in the conceptual model; Figure 1 in Chapter 1. The conceptual model in turn had been shaped by the research sub-questions as follows:

Training

a) How and to what extent do effective training strategies in Australia maximise delivery within target industrial environments?
b) How and to what extent does the current training regime meet practitioner needs?
c) What is the relationship between training and perceptions of competence?

Competence

d) What competencies form the basis of an investigation professional?
e) How and to what extent are relevant competencies present in the Australian public service regulatory environment and how are they met?
f) What is the interrelationship of the identified competencies and are they dependent on training?

Professional identity

d) How and to what extent do environmental influences affect investigative practice and perception in the Australian Federal Public Service?
e) How do practitioners regard themselves and to what extent do they identify with being professional?
f) Is there a relationship between professional identity, competence, and training?

Each thematic area (Training, Competence and Professional Identity) was grouped together so that the interview questions were asked as part of the overall theme being explored. The research sub-questions were paraphrased as the interview questions to maximise understanding by the participants thereby increasing the likelihood of gathering sufficient information.

Training –

a) What investigative training have you received and what training do you think you should receive?

b) How has the investigation training you have received met your requirements/expectations?

c) How do you think you would maximise your learning opportunities?

d) What do you think could/should be improved for investigative training?

Competencies –

a) What are the essential duties/tasks of an investigator in your role?

b) How does your environment influence those tasks?

c) How do your current investigative skills meet your job demands and what can be done to improve them?

d) How would you describe your ability to meet the investigative needs of your agency?

Identification as a profession –

a) What do you think your role is as an investigator, and how has that changed throughout your career?

b) What do you think is a profession, and how do you think that influences investigation?

c) What are the influences that impact your duties as an investigator, and how important are they and why?

d) What do you think an investigation profession would/should look like?

e) How important is professional classification to you and why?

There were also demographic questions for each of the participants:

a) Age?

b) Ethnicity?

c) Sex?

d) How long have you worked for the agency?

e) What is your position and how long have you occupied it?

f) Do you manage people and if so, how many?

These were asked at the beginning of each interview. The recorded interview was then loaded onto Otter AI, an online software transcription program. This program interpreted the recording and converted it into text that varied in accuracy according to to quality of the recording. A review of the produced transcript by the researcher against the recording was necessary to refine the accuracy of the transcription and to check the integrity of the answers provided by the interviewees.

QUANTITATIVE PHASE - SURVEY EXECUTION

Out of the three primary variables discussed as part of this project and explored thematically during the interviews —Training Competencies, and Professional Identity—there were several sub-categories that emerged during the qualitative (interview) phase. These were represented as:

Training:

1. Training received and desired
2. Training adequacy
3. Training improvements
4. Best learning methodology

Competencies:

1. Skill sufficiency and improvements
2. Essential duties and tasks
3. Environmental influence on tasks
4. Meeting agency needs

Professional Identity:

1. Investigative role and evolution
2. Everyday influences on function
3. Professional definition and influence
4. Professional model perception
5. Professional significance

Each of these sub-categories was then further reduced to a set of queries, listed as topics, that were proposed to be explored in the survey, thereby maintaining continuity with the qualitative data, which in turn drew from the research sub-questions and aligned with the conceptual model. This allowed a sufficient exploration of the interview themes by way of the survey instrument.

For example, 'everyday influences on function' – question 2 under the heading 'Professional Identity' (see above) was further deconstucted with the following set of queries for the purposes of designing appropriate questions on the survey instrument:

Procedural Imperatives –

1. Excessive procedure
2. Commensurate procedure
3. Bureaucratic demands

Management Direction –

1. Excessive management oversight
2. Insufficient management oversight
3. Immediate manager perceived
4. Senior executive perceived
5. Individual discretion

Confining work methodology –

1. Latitude to operate/decide
2. Prescriptive work practices
3. Personal empowerment

Negotiation then commenced with the supervisory team and the university to determine the translation of the queries that were to be included in the instrument and how that may present in the actual finished product. A commercially available platform was utilised to construct a draft instrument to aid remote interpretation by the university, which assisted in the final design of the instrument, data receipt and secure storage of responses.

A final version of the instrument was agreed to after consultation with the university and the research supervisory team. It consisted of 76 questions in total, each group of questions aligning with the primary variables as mentioned above – professional identity/significance, training, and competency (see Appendix 1). There were also a series of demographic questions heading the survey which included gender, age – which was bracketed, time in role (investigatory), management experience, level of government – from State to Federal or both, and whether the respondent had any previous policing experience. The final iteration of the survey instrument was then beta-tested for cogency and flow with two respondents who were in the previous interview group. They were subsequently excluded from the survey to avoid any erroneous data from participation in both legs of the research data-gathering phase. Their feedback, however, was incorporated into the final design with only minor modifications needed.

In June/July 2020, the survey was administered by way of online dissemination, either to selected respondents by way of email, or more broadly into online discussion groups and forums. Networking opportunities were exploited where possible and promotion within these groups was encouraged. A total of 156 surveys were provided to potential respondents via these methods. Out of a total population size of 33200 ("Inspectors and regulatory officers," 2021), the representative sample for the survey was going to be influenced heavily by environmental factors. Responses were slow and the process of administering the instrument to respondents was compounded by the presence of the worldwide Covid pandemic. There were many likely impediments that may have hampered responses, such as the increase in online traffic, economic pressures at home and at work and associated insecurity of employment—all factors which were likely to consign an online survey to the ‘not so important’ pile (Donthu & Gustafsson, 2020). Given the exploratory sequential mixed methods research design, the resultant focus was on the qualitative phase of the

research, therefore the quantitative sample size was not as significant as it might be within an alternative design (Creswell & Plano Clark, 2017). However,

What this meant for the project was that the response rate for the survey was lower than anticipated (Response Rate – 45.5%). Despite the addition of an incentive to engage with the survey, it was only possible to obtain 55 completed responses out of 71 commenced (Completion Rate – 77.5%). This produced obvious limitations but was unavoidable under the circumstances and will be again referred to at the conclusion of this thesis with appropriate acknowledgement of the resultant limitations.

The data from the survey were slow to arrive and when it was clear that no more data were forthcoming, analysis of the data was commenced. The returned questionnaires were first checked for missing data. Given that there were a few unanswered questions but no incomplete pages on any questionnaire, none were excluded. The data was loaded into the IBM SPSS (Statistical Package for Social Sciences) software program version 27.0. The program allows the means and standard deviations to be measured for each question in the survey and also the demographics as provided by the survey respondents.

3.5 DATA ANALYSIS

QUALITATIVE PHASE

From these interview products, participant responses were entered into Nvivo, a qualitative data analysis software program to undertake a thematic analysis of the interviews and identify the predominant themes emerging from the interviews. Qualitative data was analysed and coded by dividing the text into smaller units and label assignation (Creswell & Plano Clark, 2017). Member checking and other validation methods such as disconfirming evidence were used to maintain persuasive data levels (Creswell & Plano Clark, 2017).

Each transcription was subjected to an initial first pass review where answers provided by the participants for each question were selected based on relevancy. The initial aim is a coarse filtering process to rule out irrelevant commentary that does not add to the answer. Only obviously irrelevant product is removed with anything that may relate to the question kept. Codes are designed to reflect the tenor of each comment utilising two to four-word summaries as descriptors. This facilitates the

initial collation of answers, which are grouped under each research sub-question. As this process is developed, finer filtering and cross-referencing are utilised. Some comments and answers may be re-grouped under other research -sub-question headings where they are deemed to be more relevant to that code. For example, an answer provided in the interview area relating to professionalisation that may have been more relevant in the training questions, where for instance it dealt with training-related issues, can be moved and re-categorised accordingly.

The process continued iteratively to determine the most relevant coding system allowing for completeness without compromising the integrity of the participants' answers or biasing the potential interpretation of the results (Creswell & Plano Clark, 2017). Some of the codes, where there might only be a few responses by participants, were reconsidered for relevance at that node and could be placed into other nodes, the objective being to streamline the data without affecting validity. The final list of nodes was then collated and sent for review and commentary to the principal research supervisor to check for relevance and requisite saturation. This list of codes was accompanied by a list of short explanatory terms which provide an explanation of each code summary for reference. Thematic analysis ensued to determine overarching themes and patterns that provided outcomes and subsequent guidance for the next data-gathering phase of the project.

Qualitative data analysis was underpinned by thematic analysis. It is important that this analysis has rigor and relevance translating into what Nowell et al. (2017) refer to as trustworthiness, as defined by Lincoln and Guba (Lincoln & Guba, 1985; Nowell et al., 2017). Nowell et al. utilised the trustworthiness criteria, earlier established by Lincoln and Guba, in a nursing study they undertook in Canada, arguing that the trustworthiness criteria they adopted was a pragmatic choice. They cited the following criteria as contributing to the requirements of trustworthiness, which has been adopted with respective reference to the work of this project:

> Credibility – when readers of the study or co-researchers "are confronted with the experience they can recognise it" (Nowell et al., 2017, p. 3). Strategies such as peer debriefing and member checking to test the findings against the raw data can also contribute to credibility. In this research project, it is envisaged that credibility will be relatively easy to recognise given the work-based nature of the project and the previous practitioner experience of the primary researcher.

Transferability – Providing sufficient depth of description of the data to allow it to be transferred into another researcher's domain (Tobin & Begley, 2004). The qualitative data chapter will describe the data initially as key themes drawn from the interviews, with further description collated into what will be called constructs which are attributed to the three variables of training, competence, and professional identity. This will facilitate subsequent data transfer.

Dependability – the researcher's process of data gathering, and analysis is examinable by other researchers. While it is not within the bounds of this research project for any review by other researchers apart from the supervisory team, this option might be exercised on the basis of the data and findings.

Confirmability – "establishing that the researchers' interpretations and findings are clearly derived from the data requiring the researcher to demonstrate how conclusions and interpretations have been reached" (Nowell et al., 2017, p. 3; Tobin & Begley, 2004). This criterion will be established by utilising the mixed methods structure of the research and the separate but related data gathering phases utilised to explore the phenomenon (Creswell & Plano Clark, 2017).

Audit Trails – where the study can be duplicated and the raw data, when utilised in the same perspective, would arrive at the same or comparable conclusions and not be contradictive. These latter three criteria – dependability, confirmability and audit trails will be followed as part of the overall research and the presentation, comparison and discussion of the data collected in the two phases of the research.

Nowel et al. (2017) also pointed to reflexivity as being a cornerstone of the audit trail in that keeping a diary of the process and exchanges can assist. They designed a table representing the aforementioned principles of trustworthiness and demonstrating trustworthiness in each phase of their thematic analysis. The constituent phases of their study were: "Familiarising yourself with your data; Generating initial codes; Searching for themes; Reviewing themes; Defining and naming themes; Producing the report" (Nowell et al., 2017, p. 4).

An important distinction with this project when compared with the model proposed by Nowell et al., is the mixed-methods approach that has been selected whereby qualitative and quantitative data are both being gathered and mixed in order to provide a more comprehensive and relevant consideration. However,

notwithstanding this distinction, the thematic analysis of the data gathered during the qualitative data gathering phase, was analysed in accordance with the model Nowell et al. proposed, in that those techniques as indicated above – familiarisation, generating initial codes etc. were followed to maximise trustworthiness of the analysis.

QUANTITATIVE PHASE

The quantitative data phase of the research commenced with the design of an appropriate instrument to administer to the practitioner group. Referencing all the examples and models mentioned in this research, accompanied by the results of the qualitative phase results, a questionnaire predominately containing Likert scale responses will be the selected prototype.

A five-point scale was selected as most appropriate in preference to anything longer (7+ points) or smaller, as it would likely be familiar to prospective participants in line with surveys that are administered public service-wide annually and which measure engagement and staff wellbeing ("State of the Service Report 2019-20," 2020). As Wakita et. al. (2012) observed, researchers are divided on what constitutes the most relevant number of points to include in a Likert scale. Furthermore, and more importantly, many research suggest that the number of points is independent of reliability (e.g., Chang, 1994). Preston and Coleman (2000) suggested that a maximum of five points would be sufficient to allow participants to satisfactorily express their feelings, with five being short enough to allow a quick answer whilst maintaining reliability. Therefore, a five-point scale was the best fit for the purposes of this research project regarding investigation.

The internal reliability of the instrument was also measured for the input of the data into the SPSS program in conjunction with correlations. Cronbach's alpha was utilised to test the internal reliability or internal consistency of the survey and therefore the interrelatedness of items utilised in the instrument (Tavakol & Dennick, 2011). As Krabbe (2017) observes, the reliability of an instrument by virtue of Cronbach's alpha coefficient, when measured as being between $\alpha = 0.7$ and $\alpha = 0.9$ is usually acceptable with a result of $\alpha > 0.9$ indicating the possibility of some redundancy, although scholars can disagree on both the application and significance of Cronbach's alpha. Tavakol & Dennick also observe that the number of items in the instrument can have an effect on the value of Cronbach's alpha, with instruments being too short in construction corresponding to lower values (Tavakol & Dennick, 2011).

In this study, the questions on the survey were organised under the same topic headings and structure to mirror the qualitative questions and resultant data. This was for ease of comparison and analysis. That is to say, there were three groups of questions on the instrument relating respectively to training, competency, and professional identity. The Cronbach values for the respective sections were measured via SPSS v. 27 as follows: Professional Identity α = 0.93 where the number of items/questions were N = 42; Training α = 0.85 (N = 25 items/questions); and Competency α = 0.88 (N = 29 items/questions). The value for professional identity was noted at α = 0.93 and consisted of 42 items as compared with the other sections of the instrument being α = 0.86 and α = 0.89 respectively. This may be attributed to the length of that section of the instrument but is still considered an acceptable value for instrument reliability. From these data it was concluded that the questions used on the survey instrument adequately met generally agreed standards of internal reliability. Each of these three groups of questions was represented in the survey instrument by a series of questions, capturing the responses on the survey that reflected the questions asked during the interview phase and ordered in the same sequence for ease of analysis and comparison.

The data obtained from the survey will be analysed with the SPSS software to determine correlations utilising Pearson product-moment correlation coefficient (r). There has been much discussion over the interpretation of 'r' and it is not proposed within the bounds of this thesis to argue what might be considered the best or predominant method of describing the strength of the relationship (Akoglu, 2018). Suffice to say, that in accordance with the analysis proposed by Akoglu (2018, p. 92) the following interpretation will be used as it aligns with the values proposed by Dancey & Reidy (2020).

Table 4: Pearson's and Spearman's correlation coefficients (Akoglu, 2018. p.92)

Interpretation of the Pearson's and Spearman's correlation coefficients.

Correlation Coefficient		Dancey & Reidy (Psychology)	Quinnipiac University (Politics)	Chan YH (Medicine)
+1	−1	Perfect	Perfect	Perfect
+0.9	−0.9	Strong	Very Strong	Very Strong
+0.8	−0.8	Strong	Very Strong	Very Strong
+0.7	−0.7	Strong	Very Strong	Moderate
+0.6	−0.6	Moderate	Strong	Moderate
+0.5	−0.5	Moderate	Strong	Fair
+0.4	−0.4	Moderate	Strong	Fair
+0.3	−0.3	Weak	Moderate	Fair
+0.2	−0.2	Weak	Weak	Poor
+0.1	−0.1	Weak	Negligible	Poor
0	0	Zero	None	None

3.6 INFERENTIAL STATISTICS

Inferential statistical analysis of these data will allow tentative inferences to be made from this relatively small sample to a larger population group and associated conclusions to be discussed (Gliner et al., 2016). A two-tailed significance test with a 95% confidence level was selected to highlight correlations across the dataset with no existing hypothesis proposed. The data were then subjected to Pearson's product-moment correlation coefficient analysis as the agreed method to explore the relationships of the data where:

(1) individuals in the sample are statistically independent of each other, and

(2) the population from which the sample was drawn has a bivariate normal distribution for the two traits of interest (Puth et al., 2014).

The data were then mapped to provide a distinction between correlations that were significant to the $p = .05$ level across the dataset. Male/Female comparisons were not generally examined for the purposes of the quantitative dataset analysis and clusters of significant correlations were sought to establish what might be considered meaningful data trends. However, it is recognised that the relatively small number of participants in the quantitative phase of the study ($N = 55$) allows only the most tentative conclusions to be drawn from the correlational analysis.

Skewness and kurtosis will also be measured and reported as part of the descriptive statistics because Pearson's product-moment correlation coefficient analysis assumes normal distribution of data.

3.7 PHASE ONE: QUALITATIVE PARTICIPANTS

As discussed, the participants in this phase of the research were selected by way of purposive sampling and are practitioners in the investigation field known to the researcher. Based on this knowledge of their backgrounds and experience, they were determined to be in a position to provide information and responses that might be relevant and useful in this phase. Each of the participants was anonymised by utilising their initials only in referencing their responses. Where categorised regarding ethnicity or population extraction, this was for illustrative purposes only and the research did not utilise that element of the demographic data to influence thematic formulation during the qualitative design and analytical phases. Where some influence was identified as possibly occurring as a result of ethnicity, then that possibility would be highlighted as a potential influencing or confounding factor. Otherwise, the ethnicity of the population group was determined by prior knowledge of the researcher regarding participants' background and history as being useful to the research only.

The 11 participants selected for the project were seven males and five females. Their mean age was 51.9 years (*SD* = 9.19 years). The average amount of time that the participants have worked as investigators is 17.45 years (*SD* = 10.09 years). Where investigation management experience is referred to, it highlights whether the participant has actually managed more junior investigators in an employment situation previously. Out of the eleven participants involved, it was identified that 4 of them had previous police and therefore criminal investigation experience.

To provide some context to this phase of the research and the answers provided by the participants to each of the interview questions, the following summaries represent the demographic background and experience of each of the interviewees:

Interviewee A

Male - 67 years of age, 37 years investigative experience, has investigation management experience but not currently a manager.

Experienced in criminal, regulatory and civil (private) investigation – 23 years policing including detective training. Has investigation trainer experience at the vocational level.

Interviewee B

Female - 55 years of age, 16 years investigative experience in a regulatory role, no previous investigation management experience. Federal government regulatory experience only.

Undertook some supervision of more junior staff as part of regular job requirements. Completed certificate four in government investigation while with the federal government.

No criminal or civil investigation experience.

Interviewee C

Male - 36 years of age, 7 years investigation experience in a regulatory role, no previous investigation management experience.

Federal government regulatory experience only.

Completed certificate four course in government investigation while working at the agency.

Has tertiary qualifications at undergraduate level unrelated to investigation training. Does not have supervisory experience.

Interviewee D

Female - 51 years of age, 6 years previous investigative experience in a regulatory role only, no previous investigation management experience.

Federal government regulatory experience only.

Not working in a substantive investigation role at the time of interview. Had regulatory roles in both state and federal government. Post graduate qualification unrelated to investigation.

Interviewee E

Male - 46 years of age, 12 years' experience as an investigator in a regulatory role only, no previous investigation management experience.

Federal government regulatory experience only.

Undertook certificate four in government investigations training while at the federal government agency.

Interviewee F

Female - 57 years of age, 15 years' experience as an investigator in a regulatory role only, no previous investigation management experience.
Federal government regulatory experience only.

Completed certificate four course in government investigation during early tenure at the federal government agency.

Interviewee G

Female - 54 years of age, 32 years' experience as an investigator, has previous investigation management experience although not currently a manager.
Has previous police experience in addition to federal government regulatory experience.

Had not completed the certificate four in government investigation course.

Interviewee H

Female - 39 years of age, 10 years' experience as an investigator, no previous investigation management experience.
Has previous police experience in addition to federal and state government regulatory experience.

Received advanced diploma in government investigations while in a state government agency, having already completed the certificate four course in government investigation while at the federal agency.

Interviewee I

Male - 58 years of age, 15 years investigative experience in a federal regulatory role only, no previous investigation management experience.
Partially completed certificate four in government investigation while at a federal agency.

Interviewee J

Male - 63 years of age, 37 years investigative experience, has previous investigation management experience at a more senior level, although not currently a manager.

Has 13 years policing experience in addition to federal regulatory experience.

Received diploma in government investigations while with the federal regulator.

Interviewee K

Male - 45 years of age, 12 years investigative experience, some previous investigation management experience in relieving roles. Federal regulatory experience only.
Partially completed post graduate studies in an investigation related subject.
Completed certificate four course in investigation while with the federal regulator.

3.8 PHASE TWO: QUANTITATIVE PARTICIPANTS

As previously indicated, the quantitative phase of this project is subordinate to the qualitative phase, used primarily to validate data from the interviews by a larger sample group of practitioners. It is proposed to utilise data from the qualitative phase as well as the aforementioned models from other studies representative of professional development (Williams et al., 2015) which will provide a basis on which to build an appropriate instrument to apply to the target group.

