



COMMONWEALTH OF AUSTRALIA

# Official Committee Hansard

PARLIAMENTARY JOINT COMMITTEE ON THE AUSTRALIAN  
COMMISSION FOR LAW ENFORCEMENT INTEGRITY

**Integrity testing**

FRIDAY, 9 SEPTEMBER 2011

PERTH

BY AUTHORITY OF THE PARLIAMENT

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**PARLIAMENTARY JOINT COMMITTEE ON THE AUSTRALIAN COMMISSION FOR LAW  
ENFORCEMENT INTEGRITY**

**Friday, 9 September 2011**

**Members in attendance:** Senator Parry, Mr Hayes, Mr Parke and Mr Simpkins

**Terms of reference for the inquiry:**

To inquire into and report on:

The possible introduction of a law enforcement integrity testing framework at the Commonwealth level. The committee will consider:

- (a) the various integrity testing models, including the advantages and disadvantages of random and targeted integrity testing, effectiveness as a corruption deterrent, and possible entrapment issues;
- (b) the legislative and administrative framework required to underpin an integrity testing regime;
- (c) the Commonwealth agencies to whom an integrity testing regime could apply;
- (d) the potential role of the Australian Commission for Law Enforcement Integrity in integrity testing; and
- (e) any other relevant matters.

**WITNESSES**

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**HERRON, Mr Mark, Acting Commissioner, Corruption and Crime Commission, Western Australia ..... 1**

**LANGDON, Detective Inspector Paul, Manager, Covert Services, Internal Affairs Unit, Western  
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**SUTTON, Mr Robert John, Acting Director Operations, Corruption and Crime Commission,  
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**FLACK, Detective Superintendent Tony, Officer in Charge, Internal Affairs Unit, Western Australia Police**

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**LANGDON, Detective Inspector Paul, Manager, Covert Services, Internal Affairs Unit, Western Australia Police**

**SUTTON, Mr Robert John, Acting Director Operations, Corruption and Crime Commission, Western Australia**

**Committee met at 11:38**

**CHAIR (Ms Parke):** I declare open this public hearing of the Parliamentary Joint Committee on the Australian Commission for Law Enforcement Integrity. The committee is hearing evidence on the committee's inquiry into integrity testing. I welcome you all here today. This is a public hearing and a Hansard transcript of the proceedings is being made.

Before the committee starts taking evidence, I remind all witnesses that in giving evidence to the committee they are protected by parliamentary privilege. It is unlawful for anyone to threaten or disadvantage a witness on account of evidence given to a committee, and such action may be treated by the Senate as a contempt. It is also a contempt to give false or misleading evidence to a committee. The committee prefers all evidence to be given in public but, under the Senate's resolutions, witnesses have the right to request to be heard in private session. It is important that witnesses give the committee notice if they intend to ask to give evidence in camera.

Noting that officers of a department or agency of the state appear by invitation, if a witness objects to answering a question the witness should state the ground upon which the objection is taken. I remind committee members that the Senate has resolved that an officer of a department or agency of a state shall not be asked to give opinions on matters of policy and shall be given reasonable opportunity to refer questions asked of the officer to superior officers or to a minister.

On behalf of the committee I would like to thank all those who have sent representatives here today for their cooperation in this inquiry.

I welcome representatives from the Western Australia Police and the Corruption and Crime Commission. I invite you to make an opening statement and then the committee will ask questions.

**Det. Supt Flack:** I would simply state that the Royal Commission into the Western Australia Police made the following comments about integrity testing:

There cannot, however, be any doubt that the use of integrity testing programs is a significant deterrent to corrupt or criminal conduct and an important tool in corruption prevention strategy.

On that basis, the Western Australia Police support the use of integrity testing.

**CHAIR:** Did you wish to make a statement?

**Mr Herron:** Briefly, just to explain our relationship with integrity testing. We are an organisation that primarily looks into misconduct within the public sector. We do not have any investigative role in relation to organised crime. We have the power to grant extraordinary powers to the police to assist with their investigations of organised crime, but we do not get involved in the investigation of organised crime. Our Act—part 6, division 4—provides the statutory basis for us to exercise integrity testing for programs. Specifically, by section 123 we can grant an authority for an integrity testing program and that, under the act, is tightly controlled. If you go to section 123 it has certain criteria in there that have to be addressed when the commissioner decides whether to grant an ITP and then monitor whether the ITP is being properly administered. It is quite strictly and tightly controlled.

In terms of any assistance we can provide the committee today, we will not, for operational reasons, describe the methodology that we apply. It is quite important for operational reasons that we do not disclose our methodology and how we operate. We are certainly more than happy to assist by describing hypothetical situations and how ITP might be used but it is quite important that we do not explain our methodology. Our life commenced in 2004 and since we commenced we have conducted 32 integrity testing programs—and that is public knowledge because we release that information in our reports. That is primarily in relation to our investigation of misconduct in the public sector and I made the point earlier that we do not investigate organised crime.

I suppose the final point we would seek to make is that there is often a misconception in terms, excess or otherwise, of integrity testing programs as to whether it identifies whether there has been misconduct. The view

that we take about this excess of ITP is whether the people or the class of people who are subject to an ITP are aware of it. If they are not aware of a program, we say that means the program was successful. The result of a program does not matter as whatever the result is, you achieve what you are after. You either identify that there is misconduct—so it is successful in that way—or you identify that there is no misconduct and the organisation is acting in a right way. Either of those outcomes are what you seek to achieve. In terms of success and how you measure that, it is important that no-one is aware that they have been subject to an ITP. Those are the only comments we wish to make at this stage.

**CHAIR:** You said that there have been 32 integrity tests since 2004? Is that across the public sector or just with the police?

**Mr Herron:** Across the public sector.

**CHAIR:** So the provision in section 123 applies to the entire public service?

**Mr Herron:** It does. We do not just focus on the public sector. Our jurisdiction comes from the definition of 'public officer', and the definition of public officer is in reference to the Criminal Code. So it very much includes people within the Public Service but also includes people outside the Public Service, such as local government and transit guards. Police are not public servants. It includes a number of people who are outside the Public Service.

