



ACT POLICING COMPLAINTS REPORT

JANUARY - MARCH 2015

AFP Professional Standards Framework

- The AFP's Professional Standards framework is governed by Part V of *the Australian Federal Police Act 1979* (Part V) and the *Australian Federal Police Regulations 1979*. This framework is further supported by internal governance such as Commissioner's Order 2 on Professional Standards and the National Guideline on Complaint Management.
- The AFP's current professional standards model adopts a tiered approach according to the seriousness of the breach of Professional Standards:
 - Category 1 Conduct – relates to customer service matters.
 - Category 2 Conduct – relates to minor misconduct.
 - Category 3 Conduct – relates to serious misconduct, including breaches of the criminal law or serious neglect of duty.
- Complaints dealing with minor breaches (category 1 and 2) of the AFP's professional standards are managed by line managers through the ACT Policing Complaint Management Team, who are best placed to deal with minor misconduct.
- More serious matters that may result in employment suitability consideration (category 3) are investigated by the AFP's Professional Standards area with oversight from the Commonwealth Ombudsman.
- All complaints of corrupt conduct by AFP appointees are referred to the Australian Commission for Law Enforcement Integrity (ACLEI) which may investigate the complaint, undertake a joint investigation with the AFP or refer the matter back to the AFP.

ACT POLICING COMPLAINT STATISTICS

January – March 2015

During the first quarter in 2015 (January - March) the AFP's Professional Standards unit received 44 complaints, resulting in 107 alleged conduct breaches being recorded.

TABLE A1. ALLEGED CONDUCT BREACHES RECORDED DURING JAN - MAR, LAST FOUR YEARS, BY CATEGORY ¹

ALL ALLEGED ACT POLICING CONDUCT BREACHES ₂	Jan - Mar 2012	Jan - Mar 2013	Jan - Mar 2014	Jan - Mar 2015
Category 1	36	25	8	23
Category 2	51	26	36	50
Category 3	33	38	24	31
Corruption issues	0	0	0	3
Total	120	89	68	107

TABLE A2, ALLEGED CONDUCT BREACHES RECORDED DURING THE LAST 12 MONTHS, BY CATEGORY

ALL ALLEGED ACT POLICING CONDUCT BREACHES	Apr - Jun 2014	Jul - Sept 2014	Oct - Dec 2014	Jan - Mar 2015
Category 1	14	14	9	23
Category 2	25	29	35	50
Category 3	18	18	22	31
Corruption issues	7	7	3	3
Total	64	68	69	107

¹ Part V of the *Australian Federal Police Act 1979* defines the categories of conduct. Category 1 is the least serious category and predominantly relates to customer service breaches. Category 2 is minor misconduct and category 3 is serious misconduct. Corruption issues are referred to the Australian Commission for Law Enforcement Integrity.

TABLE A3. ALLEGED CONDUCT BREACHES RECORDED DURING JAN - MAR 2015, BY SOURCE

SOURCE	ALLEGED CONDUCT BREACHES	PERCENTAGE
Anonymous member of the public	0	0.0%
Member of the public	80	74.8%
Reporting another AFP member	26	24.3%
Self-reported	1	0.9%
Total	107	100%

The number of alleged breaches by source relates to the following number of complaints received: 24 from members of the public, 19 reporting another AFP member and 1 self-reported.

 TABLE A4. FINALISED CONDUCT BREACHES DURING JAN – MAR 2015, BY CATEGORY ²

ALL FINALISED ACT POLICING CONDUCT BREACHES	ESTABLISHED CONDUCT BREACHES	NOT ESTABLISHED CONDUCT BREACHES	WITHDRAWN	DISCRETION NOT TO PROCEED ⁵
Category 1	0	5	0	3
Category 2	3	19	2	11
Category 3	9	21	1	2
Corruption issues	0	1	0	1
Total	12	46	3	17

² This table only includes matters where the case was finalised. This table includes matters reported prior 1st January 2015

TABLE A5. ESTABLISHED CONDUCT BREACHES DURING JAN – MAR 2015

ESTABLISHED CONDUCT BREACHES	NUMBER ESTABLISHED
Breach of CO3 non serious nature	1
Criminal misconduct	2
Driving misconduct	1
Drug misconduct	1
Fail to comply with procedure	2
False information / statement	1
Inappropriate behaviour / conduct serious nature	1
Information access	1
Information misuse	1
Property accounting failure	1
Total	12

 TABLE A6. BREACHES YET TO BE FINALISED³, AS OF APRIL 9th 2015

ALL ONGOING ACT POLICING COMPLAINTS	COMPLAINTS ONGOING	TIMELINESS BENCHMARK ⁷ Target for 90% of complaints to be finalised within:	NUMBER OF COMPLAINTS OVERDUE
Category 1	8	42 DAYS	1
Category 2	26	66 DAYS	7
Category 3	53	256 DAYS	17
Corruption issues ⁸	14	NO BENCHMARK	-
Total	101		25

³ This table includes all complaints recorded on the AFP's Complaint Recording and Management System (CRAMS) that have a status other than finalised and relate to a member of ACT Policing.

Complaint Trends / Systemic issues

The overall number of conduct breaches submitted during the first quarter of 2015 has increased from the corresponding period in 2014, and over the last twelve months. The difference in this quarter's total compared with the three reporting periods prior amount to an average of a 60% increase in reported conduct breaches. This trend is also seen in the submitted complaints totals that have risen from the October – December 2014 quarter of 32 submitted complaints to the January – March 2015 quarter of 44 submitted complaints. This amounts to an increase of 37% in submitted complaints. This goes against the 12 month trend of stable complaint figures.

Increases in individual conduct categories are uniform across customer service, minor misconduct and serious misconduct complaints. Only corruption matters have remained stable matching that of last quarter (Oct – Dec 2014) and down on the two quarters prior to that (Apr – Jun 2014 and Jul – Sep 2014).

Finalised Conduct Issues

There were a total of 78 conduct breaches finalised during the January – March 2015 reporting period. Of these breaches only 12 were found established. This equates to a total of only 15% of all conduct breaches raised against members of ACT Policing being substantiated.

Breach of CO3 matters relate to the AFP Commissioner's Order on Operational Safety and gives effect to the AFP operational safety policy on using reasonable force.

Complaint data

The complaint data contained in this report was extracted from the AFP's Complaints Recording and Management System, which is a live system, updated on a daily basis. The data for this report was extracted and accurate as at 7 April 2015.