NSW POLICE FORCE

Customer Service Program Evaluation and Analysis

Professor Jane Goodman-Delahunty
Hielkje Verbrugge
Mira Taitz

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NSW POLICE FORCE
CUSTOMER SERVICE PROGRAM:
EVALUATION AND ANALYSIS

NSW Police Force Advisory Group:
Deputy Commissioner Catherine Burn
Assistant Commissioner Paul Carey
Superintendent Phil Flogel
Inspector Leith G. Kennedy
Dr Christopher Devery
In 2008, the NSW Police Force (NSWP) commissioned the Australian Graduate School of Policing (AGSP) at Charles Sturt University to assess its Customer Service Training Program and to conduct an analysis of its complaints database (C@TSI). Funding for this research was provided by a grant from the Charles Sturt University School of Policing and New South Wales Police Force Associate Degree in Policing Practices Research Development Advisory Committee.

In September 2009 the project was transferred to Professor Jane Goodman-Delahunty and Associate Professor Karl Roberts who proposed a three-stage study of the NSWP training program (Appendix 5). Because of the primary interest by NSWP in the literature review and analysis of the correspondence between the training program and C@TSI data, the parties agreed to defer Stage 3, a training simulation study.

The Human Research Ethics Committee of Charles Sturt University School of Policing and Australian Graduate School of Policing approved the study in July 2010. In 2010, the NSWP provided a one-year snapshot of Customer Service Related complaints data. Additional data were provided in 2011, including sample NSWP complaints analyses, documentation regarding the Mystery Shopper Study, NSWP Customer Service Complaint Training materials, and victim follow-up data. We are grateful to the NSW Police Force Advisory Group guidance, through Inspector Leith Kennedy, and the assistance of James Hilder and Shyama Batra in responding to queries about these data.

This review and assessment of the NSWP Customer Service Training Program and Customer Complaints was conducted by an AGSP research team led by Professor Jane Goodman-Delahunty. We are grateful to Jess Kingsford for her contribution to the literature review and inter-rater reliability coding. We are also grateful to Thea Gumbert, Kate O’Brien, and Paula Saunders who provided additional assistance to finalize references, format the document, and proof-read. The contribution of Karl Roberts to the research proposal and initial communications with the NSWP Advisory Group is acknowledged. In December, 2011, a draft of this report was submitted to the New South Wales Police Force.
GLOSSARY

**ACLO:** Aboriginal Community Liaison Officer.

**AGSP:** Australian Graduate School of Policing, Charles Sturt University (Manly Campus).

**ADVO:** An Apprehended Domestic Violence Order is a court order issued to protect a person who has been a victim of repeated physical assault, threats of physical harm, stalking, intimidation or harassment and who has a reasonable fear to believe that this behaviour will continue, when the source of harm is someone with whom they had an intimate, spousal or de facto relationship, or a family member.

**ALS:** Aboriginal Legal Services.

**AVO:** An Apprehended Violence Order is a court order issued to protect a person who has been a victim of repeated physical assault, threats of physical harm, stalking, intimidation or harassment and who has a reasonable fear to believe that this behaviour will continue, when the source of harm is not someone with whom the victim has a personal or family relationship, e.g., a co-worker, neighbour or a stranger.

**C@TSI:** NSWPF Customer Assistance Tracking System. This official electronic complaints database was started in 2001 to manage all written complaints about the NSWPF. It is accessible to the NSW Ombudsman and the NSW Police Integrity Commission in compliance with Part 8A of the Police Act 1990.

**CIN:** Criminal Infringement Notice

**Command Complaints Management Team:** Members of a Local Area Command responsible for the formal investigation and management of complaint issues identified within C@TSI that are deemed to raise serious issues or allegations about police conduct.

**Community-initiated complaint:** A complaint following an interaction with the NSWPF that was initiated by a community member.

**Complaint:** The NSW Police Act 1990 contains no definition of a complaint. Within C@TSI, a complaint is a written record of unsatisfactory police conduct that is formally processed, irrespective of whether the conduct in issue is lawful or unlawful.

**Complaint Issue:** A matter specified in a written complaint as a result of an incident involving an alleged failure of police service.

