



ACT POLICING COMPLAINTS REPORT
OCTOBER – DECEMBER 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

October - December 2016

During the fourth quarter in 2016 (October - December) the AFP's Professional Standards unit received 26 complaints, resulting in 57 alleged conduct breaches being recorded.

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

ALL ALLEGED ACT POLICING CONDUCT BREACHES	Oct - Dec 2013	Oct - Dec 2014	Oct - Dec 2015	Oct - Dec 2016
Category 1	15	9	28	16
Category 2	41	35	30	31
Category 3	14	22	9	10
Corruption issues	0	3	3	0
Total	70	69	70	57

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

ALL ALLEGED ACT POLICING CONDUCT BREACHES	Jan - Mar 2016	Apr - Jun 2016	Jul - Sept 2016	Oct - Dec 2016
Category 1	28	19	14	16
Category 2	36	25	31	31
Category 3	12	23	13	10
Corruption issues	3	3	0	0
Total	79	70	58	57

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 OCT - DEC 2016, BY SOURCE

SOURCE	ALLEGED CONDUCT BREACHES	PERCENTAGE BY BREACHES
Anonymous person	0	0.0%
Member of the public	48	84.2%
Reporting another AFP member	8	14.0%
Self-reported	1	1.8%
Total	57	100%

The number of alleged breaches by source relates to the following number of complaints received: 19 from members of the public, 6 were from AFP appointees reporting another AFP appointee, and 1 self-reported.

TABLE A4. FINALISED CONDUCT BREACHES DURING OCT - DEC 2016, BY CATEGORY ²

ALL FINALISED ACT POLICING CONDUCT BREACHES	ESTABLISHED	NOT ESTABLISHED	WITHDRAWN	DISCRETION NOT TO PROCEED
Category 1	5	11	2	1
Category 2	7	41	0	1
Category 3	5	7	0	11
Corruption issues	1	1	0	2
Total	18	60	2	15

² This table only includes matters where the case was finalised. This table includes matters reported prior 1st October 2016

TABLE A5. ESTABLISHED CONDUCT BREACHES³ DURING OCT - DEC 2016

ESTABLISHED CONDUCT BREACHES	NUMBER ESTABLISHED
Discourtesy	3
Misuse of authority	3
Fail to comply with procedure	2
Due care/diligence failure	1
Fail to record and report	1
Inadequate service	1
Information access	1
Information misuse	1
Information release	1
Supervision failure	1
Unauthorised discharge of CEW	1
Unreasonable delay	1
Total	17

TABLE A6. BREACHES YET TO BE FINALISED⁴, AS OF JANUARY 3rd 2017

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 COMPLAINTS RELATING TO ACT POLICING MEMBERS	COMPLAINTS ONGOING	COMPLAINTS OVERDUE 7 DAYS OR LESS	EXCEEDS 7 DAYS OVER BENCHMARK	EXCEEDS 30 DAYS OVER BENCHMARK	EXCEEDS 90 DAYS OVER BENCHMARK
Category 1	12	0	0	3	1
Category 2	13	1	0	2	3
Category 3	27	1	3	0	7
Corruption issues	11	-	-	-	-
Total	63	2	3	5	11

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.

⁴ 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 fourth quarter of 2016 has decreased by 18.6% from the corresponding period in 2015, and has decreased by 1 complaint compared to the previous quarter (Jul - Sep 2016).

Compared to the previous quarter (Jul – Sep 2016) there has been an increase of 14.3% in the number of alleged Category 1 conduct breaches and a decrease of 23.1% of alleged Category 3 conduct breaches. The number of alleged Category 2 conduct breaches was 31 which is the same number of breaches as the previous quarter. There has been no Category 4 conduct breaches submitted this quarter or the previous quarter. Compared to the same period in 2015 there has been a decrease of 18.6% in the total number of alleged conduct breaches submitted. The number of alleged Category 1 and 4 conduct breaches has decreased by 12 and 3 while the number of alleged Category 2 and 3 conduct breaches has each increased by 1.

Finalised Conduct Issues

There were a total of 95 conduct breaches finalised during the October – December 2016 reporting period. Of these breaches, 18 were found established, equating to 18.9% 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 3 January 2017.