

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

**PROCEEDINGS OF ALLEGATIONS AND NOTIFICATIONS  
OF POLICE MISCONDUCT BY THE CCC**

**TRANSCRIPT OF EVIDENCE  
TAKEN AT PERTH  
WEDNESDAY, 12 SEPTEMBER 2012**

**SESSION ONE**

**Members**

**Hon Nick Goiran (Chairman)  
Mr John Hyde (Deputy Chairman)  
Mr Frank Alban  
Hon Matt Benson-Lidholm**

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**Hearing commenced at 10.17 am****LAMPARD, PROFESSOR MURRAY WAYNE****Professor of Security Science, Edith Cowan University, examined:**

**The CHAIRMAN:** On behalf of the Joint Standing Committee on the Corruption and Crime Commission, I thank you for your appearance before us today. The purpose of this hearing is for the committee to speak with Mr Murray Lampard, APM, in aid of the committee's inquiry into how the Corruption and Crime Commission handles allegations and notifications of police misconduct. Currently an adjunct professor at Edith Cowan University, Mr Lampard is a former deputy commissioner of the Western Australia Police. His career with the Western Australia Police spans 33 years of service and he has a wealth of expertise in many aspects of law enforcement.

The Joint Standing Committee on the Corruption and Crime Commission is a committee of the Parliament of Western Australia. This hearing is a formal procedure of the Parliament and therefore commands the same respect given to proceedings in the houses themselves. Even though the committee is not asking witnesses to provide evidence on oath or affirmation, it is important that you understand that any deliberate misleading of the committee may be regarded as contempt of Parliament. This is a public hearing and Hansard will be making a transcript of the proceedings. If you refer to any documents during your evidence, it would assist Hansard if you could provide the full title for the record.

Before we proceed with the questions we have for you today, I need to ask you a series of preliminary ones. Have you completed the "Details of Witness" form?

**Prof. Lampard:** I have, Chairman.

**The CHAIRMAN:** Do you understand the notes at the bottom of the form about giving evidence to a parliamentary committee?

**Prof. Lampard:** I do.

**The CHAIRMAN:** Did you receive and read the information for witnesses briefing sheet provided in advance of today's hearing?

**Prof. Lampard:** I have.

**The CHAIRMAN:** Do you have any questions in relation to being a witness at today's hearing?

**Prof. Lampard:** No, I do not.

**The CHAIRMAN:** We have a series of questions that we would like to ask you today. Would you care to make any opening remarks about the inquiry the committee is handling?

**Prof. Lampard:** Yes. Thank you, Chairman. Thank you for your introduction. I will move straight to my comments rather than introduce myself. May I say from the outset that my evidence today is based on personal experiences and observations and is reflective of my opinions only rather than those of any organisation that I necessarily represent. Thank you.

In my professional role I have provided recent media commentary regarding the concerns I have about the CCC's venture into the world of organised crime investigation. Subsequently, the committee wrote to me and invited me here today to further discuss my views and concerns. Chairman, with your permission I will make a few comments about the organised crime aspect of

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your inquiry and then certainly move into your interest in police internal investigations. Is that suitable?

**The CHAIRMAN:** Please continue.

**Prof. Lampard:** Thank you.

It is my view that any venture into organised crime investigation by the Corruption and Crime Commission would seriously undermine its regulatory role and would clearly be a conflict of interest for the commission. Currently the Western Australia Police has the option to apply to the commission for use of its extraordinary powers. Officers must justify their application and provide validated evidence to substantiate the use of these powers. However, once granted the CCC oversees the police use of those powers to ensure ethical conduct and appropriateness. The commission performs a very important role because the extraordinary powers are extremely powerful, intrusive and covert and have the ability to compel witnesses and criminals to give evidence. The community of Western Australia must be reassured that an independent regulatory body can effectively oversee Western Australia Police and other law enforcement agencies in the use of these significant powers. The joining together of police and the commission to partner one another in the investigation of organised crime will seriously erode the core business of the commission as the regulatory watchdog.