**Complaint Issue Group:** The NSW Police Force uses a complaint classification system which distinguishes 24 main types of complaints, designated as Complaint Issue Groups. These groups contain a number of sub-categories each of which is labelled as a Complaint Issue Type (see below). Each discrete complaint may contain multiple Complaint Issue Types that come within a number of Complaint Issue Groups.

**Complaint Issue Type:** NSWPF sub-categories of Complaint Issue Groups. These are more detailed classifications of over 150 different types of allegations of police actions or inactions that are the focus of submitted complaints.

**CMT matters:** Also known as “P Matters,” these are complaint issues specified within C@TSI that are deemed to raise more serious issues or allegations about police conduct, that are then triaged for management/formal investigation by members of a Command Complaints Management Team.
**Complaint Management Team (CMT):** See Command Complaints Management Team, above.

**CoP:** Commissioner of Police.

**COPS:** The Computerised Operations Policing System developed for the NSW Police Service and introduced in 1994. It is an integrated law enforcement computer system designed to enable law enforcement organisations to capture, access and analyse crime information and intelligence. It is a database containing all the information that the police record from their dealings with the public.

**Consumers of the police service:** The people of New South Wales.

**CSP:** Customer Service Program.

**Customer:** According to the NSWPF Customer Service Charter, a customer is a member of the public, excluding suspects or arrestees.

**Customer complaint behaviour:** Behaviours or actions of customers to register a complaint, such as telephoning a complaints hotline, attending a police station in-person, or lodging a written letter of complaint.

**Customer Service Related:** A series of 14 pre-defined complaint Issue Types classified by the NSWPF within C@TSI that are assigned a “customer service” tag and viewed as behaviours that have customer service implications.

**DO:** Duty Officer.

**GVRM:** Group Value Relational Model which underpins procedural justice theory.

**ICC:** Intra-class correlation coefficients are a measure of inter-rater reliability. ICC values of .75 and above indicate excellent reliability; values between .6 and .75 reflect good reliability; values between .4 and .6 show moderate reliability, and values below .4 indicate poor inter-rater reliability.

**IDRS:** Intellectual Disability Rights Service.

**Internal police complaint:** Complaints in C@TSI made by members of the NSWPF staff are known as Internal Complaints. In the NSWPF Customer Service Charter, these complainants are excluded from the definition of customers, but persons employed by other government agencies are classified as customers.

**Inter-rater reliability:** The degree of agreement between different coders in applying the same classification criteria to the same information. Any database where multiple staff apply an agreed set of criteria to encode data should be checked to ensure a satisfactory level of inter-rater reliability is achieved. A high inter-rater reliability coefficient (or ICC) demonstrates a high rate of agreement between coders and indicates that the coding scheme is robust and valid.

**IPC:** Internal Police Commission.

**Local Area Command (LAC):** A Local Area Command is a management unit with responsibility for one or more local police stations within a specified geographical area. Within NSW, there are 80 Local Area Commands.

**LEPRA:** Law Enforcement (Powers and Responsibilities) Act 2002 (Australia).

**Local Management Issue (LMI):** NSW Police Force category for the management of complaint issues identified within C@TSI. LMI matters or Resolutions, as they are better known, are generally less serious
issues/allegations about police conduct that are triaged for speedier, less formal management and resolution.

**MVA:** Motor vehicle accident.

**Neutrality:** Neutrality refers to the perceived absence of biased treatment in the context of police and public relations.

**NSW Ombudsman:** The NSW Ombudsman is an independent state agency with some oversight responsibilities regarding the activities of the NSWPF. For the purposes of complaints review, the office of the NSW Ombudsman has access to C@TSI and NSWPF are obliged to refer notifiable complaints to the Ombudsman.

**NSWPF:** New South Wales Police Force.

**NSW Police Integrity Commission (PIC):** The PIC is an independent state agency with oversight responsibilities regarding the activities of the NSWPF. For the purposes of complaints review, the PIC has access to C@TSI and NSWPF are obliged to refer notifiable complaints to the PIC.

**Notifiable complaint:** A complaint that is notifiable to the NSW Ombudsman pursuant to Section 122 of the Police Act 1990 is broadly defined to include conduct that is unlawful or corrupt, as well as lawful conduct that is unreasonable, the result of a mistake of fact or law, or has consequences that are unjust, oppressive or improperly discriminatory.

