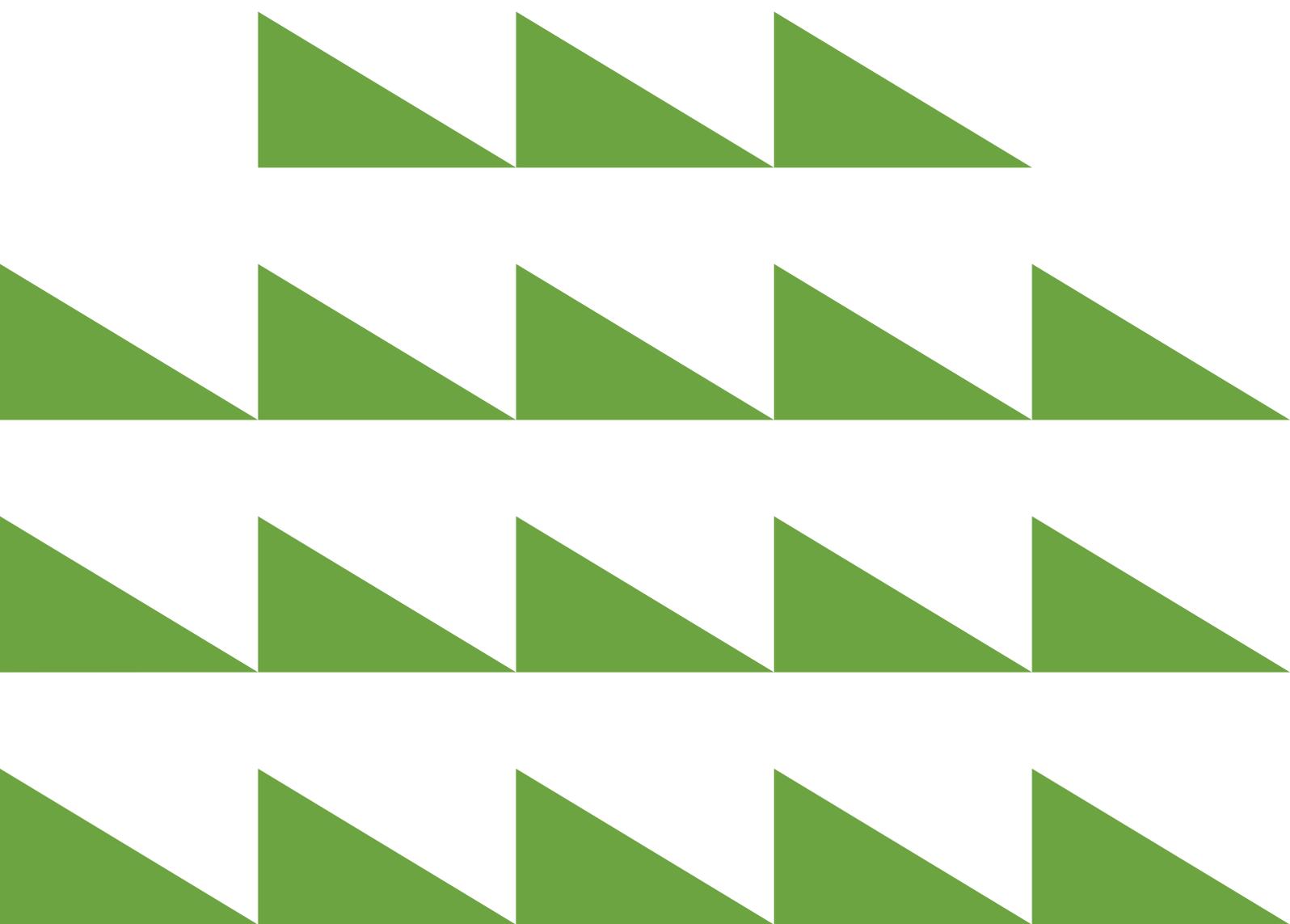


Transit Protective Services Officers

An exploration of corruption and misconduct risks

December 2016



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Definitions

	Explanation
Allegation	A specific claim of misconduct or corrupt conduct made against a PSO. Complaints and notifications may contain multiple allegations against different entities and/or officers (eg one complaint may contain three allegations).
Analysed data	Includes all relevant complaint allegations regardless of their final determinations, including allegations not proven.
Designated place	Defined in the Victoria Police Regulations 2014 as: railway premises; rail premises on or adjoining railway premises including any car parking area on the rail premises; any roadway or other thoroughfare giving access to rail premises; any area on or adjoining rail premises used by other modes of transport; any car park controlled by a council adjoining or in the vicinity of rail premises; any privately owned or managed land used for a car park or other public transport purposes adjoining or in the vicinity of rail premises.
LEAP	Victoria Police's law enforcement assistance program
POS	Perception of safety
Protective Services Officer (PSO)	Sworn officer of Victoria Police who is granted some powers and functions of a constable when on duty in a 'designated place'.
ROCSID	Victoria Police's Register of Complaints, Serious Incidents and Discipline
Sample period	Data for this report has been collected and analysed for the period 12 February 2012 to 31 December 2015
TSD	Victoria Police Transit Safety Division
VEOHRC	Victorian Equal Opportunity and Human Rights Commission

1. Overview

Since 2011, transit Protective Services Officers (PSOs) have been employed by Victoria Police to patrol metropolitan and major regional railway stations. Their functions include maintaining a visible presence on train stations and surrounding areas, engaging with the community and fostering a sense of safety. They exercise a range of powers including the power to arrest and detain people, to request personal information, and to search people and property.