**CHAIR:** Does it include former public servants?

**Mr Herron:** It does, so long as at the time of their misconduct they were public officers.

**CHAIR:** Could you explain to us the criteria set out in the act for conducting integrity testing?

**Mr Herron:** I can. Robert Sutton, who is the current acting director of operations, oversees all the investigations. He has extensive experience in royal commissions being investigated and has a lot of hands-on experience in administering ITP. I will explain how it works practically without going into the methodology of how we operate. Section 123(4) says the authority must:

- (a) specify the officer of the commission responsible for the programme
  - (b) specify the names of any persons who are authorised to participate in the programme
  - (c) identify the integrity testing programme;
- so you need to establish the limits of it—
- (d) specify the nature of the particular activities in which the persons specified in the authority are authorised to engage;
  - (e) specify a period, not exceeding six months, for which the authority is given; and
  - (f) specify a date and time, being not earlier than its signing, when the authority comes into force.

As I said earlier, there are quite strict controls and limitations on that.

**CHAIR:** How many of those 32 tests are related to the police?

**Mr Herron:** I cannot answer that. I am not sure that we are in a position to answer that.

**CHAIR:** Is it half or three-quarters? Can you give us a general indication?

**Mr Sutton:** I prefer not to.

**Mr Herron:** I am not sure that we really want to go into that for operational reasons and how we apply the ITP. There is some concern about that. Coming back to the comment I made earlier that the success of an ITP is that people do not know they have been subject to an ITP, so even though under our act we are required as part of our annual report to explain the number of them, we do not actually provide the details of them for operational reasons. I am just concerned if we do.

**CHAIR:** Are they random or targeted or a combination?

**Mr Herron:** My understanding—and again I will bow to Mr Sutton—is that all of our ITPs have been targeted ITPs. We have not conducted—

**CHAIR:** Based on certain information that you have received?

**Mr Herron:** Yes.

**Mr Sutton:** That is correct. Our legislation requires that, if we are to test public officers other than police officers, it must be a targeted test. It cannot be a random test.

**CHAIR:** The legislation requires that it be targeted?

**Mr Sutton:** Yes. But further that it does make a differentiation with a police officer and we can conduct random tests on police officers.

**CHAIR:** Do the Western Australia Police have their own ability to conduct integrity tests?

**Det. Supt Flack:** We do, but with less flexibility and fewer options than the CCC might have in terms of not being able to engage in any conduct that could amount to a breach of the statute law. So our integrity tests have to be set around not breaching the law. It means that we have to be very creative in how we do it without falsifying records in our own databases. It becomes extremely—not complicated, because we have access to very good legal advice but you have to set your tests in a way that does not breach any statute law.

**CHAIR:** Is there a proposal to change the law to make it easier?

**Det. Supt Flack:** My understanding is that the state government has had legislation for controlled operations in a draft form for some time and they have not yet been progressed. Western Australia Police would like to have controlled operations legislation. For example—and I will give you some examples of things we could not do—we could not gain unauthorised access to a premises to install recording equipment, we could not put out false information to have the target obtain a warrant to search a premises. It makes it very difficult to recreate the circumstances in which officers might act.

**CHAIR:** Does the CCC not have that power?

**Det. Supt Flack:** Definitely.

**CHAIR:** So if you were operating together with the CCC you could do those things?

**Det. Supt Flack:** Yes.

**Mr Herron:** As we mentioned earlier, we do not investigate organised crime, the police do that. But they can apply to us to use exceptional powers and, as a part of those exceptional powers, the ability to use ITP.

**CHAIR:** How often does that happen? That you apply to the CCC?

**Det. Supt Flack:** We have never applied for an integrity test. We have managed to test the allegations that we have without breaching statute law and conducting those tests. We have done joint operations and joint investigations on particular jobs that come in, but—and remember I have only been there since January last year—there has never been an integrity test run.

**CHAIR:** Right.

**Det. Supt Flack:** When we report misconduct and report the conduct, the commission has access to our holdings and quite rightly. I support that. We should not be in a position to know if and when an integrity test has been run by the commission.

**CHAIR:** You do not think the internal affairs department should know that?

**Det. Supt Flack:** We do at a certain point in time. The commission could recommend the removal of an officer but could never progress the removal of an officer—that is the position of the Commissioner of Police—so at some point in time, as the commission does now, they will refer their materials to internal affairs and say that they have conducted an inquiry and here is the information—it might be from closed hearings or other operations—for your consideration. Hence, we will then do our own investigation and then make a recommendation to the Commissioner of Police about the removal of an officer.

**CHAIR:** I might just hand over to my colleagues now and I may have some further questions after that.

**Mr Herron:** Before we do that can I just correct something I said earlier? I said as a part of an application to us, in relation to organised crime, as part of the extraordinary powers we can grant the police the ability to use ITP—that is not correct. We can grant them the ability to operate a controlled operation but not, strictly speaking, an ITP.

**CHAIR:** For the purpose of an ITP, they could exercise those powers?

**Mr Herron:** No, we cannot grant them the ability to exercise our powers of an ITP under our act, but we can grant them the ability to conduct a controlled operation.

**CHAIR:** And if you knew that controlled operation was for an ITP could you still grant it?

**Mr Herron:** The point has got to be made, it is in relation to organised crime.

**CHAIR:** Only in relation to organised crime?

**Mr Herron:** No, the ITP, under our act, relates to public officers and police. It does not apply to organised crime. That is the distinction between ITP and controlled operations.

**CHAIR:** Sorry, I am not following. The powers to do an integrity test relate to the police?

**Mr Herron:** Yes. I have referred you to Section 123 and Mr Sutton explained, when you asked about random and specific ITP, if you go to Section 123(8) it explains the type of testing that can be granted.

(8) An authority to conduct an integrity testing programme in respect of a matter for which there is not an allegation of misconduct must not be granted unless each person to be tested under the integrity testing programme is —

(a) police officer; or (b) a person of a class prescribed by the regulations

So you can conduct a random ITP in relation to police officers, but not other people. We then go to subsection 4 which has got the specific things you have to identify—so that is the specific ITP. So that applies, as I say, to police officers in terms of a random ITP.

**CHAIR:** So those are the powers under a controlled operation; the police cannot use those to do an ITP of their own?

**Mr Herron:** No.

**CHAIR:** Okay, thank you.

**Senator PARRY:** Just so we get this clearly on *Hansard*, the police have the power to do the integrity testing but not to break the law to do the integrity testing. The CCC has the power to issue controlled operations for serious and organised crime to the police, but not for integrity testing. So the gap is that the police cannot have a controlled operation for integrity testing and that is what is the subject of draft legislation?

