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31 January 2013

The Hon Catherine Cusack MLC  
Chair  
Committee on the Office of the Ombudsman and Police Integrity Commission  
Parliament House  
Macquarie Street  
Sydney NSW 2000

Dear Chair

Please find enclosed the Police Integrity Commission's responses to Questions on Notice dated 10 December 2012.

[REDACTED]

Yours faithfully

[REDACTED]

The Hon Bruce James QC  
Commissioner

# Fourteenth General Meeting with the Police Integrity Commission

## Responses to Questions on notice

### Abbreviations used in questions

PIC – Police Integrity Commission

NSWPF – New South Wales Police Force

PSC – Professional Standards Command

NSWCC – New South Wales Crime Commission

### Key goals

1. The PIC's Key Goal 1 for the period 2007-2011 was 'Reduce incidence of serious police misconduct in the NSWPF' but is not in the Corporate Plan for 2012-2015. What is the reason for this change in key goals?

Key Goal 1 in the Corporate Plan is based on certain provisions of the *Police Integrity Commission Act 1996* ("the PIC Act") including section 3 and section 5. In the development of the Corporate Plan it was considered that Key Goal 1 should more closely reflect the objects of the Act and the functions of the PIC as stated in the Act. The PIC considers that the goal of reducing the incidence of serious police misconduct in the NSWPF is implicit in Key Goal 1.

### Operation Winjana and Crime Commission oversight

2. Pages 104-105 of the Operation Winjana report state that 'The PIC is unaware of any binding authority as to what the term "misconduct" means as defined in the relevant legislation.' Page 107 of the Operation Winjana report further states 'The expression "misconduct of a Crime Commission officer" is not exhaustively defined by the PIC Act.'
  - a. Can you comment further on these statements?

The PIC notes that this question refers to oversight of the New South Wales Crime Commission ("the NSWCC").

The PIC would regard as binding on it any decision of the Supreme Court of New South Wales, the New South Wales Court of Appeal or the High Court about the meaning of the expression "misconduct of a Crime Commission officer" in s5B of the PIC Act. However, none of those Courts has given a decision about the meaning of the expression. Nor is there

any authority the PIC would regard as binding on it about the meaning of the similar expression “police misconduct” in s5 of the PIC Act.

Section 5B of the PIC Act is in the following terms:

*5B Misconduct of Crime Commission officers*

*(1) Definition*

*For the purposes of this Act, misconduct of a Crime Commission officer means any misconduct (by way of action or inaction or alleged action or inaction) of a Crime Commission officer:*

- (a) Whether or not it also involves participants who are not Crime Commission officers, and*
- (b) Whether or not it occurs while the Crime Commission officer is officially on duty, and*
- (c) Whether or not it occurred before the commencement of this subsection, and*
- (d) Whether or not it occurred outside the State or outside Australia.*

*(2) Examples*

*Misconduct of a Crime Commission officer can involve (but is not limited to) any of the following:*

- (a) The commission of a criminal offence by a Crime Commission officer,*
- (b) Any misconduct, irregularity, neglect of duty, breach of discipline or other matter that constitutes or may constitute grounds for disciplinary action under any law,*
- (c) Corrupt conduct within the meaning of the Independent Commission Against Corruption Act 1988 involving a Crime Commission officer.*

Although s5B(1) is headed “Definition”, the subsection merely provides that misconduct by a Crime Commission officer will be misconduct of a Crime Commission officer within the meaning of that expression in the Act, whether or not any of the factors in paragraphs (a) to (d) of s5B(1) applies. Section 5B(1) does not contain any actual definition of the expression “misconduct of a Crime Commission officer”. Section 5B(2) of the Act merely lists some examples of what could amount to misconduct of a Crime Commission officer but, as the expression itself makes clear, the list is not exhaustive.

**b. Do you consider that there are grounds for a more specific definition of 'misconduct' to be included in the *Police Integrity Commission Act 1996*?**

It is not considered that a more specific definition of "misconduct of a Crime Commission officer" or "police misconduct", as those expressions appear in the PIC Act, would be of great utility. The PIC has examined the definitions used in the legislation governing oversight agencies in other states (Office of Police Integrity in Victoria, Crime and Misconduct Commission in Queensland, Crime and Corruption Commission in Western Australia and the Integrity Commission in Tasmania) and while all employ the term "misconduct", no two definitions are the same. It would be difficult to draft a more specific definition which would include all of the many forms of misconduct which might occur.

