

## Overview of serious misconduct

Quarter two 2021/22



## Summary

In quarter two of 2021/22, the Corruption and Crime Commission received 766 notifications of serious misconduct relating to 44 public authorities and 50 Local Government Authorities (LGAs), of which 1,682 allegations were identified.

- Just over half (925) of all allegations were identified from notifications made by members of the public.
- Notifications by public authorities accounted for just under half (717) of all allegations.
- The Public Sector Commission's notifications and the Commission's own propositions represented the remainder (40).

### WA Police Force (WAPF)

- The WAPF are required to notify incidents of minor and serious misconduct to the Commission. This impacts the number of allegations identified, with the WAPF accounting for just under fifty per cent (836) of all allegations identified in quarter two.
- Half of all WAPF allegations were from notifications by the WAPF and the other half from members of the public.
- The top three WAPF allegation categories; neglect of duty, unprofessional conduct and breach of procedure or policy, are generally the same for each quarter although the order may change across quarters. The three allegation categories account for just under three-fifths of all police misconduct allegations received.
- The top three WAPF allegation categories are below the rolling quarterly average and are continuing to trend downwards.

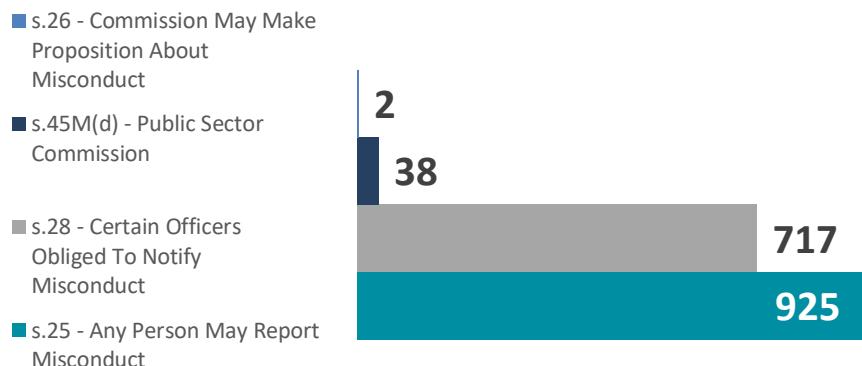
### WA Public Sector (excluding WA Police Force)

- The top three allegation categories; out of jurisdiction, benefit/detriment and corrupt conduct, account for sixty nine per cent (587) of all allegations received for the WA public sector (780).
- Allegations relating to public officers corruptly using their positions for benefit or detriment, continues to feature across the WA public sector; this category accounts for around one quarter of allegations.
- Allegations about LGAs, Department of Education and the Tertiary Education sector increased this quarter, with allegations relating to LGAs reflecting the biggest increase.
- Allegations assessed as 'out of jurisdiction' can include those where the relevant public authority is within the Commission's jurisdiction, but the person involved is either not a public officer, or engaging in conduct that does not meet the definition of serious misconduct within the meaning of the [Corruption, Crime And Misconduct Act 2003](#).

## Overview: Q2 2021/22

Notifications received	About Public Authorities	LGAs	Allegations created
766	44	50	1,682

### Allegation Source: Reported Under



Public Sector Agency/Sector			
WA Police Force	836	49.7%	
Local Government Authorities	204	12.1%	
Department of Education	155	9.2%	
Department of Justice	105	6.2%	
Health Sector	79	4.7%	
Out of Jurisdiction/No Agency Specified <sup>1</sup>	75	4.5%	
Transport Sector	54	3.2%	
Department of Communities	44	2.6%	
Tertiary Education	30	1.8%	
Parliament <sup>2</sup>	29	1.7%	
Other Public Sector Agencies	71	4.2%	
<b>Total</b>	<b>1,682</b>	<b>100.0%</b>	