**Det. Supt Flack:** That is correct.

**Senator PARRY:** Great, so we understand where we are with that. Under the 32 integrity testing programs conducted, and I understand your sensitivity about not disclosing too many details—if you could answer yes or no, that might assist you with not giving too much detail—have any been conducted with local government? If you do not want to answer, please do not.

**Mr Sutton:** I am not sure.

**Mr Herron:** We do not know. As I understand it, when we publish the details in the annual report we just state the number that we have done; we do not go into too much detail for operational reasons, and that is actually stated in the report.

**Senator PARRY:** Forgetting other jurisdictions that they may or may not cover, have any prosecutions resulted from the 32?

**Mr Herron:** Again I might ask Mr Sutton to comment on that but I do not know that we can answer that question specifically because an ITP is one part of the investigations we perform and so there are a number of different things we address as part of an investigation. I do not think we will ever be in a position to say that as a result of an ITP a prosecution has eventuated. I also need to emphasise that our primary role is not to prosecute people and is not to charge people; it is to identify where the misconduct has occurred and to get to the truth of the matter. If there is criminal conduct which is revealed, and if we do charge somebody with that, that is almost a by-product of our process. That is not the purpose of what we are investigating. So, in direct answer to your question, I do not think we would ever be able to say that as a result of an ITP, and nothing else, there has been charges come out of that.

**Senator PARRY:** Thank you, that is a fair comment and it clarifies that. Also in relation to the 32, were they targeted on intelligence alone or targeted on requests from, say, administration or supervision in particular areas where there was suspicion?

**Mr Herron:** Again, if Mr Sutton wants to comment in terms of how it works practically then certainly I would invite him to do that. My understanding of it is that it is an operational decision made as a part of an investigation. It is something that is decided because of the investigator's experience. When a matter gets to a certain point in time you make an operational decision that an ITP might facilitate the gathering of further information; again bearing in mind that what we are trying to do is get to the truth of a matter not prove anything one way or the other. I think it is part of that process that the decision will be made when we decide that, to get to the truth of that matter, we will go to an ITP. Then there are decisions to be made—how will that program be conducted, what are the limits to it and what are we going to address.

**Mr Sutton:** I think I can safely say that all of the programs we have conducted have been as a result of intelligence held by our organisation obtained from many different areas. None have been conducted as a result of a request from another agency.

**Senator PARRY:** We are trying to establish how things are instigated, how it commences, so that helps us with our decision making. So basically it is intelligence gathered by the CCC and the CCC alone. So whichever way that intelligence is gathered there is no direct request from any organisation, any entity, using this integrity testing regime as a way of circumventing a more detailed investigation as a way of establishing corrupt practice. So it is simply intelligence driven, at the moment, from CCC.



**Mr Sutton:** That is right.

**Senator PARRY:** Do the police know, in relation to integrity testing, how that comes about? Is it through concern from a particular area or division? How do you arrive at the need?

**Det. Supt. Flack:** We have an internal reporting mechanism so that people can report anonymously on particular business areas or particular individuals. It might be a referral from the CCC for us to investigate something. We conducted one recently on bits of intel over a long period. It was starting to paint a picture and the way to verify it, which you could not do through normal investigation means, was to run an integrity test. So it is all intelligence based. It is not a case of, 'Let's pick Fred Smith off the street today, or off a particular station.' It would be totally intelligence led and targeted at persons. Over a long period there might be little snippets of information. You get some intel and just think, 'What are we investigating here?'—as opposed to the suspicion that, 'In these circumstances they will act a certain way.' Then you are going to try to run the test on them.

**Senator PARRY:** Across both agencies, is the integrity testing, when it has been conducted, aimed at low-level offences, such as stealing from the organisation, or at a more sinister level, delving into organised crime?

**Det. Supt. Flack:** The majority of integrity tests we have run relate to intelligence that persons are accessing our information databases and communicating that information, possibly to organised crime or to other persons. It is not necessarily organised crime, but the potential for the compromising of operations through information security becomes of particular concern. Lower level tests like those conducted for stealing are, I must say, becoming increasingly rare. What used to be the stereotypical police corruption—assaulting prisoners to get confessions or stealing property during search warrants—is being gradually engineered out by the use of video tapes on searches.

**Senator PARRY:** And cultural changes?

**Det. Supt. Flack:** And cultural change. But the type of corruption is changing. It is turning to recreational drug use and links to where people purchase their drugs. We are looking at information released on behalf of business associates and family—and you do not know, once you have released it, where that information is going to end up—and improper associations. What we call 'declarable associations' are of potentially compromising officers, and hence the majority of the integrity tests we have run in recent times have been about not only identifying that information is accessed but also finding out where it is going to and for what purpose it is being used. An integrity test is, we believe, at a higher level to get to the bottom of those things.

**Senator PARRY:** Mr Herron, is it the same with you?

**Mr Herron:** To reiterate, we are not investigating offences; we are investigating whether behaviour or activity might be misconduct, not with a view to proving anything but with a view to finding out what, in fact, has happened.

**Senator PARRY:** So misconduct would be clarified as an unauthorised release of information. I suppose the low-level stealing would not apply.

**Mr Herron:** That would be misconduct. Misconduct is defined in section 4 of our act, and certainly criminal offences constitute misconduct. Our purpose is perhaps a bit different to the police, who are investigating offences with a view to ultimately proving those offences. We are not trying to prove anything; we are just trying to find out what happened. So I do not think we can say our programs are trying to prove low-level or high-level offences. That is not what we are about.

**Senator PARRY:** As the chair knows, I could ask questions all day, and if there is room at the end I will come back, but my final question at this stage is about the deterrent factor. One of the issues with integrity testing is to have a strong deterrent factor, and it is suggested that without random integrity testing there is no great deterrent. On the 32 ITPs, you basically indicated—I just need to clarify this—the organisation may not be aware that there was an integrity test program run, so therefore there is very limited, if any, deterrent factor. Do you have any comment about that?

**Mr Herron:** It is definitely not for a deterrent factor. It is most important that they do not know they have been subject to an ITP, but the results of an ITP may or may not assist us in concluding the outcome of our investigation. A part of our role is very much a corruption prevention education role. If, at the end of our investigation, we form views whether there is or is not misconduct we can make recommendations to the organisation as to how to improve any systems which might need improvement because there are vulnerabilities which might give rise to misconduct. So as part of our education role we will make recommendations to the organisation as to dealing with certain behaviours to prevent misconduct arising. An ITP is just one part of all of the tools at our disposal to be able to then make recommendations to the organisation: this is a matter of concern

and we recommend, to deal with that, you should consider these things. We cannot tell people what to do. We only make recommendations and it is up to the organisation to decide whether to take it on board or not.