Although, as stated above, there is no court decision which the PIC would regard as binding on it regarding the meaning of the expression "misconduct of a Crime Commission officer" or "police misconduct", there is a decision of the Court of Appeal of Western Australia, *Cox v Corruption and Crime Commission* [2008] WASCA 199 (6 October 2008), which the PIC considers could afford some guidance on the application of those expressions in the PIC Act.

**3. During the Committee's public hearing in May 2012 the Commissioner noted that PIC's functions as they relate to the Crime Commission had been almost completely absorbed by Operation Winjana. Following the completion of this operation, is there a new focus for the PIC's oversight of the Crime Commission?**

Since the completion of Operation Winjana and the enactment of the recent amendments to the *Criminal Assets Recovery Act 1990* and the *Crime Commission Act 2012*, the focus on the practices used by the NSWCC in proceedings under the *Criminal Assets Recovery Act 1990* has ceased.

A number of PIC investigations into diverse allegations of misconduct by NSWCC officers are open at the time of writing.

**4. Would the PIC consider listing its recommendations (both those regarding affected persons and matters arising) in a separate section at the beginning of its reports to Parliament?**

PIC reports of investigations generally include an Executive Summary, which appears at the beginning of the report. The Executive Summary includes a summary of recommendations made by the PIC. However, the PIC prefers to make a full statement of its recommendations towards the end of a report after the PIC has surveyed the evidence and submissions in the investigation and has stated the assessments it has made and the opinions it has formed, on the basis of which the

PIC is making the recommendations. A PIC report generally contains a table of contents which indicates where in the report any recommendations made by PIC are to be found.

### **Working with other oversight bodies**

5. **During the Committee's public hearing in May 2012 the Commissioner made the following comment:**

**I appreciate that there are problems in the multiplication of the entities. I understand that there is to be an Inspector of the Crime Commission. We will have the Police Integrity Commission and the Inspector of the Police Integrity Commission, the Crime Commission and the Inspector of the Crime Commission and the Ombudsman. That multiplication of agencies and individuals can lead to problems. It requires, at the least, goodwill on the part of the holders of those Offices and that goodwill is not always forthcoming. (Transcript of proceedings, 21 May 2012, page 15)**

- a. **Over the past year, since the Commissioner's appointment, has the PIC encountered any problems in relation to the multiplicity of oversight agencies?**

The PIC has not experienced any difficulties in relation to other oversight agencies in the past year. In making the comments he made at the public hearing the Commissioner particularly had in mind relations between the PIC, the NSWCC and the Inspector of the NSWCC. Both the PIC and the Inspector of the NSWCC have an oversight function in relation to the NSWCC. The present Commissioner of the NSWCC began his term of office only in November 2012 and as yet no Inspector of the NSWCC has been appointed.

- b. **Does the Commissioner have any comments to make in relation to the structure and role of the variety of law enforcement oversight agencies that exist in New South Wales?**

The review by the Minister of the PIC Act in November 2011 and the Patten Review of the NSWCC in November 2011 were both comprehensive reports made after submissions had been received from numerous parties. As the structure and role of oversight agencies has so recently been investigated and reported on, the PIC does not at this stage have any further comment.

## Sharing information with interstate agencies

- 6. Does the PIC seek information from and/or share information with similar police integrity agencies in other states in situations where an officer under investigation has previously (or subsequently) worked in another state?**

Yes. In such a case the PIC would seek information from and be prepared to share information with a number of Commonwealth and State integrity agencies. This usually occurs when a person being investigated has worked, allegedly committed offences or resides in another state and the information is required for a PIC investigation. The sharing of information is managed in accordance with the PIC Act and other relevant legislation.

## Critical incidents

- 7. During the Committee's public hearing in May 2012, the Commissioner stated that the PIC was considering a broad systemic inquiry into critical incidents. What progress has been made on this inquiry?**

Project Harlequin commenced in mid-2012. It is a research project that encompasses an examination of data and literature on critical incident investigations. It is the objective of this project to determine what misconduct risks may exist before and after a critical incident has occurred and to establish how well these risks are being managed by the NSWPF. In detail, the project's aims are as follows:

- to establish how well the NSWPF is managing the misconduct risks associated with critical incidents
- to identify what points in the investigation process are open to abuse; by whom; and whether particular stages in the investigation pose particular risks for misconduct to arise
- to establish whether the risks identified are specific to critical incident investigations or whether they apply to all internal police investigations
- to identify examples of good practice in undertaking critical incident investigations and provide advice as to how current NSWPF processes might be improved.