This report reviews complaint and use of force data relating to transit PSOs. IBAC identified three key areas of risk in relation to PSO conduct:

- assault and excessive use of force
- unauthorised access to and/or disclosure of information
- predatory behaviour involving members of the public.

Engagement with the public is fundamental to the role of PSOs. This includes dealing with people who are vulnerable, for instance because they are minors, have alcohol and/or drug dependencies, are homeless, and/or have a disability or mental health issues. PSOs who have well developed communication and conflict resolution skills are less likely to be the subject of complaints, such as allegations of assault or excessive force, or unlawful requests for information. **IBAC therefore recommends that Victoria Police provides PSOs with ongoing communication and engagement training.**

The report also identifies that some members of the Victorian community may not fully understand the role of PSOs and the extent of their powers, which has the potential to lead to conflict with PSOs and therefore complaints. **IBAC recommends that Victoria Police takes steps to ensure the public better understands the role and powers of PSOs.**

This report does not consider the effectiveness of the PSOs in fulfilling their functions. However, it is noted that in 2016, the Victorian Auditor-General's Office conducted an audit of the effectiveness of the PSO program and found that while there is evidence that people who travel on trains at night feel safer due to PSOs, there is insufficient data to assess the impact, if any, that PSOs have had on crime rates.¹

¹ Victorian Auditor-General's Office, *Public Safety on Victoria's Train System*, February 2016.

1. Overview

1.1 Key findings

IBAC identified three key areas of risk in relation to transit PSO conduct, being:

- assault and excessive use of force, which represented 42 per cent of allegations examined by IBAC
- unauthorised access to and/or disclosure of information obtained in the course of duty
- predatory behaviour involving members of the public, most commonly involving a PSO obtaining a young woman's personal details to facilitate social contact.

Other key findings arising from IBAC's analysis of data relating to PSOs for the period February 2012 to December 2015 include:

- a significant increase in the number of complaints against PSOs between 2012 and 2015 (noting that the number of PSOs deployed also increased over that period)
- most assault/excessive use of force allegations concerned conduct at the lower end of the scale in terms of seriousness
- communication by PSOs with members of the community can be challenging, particularly with vulnerable people, and can give rise to complaints
- most complaints were made against PSOs with less than one year's service
- the largest proportion of complaints against PSOs occurred at Melbourne's CBD railway stations.

1.2 Background

1.2.1 What powers does a PSO have?

A PSO is a sworn officer of Victoria Police who is granted some of the powers and functions of a constable when on-duty in a 'designated place' (as defined in the Victoria Police Regulations 2014).

Transit PSOs are employed to patrol metropolitan and major regional railway stations. Victoria Police also employs PSOs to perform security duties at various locations including Parliament House and law courts. The scope of this report is limited to transit PSOs.

The primary legislative powers conferred upon PSOs are the power:

- to arrest
- to obtain personal information
- of search and seizure
- to apprehend, detain or move persons
- to issue infringement notices, fines and official warnings.

Administratively, PSOs sit within the Transit Safety Division (TSD) of Victoria Police, with the exception of PSOs based in Bendigo, Ballarat, Traralgon and Geelong (the supervision of these officers rests with their respective regions). PSOs are also governed by the:

- *Victoria Police Act 2013*
- *Bail Act 1977*
- *Control of Weapons Act 1990*
- *Crimes Act 1958*
- *Drugs, Poisons and Controlled Substances Act 1981*
- *Environment Protection Act 1970*
- *Graffiti Prevention Act 2007*
- *Liquor Control Reform Act 1998*
- *Magistrates' Court Act 1989*
- *Mental Health Act 2014*
- *Road Safety Act 1986*
- *Summary Offences Act 1966*
- *Transport (Compliance and Miscellaneous) Act 1983*
- Victoria Police Manual, which includes the Chief Commissioner's instruction on PSO powers and policy
- PSO handbook which is used by PSOs as a guide detailing their powers and processes.

1.2.2 PSOs' power to obtain personal information

PSOs have the power to obtain personal information including the power to demand a person's age, name and address where a liquor offence is reasonably believed to have been committed² and the power to require the provision of names and addresses where a transport or graffiti offence is reasonably believed to have been committed.³

PSOs may request personal details in a number of ways. For example, a PSO may ask for contact details or ask to view identification when issuing a fine or infringement notice or when issuing on-the-spot fines for Transport Act offences, weapon and graffiti offences and some summary offences.

In addition, the Victoria Police Manual states PSOs have the power to gather intelligence through field contact reporting and to submit electronic information reports and person warning flags. This information is collected to ensure police have a body of information and intelligence that they can draw on when undertaking investigations or attending incidents.

² *Liquor Control Reform Act 1998*.

³ *Transport (Compliance and Miscellaneous) Act 1983, Graffiti Prevention Act 2007*.