**Senator PARRY:** Would the organisations be aware that integrity testing may be conducted, even though they might not be aware of a particular test? Is there any induction training in each organisation that indicates that integrity testing is a possibility?

**Mr Herron:** I am not sure I can answer that. I suspect most organisations would not be aware of it. The education that we provide is explaining to people what misconduct is—because there is still a lack of detailed knowledge of what constitutes misconduct within government; how you develop cultures to prevent it arising in the first place; and then, when it does arise, how you deal with it to stop it spreading. That education and prevention is very much an important part of our role. That is probably half our business.

**Senator PARRY:** Superintendent Flack, can I put those two questions to you: is the organisation aware, and are they aware after the event sometimes?

**Det. Supt Flack:** No, we prefer it is not known. It would be fair to say the number of our integrity tests where the officer at interview resigns is a very good win for the agency and the community of Western Australia. To the point where they recognise that we might not have a criminal brief on them but we have got serious misconduct and we can prove it from the test, there has been a separation immediately, hence the risk mitigation.

I have to say in relation to the deterrent effect that in our view it is not totally about deterrence, it is about risk mitigation. You cannot have a commissioner of police sitting there having bits of information, here and here and here where there is smoke, knowing nothing about it, and when something happens, catastrophic or otherwise, saying, 'Well, we suspected the officer was up to no good, but we never got off our arses to validate it.' Integrity testing is an extremely useful tool for the commissioner, in protecting the agency and protecting the community of Western Australia, to say: 'Go out and find out for me, once and for all, if this is true or this is not true.' Our first call will always be to examine the allegation at the highest level, at a criminal level, with a full investigation, but there are gaps in investigations where we do not know. The integrity testing program is a very, very good way of filling those gaps.

In terms of deterrence and knowledge, the policy sits where all our members have access to it. And they are told at the time of induction, when they walk in as recruits: 'The internal affairs unit exists and, guess what, in their charter they can run integrity tests.'

**Senator PARRY:** Good.

**CHAIR:** Just to follow up on that, I had a meeting recently with the New York Police Department's Internal Affairs Bureau, where they said that random integrity testing was an integral part of their internal program and it was very important that new recruits in particular got the message that any particular scenario they found themselves in during their career could be an integrity test. They often thought that things were an integrity test, like the handing in of a wallet at the police station, which they did in the early days of the New York Police Department's integrity testing program and which they have not been done for years, but police officers continue to believe that that test is being run. They think it has a great deterrent effect.

**Det. Supt Flack:** There are a number of reports we have had that the situation was so bizarre the officer said, 'I thought they were running an integrity test on me.' We were not, but it is a great deterrent out there if that is the way they think about it. That is why it sits in our policy. It says we can. We do not call it targeted or random, even though I must say that, given the resources, we do use targeted. Whilst we can do random, there is mainly enough work on the targeted to run those. But, yes, we have had a number of officers report, 'I thought this was strange,' hence they reported it early and they reported it upfront. It was not linked to an integrity test, but in effect you could have added another figure for us on the integrity testing program because it had the impact.

**Senator PARRY:** Do you have an opinion as to whether it would be morale breaking or morale damaging if random integrity testing were in widespread use? Do you have a view about that?

**Det. Supt Flack:** My view from 31 years experience is that police officers would get over it if it were to become random. Yes, in the initial view they would beat the drum and say, 'I don't like it; it's an infringement; you don't trust us,' and the rest of it. But, at the end of the day, it will be judged on whether you are maliciously using a random test or whether it is effectively targeting, even on a random basis, those areas of highest risk.

It will certainly have a detrimental effect on the morale of an office if you do one on an office and it comes up a negative—or a positive. We find if there is a problem in there it will in the short term have an impact on morale, but there is a difference between morale and esprit de corps. Morale can change on a day-to-day basis, depending on whether you had an argument with your partner when you left in the morning. Esprit de corps is that

commitment to the body, commitment to the profession, commitment to the organisation, and I suspect that would not change whether you had random or targeted tests.

**Mr SIMPKINS:** Acting Commissioner, since 2004 what challenges have been made to integrity testing in courts and what is the nature of challenges or comments that have been made in relation to integrity testing?

**Mr Herron:** Do you mean in the sense of a legal challenge?

**Mr SIMPKINS:** Yes, or commentary that affects the way you operation, or public statements by judges, politicians or whoever on the matter.

**Mr Herron:** I am not aware there has been any legal challenge or any judicial commentary about it, but Mr Sutton might be aware of some.

**Mr Sutton:** We have had no challenges. In terms of any of our integrity tests that have resulted in criminal charges, we have had guilty pleas on all of our matters. In terms of comments from other areas, there have been no real comments made.

Picking up on one of the points made earlier, we can conduct random testing in relation to police officers. But at the same time, as we have mentioned, if we were to do that and those tests were passed, and they were run successfully—as in, they were not detected—that is not going to affect the morale of anyone because they do not in fact know they have been run. What we do find, though, is that integrity testing gives us very, very strong evidence because what we get normally is very strong evidence of the person committing that actual offence or engaging in that conduct. If possible, and in most cases, that evidence will be recorded, whether it be audio-visual or whatever, so it is almost irrefutable that the person did the particular act. But, to answer your question, we have not been challenged.

**Mr SIMPKINS:** That is what I was getting to. So your organisational experience has been that the legislation for the CCC is working well, it is effective and there are not things you would like to change about it?

**Mr Sutton:** As it stands, in my view, it is very effective.

**Mr SIMPKINS:** Therefore, would you recommend that Commonwealth or federal agencies also be subject to the same sort of arrangements because it has been effective for you?

**Mr Herron:** Our role is not to make recommendations one way or the other. Our role here is to explain how our powers work. It is not for us to make recommendations.

**Mr SIMPKINS:** Has your experience been effective and is the CCC better off in having these sorts of powers?

**Mr Herron:** Yes. Certainly our experience is that it is a very valuable tool in trying to get to the truth of a matter. It is a power that we think works well because it is very tightly controlled. It protects against abuse as well.

**Mr SIMPKINS:** You said something right at the start about your capacity to install recording devices without permission. Can the police, with a warrant, install devices without permission of the owners anywhere?