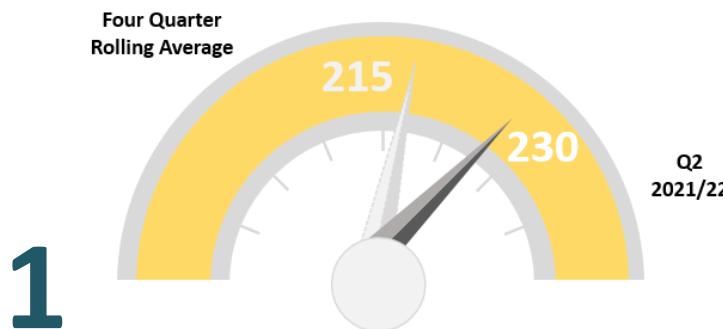
<sup>1</sup> Out of Jurisdiction/No Agency Specified' allegations include agencies which do not fall within the Commission's jurisdiction (e.g. Federal agencies, private contractors) and/or reports of alleged corrupt conduct by person(s) for which no agency or authority is known.

<sup>2</sup> This category includes matters that relate to Members of Parliament and electorate office staff.

## WA Police Force - top three allegation categories

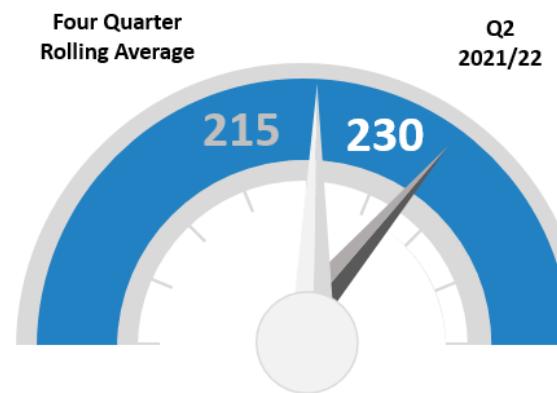


## WA public sector (excluding the WA Police Force) - top three allegation categories



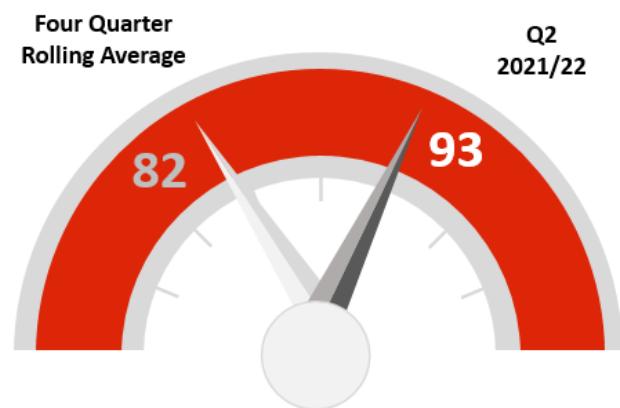
### Out of jurisdiction (allegation assessment)

- Subject officer is not a public officer (eg contractor not performing public function).
- Alleged behaviour occurs in private life of public officer and not in performance of their function.
- Alleged behaviour is characteristic of minor misconduct.



### Benefit/Detriment

- Failed to declare financial or impartiality interest
- Used their position to benefit a friend/family member
- Used their position to circumvent procurement processes



### Corrupt Conduct

- Corruptly signed off and remunerated work not done
- Corruptly instructed a payment to be made
- Corruptly covered up records relating to use of pesticide

**Table 1. Allegations: WA Police Force - top five by category**

Allegation category	Q3 2020/21		Q4 2020/21		Q1 2021/22		Q2 2021/22	
	No.	%	No.	%	No.	%	No.	%
Neglect of duty	200	22%	149	16%	262	25%	197	24%
Unprofessional conduct	188	21%	193	20%	186	18%	140	17%
Breach of procedure or policy	140	15%	171	18%	155	15%	116	14%
Assault	131	14%	117	12%	127	12%	79	9%
Benefit/detriment - 4(b)	33	4%	53	6%	45	4%	73	9%
<b>Total</b>	<b>692</b>	<b>76%</b>	<b>683</b>	<b>72%</b>	<b>775</b>	<b>74%</b>	<b>605</b>	<b>72%</b>

