

Service: Professional standards and ethical practices



Strategic objective

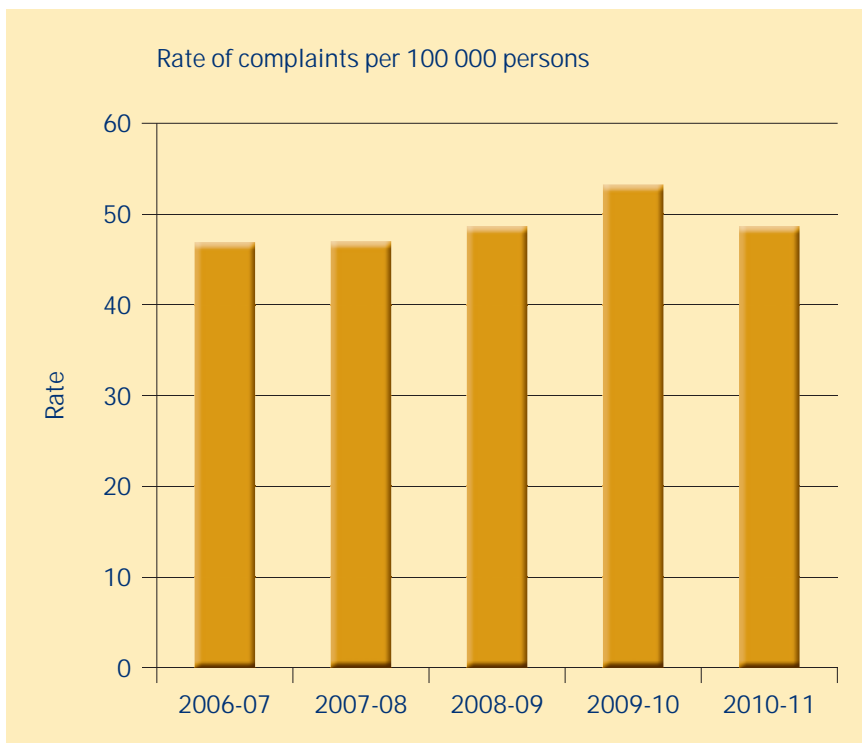
Enhance community confidence in, and satisfaction with, policing in Queensland.

This section outlines activities undertaken during 2010-11 to promote ethical behaviour, discipline and professional practice to ensure the community have confidence in, and respect for, the Queensland Police Service.

2010-11 priorities

Encourage QPS members to behave professionally and ethically at all times.

Recognise and promote the importance of minimising harm to officers, offenders and the community.



The rate of complaints per 100 000 population was 48.5 in 2010-11.

Key strategic priority—professional and ethical conduct

The QPS is committed to the promotion and maintenance of the highest standard of ethical behaviour.

For the period 1 July 2010 to 31 December 2010 the *QPS Code of Conduct* gave effect to the requirements of the *Public Sector Ethics Act 1994*, by articulating the ethical responsibilities and identifying appropriate workplace conduct for all QPS employees.

Amendments to the *Public Sector Ethics Act 1994* introduced the *Code of Conduct for the Queensland Public Service* across the Queensland public sector on 1 January 2011.

In accordance with the Act, the Queensland Police Service has developed a *Standard of Practice* to supplement the Code of Conduct to address the particular responsibilities and accountabilities placed on members of the QPS.

The Standard will form part of the framework to preserve discipline within the QPS to the extent the new Code of Conduct does not address the unique circumstances of policing. The standard will apply to all employees, (sworn members, staff members, contractors and volunteers) engaged by the QPS.

The Standard will be monitored, reviewed and evaluated by Ethical Standards Command. There is a legislative requirement for the standard to be reviewed after 12 months and a number of current policy initiatives will impact on that review.

The Standard has been included in the Human Resource Management Manual and all QPS personnel are required to complete the Ethics and Ethical Decision-making online training product on an annual basis.

Ethical Standards Command manages the internal complaint system and promotes ethical behaviour and professional practice within the QPS. The work of Ethical Standards Command is supported by a strong partnership with the Crime and Misconduct Commission and Professional Practice Managers in each region and command. The QPS also addresses this commitment to promoting ethical behaviour through training and education programs.

Complaints management

One of the functions of the Ethical Standards Command is to manage the internal complaint system within the QPS. The monitoring of complaints against members of the QPS is done in partnership with the Crime and Misconduct Commission.

In 2010-11, the QPS received 2 208 complaints using the national standard for counting complaints. In past annual reports the definition of 'complaints' used by the QPS is much broader than the definition used in the nationally comparative *Report on Government Services*. However, as a matter of good practice the QPS records complaints made against all employees (both staff members and police officers) either on or off duty. This definition is used for internal complaint reporting.

