

POLICE — CRIME SANCTION RATE

2122. Mr B.S. Wyatt to the Minister for Police:

I refer to the Minister's statement in the House on 20 March 2014 in respect of sanction rates for home burglaries, and ask:

- (a) what specific changes to the *Evidence Act 2006* were made that impacted on the sanction rate for home burglaries;
- (b) how did the changes to the *Evidence Act 2006* impact on sanction rates for home burglaries;
- (c) what specific changes to the *Criminal Investigation Act 2006* were made that impacted on the sanction rate for home burglaries;
- (d) how did the changes to the *Criminal Investigation Act 2006* impact on sanction rates for home burglaries;
- (e) what specific changes to the *Criminal Procedure Act 2004* were made that impacted on the sanction rate for home burglaries; and
- (f) how did the changes to the *Criminal Procedure Act 2004* impact on sanction rates for home burglaries?

Mrs L.M. Harvey replied:

- (a)–(f) The introduction of the *Criminal Procedure Act 2004* and the *Criminal Investigation Act 2006* prompted Western Australia Police to conduct a review of existing investigative practices. This took into account what police are mandated to do under all relevant legislation including the *Evidence Act 1906*. The review considered national and international best practice.

The introduction of legislation can mean the development and introduction of policy, procedural and process enhancements to meet legislative and other requirements (case law, coroner's court findings, multi-agency responses). The total impact of legislative change is often not known immediately and therefore procedural or policy responses are introduced progressively, monitored and evaluated over a period of time. For example:

- The *Criminal Procedure Act 2004* requires careful management and analysis of investigations to ensure compliance with disclosure obligations. Preparation of disclosure material requires considerable police time and effort.
- Introduction of procedures associated with the *Criminal Investigation Act 2006* requires officers to ensure compliance with legislative obligations associated with the arrest and or detention of suspects and has an impact on practices and procedures for frontline officers.

In April 2010, the Western Australia Police Investigation Doctrine was introduced to improve compliance with relevant legislation, standardise investigative practices, improve the quality of investigations and ensure appropriate guidance is provided to operational officers regarding investigative strategies. Components of this doctrine included:

- Introduction of the CRIME model, providing greater instruction for practitioners in the areas of;
 - o initial contact with the informant (or victim);
 - o investigation phase with guidance on what to examine, collect and analyse (see The 5KIS below);
 - o managing investigations and in particular, case file management and allocation with respect to the appropriate resource and expertise; and
 - o evaluating investigations and the introduction of the endorsement to charge by a supervisor.
- The Five Key Investigative Strategies (The 5KIS) are the means by which investigations should be conducted so that all potential avenues of inquiry are explored. These strategies relate to physical material, witnesses, intelligence, public awareness and suspects/persons of interest.
- Requirement of officers to obtain an 'endorsement to charge' prior to preferring a charge. This ensures that: charges are appropriate and founded on sufficient evidence; supervisors are quality assuring the investigation where persons are charged; and reduces the likelihood of withdrawing or substituting charges during the judicial process.
- The use of an 'evidence matrix' provides a means to determine (via a 'threshold test') whether there is prima facie evidence to substantiate a charge.

The Investigative Practices Unit was created to ensure quality standardised investigative practices through the initial training, monitoring, evaluation and improvement of the investigative competence of police.

The introduction of the Western Australia Police Investigation Doctrine has resulted in a more professional approach to the investigation of all crimes that has enhanced transparency and accountability. As a result, the time taken to complete investigations has increased which has impacted on the number of offences sanctioned and therefore sanction rates.