

# Preliminary Report Process Improvement Review Internal Investigations

*A review of Internal Investigations and associated processes within the Northern Territory Police Fire and Emergency Services to identify potential improvements.*

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GLOSSARY OF TERMS	
AFP	Australian Federal Police
CMT	Command Management Team
CRP	Complaint Resolution Process
DAB	Disciplinary Appeal Board
ICAC	Independent Commissioner Against Corruption
DCIS	Department of Corporate and Information Services
MCR	Minor Conduct Report
OA	<i>Ombudsman Act</i>
PAA	<i>Police Administration Act</i>
PAR	Police Administration Regulations
PSEMA	<i>Public Sector Employment Management Act</i>
TRM	Territory Records Management

## Objectives

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The objectives of this review are to identify areas where the accuracy, effectiveness and/or efficiency of the internal investigation process for both sworn and unsworn employees can be improved to create a more efficient workflow, improve timeframes and consistent outcomes under the guiding principles of Prevention, Integrity and Unity.

While previous reviews have taken place this the first occasion where internal investigations across the organisation have been considered holistically.

This is the preliminary report as detailed in the review scope seeks to give an overview of the current system and foreshadow potential improvements.

## Out of Scope

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The report will not consider the investigations involving the newly established Independent Commissioner Against Corruption (Independent Commissioner), other than to consider the potential for oversight by the Independent Commissioner. The framework for Investigations by the Independent Commissioner is not yet fully established. For this reason the ICAC will not be considered in depth.

Criminal Investigations are not considered in depth in this review, except where they intersect with the discipline and performance management spheres.

## Methodology

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The audit was conducted by undertaking interviews with key stake holders both within the organisation and outside. A list of all those interviewed as part of this review are listed at **Annexure A**. A broad ranging review of internal and external documentation, including legislative, procedural and policy documents was undertaken. A full list of all documentation reviewed appears at **Annexure B**.

## Limitation

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The Reviewer has taken all due diligence on the content of this report to ensure the accuracy of the facts presented. As the report is preliminary and some of the information provided has been drawn from consultative interviews, minor inaccuracies may be present, however these would not affect the overall recommendations made.

## Acknowledgement

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During the course of this audit the Reviewer received full and unrestricted access to all requested records from all areas of the Northern Territory Police, Fire and Emergency Service (NTPFES).

The Reviewer extends his sincere appreciation to both management and personnel of the NTPFES, all who were directly involved in the review for their full and frank cooperation.

## Risk

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The risk to the agency is assessed as **Medium** based on the potential reputational harm which the agency could incur through loss of confidence in the disciplinary system by both members of the NTPFES and/or oversight bodies.



The risk to the agency exists in the area of governance controls (which encourage consistent outcomes) and the current framework which does not encourage an overall managerial approach to discipline and underperformance.

## Introduction and Background

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Internal Investigations by the NTPFES forms part of the broader disciplinary and managerial system. This process improvement review seeks to identify areas where accuracy, effectiveness and efficiency for both sworn and unsworn employees can be improved.

There are three major areas which can be considered to be internal investigations within the context of this review:

- Investigations into police conduct (both on and off duty) under the auspices of the *Police Administration Act* and the *Ombudsman's Act*;
- Investigations into public servant conduct under the auspices of the *Public Sector Employment Management Act* (this includes members of the Northern Territory Fire and Rescue Service); or
- Investigations into complaints of breaches of the Respect, Equity and Diversity Framework.

While criminal investigations are undertaken of serving personnel in the NTPFES, these are rightly considered separate from any (managerial) internal investigation and are not conducted by the same investigators.

It should also be noted that an investigation into a breach of the Respect Equity and Diversity Framework has the potential to become an investigation into criminal conduct or a discipline investigation conducted under the *Police Administration Act* (PAA) or the *Public Sector Employment and Management Act* (PSEMA).

## Complaint Landscape

The NTPFES have three investigative areas or processes which manage internal investigations. Professional Standards Command manage police related matters, both internal and external to the agency

Human Resources Central manage complaints involving discipline, along with other grievance (employment) related matters and review of management decisions. HRC also investigate some complaints arising from the Respect, Equity and Diversity Policy and Instruction.

Some matters relating to Respect, Equity and Diversity are investigated by external providers.

The information below details the numbers of internal investigations undertaken in 2017 – 18 financial year and 2018 calendar year. It is drawn from the NTPFES Annual Report (Police) and the Assistant Direction HR (Public Sector)

### Complaints Against Police (External)

Complaints are classified as:

- **Category 1** - serious complaints relating to alleged serious misconduct or maladministration;
- **Category 2** - complaints relating to minor misconduct that is not suitable for conciliation or sufficiently serious to be subject to a Category 1 classification;
- **Complaints Resolution Process (CRP)** - minor indiscretions that can be dealt with through a conciliation process; and
- **Preliminary Inquiries** - Preliminary inquiries are conducted to assist with the categorisation process; inquiries include viewing of body worn and CCTV footage, rosters and PROMIS interrogation.

Classification is determined in consultation with the Ombudsman for the Northern Territory

#### Complaints against Police 2017-18

			Breakdown of Members Involved			
Complaint Type	Number of Complaints	Number of Members Involved**	Police Officer**	Police Auxiliary**	ACPO**	Unidentified*
CAP: Prelim	15	21	21	0	0	3
Cat 1	8	17	17	0	0	3
Cat 2	43	92	87	2	3	16
CRP	202	235	215	12	8	19
CAP: Decline	68	63	57	6	0	20
CAP: Info Only	16	8	7	1	0	9
<b>Total</b>	<b>352</b>	<b>436</b>	<b>404</b>	<b>21</b>	<b>11</b>	<b>70</b>

Source: PSC IAPro 30 June 2018. \* Investigation did not identify the involved officer.

\*\* Members involved and sub category members count not per complaint

Findings		
Complaint Type	Sustained	Not Sustained
Category 1	3	7
Category 2	18	10

Source: PSC IAPro 30 June 2018.

Note: These numbers indicate findings to individual allegations, and there can be multiple allegations made against a member within a case.