Some additional concerns that I have regarding the commission's venture into organised crime investigation are as follows. It is my experience that the culture of the commission is one that distrusts police, has a poor opinion of the ethics and integrity of police and has little or no experience in partnering police in all types of investigations. It is my view that the commission has little or no experience in investigating organised crime and subsequently lacks the capacity and skillset to directly investigate organised crime groups. The commission does not possess significant intelligence holdings on organised crime activities. The commission can, of course, access intelligence holdings from other entities. The commission does not enjoy a professional and competent image, and this can be, amongst other things, related to its performance and success factors in other high profile investigations. It is a matter of record that the commission takes an inordinate amount of time to conduct investigations which, in my experience, diminishes its effectiveness in required outcomes and confidence in the eyes of the public. It is my experience that the culture of the commission would not contribute to or enhance a partnership of trust and total information sharing. In some previous investigations there has been a blurring of focus and roles; hence, the significant danger of overlapping.

The commission approaches most investigations within a legalistic framework. It has previously been my view and that of other investigating police that this approach negates a ready response and can lead to a loss of evidence and crime scene preservation. One need only consider the debacle of the Thompson investigation by Fair Work Australia to see that bureaucracy, the inability of an organisation to properly investigate and a clear lack of experience and skill in investigative techniques all contribute to a less than desirable outcome than that expected by the Australian people.

It is my view that the police have serious concerns about the proposed partnership with the commission for the following reasons. The first is significant commission bureaucracy. Past experience has underpinned a simple lack of trust in the sharing of information and intelligence. A small number of previous investigations were seriously damaged when use of some information provided by the police compromised operations. This loss of confidence resulted in Western Australia Police accessing extraordinary powers via the Australian Crime Commission rather than dealing with the commission in Western Australia, again because of its bureaucracy and the fact that they simply did not trust the CCC, did not have confidence in its abilities and because they had concern about how the CCC used the information that police gave them. Police are currently awaiting progress of legislation that will provide them with regulated extraordinary powers for

covert investigations and operations. If passed, the legislation will lessen the need for access to the commission's extraordinary tools.

I submit to you that the police are best suited to investigate organised crime for the following reasons. Police focus on the immediate response to the legal collection of evidence. They seize opportunity and move immediately. They are creative and, in relation to organised crime, aggressively pursue evidentiary pathways within the boundaries of legislation. The investigation of organised crime and organised crime targets is a very dangerous operation and not for the fainthearted. Detectives need to be street cunning, hardnosed, courageous and willing to test the boundaries—within the legislation—to negate criminals and their activities. Organised crime groups are equally cunning and hardnosed. They have no boundaries, no regulations and they will resort to violence and any other tactics, lawful or unlawful, to succeed.

To conclude my comments about this matter, significant restorative partnership building and sincere trust must be achieved before this proposed marriage between the police and the commission can be realised so that, most importantly, it proves to be successful. It is my view that the middle culture of the police and the commission will erode any best efforts to build this partnership. It is my view that the commission does not possess the correct focus, respect for police, organisational capacity and investigative experience to be an effective partner in an organised crime charter. The propensity for both organisations to provide limited information and intelligence exposes a real danger for overlapping investigations. The skills required to be an effective and competent organised crime investigator are underpinned by a careful selection process, years of experience in major crime investigation, significant training, on-the-job exposure and the professional use of intelligence, including open source, day-to-day mentoring and leadership, perhaps the most important of these officers. It is my view that the commission could be better utilised in the areas of proceeds of crime investigation and unexplained wealth in Western Australia. Ideally it is those two areas where its extraordinary powers could be most effective.

[10.30 am]

The venture by the commission into organised crime is a totally separate and specialised piece of core business. I am not convinced that the commission can currently perform a regulatory watchdog role in an organised crime capability. It is perhaps relevant, and my view, that a split in the organisation into two separate bodies would maintain confidence in their regulatory role whilst a stand-alone crime commission could partner police in the fight against organised crime. The ability for police to properly target organised crime and specific organised crime targets is often hampered by a lack of specialist resources that would allow them to form specialist task forces to work solely on these crime groups. The organised crime squad within Western Australia Police has a multitude of crime types within their charter and is often inhibited by an excessively large amount of day-to-day and mid-level crime. I acknowledge that whilst both commissioners have, in good faith, pledged their commitment to partnership, the nuts and bolts of an organised crime capability—that is, a task force—would be dependent on a willingness and a commitment by middle management from both entities.

