

**JOINT STANDING COMMITTEE ON THE CORRUPTION AND CRIME COMMISSION**

*Fifteenth Report — “If Not the CCC ... Then Where? An Examination of the Corruption and Crime Commission’s Oversight of Excessive Use of Force Allegations against Members of the WA Police Force” —  
Tabling*

**HON JIM CHOWN (Agricultural)** [10.05 am]: I am directed to present the fifteenth report of the Joint Standing Committee on the Corruption and Crime Commission titled “If Not the CCC ... Then Where? An Examination of the Corruption and Crime Commission’s Oversight of Excessive Use of Force Allegations against Members of the WA Police Force”.

[See paper 4371.]

**Hon JIM CHOWN:** Since its formation at the beginning of the fortieth Parliament, the committee has been concerned about the way incidents involving excessive use of force by police officers in Western Australia are either investigated or oversighted by the Corruption and Crime Commission. A review of historical cases suggested that the approach of the CCC had changed significantly over time. This is particularly so since 2015, when the CCC began a more targeted and strategic approach to carrying out its oversight functions across the public sector, including the Western Australia Police Force. As a result, the committee was interested to see whether the CCC was providing consistent, accountable and effective oversight of the Western Australia Police Force, as envisioned by the Kennedy Royal Commission. Key questions included how many allegations were closely looked at by the CCC, and which allegations were deemed worthy of independent investigation. Most allegations of excessive use of force are investigated internally by WA police. The CCC closely oversights a small number of these investigations, and independently investigates an even smaller percentage of allegations. Overall, fewer than five per cent of allegations were ultimately sustained between 2013 and 2019. Oversight of misconduct and corruption within the Western Australia Police Force is the responsibility of the CCC and should be seen as a core function in line with its genesis in the Kennedy Royal Commission.

Significant powers are entrusted to members of the Western Australia Police Force, allowing officers to legitimately use force in order to carry out their duties. The abuse of such powers through the use of excessive force can erode public confidence in the Western Australia Police Force. Robust police oversight by the CCC is needed in order to maintain public confidence. The committee came to the view that police oversight should be prioritised over and above other strategic themes identified by the CCC. In addition, robust oversight of police extends beyond individual cases to systemic problems. The CCC is uniquely vested with the capabilities to exercise oversight of the Western Australia Police Force by interrogating and auditing police data for trends and actions taken by individual officers.

The committee heard from complainants about their experiences in making a complaint about police excessive use of force to the CCC. In some circumstances, complainants hesitated to make a complaint because of a lack of confidence in the complaint process. Some complainants found the process circular, confusing, costly and time consuming. Equally concerning to the committee are those instances in which people who may have been subject to excessive use of force do not make a complaint at all. The committee was troubled to hear that over the past two years, the Aboriginal Legal Service of Western Australia has referred only a handful of matters to the CCC because the ALS perceives that it very rarely conducts its own investigations into complaints about police. The ALSWA raised a number of concerns about the CCC’s lack of responsiveness to the needs of Aboriginal people, including the identification of ongoing systemic issues. As the title of this report indicates, if the CCC does not fully embrace its role as the only independent oversight body, where are complainants to go? How can the public be confident that police powers are subject to adequate scrutiny?

I commend the report to the house.