By the time of reaching this point of the project, two logistical problems presented themselves. Those were a departure of the principal researcher from their previous employment within the federal public service and secondly, the worldwide phenomenon of Covid 19, which presented a host of difficulties in gathering research data. Both of these factors made the location and engagement with a suitable participant group of investigation practitioners within the Australian Federal Public Service, problematic on many levels. Nevertheless, the instrument as designed was to be applied to the practitioner group notwithstanding the logistical impediments that were presented, with the goal of validating of the qualitative phase data.

The survey group consisted of 55 respondents who were selected via networking and social media as being available, possessing investigative experience and prepared to volunteer for the survey. The prospective survey respondents were targeted by the researcher on investigative social media forums and platforms such as Facebook and LinkedIn, utilising established networks to facilitate invites and an invite exchange process where respondents were asked to forward the survey invite onto other investigation practitioners they may know. The invite message sent via these media included a section seeking responses from investigators who have worked in State or Federal regulatory agencies of any type where investigation is a

predominate function. Subsequent confirmation as an investigation practitioner was achieved by appropriate questions in the survey instrument. As this stage arrived, the Covid pandemic had taken hold and community lockdowns and associated work absences resulted in a lack of alternative recruitment strategies.

The demographic data retrieved for age consisted of bracketed into the following nominal groups: 1 = 20 to 29 years, 2 = 30 to 39 years, 3 = 40 – 49 years, 4 = 50 – 59 years and 5 = 60 + years and assigned the five-point scale. Respondents were asked to provide years and months in the role as an investigator although only the years in the role were utilised in the data analysis program. Respondents were also asked whether they had managed investigators previously and what level of government they had undertaken the role in, State, Federal or both. The final demographic question was whether they possess any previous policing experience. The use of descriptive statistics to describe the basic features of the data collected was initially undertaken. This allows the presentation of a simple summary of the statistics, employing measurements such as mean and standard deviation (Pallant, 2013).

With reference to Table 4 below: the mean age of respondents was 3.3 on the Likert scale, placing the mean in the 40-49-year age group, indicating an experienced practitioner cohort although not necessarily as investigative practitioners. The previous manager demographic questions presented the respondents as either having a yes (1) or no (2) answer as coded for the dataset, the mean being 1.2 and therefore slightly skewed towards ‘no’ previous management experience. Investigation experience of the survey respondents ranged from one year to 40 years, with a mean of 15.8 years. This was suggestive of an experienced practitioner group. The level of government demographic reflected State government (1), Federal government (2) and both levels of government (3) as coded for the dataset. The mode for this question was 2, indicating towards respondents having had experience in both government spheres. Police experience was a yes (1) or no (2) with the mean being 1.5 – skewed towards no policing experience.

Table 5: Descriptive statistics for survey participants.

	N	Minimum	Maximum	Mean	Mode	Standard Deviation
Age Group	55	1	5	3.3	N/A	1.1
Investigation Experience	55	1	40	15.8	N/A	11.5
Previous Manager	55	1	2	1.2	N/A	0.4
Level of Government	55	1	3	N/A	2	0.7
Police Experience	55	1	2	1.5	N/A	0.5

3.9 ETHICAL CONSIDERATIONS

This research project was carried out with the approval Human Research Ethics Committee (HRED) of the University of Southern Queensland under approval number H18REA104. Ethics are value-based principles that are often codified for reference and provide guidance in questions of what is right and wrong (Daft, 2007); they should have aspects of generality and allow for latitude and a common-sense approach to their utilisation (Brien, 1996; Brown et al., 2020).

The *Public Service Act 1999* contains the provisions of both the Public Service Values and the Code of Conduct, under sections 10 and 13 of the *Public Service Act* respectively. It is from these provisions that ethical codes are drawn in the public service environment. Every public service employee and manager must abide by and espouse the provisions of these documents, which are the embodiment of ethical standards in a codified sense. This research project was grounded and devised within that environment and both the researcher, and a substantial number of participants were familiar with and had either presently or previously operated within, the confines of such a regulatory environment.

Relating specifically to the requirements of research undertaken on human subjects and the provisions of the University regarding such projects:

1. **Informed Consent** – Each potential participant in the qualitative research phase was recruited on a voluntary basis and by way of correspondence or contact that illustrated that appropriately and recorded the understanding and acknowledgement of the participant to this principle. The nature of the project was explained, as was the extent of their involvement, in addition to the storage and use of the information they provided. The respondents to the survey were

given an explanation of the process as part of the instrument they accessed to complete the survey and exercised voluntary participation by choosing to complete the survey. The ethical principles as applied by the University of Southern Queensland's human research ethics committee have been complied with as a part of the research project and contact and engagement with the participants have been in accordance with the approval of the project via that committee.

2. **Recruitment** – Recruitment was achieved by suitable participants being identified according to the research objectives and approached as indicated by the methodology explained previously. Formal invitations and acceptance were required, and records were kept, evidencing this process.
3. **Risk** – There was no proposed part of the project, that would entail engagement with protected or sensitive information and therefore any risk was substantially comprised of 'discomfort' potentially by the participants as being the highest foreseeable risk. This placed the project in the low-risk category according to the *National Statement on Ethical Conduct in Human Research (2007)*.
4. **Confidentiality** – An appropriate level of confidentiality was applied throughout the research process, with a 'need to know' approach as a basis for information access and storage. Participant identity will be known only to project staff such as the researcher and supervisor/s and the information and data obtained from the project will be secured on the primary researcher's hardware with secure access. The information will be stored for a sufficient time to allow for academic audit. Participants in the qualitative phase of the project will be anonymised with initials representing their identity in the published work.

ETHICAL CONSIDERATIONS – QUALITATIVE PHASE

The qualitative phase of the research project was the initial engagement with participants and ethical approval was first sought for this purpose. Ethics approval was obtained from the Uni SQ Human Research Ethics Committee to cover both phases of the engagement with research participants, those phases being qualitative and quantitative. The approval process was modified and expanded to suit, and the relevant approval number was H18REA104. Appropriate approvals were obtained in conjunction with an initial sample of questions so that the proposed questions, which

were still in draft form, could be considered. There was sufficient development in the question content to allow them to be included as part of the ethical consideration process.

The practitioner group was selected according to the methodology that has already been discussed. As the approach to that group was a recruitment style strategy, they were targeted individually to participate and provided with appropriate consent options and the ability to decline prior to the interviews taking place. The relative risk as assessed by the ethics team was deemed to be low and approval was granted to proceed without the need for anything other than minor modifications to the proposed strategy. Anonymity was preserved by limiting the recording of demographic and personal details.

ETHICAL CONSIDERATIONS – QUANTITATIVE PHASE

A separate approval was required for this phase, which drew from data in the initial approval for the first phase. This survey-style approach to the participant group meant that anonymity was easily preserved with the proposal to pitch the survey across several forms of online media in concert with specific approaches to personal networking contacts. The instrument itself was designed to be devoid of identifying particulars. The ability to opt-out of the survey by not participating meant that approval for this phase of the research was rudimentary.

CHAPTER 4 – QUALITATIVE RESULTS

All participants in the interview phase of the project were experienced practitioners. The least amount of experience in the relevant role of investigation was six years and the corresponding age of that participant was 51. The youngest participant was aged 36 years and while that is a considerable age differential of 36 years to 67 years across the participant group, this reinforced the participants' likelihood of having general life experience that would factor into the way they answered the questions and reflected on their respective abilities. While it may have been useful in the dataset to have less mature participants and perhaps less experienced investigators selected, the government requirements to undertake these types of roles necessitate a degree of seniority and an appropriately apportioned public service employment classification.

In the Federal Public Service, employment levels start at the APS1 (Australian Public Service) level and go through to the APS6 level. These different levels are governed federally by the respective agencies' ability to determine their individual pay rates in accordance with the APS salary structure so there is some variance in actual pay, however, the apportioned degree of responsibility across the levels remains the same. The different levels equate to different roles and levels of responsibility and an entry-level investigator is likely to start at the APS5 level, which is not an entry-level position, that being APS1.

The Queensland State public service has a similar structure with more bandwidth levels, going from AO1 to AO8 (Administration Officer), although that is a generalisation with the Queensland system also governed by Awards which are applied to different functions such as specialist areas. A typical entry-level investigator role in the State public service would be around the AO4 level as a minimum with usually an AO5 start. The Queensland State Public Service level structure has not been included as it is not constructed or presented in the same manner as the Australian Federal Public Service system.

It should also be noted that the participant group was composed of practitioners who had experience in either group, that being State or Federal government, with some of them having had experience in both. Despite the variance in their backgrounds, the

level of experience required to undertake investigation in either jurisdiction would be roughly the same.

Thus, the participant group reflects an average cross-section of investigation practitioners despite appearing to be perhaps representative of an experienced or expert group. While this must be borne in mind when considering the responses that the participants have made to each of the questions and the level of ability and understanding they may possess, it does not indicate a skewed or unrepresentative group.

4.1 QUALITATIVE INTERVIEW QUESTIONS

As discussed earlier, the interview transcripts from each of the participants were analysed to identify commentary that may be relevant to the research questions. Each of the nodes in the Nvivo program provided a collation point for the participant answers and was expanded further to include sub-headings where consideration was given to a deeper analysis of the data providing greater explanation and context of the overarching nodes. Each of the interview questions was posed to the participants in the order as reflected in Table 6 which presents the key themes from the interview data. They were asked in that order for convenience only during the interview phase.

The following list presents the questions as they were asked to each of the eleven participants during the interview phase of the research. The questions relating to what will be subsequently labelled ‘constructs’, each represent the three areas of inquiry – training, competencies and professional identity and are derived from the original research sub-questions as presented earlier in this thesis.

Construct #1: Training –

a) What investigative training have you received and what training do you think you should receive? – (Training Received and Desired)
b) How has the investigation training you have received met your requirements/expectations? – (Training Adequacy)
c) How do you think you would maximise your learning opportunities? – (Best Learning Methodology)
d) What do you think could/should be improved for investigative training? – (Training Improvements)

Construct #2: Competencies –

a) What are the essential duties/tasks of an investigator in your role? – (Essential Duties and Tasks)
b) How does your environment influence those tasks? – (Environmental Influence on Tasks)
c) How do your current investigative skills meet your job demands and what can be done to improve them? – (Skill Sufficiency and Improvements)
d) How would you describe your ability to meet the investigative needs of your agency? – (Meeting Agency Needs)

Construct #3: Identification as a profession –

a) What do you consider is your role as an investigator and how has that changed through your career? – (Investigative Role and Evolution)
b) What do you think is a profession and how do you think that influences investigation? – (Professional Definition and Influence)
c) What are the influences that impact on your duties as an investigator, how important are they and why? – (Everyday Influences on Function)
d) What do you think an investigation profession would/should look like? – Professional Model Perception)
e) How important is professional classification to you and why? – (Professional Significance)

4.2 KEY THEMES

The key themes identified from each of the questions are contained in Table 6. Each of the question groups is associated with one of the three constructs. Each construct has a series of questions in the following table which represent the relevant interview questions, reduced to a heading. They will be explained in the order they are presented on the next page.

Table 6: Thematic summary of keys themes from qualitative interviews.

Question Groups	Identified Key Themes
Construct #1: Training	
Question (a): Training Received and Desired	(i) Lack of Relevant Training (including - Inadequate Training/Poorly Completed Training)
Question (b): Training Adequacy	(i) Alternative Training Identified
Question (c): Best Learning Methodology	(i) Practical and Theoretical Mix (ii) Experiential learning
Question (d): Training Improvements	(i) Greater Practical Emphasis (ii) Fit For Purpose
Construct #2: Competencies	
Question (a): Essential Duties and Tasks	(i) Consider Evidence
Question (b): Environmental Influence on Tasks	(i) Procedural Focus
Question (c): Skill Sufficiency and Improvements	(i) Pre-Existing Skills (ii) Further Training Needed (iii) Improved With Experience and Training
Question (d): Meeting Agency Needs	(i) Over Skilled (ii) Commensurate With Requirements
Construct #3: Identification as a Profession	
Question (a): Investigative Role and Evolution	(i) Basic Role descriptors (ii) Advanced Role descriptors (iii) Changing Structural Relationships
Question (b): Professional Definition and Influence	(i) Advanced Training Identified (Including - Investigator and Profession Distinction/Advanced Skillset)
Question (c): Everyday Influences on Function	(i) Procedural Imperatives (ii) Management Direction
Question (d): Professional Model Perception	(i) Advanced Qualification (ii) Reputational Advantage
Question (e): Professional Significance	(i) Not Meeting Ideal (ii) Already Regarded (iii) Currently Falls Short

4.3 QUALITATIVE DATA – THEMATIC INTERPRETATION

For the purpose of explanation of data in this phase of the project, reference is made to Table 7 below which is part of these overall qualitative data and is headed 'Investigative role and evolution'. The table illustrates the thematic product extracted from the respective question, with the resultant identified key themes (as per Table 6) being the collection of the three most predominant themes in this question

(Bold/Underlined Text). This is an example of how the data was collated from the respective nodes in the Nvivo program for the purposes of this analysis, with the following explanation applicable to all data discussed in this chapter. It should also be noted, these and subsequent data reflect the output of interviews with all of the eleven interview participants.

Table 7: Investigative role and evolution.

Construct 3/Question (a): Investigative Role and Evolution. Themes & Sub-Themes	**Files- (Coded out of 11 total)**	**References**
Basic role descriptors	10	32
Organisational pessimism	6	18
Greater practitioner demand	4	12
Resource dependent treatment	6	10
Professional functional reflection	2	5
Improved technology	2	5
Changing structural relationships	7	24
Sub theme-Structural decline	6	19
Sub theme-Structural improvement	2	4
Sub theme-Structural equilibrium	1	1
Advanced role descriptors	9	28
Sub theme-Inherent experience	4	9
Sub theme-Internal collaboration	3	8
Sub theme-Wider perspective	1	6
Sub theme-Developed experience	3	3
Sub theme-Empathy and interpersonal skills	2	2
Total	68	186

The first column after the thematic headings, which is labelled 'Files', indicates how many of the eleven participant's responses were categorised as a theme in that particular node. The next column labelled 'References' counts the number of actual thematic references made by the participants at that node. Where a theme is mentioned as a percentage of the total themes and identified in the subsequent explanation of the data, the number has been rounded to the nearest whole number. There are also explanatory sub-themes for the thematic headings where a sub-theme may be warranted. Thus, 'structural decline' would derive from the overarching heading of 'changing structural relationships' and they are in place to qualify and explore the data obtained more adequately and where there was a quantifiably notable thematic response.

This explanation of data presentation is relevant to each of the sections of interview data that will subsequently be presented. The themes attributed to each of the research questions did not necessarily constitute a sum of the underlying or sub-themes. This was a result of a two-stage filtering process required for sufficient depth of analysis, where the first stage involved collating every relevant reference. These broader themes were then further reduced in the sub-themes area (as Nvivo refers to them) so that a more accurate picture of the data, and therefore the prevailing themes, could be identified. These were determined to best reflect the thoughts of the participants regarding each of the identified themes (Creswell & Plano Clark, 2017). In summary, the lefthand column of numbers indicates the number of participants (Files) who made mention of the specific theme; the righthand column of numbers indicates how many instances (References) of that theme occurred.

4.4 CONSTRUCT #1: TRAINING

The four research sub-questions asked of the participants during the interviews in the section devoted to training were reflected as the following, which represent each of the sub-questions as the following topic headings:

A. Training received and desired;

B. Training adequacy;

C. Best learning methodology; and

D. Training Improvements.

Each of these components of the section pertaining to training will be discussed in turn.

Question (a): Training received and desired

The prevailing theme of this question was that the participants made numerous comments about the 'lack of relevant training' they received while with their respective agencies. Although not every participant (8 out of 11) was critical of this aspect of training. Those that were, provided numerous comments about the deficiency they perceived. Seventy-eight (78) out of the total responses *n*=209 or 37.3% were critical of the amount of training received. This was further described as being inadequate which included participants indicating no training at all (12.9% of total responses). Comments for example such as the following indicated the degree to which the participants saw a lack of training adequacy in terms of the type of training received:

"…you received some training but that was general training, with the procedures that were done already within the team..."and "I think there needs to be fresh training, even down to simple things like notebook, even the car diary. Those kinds of things. You just don't get any of that."

This criticism of the type of training was coupled with commentary that indicated the amount of training was deficient or there was in fact no training received in the agency at all, "…I haven't received any training in this role."

One of the participants described a common position that government regulatory bodies undertake regarding training and how they were realising that something more structured and formal was desirable and in fact necessary:

"…and that moved on to proper investigations training. So how do you do a proper Investigation. I think that's modelled on the AGIS, Australian Government investigation standards. And then it's only maybe six years afterwards they thought of Cert 4, and then a diploma in government investigations after that."

What was interesting here was that this participant reflected an awareness of the requisite training regime that underpinned regulatory training in the federal public service. Overall training structure was not a feature of the commentary, and this participant also highlighted a problem with training delivery in that it appeared to be an afterthought.

Poorly completed training was also noteworthy, and the following comments reflected some of the participants views on how the training that they may have received, was delivered to them. Again, the training seemed to be functional rather than actually designed to develop investigators. Trainers were criticised for their mechanical approach to delivery and a reliance on dogmatic story telling. “basically standing up, going through a few things with us, he'll bring in a few experts from other fields to basically talk at us.”

“I just thought it was very open to manipulation, the content was boring, and I don't recall hardly any of it. So, it didn't stick.”

“…he didn't impart his knowledge well. He was big on war stories.”

Despite the criticism of training delivery, on the positive side of this training perspective the participants all (11) indicated that they had received relevant training, even if it was delivered questionably or somewhere else. Certificate four training was reported as a positive experience, with external providers receiving favourable commentary indicative of a general view that they were providing a worthwhile training process. Comments included: “I did do my Cert 4 with ISETS (training provider). And I thought they were quite good...”

“Certificate four was an intensive two-week period I did in 2007 and I actually enjoyed it.”

While positive, these were not necessarily endorsements of the training that had been received and also reflected aspects of recognition of prior learning (previous training elsewhere) and content that was dependent on the individual training provider or instructor and not more broadly consistent. There was evidence supporting the view that there was a lack of consistency across the whole agency training space. In particular, this was evident where the training related to the Certificate IV course, which was a mandatory requirement for government investigators.

Question (b): Training adequacy

Alternative training was identified by participants as the predominant theme here, ranging from methodologies such as needing a more practical focus during the training, to touching on the prospect of university training as being desirable. Tertiary training did not attract many comments here whereas the necessity for a practical focus, perhaps in line with the vocational structure of the training, was more

prominent. “I designed (training) since then, as a senior teacher at TAFE and also as a senior trainer for the department of environment and for some private companies, all my training that I designed it was based on practicality.”
One of the participants specifically recognised the value of their previous police training in this section. “…police training, is probably best practice in that regard.”

It was also interesting to note that all of the participants who had previous policing experience and training, reflected positively on that during responses to this and the other relevant questions asked as part of the interview process. Overall, the responses to this question indicated a general view that the training that had been received whilst in the agency was manifestly inadequate and most of the participants relied upon experience and training that they already possessed. One of the participants commented specifically about tertiary training having recently completed post graduate study into investigation management. So perhaps this reflection was timely, and an indication of tertiary course instigated reflection into the prospect of professionalisation and some potential causative factors: “It's not just reading how people do it, it is to apply it in practice, a great opportunity for say a university wanting to create new courses in the investigations line. It is to have that practical side, but also the teachings in motion.”

Whilst this view suggested a practical component of training as still being important, when read contextually with the others made by this participant, there was a distinct difference with their views overall as compared with the remainder of the participants. None of the other participants were as incisive with tertiary based reflections or recommendations.

Question (c): Best learning methodology

This question asked the participants' views on how they learnt best. The two predominant themes in this question were references to both a practical and theoretical mix present in the training delivery resonating with participants and experiential learning. Again, this was a recurrent theme in the answers to the training questions as participants identified the importance of practical components of any training regimen. ‘Practical and theoretical mix’ theme, whilst it only received comments from four (4) participants, drew fourteen (14) references or 20% of the total references *n=70.* While comments indicated some departure from the traditional vocational training, such as online or e-learning, the commentary mostly returned to the caveats previously

provided by the participants in that practical training was paramount and provided the most relatable training methodology "…e-learning is good, but it can't always give you the practical experience."

"I think, more practical hands on. Which is what you are actually going to do in the field."

The 'experiential learning' theme had slightly greater participant engagement with six (6) participants providing responses categorised here and drew again fourteen comments (14) or 20% of the total. Between these two themes, we can observe 40% of references which is significant in the participant's identification of what works best in learning. The importance to the participants of experiential learning was captured by some of the following commentary:

"You put me in front of a computer and say here's a two-hour presentation on something, learn something. I won't even look at it…. I'm very practically based."

