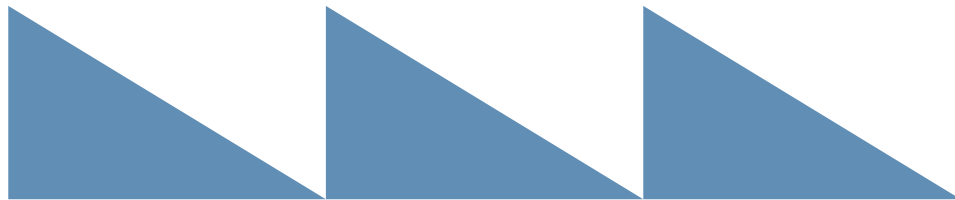


Predatory behaviour by Victoria Police officers against vulnerable persons

Intelligence report 2

December 2015



Authorised and published by the
Independent Broad-based Anti-corruption Commission,
Level 1, 459 Collins Street, Melbourne.

December 2015

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Also published on the IBAC website www.ibac.vic.gov.au

ISBN 978-0-9944222-0-0 (print)
ISBN 978-0-9944222-1-7 (online)

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Police perform a vital function, serving the community and the law to ensure a safe, secure and orderly society. Frontline police perform their duties in often difficult circumstances, coming into contact with members of the community who are under stress, vulnerable and sometimes unpredictable due to mental health or drug issues, and in times of crisis.

To help keep our community safe, police officers are entrusted with significant powers that can be exercised often with discretion over their fellow citizens. The exercise of these powers can be vulnerable to misuse; damaging to both the individuals involved and the broader community.

This report examines circumstances where it is alleged that some Victoria Police officers have misused the power and trust placed in them to sexually exploit vulnerable persons whom they have met in the course of their duties. Such predatory behaviour by a small minority of officers can have devastating impacts on victims while undermining the crucial work of the vast majority of their colleagues.

This intelligence report examines key trends and issues in sexual predatory behaviour by police against vulnerable persons in the community. A series of case studies from the past 10 years further illustrate these issues.

It is recognised that predatory behaviour by police against vulnerable persons is in all likelihood under-reported. It is hoped that the publication of this report will raise the profile of the issue and encourage persons who have been victimised by this behaviour to have the confidence to come forward.

In recent times Victoria Police has recognised that some of its officers do engage in predatory behaviour and sexual harassment against their own colleagues and has engaged the Victorian Equal Opportunity and Human Rights Commission (VEOHRC) to conduct a review into understanding the extent and nature of this behaviour.

The work of VEOHRC is a systemic review looking at the drivers of sexual discrimination, sexual harassment and predatory behaviour by police personnel against other police personnel.

Victoria Police has also established Taskforce Salus to investigate allegations of predatory behaviour, sexual harassment and sexual discrimination against its officers.

IBAC has committed to independently reviewing all Victoria Police investigations into predatory behaviour.

The case studies presented throughout this report represent examples of alleged predatory behaviour by Victoria Police officers.

The case studies highlight a number of common themes in allegations of predatory behaviour. These themes are further discussed in the 'key issues' identified throughout the report.

1 Findings

Predatory behaviour by police officers is almost certainly under-reported

The power imbalance between a vulnerable person and a police officer, the shame and trauma experienced by the victim, the fear of re-living the experience in a formal setting, the fear of retaliation or not being believed, and the selection of victims based on their vulnerability and perceived lack of credibility are contributing factors to under-reporting.

Female victims of domestic and family violence have been the most frequent targets of alleged predatory behaviour by police

The number of family violence incidents attended by police has increased rapidly in recent years giving predisposed officers more opportunity to engage in predatory behaviour.

Standards of supervision and management are critical to setting benchmarks for acceptable conduct

Cases examined by IBAC have demonstrated tacit acceptance of predatory behaviour by colleagues and inaction by supervisors and managers.