1. Overview

1.3 The PSO workforce

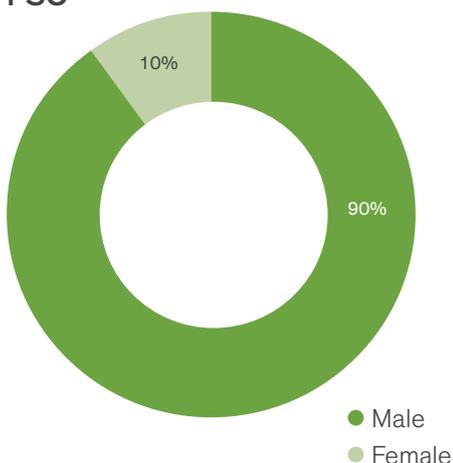
As of 31 December 2015, Victoria Police employed 1,320 PSOs.⁴ As at this date PSOs working within the TSD were deployed to 177 of the 216 railway stations across metropolitan Melbourne. They were also deployed at four major regional railway stations: Ballarat, Bendigo, Traralgon and Geelong.

1.3.1 Gender

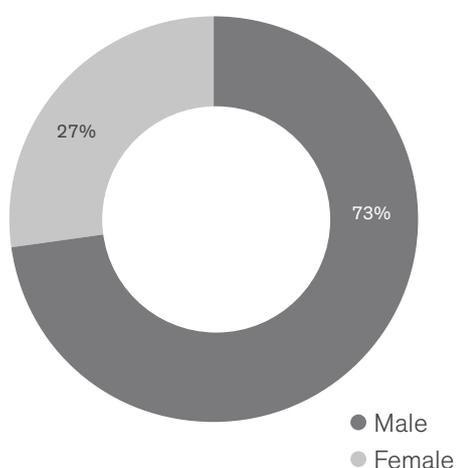
As shown in Figure 1 below, the PSO workforce is 90 per cent male and has a lower percentage of female employees than the broader sworn police population.

FIGURE 1: GENDER DIVERSITY OF PSOs AND VICTORIA POLICE OFFICERS (SWORN)

PSO



Police (Sworn)



1.3.2 Culture and diversity

There is a lack of data relating to the cultural, religious and ethnic backgrounds of PSO recruits. However, Victoria Police reports that the PSO workforce is culturally diverse and consists of a significant proportion of officers from varied cultures and backgrounds.⁵

1.3.3 Training

PSO recruits undergo 12 weeks of training at the Victoria Police Academy.

The TSD identified the need for more training around how PSOs exercise discretion. In response, the Academy developed and implemented *use of discretion* training. The training incorporates case studies developed from actual complaints to highlight how PSOs might assess and use discretion in different situations.

All PSOs attend compulsory post-deployment training 12 months and 18 months after their initial deployment. This training is an opportunity for PSOs to receive customised refresher training, after significant periods of being operational.

⁴ The employee composition data was extracted from the *Workforce at a Glance December 2015* report prepared by Victoria Police. The data does not distinguish between court services PSOs and transit PSOs.

⁵ Victoria Police, Professional Standards Command, *Cultural diversity amongst Protective Services Officers*, 24 April 2014.

1.4 Methodology

This report examined data relating to transit PSOs for the period February 2012 to December 2015.

IBAC's analysis was based on data drawn from Victoria Police's Register of Complaints, Serious Incidents and Discipline (ROCSID), workforce data and Use of Force Register (a database that records use of force by Victoria Police officers), as well as data held by IBAC and the former Office of Police Integrity.

The analysed data is inclusive of all relevant complaint allegations regardless of final outcomes, including allegations which were not substantiated.

All complaints were cross-referenced to ensure duplicate complaints were excluded from the analysis.

1.5 Recommendations

IBAC recommends Victoria Police:

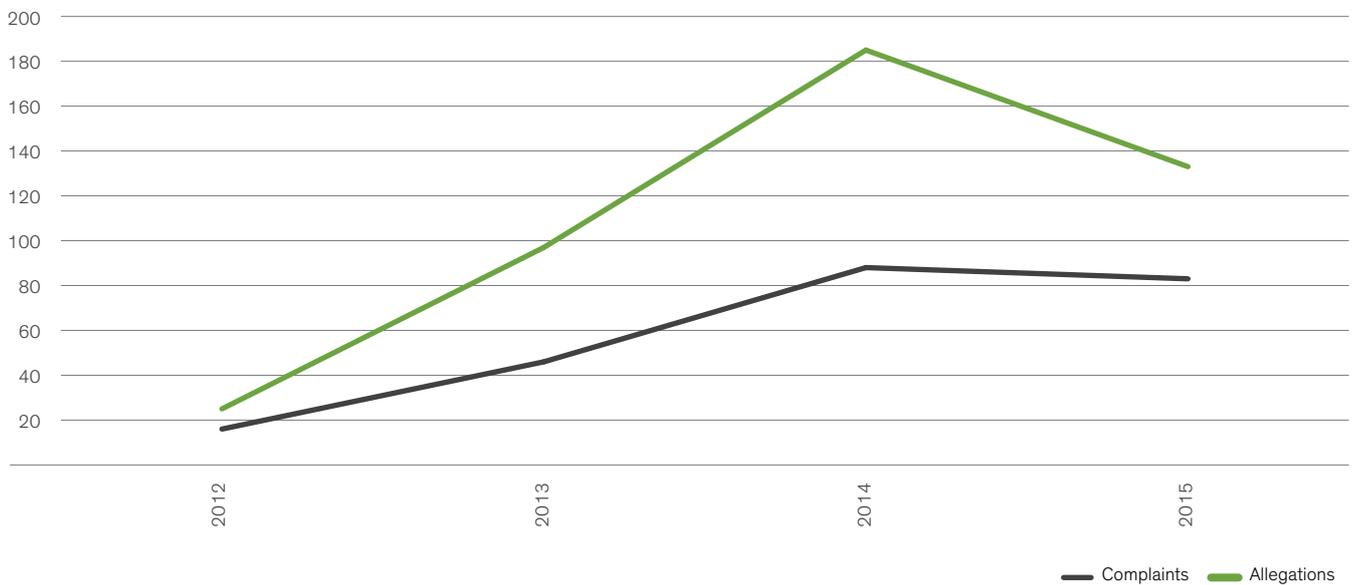
1. considers ways to improve the community's understanding of PSOs' functions and powers
2. considers reviewing the training provided to PSOs in relation to:
 - effective communication and conflict resolution skills
 - professional and ethical standards.