"…. I didn't really learn anything until I was out on the phone." and "Oh, the best way to me personally to learn would be on the job..."

There are other themes in this question that are also worthy of noting given that there was no standout theme. The themes 'being mentored' and 'holistic learning' received 11% and 10% of references respectively. Mentoring in the public service is a cornerstone of training new arrivals into an investigation space and accomplishes not only initial deployment training, but it also allows a degree of oversight of the ability of the investigator and delegates that oversight to experienced operators rather than managers. This can provide efficiency of integration for new staff as is commonplace within federal agencies: "I believe there has to be some sort of mentoring program, a formalised mentoring program..."

"…being with really skilled people who have been in the area for a long time, that can tell you or show you."

Also of interest, was four (4) of the participants providing comments indicating they had a preference for what were categorised as more traditional learning methodologies, such as rote learning techniques and classroom instruction, as might be seen in primary and secondary school. These comments ranged from overall preferences such as an obvious expression of preference for this type of learning to those reflecting holistically on the learning experience and a perceived need for more

traditional learning. Classroom based approaches with a conventional teacher/student design underpinned commentary by the participants when describing how they best learnt: "…basically, I suppose I learned by rote." and also "Training for me, should be face to face. I like classroom type learning, rather than self-learning."

"I sit in class, and I listen to the trainer and watch what he's doing so PowerPoints are very important to me and a trainer talking with possessed knowledge is very important to me, that's where I learn."

Looking more deeply into these traditional responses, two of the participants were reflecting specifically on how they were taught their investigative training, in a classroom with instructors, which is the traditional model. The other two participants who provided more in-depth commentary here were both older and stated the importance of traditional learning in their experience. Their comments also indicated importance in the credibility of the presenter, the material, and the comprehensiveness of the learning packages coverage.

There was also a single participant who identified a lack of training opportunities within their agency with four (4) categorised comments. This person was currently a State government employee who was particularly critical of the training in that specific agency and had moved between State and federal agencies in the past and had a broad cross section of public sector experience.

Question (d): Training improvements

The two distinct themes in this node were 'greater practical emphasis' with eight (8) participants making twenty-two (22) references and 'fit for purpose'; with six (6) participants providing twenty-two (22) references. The latter was perhaps slightly more significant given the same number of references amongst fewer participants. The total number of references at this node which were originally and broadly categorised was *n=73.* The references at both of the distinct themes each accounted for 30% of the total references at this node and therefore combined at about 60% of the references placing them well above the other themes identified.

The 'greater practical emphasis' theme built upon the results of another theme where participants were commenting on the need for a greater practical emphasis with training. This could be attributed to a criticism of the lack of specifically targeted training that would meet investigative needs and consequently lacking relevance, or

perhaps that investigation training lacks specificity. They included comments which also reinforced mentoring in part but were placed here given the practicality they referenced: "…in investigator training, I think a lot of practical work" and "the mentoring that the people are getting out in the field must be correct" and the following concentrating solely on a practical emphasis: "…a practical (focus) and putting that theory into practice. That's the big one." "… probably more about practical skills and how to go out there and interview and how to deal with the community."

The significant number of comments regarding the need for, and the apparent lack of a practical approach to the training that was provided in the public sector agencies, was noticeable in this question and left little doubt about a general desire for improvement in that specific area.

4.5 CONSTRUCT #2: COMPETENCIES

The four research sub-questions asked of the participants during the interviews in the section devoted to competencies were reflected as the following, which represents the research sub-questions as the following topic headings:

A. Skill sufficiency and improvements;

B. Essential duties and tasks;

C. Environmental influence on tasks; and

D. Meeting agency needs.

Each of these components of the section pertaining to competencies will be discussed in turn.

Question (a): Essential duties and tasks

There were two themes of note at this node, those being 'consider evidence' and 'employ correct techniques'. Consider evidence had almost all of the participants contributing – ten out of eleven and making 26 references out of a total number of thematic references here $n = 58$ or 49% and is therefore the predominant theme here. The overwhelming topic of discussion in this theme was the importance of evidence in the everyday working lives of investigators. From a policing perspective, the regard for evidence cannot be overstated. From the gathering of evidence to the preservation and considerations of relevance and admissibility, the working life of any investigator is bound by these considerations. This is also present in the reflections of the

participants here who did not have previous policing experience which illustrates the collateral importance of evidence even in regulatory investigations. Some relevant commentary included: "…basically, evidence is everything for us"

and perhaps summed up most definitively with "…as I said before investigations is just all about collection of admissible evidence. And that includes the negating of defences. That's all it is. It's a collection of and I keep saying this, admissible relevant evidence. Nothing more, nothing less."

Closely aligned to the gathering and treatment of evidence are the techniques employed to accomplish related tasks successfully. Participants here recalled the ways they set about gathering relevant and admissible evidence, some of the principles of justice as they knew and applied them and the personal abilities, they drew upon to execute the functions: "…it was listening skills, my ability to assess the information provided by the parties, against the legislation" and "…nonbiased whenever you're doing investigations."

The actual recording of the investigation process was also explained with participants quite able to enunciate exactly what their function was, in summary: "Interviewing to get the information from the parties and just the ability to communicate orally or in writing, such as writing a report or writing a contravention letter, for example, and preparing briefs, so that kind of thing"

Communication skills appeared to be at the core of investigations and different aspects of communication were commonly presented by the participants. It was also evident that investigation practitioners knew what evidence gathering techniques they needed and how closely those techniques were related to interpersonal skills such as communication.

Question (b): Environmental influence on tasks

This question provided a standout theme which, given the background of the participant group and their public sector employment histories, was unsurprising. Seven of the participants provided 17 references for this theme out of a total $n = 58$ or 29% of total references at this theme. Given the lack of representation of the other identified themes arising from the analysis of the answers here, this is a significant representation.

The question dealt with the perceived influences the participants felt from their environment on a daily basis and how significant the influences were. Some of the other themes here echoed the procedural nature of the public service workplace and investigation, as a minor subset of overall government function, was certainly not immune. The participants saw these influences predominately as irritants and impediments to what they thought might be their core functions, as further supported in the questions prior to this in the competency group of questions. The over-subscription of procedure was commonplace: "…the work was very procedurally based" and "…the environment being a federal government agency had policies and procedures that we'd have to follow. So, it highly influenced the way in which I did these tasks."

One of the participants highlighted the bureaucratic influences they saw as being a detriment to investigative functions and observed that the private sector environment in which they had recently worked was also abound with procedural impediment and red tape, although this was predicated on a perceived lack of investigation knowledge in that private sector workplace having only been there for a few months at the time of the interviews: "…whereas when you're looking at a lot of private stuff, you're getting a lot of people without any training who are making comments on work that has been put forward by people with training and knowledge."

And further to this by the same participant on the subject of streamlining and a relative comparison of environments, there was an answer that almost possessed a degree of reverence for public sector regulation as opposed for the private sector:

"But in the public sector, e.g., the police force or if you're working where I did for the department of environment or something like that, the influences are less because everything is done and you're working with other professionals who are like-minded."

There may be some inherent bias within these comments which reverses the trend of what other participants have said. The private sector tends to be hierarchically flatter and while there are procedures that have some similarity in any large organisation, one of the greatest differences between the private sector to the public sector, is a reduction in procedural hurdles in the former.

Question (c): Skill sufficiency and improvements

There were three noteworthy themes identified in this competency-based question. 'Pre-existing skills' had six (6) participants refer twenty-three (23) times out of a total number of references (*n=74*) accounting for 32% of references. 'Further training needed' had seven participants (7) providing fourteen comments (14) or 19% of the total and lastly, 'improved with experience & training' was addressed by five (5) of the participants with twelve (12) comments or 16% of the total. 'Pre-existing skills' elicited comments that reflected the participants advanced levels of experience and knowledge and mentioned the acknowledgement they valued and the recognition that legitimised their investigative capabilities. "….my ability to go through the investigative process is something that a lot of people don't really have." and "Both of my team leaders have taken that on board and acknowledged my experience."

There was also ample recognition by participants of their previous policing experience where relevant such as the following from a previous serving police officer when talking about their previous police training:

"My current investigative skills would far outweigh anything I'm doing at the moment" and "Oh, I would put that down to my police training to be honest. …..I've done detective training. That was definitely the most useful."

'Further training needed' encompassed comments from two participants who were in roles where they had additional supervisory responsibility and thought they were underprepared by insufficient training to undertake that supervision: "I definitely need more training in terms of mentoring other people, because that role now, I'm finding extremely challenging."

However, these comments may not relate to investigative training more broadly and may be indicative of a lack of training relevant to staff development and adequate succession planning.

The remainder of the seven participants who answered here made generic comments about the overall benefits of training. Training in the public service was often sought by employees and due to fiscal imperatives appeared to be often overlooked. What was significant here regarding general training benefit observations was that overall there was recognition of the value of training and an acceptance of ongoing training

and development however there was a lack of specificity when it came to articulating what type of training they would like to see:

"I think that's something that all regulators should do, is to ensure that there's adequate training and qualifications for all investigators, including managers as well in the investigation field."

What is interesting with comment by the participant here is that he identified the training as being suggested by a supervisor. From a researcher perspective, I can recall other exchanges like that as I was the supervisor responsible in this example and the benefits of additional training as earlier stated, in the federal public service and perhaps more broadly in the public sector, were often overlooked. Finding a sufficiently motivated training sponsor was usually left to the relevant staff member, and proactivity by the organisation in this regard was lacking.

'Improved with experience and training' led to comments reflecting the participants perceived self-development primarily as a result of being on the job. Only one participant observed an improvement as a direct result of training, having just completed a graduate diploma. The other participants spoke more broadly about how their working experience led to advances in skilling: "I think we probably weren't as skilled initially, we got better with doing some of those things as we progressed and increased our skills. But when we first went into the position, we were basically under skilled."

Question (d): Meeting agency needs

This question dealt with the participants' self-assessment of their ability to meet their respective agency needs. There was no prevailing theme identified here but nonetheless, useful observations can be made of some of the thematic areas identified. Five (5) out of the eleven (11) participants (45%) indicated that they were either over-skilled for the duties they were undertaking, or their skills were adequate 'Commensurate with requirements' which encompassed sixteen (16) references or 38% of the total references *n= 42*. The following comments are representative of the responses here: "I'm too good for TPB (Tax Practitioner Board) in the work that they get" and "I do have extensive experience, not only on-the-job experience but experience from training also."

Two participants indicated that their skills needed development including the following interesting response: “I would need to be up skilled to actually follow through on that in terms of whether the board wanted me to conduct an investigation. I would definitely have to be up skilled to do that.” (Investigation in this comment meant one declared formally as such under the Act, therefore triggering a more complex process and the exercise of more complex powers and techniques, and not the term investigation more generally).

This participant was an interesting example as he made comments in both the adequate and needs training responses to this question. This was indicative of a perception by that participant regarding his inability to undertake more complex investigative tasks, essentially due to a lack of experience rather than and identified lack of ability. Another interesting comment came from a participant who acknowledged the current training regime for investigators, which consisted of the Certificate 4 in government investigations was lacking in a lot of areas in which they worked. Investigative staff simply did not have it, or an equivalent.

The participants who had previous policing experience all suggested at some stage during the interview process that the Certificate IV course as a mandated requirement, whilst better than no training at all, was insufficient. This was echoed by several of the participants who had no police experience.

4.6 CONSTRUCT #3: IDENTIFICATION AS A PROFESSION

The five research sub-questions asked of the participants during the interviews in the section devoted to identification as a profession were reflected as the following, which represents the research sub-questions as the following topic headings.

A. Investigative role and evolution;

B. Everyday influences on function;

C. Professional definition and influence;

D. Professional model perception; and

E. Professional significance.

Each of these components of the section pertaining to professional identification will be discussed in turn.

Question (a): Investigative role and evolution

What can be seen from these data is the prevalence of three themes. Ten of the 11 participants mentioned 'basic role descriptors' as being of importance. This theme included role descriptors such as those utilised as basic and inherent to the investigative function. Those were tasks including: investigating complaints (initial assessment); identifying, collect, and presenting evidence; navigating the respective investigative process in a straightforward and procedural sense; and interviewing relevant parties. This accounted for 32 out of the overall responses $n = 186$ that were originally identified as part of the first filtering phase of transcript review, or 17.2%.

Nine participants provided 28 comments that were thematically included in the 'advanced role descriptor' area which included the themes: inherent experience; internal collaboration; wider perspective; developed experience and empathy; and interpersonal skills. Sub-themes were applied to further categorise comments from the participants to allow for sufficient depth of consideration regarding what might be termed 'reflective abilities' that may be relevant to the investigative process. This included such sub-themes as Utilising empathy; discretion; common sense; interpersonal relationships; communication; lateral thinking; objectivity; recognising and compensating for inherent bias; collaboration; inter-agency communication; and tactical and strategic evidence consideration. While some of these sub-themes may relate to the 'basic role descriptors', they are more complicated and advanced skill utilisations that warranted separate acknowledgement.

They accounted for 15.1% of responses in this question where total responses $n = 186$.

The third theme of note is 'changing structural relationships'. This theme included the sub-themes of structural decline, structural improvement, and structural equilibrium. The participants thoughts were reflected here appropriately, where they observed that internal restructuring within the agency or organisation led to changes in the investigative process. This went from being a negative influence described as structural decline, where the investigative process was inhibited by a change in agency focus and priorities, to changes in regulated legislation and a move from a criminal to civil investigative environment.

Other participants from the same agency reflected on the positive changes within the agency which they attributed primarily to a new senior executive manager, who shifted the focus away from client service back towards regulatory operations and was

therefore correcting what was perceived as a previous imbalance. This translated into empowering the investigators and providing a more positive workplace, in that the investigators were no longer required to receive every complaint formally and were able to selectively approach their function thereby decreasing the load on resources. Collaboration with other agencies was also being actively pursued. So, it can be seen that the lens of perspective and individual experience can shape the data.

What is also interesting in this thematic section relating to changing structural relationships, is the number of participants mentioning in the 'structural decline' theme. Six out of the 11 participants provided 19 comments categorised as being negative or a structural decline (79% of comments in this specific theme or 10.2% of overall comments on this theme). Organisational pessimism was also of note, where six of the participants commented (18 or 9.6% of total) that the work they were undertaking in an investigative role included negative perceptions such as being unappreciated, unable to adequately or independently exercise their skills or judgment and similar comments that were critical of the agency and investigative environment in which they worked. For example: "…trying to get people in my role to do more of what I would have classified as being their work" and further that "I don't see it as being an investigation role, because to me it's just a complex complaint management type role." Negatively weighted commentary therefore accounted for 35% of overall comments to this question.

Question (b): Professional definition and influence

There was one major theme arising from this question – 'advanced training identified'. Ten (10) participants 91% and twenty-seven (27) comments out of *n=98* overall – 27.6%. There were two other less significant themes observed – 'investigator profession distinction' and 'advanced skillset' (6 participants with 16 comments (16.3%) and 6 participants with 14 comments (14.3%) respectively). These nodes are where over half the participants responded to the question as categorised in the respective themes.

This question delved into the participants' understanding of what constituted a profession and introduced the prospect of whether professional status may influence an investigation. The question of professional definition appeared to be problematic for participants, with most lacking a communicable understanding. It was evidenced during the answering of the question, as participants reflected on the problem that was

being posed, that they began to formulate ideas surrounding professional identity and how that compared with the actual state of the investigation.

Advanced training identified was a theme which captured the participants' responses indicating thinking towards advanced training pedagogies such as tertiary education, with the following comments as examples: "…maybe just a TAFE (Technical and Further Education) course or certificate type of course, all the way up to a university course…. if someone was to go and seek the professional qualifications for the role, then that would give them the ability to undertake the role with certainty" and "first thing comes to my mind when I think of profession is study and having a particular skill set and being trained in that particular skill set."

Participants were also thinking about a link between universal training and standards belonging to a profession.

Investigator profession distinction was a theme which demonstrated the participants attempts at articulating the concept of professional identity and the implications of that upon investigative function: "I think sometimes the word investigator is used too freely. So, it sort of takes it away from the professional part of being an investigator in my opinion."

What emerged in the answers to this question was the lack of appreciation from investigative practitioners about what they actually did and where it may appear, if at all, on any spectrum of vocational to professional status or transition.

'Advanced skillset' as a theme recorded the participants greater depth of thinking on the concept of a profession and how that may influence or be influenced by a discrete skillset. Comments such as the following were noted:

Question (c): Everyday influences on function

This question had two themes of note – 'procedural imperatives' and 'management direction'. The public service is an environment where procedure can govern operation to a significant degree. Investigative tasks may be undertaken within a prescriptive bureaucratic environment which was identified by nine out of 11 participants in the theme 'procedural imperatives'.

This theme also accounted for 29 comments or 30.5% of overall comments in this question where total references $n = 95$.

Management direction, where the influence felt by investigators as exercised by either an immediate line manager or an agency chief executive, was seen as a large influence on their everyday investigative functions. Again, this is not peculiar to the public service environment however it is overtly hierarchical, which can be contrasted to what may be evident in the private sector, where flatter management structures are more commonplace (Reitzig, 2022).

Further to line manager influence and potential criticism of their ability – "But in my mind, the team leaders, are something that sticks out is when I was an inspector and the fact that really, some of them are quite inadequate in their own investigation skills." While slightly less than half of the participants (five) saw this as an issue, the associated commentary was 18.9% of overall commentary in this thematic area.

Question (d): Professional model perception

This question asked the participants to imagine what an investigation profession would or should look like. Given the earlier struggles with the concepts surrounding professional identity in the way that the participants were able to translate that into an investigation occupation as it stood, what became apparent here with the data and resultant themes identified, was that participants were unclear as to what they imagined. There was no standout thematic response to this question. Responses here ranged from a broad identification that a profession had a degree of experience and qualifications therein, to criticism of the possession of qualifications as represented by 'bits of paper'. Education was credited with producing qualifications but there was no direct line of sight to this connection and a profession. One of the participants observed a connection between education and profession: "…if you're a profession you've got to be trained you've got to be educated."

However, professional identification was only loosely related to advanced training and the nexus with tertiary training was limited if at all present: "…and then it should be a professional role like when you have to do proper training and be accredited for example."

Perhaps the standout answer to this question came from one of the participants who was in the final stages of completing a post graduate qualification in investigation management through Charles Sturt University. They were able to articulate when considering the aspects of the question and in providing a concise and accurate response, which was a notable summary of professional requirements as they may exist

within an investigation profession as postulated: “I think there should be a qualification whether it's done through a university or through an academy that allows everyone who can be registered, like a registration process, who wants to be an investigator and needs to be registered with a professional organization that have a code of conduct on how they conduct investigations,” and further from this participant which was coded in the node pertaining to ‘reputational advantage’: “…and that registration will cover you across the private and public sector and it will provide confidence to the employer and also to the general public that whoever's conducting an investigation meets a certain standard, not only in their qualifications but for also their ethics and the security clearances behind them.”

Question (e): Professional significance

This question was another example of the difficulty that participants had when attempting to articulate professional existence or identity. There was no clear emerging theme or set of themes here. In each theme, there are less than half the participants reflected in the responses that were categorised. As could be seen from the data in each of the thematic titles, each of the themes, apart from ‘already regarded’ indicated views that essentially investigation had not reached what the participants regarded as a profession, and that it was not important or relevant. Four (4) participants provided eight (8) responses (36.4% of total themes where n=22) categorised as ‘already regarded’ which indicated their view that investigation currently met professional status. The was an apparent confusion about professional constitution or a misapplication of the term, where professional was used to describe a feeling or behaviour. Perhaps this can be expected in an environment where there is a lack of any perceivable professional structure: “Oh, I think it is because it gives you basically some sort of you given recognition for the work that you do.” The following comment was indicative of how the participants more broadly, already regarded themselves as professional by their expressed desire to do a good job: “When I go out and represent my agency, I am very professional”

There did not appear to be an understanding of a professional organisation and associated identity, which appeared to be more of an indication of the participant’s lack of reflection about the concept more broadly, rather than any inability to consider the concept when posed. Examples drawn from the other themes identified out of this question are as follows:

‘Currently falls short’ – “…it might be easier if I was recognised as investigator in a profession and then I apply for another investigation job” and “…if it was to become a profession as such, it would be attractive to a lot of people.”

‘Not important’ – “It's not important to me at all” and “It's not important to me actually.”

Not meeting ideal – “Now when you even look at SEEK (website), there is no such thing as investigation roles. I guess anyone can call themselves investigator, quite frankly. Anyone can” and “I just think there is recognition of your abilities, and also the good work you've done to get to where you are.”