The misuse of police databases is a common facet of predatory behaviour

The adoption of a focused proactive auditing regime of relevant Victoria Police information systems will assist in detecting officers engaging in predatory behaviour.

Predatory behaviour is likely to be pattern-prone

Investigations into alleged predatory behaviour should examine whether the alleged conduct forms part of a wider pattern of behaviour by the subject officer.

Allegations of predatory behaviour are twice as likely to be substantiated compared to other types of complaints against police

This should provide victims with confidence that their complaint will be treated seriously.

Internal discipline sanctions relating to predatory behaviour have not always aligned with community expectations

On multiple occasions offending officers have been allowed to remain in the organisation, only to commit similar offences again. Victoria Police's appointment of a dedicated hearing officer to preside over discipline hearings has in recent times improved the consistency of discipline sanctions.

IBAC has identified a number of current serving officers who have been subject to multiple allegations of predatory behaviour

Victoria Police has advised IBAC that it is developing risk assessments in respect of these officers and has to date taken appropriate actions including investigation, where necessary.

2 Definition

In the context of this report, predatory behaviour has been defined as where:

- a police officer or Protective Services Officer (PSO) misuses their authority to commence or attempt to commence an intimate personal and/or sexual relationship with a vulnerable person they have met in the course of their duties
- a police officer or PSO misuses their authority to sexually assault, stalk, harass or groom a vulnerable person they have met in the course of their duties.

Typically, vulnerable persons who have been subjected to predatory behaviour by police have included victims of domestic and family violence, sexual assault and other crimes; minors/youth; perpetrators of criminal or traffic offences; persons with alcohol and/or drug dependencies; persons with a disability or mental health issues and sex workers.

3 Scope and methodology

This report draws on complaints made between 1 January 2004 and 30 June 2014. The complaints were recorded on databases held by Victoria Police, the former Office of Police Integrity (OPI) and IBAC.

Complaint allegations which have been investigated and resulted in clear and conclusive findings of no wrongdoing on the part of the police officer involved have been excluded from analysis in this report¹. This measure has been taken to ensure the analysis was not impacted by clearly false or misleading complaints.

In light of the work undertaken by Victoria Police and VEOHRC, the scope of this report has been limited to allegations of predatory behaviour by police officers against members of the community. Therefore, complaints by police employees against other police employees were excluded from this report unless stated otherwise.

¹ Allegations determined as 'Unfounded' or 'Exonerated' were excluded from analysis. Determinations refer to police complaint investigation findings only and do not include findings handed down in court.

4 By the numbers

Between 1 January 2004 and 30 June 2014 searches of Victoria Police, OPI and IBAC databases identified a total of 1 14 recorded complaints alleging forms of predatory behaviour.

A total of 142 individual victimisations² were identified from these complaints. For each of the 142 alleged victimisations, a primary allegation type was assessed.

The most common allegation types assessed were 'Improper Behaviour', 'Use Position' and 'Sex Offence'.

'Improper Behaviour' typically related to incidents where a police officer allegedly made lewd and suggestive unwanted remarks of a sexual nature to a vulnerable person.

'Use Position' typically related to incidents where a police officer allegedly used their position to proposition, commence or attempt to commence an intimate relationship with a vulnerable person.

'Sex Offence' typically related to alleged sex crimes (offences contained within the *Crimes Act 1958*) including rape, indecent assault and sexual acts with minors committed by police officers against vulnerable persons.

Analysis of the complaint data revealed:

- all but one of the officers identified as alleged perpetrators of predatory behaviour were male
- with one exception, all victims of alleged predatory behaviour were female
- officers identified as alleged perpetrators had on average 13 years of service at the time of receiving a complaint of predatory behaviour
- approximately one-third of identified officers were subject to two or more separate allegations of predatory behaviour. A number of these officers were still employed by Victoria Police at the time of drafting this report³
- officers identified as alleged repeat perpetrators (with two or more separate allegations) accounted for nearly half of all recorded allegations
- officers from rural locations were over-represented as alleged perpetrators of predatory behaviour⁴, although officers from metropolitan locations still represented the majority of alleged perpetrators
- victims of domestic and family violence were the most common victims of alleged predatory behaviour. Persons with mental health issues, minors, victims of other crimes and sex workers were also common victims of alleged predatory behaviour
- statistically, complaints about predatory behaviour were twice as likely to be substantiated than other complaints against police⁵.