2. Trends – general analysis of PSO complaints and use of force

2.1 Complaint data at a glance

For the period 12 February 2012 to 31 December 2015 there were 233 recorded complaints against PSOs and a total of 440 allegations from those complaints. This is represented in Figure 2 which shows complaints and allegations by calendar year. It is noted there was a significant increase of 375 per cent in the number of PSOs between 2012 and 2015⁶ and that is likely to have effected the number of complaints and allegations.

FIGURE 2: COMPLAINTS AND ALLEGATIONS TOTAL BY CALENDAR YEAR



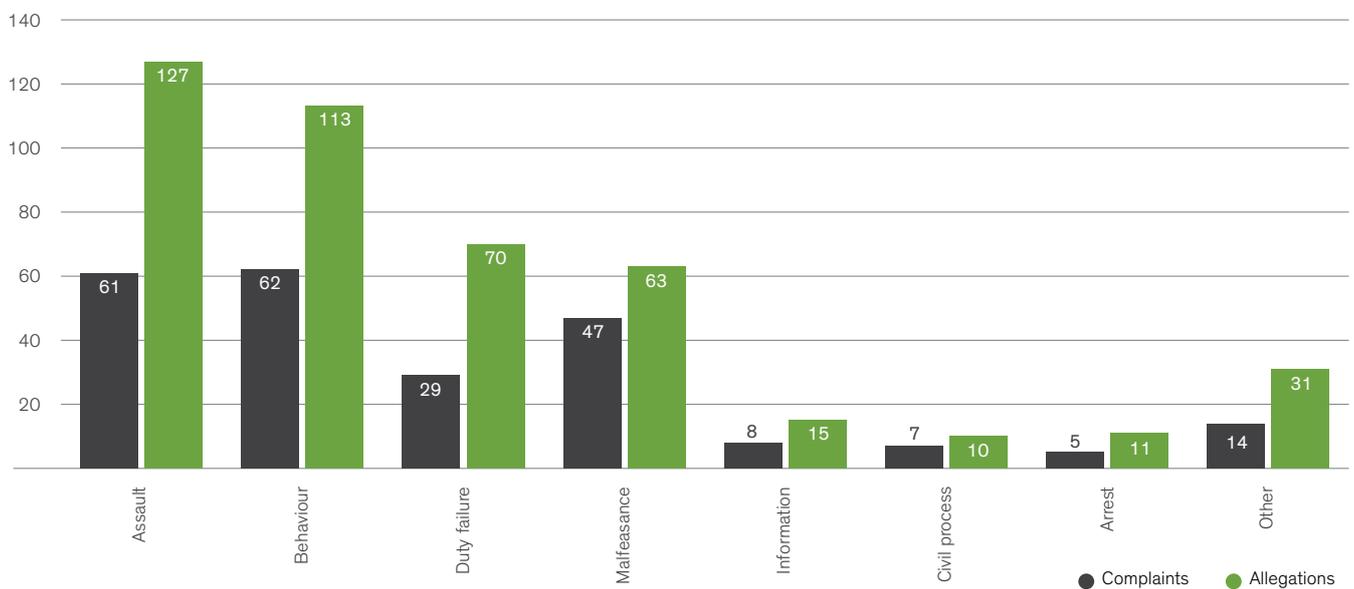
⁶ Victoria Police advises that the number of PSOs increased from 213 in 2012 to 1012 in 2015.

Figure 3 shows the allegations categorised by type, based on classifications determined by Victoria Police.

The highest number of complaints and allegations relate to assault (61 complaints and 127 allegations). Of the assault complaints, 56 were classified as minor (most were categorised as ‘manhandling’). Five were categorised as serious.

The second highest complaint category is PSO behaviour, with a total of 62 complaints and 113 allegations. (Victoria Police uses ‘behaviour’ as a general descriptor for a broad range of conduct ranging from rudeness/incivility to inappropriate and unprofessional conduct.)