As previously advised, the researcher assigned to this project resigned late last year from the PIC. As a consequence, progress on the project has been delayed. The PIC is currently seeking to identify options for resourcing the project. A resolution is expected shortly and the PIC will be in a position to report further at the Committee Hearing on 22 February 2013.

In the meantime, the PIC can advise that the project has been clearly defined and planning of the work to be undertaken has been completed. A number of key research tasks have commenced. For example, a considerable amount of relevant literature has been collected and reviewed and key Australian academics in the field of policing have been consulted. In addition, the PIC has secured on-line access to a sample of over 80 critical incident investigations and related COPS event reports, a review of which has already commenced.

### Assessment of complaints

8. Page 17 of the 2012 Annual Report notes that 584 complaints assessed by the Commission were extracted from [c@ts.i](mailto:c@ts.i) or were otherwise referred by the NSWPF or the Ombudsman. Can this figure be broken down any further – how many complaints were referred directly from NSWPF, how many were referred from the Ombudsman and how many were extracted from [c@ts.i](mailto:c@ts.i)?

[C@ts.i](mailto:c@ts.i) is the principal means by which the NSWPF refers complaints to the Ombudsman and the PIC. NSWPF places complaints onto [c@ts.i](mailto:c@ts.i) where they can be accessed by the PIC. Complaints referred to the PIC by NSWPF other than through [c@ts.i](mailto:c@ts.i) are very small in number. There are usually particular reasons why such complaints are not placed on [c@ts.i](mailto:c@ts.i), at least initially. For example, a complaint might be about a senior officer in the Professional Standards Command, the command responsible for [c@ts.i](mailto:c@ts.i), or it could be a particularly sensitive internal complaint about the Commissioner or a Deputy Commissioner. Such complaints are delivered directly to the PIC. On rare occasions, the Ombudsman may also refer a complaint directly to the PIC – this might occur when the PIC has indicated an interest in a particular matter or the Ombudsman has formed a view that a complaint ought be subject to assessment by the PIC. The distinction between direct referral by NSWPF, referral through [c@ts.i](mailto:c@ts.i) and referral by the Ombudsman is not a critical one for the PIC's purposes. All such complaints are regarded for record keeping purposes as referred complaints. Individual statistics for each are therefore not normally collated and reported. However, an interrogation of our systems indicates the following breakdown by source for 2011-12.

NSWPF – <a href="mailto:c@ts.i">C@ts.i</a>	NSWPF – Directly Referred	Ombudsman	Total of Referred Complaints
584	3	1	584

Care is taken to ensure there is no double counting of complaints when calculating the total number of complaints. As the complaints from NSWPF – Directly Referred (3) and the

complaint referred directly by the Ombudsman (1) were also referred to the PIC on [c@ts.i](mailto:c@ts.i), the total number of referred complaints for the period was only 584.

**9. During the scanning and preliminary assessment of complaints, is there any consideration given to repeated allegations of minor complaints against a single officer, that is, would a series of minor complaints be recognised during the scanning/assessment stage and be considered worthy of further investigation?**

All complaints are scanned. However, consistent with its functions, the PIC principally turns its attention to serious officer misconduct. Minor complaints, whether repeated or otherwise, are therefore not usually assessed further by the PIC unless they relate to:

- an officer who has come under notice in respect of more serious allegations and who may be, or may become, the subject of a PIC investigation into those more serious allegations
- a research project concerned with misconduct risks associated with particular relevant areas of policing – for example, complaints of favouritism in rostering, in a project assessing misconduct risks in user-pays policing
- possible more serious misconduct – for example, the circumstances surrounding allegations of a failure to declare a conflict of interest, which would normally be a breach of the Code of Conduct and a minor disciplinary matter, might suggest an improper relationship and more serious misconduct, such as the improper release of confidential information, bribery or ‘greenlighting’ criminal offences.

**10. The 2012 Annual Report notes that of the 965 complaints about sworn NSWPF officers 381 (or 39%) were made directly to the PIC; while for complaints about Crime Commission officers 22 of the 25 complaints (or 88%) were made directly to the PIC.**

**a. Can you comment on the difference in the proportion of complaints received about the NSWPF compared with complaints about the Crime Commission?**

Absent detailed research it is difficult to provide informed comment on the difference in these proportions. It is possible that the well-developed police complaints management framework may be a factor. That framework is derived from a well-established legislative scheme and underpinned by police policies, structures and systems that have been in place for many years.