May I continue on some notes that I have made in regards to the investigation of police misconduct and corrupt activities? These are much shorter, Chair.

Worldwide police, by the mere nature of their profession, will always have a very small number of officers who engage in misconduct and corrupt activities. It has been my experience that the Western Australian police have always demonstrated a committed and professional approach to the investigation of complaints against police, whether they be complaints of misconduct or complaints of corruption. Since the advent of the internal investigations section 1978, WA Police has successively navigated through a significant number of internal and external reviews, a royal commission and oversight by the Ombudsman. Originally, there was the Official Corruption

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Commission, which moved to the Anti-Corruption Commission and which is of course now the Corruption and Crime Commission.

Police have sworn and unsworn staff numbering over 7 500 and it is often a never-ending battle to constantly weed out negative behavioural traits and corrupt activity from such a diverse workforce. It has been my experience that officers or unsworn staff who have unblemished records can, through various and numerous circumstances and influences, resort to misconduct or corrupt activity throughout the course of their career. With community expectations so high, and most appropriately so, together with the enormous power that we anoint police officers with, it is essential that we have a number of processes as strategies in place to be able to identify officers particularly at risk. It is my experience that the most significant strategy to negate misconduct and corrupt activities is professional leadership at all levels.

Some final observations, Chair.

When considering corruption and misconduct across all government agencies, there is clearly exceptional oversight of police. Other government agencies do not have the capacity or the managerial framework in place to properly address corruption and misconduct issues. Western Australia Police has been identified as a flagship government agency in its response to investigating corruption and misconduct. The commission seems to be so focused on police that less attention and emphasis is placed on other major government agencies, for example, the health department, which is certainly the largest government agency; I use that just by way of an example. The CCC regularly embargoes and then stops inquiries by the issue of section 42 notices. This is particularly frustrating for police as, one, it completely stops an investigation by police part way along its tenure. Police have no idea or are not in receipt of the information from the commission as to why it has taken this course of action. The commission will not partner police in some of these investigations thereby missing the opportunity to access important information and police experience. The commission often takes an inordinate length of time to conduct its secret investigations without any update to police. In the case of minor misconduct or reviewable police action, the officer concerned is subject to prolonged emotional stress and uncertainty. In these instances, police have a duty of care to the officer for his health and welfare.

To conclude, police officers attached to the professional standards portfolio, and in particular internal affairs, are subject to significant screening and integrity checks and these are ongoing. Therefore, it is my submission that the commission should demonstrate some confidence and good faith in the sharing of information and the partnering of areas such as internal affairs in their investigations. The CCC's practice of serving notices to appear before the commission and then directing officers that they must not communicate with any person is highly undesirable for senior management, especially from a leadership, management and health and welfare perspective. It is ludicrous to suggest that this information cannot be shared with the most senior ranks of the Western Australian police. In conclusion, it is interesting to note that the police commissioner's executive group have all passed intensive integrity screening by the Corruption and Crime Commission prior to their employment. Thank you, Chair. They are my opening comments.

**The CHAIRMAN:** Thank you, Professor Lampard, for those introductory remarks. At some portion of the dialogue there I got the sense that you are saying that in the commission there is a disproportionate level of oversight that it is providing to the police as compared to other agencies and departments. Did I understand that correctly?

**Prof. Lampard:** Yes, that is correct, Chairman.

**The CHAIRMAN:** Would you agree, however, that the oversight of the CCC of the police is an important element in the fight against crime?

**Prof. Lampard:** Most certainly. Police, by the very mere nature of the work that they do and the fact public confidence is in actual fact so important and that WA Police must be seen conducting

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themselves at the highest levels, proper oversight is most important. Throughout my police career, even into my senior ranks, I was always very vocal that it is appropriate that police be regulated significantly and our governance should be of the highest order. The point I am making is that it is my view and my opinion that the CCC seems to be totally focused on the police and I think it is a matter of public record that many other government agencies have a limited capacity to perform their own internal investigations, and sometimes there are equally big and important issues emanating out of government agencies other than the police.

