



ACT POLICING COMPLAINTS REPORT

APRIL - JUNE 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 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

April – June 2015

During the second quarter in 2015 (April - June) the AFP's Professional Standards unit received 45 complaints, resulting in 71 alleged conduct breaches being recorded.

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

ALL ALLEGED ACT POLICING CONDUCT BREACHES	Apr - Jun 2012	Apr - Jun 2013	Apr - Jun 2014	Apr - Jun 2015
Category 1	25	20	14	21
Category 2	31	39	25	31
Category 3	25	34	18	17
Corruption issues	4	0	7	2
Total	85	93	64	71

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

ALL ALLEGED ACT POLICING CONDUCT BREACHES	Jul - Sept 2014	Oct - Dec 2014	Jan - Mar 2015	Apr - Jun 2015
Category 1	14	9	23	21
Category 2	29	35	50	31
Category 3	18	22	31	17
Corruption issues	7	3	3	2
Total	68	69	107	71

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 APR - JUN 2015, BY SOURCE

SOURCE	ALLEGED CONDUCT BREACHES	PERCENTAGE
Anonymous person	1	1.4%
Member of the public	41	57.8%
Reporting another AFP appointee	28	39.4%
Self-reported	1	1.4%
Total	71	100%

The number of alleged breaches by source relates to the following number of complaints received: 20 from members of the public, 1 from an anonymous person, 23 were from AFP appointees reporting another AFP appointee, and 1 self-reported.

 TABLE A4. FINALISED CONDUCT BREACHES DURING APR – JUN 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	4	17	0	10
Category 2	7	34	12	9
Category 3	10	12	0	13
Corruption issues	0	1	0	0
Total	21	64	12	32

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

TABLE A5. ESTABLISHED CONDUCT BREACHES³ DURING APR – JUN 2015

ESTABLISHED CONDUCT BREACHES	NUMBER ESTABLISHED
CO3 Serious nature	1
Fail to comply with procedure	2
Failure of Security Practices Role/Duty	4
False information / statement	1
Harassment	1
Inadequate Service	3
Inappropriate behaviour / conduct	2
Performance Failure	1
Practice or Procedure Issue	1
Unwarranted Attention	1
Information access	1
Information misuse	1
Information Release	2
Total	21

³ 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.

TABLE A6. BREACHES YET TO BE FINALISED⁴, AS OF JULY 2nd 2015

Timeliness benchmarks are applied to each category, with a target of 90% to be finalised within the specified number of days. The benchmarks are: 42 days for category 1 matters, 66 days for category 2 matters and 256 days for category 3 matters. Corruption issues fall under the LEIC act and are not subject to a timeliness benchmark.

ALL ONGOING ACT POLICING COMPLAINTS	COMPLAINTS ONGOING	NUMBER OF COMPLAINTS OVERDUE	EXCEEDS 7 DAYS OVER BENCHMARK	EXCEEDS 30 DAYS OVER BENCHMARK	EXCEEDS 90 DAYS OVER BENCHMARK
Category 1	10	4	2	1	1
Category 2	22	3	3	0	0
Category 3	50	23	1	1	21
Corruption issues	14	-	-	-	-
Total	96	30			

Complaint Trends / Systemic Issues

The overall number of conduct breaches submitted during the second quarter of 2015 has increased from the corresponding period in 2014, but has still decreased overall with respect to the last four years.

There has been a 33% decrease in alleged conduct breaches across all categories from the previous (Jan – Mar 2015) quarter. Over the course of the last financial year the number of breaches has remained steady, with the exception of a spike in Jan – Mar 2015; however the total number of complaints was comparable with the last quarter (44 in Jan – Mar 2015 and 45 in Apr – Jun 2015). Analysis of the complaints received during the Jan – Mar 2015 quarter, compared to previous quarters, has not revealed any particular cause for the increase. Alleged corruption breaches have also decreased since the first quarter of the financial year (3rd quarter of 2014).

Finalised Conduct Issues

There were a total of 129 conduct breaches finalised during the April – July 2015 reporting period. Of these breaches, 21 were found established, equating to 16.28% of all conduct breaches raised against members of ACT Policing.

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 2 July 2015.

⁴ 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.