The number of complaints reported needs to be seen in context. The QPS records over 5 million interactions with the public each year. This means that only one in approximately every 2 200 of our interactions with the public result in a complaint about police conduct.

The QPS constantly monitors the number and nature of complaints received, and reviews and examines all aspects of reported complaints to identify the primary contributing factors. Every complaint is taken seriously, and every complaint is investigated.

In March this year, the Premier appointed a panel of independent experts to conduct a review into the Queensland Police complaints, discipline and misconduct system and to provide a report to Government with advice on a model system.

The *Simple Effective Transparent Strong Report* was tabled in Parliament on 24 March 2011 and recommended wide reaching changes.

The report builds on the work done for the CMC review and contains 57 recommendations for change to the QPS discipline system.

The report is currently being considered by Government.

Internal Witness Support Program

The Internal Witness Support Program is integral in promoting a climate where employees are prepared to report the suspected inappropriate behaviour of their peers. Under the *Police Service Administration Act 1990*, members have a mandatory obligation to report matters of suspected misconduct or breaches of discipline.

During 2010-11, the Internal Witness Support Unit contacted 736 QPS personnel about internal witness issues. During the year 95 members were placed on the Witness Support Program.

Corruption prevention

The QPS takes a 'zero tolerance' stance against corruption and unethical practice and is committed to providing policing services to the community based on honesty, integrity, fairness, equity, professionalism and accountability.

To assist members of the organisation in managing ethical behaviour and appropriate decision making, the QPS has a *Corruption Prevention Plan 2009-2013* which identifies four foundation pillars (themes):

1. the QPS corporate governance framework for corruption prevention
2. a strategic framework to ensure that the QPS remains a corruption resistant organisation
3. individual commitment: 'integrity is everyone's business'
4. education and ethical awareness.

Public interest disclosures

With the repeal of the *Whistleblowers Protection Act 1994* and the introduction of the *Public Interest Disclosure Act 2010* on 1 January 2011, the way in which public interest disclosures are to be publicly reported has changed. From 1 January 2011 agencies are no longer required to report public interest disclosures in annual reports.

Under the *Whistleblowers' Protection Act 1994*, for the period 1 July 2010 to 31 December 2010, 35 public interest disclosures were received by the QPS.

Audit Committee

The QPS Audit Committee assists the Commissioner in the review of the internal audit function and annual financial statements. During the year, the Audit Committee has observed the terms of its charter and had due regard to Queensland Treasury's Audit Committee Guidelines.

Membership of the Audit Committee at 30 June 2011 included:

- Mr G Carpenter, Consultant (Chair)
- Assistant Commissioner, Ethical Standards Command
- Assistant Commissioner, Metropolitan South Region
- Executive Director, Administration Division.

Activities of the Audit Committee in the financial period 2010-11 are detailed on page 19.

Audits, inspections and reviews

Internal Audit is an independent function established within the QPS to assist the Commissioner discharge his responsibilities under the *Financial Accountability Act 2009*. Internal Audit has due regard to Queensland Treasury's *Audit Committee Guidelines*.

The Internal Audit function was performed in accordance with the provisions of the Internal Audit and Inspectorate and Evaluation Branch Charter (October 2009), which was approved by the Audit Committee and the Commissioner.

Plans for each inspection/audit are submitted to the Assistant Commissioner, Ethical Standards Command, for approval prior to each inspection/audit.

In 2010-11, Internal Audit continued with its reviews of organisational activities supporting service delivery, making recommendations for improvement in the areas of corporate governance, including the management of physical, intellectual, financial and human resources.

The Inspectorate and Evaluation Branch of Ethical Standards Command, works with Internal Audit, and also conducts inspections and evaluations of a range of operational functions, duties and establishments. These complement the activities undertaken by Internal Audit. During 2010-11, the Inspectorate and Evaluation Branch conducted ten district/establishment audits and a range of inspections focussing on issues of Service-wide significance including work on police communication centres, Gold Coast and Coomera District Property Offices and search warrants.

Other major reviews/evaluations were conducted on:

- Removal of prisoners from correctional facilities
- Management of conducted energy weapons and oleoresin capsicum spray
- Station/Establishment issued firearms records.

Strategic Risk Management Committee

The QPS Strategic Risk Management Committee ensures that risk management is adopted by the QPS as a robust internal process to coordinate, oversee and model the interrelationships of key risk factors.

The Deputy Chief Executive (Resource Management) is the Chair of the Committee. The Committee consists of:

- Assistant Commissioner, Ethical Standards Command (Deputy Chair)
- Command Assistant Commissioner (24 month rotation)
- Regional Assistant Commissioner (24 month rotation)
- Corporate Services Executive Director/Assistant Commissioner (24 month rotation)
- QPS Solicitor
- Risk Management Coordinator, Ethical Standards Command.

Activities of the committee are included on page 18.

