

MEDIA RELEASE

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CCC review raises concerns on misuse of WA Police powers

The Corruption and Crime Commission has conducted a review of the WA Police investigation into an incident involving the use of powers by officers, raising concerns with the actions of both the attending officers and the subsequent WA Police investigation, and issuing a recommendation for dedicated police officer training.

In its *'Review of a WA Police Investigation into Allegations of Serious Misconduct by Officers During an Incident in the Perth Convention and Exhibition Centre Carpark'* tabled in Parliament today, the Commission outlined the alleged misconduct of the officers and inadequacies of the investigation by WA Police.

The incident relates to Mr Iva Hayward-Jackson, who was stopped in the carpark by police officers after leaving a protest outside the Perth Convention and Exhibition Centre in July 2024. Despite Mr Hayward-Jackson inviting the senior officer to inspect his parking ticket and explaining he simply wanted to pay for his parking and go home, the officers requested identification, searched without consent and issued a move on order to Mr Hayward-Jackson. The officers were operating under a belief that section 69 of the *Criminal Investigation Act 2006* (CIA Act) empowered them to do so. While the Act does authorise police officers to exercise certain powers during declared high security risk events, section 69 does not include these powers.

The Commission's review found the investigation by WA Police into the misconduct allegations was inadequate and that the reasons provided by WA Police did not sufficiently support that the powers were lawfully exercised.

The review raised other concerns including a misunderstanding of the interpretation and application of section 69 of the CIA Act by the attending officers as well as WA Police investigating the conduct; that WA Police internal quality assurance processes did not identify any concerns with the police investigation; and that the incident could have been avoided without the need for coercive power had Mr Hayward-Jackson been allowed to pay the parking fee and exit the carpark in his car at the outset.

The Commission also recommended that WA Police officers are trained on the powers that can be exercised under section 69 and briefed on those powers when it is proposed to declare an area under section 69 as part of an operation such as providing security around an event.

In responding to the review, WA Police accepted that there had been a misunderstanding regarding the interpretation and application of section 69 of the CIA and acknowledged that the review process undertaken by WA Police did not comprehensively address the issues raised by the Commission when the allegations were referred for investigation and action. WA Police have also initiated additional explicit training and guidance for officers using section 69 powers to ensure appropriate conduct, in line with the Commission's recommendation.

Commissioner Michael Corboy SC welcomed WA Police's response to the recommendation and the Commission's report, stating the proper and impartial exercise of powers are essential to maintaining public confidence in the police.

"WA Police necessarily have exceptional powers to maintain public order. The community trusts police to exercise those powers according to law and in a way that is reasonable, just and not oppressive – whether day to day interaction with members of the public or investigating serious crime," Commissioner Michael Corboy said.

The review is available to read [here](#).

NOTE: An opinion that serious misconduct has occurred does not mean, and should not be understood to mean, that any person referred to in the Commission's report has committed a criminal or disciplinary offence.

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