**b. Do you consider that the PIC would receive more complaints directly from the public if it had a higher public profile?**

Possibly. However, a higher profile would not necessarily lead to complaints of a kind that ought be investigated by the PIC. Complaints from the public to the PIC, while serious to the individual concerned, are rarely of a kind that meets the PIC's criteria for investigation. Such matters predominantly relate to unsatisfactory interactions with police, for example rudeness, minor assaults, inaction, or unfairness in an application for an Apprehended Violence Order. The kinds of matters that might meet the PIC's criteria for investigation are rarely the subject of a complaint from the public. Such matters are usually referred by NSWPF officers, arise from intelligence developed by NSWPF or other agencies or are internally generated by the PIC. By way of example, of the 114 preliminary and full investigations commenced by the PIC in 2011-12, only 13 (11%) originated from a complaint made by a member of the public to the PIC. None of the 13 investigations became a full investigation.

In addition, increasing public awareness of the PIC or actively encouraging the public to make complaints to the PIC, as distinct from the NSWPF or the Ombudsman, is likely to lead to double handling. The PIC investigates only around 7%<sup>1</sup> of complaints that it assesses and less than 3% of all complaints that are made. The remainder are dealt with by NSWPF, generally with oversight by the Ombudsman. Only a small number of complaints in the total pool is therefore investigated by the PIC each year. This is unlikely to change and to divert the making of complaints away from NSWPF and the Ombudsman to the PIC, only to have those complaints subsequently referred to those agencies, would add an unnecessary administrative burden and would cause delays in having complaints dealt with.

It is worth noting that, irrespective of which agency complaints of officer misconduct are made to, all complaints are accessible to the PIC (through [c@ts.i](mailto:c@ts.i), or by means of direct referral by the NSWPF or referral by the Ombudsman) and the PIC has the power to take over any complaint at any time.

**c. Do you consider that receiving a greater proportion of complaints directly to the PIC would be a help or a hindrance in detecting serious misconduct?**

The PIC is selective about those complaints it assesses from [c@ts.i](mailto:c@ts.i), using processes which prioritise more serious matters for attention. They must meet the PIC's criteria or be associated with an existing investigation or a research project. However, as it must, the PIC assesses all complaints that are made directly to it by a member of the public. It would be

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<sup>1</sup> Includes preliminary and full investigations.

difficult to assess substantially more complaints each year and apply the same degree of rigour to the process. In any case, given the comments above, the value in diverting a greater proportion of complaints to the PIC is questionable.

### **Statistical trends in misconduct**

**11. In regards to the records that the PIC keeps on complaints and allegations of misconduct:**

**a. How long has the PIC kept statistics on allegations of misconduct?**

The PIC has gathered various statistics on the complaints that it assesses since the 1997-98 financial year, although, at the current more detailed level, only since 2007-08.

**b. Has the PIC conducted any statistical analysis of the trends in allegations over time?**

No. The PIC selects a proportion of complaints from the total complaint pool for further examination. Therefore, an analysis of Commission's statistics can only provide an indication of trends in complaints the PIC has selected for assessment not trends in complaint allegations more generally. The Ombudsman or NSWPF may be better placed to advise on trends in allegations in complaints generally.

**c. Has the PIC conducted statistical analysis of trends in proven cases of misconduct over time?**

No. Research of this kind has not been undertaken by the PIC.

### **Investigations**

**12. Has the PIC considered including data in its annual report on the average time taken to complete investigations?**

**13. Has the PIC considered including data in its annual report outlining the number of investigations underway that have been open for a long period (e.g. 50% greater than, or double, the average time taken to complete an investigation)**

Investigations by the PIC are often complex and may continue even after a person being investigated has been a witness at a public or private hearing or been charged with a

criminal offence. The average time taken to complete an investigation depends on many factors including: interstate legal matters, unavailability of witnesses, pending police management action, compilation & publication of public reports, commonwealth and state Director of Public Prosecutions (DPP) requisitions for further evidence collection and parallel investigations in other jurisdictions. Some of these factors are outside the control of the PIC. In these circumstances the time taken to complete an investigation and whether the time taken to complete an investigation is greater or less than the average time taken to complete an investigation are not viewed by the PIC as useful performance measures. Internal governance procedures ensure that all Commission investigations are monitored and measured for internal reporting.