Risk management

Risk management plans are a readily available resource for members to establish strategies, minimise foreseeable risk and identify opportunities. They enable managers and members to rapidly respond to a changing policing environment by actioning behaviour intended to reduce identified risk without the need for creating extensive written records.

As part of the QPS' commitment to best practice in risk management, key activities conducted during the year included:

- over the horizon scanning to ensure future and emerging risks are identified and treated in a timely manner
- the application of appropriate contemporary corporate governance practices to continuous improvement through the principles of Risk Management ISO 31000.

External scrutiny

Review of service delivery and performance management

Between March and June 2008, the Service Delivery and Performance Commission (SDPC) conducted a review of performance and services delivered by the QPS.

The review identified a number of opportunities for improvement and made 54 recommendations across the following broad areas:

- demand measurement and analysis
- strategic planning
- analysis and management of trends in ethical slippage
- human resource management
- information and communications technology management and planning
- policy analysis and development.

As at 30 June 2011, 48 of the 54 recommendations (89%) had been implemented by the QPS.

Achievements during 2010-11 included:

- the continued review and updating of the QPS Human Resource Management Manual
- the development of tools to assist police districts with resource planning
- a review of and improvements to QPS evaluation processes
- the continued review of the QPS suite of position descriptions to ensure they accurately describe roles and responsibilities
- the consolidation of the QPS Corporate Governance Boards.

Police disciplinary system

In December 2010, the CMC produced '*Setting the Standard*' – a report which reviewed the current processes for the management of police discipline and misconduct matters. This report put forward 11 recommendations for a better, faster and fairer police disciplinary system. Recommendation 3 suggested that further work be undertaken to overhaul the current model by which the QPS and CMC manage police complaints and disciplinary processes.

This resulted in an independent panel being established to undertake the body of work. The Review Panel report ('*Simple, Effective, Transparent, Strong*') was released in May 2011. It builds on the work done for the CMC review and contains 57 recommendations for change to the QPS discipline system.

The complaint model proposed by the Independent Review focused significantly on the resolution of complaint matters through remedial intervention and the application of restorative justice principles (i.e. apology or acknowledgement).

The recommendations contained within the Independent Review report and CMC '*Setting the Standard*' are currently being considered by Government.

Police pursuits

On 31 March 2010, the State Coroner delivered his findings into the QPS Safe Driving (Police Pursuits) Policy, which included 13 recommendations. In response, the QPS announced it would support all of the recommendations contained in the State Coroner's report by implementing an even more restrictive QPS police pursuits policy and associated training by the end of 2011.

The QPS immediately implemented two recommendations by reinforcing existing policy and implementing additional training for Police Communications Centre Pursuit Controllers and continuing to investigate new technologies that can be applied as an alternative to pursuits. Examples of these new technologies include the use of in-car cameras and GPS tracking devices.

The revised policy will be communicated through a state-wide training program to be delivered between July and December 2011. This will involve over 10 300 officers being provided a full day's training. This is a significant commitment of resources (over 82 000 hours of police time) which the QPS sees as an investment in public safety.

In 2010-11, there were 302 pursuits. Over the trial period for the current policy (2008 – present), the average number of pursuits has decreased 48 percent when compared to the previous seven-year average (2000 – 2007).

Operation Tesco

The Crime and Misconduct Commission (CMC) has conducted Operation Tesco, an investigation into police misconduct and associated ethical issues.

In August 2010, the Commissioner of Police outlined 31 initiatives in response to the issues identified during the investigation.

18 initiatives were successfully completed by the required deadline of 31 December 2010. A number of these will require on-going evaluation during 2011.

A further 13 initiatives are required to be completed by 31 December 2011.

Review of legislation

During 2010–11, the QPS progressed a range of legislative amendments.

The review of the Police *Powers and Responsibilities Act 2000* continued in 2011, with a draft Bill released for public consultation between 21 March 2011 and 6 May 2011. The *Police Powers and*

Responsibilities Act 2000 is a significant piece of legislation that details the powers of police officers and provides safeguards for the exercise of those powers. The purpose of the review is to ensure the legislation keeps pace with developments in society and provides police with appropriate powers while safeguarding the rights of the community.

Key areas of proposed change include:

- the introduction of a power to search minors and their property where a police officer reasonably suspects they are in possession of alcohol
- allowing analysis of DNA samples to take place at an accredited forensic laboratory that is not a government laboratory
- ensuring community service orders imposed as an alternative to vehicle impoundments are enforceable
- an expansion of the circumstances in which a disease test order can be obtained
- an expansion of the time frame over which noise abatement directions can be given.

The *Prostitution and Other Acts Amendment Bill 2010* amended the *Prostitution Act 1999* to create a framework to regulate the manner in which social escort services can advertise for business and amended the Criminal Code to create new offences for carrying on the business of enabling illegal prostitution.