² Refers to individual recorded incidents in which a vulnerable person was allegedly subjected to predatory behaviour by police. Some recorded complaints contain multiple alleged victimisations and multiple victims.

³ 30 September 2015.

⁴ Officers from rural locations received 35 per cent of all predatory behaviour allegations but account for 22 per cent of the Victoria Police workforce.

⁵ Approximately 26 per cent of recorded predatory behaviour allegations identified were substantiated. Between 2006 and 2011, approximately 13 per cent of all police complaint allegations were substantiated.

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www.ibac.vic.gov.au

1300 735 135

Victoria Police

Professional Standards Command

www.police.vic.gov.au

1300 363 101

Taskforce Salus

taskforcesalus-oic@police.vic.gov.au

03 8327 6845

VEOHRC

complaints@veohrc.vic.gov.au

1300 891 848

5 Key issues

Under-reporting

It is widely accepted that domestic and family violence and sexual assault are under-reported. It is almost certain the true extent of predatory behaviour by police is also masked by under-reporting.

The reasons for under-reporting include the power imbalance between a vulnerable person and a police officer, the shame and trauma experienced by the victim, the fear of retaliation or of not being believed, and a predator's selection of a victim based on their vulnerability and perceived lack of credibilityⁱ.

The formality of both the criminal justice system and the police discipline system may also deter victims from reporting. In these formal settings, victims may be required to re-live their potentially traumatic experiences without any guarantee of outcomes meeting their expectations.

Police officers who have at least some awareness of predatory behaviour by a colleague have in the past often failed to report this conduct. Despite positive changes in recent times, the police culture of loyalty and secrecy and the fear of consequences remain the primary barriers to police officers reporting misconduct or corruption by their colleagues.

The work of VEOHRC has indicated that police personnel who were victims or witnesses to sexual harassment, including predatory behaviour, often faced multiple barriers to reporting, including negative consequences for their reputation or career, and in some cases risks to their personal safety.

Victoria Police has indicated that in recent times internal reports of misconduct and corruption have increased, driven at least partially by younger officers. This is a positive trend which may be indicative of a gradual shift in organisational culture.

Case study: A victim's lack of confidence in reporting

The Professional Standards Command (PSC) received information alleging several incidences of predatory behaviour by an officer.

The officer was subject to complaints against him alleging similar conduct a number of years earlier. The information stated the officer's behaviour was common knowledge among his colleagues but nobody was willing to report it.

It was alleged the officer had sexually propositioned multiple women he had met in the course of his duties.

In at least one incident, the alleged conduct of the officer potentially amounted to the criminal offence of stalking. The alleged victim in that incident was approached by PSC officers and reluctantly confirmed the allegations. However, she expressed significant concerns about being involved in a formal investigation process for fear of reprisal from the officer. Subsequently the investigation was not taken any further.

The officer remains employed by Victoria Police.

A number of the cases examined by IBAC demonstrate the reluctance of victims to report predatory behaviour by police. Often complaints were made by third parties with knowledge of the incidents and not by the victims themselves.

A key challenge is to empower victims to report alleged offences which currently go undetected.

The review being undertaken by VEOHRC and the publication of this report by IBAC present a key opportunity to provide victims in the community with the confidence to come forward and for Victoria Police to examine its systems, processes and cultural barriers within the organisation which enable these behaviours and prevent reporting.