Outcomes – Category 1 and 2 Complaints	
Section 14C Police Administration Act (PAA) - Managerial Guidance	0
Part IV PAA – Period of good behaviour	0
Part IV PAA – Formal caution in writing	0
Pt IV PAA: Reduction in Rank	0
Pt IV PAA: Transfer member from locality	0
Pt IV PAA: Transfer member from position	0
Administrative: Remedial Advice (Performance Plus)	28
Administrative Remedial training	0
No Action Required	60
<b>Total</b>	<b>88</b>

Source: PSC IAPro 30 June 2018

## Internal Investigations

Internal disciplinary matters fall within the following classifications for the purposes of reporting:

- **II: Prelim** - Internal Investigation - Preliminary inquiries - status of a job whilst under investigation, prior to any action / outcome decisions being made;
- **Category 1** - serious unsatisfactory performance or misconduct;
- **Category 2** - less serious unsatisfactory performance or misconduct;
- **Custody - Death** - Custody Death investigation;
- **Custody Oversight** - relates to custody incidents where issues may exist and are being investigated;
- **DC-Oversight** - relates to Departmental Crash investigations (where PSC maintains oversight);
- **DC-NFAR** - relates to Departmental Crash investigations where the matter has been investigated and there are no discipline and/or managerial guidance outcomes;
- **FV: DVO** - is recorded as an outcome for the issue of DVOs / Undertakings for or against police;
- **FV: Report** - is recorded when a domestic violence report involving police is submitted for information with no further action required;

- **Offence: Infringement** - is now recorded as an outcome due to issuance of an infringement notice being an action / outcome; and
- **II: NFAR** - Internal Investigation - no further action required, is an investigation where no disciplinary action was taken.

Classification of Category 1 and Category 2 matters is not necessarily determined in consultation with the Ombudsman and is for reporting purposes only. As detailed by the Commander PSC:

“Categorisation is only if the matter fits within the requirements of the Ombudsman’s Act and fits within their oversight role. If it does not fit within their purview the matter is defined as an “Internal Investigation”. The only categories of Investigation we have in this space is an Internal Discipline Investigation or a Criminal Investigation (or both).”

Investigation Type	Sustained	Not Sustained	Investigation Suspended
Category 1	37	4	0
Category 2	6	0	0
Offence	5	2	0
II: NFAR	28	23	0
FV: DVO	5	1	0
FV: Report	23	4	0
Custody - Oversight	38	30	0
DC: NFAR	2	3	0
DC: Oversight	7	6	0
<b>Total</b>	<b>151</b>	<b>73</b>	<b>0</b>

Source: PSC IAPro 30 June 2018.

Note: These numbers indicate findings to individual allegations, and there can be multiple allegations made against a member within a case. These numbers include findings for cases received before the financial year 2016-17, for which investigations were either completed or ongoing during the financial year 2017-18.

Outcomes – Category 1 and 2	
S. 16 PAA-Appointment Terminated	1
Part IV PAA - Member dismissed	0
Part IV PAA - Formal caution in writing	7
Part IV PAA - Period of good behaviour	6
Part IV PAA - Reduction in rank	0
Part IV PAA - Reduction in salary	0
Part IV PAA-Fine	0
Part IV PAA - Member transferred from locality	0
Part IV PAA - Member transferred from position	2
Outstanding: Action not yet taken: Separated	0
Section 14C PAA- Managerial guidance	4
Offence: Infringement	2
Offence: Caution	2
FV: DVO / Undertaking	3
<b>Total</b>	<b>27</b>

## Public Sector

Internal Investigations and Grievance/ Appeal	
Respect Equity and Diversity – Internal Investigation	7
Respect Equity and Diversity – External Investigation	3
Discipline (Section 49) Investigations	5
Promotional Appeals	2
Grievances (Section 59)	2
Fair Work Commission	1
<b>Total</b>	<b>20</b>

## Police

Following consultative interviews with major stakeholders (see Annexure A) and their respective submissions a number of symptoms that have had negative impacts have been identified. These are: interpretation of the legislation and policies that govern the system – (including changes in policy); consistency in approach and outcomes; reporting requirements; and the timeliness of outcomes.

In relation to internal investigations involving Police, initial advice indicated that the PAA and the related Regulations were over prescriptive, complicated and were having an adverse impact on investigative outcomes. However, as the review progressed, the logic contained in the legislation was validated, but what became evident, was how that legislation was interpreted and applied as being more of the issue.

The first complication that seems to arise is the definition of Complaints against Police (external complaints) and those generated internally and the way they are processed. This bifurcation is in part the genesis of different processes and approaches to what are essentially the same thing, a report of alleged unprofessional police conduct.

In the case of a Complaint Against Police (CAP) they are considered by the Ombudsman and categorised and generally referred to NTPFES for investigation. These matters may then allocated by PSC to a relevant Command Management Team (CMT) for investigation or in some cases, (generally the more serious), retained by the Internal Investigations within PSC for investigation.

Previously the provisions of the PAA for less serious matters (described in the Act as 'minor') that may require some form of intervention outside of the disciplinary process (but involving a breach of discipline), were managed under Section 14C, which sits outside of Part IV (Discipline).

The use of this section to issue written notices to members was suspended in response to be over use and it encroaching into the realm of performance management; better resolved using guidance and managerial intervention.

Not having this 'minor' application, has left two options either side of the disciplinary continuum, one dealing with matters at the managerial level, or their escalation to formal disciplinary processes pursuant to Part IV of the Act. This has resulted in matters previously dealt with under 14C escalating to the formal disciplinary process and on occasions, more serious matters dealt with inappropriately at the managerial level.

Inconsistency as highlighted is a central theme across the system and would appear to be a major point of disquiet amongst officers.

What contributes to this problem is the lack of centralised reporting, quality control and oversight combined with the autonomy afforded prescribed officers in dealing with some

matters. This issue is a major problem that erodes confidence in the system and needs to be addressed as a priority.

Where matters are investigated by referral to the Commands (primarily complaints against police), it would appear the allegations are made known to the subject officer in a timely manner; the allegation is put to them in interview; and they have been given a right of response.

Matters referred to the Section 79 process do not necessarily take the same path and it is common that a subject officer may not be made aware of an allegation against them nor in fact if they are subject of investigation. They are not always interviewed and often served a Notice under Section 79 seeking a written response.

The Complaint Resolution Process (CRP) is a good initiative that can deal with low level matters efficiently and effectively.

## **Public Sector**

The Office of the Commissioner of Public Employment (OCPE) have a sector-wide responsibility for providing an effective employment framework for the management and development of the Northern Territory Public Service. This does not include sworn police officers, Aboriginal community police officers and police auxiliaries as they are employed under the *Police Administration Act*.

The OCPE have oversight and can investigate independently (including the investigation of grievances). These can include:

- selection decisions;
- management actions;
- termination of probationary employment;
- disciplinary and inability decisions that don't affect remuneration; or
- agency handling of bullying complaints.

The OCPE have published a Code of Conduct as Employment Instruction 12 (Code of Conduct). A breach of the Code of Conduct is considered to be a breach of discipline.

### ***“6. Breach of Discipline***

6.1. Disregarding the Code and Part 1A of the Act, or acting in a manner inconsistent with those principles, is a breach of discipline under section 49(a) of the Act.”

A recent addition to the PSEMA provides that the Commissioner can deal with a matter referred by the ICAC under the PSEMA (Section 15A refers).