4.7 SUMMARY

The interview questions listed in paragraph 4.1 and posed to the participant group during the qualitative phase of the project, asked the participants to reflect, comment and where necessary criticise their respective workplaces and agencies. Each group of questions presented an opportunity to explore the three aspects of the research problem and how they may co-exist in the investigative arena. Training, competencies, and professional identity were each subdivided into sub-questions which reflected the research sub-questions for the purposes of qualitative analysis. In this chapter those data were presented. The following summary will bring together and summarise the resultant themes which will then be further discussed subsequently in this thesis.

TRAINING

This group of questions asked the participants to respond about what training they already possessed prior to employment at their current agency, or since arriving, and how effective and relevant they thought it was. How they viewed their training opportunities meeting their current requirements and expectations was also sought, along with the way they thought they learned best and what improvements they could imagine.

Training was generally criticised as misdirected or some cases inadequate by a majority of participants. All the interviewees with previous policing experience spoke highly of the training they had received in that regulatory environment, and this perhaps led to a slightly negative view of the training they received from their subsequent agencies. In comparison, the training at various police academies and in service, once graduated, was regarded as superior to that offered by the government

including the government arranged but external courses such as the Certificate IV in Government Investigation, a requirement to operate if an applicant had no other equivalent qualification to rely upon. Out of the 11 participants overall, this not only included four with previous policing experience but also another five who had none, leaving only two participants that made no mention of policing in the overall group of questions.

Poorly completed training was also singled out as a negative perspective, with comments relating to criticism of the manner of instruction during the certificate course, and the propensity for instructors on those courses to focus more on relating their own previous experiences as part of curriculum delivery, rather than focussing on the subject matter, colloquially mentioned as telling ‘war stories’. However, all of the participants did comment favourably on the training they had received, although this was a reflection of in which agency the training was delivered more so than a glowing endorsement of the overall training regimes to which they were exposed. That is to say that there was favourable commentary about the Certificate IV course by some participants and that course was criticised by others. The positive comments on training received could also be related to an appreciation of actually receiving some, rather than a reflection of good content.

Some participants received recognition for their previous experience by way of recognised prior learning, where the training provider was able to grant exceptions to students based on previous experience, on the provision of sufficient evidence. This also was a process that divided participants in its efficacy and application, with contrasting experiences shared. An overarching theme in this section of questions about training was the lack of consistency concerning training methodology, including delivery, trainer ability and the relevant providers' attitude to their training brief and execution.

Another significant theme to present in this section was the participants' sense of importance about training being practical and based on experience, rather than merely theoretical. Practical training components were desired inclusions in training packages, as was a need for what was described as fit-for-purpose training. These responses built upon earlier themes that described the training as irrelevant or lacking adequate focus. Training needed to consider the actual functions that the investigator undertook in the actual environment in which they worked. This translated into

confidence and a sense of readiness, particularly in those participants who hadn't received police training previously.

Learning methodology gave responses that included some who preferred traditional and repetitive rote style learning methods however again the theme of practically based training was predominate. The more established and conventional approach to learning in these agencies, such as instructor-led lessons, was highlighted by the more senior of the group by age and is possibly a reflection of what they considered had worked in the past, more than any appreciation and comparison of what is currently available. From the researcher's experience, the public service has a propensity to expose learners to prescriptive instructional approaches to learning, incorporating such teaching mechanisms as slideshow presentations and transfer of knowledge rather than encouraging self-learning or the discovery of knowledge, complex and more contemporary learning approaches. This is not to suggest that there is no place for such a traditional learning process but merely an observation that may be insufficient in isolation.

There was mention of tertiary training here however it was inconsistent and likely lacked consideration due to a lack of awareness rather than desire, possibly coupled with a lack of appreciation for the part such advanced learning could play in developing greater investigation expertise. This was a general observation and in contrast to the participant who had recently completed tertiary education and was clearly able to indicate the advantages of such a path.

COMPETENCIES

This group of questions asked the participants to respond regarding their day-to-day duties and what they considered were important to an investigation in their respective roles; whether their current skills were adequate to undertake those functions, and what were the major influences they faced in their workplaces. They were also asked to reflect on their ability, based on these factors, to meet the investigative needs of their agency.

While over half of them indicated they had pre-existing and relevant skills that assisted them in their duties, there was also a significant number (over half) who indicated they needed further training to undertake their roles and almost half overall who valued their own self-development in terms of the practical execution of their

roles which assisted in on-the-job learning. Previous police experience was mentioned here by the appropriate participants as a significant advantage in pre-existing skills.

The basics of investigative functions rated highly in essential duties including primarily the importance of dealing with evidence, properly and lawfully. Themes surrounding that topic and process were predominate in the answers to those relevant questions. All of this was accomplished in an environment consisting heavily of bureaucratic processes as indicated by the majority of participants, and there was a predominant theme of procedural impediment affecting their investigative functions. As mentioned, this is neither surprising in the public service or a large corporate entity although in a policing context there is a predisposition as part of the recruit training process, and also within more advanced in-service training, to impart upon trainees an appreciation of the process and its necessity where warranted.

PROFESSIONAL IDENTIFICATION

This question group asked participants to reflect on how they might define their role and describe its evolution if there was one; the everyday influences they were subject to; and what they thought might be an investigation profession. It also asked how they visualised professional identity, if at all, and whether that status or designation was important to them.

There was commonality and a generic basis upon which the group explained their daily functions. This was composed of basic and more complex descriptors with each type achieving a significant number of identifications thematically. Core investigative functions such as the ability to interpret information, distil and apply evidence from that information and operate within strict procedural parameters, were observed by almost all participants. However, it was not just the basics that were important, the group also nominated higher-order functions such as interpersonal relationships, lateral thinking, recognising, and compensating for bias and tactical and strategic thinking, which all played a part in explaining the role of an investigator as they saw it. This is an interesting mix of basic and complex skills and notwithstanding the lack of inexperienced staff in the group, was an indication of the overall complexity and blend of skills that were present amongst the practitioner cohort.

Change was generally viewed pessimistically, although this view was contextual, and some participants saw the respective changes as a positive influence. This could be attributed as much to the personal experience of the participant in that

agency as any genuine perception of disadvantage or improvement. While change in the public service is due to a multitude of factors, (Wright et al., 2013) change resistance or inertia is commonly identified in large organisations and particularly so in the public service although that can be both debateable and contextual (Ritchie, 2014). Investigation is sometimes a peculiarity in a public sector agency and not all agencies possess a regulatory function, therefore some of the more traditional or expected change mechanisms are not present. Given the nature of investigative work with its focus often being on attending to stakeholder complaints, there can be an inherent cynicism in the views that investigators take on their operating environment.

The largest influences on duties were the constraints of the public service environment in terms of accountability and reporting. Bureaucracy at work and the associated checks and balances required when operating on within fiscal constraints was a key factor in the degree of latitude the participants felt they had in decision making and how their ability to function as investigators was impacted. The prescriptive nature of regulatory authorities underpins their respective operating regimes, however when this translated into what were seen as unnecessary impediments without any apparent associated procedural imperative, it was a detraction from getting the job done. This was also heavily influenced by the immediate line managers of the participants and their more senior department and agency heads. Line managers appeared to have the most direct significance based on participant feedback.

Professionalism and professional identity were problematic concepts for the participants. What became clear during the interviews was that only one of them had any recent cause or motivation to consider what these concepts meant or how to visualise them. Given the heuristic experience that the participant group possessed, this highlights the extent and lack of understanding and relevance. That participant had recently undergone post-graduate tertiary education and had pondered these concepts as part of that particular course. The more the participants engaged with the topic, the more they started to elicit some of the concepts of a profession such as those attributed by Williams et al. being professional status and qualifications (Wilensky, 1964; Williams et al., 2014). This became particularly evident in the areas later questioned regarding training and advanced training. However, this section also thematically identified advanced training as a necessity for professional recognition and status

although as will be discussed later, an emphasis on practical learning would be paramount. The realisation by the participants that there might be a progression to professional status along some sort of continuum was also observed (Etzioni, 1969; Evans, 2019; Williams et al., 2014).

CHAPTER 5 – QUANTITATIVE RESULTS

5.1 DESCRIPTIVE ANALYSIS

The survey captured data in alignment with the interview questions. Each of the survey question groups was designed to reflect the interview questions and the relevant responses grouped together for subsequent comparison and analysis. For example, the first interview question that was represented in the Qualitative section of this thesis as 'Training Received and Desired' was represented in the survey instrument as questions 33 – 37 inclusive (Annex 1).

The following Table 8 contains descriptive analysis of the survey data where responses are grouped sequentially as per the qualitative interview questions in Table 6 – pages 130 – 31.

Table 8: Descriptive statistics for survey.

Construct #1: Training					
Instrument Question Group (as per Table 6)	**Frequency Average – (Likert Scale 1 – 5)**	**Mean**	***SD***	**Skewness**	**Kurtosis**
Interview Question (a) Survey Questions 33 – 37	(1) 2.95% (2) 20% (3) 12.75% (4) 40.68% (5) 23.18%	3.63	0.62	–0.53	–0.26
Interview Questions (b) and (d) Survey Questions 38 – 41	(1) 4.55% (2) 16.06% (3) 13.03% (4) 50% (5) 16.06%	3.58	0.73	–0.80	0.41
Interview Question (c) Survey Questions 2 – 51	(1) 1.49% (2) 15.21% (3) 20.17% (4) 42.48% (5) 20.33%	3.65	0.54	–0.38	–0.39

Construct #2: Competencies					
Interview Question (a) Survey Questions 0 – 66	(1) 0.26% (2) 3.64% (3) 5.19% (4) 36.26% (5) 56.97%	4.44	0.38	–1.12	1.17
Interview Question (b) Survey Questions 7 – 70	(1) 2.27% (2) 14.55% (3) 30.30% (4) 53.33% (5) 32.12%	3.70	0.36	–0.45	–0.27
Interview Question © Survey Questions 52 – 59	(1) 5.91% (2) 13.94% (3) 12.73% (4) 36.21% (5) 30.45%	3.72	0.73	–0.63	–0.19
Interview Question (d) Survey Questions 71 – 76	(1) 34.81% (2) 33.03% (3) 28.79% (4) 27.27% (5) 3.64%	2.88	0.68	0.10	–0.73
Construct #3: Identification as a profession					
Interview Question (a) Survey Questions 7 – 19	(1) 0.30% (2) 4.20% (3) 13.03% (4) 24.55% (5) 56.36%	4.31	0.44	–1.35	2.04
Interview Question (b) Survey Questions 24 – 29	(1) 3.86% (2) 10.71% (3) 20.0% (4) 38.79% (5) 27.07%	3.78	0.33	–0.68	0.31
Interview Question (c)	(1) 18.05% (2) 8.83% (3) 29.22%	3.62	0.44	–0.55	0.48

Interview Survey Questions 20 – 23	(4) 35.58% (5) 22.34%				
Interview Question (d) Survey Question 30	(1) 9.09% (2) 7.27% (3) 17.58% (4) 41.82% (5) 24.24%	3.72	1.04	–1.08	0.81
Interview Question (e) Survey Questions 31 – 32	(1) 6.67% (2) 13.33% (3) 15.15% (4) 33.33% (5) 30.30	3.64	0.96	–0.80	–0.07

Skewness and kurtosis data indicate that these data can generally be categorised as close to zero skew (i.e., mostly under one standard deviation unit of skew) and mostly mesokurtic, thus making the correlational findings more reliable. In the following section, all *r*-values greater than or equal to $r = .26$ are statistically significant at $p < .05$. For the purposes of brevity, only the *r*-values > .26 (or > –.26) will be reported. It is, however, also recognised that generally only values of $r > .50$ ($p = 0.002$) represent moderately to strong correlations.

5.2 TRAINING

Training – training received and desired

Training in the survey was observed by the respondents as being valued by their agency, with a weak $r = .26$ to moderate correlation $r = .50$ across this range of questions relating to the identification as a profession theme of basic/advanced role descriptors from the qualitative phase. There was also a slightly stronger correlation between the amount of training received by respondents and that same qualitative theme of basic/advanced role descriptors, indicating that training in agencies was carried out to a degree that promoted the importance and relevance of the training to these inherent investigative functions. In this thematic group of qualitative questions, correlations ranged from $r = .30–.56$.

Training in the survey also correlated with the respondent's sense of professionalism and, in particular, the key qualitative themes of advanced training identified, investigator /professional distinction and an advanced skill set. The importance of tertiary education approached a strong correlation here *r* = .62, although the value of professional identification to the respondents was weak in the area of training with correlations from *r* = .26–.28.

Training – training adequacy and improvements

The professional identification theme of basic/advanced role descriptors from the qualitative phase correlated with practical training *r* = .37 up to and including *r* = .63, also the relationship between that practical/vocational training and its importance to investigative functions appeared evident. The training was also viewed as being essential, with a correlation to these basic/advanced skills ranging from *r* = .39–.56.

Training, also correlated to an identification of the training environment, be it TAFE (vocational training) *r* = .33 or stronger with university *r* = .45, and an associated sense of professional identity correlating to the themes of advanced training identified *r* = .44 and self-regard as a professional, although the latter was not correlated. The professional self-regard theme showed a moderate correlation with on-the-job learning *r* = .59.

Training – best learning methodology

Again, practical training methodologies correlated to the professional identity theme of basic/advanced role descriptors. The most prominent relationship in this section of questions on the survey was about on-the-job learning. This saw correlations ranging from *r* = .50–.68. Also, of note was learning by practice with regard to these skills with this question correlating from *r* = .34–.49 with the professional identity theme from the interviews.

The questions in the survey asking the respondents their best learning methodology also presented correlations between experiential learning and the theme from the interview phase pertaining to the identification of advanced training. These ranged from *r* = .33–.60. There were also correlations between experiential (on the job) learning and advanced training identified as a theme from the interviews ranging from *r* = .30–.51.

Training when valued by the agency, delivered well, and seen as important by the individual respondents, correlated with the interview phase training questions resulting

in the themes of experiential learning and a practical and theoretical mix. These correlations ranged from $r = .34$ to a stronger $r = .67$.

5.3 COMPETENCE

Competencies – skill sufficiency and improvements

Questions dealing with competency saw some expected correlations between the professional identity interview themes of basic and advanced role descriptors in the professional identity survey question group and the practitioners identifying the possession of previous relevant $r = 0.56$ or previous regulatory training $r = 0.35$. However, these correlations were not strong with this theme as those presenting the respondents identifying as experienced investigators $r = 0.38$ up to $r = 0.54$.

Current training correlated with investigative skills both basic and advanced, as did training received elsewhere. The police experience survey question correlated positively with the theme of basic and advanced skill descriptors $r = 0.23$ to $r = 0.40$, but not as well in this section of competency-based survey questions as training. Correlations of note here were the personal assessment of respondents as being experienced relative to investigative skill use and their current training, from wherever it may have been sourced, as being related to the use of investigative skills.

An interesting negative correlation here was the possession of police experience and the oversight by management, which may have been an indication of management involvement as perceived by experienced ex-police investigators while operating in the public service environment $r = –0.38$.

Questions regarding previous policing experience also correlated to the theme from the interview questions concerning a lack of relevant training including inadequate or poorly completed training $r = 0.47$. Previous regulatory training correlated with this theme also, providing an indication that reliance on existing skills was being identified by the survey respondents $r = 0.38$ to $r = 0.46$.

Competencies – essential duties and tasks

It was clearly illustrated in this section of the data that the correlation between investigative skills, thematically represented by basic and advanced role descriptors in the interview phase, and the gathering of evidence was moderate to strong $r = 0.52$ to $r = 0.78$. Evidence gathering and utilisation is a fundamental skill in criminal investigation and to a lesser extent other regulatory training and was quite clearly

identified by the respondents. Correlations were seen across the questions in this section relating to the collection and manipulation of evidence and the interview theme of basic and advanced role descriptors such as using empathy $r = 0.43$ to $r = 0.64$.

There was also a correlation here between the basic and advanced role descriptor theme from the interviews and everyday investigative tasks which are inherently bound together. Confidence and perception of advanced ability in managing evidence were observed. These core evidence manipulation skills contained within the survey questions saw correlations with professional identity interview themes of procedural imperatives and management direction $r = 0.35$ to $r = 0.52$.

However, when it came to self-assessment questions about a respondent's ability to be proficient at gathering evidence – such questions as good at gathering evidence, using best techniques, and having current skills, the correlations were not as significant when compared to the interview theme of management direction $r = 0.24$ and $r = 0.26$. Perhaps this could be a reflection of having a personal sense of ability and they did not find management involvement a regular occurrence. Personal empowerment also featured here as a correlation with evidence-gathering skills.

Education both at the tertiary and vocational levels correlated to the 'consider evidence' competency theme from the interviews $r = 0.31$ to $r = 0.53$ as did a personal assessment of professional identity $r = 0.60$ and that of the agency where they worked $r = 0.49$.

Professional self-assessment by the survey respondents also correlated with the consider evidence theme from the interview phase. The investigators are professional $r = 0.59$ and the equivalency to lawyers' question $r = 0.43$, correlated with consider evidence from the interview themes. Also correlated was the perceived uniqueness of their skillset by the respondents. Unique skills $r = 0.42$ to $r = 0.55$ and skills being hard to learn $r = 0.30$ to $r = 0.41$ correlated here with the interview consider evidence theme and therefore the ability to gather and manipulate evidence.

The 'consider evidence' theme from the interview phase also correlated with professional identity questions in this part of the survey where the questions dealt more specifically with professional regard as perceived amongst peers. The questions in the survey 'training importance' $r = 0.42$ to $r = 0.68$ and also the 'right amount of training' $r = 0.34$ to $r = 0.55$, correlated with the consider evidence theme. The importance of training to evidence gathering skills appeared consistent. Two questions that notably lacked a degree of correlation to the 'consider evidence' theme and were at odds with

the other correlations here were the questions on the survey regarding 'relevant agency training' and 'agency valuing training', which lacked correlation not only here but on a wider examination, across most of the data.

The 'sufficiency of training' question in the survey $r = 0.39$ to $r = 0.49$ and a 'practical training application' $r = 0.55$ to $r = 0.64$ also correlated with the consider evidence theme.

The consider evidence theme correlated with respondent's self-assessment of whether they were 'adequately trained' $r = 0.40$ to $r = 0.66$ and 'experienced' $r = 0.53$ to $r = 0.70$. Previous training, be it regulatory more generally or specifically policing, correlated with the 'consider evidence' theme.

5.4 IDENTIFICATION AS A PROFESSION

Identification as a profession – investigative role and evolution

The survey questions regarding 'utilising procedure' and 'conducting initial assessments' showed correlations of $r = 0.76$ to $r = 0.80$ with the professional identity theme in the interview phase of basic/advanced role descriptors. 'Identifying relevant parties' had correlations of $r = 0.58$ to $r = 0.70$and 'using experience differently' which is a higher-order skills question in the survey correlated with the interview theme of basic/advanced skills from $r = 0.47$ to $r = 0.72$. The professional identity theme of basic/advanced role descriptors correlated strongly to all of the more practical skill questions in the survey such as 'identifying and presenting evidence', 'utilising procedure', 'identifying relevant parties' and 'interviewing relevant parties'. These skills might be described as lower-order or more mundane skills but are still consistent with that theme from the interviews which incorporated both lower and higher-order investigative skills.

It may be that respondents associate the use of interpersonal skills with a substantial portion of their job functions. 'Using experience differently' correlated with the interview theme – basic/advanced role descriptors from $r = 0.419$ to $r = 0.72$ suggesting the innovation being adopted during the interview process where interpersonal skills are important. It is somewhat unsurprising that practical application of skills and competency correlated highly in this section and indicates the importance investigative practitioners place on these abilities. This includes higher-order cognitive abilities such as the use of empathy in an investigation and the

collaboration and interpersonal skills we might expect to see present in professional practice.

Identification as a profession – everyday influences on function

Everyday influences reflected what might be expected in a public service environment. The respondents indicated here a degree of independence in decision-making whilst also indicating the involvement of their managers and senior managers in the investigative processes of the agency.

The survey questions addressing 'personal empowerment' correlated with the interview theme of basic/advanced role descriptors $r = 0.29$ to $r = 0.47$, and 'I can make independent decisions', from $r = 0.30$ to $r = 0.45$. These activities are higher order investigative functions that would tend to promote a sense of personal empowerment in their execution.

Identification as a profession – professional definition and influence, model perception and significance

The interview theme from the qualitative phase of basic/advanced role descriptors saw correlations with already possessed professionalism in the survey. This was particularly evident in higher-order elements of that theme regarding perspective and empathy which are more advanced skills correlating with the survey questions concerning 'I am a professional' $r = 0.45$ to $r = 0.52$ and 'investigators are professional' $r = 0.47$ to $r = 0.60$.

Respondents also saw themselves as professionals with a correlation observed between the interview theme of basic/advanced role descriptors and the survey question 'I am regarded as a professional' $r = 0.40$ to $r = 0.62$. This correlation was with the higher order skills as described being part of the professional identity theme – basic/advanced role descriptors, rather than those that might be considered routine functions. It appeared that the respondents equated professionalism with what was being done rather than an attribute or mutual elevation of practitioner status.