These initiatives will assist Victoria Police in reinforcing appropriate standards of ethical conduct and building the confidence of victims and witnesses to report in the knowledge they will be safe and respected.

The fact that complaints about predatory behaviour have been twice as likely to be substantiated as other types of police complaints should provide victims with some confidence that if they do report predatory behaviour, it will be investigated thoroughly.

Case study: A victim's courage

A former police officer was sentenced in the County Court to two years' imprisonment (15 months suspended) for attempting to induce a bribe from a female motorist.

The officer intercepted the female driver for failing to wear her seatbelt and asked her to consider ways to persuade him to not issue a penalty notice.

The officer contacted the woman throughout the day asking whether she had considered what she could offer him.

He eventually propositioned the woman for a sexual favour but was rejected. The woman recorded the conversation and made a complaint to police, resulting in a PSC investigation and eventual criminal charges.

In sentencing the officer to imprisonment, the judge commented that he had 'preyed upon a vulnerable young woman' and had betrayed 'the many good police officers who carry out their difficult duty with distinction, humanity and trust'.

Supervision and culture

Workplace culture is a key pillar in the prevention and detection of most forms of unethical behaviour by police officers.

Supervisors and managers hold significant influence over the ethical culture of their workplaces and are looked to for positive role modelling of acceptable behaviours.

A number of the cases examined by IBAC suggest a tacit acceptance of poor behaviour by some police (for example, inappropriate sexual comments written off as larrikinism), often due to inadequate and inept supervision and management.

Tacit acceptance or even complicity in unethical behaviour by senior officers not only sets a poor example for subordinates, but does not engender confidence among those officers who wish to report misconduct by their colleagues.

Colleagues, supervisors and managers are best placed to recognise predatory behaviour (and other forms of misconduct) by police officers. However the perception that management will not do anything about it if reported has been a barrier to reporting for some police.

Section 4 of this report identifies that officers in rural locations are over-represented in allegations of predatory behaviour. Past inquiries in Australiaⁱⁱ and overseasⁱⁱⁱ have identified predatory behaviour by officers in rural areas is often enabled by a lack of adequate leadership, supervision and the necessary increased autonomy afforded to rural officers.

Although the proportion of female officers in Victoria Police is increasing, VEOHRC suggests the low proportion of female supervisors and managers is a contributing factor that reinforces outdated norms concerning the role and value of women in policing. Only 11 per cent of supervisors and managers in rural areas are women.

Standards of supervision are also likely to have a direct bearing on the prevailing culture of a workplace. The inability to periodically refresh supervisors and managers – and to attract and retain staff from outside the immediate area – contribute to poor workplace culture in some rural areas.

Case study: A failure of management

The PSC investigated allegations that a male officer had sexually assaulted a female victim of family violence whom he met in the course of his duties.

During the investigation, numerous female police officers came forward and stated that over the course of several years they too had been subject to sexual harassment and sexual assault by the officer. Some colleagues had reported the officer's conduct to their superiors but no action was taken.

The investigation also identified that the officer had frequently misused the police Law Enforcement Assistance Program (LEAP) database to access the personal details of women he had met in the course of his duties to pursue for sexual relationships. The officer would usually contact the women via telephone or using his police email account. Some of the women were particularly vulnerable due to mental health issues or being victims of family violence.

The officer was charged with numerous discipline offences and faced dismissal but resigned under investigation prior to a police discipline hearing.

The Office of Public Prosecutions had earlier determined there was insufficient evidence to support the prospect of criminal convictions.

The investigation also found that supervisors at the police station had failed in their duty to manage the performance and conduct of the officer and follow up on the complaints of female colleagues.

Access to law enforcement computer systems and databases

A common facet of predatory behaviour is the improper access and use of Victoria Police databases and other computer systems (including email). Officers have used these systems to obtain the personal details of vulnerable persons and maintain contact with them. Case studies from other jurisdictions confirm this as a common theme.