Public Sector internal investigations are currently carried out by HR Central (HRC) where required. Any investigation is governed by the Public Sector Employment Management Act (PSEMA). Additional guidance is given to investigators through the Commissioner of Public Employment, Employment Instructions. In particular Employment Instruction 3 (Natural Justice) and Employment Instruction 7 (Discipline).

In 2018 there were 5 disciplinary matters investigated by HR Central.

## **Respect, Equity and Diversity**

The NTPFES have an established policy for managing complaints which involve complaints of inappropriate behaviour, including bullying, harassment and discrimination in the workplace. The policy includes all employees as well as volunteers and fire auxiliaries.

The Respect, Equity and Diversity framework is the subject of an online course through College online. Completion of the online course is a requirement every 2 years for all employees of the NTPFES. The course covers:

- rights and responsibilities in the workplace;
- the characteristics and consequences of bullying, harassment, sexual harassment and discrimination;
- what constitutes reasonable management action the NTPFES Reporting and Complaints Management Process;
- victimisation and support services available within NTPFES; and
- the role of record keeping.

In 2018 there were 10 complaints pursuant to the Respect, Equity and Diversity Policy (RE&DP). Three referred for external investigation. 7 managed by HRC.

The issue of transparency also arises in regards to the management of Equal Employment, Discrimination and Bullying.

Firstly matters being reported at the local level and resolved at the local level with no reporting to the Human Resources directorate and no visibility of these matters by the agency. Secondly, often these behaviours are indicators of more serious misconduct and there current treatment needs to be more transparent and with that more consistent.

The NTPFES Instruction encourages and promotes the choice of the complainant, allowing for them to maintain control over the process. It allow for both verbal and written complaints and encourages early intervention, which includes the complainant engaging with the person demonstrating the attitude or behaviour which the complainant finds to be of concern. Where the complainant is not comfortable doing this, the policy allows for the issue to be raised with the direct supervisor (provided this is not the person who is the subject of the complaint). There is no recording process at the early intervention stage which is appropriate given the nature of the suggested interactions.

At the second stage of the process – ‘Managing the Complaint’ states that the issue, situation or other cause of complaint can be raised verbally or by providing it in writing. The second stage is undertaken when early intervention has failed to resolve the problem. The completion of the Complaint Lodgement Form is optional as demonstrated by paragraph 23.

“23. The complainant can raise their issue, situation or other cause for complaint verbally or by providing it in writing, and may wish to complete the Complaint Lodgement Form.”

Form completion is mandatory if the complaint proceeds to the third step – escalation.

Advice is given on record keeping including that records should be kept on Territory Records Management (TRM) and includes titling advice for records to ensure that they are restricted.

It is well understood that inappropriate workplace behaviour can be an early indicator for other more serious behaviours and should be recorded.

The use of TRM to as the central recording location has a number of apparent issues. The titling of the file is based on the complaint details and not the subject person.

- For complaints pursuant to the Respect, Equity and Diversity Policy, refer to the below titling example:

Anna Smith, AGS: 880 122456, Respect Equity and Diversity Complaint, 2018, Operational Support Directorate.

This makes it problematic to identify patterns of those who are the subject of complaints.

There are often titling and security errors which occur, exposing potentially compromising documents to any person who has TRM access. A search on the word 'complaint' in TRM in March 2019 shows documents and emails which have been incorrectly assigned security, allowing them to be read by anyone. Similar results on a key word search for 'respect' were found.

During the consultation process, it was identified that a complaint made under the framework had not been followed up for 12 months and it was only due to the complainant following up on the progress of the complaint, that it was finally actioned.

It is the opinion of the Reviewer that a more central recording location should be considered for this information, which by nature is secure. This can be offered by IAPRO (Blue Team).

## Management of Internal Investigations

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### Timelines

#### Respect, Equity and Diversity

The policy provide a timeframe of 12 weeks to manage complaints from lodgement to determination. Notification made to all parties if the time is exceeded. Time limitation in relation to complaint lodged more than 12 months after the alleged incidents. Can be overcome if reasonable explanation of delay is made.

#### Complaints Against Police

Date of discovery is when an officer who possesses power to take action is aware of the alleged conduct (Regulation 18 Police Administration Regulations).

s162(6) of the *Police Administration Act* provides that there is a limitation of six months from the discovery of the alleged breach to bring action, extension may be granted.

After the service of a Section 79 investigation undertaken under 81(3), limited to 3 months. Extension can be sought.

#### Complaints Against Public Servants

There are no legislated time limits under the PSEMA.

In relation to actions such as suspension and transfer, the Office of the Commissioner for Public Employment (OCPE) Instruction 7 provides that a person must be given a reasonable time frame, given in writing, to respond to the foreshadowed suspension, transfer or dismissal

Further guidance is provided by the Guidelines issued by the OCPE in relation to reasonable opportunity under Section 49A(3)(b)(ii) PSEMA.

## **Governance and Decision Making**

### **Police**

The current Police General Order – Performance Management and Internal Investigation has been heavily modified since its publication in 2007. Many of the processes described in the General Order, such as the classification of internal investigation matters, the associated flow charts and other material has outdated references. There are a number of aspects of the General Order which are part of a managerial model, but which do not appear to be followed.

One example is the direction given at Paragraph 232 of the General Order:

#### **“Notice to include likely penalty**

232. Where a Section 79 Notice is served upon a member the notice should indicate, where appropriate, the likely penalty or action that will be taken in respect of the matter should the allegation be proved against the member.”

The Queensland Crime and Misconduct Commission described the benefits of including indicative sanctions for disciplinary matters:

*“Providing explanatory practice guidelines identifying particular disciplinary breaches and the likely sanction or range of sanction that could result....would give officer an unambiguous message about expected behaviour and the consequences of failing to meet those expectations. It would also ensure more consistent disciplinary outcomes and fewer review and appeal proceedings. These guidelines should not be too prescriptive or they will be unable to take into account the inevitable variations and different circumstances of a particular case, but should rather indicate how particular conduct should be considered and the consequences which result from this”.*

The information received during the consultations was that this does not occur on a regular basis and that one of the major complaints under the current system, is that the Section 79 notice includes a list of all possible outcomes, including dismissal. This aspect was also noted in the 2014 Piper Alderman review.

An officer served with a notice of an alleged breach of discipline is not told at the outset, how seriously the matter is regarded by management, nor are they told what the potential outcomes are if the charge is made out. One consequence of this being, that the officer often feels compelled to defend the charge.

The PAA nor any other document gives any definition of ‘serious’ to warrant the formal discipline process. This is left to the individual judgement of the Commissioner or the prescribed member. The only defining characteristic is something that cannot be categorised as of a ‘minor nature’ for the purposes of section 14C. There is a very real possibility that this results in a lack of consistency.