**The CHAIRMAN:** You mentioned in regards to your comments about the prospective dual role for the commission in terms of fighting organised crime and continuing the oversight of police that you had some concerns with respect to the issue of trust. In other words, if I understood you correctly, if an organisation was to do both of those roles, it could create some trust issues. How important, in your experience, is it that police officers have an external agency to approach to provide any complaints or concerns that they have as compared to only an internal department or scheme which they can lodge their complaints with.

**Prof. Lampard:** If I can perhaps understand your question, Chair, this is in regards to an independent body overseeing police. So, if a member of the public makes —

**The CHAIRMAN:** I am more concerned about a police officer themselves. If they identify something that they are concerned about with respect to other colleagues, is it helpful for them to have an external agency to go to as compared to the internal agency or does it make no difference?

**Prof. Lampard:** I think it is helpful for them to do that. I must perhaps preface my remarks to say that I have been retired for four years. I keep pretty current with what police are doing. Police have a blue line, which I am sure you have heard of and perhaps read about, that gives officers the opportunity to report any corrupt activity that they perceive or see within the organisation themselves. I guess it is human nature that some people, some individuals, perhaps do not trust that it is a totally secure communications avenue and they have the opportunity of course to go to, and have gone in the past, the CCC direct. So, I think that is important. I do think the police have taken a lot of steps forward in regards to providing officers and educating officers that this is a secure and confidential avenue through the blue line, but those who do not feel that of course have the option to even still go to the Ombudsman or go to the CCC to report matters.

**The CHAIRMAN:** Imagine for a moment that a police officer has got some of those concerns about going directly to the internal oversight body and so they would prefer to go an external agency, in this case, the Corruption and Crime Commission. Once the commission looks into the matter, in order to investigate it needs to go back to the original department, in this case the police, and so it will then alert the police to the very thing that has been complained about. What level of protection, then, is there for that person—I am going to call them a whistleblower for lack of a better word—because ultimately it seems to me that the originating agency is going to find out about it anyway?

**Prof. Lampard:** Yes. Often when a person individually goes and reports a matter to the CCC, the police professional standards portfolio will not know about it for quite a period of time. They will not know about it until the CCC decides that it will in actual fact generally advise them. But that is the avenue that they go through. So, for example, if an officer reports corrupt activity that he or she has observed out in the suburban areas, it will go to the professional standards portfolio, who I reiterate are people who I believe deserve to be trusted, partnered and shared information with by the very nature of the job they do. So, the advice in actual fact comes through that and then the Commissioner of Police, certainly if it is of a serious nature, will be advised directly by the head of the professional standards portfolio, and dependent on what the request is and what the direction is of the CCC, the professional standards portfolio will then take action, investigate or whatever. In relation to protection for those people, as I recall from my serving time, the professional standards portfolio have a process in place to protect people who have given evidence and whistleblowers. So,

every avenue or every opportunity was taken to make sure that these people were protected and respected for the fact that they have the courage to come forward.

**Mr J.N. HYDE:** Professor Lampard, you mentioned in your statement that integrity testing was an undertaking by the CCC of senior police officers. Did I understand that correctly?

**Prof. Lampard:** My point, Mr Hyde, Deputy Chair, was that I was making the analogy that for the senior officer group to be promoted into their positions, before they are actually promoted, before it is signed by government, they go through quite an extensive and exhausting integrity check. When I say that, I do not want to mistake it with integrity testing, sorry. I am saying an integrity test.

**Mr J.N. HYDE:** Is that the CCC or professional standards conducting them?

[10.45 am]

**Prof. Lampard:** In actual fact, it goes to the CCC. When I was appointed as the deputy police commissioner, I know that I went through a significant review by the CCC to be able to advise government that they could be comfortable in appointing me to such a high-profile position. My point is that these people are tested. As Deputy Commissioner of Police, I had the highest top-secret rating in Australia from the commonwealth government. I was part of the National Counter-Terrorism Committee emanating out of Canberra and had, as I say, the top-level security classification—much higher than, I would suggest, many people in the CCC. The point I am making is that the culture of the CCC was almost that we still could not be trusted, whereas in actual fact we could and had demonstrated over many years our ethics and integrity.

**The CHAIRMAN:** Mr Lampard, I understand what you are saying, but you would be familiar with the case of Mark Standen, effectively the 2IC from the New South Wales Crime Commission. It seems to me that people can get to very high positions in organisations and pass all the necessary tests along the way and there can still be a problem.