Reports by the New South Wales Police Integrity Commission^{iv} and the United Kingdom's Independent Police Complaints Commission^v recommend a proactive and intrusive auditing regime to identify high-risk officers.

While it is difficult to ascertain exactly how common the misuse of police databases is in the commission of alleged predatory behaviour offences by Victoria Police officers, there are enough indications to suggest it is a key component.

Any proactive strategies to identify officers possibly engaging in predatory behaviour should involve a comprehensive auditing regime of access to Victoria Police computer systems, cross referenced against other official records.

On the assumption that predatory behaviour is pattern-prone, database audits to identify usage irregularities should be protocol on receipt of allegations. This approach may assist in identifying the full extent of predatory behaviour by accused officers.

Case study: Unexplained use of the LEAP database

A police officer was subject to a complaint alleging that while on-duty he sexually assaulted two intoxicated females he had offered to drive home from a bar. The officer had previously been subject to complaints regarding his sexualised behaviour. This included alleged on-duty visits to brothels and the alleged theft of seized pornographic material from a police station.

An audit of the officer's LEAP database access identified he had conducted a disproportionate number of checks on female members of the public. PSC investigators were unable to locate any official documentation to support the checks being conducted for legitimate law enforcement purposes. The officer subsequently retired under investigation and discipline and/or criminal charges against him were not pursued.

Pattern-prone behaviour

Predatory behaviour is likely to be pattern-prone. Several of the case studies detailed in this report involved officers who had complaint histories with multiple prior allegations of predatory behaviour.

In these instances, the patterns of behaviour are easily identified. The case study titled 'A failure of management' (see page 8) – and other cases examined by IBAC but not published in this report due to their sensitivity – involves an officer who had no documented prior complaint history of alleged predatory behaviour, but on being investigated was found to have victimised multiple persons over a span of many years.

The lack of confidence in reporting by vulnerable persons and by colleagues who had witnessed or who had even been victim to predatory behaviour often conspire to ensure patterns of behaviour are not realised due to a lack of formally documented complaints.

The differing ways a predatory behaviour complaint is investigated can also determine whether patterns of behaviour are uncovered or not.

Some cases examined for this report were investigated by Victoria Police with a singular focus on establishing the particulars and veracity of a solitary incident.

Conversely some investigators have identified the alleged predatory behaviour as likely to be pattern-prone and have broadened their enquiries. In those instances, what began as a solitary allegation often became cases with numerous allegations involving multiple victims.

It is therefore important that when Victoria Police investigates complaints of predatory behaviour, consideration must be given to whether the alleged conduct is part of a wider pattern of behaviour.

Case study: Patterns of behaviour

Police arrested an 18-year-old woman under the Mental Health Act. As a child, the woman had a troubled upbringing and had frequent contact with police and social services. Prior police records stated that owing to her traumatic past she was at 'high risk of sexual/emotional exploitation'.

Following her arrest, a male police officer accompanied her to hospital for assessment. A number of days later the officer began contacting the woman via Facebook and an intimate relationship developed. Some time later a social worker assisting the woman became aware of the relationship and made a complaint to Victoria Police.

While the complaint was being investigated, the officer received a further complaint. Another woman whom the officer was assisting following a family violence incident alleged that he made inappropriate flirtatious comments to her and several days later made unsolicited attempts to contact her via Facebook. The officer was subsequently charged with discipline offences but resigned under investigation prior to a police discipline hearing.

During its investigation, PSC identified that several years earlier the officer had been subject to a complaint that he had formed an inappropriate intimate relationship with a family violence victim he had assisted in the course of his duties. At the time the officer claimed the relationship was social and not intimate. Though it was unable to be substantiated, the earlier complaint may have been the first indication of an ongoing pattern of behaviour by the officer.