There is no requirement under Section 79 which provides that a Notice issued must state that dismissal is a possible outcome. This in turn contributes to the adversarial nature of the system.

In the PAA, all alleged breaches of discipline are treated the same. There is no distinction between lower levels of misconduct or unsatisfactory performance, such as mistakes caused

by misunderstanding or lack of training and higher levels of misconduct which highlight more serious issues about a police officer's suitability to continue in the role. The discipline outcomes enshrined in the PAA appear to only punish an officer for breaching discipline, rather than taking steps to improve/modify behaviour or prevent further instances of misconduct.

The new draft of the Code of Conduct, authored by Commander PSC, seeks to address this issue with the addition of the following paragraph:

“If a member makes an honest mistake or a genuine error of judgment, that at the time the member believed was based on sound reason and Organisational Values, the member will be supported or provided with appropriate guidance, training or assistance. The member is to acknowledge their mistake, be accountable and co-operative.”

The publication of the redrafted Code of Conduct would be a positive step towards the improvement of the police performance management and discipline system.

## **Public Sector**

When an employee of the NTPFES who is unsworn is the subject of an internal investigation they are provided with a copy of Section 49 of the PSEMA (this includes 49C which provides the potential outcomes, up to and including dismissal). While the Respect Equity and Diversity Framework has a considerable body of information for both complainants and subjects. Grievance and other internal procedures also have information available through HRC webpages. Discipline related matters do not have a similar policy, process or information set available.

The investigator does not provide the subject employee with any guidance around the potential outcomes, as this is a decision of the delegated manager. The indication was that this does not cause undue stress to the subject employee as in general the PSMEA process is less adversarial, however it does follow similar patterns to the police 'serious discipline' processes.

## **Information Sharing**

There is a delicate balance when considering the individual's right to privacy and confidentiality and the organisational need to ensure that managers and supervisors have access to relevant information regarding an employee so they are able to effectively and efficiently provide adequate supervision and guidance. The NTPFES Internal and Sensitive Instructions and Procedures (2006) provide some instruction on the conduct of internal investigations including the principles of 'need to know' and 'need to hold' information. This relates primarily to the investigation phase. The Instruction defines an internal investigation as:

“...means an investigation into an incident or act within NTPFES that may involve the activities or behaviour of an employee of the NTPFES in circumstances where the unauthorised disclosure of information may severely embarrass or cause harm to an NTPFES employee or the interests of the NTPFES.”

It should be made clear that 'unauthorised disclosure' does not mean access by a manager to the personnel history of members under their direct supervision. Managers tasked with resolving minor disciplinary or performance management issues must be given access to the disciplinary or personnel files. While My Career allows this to occur with performance management (supervisor and supervisor once removed can both see the records) it is less clear with other records stored outside of this system.

Access to performance management information is available through 'My Career' to supervisors and supervisors once removed. The recording of discipline matters for both police and public sector is more disparate. Outcomes of disciplinary matters for police are maintained

by PSC. The Assistant Director HR indicated that the investigation records are stored in TRM but the personnel records are held by Department of Corporate and Information Services (DCIS).

The recording practices for discipline matters should be reviewed to ensure both compliance and access where required.

## Methodology and Evidence of Due Process

There is evidence that there have been significant improvements since the Agency commenced giving a managerial model consideration.

The O'Sullivan Review, a comprehensive review of police resourcing, conducted in 2003 and a second review conducted in 2013 made comment on the police discipline process and noted that progress had been made in this area. The status assessment of recommendations from 2003, conducted in the 2013 review noted:

57	A managerial approach to resolve complaints and discipline be introduced based on the principles outlined in Section 7.4.10 so that formal investigation is reserved for only the most serious complaints. (7.10)	Work in progress	Review of Complaints and Discipline process completed. Recommendations from review being implemented.	NTPA does not accept this has been implemented until new system acceptable to all parties has been put in place	System has improved significantly however opportunity for improvement in managerial process remains.
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### 7.3.1 Professional Standards Command

This Command has been performing to a high standard in supporting recent efforts within the organisation to improve standards of conduct, behaviour and integrity. The number of complaints against Police has reduced by 40% in recent times and a favourable trend has been established. The two Units of the Command (Internal Investigations and the Complaints Management Division) are performing effectively to support the strengthening of standards. There are difficulties filling vacancies. There is an outstanding issue of achieving a more efficient managerial approach to resolve disciplinary and conduct problems.

The review also recommended that further work be undertaken to “ensure an efficient non-adversarial managerial approach to dealing with matters warranting disciplinary sanction but not warranting dismissal.” This mirrors the findings of other reviews.

### Timeliness

During the consultation one of the issues raised was that some cases take a long time to be completed, particularly when the outcome involves a hearing or is adverse to the officer.

Sections 84A, 84B and 84C of the PAA require that a charge must be substantiated and admitted before certain action can be taken against the subject officer. For example, it is common to have matters which have progressed to hearings to take place six to twelve months after the completion of the investigation, which offers no relatable nexus between the original incident and the outcome. This aspect has also been noted as an issue within the Criminal Justice system generally. This substantiation process can also be overly complex and a significant drain on investigative and other resources.

Some aspects of this process fall outside of the control of PSC. An example of this is a recent process where an appeal was lodged an officer on the 11 December 2018. A full copy of the brief was provided to the Register of the Appeals Board on 14 December 2018 (3 days later). A new request was made today, 2.5 months later for another copy of the brief and the first mention of the Appeals Board will be scheduled (it appears) on 23 April 2019 - some 4 months and 2 weeks since the application was lodged. PSC do not exercise any control over the Appeal Board.

### Decision to Interview

Commander PSC provided the following response to the Reviewer in relation to the decision making process around conducting an interview with the subject officer:

“This is an investigative decision based on the nature of the complaint and the complexities and seriousness of the matter. Another determining factor is whether there is a criminal (parallel) investigation or other priority matters that require resources and attention.

An example being that we may have a number of allegations against officers, which are serious, but not likely to lead to dismissal or any serious determinations like rank or salary reduction. These investigations still require attention and resolution, however our resourcing is focussed on cases which require a more immediate response. An example would be the Public Interest dismissal cases of 2 senior officers for predatory professional boundaries behaviour and an officer who is a DV offender. This does not mean that the less serious allegations is not as important, it is about resource and risk management for the organisation being applied to investigation management.

Additionally, we will often not engage with officers, if they are about to take a period of recreational / long service leave, but rather wait for their return. We do not wish them to worry about matters (unnecessarily) and not enjoy their leave. Likewise if an officer is on sick leave then negotiations are generally undertaken that are suitable to the officer and the organisation to progress matters.”