**Prof. Lampard:** That is correct, Chair, but, if I may respectfully say, that is an isolated incident. We have had issues of course, as you may cast your mind back, with the Corruption and Crime Commission themselves having one of their senior officers investigated. But it has always been my view that such a high percentage of people always do the right thing. We seem to be a little bit too focused on the fact that “Can this happen? Is it possible that it happens?”, rather than in actual fact getting on with business. I always used to adopt an attitude that I trusted people until they gave me reason not to. I had lots of processes in place to make sure that I could maintain my trust in those people, but if there was one breach of security, I did not let that totally colour my whole approach to things like the sharing of information or sharing confidential documents et cetera with my colleagues, whether they be within the police or other government agencies.

**Hon MATT BENSON-LIDHOLM:** Mr Lampard, can I ask you a question in respect of the possibility one day maybe of the CCC taking on this organised crime capacity? It has been suggested that there be two assistant commissioners—one involved with organised crime and the other one with police misconduct. It is something that former Parliamentary Inspector Chris Steytler talked about. I just wanted to know whether you have any particular views as to the value or usefulness of going down that particular pathway. Do you have any particular concerns with respect to the risks involved, even in divvying up, given what you have already said about your concerns in relation to the whole organised crime capacity in the first place?

**Prof. Lampard:** To have any chance of a partnership between police and the commission, my view would be to actually separate a crime commission off necessarily to the side. I think we are still going to have the problem of culture and acceptance if they stay under the one umbrella and they are still seen as the Corruption and Crime Commission.

**Hon MATT BENSON-LIDHOLM:** Can I interrupt and say, then, do you also see issues in relation to resourcing and perhaps personnel, because you have made a few significant remarks about the nature of both those sorts of things currently with the Corruption and Crime Commission?

**Prof. Lampard:** Yes, I certainly would suggest that if you actually look at the performance of the WA Police organised crime squad, it is a matter of public record and it is certainly not me being part of that organisation. I worked with these people for a long time, but I would want to impress upon you, if I may, that I have a very even-minded view. But you can look at their success factors in tackling various organised crime entities. Outlaw motorcycle gangs, I think, is a classic example where they have been very effective, but not as effective as they would like. But within their resources and their capacity, they have been very effective in negating certainly the amphetamine trade and distribution that we know outlaw motorcycle gangs perpetrate.

These people are good at their job; they actually are good at their job. I am a great believer that the CCC can in actual fact play a really important role to enhance the organised crime squad's ability to do their job more effectively and that of course is by taking on niche roles and leaving the actual investigation of organised crime—the front-line investigation of organised crime—to the police. Their way of support is, of course, the use of their extraordinary powers and focusing on areas such as unexplained wealth, proceeds of crime and areas that they are perhaps better suited for within their very much legalistic framework.

**Mr F.A. ALBAN:** Professor Lampard, how might you respond to the suggestion that Operation Red Emperor was totally undermined by police corruption as a reason for the CCC to exist?

**Prof. Lampard:** Yes, Sir, that is a matter of public record. I can say to you that we only have to look around Australia to see that police have been dogged by scandal and reported and proved corruption within their ranks. In saying that, I believe that giant strides have occurred here in Western Australia to very much learn from issues such as Red Emperor and to learn from police being able to successfully negate some negative cultures, particularly within the criminal investigations ranks. I think, personally, that they have done a pretty fair job of doing that. Towards the very end of my career, there had been a significant change in attitude to a whole series of things as to what was inappropriate behaviour, unethical behaviour, noble cause corruption, and issues such as this. There has been in my view a very significant shift in officer attitude towards these, and this all in actual fact goes well towards working towards as corrupt-free a police organisation as we can possibly want.

**The CHAIRMAN:** Mr Lampard, you were involved in the police service for more than 30 years. Would you say in your experience that there is significant pressure on the police to get results placed upon it by society and the media?