### **Audit of NSWPF investigations**

**14. One of the functions of the PIC is to 'monitor the quality of the management of investigations conducted within the NSW Police Force and to undertake audits of those investigations'. The 2012 Annual Report notes that the PIC oversighted 39 NSWPF investigations and reviewed 54 NSWPF investigations.**

**a. How does the PIC select the NSWPF investigations that it overlooks or reviews?**

Selection of NSWPF investigations for oversight follow a similar process to that used by the PIC to select complaints for investigations:

- some level of research is generally conducted to assist in making a decision whether or not to investigate or oversight a matter
- the results of the research are initially considered by the 'Complaints Assessment Team', which filters complaints through an established set of broad criteria. A proportion are subsequently referred to the Tasking & Coordination Group
- each complaint is formally 'scored' by the Tasking & Coordination Group against detailed criteria. Generally, those that score high in the process become the subject of a preliminary investigation or are recommended to the Commissioner as a potential subject for a full investigation. Those scoring less may be the subject of oversight. Those with low scores are not generally subject to further action by the PIC, apart from referral to the NSWPF, if appropriate.

The process is not entirely prescriptive. Some NSWPF complaint investigations may be overlooked, even though they achieve only a low score, for example:

- those that are subject to the Ombudsman/PIC agreement for reducing duplication of effort – typically those in which there is an advantage in the PIC overseeing, for example some minor complaints relating to matters recently under investigation by the PIC
- complaints particularly relevant to prevention research being undertaken by the PIC.

Finally, any investigation can be oversighted or even investigated, at the Commissioner's discretion. This can occur when there is a strong public interest argument supporting the PIC becoming involved.

**b. Is this a random audit or targeted audit or does it choose investigations in consultation with the NSWPF?**

Audits or oversights are targeted to the extent that investigations are selected using consistently applied criteria. Investigations are not selected randomly for oversight. The PIC does not consult with the NSWPF in determining which investigations it should oversee. The PIC may consult NSWPF throughout, or at the conclusion of, an investigation of an oversighted investigation. This consultation can be quite detailed.

The PIC does, however, consult with the Ombudsman prior to selecting investigations for oversight. This is done in order to minimise duplication of effort and to ensure that the agency undertaking the oversight is best placed to do so.

**15. How regularly does the PIC audit NSWPF investigations that are outside of the Sydney, Newcastle or Wollongong metropolitan areas?**

The PIC does not collect location details for investigations which are oversighted, so this figure cannot be provided without further research. Notably, however, location is not a factor in the criteria used to select investigations for oversight. Oversights are usually conducted by way of a 'desktop' assessment and there are no particular overheads associated with the location of a complaint investigation. Therefore, investigation of a serious complaint of misconduct occurring in rural NSW is as likely to be oversighted by the PIC as an investigation of a complaint of similar misconduct in Sydney, Newcastle or Wollongong.

## Early intervention system

**16. Page 28 of the 2012 Annual Report notes that the NSWPF advised that it had not been possible to source funding for an in-house IT solution to provide an early intervention system (EIS), but that they remain committed to the concept of an EIS.**

**Are you aware of any further progress on the implementation of an EIS since the report was completed?**

Staff from the PIC's misconduct prevention unit regularly meet with representatives of PSC to discuss a range of NSWPF projects, systems and other activities aimed at preventing misconduct. Within this forum regular advice is sought from PSC regarding the development of an Early Intervention System.

Following the completion of the 2011-12 Annual Report, the PIC has been informed by PSC that it is continuing to examine different IT systems that might be used in the development of an EIS. As yet, however, no system has been identified that is suitable.

## NSWPF management of confidential information

**17. In relation to the management of confidential information by the NSWPF, page 41 of the 2012 Annual Report noted the PIC's concern 'that the NSWPF still has not addressed the strategies proposed by the Commission in its October 2008 paper on managing confidential information, notwithstanding the NSWPF agreed to do so.' The Annual Report further comments that advice provided by the NSWPF in August 2012 makes no reference to a timetable for implementation of the recommended strategies. Given that the second most common allegation made against sworn NSWPF officers for the period 2011-12 was 'Unauthorised/improper disclosure of information' [p.59 of Annual Report] what steps does the PIC intend to take to ensure that strategies for the proper management of confidential information are implemented by the NSWPF?**

As noted in its 2011-12 Annual Report, the Commission considers the lack of progress by the NSWPF in implementing the strategies to which it has agreed a matter of concern. In terms of the steps the PIC will take, the PIC will:

- seek the advice of the NSWPF as to the steps it proposes to take to implement the strategies
- when the time comes, assist the NSWPF in the implementation of strategies through providing advice and feedback on proposed implementation actions

- formally review progress as at the end of the 2012-13 reporting year
- report its views on progress to the Parliament through its 2012-13 Annual Report.