### **Accuracy of Information regarding discipline.**

During the consultations it was clear that there was information about the discipline system and its operation that could not be easily confirmed or was incorrect. One example, while minor in nature, serves to identify this and underline the need for a single source of truth, which is highly accessible.

It was reported to the reviewers that Commanders are not subject to the discipline provisions of the PAA as they are contract officers, rather they were subject to the PSEMA. There was some uncertainty about if this also applied to Assistant Commissioners and Deputy Commissioners. When this observation was posed to Human Resources Central, the statement was refuted. It would appear that the basis for this information was a matter involving a Commander of Police in 2010. As part of the response to the discipline process the Police Association mounted the argument that as he was a contract officer, the Part IV process did not apply and he should have been dealt with under the terms and conditions of his contract.

In a letter to the Commissioner the Association wrote:

“..., this Association is perplexed and disappointed that senior management of the Police Force as far back as June 2009 when the allegations first surfaced did not address themselves to the terms and conditions of his employment contract. Had they done so, this whole investigation would obviously been resolved far earlier than the nearly seven months that it has taken to finalise the matter. This association from the very start advised those senior managers involved in that matter that it was one that involved contractual principles and implied duties as much as disciplinary procedures.”

They further went on to note in a subsequent part of the letter:

“Whilst it is now moot that Part IV PAA process does not apply to Commander...”

That senior police members and HR had diametrically opposing views, serves to demonstrate that accurate information, readily available is of the utmost importance in any disciplinary framework.

### **Risk Management and Assessment**

## Police

Commander PSC provided this response to the Reviewer's question regarding the risk assessment process for subject officers and recommendations to either suspend or temporarily transfer them.

"Risk is assessed the risk based on the welfare of the officer, the organisation the circumstances of the alleged conduct or breach of discipline.

These circumstances include whether the offending occurred in the work area itself, whether there are witnesses or victims in the work area that are involved in the case and /or whether the area is a frontline area that will continue to bring the officer into contact with the Public / Community.

The critical factor surrounding suspension is that if the allegation is found to be true, would we consider terminating their employment. If the answer to this is "Yes" then suspension is considered.

Further consideration should be made to temporarily transfer the officer to either remove them from the frontline or their current workplace. Removing them from a frontline area protects the agency in that the officer is potentially under significant stress (because of the allegations) to which may impede their ability to effectively respond to critical incidents. These actions also demonstrates to the community and internally that we take the allegation seriously and have taken some interim measure pending final determination and outcome.

There are better health and well-being outcomes for officers remaining in the workplace, as they have a better support and welfare framework around them."

These concepts are sound and should be articulated fully in a policy to ensure both organisational knowledge and the application of the process is known.

## Public Sector

The Assistant Director HR indicated that there are no written policies in relation to the conduct of discipline related investigations conducted by HRC. There two information sheets for managers who are conducting preliminary investigations into alleged breaches of discipline.

The agency does have a risk assessment framework which could be applied to this process as a guideline. HRC will undertake investigations and will provide advice to the delegate (defined in the HR Delegations) as to an appropriate decision. The current corporate knowledge of appropriate investigative processes is held by the Assistant Director. This constitutes a single point of failure for the agency.

While OCPD could be consulted for advice by an investigator it is highly recommended that a policy and process should be developed and made publicly available to give guidance to investigators and to allow for a transparent process and the retention of corporate knowledge.

Employment Instruction 7 provides that a Chief Executive Officer may develop **discipline procedures** consistent with the Act, its subordinate legislation and any relevant award or enterprise agreement.

## Provision of Legal Services

During the consultation process a number of references were made to the provision of legal advice. Professional Standards Command previously had access to an in house lawyer as a result of the establishment of the Special References Unit (SRU), however this position has not

been maintained. NTPFES also had access to a dedicated lawyer however this position is also returning to the Solicitor for the Northern Territory.

It should be noted that the PAA provide that if a member is represented by a legal representative then the Hearing Officer can also be assisted by a legal advisor.

Legal advice can be accessed through the Solicitor for the Northern Territory, however this service is provided to all Northern Territory agencies and there is necessarily a triage process for the provision of legal advice which can delay the process. It is acknowledged by the Reviewer that there is a financial cost associated with the provision of in house legal advice and that the current financial climate is unlikely to be able to support the provision of a position.

It is recommended that a policy position be developed on the provision of legal services. A process similar to the Western Australia model (contained in the Managerial Intervention Model) could be adapted and adopted by the NTPFES.

Where a criminal/statutory offence is identified during the course of an internal investigation, there may be instances where the investigator, because of legal complexities, requires legal advice. In these instances, the investigator is encouraged to source such assistance and advice (Solicitor for the Northern Territory).

Where prima-facie evidence clearly supports a criminal/statutory offence there is no requirement to seek legal advice. The case must conform to normal requirements and adjudication for any prosecution file.

A clear and defined process should be established for when a prima facie case exists and there is a decided not to prosecute for a criminal/statutory offence.

## **Skill level and Training of Staff Conducting Internal Investigations**

### **Police**

Commander PSC provided the following insight into the training provided to police officers serving in a position at Professional Standards Command:

“New members undergo an Induction training procedure / package with their respective teams (managers) and they are provided a range of tools in a folder of processes / policies / relevant case law.

Additionally they are partnered with an experience co-worker who provides a mentoring role to them in the team. Each team have case conferences and weekly meetings surrounding Case Management. These meetings provide platforms to air issues and collectively review matters.

Professional development is also encouraged with officers in PSC with Contact Officer training (Respect, Equity and Diversity) provided to all team members from the Anti-Discrimination Commissioner.

External Leadership training provided and Investigative Interviewing Courses. Our officers also provide Ethics & Integrity training and Complaint Management Training to Induction Training of all new Recruits and all Supervisor Courses. In the future, we have Emotional Intelligence training and Unconscious Bias training planned.”

### **Prescribed Members**

Prescribed Members (holding the rank of Senior Sergeant and above) are defined under the Police Administration Act. It should be noted that members who temporarily hold the rank (higher duties) are considered to be Prescribed Members while they hold that rank. In practice, particularly at the rank of Senior Sergeant, a member of the police force of the rank of Senior Constable could hold the position (this would be unusual however the PAA allows a member

to hold two ranks above their substantive rank). In practice relief of a Senior Sergeant would be drawn from the pool of Sergeants (some but not all who are qualified to that rank).

While the Police General Order – Performance Management and Internal Investigation gives some detail on the powers of Prescribed Members, including the penalty which they can impose, there is little explicit and specific information about the responsibilities of Prescribed Members, which could be relied upon to a member new to the role.

## **Public Sector**

There is no specific requirement of a investigator to hold a qualification. Currently the Assistant Director HR hold a Certificate IV in Government Investigations and provides guidance and mentoring to the other employee at HRC who undertakes investigations.

