



Review of WA Police action into recommendation to improve investigation processes

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OVERVIEW

- [1] In May 2023, the Commission tabled a report in Parliament titled '*Report on oversight of a police investigation into an arrest for disorderly conduct*'. The report detailed the Commission's monitoring and review of an internal investigation undertaken by WA Police.¹
- [2] The review highlighted deficiencies in WA Police internal investigation processes. Specifically, the Professional Standards Division (PSD) quality assurance (QA) process neglected to ensure transparent and accountable investigation management. This led to timeliness issues. The incident in question was subject to several WA Police investigations, which took over two years to complete.
- [3] In response to the Commission's review, WA Police acknowledged its investigation management was deficient. A commitment was made to review its Integrity Framework Manual and to regularly engage with the Commission to refine and enhance its investigation and review processes.
- [4] To maintain visibility of these initiatives and changes, the Commission made a formal recommendation to WA Police:²
1. Review and amend policies and procedures to clearly articulate acceptable timeframes for investigation and review, including internal reviews of such investigations.
- [5] The Commission made a commitment to review the action taken by WA Police in addressing this recommendation in 12 months' time.
- [6] This report details WA Police's response and actions to date.
- [7] While some actions have been taken by WA Police towards meeting the recommendation, others remain outstanding. It is too early for the Commission to assess whether the recommendation will be addressed.
- [8] The Commission will seek a detailed update from WA Police in six months' time and conduct a further review of the action taken by WA Police in 12 months' time.

¹ *Corruption, Crime and Misconduct Act 2003* (CCM Act) ss 40 and 41.

² CCM Act s 43.

REVIEW OF THE RECOMMENDATION

WA Police Response

[9] In February 2024, the Commission wrote to WA Police requesting an update on the actions taken to address the recommendation.

[10] WA Police outlined the following key focus areas and actions:

Escalation model

[11] WA Police acknowledged that the investigation timeframes detailed in the initial report were unreasonably exceeded.

[12] In the initial matter, issues regarding timing and investigation standards were poorly managed by PSD via its QA process, resulting in more than five reviews of the matter being undertaken with differing opinions from the District Office and PSD.

[13] The QA process is an internal review undertaken by PSD. It aims to ensure that files completed by a District Office or Division are consistent, in line with the integrity framework, address all issues, and contain fair findings and outcomes.

[14] To prevent this from happening again, in July 2023 PSD implemented an escalation model. Any investigation that does not meet two QA reviews is escalated to the PSD Commander to resolve, in consultation with the Commander of the relevant District Office or Division undertaking the investigation.

[15] WA Police stated '*the escalation model is a vital component of the ongoing efforts to enhance the quality and integrity of investigative procedures within the WA Police Force, reflecting a proactive approach to addressing and resolving issues with transparency and fairness*'.

[16] WA Police advised the escalation model had been used four times since implementation. The length of the investigations varied from eight months to two years.

Rapid Resolution Investigation pilot

[17] In 2023, the Rapid Resolution Investigation (RRI) pilot was established within PSD. The RRI was established to expedite investigations, leading to faster outcomes for complainants and subject officers.

- [18] As part of the ongoing trial, all suitable allegations³ of police misconduct within the eight Metropolitan Districts and all use of force allegations within Regional WA are investigated through RRI.
- [19] WA Police stated '*RRI investigations average 23 days, compared to the agency's overall average of 76 days...whilst achieving consistency, quality, and proportionality to the appropriate standard*'.

Integrity Framework Manual

- [20] The Integrity Framework Manual defines WA Police procedures for investigating allegations of police misconduct. A commitment to review the Manual was made by WA Police in response to the Commission's initial report in 2023.
- [21] Due to limited resourcing and competing priorities, WA Police advised a formal review of the Manual has not yet been undertaken, stating it '*remains a priority for WA Police Force, with efforts being made to establish a (small) dedicated team to progress this (and other) important enhancements*'.

Commission review

- [22] The Commission acknowledges the work undertaken so far by WA Police in making improvements to its processes to streamline investigations. The establishment of both the escalation model and the RRI pilot aim to assist WA Police in expediting investigation outcomes.
- [23] During the review, WA Police provided anecdotal evidence supporting these changes, advising the RRI has undergone a 'continuous review process' which has included positive feedback from involved officers.
- [24] The Commission acknowledges WA Police's intention to expand the RRI pilot. While the anecdotal feedback provided was positive, WA Police should consider comprehensive evaluation to verify the benefit and inform any expansion.
- [25] Limited resourcing has prevented WA Police from undertaking a review of its Integrity Framework Manual. This is a vital element of the recommendation made to WA Police.
- [26] Feedback in the Commission's 2023 report was that the QA process neglected to ensure transparent and accountable investigation

³ All allegations of police misconduct are triaged by PSD based on risk. High risk matters are allocated to the Internal Affairs Unit, and lower risk matters to Districts. Those deemed suitable for District investigation can be considered for the RRI.

management. It is acknowledged WA Police has introduced an escalation model into the QA process. No other changes were made to this process.

- [27] During this review, WA Police provided the Commission its QA standard operating procedures.⁴ PSD use the QA process to ensure consistent, ethical and fair investigations are undertaken.
- [28] While the QA procedures provided to the Commission appeared comprehensive, its robustness has been questioned in a recent Commission review.⁵ In the review, the Commission identified that WA Police's QA processes failed to pick up considerable issues with the investigation.
- [29] The Commission considers the QA process to be an integral part of the recommendation made to WA Police. While timeliness is important, the quality of the investigation and outcomes reached are equally important. WA Police should consider whether its QA guidance is contemporary and effective at addressing issues within investigations.

⁴ Police Complaints Administration Centre: Investigation quality assurance guide and duties for Review Officers: Standard operating procedures, Version 1 2017.

⁵ Review of WA Police investigation into the arrest of an Aboriginal teenager, 28 June 2024.

CONCLUSION

- [30] The Commission has considered the information provided by WA Police in response to the recommendation.
- [31] WA Police are yet to review the Integrity Framework Manual and QA process, and the RRI pilot and escalation process initiatives are in their infancy.
- [32] Despite the actions taken to date by WA Police, the Commission's recommendation will remain open.
- [33] The Commission will seek a detailed update from WA Police in six months' time and conduct a further review of action taken by WA Police in 12 months' time.