In its last two Annual Reports the PIC expressed its concern over the lack of progress by the NSWPF in implementing these strategies. On page 42 of its 2010-11 Annual Report, the Commission reported the following:

*The risk of not providing clear and easily accessible guidance regarding the management and communication of confidential information is that officers will fail to understand what is required of them, thereby increasing the possibility of making an unauthorised disclosure of confidential information. For officers who deliberately leak confidential information, the absence of clear guidance on the management of confidential information provides a ready-made and plausible excuse for their misconduct.*

*In view of the fact that the Commission's paper was published in October 2008, the time taken to address the recommendations – some of which simply seek to ensure that up-to-date and relevant guidance is available to officers – suggest that it is not effectively managing the risk of unauthorised disclosure of confidential information.*

These same concerns were subsequently presented in the Commission's 2011-12 Annual Report.

It is important to note that the NSWPF is an independent organisation and is under no obligation to implement the strategies it develops with the PIC.

#### **Project Querrella - Managing the misconduct risks arising from complaint investigations**

**18. Page 40 of the 2012 Annual Report noted that further auditing will be required to determine the extent to which further guidance for commands and new review and checking processes relating to the Complaint Allocation and Risk Assessment (CARA) system have been effective. Can you advise when the next audit of NSWPF internal investigations will be undertaken?**

No decision has been taken as yet with regard to future CARA audits. Updated information in this regard will be provided in the PIC's 2012-13 Annual Report.

## Public hearings

**19. Page 5 of the 2012 Annual Report notes that the public hearings in Operation Calyx were the first public hearings by the PIC since 2009 and suggests that it is important for the PIC to hold public hearings from time to time.**

**a. Can you comment further on this statement?**

The PIC has the power to hold hearings in public or in private and it is important, in order to demonstrate the work of the PIC and to maintain the confidence of the public in the PIC, to hold hearings in public from time to time. Of course a number of other factors need to be taken into account before determining that it is appropriate to hold a hearing in public, including the factors in s33(3A) of the PIC Act. Such hearings should not be held in order to satisfy a pre-determined quota. In the appropriate case, however, serious officer misconduct should be exposed and examined publicly.

**b. Are you aware of any evidence that holding public hearings acts as a deterrent to police misconduct or corruption?**

The PIC is not aware of any empirical studies which examine whether the holding of public hearings operates as a deterrent to officer misconduct or corruption. Research on deterrence generally suggests that the key to effective deterrence is that individuals are led to believe that, if they were to engage in misconduct, they would be likely to be caught and punished. The perceived risks of engaging in officer misconduct must exceed the rewards of the misconduct. Public hearings may have the effect of reminding officers of the risks of engaging in officer misconduct.

**c. Have you noted any observable change in police or public behaviour relating to the PIC since the public hearings were conducted (for example, has there been an increase the numbers of enquiries or complaints from members of the public)?**

Not particularly in case of Operation Calyx. However, some years ago the PIC collected and analysed statistics from its website, which have some relevance to this question. It was clear from the analysis of these statistics, an analysis which occurred over several years, that there was a significant increase in the number of visitors to the PIC's website during hearings and immediately after the release of a public report. Hearings seem to also result in attracting complaints of misconduct to the PIC of a kind similar to that examined during hearings. There is also an increase in contact from the media and from a range of other interested parties and concerned members of the public at these times.

## Public recognition

**20. On the NSWPF website there is a webpage with no link to it from the homepage entitled 'Complain about a police officer'. The webpage notes that a person could 'also complain about the conduct of NSW police officers through the NSW Ombudsman or the Police Integrity Commission' though it does not provide a weblink or contact details for either the Ombudsman or PIC.**

- a. Would you consider liaising with the NSWPF to encourage them to include a 'Complaints' heading on their homepage, and to include a weblink and contact details for the PIC in the content of their Complaints webpage?**

No, for the reasons noted above in the response to Question 10: the unlikelihood of complaints by the public to the PIC becoming the subject of a full investigation by the PIC; and the inefficiency associated with diverting complainants away from the agency responsible for handling over 97% of all police complaints, only to have them referred back following assessment by the PIC.

In any case, as noted above, all complaints made to NSWPF are visible to the PIC.

- b. Would you similarly consider liaising with the NSW Crime Commission to include a link to the PIC on their website?**

There is a link on the NSW Crime Commission website, please see below:

<http://www.crimecommission.nsw.gov.au/index.cfm?objectid=C9AEF6CF-F3A7-18D8-747A59B1DF907EF2>