

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS
ATTORNEY-GENERAL'S DEPARTMENT

Group: 3

Program: Other Agency

Question: BE14/010

Senator Ludwig asked the following question at the hearing on 26-29 May 2014:

Senator LUDWIG: All right. Thanks very much. Of those reviews, are there two still on foot?

Mr Negus: There is one and we are still considering our response to the Senate committee as well. The matters about the conduct of the officers which were originally reported after allegations were made at the raids are being investigated by professional standards as well.

Senator LUDWIG: So how many reviews or investigations as a consequence of the incident are now on foot or have been finalised?

Mr Negus: One internal end-to-end review that I have commissioned is nearing completion. We obviously are examining the outcome of the Senate committee and will look at that. We might have to take on notice how many specific matters there are, but I referred those on the night Seven West made those allegations. They were referred through to the Commissioner for Law Enforcement Integrity a their professional standards, and they have undergone a process. So it is a range of things about the conduct of the officers on the day. Those matters are still underway, but they would relate to multiple officers. I could not tell you whether that was one inquiry or a number of different ones. There is really only one incident we are talking about.

Senator LUDWIG: So multiple matters on the go.

Mr Negus: Yes.

Senator LUDWIG: In terms of the results of those and what is available to the committee—because these will also cut across operational issues and I do not want to ask specifically about your internal operational matters—could you take it on notice and let the committee know the results of the reviews and what actions you will take to avoid those circumstances happening again. Leave out the Senate committee report for that purpose; this only relates to your procedures to the extent that you can tell us. I put that caveat on it. In terms of the Senate committee report, I take it, Senator Brandis, that is a matter for Mr Keenan to report on in due course.

Senator Brandis: The government will report on it in due course.

Mr Negus: I am happy to take that on notice. I could give you a short overview of what has been put in place so far if you like, but it might be easier to wrap that all up into the on notice question.

Senator LUDWIG: I am happy for you to take it on notice. Thank you. -

The answer to the honourable senator's question is as follows:

On 2 April 2014, the AFP Commissioner directed an internal review be conducted on the matter. A draft report is due to the AFP Senior Executive in July 2014.

On 8 April 2014, the AFP created the Investigation Standards and Practices (ISP) Portfolio.

- The ISP is headed by a Commander and overseen by the National Manager Serious and Organised Crime.
- The role of the ISP is to provide professional practice that promotes standard consistency and quality control in support of investigations across the organisation.
- The ISP is resourced using existing investigators and drives the development and implementation of best practice through the frontline delivery of ISP mentors and Regional Investigations Advisors (RIA).
- The Portfolio has implemented an RIA program consisting of experienced investigators who will provide training and mentoring to each regional office.
- In addition to the establishment of the ISP, Quality Assurance Teams have been established to assist with quality assurance.

AFP Professional Standards (AFP PRS) and Australian Commission for Law Enforcement Integrity (ACLEI) Investigations

- On 19 February 2014, the AFP Commissioner verbally referred a complaint in relation to the conduct of AFP members to the Integrity Commissioner, ACLEI. This referral was based on allegations made in media reporting regarding the conduct of AFP members and specifically that the actions of AFP members were reported as over the top and without justification.
- On 20 February 2014, the AFP Commissioner formally referred the complaint in writing to the Integrity Commissioner, ACLEI.
- On 21 February 2014, the AFP Commissioner and AFP PRS received a formal complaint from Mr Tim Worner, Chief Executive Officer, Seven West Media.
- On 24 February 2014, the AFP Commissioner referred the complaint made by Mr Tim Worner of Seven West Media to the Integrity Commissioner, ACLEI.
- On 7 March 2014, ACLEI referred one matter back to AFP PRS for investigation. This AFP PRS investigation is ongoing.
- The AFP has undertaken a quality assurance review of practices of the Criminal Assets Confiscation Taskforce. Processes of the Criminal Assets Confiscation Taskforce have been enhanced through the commencement of additional internal reviews of investigative documents by peers, independent members and supervisors.
- The Superintendent responsible for the investigation and the Case Officer have been moved from their positions for their own development and formally counselled.