**Not selected:** Class of complaints that the police decline to investigate pursuant to the relevant section of the Police Act 1990. One of four possible outcomes for complaints recorded in C@TSI within the NSWPF internal complaint classification system. Other possible complaint outcomes are “sustained,” “not sustained” and “resolved.”

**Not sustained:** Following an investigation of a complaint, when the investigating manager is not reasonably satisfied that police misconduct occurred, the complaint issue is recorded as “not sustained.” One of four possible outcomes for complaints recorded in C@TSI within the NSWPF internal complaint classification system. Other possible complaint outcomes are “sustained,” “not selected,” and “resolved.”

**OC Spray:** Oleoresin capsicum spray.

**OIC:** Officer in charge.

**P Matters:** P matters or Complaint Management Team (CMT) complaints as they are also known, are those deemed to raise more serious issues or allegations, and are then triaged for management/formal investigation by members of a Command Complaints Management Team.

**PAL:** Police Assistance Line.

**POI:** Person of interest.

**Police-initiated event:** Contact between citizen and police where the event leading to the complaint was initiated by the police.

**Procedural justice:** The procedural justice model of policing emphasises the fairness of policing procedures. In particular, police conduct that addresses behaviours that build trustworthiness, demonstrate respectful treatment and absence of bias, and give citizens a voice, has been shown to increase compliance with the law, and confidence in the police.
**Region:** The state of NSW is divided into six policing regions. Each region contains a number of Local Area Commands and their respective police stations.

**Resolutions/Resolved:** This is one of four possible complaint outcomes within the NSWPF internal complaint classification system. LMI matters or Resolutions, as they are better known, are generally less serious issues or allegations about police conduct that are triaged for speedier, less formal management and resolution. Less serious complaint issues recorded in C@TSI are coded as resolved when they have been investigated and referred to formal or informal dispute resolution, but not non-reviewable management action. Other possible complaint outcomes are “sustained,” “not sustained” and “not selected.”

**Respectful treatment:** The treatment of community members with professionalism and respect.

**SO:** The officer who is the subject of a complaint.

**Statistical power:** Power in statistical terms is the probability of detecting an effect given that the effect exists in the target population. The major factors that contribute to the power of an analysis are the sample size (N), the effect size, and the criterion or significance level (\( \alpha = .05 \) or smaller). In this study, certain statistical parameters could not be varied: e.g., the sample size was determined by the number of complaints in the database.

**Statistical significance:** Statistical significance describes an outcome that is unlikely to occur by chance alone. The significance level in social scientific practice is usually set at 95%, thus an outcome is not reported as significant unless the likelihood that the result would occur by chance alone is less than one in 20. A significant result does not necessarily imply a large or important practical difference. With a large sample size, even small differences produce statistically significant results that in practical terms, may mean little or nothing. Conversely, the smaller the sample, the less likely a test is to yield statistically significant results when an effect is present. Factors that influence significance are similar to those contributing to statistical power (i.e., sample size, significance level applied, and effect size). Both statistical and practical significance (the implications of the results apart from statistical values) have to be considered.

**Suspects and nonsuspects:** A suspect is a person who is perceived to be potentially culpable of criminal conduct. Conversely, a person who is perceived as innocent of any criminal conduct is referred to as a nonsuspect.

**Sustained:** This is one of four possible complaint outcomes within the NSWPF internal complaint classification system. A complaint which includes a sustained finding in C@TSI is a meritorious complaint about police conduct which, following investigation, satisfied the resolution manager that police conduct requiring nonreviewable management action occurred. Other possible complaint outcomes within the NSWPF internal complaint classification system are “not sustained,” “not selected” and “resolved.”

**Trustworthiness:** Trustworthiness refers to the public perception of police openness, sincerity and motivation to serve the best interests of the community.

**Vulnerable population:** A vulnerable population is a sector of the community that is particularly susceptible to unfair or inappropriate treatment. Examples of vulnerable populations are visible minority groups such as ethnic or racial minorities, individuals with mental health difficulties, homosexuals and young people.

**VOI:** Vehicle of interest
**Voice:** Voice refers to citizens’ sense of being heard and having their input valued when interacting with law enforcement agencies.