**Det. Supt Flack:** Yes. We would get that warrant where the evidence, in its entirety, would support getting a warrant. But there are occasions where there is a gap which the integrity test would fix. That means then we are very limited in where we can conduct the test and how we conduct the test so we are not breaching the Surveillance Devices Act.

**Mr HAYES:** From the CCC's point of view, integrity testing is something that is seen as a valuable tool and may be useful in detecting and eventually prosecuting corruption within your charter. Detective Superintendent, I imagine from the police point of view, however, targeting integrity testing would be seen as a valuable tool by the commissioner not so much to secure prosecution against a police officer but to ensure that the commissioner has confidence in the officer.

**Det. Supt Flack:** It is a part of the suite of risk management tools that he has.

**Mr HAYES:** Loss of confidence means the termination of the officer. Is it to ensure the integrity of the police force to that extent?

**Det. Supt Flack:** Yes.

**CHAIR:** I have a few extra questions. Acting Commissioner, you said earlier that you could tell us some of the hypothetical situations where you would use an integrity test.

**Mr Sutton:** In our annual reporting, we do report on matters in general in which we have run cases. I have a short list here. We have run integrity tests in matters or allegations regarding theft, improper associations and unlawful disclosure of information, bribery, fraud and allegations of corruption.

I see there is some talk about random testing and the pros and cons of that. I can give you a hypothetical situation where we would consider running a random test bearing in mind this is only in relation to the police because that is all our jurisdiction allows us to do. For instance, if we received information from one of our sister agencies, say, the Police Integrity Commission in Sydney, and that information was that they had concluded an investigation into the police and had uncovered systemic corruption in a certain area and that that corruption was partly as a result of systemic weakness somewhere within the system even though we may not have identified that within the police here, we would probably have a look and see whether the same systems and processes—for the same vulnerabilities—exist here. If that were the case we would then consider running a random test and that could be across a number of locations within the police.

**CHAIR:** There have been some media articles recently, not just in the last couple of days, to do with the parliamentary inspector's report on the CCC, which has found that the CCC failed to properly investigate serious complaints about police brutality. Between July 2009 and March 2011 the CCC received 381 complaints that police had used excessive force, including tasers, but it independently investigated only one of those. Would you like to comment on that? Would that be the kind of situation where you would think it is appropriate to do integrity testing?

**Mr Herron:** When you say that situation, I do not quite understand the question.

**CHAIR:** When you receive a lot of complaints in that vein—I guess it would depend upon whether it was against particular officers or just against the police in general—would you think it appropriate to do an integrity test? If you had, say, 10 complaints that related to one officer or one group of officers would you consider doing a test?

**Mr Herron:** Again, I do not have the investigative background and that is why I have people like Mr Sutton, who has that background and experience, to make those assessments. The commissioner does not get involved in making day-to-day investigative decisions. We leave that to our investigators to do although the commissioner has to give approval. But the commissioner relies upon the advice he or she is given. In response to the issue you raised about criticisms made of us by the parliamentary inspector, I understand—although I have not heard it today as I have been tied up with other things—that there has been some media criticism of us today. Unsurprisingly, we say the media has not really represented what the true issues are.

**Senator PARRY:** Join the club.

**Mr Herron:** Yes, I thought I might get some sympathy there.

**Senator PARRY:** Absolutely.

**Mr Herron:** I think if there is an issue between us and the parliamentary inspector, it is our approach to overseeing police, particularly in his report, specifically in relation to use of force by police. In our response to him we have identified that under our act we are required to address organisational issues to stop this conduct arising in the first place, to stop excessive use of force arising in the first place. We do that by requiring not only the police, but all organisations to deal with misconduct themselves in the first instance, because that is what the act requires us to do; it is part of our corruption prevention role. The police are required under the act to report any allegations of misconduct to us and any allegations of excessive use of force, and they generally do that well. They have, as Superintendent Flack has explained, an internal affairs unit. We have commented in our response to the parliamentary inspector and in the parliamentary report we tabled on Friday that they have, in our view, a very efficient unit that generally investigates allegations against police very well and very thoroughly. We did make some criticisms that there are some instances where there have been some deficiencies in that, but generally speaking the police do that quite well. The way we deal with it—I realise I am taking some time to answer this—is that we require the police in the first instance to deal with these allegations themselves and then we review the way in which the police deal with them. At any stage we can step in if we are not satisfied with the way the police are dealing with it, but we wait until the police internal process has been completed and the police then report to us that process. We usually require the police file so that we can review it ourselves and then we make an assessment as to the thoroughness of it and whether it has been done in the right way.

I think what was criticised about that is the simple statistic. I think there were two examples, and there seems to be implicit in the criticism that those two matters are matters that we should have taken on. In respect of one of them, I think the assessment was made—it was certainly before my time—that that was not a matter that involved serious misconduct and we were satisfied with the way the police had dealt with it. The second matter did involve matters of serious misconduct and we were quite involved in overseeing the police role. In that case I think there were three different internal reviews by the police of the matter. We looked at each of those. I think initially we were critical of it and that is why they went to a third review, and then when the final review was completed we

looked at that. We did not formally investigate it, but we then interviewed some witnesses, we made some further inquiries ourselves and formed the view that it was not appropriate for us to take it on because we did not think we could advance it any further. We did not think we could find any more information or get to a different result than the police could get to because our role is not to act as a complaints agency but to determine: have the police dealt with this in an appropriate way? We formed the view they did.

So we say the statistic that there is one or two out of 300-odd that we investigate does not mean anything, it is a meaningless statistic. The real issue is: has there been anything that you have identified that we have missed that we should have got more involved in and we have identified police not having dealt with these properly? We say we have not.

Underlying it all is, I suppose, a different philosophical approach to how we deal with this. I think the parliamentary inspector has formed the view that we should actively investigate these things ourselves, take them away from the police, start from scratch and investigate them independently of the police and not permit the police to do that, whereas we take a different view that is very much informed by the Kennedy Police Royal Commission which led to the creation of our body. He made recommendations about how police misconduct should be dealt with, and it is because of those recommendations that our body was created and our act was enacted.

**CHAIR:** If you think that that is the case, why do you think that the act has given you these powers to conduct these integrity tests yourselves and that you can use all those covert operations to do so?

**Mr Herron:** Because there will be occasions when you need to deal with that. It is another tool as a part of all of this. Your question, with respect, is a very general question. In terms of relating it to the purpose of this inquiry, I am not sure it was really relevant to those two matters. The integrity testing program in relation to those two matters was not relevant.