FIGURE 3: COMPLAINTS AND ALLEGATIONS TOTAL BY TYPE



2. Trends – general analysis of PSO complaints and use of force

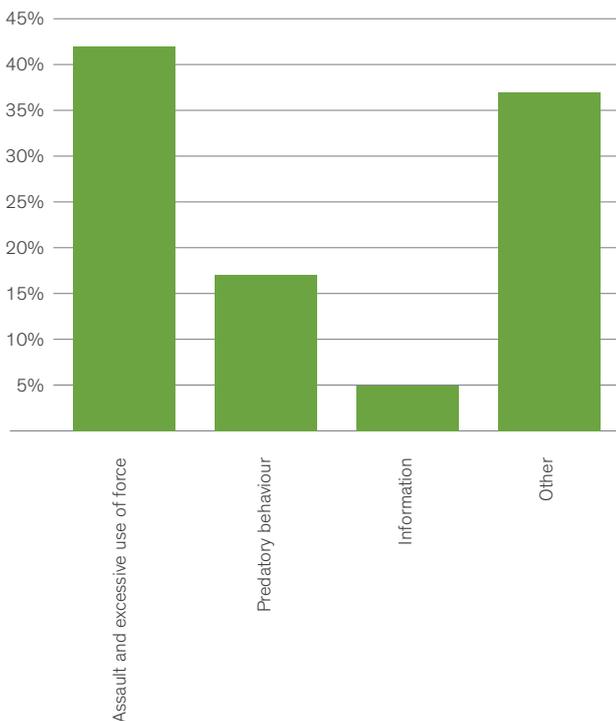
2.2 Three key areas of risk

More detailed analysis of the complaint data undertaken by IBAC, involved reviewing each complaint to extract data around key allegation themes (rather than relying on the classifications used by Victoria Police). As a result of this analysis, it was identified that PSOs are at risk of engaging in specific conduct that may present a significant risk for Victoria Police. The analysis revealed:

- 182 allegations of assault and excessive force
- 76 allegations of predatory behaviour
- 18 allegations of unauthorised access to and/or disclosure of information.⁷

Figure 4 shows this data as a percentage of the total number of allegations for the period examined. The three key areas of risk are examined below. The 'other' category contains a collection of various allegations covering issues such as behavioural conduct, including incivility and duty-failure, and off-duty conduct, including family violence related and traffic matters.

FIGURE 4: KEY AREAS OF RISK BY ALLEGATIONS



⁷ From this point forward in the report, the number of allegations/complaints are based on IBAC's analysis (and not on those in Figure 3).

2.3 Location of complaints

IBAC identified that the majority of complaints occurred while a PSO is on duty within a designated place (147 complaints and 334 allegations). The remainder of complaints occurred off-duty (73 complaints with 93 allegations) and while in training at the academy (12 complaints with 13 allegations).

2.4 Some local areas record more complaints and use of force entries than others

IBAC's analysis showed the largest proportion of complaints against PSOs related to incidents that occurred at Melbourne CBD railway stations. This is not unexpected given the high level of patronage of those stations.

In relation to recorded instances of use of force by PSOs:

- Dandenong and Noble Park railway stations had the second and third highest number of use of force records respectively – three times higher than comparable areas
- four regional stations (Ballarat, Bendigo, Traralgon and Geelong) have had PSOs deployed for approximately 18 months. These are large and busy regional stations but have a low number of use of force entries as well as complaints during the sample period.

It is noted the deployment of PSOs to railway stations throughout Melbourne and regional centres has been staggered (commencing in early 2012) and that the period of time a station has had PSOs may have some effect on its number of complaints and instances of use of force. However, differences in the number of complaints and instances of use of force at specific railway stations cannot be explained solely by how long PSOs have been deployed at that station. For example, Box Hill had 14 recorded instances of use of force, compared with Thomastown which had 18⁸, despite PSOs being officially deployed to Thomastown a year after Box Hill.

There was no clear reason for the differences in use of force entries between railway stations. It may be appropriate for Victoria Police to examine this further to ascertain why some transit local areas have a higher number of recorded use of force entries than others.

2.5 Most complaints are made against less experienced PSOs

PSOs are most likely to receive a complaint early in their career; IBAC's analysis showed most complaints (56 per cent) were made against PSOs in their first year of service.

Most complaints are made against PSOs aged in their late twenties and early thirties. This is consistent with the age profile of PSOs, most of whom are in their thirties.

This finding indicates there will be value in Victoria Police adopting an early intervention and prevention approach to address emerging issues with PSOs, before they engage in conduct which could result in a complaint.

⁸ For the period to 31 March 2015.

3. Assaults and excessive use of force

3.1 Summary of the issue

Assault allegations can cover a wide range of conduct but typically involve a complaint about an excessive use of force during an arrest or apprehension.

As highlighted above, assault is the most common type of allegation against PSOs. Assault and excessive force-type allegations made up 42 per cent of the total number of allegations made against PSOs during the sample period.

Use of force

The use of force by PSOs is lawful when it is reasonable in the circumstances and not disproportionate to the perceived threat. PSOs need to identify a lawful purpose for the use of force, for example, an arrest needs to have reasonable grounds under the Crimes Act or Transport Act depending on the incident.

PSOs are required to act in a way that is compatible with human rights when making a decision to use force. A PSO must be able to identify and articulate the reason for limiting a person's human rights under the *Charter of Human Rights and Responsibilities Act 2006*, showing the action was a lawful use of their powers.

3.2 Characterisation of misconduct or behaviour

Of the 182 assault allegations identified, a substantial number contained one or more of the following elements:

- excessive use of force (48)
- a request for information (36)
- resisting arrest (33)
- issues around Myki cards (12).

The case study on the next page is an example of an interaction between PSOs and a member of the public that escalated into an arrest and subsequently a complaint about assault or excessive force.

Case study 1 – Complaint of excessive force and unlawful arrest

The complainant alleged they were unlawfully arrested by PSOs at a railway station. During the arrest, it was alleged PSOs smashed the complainant's head three times onto concrete causing injuries. The complainant also alleged the PSOs did not adequately communicate their reasons for speaking to them and the subsequent arrest.