**Prof. Lampard:** Yes, I think there is an expectation on the police. Whether that be fair or realistic, there is that expectation on the police. In my experience—I headed what was then the criminal investigations branch for a period in the late 1990s, and then of course in my role as assistant commissioner and deputy commissioner, I had oversight over the specialist crime portfolio—it is not my view that management in actual fact places undue pressure on squads and investigations to get a result. What does place stress—not unfair expectations—on major crime investigations in this day and age is the amount of time that investigators have to spend and the very significant governance and regulation that is placed over officers now in their collection of evidence. That is a good thing, because the worst thing that could ever happen is a person who is not guilty of a crime being convicted of a crime through an inadequate police investigation. Years ago as a young detective when, for example, we would attend a homicide at a house, forensic would come in and they would do an investigation. They would not in actual fact put protective clothing on. They would take samples and we would progress from there. Maybe half to three-quarters of a day they may spend at that location. Currently, I certainly understand and endorse the fact that the standards in the collection of evidence must in fact be so high, but officers in actual fact are spending three or four days at some of these houses now and are so mindful of the contamination of evidence. It is interesting that in recent years defence counsels in actual fact are now really, really focused on the authenticity and the validation of forensic evidence that is provided at major crime trials. There is a

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lot more pressure on investigating police now to perform. I know that, Sir, because I actually have a son who, up until recently, was a member of the crime investigation branch. I used to think back to the days when I was at his level in the organisation, and it is significantly harder, a lot more intensive and, in actual fact, a lot more stressful.

**The CHAIRMAN:** So, if it has got more stressful, the expectations are higher and the requirements and the governance and expectations are higher now than they have ever been historically, do you have any concern that this creates a greater risk of corruption occurring and that some police officers—obviously a very small minority—will feel more pressured to get the result and therefore cut a corner?

**Prof. Lampard:** That could happen and more than likely, Sir, it has happened in the past in very individual instances. But, again, that goes back to the importance of oversight and leadership, particularly by the middle ranks of the organisation. One other comment that I will say, and I say it carefully, is that it has long been a view that such onerous regulation and governance over everything that an officer does these days in actual fact has had an impact on the productivity of police. There have been cases, and when I was the deputy we were aware of a few cases, where officers these days out on the street are often reticent to take that extra step or to follow a particular line of investigation because of—I actually want to explain that a little better if I can. What I am actually saying, Sir, is that sometimes officers are inhibited by the fact that everybody is watching them and their accountability is so great that they may ask themselves the question: is it worth it? Of course, that does not sit well for the pursuit of crime and justice and public safety in Western Australia. All I am saying is that they are so regulated these days. I have been a critic, particularly in the media, in regards to my pet, which is high-visibility policing and the flow-on effects that high-visibility policing has in Western Australia. A point in question is that our officers now are so regulated that they spend half their time in the station filling out forms. Every time they draw their baton, every time they take their Taser out or every time they even draw some use-of-force option, they will spend an hour in the police station filling out forms to justify why that occurred. I am not saying that that is not necessary; what I am saying is that compliance and regulation now is such that it has impacted on front-line policing and high-visibility policing and the ability of officers to be out amongst the public waving the flag.

**The CHAIRMAN:** If I can ask you to put your academic hat on again for a moment, do you think it is fair if I describe it, then, as a weighing exercise between the inefficiencies of hyper-regulation and the protections afforded against a small number of injustices?

[11.00 am]

**Prof. Lampard:** I think that is a very good point. It is about finding a balance. I would certainly sit here before you gentlemen today and say that it is incredibly important that police be regulated and that there be appropriate checks and balances in place for the work that they do, but sometimes I am of a view that we can overregulate our officers. When we consider, Sir, if I could just say this one thing: there are 7 500-plus staff in the WA Police. When organisations look at risk-management strategy, particularly in regards to corruption within their organisations, they look at how they minimise that percentage. Ten per cent of those officers, for example, is 750 and one per cent is 75. I always used to say in a lot of my addresses that I only needed 0.1 per cent of our organisation to be corrupt or perform issues of misconduct to be on the front page of *The West Australian*. Of course, 0.1 per cent is 7.5 officers. I think if you offered any organisation those sorts of stats—that you could consider that 0.1 per cent of an organisation could be capable of corruption—they would say they are pretty good odds. But, in saying that, not one is suitable for Western Australia Police, and this is why they work so hard but are facing a very, very tough battle when you consider that those 7 500 people are representative of the community of Western Australia. As I said before, Sir, you can recruit people, you can put them through significant screening, but somewhere along their career path something happens that may cause them to momentarily act corruptly or act with

misconduct. It is a tough battle but I think, personally, the WA Police, with the support of the Ombudsman, the Corruption and Crime Commission and others—parliamentary committees—are doing a fairly good job in regards to stamping out corrupt activity within the WA Police.