**Table 2. Allegations: Local Government Authorities - top five by category**

Allegation category	Q3 2020/21		Q4 2020/21		Q1 2021/22		Q2 2021/22	
	No.	%	No.	%	No.	%	No.	%
Benefit/detriment - 4(b)	41	34%	26	29%	61	45%	91	45%
Corrupt conduct - 4(a)	9	8%	11	12%	16	12%	33	16%
Out of jurisdiction	15	13%	10	11%	27	20%	28	14%
Criminal conduct	4	3%	6	7%	8	6%	12	6%
Failure to lodge	22	18%	3	3%	0	0%	11	5%
Fraud/falsification	7	6%	7	8%	8	6%	11	5%
<b>Total</b>	<b>98</b>	<b>82%</b>	<b>63</b>	<b>70%</b>	<b>120</b>	<b>88%</b>	<b>186</b>	<b>91%</b>

**Table 3. Allegations: Department of Communities - top five by category**

Allegation category	Q3 2020/21		Q4 2020/21		Q1 2021/22		Q2 2021/22	
	No.	%	No.	%	No.	%	No.	%
Out of jurisdiction	25	34%	16	17%	6	13%	14	32%
Benefit/detriment - 4(b)	10	14%	14	15%	15	33%	12	27%
Corrupt conduct - 4(a)	9	12%	10	11%	7	15%	8	18%
Computer - unlawful use (s. 440A)	5	7%	5	5%	2	4%	3	7%
Criminal conduct	5	7%	12	13%	7	15%	3	7%
<b>Total</b>	<b>54</b>	<b>74%</b>	<b>57</b>	<b>62%</b>	<b>37</b>	<b>80%</b>	<b>40</b>	<b>91%</b>

**Table 4. Allegations: Department of Education - top five by category**

Allegation category	Q3 2020/21		Q4 2020/21		Q1 2021/22		Q2 2021/22	
	No.	%	No.	%	No.	%	No.	%
Assault	41	45%	57	50%	59	45%	57	37%
Out of jurisdiction	23	25%	20	17%	19	14%	54	35%
Benefit/detriment - 4(b)	6	7%	30	26%	23	17%	18	12%
Fraud/falsification	12	13%	1	1%	7	5%	11	7%
Unlawful disclosure	2	2%	1	1%	6	5%	8	5%
<b>Total</b>	<b>84</b>	<b>91%</b>	<b>109</b>	<b>95%</b>	<b>114</b>	<b>86%</b>	<b>148</b>	<b>95%</b>

**Table 5. Allegations: Department of Justice - top five by category**

Allegation category	Q3 2020/21		Q4 2020/21		Q1 2021/22		Q2 2021/22	
	No.	%	No.	No.	%	No.	No.	%
Out of jurisdiction	49	31%	26	14%	38	32%	36	34%
Benefit/detriment - 4(b)	33	21%	41	22%	28	24%	24	23%
Corrupt conduct - 4(a)	11	7%	10	5%	12	10%	15	14%
Judicial corruption	0	0%	0	0%	2	2%	9	9%
Criminal conduct	1	1%	22	12%	3	3%	6	6%
<b>Total</b>	<b>94</b>	<b>59%</b>	<b>99</b>	<b>53%</b>	<b>83</b>	<b>70%</b>	<b>90</b>	<b>86%</b>

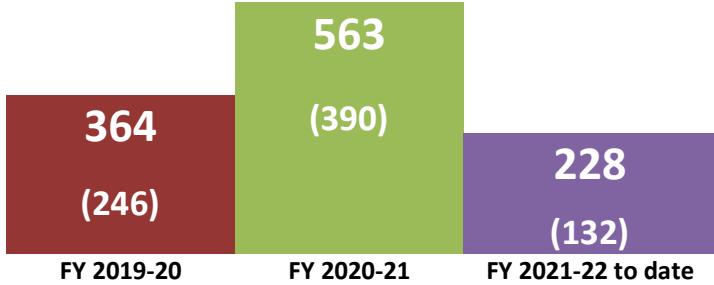
**Table 6. Allegations: Transport portfolio - top five by category**