Discipline outcomes

From 1 January 2004 to the time of drafting this report⁶, eight Victoria Police officers were dismissed at disciplinary hearings in relation to predatory behaviour against vulnerable persons in the community or colleagues. IBAC notes that all eight officers have been dismissed at disciplinary hearings since August 2014. This coincides with Victoria Police's appointment of a single dedicated senior officer (in February 2014) to preside over all serious discipline hearings and the establishment of Taskforce Salus and the VEOHRC independent review (November–December 2014).

In the 10 years prior to these initiatives, five Victoria Police officers faced disciplinary hearings in relation to predatory behaviour; however none were dismissed. All five officers received subsequent complaints alleging some form of predatory behaviour, highlighting their continuous risk to vulnerable community members and their colleagues.

It is important that disciplinary sanctions against police officers who are found to have engaged in predatory behaviour are appropriate and would meet public expectations. In addition to ensuring individuals are accountable for their behaviour and mitigating future risk to other people and the organisation, appropriate disciplinary sanctions also help validate the decision of a vulnerable person to proceed with their complaint.

Cases examined by IBAC for this report identified that many officers chose to resign under investigation prior to the completion of disciplinary processes. IBAC has identified pre-emptive resignation to avoid discipline processes as an issue across its jurisdiction. While this removes the problematic employee from the agency, it does not necessarily address systemic issues that may have enabled the problematic behaviour to occur. IBAC has also observed that public officers who resign under investigation often re-emerge elsewhere in the public sector, where they may engage in similar conduct.

Victoria Police has advised that, in the context of predatory behaviour, it considers that accepting voluntary resignations may help to protect victims from being re-victimised by having to re-live their trauma as a witness through the disciplinary process.

Case study: A missed opportunity

A male officer assisted a female complainant obtain an intervention order following a family violence incident. The officer later met the woman socially and an ongoing sexual relationship commenced. During their relationship the woman had continual involvements with police in relation to family violence incidents. The officer was spoken to several times by senior officers about his relationship with the woman but denied any existed. On further questioning he eventually admitted the nature of his relationship with the woman. As he was still subject to probation, the officer was referred to the Police Academy for a hearing to determine his suitability to remain in Victoria Police.

At the hearing the presiding officer determined that the officer fully understood the consequences of his actions and could still be a valuable member of Victoria Police. His probationary period was extended and he was transferred to another station.

Some time later the officer took a report from another woman alleging she had been the victim of a family violence-related assault. Following this, the officer commenced a sexual relationship with the woman. After several weeks the officer ended the relationship and the woman attempted self-harm. The matter was reported to PSC. When interviewed by investigators the officer admitted to the relationship but believed it to be appropriate. As he was still subject to probation he was directed to attend another hearing at the Police Academy to determine his employment suitability. Prior to the hearing he submitted his resignation.

⁶ 30 September 2015.

Recruitment and vetting

Retrospective examination of police predatory behaviour offenders demonstrates that in a number of cases, concerns regarding their suitability were raised at the recruitment or training phases.

Victoria Police has recently concluded a mass recruitment drive, which saw the recruitment of more than 4000 police and PSOs in fewer than four years.

Despite the pressure to meet recruiting targets, Victoria Police indicated that established recruitment standards were maintained.

Inadequate vetting of substantive officers for higher-risk positions is also an issue.

For example, some officers with both proven and alleged histories of predatory behaviour were given responsibility for station portfolios such as family violence, or have gained positions in specialist units such as Sexual Offences and Child Abuse Investigation Teams, possibly without adequate consideration given to probity.

Case study: Recruitment red flags

After multiple attempts at joining, a male was accepted as a Victoria Police recruit. He had been rejected on previous occasions owing to concerns regarding his suitability.

Throughout his police career he was subject to numerous allegations – many of which were substantiated – regarding obsessive and stalking behaviours towards female police colleagues he had been in relationships with, and his behaviour toward vulnerable females he met through his police duties. He faced a court hearing and multiple discipline hearings but was not dismissed from the force.