**OIC:** Officer in charge

**YLO:** Youth Liaison Officer
EXECUTIVE SUMMARY AND RECOMMENDATIONS

The research had three aims:

- review academic and professional literature relevant to customer service in policing
- identify gaps between the ambitions of the NSWPF Customer Service Program and delivery of training
- identify a typology of situations that give rise to customer service complaints based on complaints in the C@TSI database

Research on customer service in policing

The researchers reviewed procedural justice literature and customer service scholarship to identify international trends in policing. The major commonality was that perceptions of fair procedures among community members are key indicators of the quality of community-police relations.

Procedural justice was identified as the leading empirically-supported theory of citizen compliance and confidence in policing. Applications of the Group Value Relational Model demonstrated that citizen perceptions of police trustworthiness, respectful treatment, neutrality and voice were directly linked to police legitimacy and satisfaction. Research from the private sector indicated that:

- the quality of the relationship between customers and service providers is a key indicator of customer loyalty
- complaints are a measure of trust

Based on these insights, public sector agencies have incorporated a customer service approach, welcoming complaints from the public to improve services and accountability. The fit between customer service models and policing has been less straightforward due to police law enforcement obligations and barriers within police culture. International trends in policing revealed an overall shift from force-based to consent-based policing with the aim of improving police-citizen relations and enhancing the trustworthiness of police in the eyes of the public.

NSW Police Customer Service Program

The NSWPF Customer Service Charter was introduced in 2009 to improve police service provision to the community as a whole, and to victims in particular. Both the NSWPF Customer Service Charter and the Customer Service Program training materials incorporate the four key principles of procedural justice: trustworthiness, respectful treatment, neutrality and voice. However, training sessions and discussions with NSWPF revealed several weaknesses.

Barriers to effective customer service training:

- Gaps and inconsistencies in the C@TSI data threaten the integrity of complaints analysis
- Confusion as to whether suspects are customers
- Customer service was seen as ancillary to rather than integral to core policing duties
- Examples did not reflect the complexity of real-life police work
- Police neutrality was under-emphasised
- Roleplays and group discussion were limited
Motivation of participants and trainers was low

Customer Service was perceived as irrelevant to real police work

Staff feared that complaints were used as a managerial tool against individual officers

Training trivialised relations between police and customers

Mystery Shopper examples were not representative of core policing work

Survey results of customer satisfaction with the NSWPF complaint handling were mixed

Goals set for victim-follow-up were not achieved

Common misconceptions about complaints were identified, including:

- most complainants are female
- a significant proportion of complaints are nonmeritorious
- complaints are nonmeritorious unless sustained
- a significant proportion of complaints are from disgruntled suspects
- complainants are motivated by a desire for revenge against the police

While police culture traditionally focuses on complaint reduction, analysis of the content of complaints, in addition, can promote a healthier institutional relationship and achievement of a more optimal number of complaints. Caution is advised in celebrating a decline in raw numbers of complaints. These data relied on pre-defined categories of complaint issues, whereas a very small proportion of complainants framed their concerns as a customer service issue.

A retrospective analysis of 2910 complaints received between May 2009 and May 2010 in the NSWPF C@TSI database identified a typology of situations that lead to customer complaints.

### Police behaviours that lead to complaints:

Eight types of police behaviour were the source of most complaints:

1. mistreatment
2. misconduct
3. inadequate service
4. discriminatory treatment
5. failure to communicate
6. failure to provide care
7. detrimental public incident
8. negative consequences for the complainant

- Three out of four complaints reported acts of commission; fewer than half the complaints reported acts of omission (failures to act)
- One in two complaints described police mistreatment
- Two out of five complaints reported police misconduct
- Most complaints about undue aggression reported excessive physical force
- One in three complaints reported illegal or unlawful police conduct
- One in five complaints reported poor communication or selective, discriminatory treatment
- Customer service complaints co-occurred with complaints about core policing duties
- 86% of complainants reported concerns with at least one element of procedural justice (disrespectful treatment, lack of trustworthiness, nonneutrality or denial of voice through failure to listen to complainants)
- One in every two complaints mentioned disrespectful treatment by police either as a primary or secondary concern
- Two out of five complaints mentioned police trustworthiness either as a dominant or secondary concern
Who made complaints?
The typical complainant was:

- male
- a community member who was not a suspect

Risk exposure in complaints
The degree of legal risk exposure in reported police behaviour was substantial:

- One in two complaints reported police conduct of moderate-to-high legal risk
- One in ten complaints reported conduct involving extreme risk
- High risk exposure was common in complaints about failure to care for vulnerable persons
- One in five complainants reported tangible negative consequences due to police behaviour
- Complaints about police trustworthiness and disrespectful treatment each accounted for just over one third of the higher risk police conduct whereas disrespectful treatment accounted for more than two-fifths of the complaints about lower risk police conduct

What did complainants want?