Allegation category	Q3 2020/21		Q4 2020/21		Q1 2021/22		Q2 2021/22	
	No.	%	No.	No.	%	No.	%	No.
Benefit/detriment - 4(b)	8	17%	8	36%	7	32%	21	38%
Corrupt conduct - 4(a)	1	2%	6	27%	4	18%	11	20%
Out of jurisdiction	7	15%	0	0%	2	9%	11	20%
Computer - unlawful use (s. 440A)	24	52%	6	27%	3	14%	7	13%
Fraud/falsification	2	4%	0	0%	2	9%	3	5%
<b>Total</b>	<b>42</b>	<b>91%</b>	<b>20</b>	<b>91%</b>	<b>18</b>	<b>82%</b>	<b>53</b>	<b>96%</b>

**Table 7. Allegations: WA Health Sector - top five by category**

Allegation category	Q3 2020/21		Q4 2020/21		Q1 2021/22		Q2 2021/22	
	No.	%	No.	No.	%	No.	%	No.
Out of jurisdiction	29	22%	6	10%	26	27%	17	22%
Benefit/detriment - 4(b)	37	28%	14	23%	29	30%	15	19%
Computer - unlawful use (s. 440A)	12	9%	7	11%	6	6%	14	18%
Criminal conduct	7	5%	4	6%	6	6%	14	18%
Fraud/falsification	30	23%	14	23%	16	17%	7	9%
<b>Total</b>	<b>115</b>	<b>88%</b>	<b>45</b>	<b>73%</b>	<b>83</b>	<b>86%</b>	<b>67</b>	<b>85%</b>

## Spotlight on Department of Justice

Sector	<p>Entities within the Department of Justice (DoJ) include Corrective Services (prisons and offender services), Court and Tribunal Services, Office of the Public Advocate, the Public Trustee, Registry of Birth, Deaths and Marriages, State Solicitor's Officer and the Equal Opportunity Commission. Of the total number of allegations identified in each financial year, the number specific to Corrective Services are noted in smooth brackets.</p>																								
Allegations identified	 <table border="1"> <thead> <tr> <th>Financial Year</th> <th>Allegations</th> </tr> </thead> <tbody> <tr> <td>FY 2019-20</td> <td>364 (246)</td> </tr> <tr> <td>FY 2020-21</td> <td>563 (390)</td> </tr> <tr> <td>FY 2021-22 to date</td> <td>228 (132)</td> </tr> </tbody> </table>	Financial Year	Allegations	FY 2019-20	364 (246)	FY 2020-21	563 (390)	FY 2021-22 to date	228 (132)																
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Allegation content examples <sup>3</sup>	<ul style="list-style-type: none"> <li><i>Benefit/detriment</i>: used position to cover up investigation to benefit self or others.</li> <li><i>Corrupt conduct</i>: corruptly contracted and invoiced a project not completed.</li> <li><i>Unlawful disclosure</i>: unlawfully disclosed prisoner records to other prisoner.</li> <li><i>Fraud/falsification</i>: fraudulently submitted worker's compensation claims.</li> <li><i>Computer - unlawful use</i>: unlawfully accessed record of high-profile prisoner.</li> <li><i>Unprofessional conduct</i>: engaged in conduct likely to racially harass colleague.</li> </ul>																								
Other	<p>The diverse functions performed by entities within the DoJ can be exposed to serious misconduct and corruption. One of the primary functions with the greatest vulnerabilities are the correctional facilities and services where the provision of contraband, inappropriate relationships, excessive use of force and inappropriate access to information are present occupational risks. In addition, the Public Trustee manages over a billion dollars' worth of financial and property assets of clients and their families. Many of these clients are vulnerable persons and as such fraud poses the greatest risk.</p>																								

<sup>3</sup> Used for illustrative purposes only to detail types of behaviours and activities alleged to have occur.