

Overview of serious misconduct

Quarter Four FY 2022/23

5
Indicator 2



94%

ent 3

Summary

The number of reports received from the public and notifications by Western Australia government sector entities remains consistent with previous reporting levels.

Government Sector Serious Misconduct (excluding WA Police)

During the quarter, the Commission assessed information (excluding WA Police) relating to 406 matters/incidents of alleged serious misconduct.

- During assessment of those 406 matters, 521 specific allegations were identified.
- Following assessment, a reasonable suspicion that serious misconduct MAY have occurred was formed for 219 allegations (42%).
- Of those 219 allegations, 72 allegations (33%) were referred back to WA government entities for action and outcome. Allegations referred mostly related to unauthorised use of computers systems, frauds such as timesheet fraud and creating or altering records to favour associates.

Police Misconduct

During the quarter, the Commission assessed information relating to 718 matters/incidents of alleged police misconduct. This number included a bulk notification by WA Police referencing 467 matters/incidents of alleged police misconduct mostly relating to policy breaches (reviewable police action).

- During assessment of those 718 matters, 1081 specific allegations were identified.
- Following assessment, a reasonable suspicion was formed for 586 allegations (54%). The breakdown is as follows:
 - 15 allegations assessed as Police Misconduct;
 - 536 allegations assessed as Reviewable Police Action; and
 - 35 allegations assessed as serious misconduct.
- Of those 586 allegations, 94 allegations (16%) were referred back to WA Police Force for action and outcome. Three-quarters of these allegations referred related to breach of procedure/policy, neglect of duty and unprofessional conduct.
- At the point of assessment, WA Police had already concluded taking action into 373 of the 586 allegations (64%). This figure includes historical outcomes of policy breaches contained in the bulk notification. The Commission recorded the outcome and took no further action.

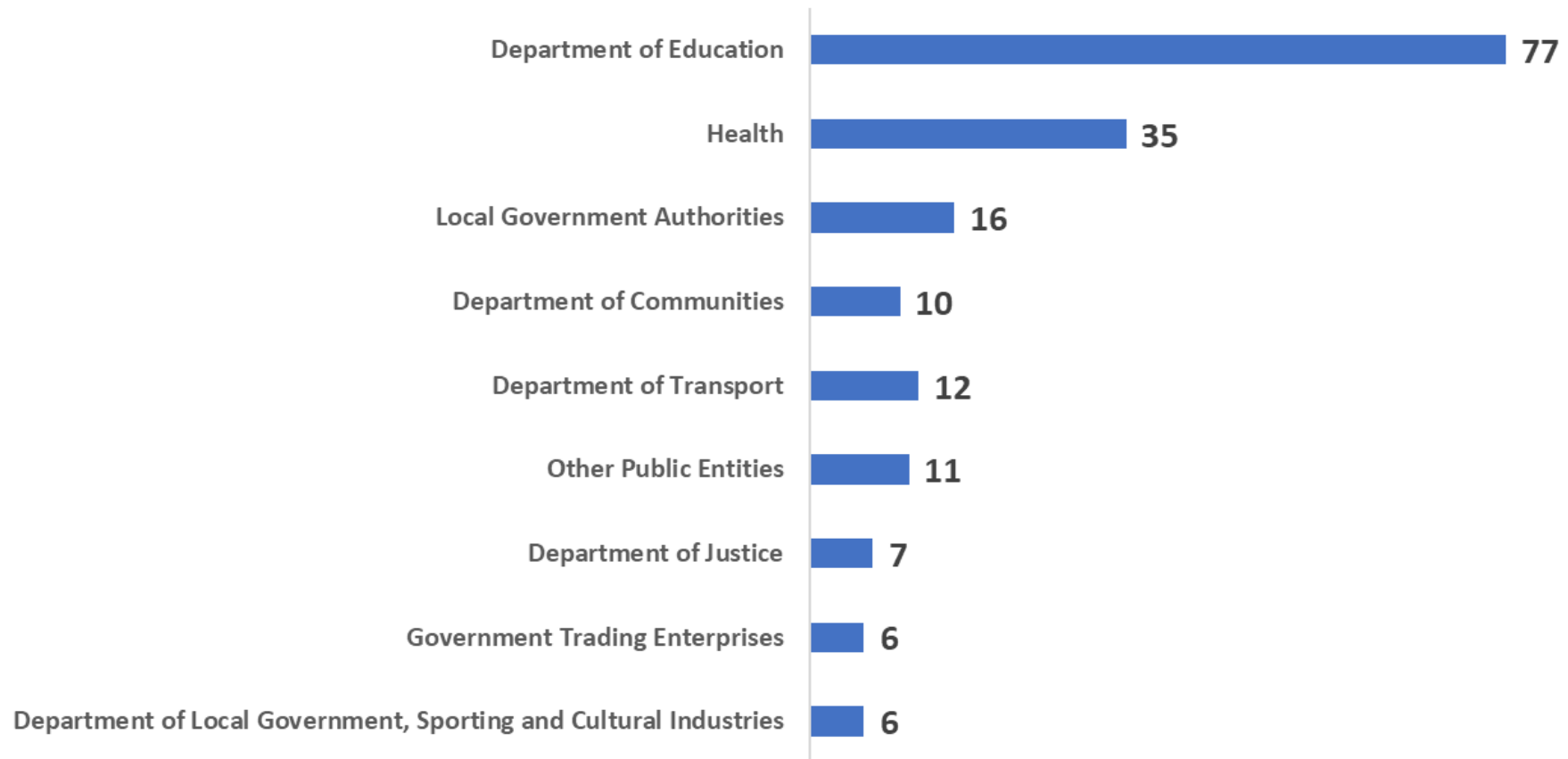
Outcomes Reported by Government Sector entities and WA Police Force