In answer to your specific question, why have we been given that: because occasions will arise, as they clearly have in 32 occasions, where, trying to identify what has happened and get to the truth of a matter, not proving anything but just trying to work out what has happened, it is necessary to conduct ITP. I am not sure that has properly answered your question.

**CHAIR:** I would like to ask the Western Australia Police if you have any comments about the matters that the parliamentary inspector raised and whether for those kinds of complaints about excessive force you would think it appropriate to do integrity testing?

**Det. Supt Flack:** It is really difficult to replicate situations in which an aggressive officer, fronted with a disorderly conduct or whatever the circumstances, then responded in an identical way. But I have to say that we have a risk assessment unit, we have an early intervention program, and every one of those reports of excessive force come through Internal Affairs and you are monitoring trends and issues. There are a number of officers who have lost their jobs because we are looking for trends and issues and we finally paint a picture to the commissioner: 'They are consistently responding in an aggressive way. Training has not rectified this matter. All the counselling in the world has not rectified this matter. It is an inherent difficulty they have with exercising authority. It is time to go.' In terms of replicating—

**Senator PARRY:** You would never get an agent provocateur to start with, would you?

**Det. Supt Flack:** There is the other danger that you are going to get somebody hurt in an integrity test. At the end of the day, our integrity test officers still come under the OHS Act and there are only certain things you can do to replicate the situation. Our view on integrity testing for the officer who is regularly appearing in excessive use of force complaints is, first, to make sure that we are reviewing the investigations, that the outcomes actually reflect the evidence. We have actually discussed this before on the Northbridge and where in these entertainment precincts the use of force is higher, given the nature of the clientele we are dealing with. We have access to very good CCTV. We regularly access that and on each event we go back to the CCTV, looking against the evidence against the CCTV. So you have other ways, other than integrity testing, on excessive force. Of course, you would have to pick the most contentious area of policing because people's perceptions of threats, levels of aggression, justification for defending myself or somebody else, quite often sits right here on what you see, what you hear, what you feel, and at that particular time it is probably one of the greyest areas of police investigations.

However, that does not imply that findings of misconduct are not made, and regularly made, about the conduct of the police officers and that officers are not removed for excessive force, or charged. In fact, our preference is you get charged. Gone are the days where you go, 'Well, we can go down to police force regs and everything will be all right.' The commissioner has said if you make an honest mistake in the heat of battle he will defend you,

even if you go to court and you are found guilty of assault, depending on time, place, circumstances, how honest you are and, of course, about repetition and background.

That is the long answer. It is a really difficult area to apply an integrity test, but there are other not safeguards but systems in place to try and remove and to monitor those particular officers.

**CHAIR:** How many integrity tests has the Internal Affairs Bureau conducted?

**Det. Supt Flack:** In the time I have been here, 18 months, I think four. I am advised it is five in 12 months.

**CHAIR:** That would be about normal?

**Det. Supt Flack:** We have a complete new team in the last 18 months. Given that it was not a question that we had actually prepared for or been asked to present those figures today, we did not go back and do that particular research. We would be happy to share the five that were done in the 12 months, which gives you a background how we come to do these.

**CHAIR:** Do you want to tell us about that?

**Det. Supt Flack:** I will look at an example of where an integrity test would run parallel with a normal investigation. An officer finds himself in a relationship with an associate of somebody who has been charged with some major drug dealing. The brief, which is about to go to court, is accessed by this officer. We have a section in Criminal Code on accessing restricted access databases. There are two offences. One is a minor one, just because you have breached policy, and one is actually distributing that information causing a detriment to persons. The easy way would be just to bring the officer in, interview them, tell them: 'We've got you on the audit trap; you'd better be able to explain why you're doing it.' And the trouble with police officers and the nature of their duties, depending on where they are and what they are involved in, is they simply say, 'It is linked to my duty.'

What was really important for us on this was we wanted to know where the information was going to. Our concern was it was going to go back to somebody who might then attempt to interfere with a witness or even do something more serious to the witness. So we ran the integrity test without breaching the law, looking for information accessed, and we were in a position to control and monitor where the information was going. That was really important for us in terms of finding out who had access and the intent to which the officer was going to run that test. You put out the information on the general broadcast. The information appears onscreen. Of course, we are running a parallel and I would like to touch on what you need to support integrity testing. We have the electronic surveillance in place, we are in a position to then go and monitor where the information is going and more importantly, if the person in organised crime was going to act on that information. We are able to run that one through. It is what appears to be a lower level integrity test on information, but the hope was not only that we were going to remove that risk from policing, which we did, but also that we would be able to identify where the tentacles spread to. That was a very effective test without breaching any law and had the desired result.

**CHAIR:** Did you have to report the fact that you had that suspicion about that officer to the CCC?

**Dep. Supt Flack:** Yes.

**CHAIR:** You told them that you were going to do an integrity test?

**Dep. Supt Flack:** We were running an operation on that officer. I have to say, at an operative level, relationship with the police and the CCC is healthy in terms of communication. We are not tripping over each other. We understand there are certain things the commission cannot and should not tell us. Quite regularly, we will go to the commission and say, 'We have a job; are you interested?' They will assess that and determine the level of their involvement in that particular job, which is a healthy position to be in.

**CHAIR:** What are the resource implications for integrity testing for you?

**Dep. Supt Flack:** I have read the AFP's submission in relation to having a standalone that just sets up tests. Our integrity testing unit is no longer called integrity testing unit; it is covert investigations or covert services. They also run our human source management, because we find to run a good integrity test you have to have good sources. You have to develop what used to be informants but are now human sources. You have to be trained, you have to be qualified. Whether they are an external human source or an internal human source, who are probably even more at risk of exposure, our integrity testing unit, now our covert investigators, manage that component. They run those investigations looking for the opportunities where you can run a test here. Similarly, what they do is when they are at a position, they will come to me through Paul and say, 'We now need an overt investigation present.' This is because somebody has to interview these officers, prefer charges and take the brief. I do not need my covert services and there is a handover where the overt people are brought in. There is a smooth transition from integrity testers finishing and saying, 'Here are the results, you go and do your jobs in terms of following up the criminality and the other information.' If I simply had officers sitting there trying to drum-up integrity tests, I

do not think I would be getting value for money. But inside a covert services/covert investigations cell, where all the investigators are trained in looking for integrity tests, there are opportunities to be very cost effective in using existing investigation resources than trying to run integrity tests.

