



ACT POLICING COMPLAINTS REPORT
JULY – DECEMBER 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.

ACT POLICING COMPLAINT STATISTICS

July – December 2017

During July - December 2017 the AFP's Professional Standards unit received 82 complaints, resulting in 139 alleged conduct breaches being recorded.

TABLE A1. ALLEGED CONDUCT BREACHES RECORDED DURING JUL - DEC¹, LAST FOUR YEARS, BY CATEGORY ²

ALL ALLEGED ACT POLICING CONDUCT BREACHES	Jul - Dec 2014	Jul - Dec 2015	Jul - Dec 2016	Jul - Dec 2017
Category 1	23	52	30	27
Category 2	64	69	62	72
Category 3	40	19	23	32
Corruption issues	10	6	0	8
Total	137	146	115	139

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

ALL ALLEGED ACT POLICING CONDUCT BREACHES	Jan - Mar 2017	Apr - Jun 2017	Jul - Dec 2017
Category 1	15	16	27
Category 2	34	23	72
Category 3	11	19	32
Corruption issues	6	3	8
Total	66	61	139

¹The number of alleged conduct breaches recorded is subject to change until matters are finalised. Historical figures reflect the number reported at the end of the corresponding period and have not been updated.

² 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 - DEC 2017, BY SOURCE

SOURCE	ALLEGED CONDUCT BREACHES	PERCENTAGE BY BREACHES
Anonymous person	2	1.4%
Member of the public	82	59.0%
Reporting another AFP member	45	32.4%
Self-reported	10	7.2%
Total	139	100%

TABLE A4. FINALISED CONDUCT BREACHES DURING JUL - DEC 2017, BY CATEGORY ³

ALL FINALISED ACT POLICING CONDUCT BREACHES	ESTABLISHED	NOT ESTABLISHED	WITHDRAWN	DISCRETION NOT TO PROCEED	DISCRETION NOT TO INVESTIGATE (PID)
Category 1	2	9	0	0	0
Category 2	11	22	1	1	0
Category 3	1	20	0	4	1
Corruption issues	0	2	0	0	0
Total	14	53	1	5	1

TABLE A5. ESTABLISHED CONDUCT BREACHES⁴ DURING JUL - DEC 2017

ESTABLISHED CONDUCT BREACHES	NUMBER ESTABLISHED
Discourtesy	1
Fail to comply with procedure	2
Inadequate service	1
Information release	1
Misuse of authority	1
Property accounting failure	2
Unauthorised discharge of CEW	6
Total	14

³ This table only includes matters where the case was finalised. This table includes matters reported prior 1st July 2017

⁴ 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 FINALISED⁵, AS OF JANUARY 29th 2018

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	7	0	2	1	5
Category 2	16	3	4	10	4
Category 3	21	0	0	3	12
Corruption issues	22	-	-	-	-
Total	66	3	6	14	21

Complaint Trends / Systemic Issues

Comparison against previous period (Jan–Jun 2017)

- Alleged conduct breaches has increased by 9.4% (127 to 139).
- Compared to the previous six months alleged category 1 and category 4 conduct breaches has decreased by four and one respectively. The number of alleged category 2 and category 3 conduct breaches has increased by 15 and two respectively.
- Compared to the previous six months there was a notable increase in alleged conduct breaches relating to CO3 serious nature, information access, serious inappropriate behaviour/conduct and unauthorised discharge of CEW. There is also a significant decrease in inappropriate behaviour/conduct and failure to act.

Corresponding period 2016 (Jul - Dec 2016)

- Alleged conduct breaches increased by 20.87% (115 to 139) from the corresponding period in 2016.
- Compared to the corresponding period in 2016 (Jul – Dec 2016) alleged category 2, 3 and 4 breaches has increased by ten, nine and eight respectively.
- Compared to the corresponding period in 2016, there was a notable increase in alleged conduct breaches relating to CO3 serious nature, CO3 non serious nature, information access and unauthorised discharge of CEW. There is also a significant decrease in alleged conduct breaches relating to criminal misconduct, due care/diligence failure and failure to comply with procedures.

Finalised Conduct Issues

- 74 conduct breaches finalised during the July-December 2017 reporting period.
- Of these breaches, 14 were found established, equating to 18.9% of all conduct breaches raised against members of ACT Policing.
- Compared to the previous two quarters (Jan – Mar 2017 and Apr – Jun 2017) the number of established breaches has increased by seven. In the Jan – Jun 2017 period, seven breaches were found established, equating to 7.69% of all finalised conduct breaches for that period.
- Six out of the 14 established breaches relate to unauthorised discharge of CEW. Analysis over the past 12 months did not identify related trends.

⁵ 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 data

The complaint data contained in this report was extracted from SAS Visual Analytics, which is a live system, updated on a daily basis. The data for this report was extracted and accurate as at 29 January 2018.