

Deployment of Police Dogs Recommendation Review

12 October 2023



ISBN: 978-0-6483046-8-5

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OVERVIEW

- [1] In May 2022, the Commission tabled a report in Parliament titled '*A report on the deployment of Police Dogs*'. The report outlined the Commission's thematic review¹ into WA Police's actions in addressing the serious misconduct risks associated with the deployment of police dogs.
- [2] The review focused on the use of general-purpose police dogs as a force option. It is acknowledged by WA Police that the deployment of this type of police dog may result in serious injury.
- [3] The review noted the ongoing improvements being made by WA Police to mitigate risk and improve accountability of this force option.
- [4] Nonetheless, the review highlighted areas of concern. Specifically, the unexplained overrepresentation of Aboriginal and Torres Strait Islander people being apprehended by police dogs. Gaps in the WA Police Canine Unit's (Canine Unit) policies and procedures made understanding and reviewing the operational use of a police dog unclear.
- [5] The Commission made two recommendations to WA Police:²
- 1 That WA Police develop and implement Canine Unit policy, procedure and/or guidelines.
 - 2 For WA Police to undertake further analysis of police dog use to explore and address reasons for the higher representation of Aboriginal and Torres Strait Islander persons in police dog deployments.
- [6] A commitment was made to review WA Police's actions in addressing the recommendations in 12 months' time.
- [7] Since the Commission's report in May 2022, the Commission has investigated two further notifications relating to police dog deployments. While there was no finding of serious misconduct for either matter, concerns remain regarding the policy and practices for the deployment of police dogs.
- [8] The Commission commenced its review of the WA Police response to the recommendations, earlier than planned.
- [9] This report details WA Police's response, and acknowledges it remains too early for the Commission to assess whether the two recommendations will

¹ *Corruption, Crime and Misconduct Act 2003* (CCM Act) s 41.

² CCM Act s 43.

be addressed. The Commission will conduct a further review of the action taken by WA Police in 12 months' time.

COMMISSION'S THEMATIC REVIEW

- [10] The Commission's thematic review³ culminated in a report tabled in Parliament '*A report on the deployment of Police Dogs*'.
- [11] The review focused on WA Police's actions in addressing the serious misconduct risks associated with the use of general-purpose police dogs as a force option. These dogs are trained to locate persons and bite on an 'apprehend' command.
- [12] Recognising the deployment of a police dog may result in serious injury, WA Police consider this force option to sit between a taser and firearm.
- [13] The review acknowledged that since 2016, the WA Police Canine Unit has made changes to dog selection, training methods, and reporting requirements, to improve both handler control and overall accountability.
- [14] WA Police also introduced 'the challenge', a canine handlers verbal warning. An initiative aimed at reducing the risk of injury by creating awareness of the police dog's presence. It provides opportunity for the person to submit to an arrest, without the need for force.
- [15] Nonetheless, the review highlighted an absence of policies and procedures resulted in ambiguity and limited oversight of police dog use.
- [16] While unexplained, the review noted the higher representation of Aboriginal and Torres Strait Islander people subject to police dog use, a concern worth exploring as to the reasons why.
- [17] The Commission made two recommendations⁴ to WA Police to address these issues, with a commitment to review their response in 12 month's time.
- [18] In early 2023, the Commission decided to commence the review of WA Police's response to the recommendations earlier than planned. While the two Commission investigations involving the deployment of a police dog did not make a finding of serious misconduct by the officers, the incidents did involve Aboriginal juveniles and resulted in serious injuries.
- [19] It was appropriate to understand what, if any, actions had been taken by WA Police in response to the recommendations.

³ CCM Act s 41.

⁴ CCM Act s 43.

REVIEW OF THE RECOMMENDATIONS

WA Police response

- [20] In February 2023, the Commission wrote to WA Police requesting an update.
- [21] WA Police responded and advised they were conducting a holistic review and assessment of all facets of the Canine Unit. This includes addressing the two Commission recommendations.
- [22] The response outlined the following key initiatives and actions:

Recommendation One: Develop and implement WA Police Canine Unit Policy, Procedure and/or Guidelines.

- Creation and development of Policy, Police Manuals and Standard Operating Procedures, including Use of Force, Deployment of Police Dogs, Requesting Canine Resources and Management of Police Dogs.
- Structural changes being made to the Canine Unit Training Team.
- Review/endorsement of the General-Purpose Police Dog Training Course.
- Development of a process for Senior Officer attendance at scene following a police dog apprehension (bite).
- Assessment of the current Canine Section single officer patrol.

Recommendation Two: Undertake further analysis of police dog use to explore and address reasons for the higher representation of Aboriginal and Torres Strait Islander persons in police dog deployments.

- Development and implementation of an IT solution for recording and reporting Canine Unit tasking and police dog deployments.
- Engagement of the Sellenger Centre from Edith Cowan University (ECU) to conduct research into Canine Unit operations. Specifically, to:
 - undertake analysis of reported data to explore if Aboriginal persons are overrepresented in police dog deployments;
 - review and research the WA Police Force Manual Use of Force Policy, which relies on the belief that a dog bite injury is not intended or likely to result in Grievous Bodily Harm.
- Review the tasking and deployment process for canine resources to ensure it is aligned with legislation and policy.

Commission's review

- [23] In May 2023, Commission Officers met with WA Police representatives from Emergency Management & Specialist Support Division, including the Canine Unit, to understand the status of the initiatives.
- [24] WA Police confirmed that a Project Manager and working group had recently been established earlier that month.
- [25] WA Police explained the project addresses the Commission's recommendations and includes a wider review of the Canine Unit operations. However, most if not all these actions are yet to be completed.
- [26] In the past 12 months, WA Police have engaged ECU's Sellenger Centre to assist with research into police dog operations. As a result, a new reporting tool was developed to aid data collection on police dog deployment. Despite aligning the research project outcomes to the Commission's review date, this information is not yet available.
- [27] WA Police are presently unable to show the results of many of the proposed actions and initiatives. It is likely the outcome of research will assist in developing policy and procedures.
- [28] WA Police have committed to completing Recommendation One by March 2024.
- [29] WA Police predict these actions will reflect an overall culture change within the Canine Unit.
- [30] In addition to proposed structural changes, there will be a focus on the fact that a canine handler is a 'police officer first' and that the measure of success for a police dog deployment should be an apprehension without a bite.
- [31] Given most initiatives remain in their infancy or are yet to be commenced, the Commission's review is limited.

CONCLUSION

- [32] The decision to conduct a wider review of the Canine Unit operations and not simply address the Commission's recommendations, demonstrates a commitment by WA Police to wholesale change.
- [33] The changes proposed to the Canine Unit culture, personnel/structure and operating practices are important and will require time to implement.
- [34] It is recognised that, at a minimum, the new reporting will assist WA Police in reviewing police dog deployments and how these align to legislation, policy, and practices.
- [35] The Commission acknowledges the commitment of WA Police to addressing the inherent risks associated with the use of police dogs. However, it is considered too early to assess whether the two recommendations have been addressed.
- [36] The Commission will conduct a further review of action taken by WA Police in 12 months time.