

## MEDIA RELEASE

8 May 2023

### Commission oversight reveals serious misconduct

The Corruption and Crime Commission has tabled in Parliament a report detailing a Police Sergeant's unacceptable treatment of a man in custody, and formed an opinion of serious misconduct against the officer.

Its inquiry follows an 'inadequate' managerial investigation by WA Police and underlines the importance of the Commission's oversight role.

In September 2021, Sergeant Ratcliffe, a police officer with 20 years' experience, was with three officers when he reacted to a 43-year-old Indigenous man who had been arrested, handcuffed and put into the back of a secure pod in the police vehicle.

'Mr L' was verbally uncooperative with police and kicked the door of the pod open, striking Sgt Ratcliffe. Instead of simply shutting the door, Sgt Ratcliffe responded with abusive language and by forcefully pulling Mr L's leg (risking him falling from the vehicle and injuring himself) and by punching him repeatedly.

The Commission considers this force punitive, unnecessary and excessive and that the language used by Sergeant Ratcliffe towards the man was unnecessary, improper, unprofessional and offensive.

As a team leader and a senior WA Police officer, the Commission also considers the conduct unacceptable.

Sergeant Ratcliffe was given the opportunity to respond to the Commission's report and, though he does not deny the use of force, he maintains it was not excessive, but rather appropriate and in line with the WA Police training. He does not agree with the Commission's opinion.

The Commission had the benefit of vision captured by police body-worn cameras and, as another part of its investigation, requested a report from WA Police Operational Skills Training Faculty. That report concluded that Sergeant Ratcliffe's actions were not reasonably necessary in the circumstances, and not in accordance with WA Police Use of Force policy or the training and guidelines of the Operational Safety and Tactics Training Unit.

Originally, Mr L was charged with assaulting Sergeant Ratcliffe but that was discontinued after review by a Police prosecutor who referred the matter to the Police Conduct Investigation Unit, who then referred it to the Internal Affairs Unit. The Internal Affairs Unit decided a criminal investigation should be undertaken and that investigation resolved there was insufficient evidence to conclude a criminal assault had occurred.

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#### Contact the Corruption and Crime Commission

A subsequent managerial investigation exonerated Sergeant Ratcliffe on the basis the use of force had been reasonable. The Commission conducted a review of the WA Police actions and came to the view that Sergeant Ratcliffe engaged in acts of force and unprofessional behaviour which were not identified or considered excessive by WA Police investigators.

The WA Police Force will reopen the investigation and allocate an independent officer to review the original investigation.

ENDS

**Watch the body worn camera vision**

[Body worn camera vision - excessive use of force by a police officer](#)

**Read the report**

[Excessive use of force by a police officer](#)