**CHAIR:** That is not their only job; that would just be part of their job?

**Dep. Supt Flack:** Yes.

**Mr Langdon:** I think the best way, like Mr Herron said, is that the integrity testing is but a tool out of a suite of things that our covert investigators use, along with our surveillance unit who sits side by side.

**Dep. Supt Flack:** Integrity testing has to be part of a suite of options, in our view. You have to have legislation, which we do not have, but you need to have good controlled operations legislation. You have to have access to physical and electronic surveillance. You have to have access to good legal advice. All our tests, before they are run, are run through legal advice.

**CHAIR:** I wanted to ask you about that. Which legal advice are you getting that from? Internally or—?

**Dep. Supt Flack:** They are state solicitors.

**CHAIR:** Okay.

**Dep. Supt Flack:** We have state solicitors assigned to the police service. All our applications to run integrity tests are run through, from a legal perspective.

**Senator PARRY:** It is an external legal source, so then you are then involving another agency or another external facility, so there is chance that names could be—do you obliterate names or are the names and the full extent of the investigation—

**Dep. Supt Flack:** In the operation, the officer is never named. There will be an operational name given and there will be the test, but it will never be, 'Constable Flack is being tested from this station.' There are ways to accurately describe the test without revealing the sources. I have to say that we trust our sources. Given we have solicitors involved in potentially CT incidents providing advice to governments; they are all top secret cleared. We have confidence. But there are ways of protecting the integrity of that. I also believe in relation to integrity testing—I believe the AFP have got it—that you have got to have a good drug testing regime, both on and off duty. You have got to have good human source management informant recruitment. I would urge you, if you are going to consider it, that there be the ability to test all employees of an organisation and not just the police. The reason I tell you that is that currently I do not have the capacity to run integrity tests on the unsworn. In our State Intelligence Division, where I have got an unsworn analyst receiving all this information, processing it next to the police officer, and the allegation comes on them, I have got to treat that and deal with that in a completely different way from the police officer. At the end of the day, it is a risk to the organisation, and the legislation should apply to both the police and those who are assisting police to deliver that service.

**Mr HAYES:** Everyone employed in the AFP, whether it is the sworn officers or the clerical assistants, are all employed under the Australian Federal Police Act, and do come under the police integrity regime as it is.

**Det. Supt Flack:** That is a definite advantage they have over us.

**CHAIR:** So, in such an instance could you ask the CCC to help with that?

**Det. Supt Flack:** Yes.

**CHAIR:** You just have not actually done it yet?

**Det. Supt Flack:** Because the situations in which unsworn have come up have not necessitated a test in the time that we have been there.

**Det. Insp. Langdon:** They have become criminal investigations.

**Det. Supt Flack:** Yes.

**Det. Insp. Langdon:** They have been handled down that path. Again, the test would be a tool if we needed it.

**Mr HAYES:** You mentioned the AFP. You have got a number of people seconded into the AFP to from time to time either work with the AFP or alternatively do international deployment. Things of that nature happen every now and again. If we go down the path of having installed integrity regimes, whether it be targeted or random—whatever—what would be the effect of it applying to seconded Western Australian officers?

**Det. Supt Flack:** Effectively, in terms and conditions, they come under the AFP. But if they engage in misconduct the AFP people run their investigation, inform us of the result and allow us to deal with them by the Commissioner of Police.

**Mr HAYES:** Because this does not go to something where the commissioner might need his confidence here sustained, because he may not be suspecting something. But if there were an integrity regime conducted on a seconded officer—I guess it is what the terms of the secondment are and who is responsible—I am just wondering what the implication of that would be.

**Det. Supt Flack:** The implication is honesty is honesty, ethics is ethics, and it does not matter where you commit the misconduct, as far as we are concerned you then become a risk.

**Mr HAYES:** Has the CCC ever conducted integrity testing on seconded Commonwealth officers or could that have been possible?

**Mr Herron:** I think the short answer to that probably is that they are not public officers as defined in our act, and I think I addressed that earlier. A public officer is defined by reference to section 1, I think it is, of the Criminal Code. There is a whole lot of different categorisation or classification of officers and I suspect, without being certain about this, that a seconded Commonwealth officer does not come within the definition of public officer.

**Mr HAYES:** Thank you.

**Det. Supt Flack:** Just on that, we will have the AFP working with us through CHOGM, and there will be New Zealand police officers and officers from all other states.

**Mr HAYES:** They will be sworn in as federal—

**Det. Supt Flack:** The terms and conditions under which they are being sworn in are being sorted out right now. If there was a necessity for an integrity test, the AFP and all the states will have internal affairs representatives embedded with us during that period of CHOGM, and if it was a necessity to run an integrity test it would be done in conjunction with the home jurisdiction.

**Mr HAYES:** The commander who controls that operation would be affiliated Western Australian police, I imagine?

**Det. Supt Flack:** Western Australian police.

**CHAIR:** I just had a couple more questions of the commission. Do you pass your proposed scenarios for integrity testing by any of this kind of legal advice before they are carried out?

**Det. Supt Flack:** Any kind of— sorry?

**CHAIR:** Legal advice. Do you see the government solicitors or internal lawyers?

**Mr Herron:** Yes, when it comes to me, I mean it goes through two or three steps. So primarily it is a decision made by the investigators as to whether, as an investigative tool, the investigation has got to the stage where we think we can achieve something. It usually goes through the investigator, through his manager, then to the acting director of operations. They each sign off on it. Normally they would get legal advice about it as well. Within our organisation we have an internal legal department. A written recommendation comes to me and I have to be satisfied that the criteria set out under section 123 have been met and that it is appropriate to use. If I have any doubt I will seek further legal advice about that.

**CHAIR:** It would go to the government solicitors or—

**Mr Herron:** No, it would never go outside. We would generally use our internal legal advice. I can envisage a situation where I am uncertain and I might ask that independent counsel be briefed but we would never go to another firm. I think these things need to be often done reasonably quickly from an operational point of view, and to go off and get independent advice would take time. I cannot think that we would need to go outside the organisation to do something like that.

**CHAIR:** What are the resource implications of integrity testing for your organisation? Do you think that you would do more if you had more resources or it is not a question of resources?

**Mr Herron:** Mr Sutton might like to comment about this, but I think the simple answer is that it is probably not a question of resources; it is a question of strategy and tactics and whether we have got to the stage where it is necessary to advance the investigation by using an ITP. I do not think it is a resource issue.

