

Mick Gentleman MLA

Manager of Government Business
Minister for Planning and Land Management
Minister for Police and Emergency Services
Minister for Corrections
Minister for Industrial Relations and Workplace Safety

Member for Brindabella

RESPONSE TO QUESTION TAKEN ON NOTICE
Inquiry into Petition 32-21 (No Rights Without Remedy) 28 April 2022

DR PATERSON: Do you have any data or anything on the level of complaints that do come through that do have a human rights element?

Mr Gaughan: We do not have that, but we can definitely get that. Our professional standards area will have that. Certainly in the last—we do get a quarterly update—

Mr Whowell: We do.

Mr Gaughan: —from professional standards and we have received that just recently. I do not recall any being in it. And it is the sort of thing that would, obviously, raise alarm. But we will come back to the committee with that data. We should be able to get that pretty quickly.

Mr Whowell: Yes, because the categories of misconduct are an instrument between the Ombudsman and ourselves, which sets out count 1, 2, 3 and 4 and that sort of talks about the behaviours, so that may well be—

THE CHAIR: Yes, and that is the Commonwealth Ombudsman?

Mr Gaughan: Correct.

Mr Gaughan: But the data is there and we are happy to share that with you.

MR GENTLEMAN MLA - The answer to the Member's question is as follows:

All data for this report has been sourced from the SAS reporting suite.

This report is reflective of PRS Matters (submitted and finalised) relating to ACT Policing from 1 July 2018 to Financial Year to Date (FYTD) 2021/2022 (9 May 2022).

The data is current as at 9 May 2022 and is subject to change as complaints are upgraded, downgraded, deleted or merged. Finalised Complaints figures may include complaints submitted in a previous financial year.

A keyword search was used to identify all complaints that include one or more of the following terms in the description:

- Human Rights
- Human Right
- Breach of Human Rights
- Breach of Human Right
- Human Rights Breach
- Human Right Breach

From 1 July 2018 to 9 May 2022 (2021/2022 FYTD), the keyword search identified four (4) complaints that were submitted to AFP Professional Standards involving 11 alleged human rights breaches.

Table 1: ACT Policing complaints submissions identifying a Human Rights breach by overall category, complainant group and financial year - keyword search¹

	2020/2021	2021/2022	Grand Total
Category 1		1	1
Member of the Public		1	1
Category 2	1		1
Member of the Public	1		1
Category 3	2		2
Internal	1		1
Member of the Public	1		1
Grand Total	3	1	4

Table 2: ACT Policing complaints submissions identifying a Human Rights breach, by category, incident type and financial year – keyword search¹

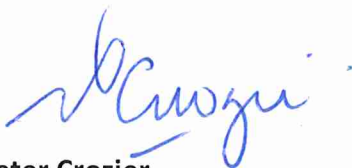
	2020/2021	2021/2022	Grand Total
Category 1		2	2
Discourtesy		1	1
Practice or Procedure Issue		1	1
Category 2	3		3
Fail to Comply with Procedure	2		2
Inappropriate Behaviour/Conduct	1		1
Category 3	6		6
CO3 with Injury	1		1
Inappropriate Behaviour/Conduct Serious	5		5
Grand Total	9	2	11

From 1 July 2018 to 9 May 2022 (2021/2022 FYTD), there were four (4) finalised complaints, consisting of six (6) breaches identified via keyword search related to a human rights breach. All six breaches were found to be not established.

Table 3: Finalised ACT Policing alleged Human Rights breaches by finding, category, incident description and financial year - keyword search²

	2018/19	2020/21	2021/22	Grand Total
Category 1	1		2	3
Category 2			2	2
Category 3		1		1
Total Not Established	1	1	4	6

Approved for circulation to the Member and incorporation into Hansard.



Peter Crozier
Acting Chief Police Officer for the ACT

Date: 20/07/22

¹ Keyword Search includes any complaint description that explicitly states “Human Rights”, “Human Right”, “Human Rights Breach”, “Human Right Breach”, “Breach of Human Rights” or “Breach of Human Right”

² Keyword Search includes any complaint description that explicitly states “Human Rights”, “Human Right”, “Human Rights Breach”, “Human Right Breach”, “Breach of Human Rights” or “Breach of Human Right”