5.5 SUMMARY

Each of the survey questions was based on the thematic identification process from the qualitative phase in designing and collating appropriate questions to further explore the data gathered from the interviewees. This chapter presented and linked the survey responses to the qualitative data collected during the interview phase, by

comparing the Pearson product-moment correlation coefficient data (*r*) to themes identified from the interviews.

Each of the interview questions from the previous chapter, as grouped into 'Constructs' representing each of the research questions groups relating to Training, Competencies, and Identification as a profession, resulted in the identification of key themes. The survey reflected these themes in the design and appropriate grouping of the questions. Therefore, it was important to observe survey data that related to the relevant theme where a comparison could be made while being mindful of the emphasis of this project design in that the qualitative phase of data gathering was more significant.

The next chapter of this thesis will bring both of the previous two chapters relating to the different methods of data gathering together into the discussion of the overall data and their implications.

CHAPTER 6 - DISCUSSION

6.1 INTRODUCTION

This research project proposed to examine the practice of investigation. It was proposed that investigation as an occupation needs to grow and develop in order to evolve into a profession. Practitioners are currently trained by private vocational training providers as demanded by respective industry sectors, be they government regulators or privately contacted investigation firms. There is a consistency of approach within the design of the training curricula under the auspices of Australian Training bodies such as the Australian Industry Skills Committee ("Australian Industry and Skills Committee," 2017) which in association with bodies such as the respective industry reference committees, reports via a command level type of structure to the federal government. It is founded on the principle of providing competency-based training in response to industry-led demand. This training arrangement—i.e., competency-based learning tied to vocational training methodologies—anchors investigation its vocational base but, it is argued in this research, also contributes to the inability of investigation to professionalise.

Policing, it can be argued, is best practice in investigation training. Moreover, it is evident that policing, in response to the increasing demands of such influences as technologically-advanced offenders and globalised offending scenarios, is beginning to embrace tertiary education as a means of adapting appropriate training methodologies to its investigators. But it too has until recently had its training roots embedded in vocational methodologies (Paoline et al., 2015; Roberg & Bonn, 2004b) with policing in advanced western economies, turning to universities as a means to increase the capability of its investigative cohort (Bryant et al., 2013; Paterson, 2011; *Training Matters*, 2002; Wimshurst, 2010).

It can also be argued that investigation, and in particular investigators, have been or are seen to be functionaries and not perhaps actual practitioners, that investigation is a task rather than an occupation. This too, it can be argued, is a by-product of a lack of a distinct professional identification or independent regard and in response to what is perhaps a dogmatic view of investigators and their relatively short history.

It can be argued that what is needed in a modern regulatory environment are investigative practitioners who are:

- well trained, capable and can exercise their skills in a multitude of diverse investigational applications and these skills are translatable across the regulatory sector and from the public sector to the private sector;
- universally recognised as a field of practice that is broadly understood in its functions and possible applications; and
- equipped with a uniform degree of knowledge providing a level of confidence that an investigation will be carried out capably, completely, and consistently.

This project was designed and implemented as work-based research, with the primary researcher working as an investigation manager in a federal public service agency at the time of project design and execution. The professional doctorate program at the University of Southern Queensland, provided the support and structure necessary to undertake the project as work-based/workplace research (Fergusson et al., 2018). The research was envisaged as relevant and well placed to contribute to the knowledge and personal development of the researcher and also to understand and make a contribution to the field of practice and the agency in question (Blackman, 2016; Fergusson, et al., 2020; Lester & Costley, 2010). Work-based research has found legitimacy in tertiary study where real-life problems are addressed, ameliorated and rectified whilst being situated in constantly evolving and changing real-life situations (Fergusson, 2019b). This method of study and problem-solving has practical relevance to the modern workplace where the research product can be directly or indirectly applied, providing tangible benefits not only to the specific workplace but also to the area of practice.

Being an insider researcher initially was not without its share of problems (Finefter-Rosenbluh, 2017). Objectivity was a concern, as intrinsic views and biases needed to be acknowledged and appropriately placed. However, that same degree of connection with practice also allowed for insights that may be otherwise unavailable to the uninitiated observer and that is a strength of the design of these types of practice-based projects (Oliver, 2010; West et al., 2013). The problems associated with being an insider researcher were alleviated substantially by a change in the employment circumstances of the primary researcher and a complete shift away from the public to

the private sector. So, what started as insider research evolved, and there was a shift to a more practice-based research approach which is legitimate and meaningful research nonetheless (Fergusson, 2019b).

This research proposed to examine the practice of investigation in the Australian Federal Public Service context and seek to determine the relationship of training and competencies as they may present, and the association that these parameters may have with professional identity. In order to accomplish this, a mixed-methods research design was selected aligning with a pragmatic paradigm, as the most appropriate methodology to examine the research problem. As earlier discussed, pragmatism was well placed to accommodate the research problem and associated logistics with real-world, workplace problems presenting the opportunity for study and the underlying focus on the problem itself (Creswell & Plano Clark, 2017; Tashakkori & Teddlie, 1998).

The exploratory mixed-methods design selected, with an emphasis on the qualitative phase of the research, facilitated the exploration of the problem and utilised the qualitative phase to locate and seek themes that would form a basis and be further explored during the later phase of the mixed-methods research project. This is important where a phenomenon is relatively unknown (Moubarac et al., 2012). The following quantitative phase, with its limitations which have been acknowledged and will be referenced again, sought to generalise the outcomes of the qualitative research phase amongst a larger participant group.

6.2 RESULTS

The following discussion references data drawn from the relevant sections of this thesis in more detail, paraphrased here to illustrate the contribution and possible significance to the research.

6.3 TRAINING – RELEVANT RESEARCH QUESTIONS:

a) How and to what extent do effective training strategies in Australia maximise delivery within target industrial environments?
b) How and to what extent does the current training regime meet practitioner needs?
c) What is the relationship between training and perceptions of competence?

Training received and desired – interview phase

There was a predominant theme identified here by the interview participants being a 'lack of relevant training received'. Approximately 37% of total responses here were related to that criticism of existing training regimes. This lack of relevant training was subcategorised thematically as receiving no training at all, poorly structured or merely incomplete. This was negated in part by all of the survey respondents providing some degree of a positive response to training questions on the survey indicating they did receive some relevant training. However, it should be observed by way of the thematic analysis of this series of interview questions, that positive feedback regarding some training being attended was contained within commentary that indicated a positive experience more so with the trainer or presenter, rather than the course content or subject material. So, while the participants were glad to have received some in-house training at their agency, the experience was influenced by the way the training was delivered and not so much by the course content or relevance.

Training was generally perceived as being inadequate by the participants, with the existence of a connection to the practical elements of any training being identified as important. That aspect of training, being the importance of practical elements, was more prevalent in other areas of responses to questions than the training responses here, such as those dealing with competency and professional identity. This may be the result of other question areas touching on training, course content and existing skills more specifically, than a lack of relevance in the series of training questions. Other aspects of training, such as the opportunity to research and perhaps apply oneself in the pursuit of knowledge, were reflected upon by the participants here however despite recognising that there might be more, or alternative training strategies to pursue, participants in the interviews were not able to be more specific with examples. This could be indicative of a lack of knowledge or awareness of other possibilities, or perhaps a lack of identified need for a connection to higher-order skills and associated reflection.

Training received and desired – survey phase

Survey respondents saw training as correlating highly with their investigative functions and in particular those functions that were resident in the theme group of basic/advanced role descriptors. On that basis, it is reasonable to posit that training was integral to investigation which seems self-evident although this is supported by

correlations with the amount of training that they received and their roles – the more established their role, the more training they had received. So, there was a link indicating the importance to the participants of continued training rather than only initial pre-existing skills and associated self-development. Training was ongoing and pursued by practitioners rather than simply being presented at recruitment and forgotten about thereafter.

Training had a correlation to a sense of professionalism but as earlier discussed, this may be a misconception on behalf of the respondents about what they do and how that compares to a profession. Tertiary training, as it related to respondents who were identifying the right amount of training being received, showed a correlation. This might be explained in the identification of tertiary training by respondents as a holistic component of an appropriate training strategy, particularly by those who were perhaps more desirous and therefore more familiar with training possibilities. Conversely, the importance of professional identity and being a professional did not correlate to training, tending to support the view that practitioners already regarded themselves as professionals.

Training Improvements – interview phase

The interview participants here observed two major themes – ‘greater practical emphasis’ and ‘fit for purpose’. Each of these themes accounted for about 60% of references in this section of interview questions. A practical focus on training was reiterated here with participants indicating a substantial need for a focus towards hands-on training. It has been discussed that investigation is primarily a hands-on occupation, with most of the utilised skills incorporating contact or interaction with other human stakeholders, therefore the practical focus for skilling by experienced practitioners may be expected.

The relevant course for training federal investigators, the Certificate IV course in government investigation, is delivered by way of vocational training providers and more specifically, privately registered training organisations. As earlier discussed in the research, these courses rely on a substantial amount of practical, skills-based componentry in their pedagogy ("Certificate IV in Government Investigations," 2018). This course, whilst being a fundamental constituent of new investigator training and being delivered by way of an actual training course or recognised prior learning, is nonetheless left in isolation as the only training mechanism applied. This can leave

investigators without any ongoing training and associated learning opportunities which appears to be reflected in this section of interview answers.

Training Improvements – survey phase

There were correlations observed here with the interview theme of basic and basic/advanced skill descriptors and practical training as reflected in the survey, reinforcing the need for appropriately constructed and delivered training methodologies. The need for practical training and experiential learning as evidenced thematically in the interview questions 'best learning methodology, and 'experiential learning', also correlated to the questions dealing with investigative skills in the survey phase. This supported earlier observations from the interview phase. The opportunity and need for training correlated with professional identity interview themes in this series of survey questions, with training that included practice correlating with individual and agency professional identity. It appears to suggest a link between training which by virtue of its design includes practical skills, and professional identity as it relates to the individual and the practitioner group. Also, interesting to note in this area of questions was that the survey question relating to 'training taught me sufficiently' did not appear to correlate with any of the professional identity themes from the interview phase. This appears to suggest that the survey participants did not view the adequacy of their training favourably. So, there is an identified need for training and training is seen as a precursor to professional identity however it is the nature of this training and the perceptions of alternatives that may need further exploration.

Best Learning Methodology – interview phase

The two predominant themes in the series of interview questions were – 'practical and theoretical mix' and 'experiential learning'. This was again a ratification of the practical/experiential learning desires of the practitioner group. These themes accounted for 40% of responses. This is not to say that learning necessarily must be founded on practical exercises and knowledge alone. Investigation is an intellectually guided practice, where the skills required involve gathering and manipulating evidence that was primarily sourced from human-generated factors, with a degree of consideration and reflection. It is therefore unsurprising that practical skills and knowledge feature to such an extent but also higher-order skills such as empathy and communication. Also, of note were the themes 'being mentored' and 'holistic

learning'. The latter moves away from the more practical focus to a broader view of learning with connections and blending of learning given more emphasis. As a contrast here, four interview participants reflected on repetitive or rote learning as best fitting their needs. Each of these participants was observed to be reflecting on more traditional learning methodologies in conjunction with how they were taught and their personal history of learning experiences, tending to indicate dogmatic rationalisation rather than innovative or more modern methods of learning experienced, recognised, or desired.

Best Learning Methodology – survey phase

In this section of survey questions, there was a correlation between practical learning themes from the interview phase and both basic and higher skill descriptors from the professional identity questions area in the interview phase. 'On the job learning' and 'I learn best by practising' provided the most consistent degree of correlation in this section with interview phase training themes, although there were clearly numerous correlations across the questions linking practicality with the interview themes pertaining to investigative skills. The data that was obtained from the survey respondents also provided correlations between agency training delivery and the importance that an agency placed on training indicated by feeling appreciated and valued.

6.4 TRAINING – THE EFFECTIVENESS OF THE CURRENT TRAINING STRATEGY AND ITS DELIVERY VERSUS NEED

There was a substantial amount of data from both phases of the research that criticised the training that practitioners received as part of not only their induction to employment but in an ongoing, developmental capacity. This could be attributed to a wide range of factors from a lack of resourcing financially within the agency, to a lack of desire on behalf of the agency and perhaps a lack of identified need. Criticism ranged from inadequate to incomplete, with data suggesting opinion ranging somewhere between those two parameters. Practical training was seen as being crucial to investigations, although there was an acknowledgement of the role that more advanced learning such as that offered by tertiary education may have to play in practitioner development. Furthermore, it could be seen from the responses to both the interviews and the survey, that participants drew a notable benefit from ongoing training which contributed to their investigative function and an associated sense of

professionalism emanating from their agency. It was noted that the basic course of training offered to investigators starting within the public service, the Certificate IV course, was often offered in isolation, without any ongoing training opportunities to reinforce or supplement that course. This training is predominately vocational in nature, and the practicality of investigation training where it was experienced, was a common observation of participants in both phases of the research project. This associated, vocational training practicality may go some way to explaining why the certificate course was identified as meeting practitioners' needs when other data was suggesting it did not. However, the underlying problem with the practical focus of the training is as identified by Wheelahan in that it merely skims over the surface, rather than sufficiently exploring the underlying theories and concepts (Wheelahan, 2016).

Policing offers that same degree of practical training at the outset despite moves to a more tertiary based model in several jurisdictions (Flanagan, 2008; Gardiner, 2015; Tong & Wood, 2011). It is this policing model, despite its current limitations, that perhaps provides the most relevant and timely example for investigation training in regulatory sectors. As earlier discussed, policing embeds practical training methodologies into the early constable training curriculum with examples such as the placement of probationary officers into what are known as ‘Field Training’ positions. Many of the State police forces in Australia adopt that or variations of that design for initial placement (Longbottom & Van Kernbeek, 1999). This is usually undertaken with the guidance of a local mentor, to enable an experienced practitioner to provide onsite interpretation and guidance. However, police training has not always been applied consistently.

As Kinsghott et al. observed when undertaking an analysis of the most influential literature underpinning investigative training in the American policing example, police training had not substantially changed in a period of 23 years, despite changes in the demands both technologically and demographically during that time (Kingshott, Walsh, & Meesig, 2015). Paradoxically, this was also observed to be at odds with actual training delivery where it occurred, correlating positively to increased crime clear-up rates. This deficiency in training improvements is not an isolated example with similar issues being observed in both the United Kingdom (Manning, 2005) and Australian contexts (Wimshurst & Ransley, 2007), despite attempts in all of those jurisdictions to introduce tertiary training with varying degrees of success. This has been addressed in contemporary policing with each jurisdiction recognising

the benefits of higher degree trained officers and various existential parameters contributing to that need for more advanced training, such as advancing technology and globalisation. With police training trending towards being more advanced and tertiary based, it is therefore likely that this traditional and vocational methodology of training, which underpinned commentary from the participants in this research, may be tied more to doctrine and convention than to best practice reflection.

There is perhaps little doubt that investigation has its basis in practicality, with interpersonal skills utilised to locate facts and lawfully gather and present evidence but it is that mix of practicality and theory, and the nature of its application, that needs to be addressed. It is insufficient to rely on what has worked before as an argument for what may work in future, and it can be proposed that in the case of practitioner needs regarding training, in addition to being available and ongoing, it needs to be relevant and up to date.

6.5 THE RELATIONSHIP BETWEEN TRAINING AND PERCEPTIONS OF COMPETENCE

The predominant correlations observed between the survey phase and interview phase regarding training questions and themes were centred around the theme of basic/advanced role descriptors. This theme was derived from the professional identity questions in the interview phase. There were no distinct correlation patterns observed between competence and training during the SPSS quantitative data analysis. However, that is not to say there is no evidence of correlations between training and perceptions of competence.

The professional identity theme from the interview phase regarding basic and advanced role descriptors contained questions relating to basic investigation skills such as identifying and collecting evidence and more advanced skills including perception and empathy. It could be argued that these skills represent a degree of competence on behalf of investigators and whilst not discretely drawn from the competence area of the interview phase, nonetheless, point to a link between competence and training. There were correlations between the training survey questions and this interview theme that was consistent such as the amount of training received, the importance of that training to their functions and also the desire for a practical component in that training. This is not conclusive evidence of the relationship

between training and competence although it is an indication of a link that might be further explored.

6.6 COMPETENCIES – RELEVANT RESEARCH QUESTIONS:

a) What competencies form the basis of an investigation professional?
b) How and to what extent are relevant competencies present in the Australian public service regulatory environment and how are they met?
c) What is the interrelationship of the identified competencies and are they dependent on training?

Skill Sufficiency and Improvements – interview phase

Three themes were discussed as being significant in this series of questions. They were – *pre-existing skills*, *further training needed* and *improved with experience and training*. Pre-existing skills presented 32% of the overall thematic responses here, indicating a high degree of acknowledgement that already possessed skills and training were being translated into their current investigative functions. There was also a high degree of recognition of prior police training where relevant amongst the participants. With - *further training needed*, two of the seven participants who provided answers here were critical of their skills relevant to pre-existing or concurrent managerial responsibilities, where those extra duties were additional to their normal investigative responsibilities. The other five reported to broadly endorse the benefits of ongoing training here and this is reflected thematically, relating the development of skills to ongoing training. One participant provided a response highlighting the importance of guidance and development sponsorship from within, with development opportunities otherwise being the responsibility of the individual and not more widely promoted or organised. *Improved with experience and training* led to commentary linking self-development with time on the job and the overall tenor of the responses here were observed as being aligned with experience accumulation and a corresponding knowledge/skills advantage.

Skill Sufficiency and Improvements – survey phase

The strongest correlations in this area of the survey questions related to the respondents equating a personal level of experience with the exercise of those skills, coupled with training. The training was not necessarily identified as belonging to previous policing experience, with that type of experience not correlating as highly

with the respondent's competency. There was a relatively strong negative correlation observed here between *previous policing experience* and *oversight by management* which may reflect the critical approach investigators with that policing experience may exhibit when what they see is excessive oversight.

Essential Duties and Tasks – interview phase

The two significant themes identified here were '*consider evidence'* and '*employ correct techniques'*. Consider evidence had relevant responses identified by almost all the interview participants, with 10 out of 11 responding here for 49% of the themes attributed. The importance of evidence in the daily investigative regimen was the major topic of discussion and this has been already mentioned as being paramount in this field of practice. This also applied to those participants without a policing background.

Essential duties and Tasks – survey phase

Consistent with the interview phase there were high degrees of correlation observed between basic and higher-order investigative tasks. The fundamental relationship between investigation and evidence handling was reinforced in this series of questions with high degrees of correlation between investigation and procedural questions and the advanced ability to manipulate evidence.

There was a strong correlation between evidence handling and the relevant agency's ability to understand evidence management. Procedure and evidence handling saw strong correlations supporting what has been seen in other question areas and the interview phase and there was also a high degree of correlation between personal empowerment and an accomplished sense of evidence handling ability, suggesting an ability to independently operate proportionately to the ability to investigate.

Manager's direct involvement did not have a strong correlation which is interesting given the oversight and accountability that is present in the public sector however that may be an identification by the respondents that managers do not have a direct role to play in the investigative process, perhaps being one step removed with oversight or a quality assurance function rather than a direct contributor to tactical investigative decision making.

Training, both vocational and tertiary, had a strong correlation to investigative skills as did a personal and agency-based sense of professional identity. For example

– '*Being good at gathering evidence correlated at 0.60 with professional identification and a 0.52 correlation with tertiary education.'*

Evidence gathering was seen in this group of questions correlating highly with peer-assessed professional identity of investigators and self-assessment of the respondents as being professional and equating to lawyers in that regard. The importance and the right amount of training correlated highly with evidence handling ability while conversely there was not the same degree of correlation here concerning relevant agency training and the agency valuing the training. This was observed across the survey data analysis and suggests a degree of disconnection of the agencies in evidence gathering skills and a negative view by the respondents of the agency's ability to train them and provide investigative training and development opportunities.

Previous police experience did not correlate as highly with the evidence gathering skills questions although, as can be seen in the *training I received elsewhere* question, the correlation is high. Previous training, be it regulatory more generally, or specifically policing, correlated highly with evidence gathering skills. Previous policing experience did correlate to a moderate significance with currency of skills, ability and best practice evidence gathering.

Environmental Influence on Tasks – interview phase

The predominant theme identified in this group of questions was a *procedural focus*, which as observed earlier in this research was not unexpected given the background of the participant group. This accounted for 29% of total responses as thematically categorised and indicated investigation being tied to procedure. The rules of evidence gathering and presentation, combined with the underlying bureaucracy of the public service, make for a solid foundation of administrative, iterative functions. These functions are completely necessary to reach a desired investigative outcome, such as a prosecution or regulatory decision. Participants here with previous policing experience were observed to be critical of the Certificate IV course in government investigation as the sole mechanism for training. While they saw the course as a useful basis, it was also viewed as inadequate on its own.

