



Summary

Operation Turon

An investigation into alleged misconduct by a former
Victoria Police Assistant Commissioner

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Operation Turon was an investigation by the Independent Broad-based Anti-corruption Commission (IBAC) into the alleged police misconduct of then Assistant Commissioner Brett Guerin.

Summary of investigation

In May 2017, Victoria Police notified IBAC of a complaint made against Assistant Commissioner, Professional Standards Command (PSC), Brett Guerin.¹ The complaint alleged he had used an online pseudonym, 'Vernon Demerest', to post comments to Facebook regarding matters involving Victoria Police. Based on the limited information available to IBAC at the time to support the allegations, IBAC determined to return the matter to Victoria Police for action.²

Seven months later, in December 2017, Victoria Police received further allegations that Assistant Commissioner Guerin had posted inappropriate material on various sites using the same pseudonym. In February 2018, Victoria Police notified IBAC of these allegations and IBAC commenced an investigation under section 64(1)(b) of the *Independent Broad-based Anti-corruption Commission Act 2011* (Vic) (IBAC Act).³

Assistant Commissioner Guerin resigned from Victoria Police while under investigation in February 2018.

IBAC found Assistant Commissioner Guerin engaged in police misconduct through his online trolling, both on and off duty, including in relation to matters relevant to Victoria Police and with information he obtained in the course of his duties.

IBAC did not find any evidence that his decision making as Assistant Commissioner PSC was compromised by any underlying beliefs or views. However, IBAC found he used racist, homophobic and other offensive language to elicit a reaction to the comments he made while using online pseudonyms.

No criminal charges were laid against Assistant Commissioner Guerin. While his conduct was offensive and inappropriate, it did not meet the standard required to file charges under the *Criminal Code Act 1995* (Cth).

This is a summary of IBAC's *Operation Turon Special Report*. The full report is available on IBAC's website.

Key points

- Assistant Commissioner Guerin was responsible for promoting a culture of high ethical standards, including managing complaints against Victoria Police and its employees. His misconduct brought his decision making, and Victoria Police, into disrepute.
- Operation Turon highlights the importance for all Victoria Police employees to ensure their conduct, both on and off duty, upholds the Victoria Police values. This is particularly important for senior leaders who are tasked with guiding employees in appropriate standards of conduct, in line with community expectations.
- IBAC has previously identified misuse of social media as an area of concern due to the increased use of social media and encrypted messaging applications by police, including for work purposes.
- Although Victoria Police has strengthened policies, systems and practices in response to Operation Turon, IBAC continues to receive a significant number of allegations against police regarding their social media use. Between 1 July 2018 and 30 June 2021, IBAC received approximately 120 allegations related to Victoria Police employees' use of social media.

¹ While he has since resigned from Victoria Police, this summary will refer to Assistant Commissioner Guerin using his rank at the time of the alleged conduct and his resignation.

² Under section 73(1)(b) of the IBAC Act, IBAC must refer a complaint or notification to a person or body, including the Chief Commissioner of Police, if it would be more appropriate for the complaint or notification to be investigated by that person or body rather than by IBAC.

³ IBAC may investigate police personnel conduct in response to a complaint or a notification from Victoria Police, or on its 'own motion'. IBAC can initiate 'own motion' investigations into police personnel conduct under section 64(1)(c) of the IBAC Act where IBAC determines a matter should be investigated even though a complaint or notification has not been received.

Systemic corruption and police misconduct risks

IBAC's investigation identified a number of systemic corruption and police misconduct risks:



Social media use

There were a number of deficiencies in the Victoria Police social media policy, including its application to comments made anonymously or using a pseudonym. IBAC also identified the need for increased awareness and understanding of the policy by all employees.



Offensive online behaviour

IBAC identified that social media was used to post racist, homophobic or otherwise offensive comments (under a pseudonym), over a number of years.



Improper online commentary on police matters

IBAC identified comments posted on social media, while using a pseudonym, in relation to several police matters, including incidents subject to internal investigations.



Employment practices

There were a number of vulnerabilities in the Victoria Police practices and processes for promotion of employees including the information available to recruitment panels. In particular, information about civil litigation is not recorded on personnel files or Victoria Police's Register of Complaints and Serious Incident Database and is therefore not considered by panels when Victoria Police personnel apply for positions or promotions.

IBAC also identified that while those now applying to join Victoria Police must undergo psychometric testing, there is no such testing for police personnel as they progress through the ranks, even for those who are appointed to senior leadership roles.

Outcomes

As a result of Operation Turon, in August 2019, IBAC recommended the following prevention actions to Victoria Police to strengthen its policies, systems and practices:

- consider psychometric testing as part of the process for promotion for senior leadership roles within Victoria Police
- review the training provided to PSC investigators to enable them to fully and effectively investigate internet-based offending
- review its social media policy in light of the issues highlighted in Operation Turon, including the use of pseudonyms, and ensure all employees are regularly made aware of appropriate social media use and the consequences of inappropriate social media use.

As a result of IBAC's investigation, Victoria Police revised its social media policy and associated education and communication strategies to ensure employees were aware of their obligations to use social media appropriately and the consequences of inappropriate social media use.

Additionally, as part of its improvements to its promotional framework, Victoria Police is reviewing the viability of introducing psychometric testing for the recruitment and promotion of senior leaders.

In October 2021, as part of the special report on this investigation, IBAC recommended that Victoria Police, within 12 months, report to IBAC on the outcomes of a review of its leadership and promotional frameworks, including its approach to mitigating specific police misconduct and corruption risks identified in Operation Turon.

IBAC is continuing to work with Victoria Police to help ensure police employees act with integrity and in accordance with the organisation's values, policies, processes and code of conduct, including when using social media.

Useful IBAC resources

Operation Turon – Special Report

www.ibac.vic.gov.au/publications-and-resources/article/operation-turon-special-report-october-2021

What is police misconduct?

www.ibac.vic.gov.au/reporting-corruption/what-can-you-complain-about/what-is-police-misconduct

IBAC’s police oversight role

www.ibac.vic.gov.au/publications-and-resources/article/special-report-concerning-police-oversight

Unauthorised access and disclosure of information held by Victoria Police

www.ibac.vic.gov.au/publications-and-resources/article/unauthorised-access-and-disclosure-of-information-held-by-victoria-police

Managing corruption risks associated with conflicts of interest in the Victorian public sector

www.ibac.vic.gov.au/publications-and-resources/article/managing-corruption-risks-associated-with-conflicts-of-interest-in-the-victorian-public-sector

Corruption and misconduct risks associated with employment practices in the Victorian public sector

www.ibac.vic.gov.au/publications-and-resources/article/corruption-and-misconduct-risks-associated-with-employment-practices-in-the-victorian-public-sector

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IBAC is Victoria’s anti-corruption agency responsible for preventing and exposing public sector corruption and police misconduct. We do this by:

- investigating serious corruption and police misconduct
- informing the public sector, police and the community about the risks and impacts of corruption and police misconduct, and ways in which it can be prevented.

To report corruption now, visit www.ibac.vic.gov.au or call **1300 735 135**.

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