On the use of force form, the PSOs stated they observed an intoxicated person being abusive to train staff. The PSOs said they directed the person to stop, however the abuse continued. The PSOs said they followed the person to the taxi rank where the person abused the taxi drivers. PSOs reported they approached the person who then pushed a PSO in the chest. The PSOs attempted to arrest the person, a struggle ensued and in an attempt to get the person to stop resisting the arrest, one PSO displayed an OC foam canister but did not use it. This had no effect as the person then allegedly attempted to punch one PSO. The person was taken to the ground and handcuffed. No injuries were reported.

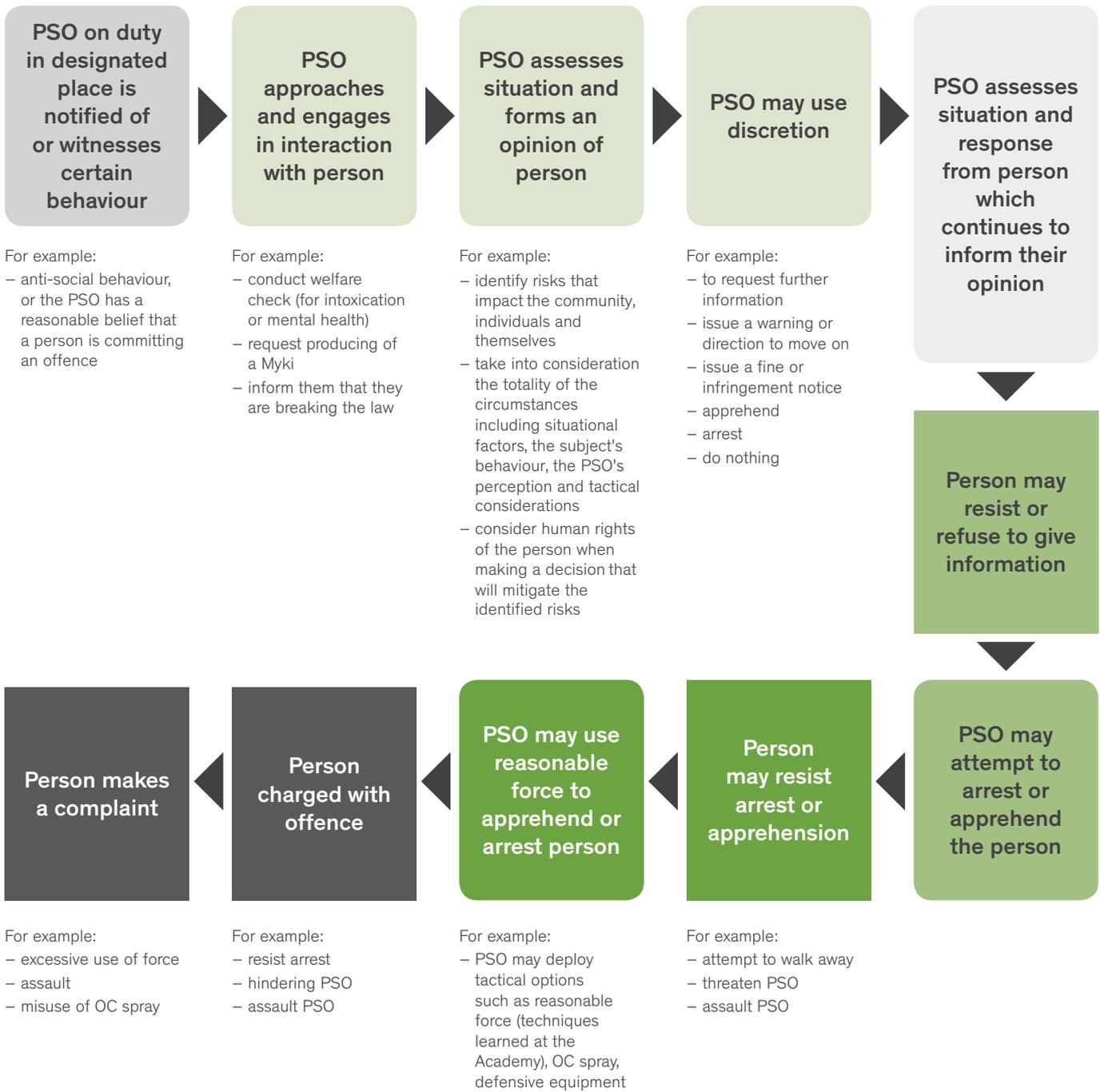
The person subsequently made a complaint, which was investigated by Victoria Police and found not to be substantiated. Victoria Police found that the person had been told by the PSOs that they were to be arrested for using indecent language, and that there was insufficient evidence that the PSOs had used excessive force in effecting the arrest.

When a person refuses to comply with a PSO's lawful request, it may be due to a failure to understand a request, or a misunderstanding of PSOs' functions and powers, possibly due to a person being incapacitated, being unable to understand English, or having a disability or mental health issues. In addition, PSOs have varying levels of skills in effectively assessing a situation, communicating and using discretion. Therefore some interactions between PSOs and members of the public escalate into the use of force and subsequent complaints. An example of how this can occur is illustrated in Figure 6.

When a PSO can effectively communicate with members of the public around the exercise of their powers and use appropriate discretion, it lowers the risk of an interaction escalating and resulting in a complaint.