The agency recently called for expressions of interest for employees to undertake a Certificate IV in Government Investigations in response to the establishment of the ICAC. This will increase the pool of employees who hold this qualification.

Currently there is no internal policy or procedure governing Internal Investigations involving public sector employees. As discussed elsewhere in this report, consideration should be given to providing guidance in this area. Consideration could also be given to if the agency requires a minimum standard for investigators but this would need to be balanced with the availability of suitably qualified employees over the long term.

## **Process Improvements**

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A key improvement to achieve consistency and timeliness will be the mandatory requirement for all matters to be reported in the first instance to a central process within the Professional Standards Command where these can be assessed and triaged then categorised and allocated for investigation. The reviewer believes that complaints should be subject to the same process regardless of whether they are raised internally or externally or involve sworn or unsworn employees. As required by legislation, the Ombudsman needs to be notified and allowed to categorise those CAP matters received.

An appropriate administrative team should research and compile the relevant matter for triage consideration. Each incident should be the assessed in the context of the research provided, determine an appropriate allegation category which should be aided by an allegation matrix which gives a broad guide as to the appropriate response.

Consideration should be given to the creation of a complaint category in relation minor conduct. This is generally of a nature that is not worthy of further investigation or formal processes. If a matter is triaged and categorised as a Minor Conduct Report (MCR), a standard operating procedure would create a process where the matter is referred to the appropriate command where the relevant supervisor would liaise with the subject officer and record such outcomes on the personnel performance record. That SOP could set a standard where a number of MCR's in a defined period would result in elevation to a breach of discipline.

This centralised reporting and categorisation methodology must apply to both complaints against police made externally and complaints made by police internally.

Under the current NT structure, the triage will allocate matters for investigation to the relevant command or the Professional Standards Command.

In some cases the allegations are of such a minor nature it is possible that the matter can be resolved at the same time as receipt of the complaint. Where this occurs officers should be encouraged to liaise with the complainant to achieve early resolution but there must still be a report of the circumstances under the banner of a "Completed Prior" investigation. It will still

require that the matter is reviewed to make sure the appropriate response was made and that records are maintained.

While legislation change is contemplated and may assist in refining the investigative and disciplinary process, it is not seen as an immediate priority nor principle remedy to the issues identified during the review. It is acknowledged that previous reviews have all called for change to the Police Administration Act it is the opinion of the reviewer that meaningful improvements can be achieved without resorting to Legislative amendment.

The Piper Alderman review in 2014 noted that:

“The NT disciplinary process was explored in depth by Justice Southwood in *Holmes & Anors v Commissioner of Police*. Justice Southwood’s comments show how complex the Part IV process is. The fact that it took 10 paragraphs to explain how the system works without going into any specific detail of each procedural steps, is evidence of its complexity and the confusion it induces.”

The majority of the complexity and confusion relates to Part IV of the Act. Under modern managerial approach to the management of police conduct and discipline which would be managed outside of the auspices of Part IV.

While 14C should not be mentioned as a process due to the historic use of the term to denote a written formalised notice which was often considered to be punitive, the section could be a vehicle for the introduction of a managerial model. The full section is reproduced below:

#### **“14C                    Disciplinary procedures**

The Commissioner may, for the purposes of the general control and management of the Police Force, issue instructions relating to the **counselling and cautioning** of members (including the issuing of written cautions to members) who commit breaches of discipline that are of such minor nature as not to warrant action being taken under Part IV”.

While 14C was used to issue notices, it is not exclusive to this process. 14C allows the Commissioner to ‘issue instructions’ which relate to counselling and cautioning of members. If the term counselling is taken in the broad sense of the dictionary definition it would include a wide range of options which could be included in the instruction. The only caveat is that the concept of ‘minor nature’ is currently not clear and would need to be better defined, as discussed elsewhere in this report.

Dictionary definition as follows:

#### **“Counsel**

advice; opinion or instruction given in directing the judgment or conduct of another.

interchange of opinions as to future procedure; consultation; deliberation.

to give advice to; advise.

to urge the adoption of, as a course of action; recommend (a plan, policy, etc.): He counseled patience during the crisis.”

### **Categorisation**

Many reviews of police discipline systems have recommended the implementation of categories or classifications of different levels of misconduct. The Australian Law Reform Commission (ALRC) in recommending that the AFP Act be amended to categorise misconduct explained that the purpose of categorising conduct is ‘to provide effective streaming of matters so that the resources, particularly investigative resources are allocated efficiently’.

The Wood Royal Commission recommended that there be three categories of conduct with the most serious category. Category 1 being: "matters involving criminality or misconduct capable of leading to dismissal, requiring investigation by the Police Integrity Commission or the Office of Internal Affairs. Category 2: "involving less serious matters reportable to the Ombudsman and suitable for disposition by the Service; and Category 3: "matters being non reportable internal management issues".

The Fisher review into professional standards of the AFP recommended a system where conduct would be divided into four categories, where the response to a particular incident would be determined by its category. This was implemented by the AFP in 2006.

The introduction of categories may cause some consternation, as there may be a conflict with the current system used by the Ombudsman to categorise complaints (both internal and external).

This aspect should be able to be overcome however and the advantages provided to the agency, in particular in allowing both investigating, prescribed and subject officers the ability to understand from the outset the potential outcomes from the investigation (see above).

One suggestion put forward during the consultation, was the production of a matrix that would be widely published and while being useful for investigating and for Prescribed Members, and would be geared towards providing subject officers with information.

### **Conflict of Interest**

Conflict of interest (personal association) has previously been raised by officers as a reason not to deal with matters that are the subject of investigation. This objection is possibly being misconstrued and overused. A conflict of interest becomes an issue where it is not declared and where an unusual outcome may arise. A process to enable this declaration to occur and be considered is needed and may result in the conflict not requiring that person to avoid the process. Rather than a conflict of interest it is in fact more specifically a declarable association that relates to the professional or personal relationship between the officers. This issue can be better defined by way of guideline and defined parameters.

The Western Australia Managerial Intervention Model describes the approach which should be taken:

"In appointing an investigator, personal associations and conflict of interest issues will need to be considered, although the association and conflict will need to be compelling and supported by real facts in issue. Being a subject officer's direct line manager and or supervisor is not sufficient to premise a decision with respect to the latter."

### **Corporate Reporting**

A monthly report should be created by the PSC that details statistics regarding the number of complaints received, their categorisation and status. It should detail important data and trends for the information of the Executive. This may include but is not limited to criminal prosecutions, disciplinary outcomes and breakdown on Command statistics and types of allegations including ER&D matters and Public Sector Discipline. Those matter subject to statute time limits must be included and should detail their current run time and status. What data needs to be reported should be discussed and decided with the Executive and PSC.

