

Why is this being foisted on me now?
Two weeks before contract renewal date,
6 weeks before end of Annual Cycle.



Peter Gallo's Performance Improvement Plan -1 March 2013

This is NOT what was discussed on 20 February

emphasis
"IDENTIFIED"

As per ST/AI/2010/5 when shortcomings in a staff member's performance have been identified, in order to assist that staff member in remedying his/her performance, a Performance Improvement Plan (PIP) should be put in place.

Consultation? Told to sign and return immediately?

The PIP should be developed in consultation with the Staff member and his first and second reporting officers (FRO and SRO). The PIP shall have clear targets for improvement, provisions for coaching and supervision by the first reporting officer in conjunction with performance discussions held on a regular basis. So where are these clear targets?

The PIP can cover a 6 month period. Therefore, this PIP will take effect 1 March 2013 for a period of 6 months. During this time you will have performance meetings with your FRO every 2 weeks.

Target 1. Ensure proper focus of your investigations When did I ever not focus?

Is "focus" actually measurable?

Follow directions given by the Intake Committee and your supervisors.

Address issues within the scope of the case.

When did I NOT do this?

And what about when I uncover something new?

Do I not always refer it back for Intake decision?

You must prepare an Investigator's Work Plan for each case assigned to you. The plan must be prepared on the OIOS/ID standard Investigators Work Plan template and among other items, it must include the following items:

When did I not have a workplan?

The reported misconduct

Scope of the investigation

List the rules and regulations you will use in investigating the case.

What are the elements of each rule/regulation you need to prove?

(Make a chart where you actually divide the rule into elements and then under the element list how you will prove it. As you get the evidence list it on the chart.)

How do you expect to prove each element?

Am I a complete moron? I have taught this stuff at professional & university post-grad levels.

What chart? I have never seen such a thing in my life

Who are you interviewing and why? When did I ever interview anyone without knowing why I was doing it?

How does anyone know what the witness will prove before actually interviewing them?

What will each witness prove?

Wherever possible, each question should begin with:

How

When

Where

What or

Who

Is this not primarily the role of the prosecutor? Is the investigators role not primarily to find out what happened. The specific rule that was breached may not be identified at the time the Intake Committee decide to take the case.

I have been doing this for 20 years. I think I know this

NO question is to ask for speculation.

What about when attempting to see if witness will contradict his own earlier answers?

Always consider whether the information you seek in the interview is going to prove an element of one of the rules you believe was contravened or you are asking the question just to satisfy your curiosity? When did I ever ask any question "just to satisfy my curiosity"????

Subject interviews are aimed to provide the subject with opportunity to comment on the evidence collected. Again, your questions should be focused on the issues you are investigating and they should not be asked just to satisfy your curiosity.

Are subject interviews not supposed to determine whether the subject actually did anything wrong?

This does not appear to differentiate conducting a source interview with simply taking a statement.

examples of such?

Each Investigator's Work Plan and your interview plans in Q&A format is to be reviewed by your FRO prior to commencing your case activities. **Dzuro wants to approve every question I ask every witness???**

Target 2. Judgment **How is this any sort of measurable objective?** **What is anyone afraid of? Is someone afraid that I will find something that nobody wants to be found out?**

Modify your language to meet the situation. **I have been doing this for 20 years; when have I not done so?**

Be aware of culturally insensitive comments, those comments which are sexist, or those which are inappropriate in a multi-cultural, multi-political environment. **Examples?**

Don't ask questions which ask for a witness to speculate **Why not? These questions can be used to test credibility**

Don't ask what the witness's opinion might be, only focus on facts. **Examples?** Do not interject your opinion into a document, especially NTF, reports or any other document which may have to be handed over to the AoJ Tribunal, ALS or OSLA. **Why not? There is a huge difference between expressing an opinion and passing an opinion off as fact**

- Does this seek to withhold information from the Tribunal???

Attend diversity training. **I lived 20 years in Asia; somebody seriously thinks I need to attend a course on "diversity"?**

Target 3. Writing **When have I ever written rubbish?**

The aim is improve your drafting skills, so that you can produce documents with the least number of errors or re-writes. The documents you produce should be written in a crisp, clean and concise fashion. **If this were actually possible, why would newspapers employ "editors"?**

Sounds fine - but when did I ever make an error in a report? Who decides what constitutes a "need" for a re-write when PPS do this for stylistic reasons

Make sure your reports are verified by a peer before submitting them to your FRO.

Why would you NOT do this as a matter of course?

Ask a peer to review your report prior to submission to your FRO.

Why is this repeated?

Your reports should not contain:

Spelling errors, always use spell check.

Errors of grammar or punctuation.

Run-on sentences

Opinions

Speculation/Assumptions **Repetitions?**

Conclusions of law

Oh really???

Where does the "analysis" fit in?

I have had a number of articles published in different journals. Probably a lot more than most people. This suggests I am barely literate.

Your reports should contain:

Topic sentences for each new paragraph and at each new topic a new paragraph.

All footnotes must be reflected accurately and must provide the evidence to support your assertions of fact.

Just the FACTS. **How do I know what is a "FACT" if there is no analysis of the information?**

Does anyone understand Admiralty Gradings?

If the investigator gets to decide what is a "FACT" - what are judges paid for?

When drafting, you should always ask yourself why you are telling the reader something.

Oh really?

You must take a Writing class.

WHAT writing class? The only ones appear to be English language courses for non-native speakers

You must spend at least two working days with the staff of PPS working on a case review, so that you better understand what is required for a report to be cleared for issuance.

I have an LL.B, two post-graduate law degrees and am admitted to practice in three different countries - which is more than anyone in PPS.

You should read issued investigations reports to see what is required to meet the requirements of an investigation report for a legally sufficient report. Ask Suzette Schultz for good examples of reports that are well written and legally sufficient.

I think I should hae a fairly good idea of what constitutes legal sufficiency.

Peter Gallo	Date
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Roberta M. Baldini	Date
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Vladimir Dzuro	Date
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This is the most offensive and counter-productive document I have ever seen; why is it fixating on “just the facts” and refering to “asking questions just to satisfy your curiosity.” When did I ever do this?

“Speculation” and “opinions” mentioned in all three sections. When did I ever base anything on speculation? Why no mention of analysis of information?

How is anyone going to teach me how to “improve my judgement” - and then how is this going to be measured?

This eliminates any intellectual thought from the investigative process. It assumes that an investigation is merely a statement-taking exercise.

How, if an investigator were to follow this garbage, would they determine if the witness was lying?

I was employed as an investigator. Why am I being sanctioned for poor spelling and typing skills? While I am sure I make typos from time to time, why is this such a major issue? Is “spelling” an appropriate subject for PIP or is it just looking for an excuse to nitpick and criticise?