Environmental Influence on Tasks – survey phase

Supporting the interview phase, policy and procedure showed high degrees of correlation with investigative skills, both lower and higher-order. This has already been seen across the data in all three categories of questions – training, competencies

and professional identity, both in the interview and survey phases of the research. The correlation with higher-order skills was not as strong as the basic skill use, indicating a stronger nexus with more mundane and perhaps regular tasks.

Meeting Agency Needs – interview phase

There was no predominant theme identified here, however some were worthy of note. One of which was that 45% of interview participants stated in various questions in this section that their skills were in excess of what was required in their agency. Another 38% of the responses identified with the theme here related to commensurate skills for their agencies. Participants who had previous policing experience in the interview group, all made comments regarding the relevance of the government standard training program which consisted of the Certificate IV course in government investigation as the basis of the training. They said in summary that while it was a useful foundational course for investigation practitioners, it fell short of what they viewed as a minimum level of investigative training. This was supported by several of the non-policing background participants with particular criticism levelled at the lack of revision or follow-up of training from the initial course.

Meeting Agency Needs – survey phase

Strong correlations were observed among survey respondents between the utilisation of their skills and personal professional regard, training being valued by the agency and being done well. These views tended to expand on the interview phase with a slightly different but related observation of the respondents that irrespective of their pre-existing skills, further training was valued by both them and their employer. A negative correlation was observed when respondents indicated they had sufficient training and the Certificate IV course meeting their needs. This is unsurprising as they would neither seek training, nor would most likely view that the basic training course offered, equated with their pre-existing training and this was seen in other areas of the data including the interview phase. The inference here from the data is that the course did not meet their needs given their existing experience and training which likely exceeded that offered by the certificate course.

6.7 COMPETENCIES - THE EVIDENCE AND DEMONSTRATION OF RELEVANT COMPETENCIES AND WHAT ARE THE COMPETENCIES THAT FORM THE BASIS OF AN INVESTIGATION PROFESSIONAL?

Research participants strongly communicated the influence that pre-existing skills had on their current investigative ability. Those participants, particularly in the interview phase and supported in the survey phase, indicated that their previous policing experience and training were relevant and advantageous. Self-improvement was equated more closely with experiential learning and time on the job, rather than any dedicated training regimen. Police experience was influential on criticism concerning the basic training course offered – certificate four in government investigations, where it was acknowledged as a fair basis for initial training needs but fell short of what they would consider adequate in isolation. There was general regard in both the interview and survey phase for training as being individually relevant and linked with evidence-handling ability and a sense of professional identity, however, it was also regarded as lacking relevancy and application by the respective agencies, which reflected poorly on evidence handling ability of that agency rather than the individual. This was evident in both phases of the research. The survey phase did diverge slightly in that it indicated that training where it existed, appeared valued by agency and investigators however that was a complementary rather than contrasting outcome.

The link between the core skills necessary for investigation, such as competent evidence handling ability, correlated to the heavy procedural focus of the agency. This would be evident not only in any regulatory agency environment but also in policing, as procedural imperatives exist in both spheres of investigative practice. Many of the participants observed that their pre-existing skillset exceeded what was required in the agencies they worked, and a large percentage also indicated that their skillset was at least commensurate. This was supported in both phases of the research.

There was little commentary indicating they had not received sufficient training. This assessment, in combination with the previous data indicating a lack of relevant training, training opportunities and a general agency disregard for training and development, indicates the basic level of the underlying training that is offered, with the level of skill demand on the job perhaps being easily met and therefore eliminating demand. There was a strong link in the survey data equating the appropriate utilisation

of participant's skills with a sense of professionalism which was also seen to correlate with the agency valuing training and executing it well. This link between skills and an existing sense of professionalism was also evident in the interview phase where training was observed as being a pathway to a profession.

Competency-based training (James, 2002), as contained within the foundational training course applicable to government investigators, lends itself well to application and measurement in a vocational setting as demanded by a relevant industry (Guthrie, 2009). The practical attributes of competency in this context are perhaps more closely aligned with the principles of the functional competency model, predominant in the United Kingdom, given the underlying basis for their application being the improvement of skills in the workforce (Le Deist & Tūtlys, 2012; Le Deist & Winterton, 2005). This has been reinterpreted in the Australian professional context by Sandberg & Pinnington (2009), who undertook research in the context of an Australian law firm environment and proposed an 'interpretive approach' to competence, placing it squarely into the working environment in which it was being assessed, where the two are connected.

Findings from their research can be applied to the data from the research participants in this project and an alignment can be seen with the concepts proposed and commentary seen by the participants here. Sandberg & Pinnington (2009) described competence in the context of their research as:

- Competence as a pre-requisite, where competence existed as knowledge and associated permission to practice.
- Competence as an outcome, or performing to a set standard; and
- Competence as a capability applied to a accomplish set work task.

This description of competence and how it may be applied in a workplace context fits neatly with the data provided by the participants in this project when describing their investigative functions, incorporating pre-existing training and abilities. It was widely seen in the data from the interview and survey phases of the research, that their personal assessment of competence related to knowledge and a degree of permission to practice. They expressed views suggesting that by virtue of their pre-existing knowledge and ability accrued experientially, they were selected and tenured to complete the investigative tasks in the agency.

Competence can be directly measured in the public service by way of throughput and investigators are assessed on their ability to investigate by metrics that are perhaps better placed in overall case management rather than core investigative functions e.g., cases completed in number and ability to manage a larger number of cases, rather than the quality of investigation. Tying competence to investigative output might be a simplistic view, with skills and ability having a bearing on an investigation but are an incomplete view of the relevant factors. Metrics such as this can reinforce what might be described as dogmatism in investigation training.

The last principle of Sandberg & Pinnington (2009) mentioning competence as a capability, perhaps best describes the situation that public service investigators now find themselves in, where overall competence and ability to undertake investigative tasks are mistakenly interpreted as a capability, or a holistic ability to 'be an investigator'. This misunderstanding was evident in both phases of the research with the confusion surrounding professional identity, and the underlying relationship that a profession would have with capability perhaps over competence. It is perhaps an exaggeration to suggest that investigation as a task implies a degree of capability. There are aspects of capability, as claimed by the research participants. However, to infer that capability exists extensively by virtue of the tasks done and their complexity is a misapplication and can go some way to explaining why practitioners may see themselves already as professionals.

Lester talks about the competency continuum where he describes competency, meta competency and capability coexisting, akin to a graduated scale of learning and skilling (Lester, 2014b). It can be argued that the journey to professional recognition involves a journey along this continuum, from competency to capability. The hallmarks of professional recognition include an element of capability and enhanced learning, problem-solving and higher-order abilities, linked to a collective practitioner approach and underlined by advanced training, knowledge acquisition and collective guidance (Freidson, 1999; Callaghan, 2014). Investigation appears bound to its vocational roots and while practitioners might present a perceived need for investigation to break those vocational ties, there is little evidence in this research to suggest that the journey into a profession has begun.

6.8 THE INTERRELATIONSHIP OF IDENTIFIED COMPETENCIES AND THEIR DEPENDENCE ON TRAINING

It was argued in the discussion section on training that the interview theme of basic/advanced role descriptors could be interpreted as providing evidence of comparative skill competence despite it being a product for the professional identification interview question area. The same argument can be made here. Basic and advanced role descriptors (identify evidence/empathy). The most significant correlations seen to manifest this relationship were those between basic/advanced role descriptors and the gathering and manipulation of evidence questions on the survey. It was clear that the underlying and most important aspect of investigation, the gathering of evidence, was linked to these skills which would be applied consistently in that task as an investigator. The agency valuing training and also the questions relating to the importance of training in the surveys saw correlations with the theme from the interview pertaining to considering evidence, again reinforcing that link between training and evidence handling. Overall, there was an identified link between the basic and advanced skills identified by investigators, their ability to competently handle evidence and the underlying training they had received.

6.9 IDENTIFICATION AS A PROFESSION/PROFESSIONAL - RELEVANT RESEARCH QUESTIONS:

a) How and to what extent do environmental influences affect investigative practice and perception in the Australian Federal Public Service?
b) How do practitioners regard themselves and to what extent do they identify with being professional?
c) Is there an association between professional identity, competence, and training?

Investigative Role and Evolution – interview phase

The interview phase identified three predominant themes here – *basic role descriptors*, *advanced role descriptors* & *changing structural relationships*. Rudimentary and practical investigative functions formed a cornerstone of responses to the interview questions, where statement taking, manipulating evidence, and conducting interviews were noted as important to participants. This was qualified and further explored to include more advanced role descriptors such as empathy, interpersonal relationship skills such as rapport building and managing conversations.

The third theme that emerged was *changing structural relationships*. The theme consisted of a less, equal, or more proposition that related to the participants' perceptions of how the agency had been affected by change and whether that was a negative, neutral, or positive influence and the associated relationship to their job functions.

These three themes comprised 42.5% of the total thematic identifications in this area of the interview phase and indicated the significance of practical abilities and skills in everyday investigation and the perception that organisational change played in the minds of participants when referring to significant influences. Also, of note in this section of the interview questions were pessimistic responses by participants as a subset of the *changing structural relations* with 9.6% of the total themes sitting in this response area.

Investigative Role and Evolution – survey phase

Responses to this section of the survey indicated a nexus between tangible and distinct job functions and elementary investigation techniques. Strong correlations were observed with *use of procedure*, *conducting initial assessments*, and *identifying relevant evidence*. Using experience generally and in addition to that, in more specific, innovative, or different ways, correlated. As did interviewing relevant parties, an interpersonal skill that has formed the basis of much recent research into such concepts as the utilisation of the P.E.A.C.E model of investigative interviewing (Adam & Golde, 2020; Green, 2012). It is not proposed to explore that model within the bounds of this research but it suffices to say that it involves a more considered and intellectual approach to gathering evidence by way of interview and can be regarded as best practice and widely taught in Australian regulatory contexts (Adam & Golde, 2020).

Respondents to the survey in this section indicated a high degree of positive correlation between the practical application of their skills and not only basic functions, such as the utilisation of procedure and evidence gathering, but also higher-order functions such as empathy incorporation into tasks and interpersonal skills. The negative correlation observed here in regard to management involvement in tasks is acknowledged with a possible explanation offered in the quantitative phase discussion. However, it is not directly relevant to the research questions but was nonetheless interesting and could possibly be attributed to the demographics of the population sample given their average experience being approximately 15 years as investigators.

Everyday Influences on Function – interview phase

The three predominant themes identified here were - *procedural imperatives*, *management direction* and *confining work methodology*. The hierarchical regulatory environment of the public service likely influenced the feedback from the participants here. About 49% of the identified themes were related to the first two themes of *procedural imperatives* and *management direction*, with *confining work methodology* accounting for another 12% of themes in this area. The interview participants here reflected the structured environment in which they worked and the degree of accountability that applies to investigation practitioners. This is not an unexpected concept to consider when referring to a professional environment, but it could be argued that investigation by its nature promotes and binds its practitioners into a procedurally complicated and prescriptive workplace perhaps over and above what might be seen in commonplace professional practice.

Everyday Influences on Function – survey phase

Respondents here reinforced the interview participants in the earlier interview phase, observing that prescription, order, and procedure were paramount in their workplaces and also observing that the managers were heavily involved with investigative decision-making. There were high degrees of correlation with basic functions such as identifying evidence and procedure which is to be expected. Higher-order functions such as *adopting a wider perspective* and *identifying relevant parties*, which might include interpreting evidence and a likely source of that evidence, correlated positively and highly with personal empowerment.

Professional Definition and Influence – interview phase

There was one major theme arising from this question - *advanced training identified* comprising 10 participants and twenty-seven comments or 27.6% of the overall comments for this question. There were two other themes observed - *investigator profession distinction* & *advanced skillset* 16.3% and 14.3% respectively. The interview participants grappled with the concepts of professionalisation and an investigation profession, with many conflating defined meanings with what may be described as a preconceived level of the importance of what they did and that equating to professional status. There was a linking of professionalism and an associated degree of learning such as tertiary education although it should be noted that in most cases this conceptualisation occurred as a result of reflection during the process of the

interview rather than offered with an immediacy that may indicate an underlying sense of professional identity and associated tertiary education/training.

Professional Model Perception – interview phase

Interview participants struggled to conceptualise an investigation profession. As seen with earlier questions related to professionalism, there was a lack of consensus about how it would look or what were the foundations of such a construct. It was noted that one of the participants, who had recently undertaken post-graduate tertiary study in the field of investigation, was able to articulate several of the elements that might constitute an investigation profession, making specific references to tertiary training and professional association membership.

Professional Significance – interview phase

In each of the questions in this section, it was again apparent that the participants were struggling to describe the meaning and significance of a profession in their area of practice. The answers were equally assigned thematically with no standout theme identified. One view that could be identified in this series of questions was that participants claimed to already regard themselves as belonging to a profession. However, that would tend to reinforce the lack of understanding of professional constituents seen across the participant group rather than any evidence of a professional body.

Professional Significance/Professional definition and influence & Professional regard – survey phase

The survey responses here saw a high degree of correlation with particularly higher-order skill use and existing professionalism and are consistent with the interview data, suggesting that day-to-day tasks were already viewed as exhibiting a degree of professionalism. Rather than evidence of professionalisation, this is likely evidence of practitioner perception. It reinforces a view that practitioners in the federal government investigation arena predominately consider themselves to be professionals and possess professional characteristics. Their skills were reported by them as unique and possessing some exclusivity.

6.10 PROFESSIONAL IDENTITY - HOW ENVIRONMENTAL INFLUENCES AFFECT PROFESSIONAL IDENTITY, PRACTICE, AND PERCEPTION

Investigation within the public service seems intrinsically bound with bureaucracy and procedure as it may be, to an extent, in any regulatory environment. The interviews and survey found that practitioners identified their core skills into what has been categorised within this research as basic skills involving the gathering, manipulation, and application of evidence during their investigations, and the reporting that might accompany such a task; and higher-order skills which include the ability to interview a person, empathise with and understand the messages they might be receiving from an interviewee. This could include non-verbal cues and behaviours exhibited by such persons and might involve a degree of perception and interpretation. They are less practical and more esoteric.

Investigation has its roots in policing, with the more practical elements of uniform policing evolving into more specialised areas of investigation, where the basic skills of pounding the beat, taking a complaint, keeping accurate notes and providing a visible deterrent have developed into crime-solving and prevention (Flanagan, 2008; Gardiner, 2015; Tong & Wood, 2011). It is proposed that regulatory investigation, structurally and by virtue of its investigation component, is derived from criminal investigation, which is argued in this research as best practice. Regulation is designed to change behaviour by providing mainly a pecuniary penalty as a focus rather than incarceration (Sherrin, 2010). However, its practitioners are using the same sets of skills, both in their fundamental application of basics as previously mentioned and those higher-order skills, becoming more important and relevant to case management in modern investigative practice. It is therefore hardly surprising to see the parallels between the two investigative paradigms when it comes to methodology, and this has been evident with both the interview participants and more broadly the survey respondents. Each group has highlighted the same sets of skills and the same environmental influences within which they operate. This too can be seen as evidence of commonality when it comes to the domain of investigation viewed in the lens of this research as existing uniformly in both the criminal and regulatory spheres.

Policing agencies are primarily instruments of the State and in the same vein regulatory agencies operate as arms of their respective government departments and

consequently, the State also. They both deal with the same questions regarding the treatment of evidence, which is their core function, and the restrictions they face during that process. They differentiate somewhat in design but predominately by the forum in which the product of their respective activities may be directed for a determination and the requisite standard of proof required ("Commonwealth Law Bulletin: Judicial Decisions," 1987; Ward, 2016). The hierarchical nature of investigators and investigation derives from policing, where the model of operation remains a structural basis on which investigation applications are normally and widely seen to operate. Policing has a paramilitary design, often with layers of reporting and responsibility according to rank. Basic police functions are carried out by people in a uniform of some design with specialist investigative work distinguished by normally being undertaken in regular civilian or business attire. However, the inherent reporting structure and hierarchy easily translate into regulatory environments and can be compared where duties and responsibilities are assigned according to the practitioner's position as designated within the organisation and not on the basis of experience or degree of knowledge. There are similarities in both structure and application.

While scholars have commented that policing culture is forged experientially and results in a conservative worldview, which may be counterintuitive to what might be required in a public service sense (Paoline, 2003; Whelan, 2015), this was at odds with what was seen from the research participants, suggesting that the conservative conventions that may have been present with participants with previous policing experience, was not as obvious in this research. This may indicate the ability of investigators to make a transition from a more conservative and paramilitary investigative environment into regulation and its particular demands. It also evidences a need to make that change, and consequently a perceived difference in environments by practitioners, in order to satisfy that need.

Regulatory investigation aligns more closely with plain clothes policing work in the specific application of investigative skills. However, there are marked similarities with policing more generally, given the similarities in structure, bureaucracy and iterative decision-making and accountability. This has been observed quite clearly across the research and within the two groups of research participants. Interview participants and survey respondents in common have drawn a line between the underlying investigative functions as being ubiquitous despite their actual

operating environment. Therefore, environmental factors are intrinsic to investigation practice, with one heavily influencing the other.

6.11 PROFESSIONAL IDENTITY - ARE INVESTIGATION PRACTITIONERS PROFESSIONALS AND HOW DO THEY REGARD THEMSELVES?

By extension, the self-perception of investigators in regulatory agencies can be inferred in this research by the design of their operating environment and how they reportedly see themselves according to the interview and survey data. There was a distinct perception on behalf of the research participants in both stages of data gathering, that their highly structured working environment, coupled with the need for underlying training, whether pre-existing or agency provided, led to a personal sense of professionalism. This is an interesting nexus for the practitioners to make where practitioners can already see their work as professional, without the technical parameters of professional design according to both the traits approach, where the defining characteristics of a profession include: "Mastery of knowledge base requires a long period of training, usually university-based, which is technically specialised and designed to socialise trainees into the culture and symbols of the profession." (Leicht & Fennell, 2001, p.26) and the pragmatic approach as illustrated by Freidson: "…an occupationally controlled labor market based on training credentials, and an occupationally controlled training program that is associated with a university and segregated from the ordinary labor market…" (Freidson, 1999, p. 118).

The research participants linked their higher-order skillset with what they considered a type of professional identity and an associated degree of specialist training which also touched on tertiary education. However, this link was itself not indicative of professional status, merely isolated constituent parts of the model's scholars propose, and it was evident upon data analysis that the responses indicated a misunderstanding of a profession in both structure and role and perhaps their own exact status. It is unclear whether the elements of a profession that are reflected upon by the participants in this research could provide the basis for a subsequent evolution into professional recognition. However, the current status of investigation within the federal public service might be at best regarded as occupational, with some traits that distinguish the work as being beyond what might be considered just work (some basic and advanced skills that are specific to and learned during the investigative process),

without reaching the status of an officially recognised and appropriately accorded profession (Jacobs & Bosanac, 2006).

While practitioners may regard what they may do as professional behaviours and their specific skillsets as being of a professional nature, investigation in this area of practice cannot be regarded as being a true profession in any real sense and it may be that this professional identity that is evidenced from the data in both phases of the research, manifests in a way that provides a complication or impediment to actual professional transition. It may be that already identifying as a professional may inhibit further professional development.

6.12 THE ASSOCIATION BETWEEN PROFESSIONAL IDENTITY, COMPETENCE, AND TRAINING

Survey questions in both the training and competency areas of the instrument exhibited correlations with professional identity. Each area had correlations in particular with the professional identity thematic area of the interviews – basic/advanced role descriptors. Furthermore, there were correlations with professional identity perception and specifically higher-order skills rather than those that were more mundane. While it has been posited that this self-perception of professional identity may be misplaced in the truest sense, nonetheless the link between a sense of professionalism and more advanced skills is important as those skills are also drawn from training and reaching a degree of competence in exercising those skills. There appears to be a line-of-sight connection between training, competency and professional identity which is supported by the data in both phases of the research and the connection each phase has with the other.

6.13 IN COMPARISON WITH A RECENT PROFESSION

Earlier in this research paper, a study by Williams et al. (2015) was discussed to draw some comparisons for a professional journey where the newly formed paramedic profession (although still argued in some quarters as being in its formative stages (FitzGerald, 2012; Myers et al., 2008; Reed et al., 2019). This study asked a number of participants who were studying to become a paramedic at three different universities, a series of questions relating to their experiences. The 479 participants (paramedic students) in this study were asked about a range of topics from their day-to-day functions and experiences to broader issues, such as their perceptions about a

paramedic profession. Whilst there are significant differences with that environment and investigation, including the participants' status as students and relative junior career placement, there are some useful parallels that can be considered when seeking to determine how and when an investigation practice may move forward to professional status.

