



## MEDIA RELEASE

20 April 2020

### **Commission questions outcome of WA Police Force investigation into use of force against a minor**

The Corruption and Crime Commission has tabled its *Review of a WA Police Force investigation into use of force in respect of a child* in State Parliament today.

The report details the Commission's oversight and review of a WA Police Force investigation into two serious matters – whether a 13-year-old child in custody was assaulted by a police officer, and whether that officer and others involved in the incident, attempted to pervert the course of justice.

The child was arrested for damaging a Department of Child Protection and Family Support office and for assaulting a police officer.

However, when the charges were heard in court, the Magistrate not only dismissed the assault charges, but also raised serious concerns that a police officer had used excessive force against the child and questioned the veracity of the evidence the WA Police Force presented in support of the charges.

The WA Police Force launched an investigation covering the incident in the Department of Child Protection and Family Support office through to the preparation and presentation of evidence at trial.

The Commission, which has a general misconduct function in respect to the WA Police Force, monitored their investigation into this matter.

The Commission's review considered a number of aspects of the incident, from the initial police officers' response to concerns about the child's behaviour, through to the WA Police Force investigation into the conduct of the officers involved. The Commission also considered concerns raised by the Magistrate.

The WA Police Force and the Commission respectfully disagree as to whether their investigation failed by applying contradictory reasoning in the criminal and disciplinary investigations.

The Commission is of the view that the reasoning applied by the WA Police Force investigator to justify not criminally charging the officer with assault, on the one hand, but sanctioning the officer for unnecessary use of force on the other, as 'inconsistent and flawed'.

The Commission's review concluded that the investigatory actions undertaken by the WA Police Force in investigating the conduct of the officers involved were appropriate, and noted the officers were sanctioned through an internal WA Police Force disciplinary process.

The Commission's review of this matter is complete.

*ENDS*

Note: As the police officers were not charged, the Commission has anonymised their names in this report.

### **Read the report**

[\*Review of a WA Police Force investigation into use of force in respect of a child\*](#)

### **Vision**

The anonymised incident vision at the Department of Child Protection and Family Support office [can be viewed here](#).

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