



## **ACT POLICING COMPLAINTS REPORT**

**APRIL – JUNE 2017**

## 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.
- Conduct breaches are individual issues identified within a complaint. Multiple breaches may be applied where two or more complaint issues are identified from information supplied by a complainant or where two or more members are subject to the complaint.
- For example - a single complaint of discourtesy, inadequate service and failure to act will count as three breaches.

## ACT POLICING COMPLAINT STATISTICS

### April - June 2017

During the second quarter in 2017 (April-June) the AFP's Professional Standards unit received 31 complaints, resulting in 61 alleged conduct breaches being recorded.

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

ALL ALLEGED ACT POLICING CONDUCT BREACHES	Apr - Jun 2014	Apr - Jun 2015	Apr - Jun 2016	Apr - Jun 2017
Category 1	14	21	19	16
Category 2	25	31	25	23
Category 3	18	17	23	19
Corruption issues	7	2	3	3
<b>Total</b>	<b>64</b>	<b>71</b>	<b>70</b>	<b>61</b>

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

ALL ALLEGED ACT POLICING CONDUCT BREACHES	Jul - Sept 2016	Oct - Dec 2016	Jan - Mar 2017	Apr - Jun 2017
Category 1	14	16	15	16
Category 2	31	31	34	23
Category 3	13	10	11	19
Corruption issues	0	0	6	3
<b>Total</b>	<b>58</b>	<b>57</b>	<b>66</b>	<b>61</b>

<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 APR - JUN 2017, BY SOURCE

SOURCE	ALLEGED CONDUCT BREACHES	PERCENTAGE BY BREACHES
Anonymous person	1	1.6%
Member of the public	41	67.2%
Reporting another AFP member	18	29.5%
Self-reported	1	1.6%
<b>Total</b>	<b>61</b>	<b>100%</b>

The number of alleged breaches by source relates to the following number of complaints received: one from an anonymous person, 17 from members of the public, 12 were from AFP appointees reporting another AFP appointee, and one self-reported.

TABLE A4. FINALISED CONDUCT BREACHES DURING APR - JUN 2017, BY CATEGORY <sup>2</sup>

ALL FINALISED ACT POLICING CONDUCT BREACHES	ESTABLISHED	NOT ESTABLISHED	WITHDRAWN	DISCRETION NOT TO PROCEED
Category 1	0	8	0	4
Category 2	4	6	0	3
Category 3	1	4	0	7
Corruption issues	0	0	0	0
<b>Total</b>	<b>5</b>	<b>18</b>	<b>0</b>	<b>14</b>

TABLE A5. ESTABLISHED CONDUCT BREACHES<sup>3</sup> DURING APR - JUN 2017

ESTABLISHED CONDUCT BREACHES	NUMBER ESTABLISHED
Fail to comply with procedure	3
Neglect of duty	1
Unauthorised discharge of firearm	1
<b>Total</b>	<b>5</b>

<sup>2</sup> This table only includes matters where the case was finalised. This table includes matters reported prior 1<sup>st</sup> April 2017

<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.

TABLE A6. BREACHES YET TO BE FINALISED<sup>4</sup>, AS OF JULY 3<sup>rd</sup> 2017

Timeliness benchmarks are applied to each category, with a target of 90 per cent 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	11	1	1	6	1
Category 2	26	2	2	9	2
Category 3	36	0	1	0	14
Corruption issues	17	-	-	-	-
Total	90	3	4	15	17

### Complaint Trends / Systemic Issues

The overall number of conduct breaches submitted during the second quarter of 2017 has decreased by 12.9 per cent (70 to 61) from the corresponding period in 2016, and has decreased by 7.6 per cent (66 to 61) compared to the previous quarter (Jan - Mar 2017).

Compared to the previous quarter (Jan – Mar 2017) the number of alleged Category 2 conduct breaches has decreased by 11 and the number of alleged Category 4 conduct breaches has halved (six to three). The number of alleged Category 1 and Category 3 conduct breaches has increased by one and three respectively.

Compared to the same quarter in 2016, the number of Category 1, Category 2 and Category 3 alleged conduct breaches submitted has decreased by three, two and four respectively. The number of alleged Category 4 conduct breaches remained the same with three breaches submitted in both Apr-Jun quarters.

### Finalised Conduct Issues

There were a total of 37 conduct breaches finalised during the April – June 2017 reporting period. Of these breaches, five were found Established, equating to 13.5 per cent of all finalised conduct breaches against members of ACT Policing. Compared to the previous quarter (Jan-Mar 2017) the number of Established breaches has increased slightly from two to five. In the same quarter in 2016 (Apr-Jun) the proportion of finalised breaches established was 9.9 per cent, with the numbers being nine Established breaches out of a total of 91 finalised conduct breaches.

### 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 July 2017.

<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.