- WA Government sector entities reported 32 sustained allegations, resulting in 7 dismissals, 13 formal warning letters, 7 local management/improvement actions and 4 other sanctions. Dismissals related to public officers unlawfully disclosing official information, failing to disclose and manage conflicts of interest and fraudulently altering official records for benefit.
- WA Police reported 371 sustained allegations resulting in 2 suspensions, 4 formal warning letters, 357 local Management/improvement actions, and 8 allegations where discretion was exercised and no further action taken.

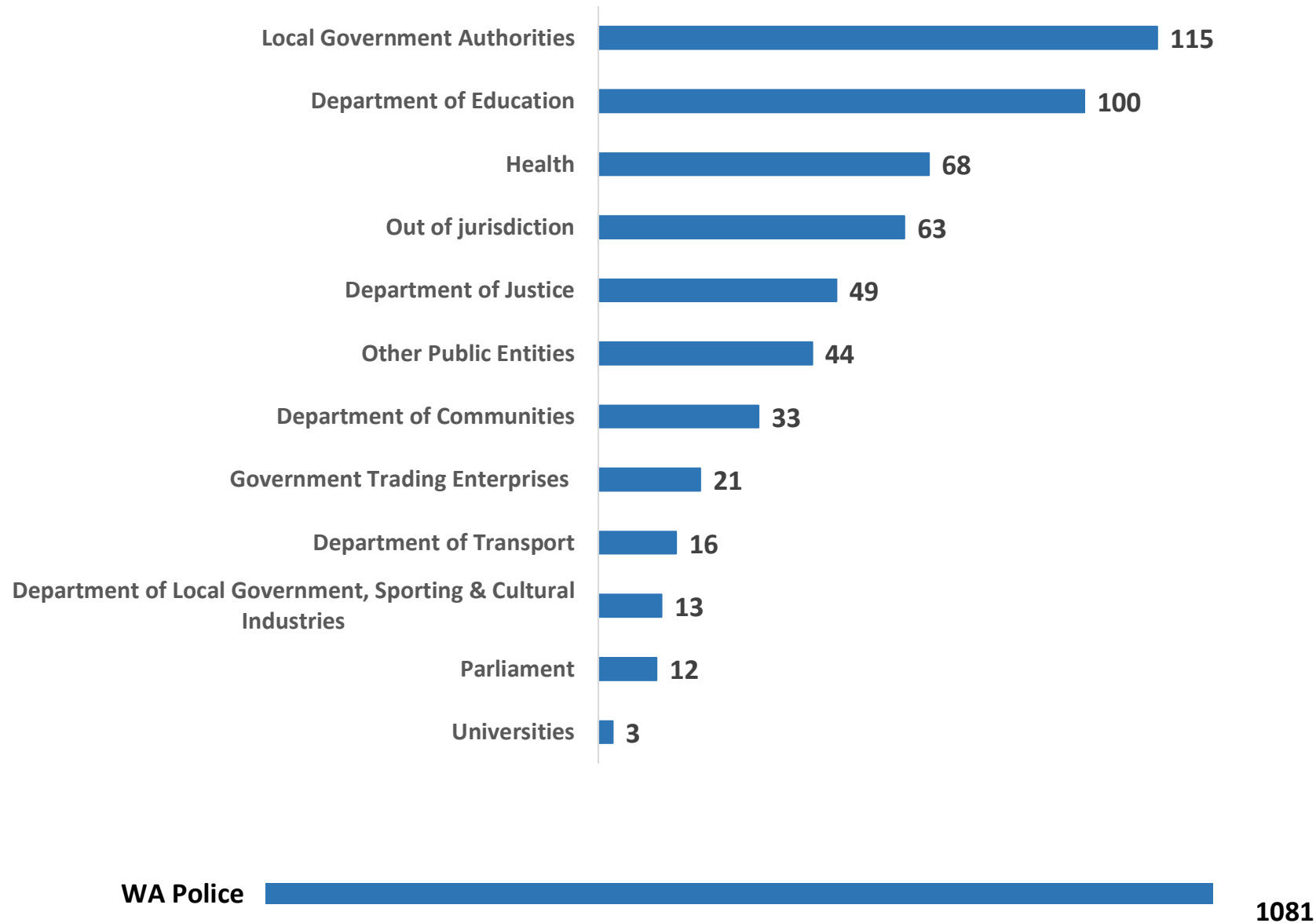
Reports and Notifications



Notifications Received from Government Sector Entities



Allegations Identified from Notifications



Allegations Assessed from Reports by Members of the Public

Government Sector (excl WA Police)			
Rank	Allegation Category	Count	%
1	Benefit / Detriment - 4(b)	81	35.7%
2	Out of Jurisdiction	74	32.6%
3	Corrupt Conduct - 4(a)	33	14.5%
4	Assault	7	3.1%
5	Fraud / Falsification	7	3.1%
6	Judicial Corruption	7	3.1%
7	Unlawful Disclosure	7	3.1%
8	Criminal Conduct	5	2.2%
9	Failure to Declare	2	0.9%
10	Computer - Unlawful Use (s. 440A)	1	0.4%
11	Neglect of Duty	1	0.4%
12	Other	1	0.4%
13	Unlawful Arrest / Search	1	0.4%
	Total	227	100.0%

WA Police			
Rank	Allegation Category	Count	%
1	Neglect of Duty	98	32.7%
2	Benefit / Detriment - 4(b)	52	17.3%
3	Unprofessional Conduct	51	17.0%
4	Corrupt Conduct - 4(a)	21	7.0%
5	Assault	20	6.7%
6	Criminal Conduct	16	5.3%
7	Unlawful Arrest / Search	12	4.0%
8	Breach of Procedure or Policy	8	2.7%
9	Unlawful Disclosure	7	2.3%
10	Other	6	2.0%
11	Computer - Unlawful Use (s. 440A)	5	1.7%
12	Fraud / Falsification	2	0.7%
13	Improper Association - Undeclared	2	0.7%
	Grand Total	300	100%

Allegations Assessed from Notifications by Government Sector Entities

Government Sector (excl WA Police)			
Rank	Allegation Category	Count	%
1	Assault	82	28.0%
2	Benefit / Detriment - 4(b)	50	17.1%
3	Out of Jurisdiction	36	12.3%
4	Computer - Unlawful Use	34	11.6%