- Only 2% of the complainants specifically reported poor customer service
- Some complainants praised the positive conduct of individual police officers
- Some complaints included an admission of wrongdoing by complainants showing that complaints were not lodged as a tactic to avoid culpability
- Very few complainants sought punitive action against officers
- Many complainants reported more than one problematic police behaviour
- Complaints about police misconduct and mistreatment were interwoven with reports of disrespectful treatment, insincerity and failure to listen

What circumstances led to complaints?

- More mistreatment complaints resulted from encounters initiated by the police
- Legal risk was higher when members of the public approached the police rather than vice versa
- Nonsuspects were more likely to express concerns about police trustworthiness
- Suspects were more likely to express concerns about disrespectful treatment by police

How did complaint recording affect the analysis?

Gaps and inconsistencies in the C@TSI data led to the following limitations:

- Missing data precluded detailed analysis of who complains
- A lack of data on vulnerable persons limited the application of procedural justice findings
- All records in C@TSI were created and “filtered” by NSWPF staff; the researchers did not have access to the text of the original written customer complaints

Recommendations

Recommendations were devised to:

- create an accurate and comprehensive source for data-driven training;
- enhance motivation and create a workplace culture that values complaints;
- integrate customer service training into core policing tasks;
- deliver evidence-based training on the most significant complaint issues;
- achieve a more optimal number of complaints and reduce legal risk.
A. Recommendations to create a more accurate and comprehensive complaint database as a tool for data-driven training

Establish a regular schedule to conduct random tests of the inter-rater reliability of data entered into C@TSI.

Establish and monitor uniform data entry procedures to minimize missing and inconsistent data, e.g., by providing training at all data entry sites.

Clarify the definition of “customer” to increase consistency in recording and handling of complaints by suspects who complain about customer service related matters.

Establish procedures to systematically gather and record complainant demographic details such as gender, age, race, location, etc.

Establish procedures to gather and record data about vulnerable persons and visible minorities, e.g., intellectually disabled citizens, ethnic minorities, young persons, etc.

Train data entry staff to ensure complaint information is recorded neutrally, without bias.

Establish procedures to systematically gather and record what customers want when they lodge the complaint, e.g., place their viewpoint on record, an apology, compensation, etc.

Include additional follow-up data fields in C@TSI to systematically track victim follow-up and other complainant requests and outcomes.

B. Recommendations to enhance motivation and create a workplace culture that values complaints

Regularly share major trends in complaint data with all staff both in and outside of customer service training sessions.

Increase staff awareness of gaps between perceptions and realities regarding vexatious and nonmeritorious complaints.

Increase staff motivation by gathering examples (from complaints and elsewhere) of positive citizen experiences with police.

Increase staff awareness of the profile of complainants and common misperceptions of complainants, e.g., misperceptions that they are mostly women, or suspects motivated by revenge or trying to create a defence.

Devise training to build a cohesive, evidence-based training program that connects complaint case studies to the theory of procedural justice that underpins the Customer Charter and community policing models.

Use training examples to stimulate group participation and discussion, encouraging participants to provide their own examples from practical experience.

Frame training positively, where possible, in order to encourage a view of citizen-police encounters as opportunities to build community trust, legitimacy and compliance.

Incorporate real-life case studies arising in New South Wales, using relevance to stimulate motivation in training and in the field.

C. Recommendations to integrate customer service training into core policing tasks

Illustrate training materials with examples showing how core policing tasks lead to complaints.

Illustrate training materials with examples showing how core policing tasks involve customer service skills.

Incorporate training examples to illustrate customer service skills applied in complex and challenging policing tasks, such as domestic violence cases.

Incorporate training examples that illustrate the uncertainty and changeability of victim and suspect roles in real policing tasks.
Incorporate training examples that illustrate the complexities in defining customers and noncustomers in real policing tasks.

Provide training on active listening in policing situations to satisfy customer desire for voice.