A review of the *Weapons Act 1990* has been underway since early 2008. In May 2010 the review was separated into two stages. Stage one culminated in a Bill being introduced into Parliament in the May 2011 sittings, with amendments including:

- increased penalties for behavioural offences
- regulation of possession of hand-held, battery-operated lasers
- a requirement for weapons licence applicants to complete an approved firearms safety course
- expansion of the current definition of bladed weapons in line with a national approach
- tighter regulation of rifles designed to use high capacity magazines
- clarifying that a person may possess a knife in a public place for genuine religious reasons
- removing the requirements for RSLs to licence and register permanently deactivated public monuments.

Stage two will focus on the more contentious policy issues, such as the regulation of imitation weapons, which attracted substantial community debate last year.

New child sex offender laws were passed by State Parliament in April 2011. The *Child Protection (Offender Reporting) Amendment Bill 2010* amended the *Child Protection (Offender Reporting) Act 2004*, and will result in stricter reporting requirements and tougher penalties for offenders who fail to comply with their reporting obligations. The new laws expand the list of matters offenders now need to report to police and the range of offences that require automatic listing on the Child Sex Offender Register. The Bill was to commence by proclamation on 1 July 2011.

Training and professional development

The Queensland Police Service has an extensive training program available to its employees through the Education and Training Command.

QPS training is organised into three major programs:

Initial Service Program - Major training programs include the Police Recruit Operational Vocational Education (PROVE) Program, First Year Constable Program, Policing Skills Program, Operational Skills and Tactics Program and Driver Training Unit.

Senior Leadership and Professional Development Program - The QPS Senior Leadership Development Model provides a framework for the development of senior leaders in the organisation, both police and staff members. Major areas of the program include the Executive Development Unit, Leadership Development Unit, Supervisor Development Unit, Incident Command Development Unit, Investigations and Intelligence Training Unit, and the Staff Member Training and Development Unit. Senior Leadership and Professional Development Program products are delivered through internal and external courses and on-line packages.

Education and Training Support Program - This program includes the Curriculum Development and Review Unit, Project Coordination Unit and the Flexible Learning and Support Unit. The role of the program is to provide leadership, support and advice for the full range of education and training initiatives within the QPS.

Ethical conduct and integrity training

Discipline and ethical awareness training has been provided on a state-wide basis. This proactive education and training emphasises self-regulation and ethical decision-making. During the year 131 courses and sessions were delivered to 2 328 participants.

Ethical awareness sessions were included in the Staff Members Induction Course, Police Liaison Officers Induction Course, Queensland Police Union of Employees Branch Officials Course, the Liquor Licensing Train the Trainer Course and the Lesbian, Gay, Bisexual, Transgender and Intersex (LGBTI) Course.

In addition, during recruit training, ethics, integrity and the associated decision making framework is integrated throughout the curriculum.

Ethics themed leadership conference

Ethical Standards Command, in partnership with the Leadership Development Unit, presented an Executive Leadership Conference, *Ethical Leadership: Leading ethically and managing professionally*, in November 2010. Approximately 100 participants representing 17 overseas, national and state government agencies attended.

Minimising harm

The Queensland Police Service promotes both proactive and reactive measures to support officer and community safety.

Training is one of the most important means the QPS utilises to support officer safety. This includes a range of training modules for recruits and First Year Constables and skills training for sworn police officers. Training includes a focus on threat (risk) assessments, arrest and control techniques, negotiation skills and dealing with emergencies. In addition, a comprehensive suite of services supporting employee physical and mental health are available to all QPS employees.

More on page 63

Key future initiatives

Enhancing the discipline and misconduct system

The QPS will begin a staged implementation of supported recommendations arising from the CMC report *Setting the Standard* and the independent review of the Queensland Police complaints, discipline and misconduct system to provide a simpler, more effective police discipline system and to improve public confidence in police misconduct investigations.

Declarable associations

Inappropriate associations between police and certain members of the community have been identified as a possible risk factor for the QPS and its members.

The QPS has developed a draft policy titled 'Declarable Associations' which will be trialled for six months.

Gratuities Policy

In response to the CMC Operation Tesco, the QPS will progress implementation of a gratuities policy which will provide direction to members on soliciting and accepting gratuities.

National Police Remembrance Day

On September 29, a number of ceremonies were held throughout Queensland for National Police Remembrance Day. For us it is the most important day of the year, where we honour the memory of our colleagues who have made the ultimate sacrifice and lost their lives in the line of duty.

In Brisbane, members of the QPS and Australian Federal Police participated in a commemorative march from Police Headquarters to St Stephen's Cathedral where a memorial service was held. The service was well attended by colleagues, family and friends. The day was preceded by the candlelight vigil at the Police Wall of Remembrance in George Street.

Candlelight vigils, marches and memorial services are held throughout the State.