The students were observed that ‘being a paramedic is a career’ and they ‘displayed a wide range of professional attitudes’ (Williams et al., 2015, p. 124) with such examples as turning up to work on time, completing paperwork and taking responsibility for their work. While it may seem obvious that these types of attitudes may be resident in any established workplace, it must be remembered that these were attributed to young people, students who were embarking on their professional journey and might otherwise take some time to develop, if at all. There was an identification that these paramedic students regarded themselves as having a special set of skills that delineated them from other professions and gave them possession of a unique body of knowledge, all relevant professional traits as earlier discussed in this research.

Williams et al. also pointed out two other significant aspects of the study in that paramedic education in Australia had shifted from Ambulance service vocational training to the widespread demand for a degree. Furthermore, that university degrees possessed content that invited students to think critically and maintain professional development post-course. Despite the differences in the two working paradigms, there are consistencies to be observed. Participants in this investigation research have touched upon similar issues as the Williams study despite the differences in demographics.

CHAPTER - 7 CONCLUSION

7.1 INTRODUCTION

This chapter of the thesis will bring together the previous discussion chapter and the observations made regarding the research questions, as they were discussed at the completion of each of the relevant topical areas –Training, Competency and Professional Identity. It will propose recommendations that have been formulated as a result of the aforementioned data analysis and discussion and suggest why these recommendations are appropriate and relevant. It will conclude the thesis with an overall summation and what it might mean to the practice of investigation within the public service and a broader regulatory sense and what may be opportunities for ongoing and further research into this and arguably parallel investigatory environments.

7.2 RESEARCH QUESTIONS REVISITED

Training

This research has identified in each participant engagement phase of the project that practitioners were predominately critical of their agency's response to training demand. Training that was provided lacked adequacy and regularity and the basis for training in the government, the vocational certificate course, was seen as only partly meeting training needs for job requirements. There was a high degree of existing investigative skills brought to the agency by the investigator, and it was argued as part of this research that this was to a degree, a deliberate strategy of the public service to address a skills shortage in this area. It was also argued that importing investigative competency is not a sustainable training strategy and more appropriate and targeted training needs to be implemented to satisfy the nuances that apply with public service regulation.

Effective training, where it was identified in the data, was usually associated with practical training methodologies. The vocational nature of policing lends itself to practical learning, however that should not define or constrict investigation learning methodologies. There was an acknowledgment of the role that tertiary education may play, however, what was seen in this research might be described as naivety when it came to that acknowledgement, which was only considered sufficiently when associated with personal experience. So, awareness and promotion of alternative

higher education and more complex training strategies could be beneficial to encourage a desire to train at that level and there was no evidence in the data suggesting that participants would not be receptive to new and advanced training ideas.

It was difficult to identify and quantify any effective training strategies currently applied, as they were mostly absent in the data. However, where they were mentioned by participants and respondents as adding value to an investigator's skillset, training strategies were mostly linked with job function and practicality. Where that was observed by the research participants it attracted associated praise. There was a lack of consistency in both the training utilising this approach and the recognition it had occurred which inferred inadequacy on both accounts. It is therefore reasonable to suggest that current training regimes in the federal public service do not meet practitioner needs on the whole and despite isolated acknowledgements of sufficiency, are mostly seen as inadequate.

With the collation of skillset data from the two research phases for what was recognised as being important for investigative function, there were two degrees of skills – those relating to basic or core investigative functions, such as gathering and manipulating evidence, and those which incorporated higher-order skillsets, such as empathy, interpersonal relations, and communication. It is the higher-order skillset that would suffer most from the vocational approach which is currently adopted with its focus on competency rather than more conceptual learning. This is where a move towards tertiary training programs would provide a benefit in addressing a need which was identified as being significant by practitioners and integral to their job functions.

Competence

Data from the research suggest that investigators in the Australian federal public service possess competencies relating to basic and higher-order investigation functions. Basic investigation functions include such competencies as statement taking, gathering evidence, reviewing evidence, adopting, and implementing procedures etc. Higher-order functions may include such competencies as analysing evidence, cognitive interviewing, empathy, interpersonal relationships etc. There may be a degree of convergence between the two categories, with some competencies overlapping in each of the two categories. This perhaps unsurprising, with competencies mirroring what might be expected of an investigator as seen in the literature review, in particular policing. That is not to say policing is the primary source

of those competencies. Many of the participants indicated they had developed competencies on the job, but the line is blurred between inception and development of those skills/competencies and this issue may need further research.

It is reasonable to suggest that these types of competencies form the basis of an investigation professional in any context. It is also reasonable, based on these data, to suggest that the competencies relevant to investigation are present to a great degree in the public service with none of the participants indicating they did not possess sufficient investigation skills or were operating out of their depth. It should be acknowledged that the interview group were predominately experienced (with the average time in their role being 17.5 years), and therefore it may be expected they would have a well-developed understanding of their role and function. However, notwithstanding the relatively small number of survey participants as a subset of the working population of investigators in Australia, there was no evidence in either phase of the research indicating that these competencies were deficient.

There was a connection between the execution of the function and the competencies required to complete that execution. With the data surrounding training and associated criticism, it appears that the majority of practitioners bring their basic and higher-order competencies with them in varying degrees, rather than being trained accordingly in the role. Therefore, competence is met by pre-existing training rather than being agency- or role-developed. Investigation competencies are brought with them and applied in new job environments, being adapted to suit.

What are the competencies and training needs that define, describe, and develop a fit-for-future investigation profession in the Australian Federal Public Service? This is the question that was posed at the beginning of this project and the overall research question the project sought to answer. Distinct competencies were difficult to identify, and it can be argued that competencies such as evidence handling and statement taking, through to interview techniques and empathy with witnesses, may be somewhat nebulous when compared with competence in the vocational sense. However, it can also be argued that these concepts of competence, identified through both phases of the research, are overarching and perhaps provide guidance for the formulation of more specific and measurable competencies in further research. In summary, these concepts of competencies that have been identified form the basis of an investigation professional, but the more important issue is how they are met and

whether that is the result of existing or new training. It appears from the data gathered during this project that pre-existing training and competency are the more prevalent approaches by which investigators meet their agency needs. Training must be developed and applied to suit regulatory agency requirements specifically and should not be reliant upon investigative skills derived elsewhere, in environments such as policing. Training must be current, innovative, and relevant, and defined by the role requirements.

Professional Identity

Environmental influences overwhelmingly guide and frame investigation within the Australian Federal Public Service. This was apparent in both phases of the engagement with research participants as earlier discussed. The hierarchical structure of investigation practice is tied to its design and contextual application. Whether it manifests as the level of practitioner authorised to undertake simple to more complex tasks, or the designated authority of a relevant decision-maker, this binding structure completely governs the application of investigation in any regulatory environment. This accords with the genesis of investigation as described, commencing with police-based investigation methodologies. Practitioners are bound by this model of practice in the absence of an alternative and acceptable model being presented. But as this research shows, the participant's opinions of that model are changeable. It may be that any underlying significance of the policing model of investigation needs to be tempered and while acknowledged as a basis, not be the sole influence on investigation practice design. Perception by others outside the practitioner group, such as employer groups and regulatory agencies, are also influenced by the accepted design of investigative practice which then governs how it is prescribed. Therefore, the stakeholders engaging with the investigative process from within the organisation and without, are all influenced in their perception by how practitioners present and go about their functions. Therefore, perception is tied to design, which is in turn tied to conventional investigative recognition.

How practitioners perceive themselves is an important influence on how they perceive their jobs and their future. A predominant theme from participants in this research was that they already regarded themselves as being professionals. It can be common parlance to portray ourselves as being professional in our approach to work but there is a difference in what we might mean by claiming that label and what might

constitute an actual practising profession. We can also lay claim to understanding what a profession is, yet quite commonly and mistakenly equate self-perceived degrees of personal work effort with what is a relatively modern social construct, binding practitioners into highly organised and recognised groups of expertise. It is this conflation of ideas that was evident within this research where participants, without the opportunity to reflect on actual meaning, ascribed professional standing to themselves with conviction and apparently little self-reflection. It was only relatively few participants who possessed experience by way of education that were able to reflect on actual professional standing and delineate. This was not unexpected but reinforces a problem that current perception can have on professional evolution. So, while professional identity was commonly identified by participants, it was on the basis of flawed reasoning. It is apparent as a result of this research that professional identity in its truest sense is unrealised.

It has also been proposed in this research that investigators are described by what they do and this both empowers and at the same time limits them. Professional development of investigation within the Australian Federal Public Service, and perhaps more widely, appears rudimentary if it exists at all. It is this professional development that will likely influence the training and by association the competencies that result. In line with that assessment of where investigation sits on the path to professionalisation, the following recommendations have been designed to encompass this research and propose the next steps on the professional development journey.

7.3 RECOMMENDATIONS TO ENHANCE THE PROFESSIONALISM OF INVESTIGATION IN THE AUSTRALIAN FEDERAL PUBLIC SERVICE

As a result of conducting this research, the following seven recommendations can be identified:

1. Requisite training for government investigators should be revised to either include aspects or be totally comprised of tertiary education components.
2. This training should include basic investigative skills in addition to higher order, cognitive skills, such as those that can be found in the law, behavioural sciences such as psychology and sociology, and relevant to the investigative field. (Comparison with what is currently happening in law enforcement elsewhere in the world may prove useful).

3. Vocational training of investigators should be abandoned, and investigation practice moved away from conventional links with agency training both initial and continuing, and from competency-based training initiatives.
4. Training should culminate in an appropriate Australian qualification framework equivalent to at least Level 6, that is recognised and transferrable across various jurisdictions and levels of government (i.e., the qualification).
5. The qualification should be equivalent to the same qualification required by a comparable profession.
6. Ongoing professional qualification should be founded on a combination of threshold qualifications (as per point 4) and time served as a practitioner and that on acceptance of the practitioner meeting those standards s/he should be appropriately recognised.
7. The ongoing and recognised professional qualification, which combines both formal and non-formal qualification, should be approved and managed by a practice-wide group of experienced, recognised and appointed/elected practitioners (i.e., in a professional association) to ensure standards are not only met but continually maintained.
8. Appropriate consultation and implementation should be proposed within the various levels of government and regulatory agencies to facilitate this transition.

7.4 IMPLICATIONS OF THE RESEARCH

This study suggests that among the investigation practitioner community there is both a desire and a need for professional recognition. The vocational nature of the practice as it currently stands limits the ability for investigation to evolve and diminishes the perception of investigation across government regulatory environments and more broadly. Investigation has suffered in the public sector, and to a degree in the private sector, from the diversity of its application and an associated lack of status. This has contributed to preventing specific qualifications in investigation and being able to provide a framework for a body of knowledge that it can claim as specific and discrete. The formation of an investigation profession not only has implications for practice in the federal public service but has much wider implications across the numerous regulatory and private sectors in which investigators are based.

During this research project, it has been observed that despite an evolution apparent in the world of criminal investigation and an associated movement towards

tertiary training, there have been no such influences observable in public sector regulation. If criminal investigation is to be argued as best practice, it follows that investigation in a broader sense should be able to rely on that same argument as underpinning practice-wide change. The uniform benefits of a more appropriately and higher skilled workforce seem obvious, however, there is an inertial resistance to change and perhaps a conservative approach to any organised reform. Perhaps this project may contribute to overcoming that inertia and providing pathways to improvement in the practice of investigation.

It also appears there has been a prevailing view in the minds of many public sector managers that to designate an investigator was to assign a nebulous set of conventional tasks to be undertaken, not to engage a specific practitioner with a discrete skill set. There are fiscal benefits and detriments to the professionalising of investigation; from the added advantage of precise thinking directly influencing the efficiency of the task, to the added cost of paying 'professionals' to perform what was previously regarded as a rudimentary investigative task. This type of paradigmatic change is not without its alternate views, however, a more specific application of the title of 'investigator' with an associated reduction in the amount of staff with this designation, may go some way to alleviating any perception of excessive cost. Overall, the benefit of having a more capable and professional body of fact-finding specialists is more likely to outweigh any deficiencies that result however more research in this area will be needed to make such a connection.

7.5 LIMITATIONS

During the lifetime of this research project, there has been a multitude of challenges including, but not confined to, the worldwide Covid-19 outbreak. This has had a tremendous influence not only on the data gathering phase, in particular the quantitative phase, but also employment demands, university and collegial support. The size of the respondent pool in the qualitative data phase (55) has already been alluded to as an issue and this has hampered the ability of the qualitative dataset to be generalised across the investigation practice. This needs to be acknowledged and perhaps more research should be undertaken in an accessible climate to enable a better comparison and generalisation to the larger practitioner population and a greater degree of confidence in the findings. Therefore, the application of the findings across the practice of investigation needs to be considered in light of those

limitations. These shortcomings have been highlighted in the methodology section of this thesis.

This limitation was further complicated earlier during the research lifecycle by a change in the working environment for the primary researcher. There was a resultant restriction to the available pool of potential survey respondents, given a lack of ongoing networking opportunities to recruit respondents in the Australian Federal Public Service. This is one of the characteristics and potential pitfalls of work-based research, in that the working arrangement can be subject to change during the lifecycle of the research project. In this case, it was a move from the public to the private sector, which had a negligible effect on the data gathering phase of the qualitative research but significantly hampered the ability to access public sector facilities that are in place to assist these types of research projects. This prevented access to prospective participants' details and the associated permissions to engage with them. The relatively small population sample in the quantitative data phase was a direct result of these challenges and although that data has relevance and it has been argued it supports the conclusions and recommendations that have been made, it needs to be factored into any assessment of the research project as a whole which cannot be as compelling as a larger population of survey respondents.

The shortcomings of the quantitative phase are offset somewhat by the structure of the methodology utilised in the project and the emphasis on an exploratory sequential mixed-methods study. Exploring the phenomenon during the qualitative phase was the primary focus of data gathering to enable thematic discovery and analysis of the practitioner group. The data gathered during this phase did not suffer the limitations attributed to the quantitative phase.

7.6 RECOMMENDATIONS FOR FUTURE RESEARCH

Further research is needed into some of the factors that have been identified in this project. This includes topics such as training programs that are future-fit and fit for purpose, new training methodologies, and how technology may be integrated into learning for investigators. As Susskind & Susskind (2015) observe, much of the future professional challenges regarding identity and relevance will be influenced by technological advancement. The implications to investigation, if it were to be considered as a profession, may be to present a body of work of its own. It became

apparent as a result of this project that investigation has some way to go before a future fit determination warrants further discussion.

Much of this may be contingent on a transition to professional status and any emergent or ongoing training needs. Underlying competencies which are argued as being insufficient in this project to an extent may become redundant with any move to tertiary education. That was not within the parameters of this project, which was focussed on whether there was current sufficiency and how it was established, more so than what may present in any new pedagogy. It has also been argued that many of these changes may follow from the professionalisation of investigation. This is a key factor in premising the structural repositioning of investigation from vocation to profession and further research observing that journey may provide a useful measure of any milestones. Given the lack of attention to this area of research, there is much still to be done.

One of the interesting developments of a change in the situation of the primary researcher in the project was the move to the private sector. It has been mentioned as an impediment to the gathering of some data both in its sufficiency and availability, however, it has widened perspective in regard to the state of investigation within the private sector and in particular private and insurance investigations. This is perhaps one of the most agile investigative environments to be examined, with the fiscal imperatives of the private sector underlining the absolute need for efficiency and profit over and above what may be seen in the public sector. These can be powerful motivators for change. Initial observations of this sector of investigation have proved useful in determining a desire for industry-wide change, and change resistance as exhibited in the public sector is not as prevalent although the influences are more diverse. Investigators in this space also suffer from the same issues that have been alluded to in this research, in that they are under-compensated concurrent to what might be argued as an inferior occupation. Commercial interest within the private sector takes the place of change inertia in the public sector, in inhibiting development and a collegial approach to investigation professionalisation. This is an area of practice that is primed for research and debate, and it is here that a new project may find a place.

7.7 THE FUTURE OF INVESTIGATION WITHIN THE AUSTRALIAN FEDERAL PUBLIC SERVICE AND BEYOND

This research was work-based and arose from an identified need by the researcher, to advance the practice of investigation within the public service. It was proposed at the outset that investigation is merely identified as an occupation, with specific skills and competency needed to apply those skills, but nonetheless an occupation. Investigators in not only the federal public service but more broadly in other regulatory environments were stuck in the middle of an argument between employers and agencies who saw no reason to change the status quo, and courts and arbitrators who desired investigation that presented as more 'professional'. This is not a new argument as policing has faced these challenges within the last 30 - 40 years and it too is grappling with professionalisation. Turning to models such as that proposed by policing and argued here as best practice, provides a useful comparator on which to measure a professional journey where commonality of skillset applies. It is with these factors in mind that this research project was conceived.

The research sought to explore how investigators within the public service identified themselves and the work they undertook, whether they are trained well and if they have the skills and abilities that they need to carry out their jobs competently and perhaps even capably. The research questions posed explored these factors and determined that investigators are not professionals in the truest sense of the word but that is how they perceive themselves. Training was described by participants in some cases at best as acceptable, but at worst non-existent and was likely to have been imported from other regulatory areas, often and more specifically policing. Even if the investigator did not have previous police experience directly, the training received was based on police investigation skills. The course that underpinned government investigation is designed and administered via edict by the nation's respective police commissioners as the Fraud Control Guidelines, providing what they saw as a broadly acceptable baseline. The whole model of selection, training and employment of investigators revolves around police training methodology.

Investigators regarded themselves as competent with some skills merging on what may be considered a degree of capability. However, the vocational foundation of the investigation occupation maintains its description as such. But there is scope for growth within this area of practice and looking around at the concurrent journeys of emergency service professions, such as paramedics, nursing and especially

policing, there is much to anticipate. Practitioners in the public service are receptive to change. Where applicable, they are able to leave any existing policing roots behind and embrace new and purpose-specific ways to investigate. New investigators to the field, without the rigidity conferred by policing, are also influencing internal thought and change. The desire to be professional merely needs a sufficient catalyst to begin that journey in earnest, and perhaps the first step in embarking on that journey is a realisation it is yet to begin. Awareness of future possibilities may be the key to driving change and the ongoing evolution of investigation within the public service. It is also with this in mind that the current project was conceptualised. But there is more to be done. Investigation, wherever it is resident, should attract prestige and exclusivity, it should be accorded professional status and demand credibility. Until this is achieved, it will remain merely something to be done.

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Appendices

Appendix 1: Survey Instrument

Investigation within the Australian Federal Public Service: Competencies and training requisite in a fit-for-future investigation profession.

USQ Human Ethics Approval Number:

Thank you for opting to participate in this research project by undertaking this survey. The purpose of this research project is to explore elevating the standing of 'Investigation' from a vocational occupation to a profession. The research is seeking to understand what competencies and training are required to achieve such an elevation and whether they are currently sufficient. In completing this survey, the research team acknowledges your assistance in gaining a greater understanding of investigation practitioner experiences and how training and competency acquisition have influenced that experience.

Click here to view the USQ Human Ethics Participant Information Sheet

There are 34 questions in this survey.