### **Staff and Development Competencies**

While a broader educative program is needed to explain the reasons for a complaints management system and disciplinary framework, there are two groups that require specific training, these are Prescribed Members and those officers who are tasked to investigate matters the subject of complaint. These can be addressed in the delivery of specified design training packages and guidelines.

The training of managers, in particular Prescribed Members (Senior Sergeant and above) and all officers who have a supervisory role, will need to be educated about the expectations placed upon them by the Agency in relation to the discharge of their responsibilities. The training should include key concepts which while not included in the legislative framework, managers will need to fully understand.

The training should also include imparting skills that enables managers to take an early intervention approach through the performance management process. The importance of early intervention cannot be overstated as it can deal with performance issues which if left unmanaged could escalate to the detriment of the individual and the Agency. While some courses have been previously offered, such as the Leadership Conversation Training delivered to some members in 2016 by Mark Leahy from Accrete it is suggested that a regular program, to allow both the back capture of current serving officers and future leaders within the Agency is necessary.

Ongoing support for managers and supervisors to be empowered to carry out their roles with confidence.

In relation to addressing bias in management, there is an opportunity to consider management issues along with investigative issues in the proposed unconscious bias training which is being considered as a response to a number of coronial recommendations.

Broad ranging information for subject officers should be provided in both training and agency policy.

## **Implementation**

One of the key findings of this review is the general lack of understanding in relation to the police discipline framework, which may extend to the framework for unsworn employees. To achieve real and lasting improvement it is important that all members of the NTPFES are completely informed about what will be done differently and even more importantly, how.

A communication and engagement strategy needs to underpin the implementation of this improvement plan. While it will seek to improve process, the greater objective is change to attitude and behaviour regarding internal investigations and misconduct management framework by informing. This is important as the scheme is currently the subject of significant broad based internal criticisms. Much of this seems to be aimed at the legislation when in fact it seems that is the interpretation and application of the Act is the greater issue.

The rationale and underpinning principles of a disciplinary system seem to have been lost in the debate that often centres on cases of maladministration or unjust outcomes. The purpose of this improvement plan is to develop an effective and efficient process to establish fact regarding complaints and determine a just resolution in a fair and timely manner.

This objective needs to be embraced in order for faith in this system to be restored.

It is particularly important that members of the NTPFES know what to expect in the event that there is an allegation of misconduct against them, or if they make a mistake during the course of their duties. It should be highlighted to all NTPFES employees they will not be summarily punished if they make a mistake at work. Policy documents providing explicit information around discipline matters should be considered for all branches of NTPFES.

## **Managerial Intervention Model**

The Northern Territory Police attempted to introduce a managerial model with the introduction of the Police General Order - Performance Management and Internal Investigation in 2007.

The model made some improvements however given that there is an apparent general

dissatisfaction with the performance management and discipline processes within the NTPFES there is room for further improvement.

The system should be:

- More managerially focused and less adversarial, with a view to trying to adjust people's behaviour where appropriate;
- At the outset of any matter where inappropriate conduct or behaviour is alleged, the officer should be made aware of the level of seriousness and the potential outcomes;
- Generally there should be a distinction between performance or conduct issues that are remediable and matters that involve serious misconduct where sanction or dismissal may be warranted;
- There should be better consistency of outcomes;
- There should be demonstrable procedural fairness;
- The system should encourage to people being open and honest; and
- The framework must accommodate the legislation with the system for dealing with complaints against police.

## Conclusion

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The current framework that exists for the management of unprofessional conduct in the Northern Territory Police and Fire and Emergency Services is challenging mainly due to a lack of understanding and consistent application of procedures, practise and legislation.

Both sworn and unsworn employees within the agency do not understand the importance of having a robust and defensible integrity structure to deal with misconduct and the significant impact this failure can have on organisational legitimacy and reputation both in the eyes of the community and the officers and employees of the service.

The response to this requires a reset in the culture of the organisation to acknowledge and accept the intent and value of this policy and its clear articulation and support.

## Preliminary Recommendations

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The NTPFES move to a three tier misconduct management framework, the first tier involving managerial intervention and a focus on addressing behaviours by other than sanction or punitive outcomes, a second tier for more serious matters that may engage disciplinary procedures and may result in deliberative outcomes pursuant to the PAA / PSEMA and a final tier that can in the most serious matters result in dismissal.

- Standard Operating Procedures and practise to support this model need to be developed, clearly articulated and communicated.
- Centralised oversight of the process that includes mandatory reporting, categorisation and managerial accountability.
- Categorisation of Complaints against Police and Internal Investigations need to be harmonised having regarding to the legislative requirements under the Ombudsman's Act.

- Defining serious and minor matters in order to determine consistent appropriate response.

## Next Steps

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### Endorsement and consultation

The PIP review findings need to be tabled and supported by NTPFES Tri-service Leadership Group (TLG).

Proposed models including flow charts that depict the whole process be provided for consultation with the relevant stakeholders. Engagement may involve the allocation of this action to a Senior Responsible Owner. This should include a review of current policies and procedures to support the proposed work flow including matrices, guidelines and definitions.

### Change management and governance process

The critical element for success in this PIP is acceptance, understanding and support for the model. A broad ranging communication strategy, both internally and external including the NTPFA/ CPSU/ United Voice is required. Commitment and engagement should occur through an implementation team and working groups headed by subject matter experts tasked with refining the proposed model, relevant flow charts and supporting procedures. This should report to the Steering Committee.

### Enhancement of and strengthening of key policies and procedures

Various policies and procedures will need to be rewritten to support the new process. Once the recommendations are endorsed by the Steering Committee, these need to be identified. A draft procedure and guidelines for the MIM needs to be discussed and supported

### Financial and resource implications including legal services

A training package and development and publication of supporting materials need to be costed. Under the current model and certainly in circumstances where the PAA disciplinary provisions are used, there is a requirement for legal services. In the proposed model where the MIM is non adversarial, developmental in nature and administrative, the involvement of legal services should be negligible and it is hoped that this option will reduce the application of the disciplinary provisions.

### Staff development/competencies for investigative staff

Design of a training package and supporting manuals/instructions/guidelines regarding the model and requirements for prescribed members and investigators.

A training package regarding the proposed model will need to be developed and delivered.

There are a number of models of police discipline including variations of the Fisher model. To gain a broader understanding of the disciplinary and management intervention models in practice, including the methodology used to embed them in police culture, there is value in PSC officers travelling to other jurisdictions to observe these processes first hand and bring back those learnings to the Territory.

Finally, this PIP has independently arrived at similar observations and recommendations identified in previous reviews. It affirms the Reviewers belief that the key to delivering these reforms lies in implementation. This requires a dedicated resource to plan, monitor and deliver complimentary strategies focused on the recommendations. Corporate endorsement and support is key to achieving outcomes.