3. Assaults and excessive use of force

FIGURE 6: AN EXAMPLE OF HOW AN INTERACTION BETWEEN A PSO AND MEMBER OF THE PUBLIC CAN ESCALATE TO A COMPLAINT



4. Predatory behaviour

4.1 Summary of the issue

Predatory behaviour allegations represent 17 per cent (76 allegations) of all allegations against PSOs. As IBAC has previously reported, predatory behaviour involving vulnerable community members is likely to be underreported.⁹

Consultation with Taskforce Salus (established by Victoria Police to investigate allegations of predatory behaviour, sexual harassment and discrimination against its officers) indicated PSOs are not overrepresented in relation to their investigations into predatory behaviour and sexual harassment.

Predatory behaviour

Predatory behaviour in relation to PSOs is defined as a PSO misusing their authority in an attempt to pursue an intimate relationship with a vulnerable person they have met in the course of their duties, or to sexually assault, harass or groom a vulnerable person they have met in the course of their duties. Predatory behaviour is also an internal issue relating to colleagues as examined in the Victorian Equal Opportunity and Human Rights Commission (VEOHRC) report into predatory behaviour within Victoria Police.¹⁰

Complaints relating to predatory behaviour are often classified by Victoria Police as complaints of improper behaviour, duty failure, malfeasance or discrimination.

4.2 Characterisation of misconduct or behaviour

Most complaints against PSOs examined by IBAC that contained predatory behaviour-themed allegations related to lower level behaviour. Most commonly, this involved a PSO targeting a young woman to obtain personal details so they could then contact her socially.

A PSO may have a lawful reason for approaching and requesting a person's details, however it is not lawful to request personal information to pursue a relationship.

Case study 2 - Predatory behaviour

A complaint containing an allegation of improper behaviour was investigated by Victoria Police.

The complainant was at a railway station where PSOs spoke to her about smoking on the platform. The PSOs then moved off but one PSO returned to obtain the complainant's details for the running sheet.

Later, the woman received a post on Facebook from the PSO. The post included information on the restrictions of smoking on Transit Authority property and the fine for doing so, before stating she had 'amazingly beautiful eyes' and that she was not going to receive a fine.

As a result of the investigation, the PSO received workplace guidance.

⁹ Predatory behaviour by Victoria Police officers is the subject of a separate IBAC report. IBAC, *Predatory behaviour by Victoria Police officers against vulnerable persons*, Intelligence Report 2, December 2015.

¹⁰ Victorian Equal Opportunity and Human Rights Commission, *Independent Review into sex discrimination and sexual harassment, including predatory behaviour in Victoria Police – Phase One Report*, 2015.

4. Predatory behaviour

4.3 Gender inequality issues within Victoria Police

In 2015, VEOHRC conducted a review of sex discrimination and sexual harassment including predatory behaviour in Victoria Police.¹¹ It identified that gender inequality is the key driver of sexual harassment, sex discrimination and predatory behaviour within Victoria Police. Victoria Police advised IBAC there is a 'zero tolerance policy' for sexism in the workplace within TSD and that offending officers are approached immediately to resolve any issues. Victoria Police has committed to and is in the process of implementing the review's 20 recommendations.

It is noted the PSO workforce is predominantly male and that the proportion of female PSOs is significantly lower than the proportion of female police officers.

¹¹ Victorian Equal Opportunity and Human Rights Commission, *Independent Review into sex discrimination and sexual harassment, including predatory behaviour in Victoria Police – Phase One Report*, 2015.

5. Unauthorised access to and/or disclosure of information

5.1 Summary of the issue

IBAC found information release and disclosure were elements of 18 allegations about improper behaviour, duty failure and malfeasance, and made up four per cent of the total number of allegations examined for the sample period.

Specifically, allegations were made about PSOs' inappropriate access to and use of information obtained in the course of duties.

Allegations around unauthorised access to and/or disclosure of information are often made by internal complainants. It is encouraging that employees report such concerns.

Victoria Police reported that internal complaints of this type are more likely to result in a substantiated complaint than those made by a member of the public. This may reflect, in part, that an internal complainant is more likely to be believed than an external complainant. There may also be stronger evidence (for example, an electronic trail) supporting the allegation.

5.2 Characterisation of misconduct or behaviour

PSOs have the power to conduct criminal record checks to gather intelligence. IBAC understands it is common practice for PSOs to take down the names and addresses of people they interact with and then look them up on the Victoria Police Law Enforcement Assistance Program (LEAP) database. The following case study shows a complaint arising from a PSO using their access to Victoria Police information for an unlawful purpose.

Case study 3 - Inappropriate use of information

Victoria Police investigated an internal complaint against a PSO in relation to unauthorised disclosure of information.

PSOs at a police station were conducting LEAP checks on people they had spoken to during their shift. After conducting one check, a PSO used their mobile phone to photograph the LEAP screen. When questioned by their colleague, they said 'that was my brother's ex-wife'.

The PSO then used their phone to send the photograph to their brother. The PSO told their colleague they were 'sending it to their brother for a laugh'.

The matter was investigated by Victoria Police Professional Standards Command resulting in charges being laid. The matter was heard at the Magistrates' Court. The Magistrate noted 'I am satisfied [the action] was not in any way calculated or for any sinister purpose, but was simply a foolish failure to understand and comply with the law and regulations with respect to accessing this type of private data.'

The PSO was entered into a diversion plan that required payment of \$500 to the court fund, a letter of apology to the victim and a formal undertaking that they would resign from their position as soon as reasonably practical.