5	Fraud / Falsification	20	6.8%
6	Criminal Conduct	18	6.1%
7	Failure to Lodge	16	5.4%
8	Unlawful disclosure	15	5.1%
9	Failure to Declare	8	2.7%
10	Corrupt Conduct - 4(a)	6	2.0%
11	Breach of Procedure or Policy	2	0.7%
12	Secondary employment - unauthorised	2	0.7%
13	Drugs (Illicit)	1	0.3%
14	Neglect of Duty	1	0.3%
15	Other	1	0.3%
16	Unprofessional conduct	1	0.3%
Grand Total		293	100%

WA Police			
Rank	Allegation Category	Count	%
1	Breach of Procedure or Policy	426	54.8%
2	Unprofessional Conduct	81	10.4%
3	Neglect of Duty	69	8.8%
4	Assault	54	6.9%
5	Out of Jurisdiction	25	3.2%
6	Other	21	2.7%
7	Benefit / Detriment - 4(b)	20	2.6%
8	Unlawful Disclosure	17	2.2%
9	Computer - Unlawful Use	16	2.0%
10	Unlawful Arrest / Search	14	1.8%
11	Criminal Conduct	12	1.5%
12	Improper Association	8	1.0%
13	Corrupt Conduct - 4(a)	7	0.9%
14	Fraud / Falsification	5	0.6%
15	Drugs (Illicit)	4	0.5%
16	Secondary Employment -unauthorised	1	0.1%
Grand Total		780	100%

Allegations Referred to Government Sector Entities: Finalised with Outcomes

Government Sector Entities (excl WA Police) Allegation Result		
Result	Count	%
Sustained	11	15.2%
Not sustained	5	6.9%
Administratively closed	4	5.6%
Pending return	52	72.3%
Grand Total	72	100%

Government Sector Entities (excl WA Police) Sustained Allegations: Disciplinary Action	
Disciplinary Action	Count
Dismissal	3
Formal warning letter	5
Local management/improvement action	3
Grand Total	11

Government Sector Entities (excl WA Police) Dismissal Misconduct	
Behaviour	Count
Falsified medical reports to gain a benefit	1
Disclosed official secrets (legal advice)	1
Used position to obtain information under false pretences	1

Allegations Referred to WA Police Force: Finalised with Outcomes

WA Police Allegation Result		
Result	Count	%
Sustained	3	2.3%
Not sustained	3	2.3%
Exonerated	1	0.8%
Administratively closed	2	1.5%
Pending return	122	93.1%
Grand Total	242	100%

WA Police Sustained Allegations: Disciplinary Action	
Disciplinary Action	Count
Formal warning letter	2
Local management/improvement action	1
Grand Total	3