Demographics

1. What is your gender?

❗ Choose one of the following answers
Please choose **only one** of the following:

◯ Female
◯ Male
◯ Other

2. What is your age?

❗ Choose one of the following answers
Please choose **only one** of the following:

- ◯ 20 - 29
- ◯ 30 - 39
- ◯ 40 - 49
- ◯ 50 - 59
- ◯ 60+

3. About how long have you been an investigator?

❗ Only numbers may be entered in these fields.
Please write your answer(s) here:

Months

Years

4. Have you ever managed one or more investigators?

❗ Choose one of the following answers
Please choose **only one** of the following:

- ◯ Yes, I have
- ◯ No, I have not

5. In what level of government have you worked as an investigator?

❗ Choose one of the following answers
Please choose **only one** of the following:

◯ State Government
◯ Federal Government
◯ Both State and Federal

6. Do you have any previous policing experience?

❗ Choose one of the following answers
Please choose **only one** of the following:

◯ Yes, I do
◯ No, I do not

Professional Significance - Investigative Role and Evolution

Please provide a rating for questions 7 to 19

Please choose the appropriate response for each item:

	Never	Rarely	Occasionally	A moderate amount	A great deal
7. How often do you conduct an initial assessment in your investigation work	◯	◯	◯	◯	◯
8. How often does identifying relevant evidence form part of your work	◯	◯	◯	◯	◯
9. How often do you have to collect and present evidence to a decision maker	◯	◯	◯	◯	◯
10. How often do you utilise procedure during an investigation	◯	◯	◯	◯	◯
11. How often do you search for and identify relevant parties	◯	◯	◯	◯	◯
12. How often do you interview relevant parties	◯	◯	◯	◯	◯
13. How often do you use your previous investigation experience	◯	◯	◯	◯	◯
14. How often do you collaborate internally with other parties to assist with investigation	◯	◯	◯	◯	◯
15. How often do you need to adopt a wider perspective during the investigation process	◯	◯	◯	◯	◯
16. How often do you use your previous investigative experience in new or different ways	◯	◯	◯	◯	◯

	Never	Rarely	Occasionally	A moderate amount	A great deal
17. How often do you utilise empathy during an investigation	◯	◯	◯	◯	◯
18. How often do you use interpersonal skills during an investigation	◯	◯	◯	◯	◯
19. How would you describe your organisations ability to investigate	◯	◯	◯	◯	◯

Professional Significance - Everyday Influences on Function

20. How often have you experienced the following as an investigator

Please choose the appropriate response for each item:

	Never	Rarely	Occasionally	A moderate amount	A great deal
a. Being unappreciated	◯	◯	◯	◯	◯
b. Able to exercise appropriate skills	◯	◯	◯	◯	◯
c. Able to exercise appropriate judgement	◯	◯	◯	◯	◯
d. Been critical of your agency	◯	◯	◯	◯	◯

21. How often have you experienced the following as an investigator

Please choose the appropriate response for each item:

	Never	Rarely	Occasionally	A moderate amount	A great deal
a. Excessive management oversight	◯	◯	◯	◯	◯
b. Insufficient management direction	◯	◯	◯	◯	◯
c. Ability to exercise individual discretion	◯	◯	◯	◯	◯
d. Excessive procedure	◯	◯	◯	◯	◯
e. Problems with bureaucracy	◯	◯	◯	◯	◯

22. How would you describe the involvement of the following in your work

Please choose the appropriate response for each item:

	Never	Rarely	Occasionally	A moderate amount	A great deal
a. Immediate manager	◯	◯	◯	◯	◯
b. Senior executive	◯	◯	◯	◯	◯

23. How often have you experienced the following as an investigator

Please choose the appropriate response for each item:

	Never	Rarely	Occasionally	A moderate amount	A great deal
a. Ability to make independent investigative decisions	◯	◯	◯	◯	◯
b. Prescriptive or repetitive work	◯	◯	◯	◯	◯
c. Personal empowerment in your role	◯	◯	◯	◯	◯

Professional Significance - Professional Definition and Influence

24. How important are the following training mechanisms to investigation

Please choose the appropriate response for each item:

	Not at all important	Slightly important	Neutral	Moderately important	Very important
a. Tertiary training/education	◯	◯	◯	◯	◯
b. Tafe training education	◯	◯	◯	◯	◯

Please provide a rating for questions 25 to 28

Please choose the appropriate response for each item:

	Strongly disagree	Disagree	Neither agree or disagree	Agree	Strongly agree
25. I consider myself a professional	◯	◯	◯	◯	◯
26. My organisation is professional	◯	◯	◯	◯	◯
27. Investigators are professional	◯	◯	◯	◯	◯
28. Investigators are equivalent to lawyers	◯	◯	◯	◯	◯

29. My skills are

Please choose the appropriate response for each item:

	Strongly disagree	Disagree	Neither agree or disagree	Agree	Strongly agree
a. Unique	◯	◯	◯	◯	◯
b. Recognised	◯	◯	◯	◯	◯
c. Difficult to learn	◯	◯	◯	◯	◯

Professional Significance - Professional Model Perception

30. How important to you are the following

Please choose the appropriate response for each item:

	Not at all important	Slightly important	Neutral	Moderately important	Very important
a. Tertiary education/qualifications	◯	◯	◯	◯	◯
b. Professional association membership	◯	◯	◯	◯	◯
c. Being governed by a investigation specific code of conduct	◯	◯	◯	◯	◯

Professional Significance - Professional Regard

31. I am

Please choose the appropriate response for each item:

	Strongly disagree	Disagree	Neither agree or disagree	Agree	Strongly agree
a. Already a professional	◯	◯	◯	◯	◯
b. Regarded as a professional	◯	◯	◯	◯	◯

32. Being identified as a professional is important

Please choose **only one** of the following:

- ◯ Strongly disagree
- ◯ Disagree
- ◯ Neither agree or disagree
- ◯ Agree
- ◯ Strongly agree

Training - Training Received and Desired

33. My agency

Please choose the appropriate response for each item:

	Strongly disagree	Disagree	Neither agree or disagree	Agree	Strongly agree
a. Conducts relevant training	◯	◯	◯	◯	◯
b. Regards training as important	◯	◯	◯	◯	◯

34. I think that

Please choose the appropriate response for each item:

	Strongly disagree	Disagree	Neither agree or disagree	Agree	Strongly agree
a. Training is important	◯	◯	◯	◯	◯
b. I received the right amount of training	◯	◯	◯	◯	◯

35. In my agency

Please choose the appropriate response for each item:

	Strongly disagree	Disagree	Neither agree or disagree	Agree	Strongly agree
a. Training was done well	◯	◯	◯	◯	◯
b. My trainer was adequate	◯	◯	◯	◯	◯

Please provide a rating for questions 36 and 37

Please choose the appropriate response for each item:

	Strongly disagree	Disagree	Neither agree or disagree	Agree	Strongly agree
36. I already possessed sufficient training	◯	◯	◯	◯	◯
37. My pre-existing training was adequate	◯	◯	◯	◯	◯

Training - Training Improvements

38. My training

Please choose the appropriate response for each item:

	Strongly disagree	Disagree	Neither agree or disagree	Agree	Strongly agree
a. Included practice	◯	◯	◯	◯	◯
b. Allowed me to test my skills	◯	◯	◯	◯	◯

39. My job teaches me what to know by doing it

Please choose **only one** of the following:

- ◯ Strongly disagree
- ◯ Disagree
- ◯ Neither agree or disagree
- ◯ Agree
- ◯ Strongly agree

40. My training

Please choose the appropriate response for each item:

	Strongly disagree	Disagree	Neither agree or disagree	Agree	Strongly agree
a. Was essential for my job	◯	◯	◯	◯	◯
b. Taught me everything I need to know	◯	◯	◯	◯	◯

41. I need more skills to do my job

Please choose **only one** of the following:

- ◯ Strongly disagree
- ◯ Disagree
- ◯ Neither agree or disagree
- ◯ Agree
- ◯ Strongly agree

Training - Best Learning Methodology

42. The mix of practical and theory in training was just right

Please choose **only one** of the following:

- ◯ Strongly disagree
- ◯ Disagree
- ◯ Neither agree or disagree
- ◯ Agree
- ◯ Strongly agree

43. There should be more

Please choose the appropriate response for each item:

	Strongly disagree	Disagree	Neither agree or disagree	Agree	Strongly agree
a. Practical training	◯	◯	◯	◯	◯
b. Theory training	◯	◯	◯	◯	◯

Please provide a rating for questions 44 to 51

Please choose the appropriate response for each item:

	Strongly disagree	Disagree	Neither agree or disagree	Agree	Strongly agree
44. It is important to learn on the job	◯	◯	◯	◯	◯
45. Experience is the best teacher	◯	◯	◯	◯	◯
46. I learn best by practicing	◯	◯	◯	◯	◯
47. I prefer rote/repetitive learning	◯	◯	◯	◯	◯
48. I am left to get on with my job	◯	◯	◯	◯	◯
49. If investigators had a better reputation my job would be easier	◯	◯	◯	◯	◯
50. I feel appreciated for my work	◯	◯	◯	◯	◯
51. Investigators are an important part of my agency/workplace	◯	◯	◯	◯	◯

Competencies - Skill Sufficiency and Improvements

52. I am

Please choose the appropriate response for each item:

	Strongly disagree	Disagree	Neither agree or disagree	Agree	Strongly agree
a. Adequately trained to do my job	◯	◯	◯	◯	◯
b. Over trained to do my job	◯	◯	◯	◯	◯
c. An experienced investigator	◯	◯	◯	◯	◯

53. I have

Please choose the appropriate response for each item:

	Strongly disagree	Disagree	Neither agree or disagree	Agree	Strongly agree
a. Previous police experience	◯	◯	◯	◯	◯
b. Previous regulatory training	◯	◯	◯	◯	◯
c. Previous training which is applicable	◯	◯	◯	◯	◯

Please provide a rating for questions 54 to 59

Please choose the appropriate response for each item:

	Strongly disagree	Disagree	Neither agree or disagree	Agree	Strongly agree
54. My training is sufficient for my current role	◯	◯	◯	◯	◯
55. The training I received here prepared me for my current role	◯	◯	◯	◯	◯
56. The training I received elsewhere prepared me for my current role	◯	◯	◯	◯	◯
57. Doing my job taught me what I needed to know	◯	◯	◯	◯	◯
58. My training needed further experience to be useful	◯	◯	◯	◯	◯
59. I would like more advanced training	◯	◯	◯	◯	◯

Competencies - Essential Duties and Tasks

Please provide a rating for questions 60 to 66

Please choose the appropriate response for each item:

	Strongly disagree	Disagree	Neither agree or disagree	Agree	Strongly agree
60. Dealing with evidence is important in my work	◯	◯	◯	◯	◯
61. Evidence is understood well where I work	◯	◯	◯	◯	◯
62. I am confident in my ability to work with evidence	◯	◯	◯	◯	◯
63. I am able to gather evidence	◯	◯	◯	◯	◯
64. I am confident I can gather evidence	◯	◯	◯	◯	◯
65. I utilise best practice methods gathering evidence	◯	◯	◯	◯	◯
66. My evidence gathering skills are up to date	◯	◯	◯	◯	◯

Competencies - Environmental Influence on Tasks

Please provide a rating for questions 67 to 70

Please choose the appropriate response for each item:

	Strongly disagree	Disagree	Neither agree or disagree	Agree	Strongly agree
67. My job relies on policy and procedure	◯	◯	◯	◯	◯
68. My agency utilises the right amount of procedure during investigations	◯	◯	◯	◯	◯
69. Internal procedures impede my ability to investigate	◯	◯	◯	◯	◯
70. The government has too much procedure	◯	◯	◯	◯	◯

Competencies - Meeting Agency Needs

Please provide a rating for questions 71 to 76

Please choose the appropriate response for each item:

	Strongly disagree	Disagree	Neither agree or disagree	Agree	Strongly agree
71. Bureaucracy and red tape are necessary when investigating	◯	◯	◯	◯	◯
72. My agency utilises all of my skills to investigate	◯	◯	◯	◯	◯
73. I am over trained for my job	◯	◯	◯	◯	◯
74. My investigative experience is more than I need	◯	◯	◯	◯	◯
75. I need more investigative skills to do my work	◯	◯	◯	◯	◯
76. The certificate four course in government investigations met my needs	◯	◯	◯	◯	◯

Thank you for submitting your responses to the survey questions. Your responses have now been saved.

05.06.2020 – 06:01

Submit your survey.
Thank you for completing this survey.

Appendix 2: NVivo Qualitative Interview Codebook

Codebook Qual Interview (NVivo)

Name	Description	Files	References
Competencies		11	232
Environmental influence on tasks	Sub-question (b) Competencies	10	58
Conflict of interest	Identified in a specific instance within a narrow set of circumstances.	1	1
Equipment shortages	One participant saw equipment availability as a problem.	1	1
Gender bias	One participant saw the public service as gender biased regard investigative application with females less regarded.	1	4
Iterative tasks	Repetition of task was not a common observation.	1	1
Lack of delegation	A lack of appropriate delegation was a criticism but not common.	1	1
Management ability	A lack of management knowledge and experience regarding the investigating function had an undue influence on the investigative environment. The participants observed that changes on management and therefore strategic direction could heavily influence the working environment.	4	6
Organisational communication	A lack of sufficient communication regarding change.	1	1
Procedural focus	As mentioned elsewhere in the coding, the public service is replete with procedure although that is not uncommon in any investigative environment given the usual demands applicable. However, there is a heavy influence here.	7	17
Restructuring	Change in environment was observed as an influence and the participants who nominated this factor were critical.	2	8
Role confusion	A lack of role specificity was observed.	2	8

Name	Description	Files	References
	The investigative function lacked consistency.		
Technology availability	Technology was seen as important and lacking development - Interestingly a State public servant.	1	3
Workload	The amount of work to be done was a negative influence and organisational efficiency was also a demand.	2	4
Time constraints	Timeframes had an effect on everyday function with the demands associated with case management. It varied according to the participants actual functions.	3	5
Essential duties and tasks	Sub-Question (a) Competencies	11	58
Consider evidence	Evidentiary considerations formed a mainstay of the participants daily functions as investigation is embedded with the different aspects of evidence, from gathering to collating and presenting.	10	26
Employ correct techniques	Participants reflected on their ability to apply their investigative knowledge to a case in conjunction with procedural imperatives. They spoke about core investigative skills.	8	21
Employ preventative measures	Finding ways to prevent non-compliance is a factor of duties.	1	1
Procedural imperatives	The public service is heavily influenced by procedure, although that is not exclusive regarding investigative functions generally. Procedure abounds not only in investigation but more broadly in the agency.	4	8
Records management	Allied with procedural imperatives and the collection and management of evidence was the maintenance of appropriate and applicable records. Participants distinctly mentioned this function.	6	10
Staff case liaison	Case discussion is an underlying function both with peers and managers.	1	1

Name	Description	Files	References
Time management	Being mindful of time constraints and demands.	3	4
Meeting agency needs		9	42
Commensurate with requirements		5	7
Dependent on direction	This could be an over directed environment rather than merely needing direction to function.	4	5
Exercise judgement		3	4
Lack of appreciation		3	8
Over skilled		5	9
Poorly aligned objectives		2	4
Prescriptive tasking		3	3
Requiring development		2	5
Utilise discretion		1	1
Skill sufficiency & improvements	Sub-question (c) Competencies	11	74
Identified skills shortage		1	2
Improved with experience		1	1
Internally developed improvements		1	3
Skills lacking relevance		1	1
Professional identification		11	367
Everyday influences on function		11	86
Below skilled staff		4	10

Name	Description	Files	References
Confining work methodology		6	13
Interpersonal relationships		4	6
Investigative process deficiency		1	2
Leadership demands		1	2
Mentoring demands		2	2
Logistical imperatives		5	7
Management direction		5	18
Pride in work		2	2
Procedural imperatives		9	29
Technology implications		1	4
Investigative role and evolution		11	106
Advanced role descriptors		0	0
Developed experience		3	3
Empathy and interpersonal skills		2	2
Inherent experience		4	9
Internal collaboration		3	8
Wider perspective		1	6
Basic role descriptors		10	32
Changing structural relationships		0	0
Structural decline		6	19

Name	Description	Files	References
Structural equilibrium		1	1
Structural improvement		2	4
Greater practitioner demand		4	12
Improved technology		2	5
Organisational pesimism		6	18
Professional functional reflection		2	5
Resource dependent treatment		6	10
Professional definition and influence		11	73
Advanced experience		4	8
Advanced Skillset		6	14
Advanced training identified		10	27
Already professional		2	3
Career path association		2	2
Classification irrelevant		3	5
Enhanced Qualifications		2	4
Enhanced reputation		2	6
Innate abilities		2	4
Investigator & Profession Distinction	Includes discussion of professional distinction where there may be a misconception.	6	16
Provides consistency		2	5
Self-development		1	2

Name	Description	Files	References
Unqualified positive influence		1	2
Professional model perception		11	62
Advanced knowledge		3	9
Advanced Qualification		6	14
Appropriate financial recognition		1	2
Control of tasks		2	6
Defined hierarchy		4	6
Experience advantageous		5	12
Inability to adapt		1	1
Practice based oversight		4	5
Qualification lacking relevance		3	6
Regards self professionally		2	3
Reputational advantage		5	11
Room for initiative		1	3
Traditional profession equality		1	1
Underdeveloped professional aspects		3	3
Unique skills		2	3

Name	Description	Files	References
Transferable multidisciplinary skills		3	5
Professional significance		10	40
Already regarded		4	5
Currently falls short		4	5
Not important		3	3
Not meeting ideal		4	8
Not relevant		1	1
Training		11	311
Best learning methodology	Sub-question (c) of training	11	70
Available learning opportunities	Opportunities to learn were an underlying component of good learning.	2	2
Lack of opportunity	A lack of learning opportunities was identified in conjunction with work demands and poor planning.	1	4
Preparedness to learn	Being prepared was within the scope of availability.	1	1
Being mentored	Specifically, being mentored in a personal capacity by a more experienced investigator.	3	8
Desire to learn	Motivation to learn with these applicants linked to interesting course products.	3	3
E-Learning	Electronic learning products were not commonly identified and were in concert with a practical component.	2	2
Experiential learning	Applicants saw experience and mentoring as important. Learning while on the job by their own application or the experiences of others was relevant.	6	14
Holistic learning	The applicants reflected on a learning process that included other facets, such as collaboration and organisational	5	7

Name	Description	Files	References
	perspectives as feeding into learning. Also combining a larger view of the learning with practical application.		
Identifying & correcting deficiency	The applicant saw an opportunity to learn through problem solving and innovation. Higher order and recent university training evident.	1	1
Individually catered	The learning lacked individual application which catered for the actual learner.	3	5
Practical & theoretical mix	This was seen as important that a practical focus was also present in an learning. Given the practicality of investigation, this is unsurprising.	4	14
Soliciting feedback	Applicant relied on feedback to assist development.	1	1
Traditional learning methodology	Applicants spoke about more traditional learning methods such as rote and classroom type environments.	4	5
Understand rationale	One applicant referred to the need to understand the reason for the training.	1	1
Training adequacy	Training Sub-question (b)	11	73
Alternative training identified	Alternative training is identified with tertiary mentioned but also terry level skills such as research, without a direct reference. Police training was also identified as useful.	4	10
Collaboration necessary	Only one participant identified this as useful. Collaboration was a new concept in this environment and found to be advantageous. Discussing learnings in a team was identified however a lack of previous experience with this methodology may inflate its perceived usefulness.	1	3
Tertiary training proposed	University level training was specifically referenced	1	1
Trainer capability & experience important	Two participants with opposed views. War stories (previous experiential anecdotes) was the identified topic with each participant relating to their preferred model.	2	9

Name	Description	Files	References
Training improvements	Sub-question (d) Training	11	73
Agency specific	Training needs to be more acted to the agency specific environment and to those within it. Training for its own sake is superfluous.	4	9
Centralising relevant training	One participant observing centralisation rather than outsourcing as a preference.	1	2
Contemporary and updated	Training should be contemporary and revisited to ensure currency with operational and societal demands.	2	3
Fit for purpose	Training should have a greater nexus to function. It should be appropriately timed during the early engagement of the investigator, ongoing and remain relevant.	6	21
Greater practical emphasis	Practicality underpins investigative training and should be the basis for any training course and a predominate constituent. It can be accompanied by mentoring and guidance during practical functions.	8	22
Needs mandating	Training should form part of mandatory functions.	3	4
Recognised prior learning	RPL was not sufficiently considered by the agency.	2	3
Technology awareness	Greater awareness of technology would be an improvement. Also utilising technology internally in a project realised an improvement in knowledge.	2	3
University level courses	Tertiary training was identified as a possible improvement.	3	5
Training received & desired	Training sub-question (a)	11	95
External training possessed	Training which had a direct application was possessed by the participants prior to commencing with their most recent investigative function. Usually consisted of police training.	5	11

Name	Description	Files	References
Insufficient nexus to development	Training may have lacked a distinct connection to the required function or was done for its own sake.	2	3
Lack of relevant training	Training was either absent or if delivered, had a lack of nexus to current functions. Training might have been delivered through a sense or organisational obligation rather than identified need. Training may lack follow up or any systemic approach.	8	25
Appropriate training incomplete	Training was started as instigated by the agency but not completed.	1	2
Inadequate training	Training was insufficient or too narrow in focus. Training was sporadic and not revisited. The needs of the participants as they determined them, were not met.	8	27
Limited accessibility	Opportunity to train was limited by financial considerations or work demands. Self-funding was a limiting factor.	3	10
Misdirected training	Training was seen as mistimes, coming too late in the piece to being seen as misdirected.	6	11
Poorly completed training	Training delivery was poor. From trainer anecdotes predominating to an apparent lack of subject knowledge, the training was perceived as being inadequate. Training lacked definition and sufficient structure and instructors lacked teaching ability.	6	17
Underutilised training	The pre-exiting skills of the participants were not adequately utilised. They saw themselves as unappreciated. Participants saw a lack of need for their training and inherent skills set.	5	11
Relevant training received	The participants have received training that they identified as relevant to the task at hand whether it is vocation as Cert 4, tertiary or otherwise.	11	29

Name	Description	Files	References
Correctly delivered training	Training that the participant appreciated as having value and relevant application.	6	13
External similar training	Training with an external agency existing previously and having a current application perhaps in part.	1	2
Reinforcing previous training	Participant has already possessed training or skills repeated.	1	2
Training for career	Training was seen as a precursor for effective career development. It was referred to in terms of achievement.	3	5