**Mr Sutton:** I would agree with that. The conduct of an integrity test can be as simple or as complicated as you want to make it. We have a principle in our organisation that if we can keep it simple we do. In fact, while still maintaining the professionalism, we could—from go to woe in certain circumstances—run a test within 24 hours of making up our minds. It just all depends on the circumstances in which we intend to run that specific test and what it relates to. That is at the bottom end. But then at the top end, where you are talking about putting in undercover officers and that sort of thing, that becomes very complicated.



As far as resources go, we conduct tests out of our investigations unit. We have some officers, not fully dedicated to integrity testing, who have some more expertise than others and that is because we have decided to train them up in that area. So they are always consulted.

When you talk about targeted testing, that is not a decision we often make. We make that based on the circumstances we are presented with and one of the main circumstances is that the misconduct, the subject of the allegation, has to be ongoing. If we are presented with an isolated incident and we have an reactive investigation going, that a person has been involved in some sort of misconduct, an ITP has no application in that scenario. So, really, to a certain extent, when we want to consider running an ITP, we are dictated to by the circumstances we are presented with during any particular investigation.

**CHAIR:** My next question is to both of your organisations. Have any issues arisen in relation to entrapment or inducement when running integrity tests?

**Det. Supt Flack:** I will start. Essentially entrapment is defined as luring of a person into performing an illegal action. It occurs when there are not alternatives to committing an illegal act. The purpose of the integrity test is to create a circumstance or situation in which an officer is expected to do the right thing and has made a personal choice to do an act or omit to do any act. As I said, the issue of entrapment is an issue that will always be examined as part of the legal review process. Essentially our test will be designed—we want you to pass.

**CHAIR:** But you have—

**Det. Supt Flack:** No, we have not had any issues.

**Senator PARRY:** But you do have an option to fail them.

**Det. Supt Flack:** You have an option to fail. And it is not like you are pushed into the fail option.

**Mr Herron:** My understanding is no, that there have not been any issues. I will perhaps ask Mr Sutton.

**Mr Sutton:** There have not been any issues in relation to entrapment or inducement. We are very careful that when we do design a test it is not slanted one way or the other; it takes a middle path. We are very careful that our scenario presents a situation to a person or to a group of people. But they equally have an opportunity to act properly or act improperly. We try not to sway it one way or the other. For instance, if we had an allegation in relation to theft and we had some prior allegations that a certain office had been stealing five grand here, six grand there, if we were to run a test in relation to that particular office we would make the scenario of our test as close as we could to the allegations already in existence. We would not put \$50,000 in there for them to steal in the hope that \$50,000 would be more attractive to them than \$5,000 or \$6,000.

**Senator PARRY:** Who do you think should control integrity testing in any jurisdiction? In the Commonwealth we have the Australian Commission for Law Enforcement Integrity and then we have the jurisdictions that the ACLEI has jurisdiction over. I am particularly interested in your comments, Acting Commissioner. Do you feel it should be an external entity that has absolute say, control and conductivity, or do you think it should be devolved amongst the organisations with a supervisory role, which you explained earlier in relation to internal investigations?

**Mr Herron:** I do not really have a position and I do not think the commission really has a position in terms of an independent overseeing body. The commission is quite content as to how our powers operate at the moment. Of course, you have the commissioner there, who has to make these decisions. If decisions are made for the wrong reasons, the commissioner is answerable for that. My view is no. From our point of view we do not need an overseeing body; it is just another level of bureaucracy, it seems to me, that might frustrate our purposes.

**Senator PARRY:** Superintendent Flack, do you have a view on that?

**Det. Supt Flack:** My view on it is that the numbers and the sheer volume of agencies you have and the fact that a lot of your agencies are distributed across the world and across Australia—we are lucky that we have got a tight jurisdiction, a relatively small number of personnel. It is right and proper that we have our own capacity. Given the principles of integrity testing are the same—I am only expressing a personal observation here—there may be an opportunity to standardise process and procedure and to overlay it, whether it be across Defence, AFP, Health or any of the agencies that you may wish to run an integrity test on so that you get a standardised response; you develop an expertise. There would probably be some economies and efficiencies by doing that. I suggest that your greatest opposition to that model will be that individual agencies will go, 'I want control over the outcome.' However, if it is a centralised body you would have to ensure that there is sufficient communication between testing body and home agency to ensure that level of trust and cooperation. The other issue, because we all suffer it internally, is: when my business case comes to the table, mine is more important than yours.

**Senator PARRY:** So true.

**Det. Supt Flack:** Yes. Given the scale of the number of personnel that you are potentially testing, you could go down the path of a centralised model.

**Senator PARRY:** Finally on a different matter, has any malicious or vexatious claim been made which has resulted in any integrity testing? I will give you an example. Say officer A is seeking promotion against officer B an officer B complains against officer A in a confidential manner through any informant basis and an integrity test is conducted. Do you feel as though that could happen—in either organisation?

**Det. Supt Flack:** It is an opportunity that could arise, but there are sufficient safeguards, particularly in the validation and research phase and the analysis that goes into preparing it. There are enough independent people to get to the bottom of it. Whether you can totally eliminate it is a different issue and any system is prone to being abused. But I think there are sufficient safeguards you can build in to minimise that. You do not want your system to be used as an opportunity for abuse. Simply, there are ways of validating the information and testing its veracity before you go into implementing a program.

**Senator PARRY:** If that did happen in one did sneak through to the keeper, how reliable then would the integrity testing information be if it vindicated the officer? Could that be used in a promotional context? Let us just say an integrity test was conducted against the officer who was complained about vexatiously, that integrity test was conducted and the officer passed the integrity test, as in did not commit any breach, could that information be used in a promotional interview and if so what sort of reliability would you be able to give to that integrity test?

**Det. Supt Flack:** In our system it comes under freedom of information exemption. No, it is totally irrelevant. That only proves that you meet the standard in terms of the ethics at a particular moment and at a particular time. Promotion is supposed to be a test and measure of performance and ethics over time. So, no, one test would not impact one way or the other.

**Senator PARRY:** That is good. Thank you.

**CHAIR:** I thank witnesses from the Western Australia Police and the Corruption and Crime Commission for taking the time to give evidence today. The committee may, of course, come back to you with further questions during the course of this inquiry as it progresses. We do thank you for your time today. That concludes today's hearing.

**Committee adjourned at 12:58**