**The CHAIRMAN:** And so the 0.1 per cent that you referred to, which is all that is necessary to get on the front page of the paper, presumably the greater concern is not necessarily the exposure but actually the incident itself. It might be that the 0.1 per cent of corruption has led to a person being killed.

**Prof. Lampard:** Certainly. We only need one officer to disgrace themselves and it is reported extensively in the media. Even when we see officers in other states and territories, it gets some coverage here in WA, so that goes to the very heart of the reputation and the image of all those other police officers in Western Australia. Police are an organisation that relies so much on their image and community support. An example of that is Crime Stoppers. We ask people to ring in anonymously and provide police with information. We ask people to be members of a jury to sit and determine the guilt or innocence of people. So their image of police, as an ethical, upstanding organisation, is critically important. So every time we have one of those 0.1, or even less than 0.1 per cent, disgrace us, our image and the trust that the community in actual fact has in us to do our job takes a hit, and we were incredibly aware of that, certainly in my time, about having to negate that very, very poor image. I for one—I can talk about my own personal experiences—would appear before the media and accept that this has happened and try to talk about what we are actually doing about it, just to reassure the community that we are aware of it, we have done something, an officer either has been sacked or charged criminally or some other action was taken against him or her.

**Hon MATT BENSON-LIDHOLM:** Mr Lampard, just one final question from me. You talked in your introductory remarks about the length of time to complete investigations. Certainly that is an issue that this particular committee has talked about considerably. Does your particular comment relate exclusively to investigations of police misconduct or are there other areas you might like to talk to us about? Can you give us any possible reasons for those delays, and also suggest how the system may well effect some sort of a change in that regard?

**Prof. Lampard:** I think it is a matter of public record that the commission has investigated a number of very high-profile cases, whether they involve police—some of them have; in fact, there has been a recent one, which, of course, we are all aware about—but it also has investigated some quite high-profile business people and government officials here. When—if we can call it a scandal—a scandal is reported on by the media, I think it is reasonable that the community and public are expecting that it be investigated in a timely manner and an outcome, whichever it may be, will be reported.

I cannot quite understand why the commission takes so long to conduct inquiries. I can tell you that if my officers, when I was part of the specialist crime portfolio, took that amount of time to conduct an investigation or in fact to get a result, or their success factor, they would probably find themselves back in general duties and subject to retraining. We have got to move quickly and we have got to move effectively and efficiently in investigations. I must say that I am not totally privy to the way the commission goes about its investigations but I can say to you in my opening comments that the commission approaches most investigations very much from a legalistic framework.

**Hon MATT BENSON-LIDHOLM:** That underpins that duration.

**Prof. Lampard:** Every step that they do is subject to—as I referred to it in the past, before we could take one step forward, we take two steps back checking the legalities of everything. In policing, and in organised crime investigation, you cannot do that; you must follow leads as they come. We call it—no, I will not say it! When you actually get hot on to an investigation, a lot of things start to fall into place and you must move very, very quickly with it to be able to capture

people, evidence and so forth. If my officers were constantly ringing back checking the legalities of what they were doing, that would make them very, very ineffective. In saying that, if I could perhaps say that I would expect my officers to know the law, to know what their legal framework is and to know what they can and cannot do within the legislation of Western Australia, so they move forward with confidence, and I would encourage that staying within the legal framework.

**The CHAIRMAN:** Professor Lampard, I want to thank you for your evidence today. A transcript of this hearing will be forwarded to you for the correction of minor errors. Any such corrections must be made and the transcript returned within 10 days from the date of the letter attached to the transcript. If the transcript is not returned within this period, it will be deemed to be correct. New material cannot be added via these corrections and the sense of your evidence cannot be altered. Should you wish, however, to provide additional information or elaborate on particular points, please include a supplementary submission for the committee's consideration when you return your corrected transcript of evidence. Thank you.

**Hearing concluded at 11.08 am**

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