What’s wrong with public sector complaints investigations in Australia? Lessons from stakeholder experiences with police complaints systems

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Context

1. Police/public sector misconduct problem
2. Complaints/complaints handling
3. Growth of civilian ‘oversight’
4. Debate: internal vs. external
5. Adversarial vs. restorative responses
Integrity Systems: Australia & New Zealand

- High/stable rates of complaints (a few exceptions)
- Systems largely opaque
- Most complaints processed in-house
- Some external investigations
- External ‘review’
- Discipline largely in-house
- Trend to ‘local resolution’ (without mediation)
Method

Literature review focus on:

Experiences with complaints systems
Preferred agency

3 key stakeholder groups:

Complainants
Police
Public

3 systems:

Police dominated
Mixed
Independent

Complainants

26 surveys in police-dominated systems:
Most deeply dissatisfied av. 70%

9 in mixed systems:
Most deeply dissatisfied 70%

10 in ‘independent’ system (PONI):
Most satisfied 59%

Police

7 surveys in police-dominated systems:
**Mixed** 48%

6 in mixed systems:
**Most satisfied** 58%

6 in independent system (PONI):
**Very satisfied** 70%
Views on best agency to investigate complaints

Public
12 surveys: Strongly prefer external 80%

Complainants
10 surveys: Strongly prefer external 77%

Police
6 surveys: Prefer mixed 47%
Recognise value of independence for public confidence
Informal Resolution & Mediation

Complainants
IR, 10 surveys: mixed satisfaction 48%
Mediation, 3 surveys: very satisfied 74%

Police
IR, 4 surveys: mixed satisfaction 44%
Mediation, 3 surveys: very satisfied 83%
Implications

- ‘Win-win’?
- Greater role for external agency
- Mediation
- A negotiated approach?
- Behavioural change?