The officer was eventually charged with criminal offences related to a sexual relationship with a 17-year-old female he had arrested. The charges were eventually withdrawn and the officer resigned from Victoria Police while under investigation, avoiding further discipline proceedings.

Organisational responsiveness

In other comparable jurisdictions, academic research^{vi}; government inquiries^{vii}; and senior police^{viii} have advocated strongly for police forces to have prescriptive policies in relation to predatory behaviour.

Victoria Police does not currently have any specific policy in relation to predatory behaviour against vulnerable persons in the community.

A comprehensive policy does exist in relation to sexual harassment in the workplace. The prohibited behaviour outlined in the sexual harassment policy outlines a number of specific acts which are akin to predatory behaviour (albeit internal) as defined in this report.

Victoria Police has indicated that before considering any policy changes, they first hope to understand the breadth and depth of the issue through the work of VEOHRC, IBAC and their own internal investigations (Taskforce Salus).

While there is strong support for prescriptive predatory behaviour policy from academia and other sources, it could be argued that supervision and culture are more important factors in ensuring accountability, raising awareness of and preventing predatory behaviour.

The issues identified by this report and the work of VEOHRC and Taskforce Salus will present an opportunity for Victoria Police to reshape its response to predatory behaviour by its own officers.

Case study: Criminal dereliction of duty

A former police officer was sentenced in the County Court to eight years and seven months' imprisonment in relation to a series of misconduct, sexual and drug offences. The officer was convicted of misconduct in public office after having sex with a woman whose home he had attended following family concerns for her welfare. The woman later stated that she only acceded to the officer's advances because he was a police officer and she felt she had to.

The woman later made a complaint about the officer to PSC. Around the same time, PSC received several other complaints against the officer including alleged rape and drug offences. Subsequently an investigation was commenced.

The investigation uncovered further allegations of sexual assault and criminal behaviour by the officer. He was eventually charged with criminal offences including multiple counts of rape, misconduct in public office, bribery, drug possession and drug trafficking. He was convicted of one count of rape; two counts of misconduct in public office and pleaded guilty to several drug charges.

In sentencing the officer to imprisonment, the judge commented that the case was 'a criminal dereliction of your duty as a police officer to act towards a vulnerable person, with whom you first came in contact in your role as a police officer, with sensitivity and understanding, and not to abuse your power to take advantage of her, forcing her by your position of power to accede to your wishes for sexual activity'.

The officer unsuccessfully appealed his conviction and sentence to the Supreme and High Courts.

6 Conclusion

Predatory behaviour is a serious police misconduct issue that undermines community confidence and can have devastating impacts on already vulnerable people.

Victoria Police has recognised that predatory behaviour is an important issue, and by commissioning an independent review by VEOHRC, will seek to address sex discrimination and sexual harassment, including predatory behaviour, among Victoria Police personnel.

However data collected by IBAC⁷ suggests alleged predatory behaviour against vulnerable community members is at least more frequently reported than alleged predatory behaviour against other police personnel, if not more frequent in its actual occurrence.

This report identifies a number of key findings and issues associated with predatory behaviour against vulnerable community members including:

- predatory behaviour is almost certainly under-reported
- female victims of domestic and family violence are the most frequent targets of alleged predatory behaviour by police
- standards of supervision and management are critical to setting a benchmark for acceptable behaviour and preventing predatory behaviour
- the misuse of law enforcement information and databases is a common facet in the commission of predatory behaviour
- predatory behaviour is likely to be pattern-prone
- allegations of predatory behaviour are twice as likely to be substantiated compared to other types of complaints against police
- discipline outcomes and criminal sanctions, where appropriate, for officers found to have engaged in predatory behaviour are critical to maintaining community confidence and preventing future repeat behaviour by these officers
- inadequate vetting processes have allowed predisposed officers to enter Victoria Police and in some circumstances obtain positions in higher-risk work areas.