## **Consultations (Annexure A)**

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Assistant Commissioner Investigations and Capability Peter Gallagher APM

Commander Professional Standards Command Daniel T Bacon

Commander College Bruce Porter APM

Superintendent College Scott Pollock

Director Human Resources Central Leanne Hulm

Superintendent Crime Martin Dole

Ombudsman for the Northern Territory Peter Shoyer

Assistant Director HRC Strategy and Governance, Ms Hazel Clements

Manager, Risk Management and Internal Audit, Maree Somers

Independent Commissioner Against Corruption Mr Ken Fleming QC

Independent Commissioner Against Corruption, General Manager, Matthew Grant

Deputy Commissioner Operations, Mr Michael Murphy APM

Superintendent Internal Investigation Janelle Tonkin

Executive Director of Operational Support Directorate Michael Nelson Willis ASM

Superintendent Darwin and Territory Support Mr Gavin Kennedy

Director of Legislative and Doctrine Reform Ms Sandy Lau

## **Reference Material (Annexure B)**

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### **Northern Territory Legislation**

Public Service Employment Management Act

Ombudsman Act

*Police Administration Act*

Police Administration Regulations

### **Northern Territory Policy and Procedure**

Police General Order - Code of Conduct, 2007

Michael Nelson Willis ASM, DRAFT Instruction Reporting and Investigating Improper Conduct 2019

Michael Nelson Willis ASM, DRAFT Policy Improper Conduct 2019

Commander Daniel T Bacon, DRAFT Code of Conduct Instruction, December 2018

Police General Order - Performance Management and Internal Investigation, 2007

- Flow chart Complaints Against Police
- Breaches of Discipline CDMT]
- Receipt of CAP and Member Responsibilities
- Part IV PAA CAT 1 and CAT 2 Process – Basic Version
- Part IV PAA CAT 1 and CAT 2 Process – Detailed Version

Police General Order – Complaints Against Police, December 2014

Respect Equity and Diversity Policy

Respect Equity and Diversity Complaints Resolution Process Instruction

Instruction - Career and Performance Development, 15 June 2017

Guideline – Managing Underperformance, November 2016

- Template - Record of Formal Discussion
- Template - Record of Informal Discussion
- Template - Example Performance Improvement Plan 1
- Template – Example Performance Improvement Plan 2

Guideline – Support Persons, March 2018

Instruction NTFRS – Presentation, Appearance & Conduct, 2013

Instruction NTPFES – Internal and Sensitive Investigations Security, April 2006

### **Western Australia Policy and Procedure**

Police Misconduct Workflow

WA Police Managerial Intervention Model

WA Police – Police Legitimacy

Project Paper, Accountability for Maintaining Discipline in WA Police Through Managerial Action

Assistant Commissioner Graeme Lienert, Accountability for Maintaining Discipline Through Managerial Action

Commissioner Karl J O'Callaghan APM, Ministerial Briefing Implementation of a Kennedy Royal Commission Recommendation to Improve the Police Disciplinary Process, November 2005

Superintendent Graham Moon, Managerial Intervention Model – Enhancements and Incorporating Disciplinary Provisions, November 2011

Presentation for CET – Overview of the 'Fisher Model' and the implications of its application in replacing the "command and control" model of discipline, October 2005

Western Australia Police HR 31.01 Managerial Intervention Model

## **Legal**

Holmes & Anor v Commissioner of Police [2011] NTSC 108

## **Police Procedure and Practice**

Command Management Teams Page

## **Other Internal Documentation**

Northern Territory Police Fire and Emergency Services Annual Report 2017 – 18

Northern Territory Police, Discipline Review Newsletter 1, 2006

PSC internal flow chart – Police Discipline.

Commander Daniel T Bacon, Standard Operating Procedure DRAFT – Requirement to report to Ombudsman a complaint by a Police Officer.

NTPA, Position Paper: Review Parts IV, V and VI *Police Administration Act*, 27 October 2010

Commander Kate Vanderlaan, Northern Territory Police, Review of Part IV and V of the *Police Administration Act* Position Paper 2010

Superintendent Charles (Rob) Farmer, Northern Territory Police, Changes to the *Police Administration Act* – discipline provisions, December 2010

Commander Coleen Gwynne, Northern Territory Police Development of a Professional Standards Framework for the Northern Territory Police – Project Proposal, 26 November 2011.

## **Internal Broadcasts**

Internal Broadcast – Body Worn Video – Requirement to Wear and Use – Consideration of Serious Breach of Discipline for non-use. 12 February 2019

Internal Broadcast – Section 14C of the *Police Administration Act* and the Proposed New Framework Design for the Discipline and Complaints Management Process – 29 August 2017

Internal Broadcast – Message from Commissioner of Police – Review of General Orders and Part IV of the *Police Administration Act* – 6 March 2017

Internal Broadcast – Message from Commissioner of Police – Instructions Regarding Section 14C of the *Police Administration Act* – 24 January 2017

Internal Broadcast – Police Administration Amendment Act – Section 79A – Member to answer question or give information in relation to breach of discipline – 18 December 2014

Internal Broadcast – Directed Interviews – 10 September 2013

Internal Broadcast – Professional Standards Framework – 13 December 2011

Internal Broadcast – Complaints against Police – Receipt, Recording, Process – 5 August 2011

Internal Broadcast – Compliance – General Order – Code of Conduct and Ethics – 5 January 2011

Internal Broadcast – Minor Complaints Against Police – 20 August 2010

Internal Broadcast – Timeliness and Quality of Complaint Against Police Investigations. – 18 August 2010

Internal Broadcast – Change of Procedure – Part IV, Division 3, *Police Administration Act* – 19 February 2010

Internal Broadcast – Revocation of General Orders and New General Order Performance Management and Internal Investigations – 25 September 2007

### **Other Resources**

Commissioner for Public Employment, Employment Instruction 3 Natural Justice

Commissioner for Public Employment, Employment Instruction 7 Discipline

Commissioner for Public Employment, Employment Instruction 8 Internal agency complaints and section 59 grievance reviews

Commissioner for Public Employment, Employment Instruction 12, Code of Conduct

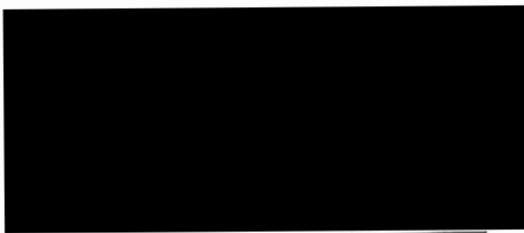
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Nick Anticich APM  
Assistant Commissioner  
Professional Conduct Command  
Western Australia Police Force

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