5. Unauthorised access to and/or disclosure of information

A number of complaints alleged a PSO's request for information was inappropriate.¹² When conducting 'perception of safety' (POS) checks there is a concern about how some PSOs approach members of the public and their reasons for doing so. A POS check is a form of community policing where a person is asked to provide PSOs with identification for the purpose of improving the community's perception and satisfaction with policing. Victoria Police has agreed there is no legislative authority to compel people to provide their identification details in these circumstances however, they stated the PSOs' request is framed as an 'ask' rather than a 'demand'.

Where the reason for conducting these checks is not clear, it may appear that a PSO has exceeded their powers in relation to requests for personal information. This may contribute to people's unease about providing personal details to PSOs, when no perceived wrongdoing has occurred.

5.3 Communication can be a challenge, especially when dealing with vulnerable people

The reasons for non-compliance with a PSO request can be complex, but may involve the following:

- PSOs may not have been effective in assessing a situation, communicating and using discretion. As a result, the person does not understand why they are being asked for information.
- The person being asked for information or asked to comply does not understand the PSO's functions and powers, or has a negative perception of PSOs.

PSOs come into contact with a range of vulnerable people (including minors, people with drug and/or alcohol dependencies, and people who are homeless, or who have a disability or mental health issues), as well as those who may be engaged in unlawful conduct. PSOs must have well developed communication skills and be able to explain the grounds on which information is requested and when necessary, the reasons for an arrest.

The following case study is an example of an IBAC investigation that identified some of the difficulties of communication when dealing with a vulnerable person.

¹² This issue was also raised in VEOHRC's 2014 report on the operation of the *Charter of Human Rights and Responsibilities*.

Case study 4 - IBAC Operation Boyd

Three PSOs conducted a welfare check on a suspected drunk person (person D). After a brief conversation, the PSOs assessed them as a threat on the basis of their appearance and behaviour (being verbally abusive and threatening).

Two of the PSOs pushed person D with the stated intention of creating space between them, which caused person D to fall into a gutter. The PSOs then arrested person D for being drunk. A struggle ensued and person D spat into the face of one PSO. Person D was then also arrested for assault. During their interview, person D said that the PSOs had 'kicked the shit out of me'.

IBAC investigated a number of allegations, including assault by the PSOs. The allegations were not substantiated. However, the investigation did identify issues in the exercise of PSOs' powers while on duty in a designated place, and the credibility of a vulnerable person as a complainant, which can make it more difficult to substantiate an allegation.

It is critical that Victoria Police ensures PSOs receive regular training to help develop and maintain their communication skills. It is also important that Victoria Police takes steps to improve public awareness of PSOs' role and powers to help prevent misunderstandings from arising.

In 2015, Victoria Police trialled a system at select railway stations where PSOs issued a receipt when they engaged with a person for the purposes of field contact reporting. The objective of the trial is to improve communication with the public, which may reduce complaints about PSOs requesting information. A broader receipting trial was also conducted within Victoria Police in 2015. In December 2016, Victoria Police reported that following an evaluation of this trial, mandatory receipting following interactions with the public would not occur, in part because members of the public did not see the provision of a receipt as beneficial and were less satisfied with their contact with police and PSOs as a result.¹³ It is understood that Victoria Police is considering adopting, as an alternative, an approach based on the provision of business contact cards by police officers and PSOs.

¹³ In the Victoria Police *Equality is not the same... Year Three, 2016* report.

6. Conclusion

PSOs are responsible for patrolling railway stations and fostering a sense of safety among members of the Victorian community who commute. To be able to effectively carry out their role, PSOs are entrusted with powers including the power to arrest, to search and seize, and to obtain personal information.

This report has reviewed complaint and use of force data relating to PSOs between 12 February 2012 and 31 December 2015. This review has found that there are three key areas of risk in relation to the conduct of PSOs:

- assault and excessive use of force
- unauthorised access and/or disclosure of information
- predatory behaviour.

Effective communication is critical in preventing future complaints. Complaints about PSOs engaging in assault and using excessive force may sometimes result from situations where members of the public have not fully understood PSO functions and powers, as well as PSOs sometimes lacking adequate communication, conflict resolution and use of discretion skills.

Recommendation 1

That Victoria Police consider ways to improve the community's understanding of PSOs' functions and powers.

Victoria Police's response

Victoria Police advised it is developing a communication and media strategy to provide guidance to the community about the powers and roles of PSOs. This will include signage on all railway stations, and utilising closed circuit TV to promote messages about the roles, responsibilities and powers of PSOs. Consideration will also be given to commercial advertisements across a range of mediums.

Recommendation 2

That Victoria Police consider reviewing the training provided to PSOs in relation to:

- effective communication and conflict resolution skills
- professional and ethical standards.

Victoria Police's response

Victoria Police advised that it has developed and implemented several new programs and engaged with internal stakeholders to address this recommendation. To address gaps in PSO training, new programs were introduced for all TSD personnel in 2016/17, covering discretionary decision making and professional and respectful behaviours. The course on discretionary decision making, which includes greater emphasis on communicating with vulnerable people, will be part of the PSO training program from March 2017.

In addition, an incident/debrief review system has been established by TSD for all notable incidents (such as assaults, near misses, injuries, and use of force) involving PSOs. The review procedure builds on best practice behaviours and also identifies individuals or practices that do not meet organisational standards or expectations. The learnings from reviews are fed back to frontline officers and used as a broader PSO teaching tool by the division or local area command. The reviews are centrally governed to provide consistency and to provide a focus on operational and organisational risks.

Victoria Police further advised that the implemented programs and governance procedures are in line with IBAC's review and recommendations, and are essential in building the skill set and capabilities of PSOs.