The issues identified by IBAC in this report in conjunction with the work of VEOHRC and Taskforce Salus present Victoria Police with a significant opportunity to improve its organisational capability to prevent and detect predatory behaviour by its own officers.

⁷ From 1 January 2004 to 30 June 2014.

About the VEOHRC independent review of Victoria Police

The Victorian Equal Opportunity and Human Rights Commission has been commissioned by Victoria Police to conduct an independent review into sexual discrimination and sexual harassment, including predatory behaviour, among Victoria Police personnel.

The review is being led by an expert panel, chaired by Commissioner Kate Jenkins, with Professor Paula McDonald, former New Zealand Commissioner Peter Marshall and Major General Gerard Fogarty (retired). The expert panel will review, report and make recommendations on:

- the nature and prevalence of sex discrimination and sexual harassment including predatory behaviour among Victoria Police personnel
- the drivers of sexual discrimination and sexual harassment among Victoria Police personnel
- the impact of sexual discrimination and sexual harassment on people targeted by these behaviours
- initiatives required to drive cultural and practice change, including the adequacy and effectiveness of existing initiatives and of approaches to training, education, mentoring and development
- organisational change strategies to promote safety, equality and freedom from sexual harassment in Victoria Police
- any other matters the panel considers appropriate that are incidental to the above terms of reference.

Additionally, 18 months after the release of the panel's report and then again 12 months later, a further independent report will be prepared which:

- audits the implementation by Victoria Police of the recommendations in the panel's report
- makes any further recommendations necessary.

More information about the review can be found at www.victorianhumanrightscommission.com/vpir/

About Taskforce Salus

Taskforce Salus was established in December 2014 as an independent investigations unit within Victoria Police to identify and investigate incidents of sexual predatory behaviour, sexual harassment and sexual discrimination committed by police employees.

A number of employees are under investigation, with some having been charged with criminal and/or discipline offences, and/or had administrative restrictions placed upon them.

Taskforce Salus is receiving an increasing number of reports and is also reviewing historical investigations back to 1 January 2011. In addition, the taskforce is developing intelligence holdings in relation to police predatory behaviour, individuals and workplaces.

The taskforce has the following mission and objectives.

Mission: Identify and investigate serious predatory behaviour and systemic sexual discrimination and sexual harassment committed by Victoria Police personnel in order to provide a safe and inclusive workplace.

Objectives

1. Investigate predatory behaviour committed by Victoria Police personnel.
2. Investigate sexual harassment and sexual discrimination committed by Victoria Police personnel.
3. Identify, review and further investigate reported matters initiated from 1 January 2011.
4. Analyse, profile and understand the environment that enabled those behaviours..

The taskforce is overseen by a steering committee chaired by the Deputy Commissioner (Capability) to provide governance over both the implementation of recommendations made by VEOHRC and the activities and strategic direction of the taskforce.

7 End notes

ⁱ International Association of Chiefs of Police, *Addressing sexual offences and misconduct by law enforcement: Executive Guide*, Alexandria, 2011

ⁱⁱ Victorian Ombudsman, *The Maryborough Police Investigation*, Melbourne, 1997

ⁱⁱⁱ Bazely, M, *Report of the Commission of Inquiry into Police Conduct Volume 1*, Wellington, 2007

^{iv} Police Integrity Commission, *Project Odin – Identifying and managing high risk officers in the NSW Police Force*, Sydney, 2009

^v Independent Police Complaints Commission, *The abuse of police powers to perpetrate sexual violence*, London, 2012

^{vi} Stinson, P, Liederbach, J, Brewer, S, Mathna, B, *Police sexual misconduct: A national scale study of arrested officers*, Bowling Green, 2014

^{vii} Bazely, M, *Report of the Commission of Inquiry into police conduct Volume 1*, Wellington, 2007

^{viii} International Association of Chiefs of Police, *Addressing sexual offences and misconduct by law enforcement: Executive Guide*, Alexandria, 2011

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