



# **ACT POLICING COMPLAINTS REPORT**

**JULY – SEPTEMBER 2016**

## 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

### July - September 2016

During the third quarter in 2016 (July - September) the AFP's Professional Standards unit received 27 complaints, resulting in 58 alleged conduct breaches being recorded.

TABLE A1. ALLEGED CONDUCT BREACHES RECORDED DURING JUL - SEP, LAST FOUR YEARS, BY CATEGORY <sup>1</sup>

ALL ALLEGED ACT POLICING CONDUCT BREACHES	Jul - Sept 2013	Jul - Sept 2014	Jul - Sept 2015	Jul - Sept 2016
Category 1	40	14	24	14
Category 2	44	29	39	31
Category 3	32	18	10	13
Corruption issues	1	7	3	0
<b>Total</b>	117	68	76	58

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

ALL ALLEGED ACT POLICING CONDUCT BREACHES	Oct - Dec 2015	Jan - Mar 2016	Apr - Jun 2016	Jul -Sept 2016
Category 1	28	28	19	14
Category 2	30	36	25	31
Category 3	9	12	23	13
Corruption issues	3	3	3	0
<b>Total</b>	70	79	70	58

<sup>1</sup> 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 JUL - SEP 2016, BY SOURCE

SOURCE	ALLEGED CONDUCT BREACHES	PERCENTAGE BY BREACHES
Anonymous person	0	0.0%
Member of the public	45	77.6%
Reporting another AFP member	12	20.7%
Self-reported	1	1.7%
<b>Total</b>	<b>58</b>	<b>100%</b>

The number of alleged breaches by source relates to the following number of complaints received: 45 from members of the public, 12 were from AFP appointees reporting another AFP appointee, and 1 self-reported.

 TABLE A4. FINALISED CONDUCT BREACHES DURING JUL - SEP 2016, BY CATEGORY <sup>2</sup>

ALL FINALISED ACT POLICING CONDUCT BREACHES	ESTABLISHED	NOT ESTABLISHED	WITHDRAWN	DISCRETION NOT TO PROCEED
Category 1	1	13	0	13
Category 2	2	19	0	10
Category 3	9	2	0	9
Corruption issues	0	1	0	0
<b>Total</b>	<b>12</b>	<b>35</b>	<b>0</b>	<b>32</b>

<sup>2</sup> This table only includes matters where the case was finalised. This table includes matters reported prior 1<sup>st</sup> July 2016

TABLE A5. ESTABLISHED CONDUCT BREACHES<sup>3</sup> DURING JUL - SEP 2016

ESTABLISHED CONDUCT BREACHES	NUMBER ESTABLISHED
Inappropriate behaviour / conduct serious	3
Fail to comply with direction	2
Criminal misconduct	1
Property Holding Failure	1
Information release	1
Supervision failure	1
Discourtesy	1
Conflict of interest	1
Fail to comply with procedure	1
<b>Total</b>	<b>12</b>

 TABLE A6. BREACHES YET TO BE FINALISED<sup>4</sup>, AS OF SEPTEMBER 19<sup>th</sup> 2016

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	14	7	2	3	2
Category 2	14	4	0	3	1
Category 3	39	19	2	1	16
Corruption issues	16	-	-	-	-
<b>Total</b>	<b>83</b>	<b>30</b>	<b>4</b>	<b>7</b>	<b>19</b>

<sup>3</sup> 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.

<sup>4</sup> This table includes all complaints recorded on the AFPs 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 third quarter of 2016 has decreased by 23.7% from the corresponding period in 2015, and has decreased by 17.1% compared to the previous quarter (Apr – Jun 2016).

There has been a 43.5% decrease in the number of alleged Category 3 conduct breaches and a 26.3% decrease in the number of Category 1 conduct breaches from the previous (Apr – Jun 2016) quarter. The number of alleged Category 2 conduct breaches has increased by 24.0% from the Apr – Jun 2016 quarter. Compared to the same period in 2015 the number of alleged Category 1, 2 and 4 conduct breaches has decreased by 10, 8 and 3 respectively while the number of alleged Category 3 conduct breaches has increased by 3.

## Finalised Conduct Issues

There were a total of 79 conduct breaches finalised during the July – September 2016 reporting period. Of these breaches, 12 were found established, equating to 15.2% 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 19 October 2016.