D. Recommendations to deliver evidence-based training about the most significant complaint issues

Deliver evidence-based training on police behaviours that draw the highest number of complaints.

Deliver evidence-based training on complaint hotspots in rural and metropolitan New South Wales.

Deliver evidence-based training on police behaviours that draw the lowest number of complaints.

Incorporate C@TSI data into training on profiles of the most typical complainants.

Incorporate C@TSI data into training on the diverse types of negative consequences experienced by complainants following service problems.

Incorporate C@TSI data into training on the police behaviours that increase exposure to legal risk.

Incorporate C@TSI data into training on the co-occurrence of customer service complaints with core policing business.

Increase awareness of the negative effects of too few and too many complaints and the role of a more optimal number of complaints to enhance police-community relations.

Conduct regular hotspot analyses and plan interventions to reduce complaints in those areas.

Incorporate training on misconduct within customer service training programs.

Target training on police behaviours that most frequently produce more severe or high risk consequences.

Target training on highly visible, new behaviours, that are risk-prone (e.g., new technologies, Facebook) to mitigate public incidents or damage to corporate image.

Target training on behaviours giving rise to complaints that involve public and media exposure.

Conduct more frequent and extensive evaluations of community satisfaction and trust in police.

Conduct regular evaluations of the customer service training program.

E. Recommendations to achieve a more optimal number of complaints and reduce legal risk
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I. THE CUSTOMER SERVICE MODEL IN POLICING: LITERATURE REVIEW

A. PROCEDURAL JUSTICE THEORY

The primary role of law enforcement is to monitor legal norms and values, to enforce and prevent citizens from crossing boundaries, to apprehend those who do, and to protect citizens from community members who break the law (Murphy, Hinds, & Fleming, 2008). A large body of literature has explored the dynamics involved in conducting and maximising successful law enforcement, as is reflected in leading international journals in this discipline. In this research, citizen compliance and cooperation have consistently emerged as necessary components of effective policing. Levels of cooperation and compliance appear to be mediated by public attitudes towards and perceptions of police (Bradley, 1998; Murphy et al., 2008).

Two dominant theories have emerged to explain the relationship between policing, citizen cooperation and compliance. These are the instrumental and procedural justice perspectives (Murphy et al., 2008; Sunshine & Tyler, 2003a). These theories are not mutually exclusive, but emphasize different aspects of the same process: the former focuses on fair policing outcomes and the latter on fair policing procedures.

1. INSTRUMENTAL THEORIES OF CITIZEN COMPLIANCE

The instrumental perspective suggests that citizens’ acceptance and support of police can be gained by focusing on three principles or elements: (a) the risk of punishment, (b) the performance of police in fighting crime, and (c) the fair distribution of justice across the community (Sunshine & Tyler, 2003b; Tyler & Fagan, 2008). The risk principle refers to the likelihood and credibility of sanctions against lawbreakers, which in turn are presumed to have a deterrent effect on lawbreakers. The performance principle refers to police effectiveness in controlling crime. Effectiveness in crime-fighting influences both perceived likelihood/risk of apprehension and leads to literal incapacitation of offenders through imprisonment (Nagin, 1998). Finally, the distributive justice principle refers to equality or fairness in the distribution of policing services (Sunshine & Tyler, 2003a). Specifically, the distributive justice principle is based on the assumption that people are motivated to cooperate and comply with laws and with law enforcement agencies based on the degree to which they feel that the outcomes they receive from these processes are fair and equitable, that is, that justice is distributed fairly across the community (Sunshine & Tyler, 2003a).

In the past, police efforts to improve public attitudes have primarily focussed on “crime fighting” effectiveness, related to the principles of risk and performance (Walsh, 2007). For example, publications of crime statistics, “three strikes out” policies and/or “tough on crime” slogans are intended to deter lawbreakers by instilling fear, but also express and confirm the authority and the protective role of the police (Walsh, 2007). These strategies are in line with the instrumental theory which purports that public compliance can be obtained through social control mechanisms such as deterrence and incapacitation (Nagin, 1998). Public cooperation and compliance are thus thought to be regulated through external factors, such as coercion and the fear of getting caught.

However, little empirical evidence exists to support the effectiveness of instrumentally-based methods to enhance public perceptions of police. For example, in a recent study, performance in crime control was not significantly related to public perceptions of police fairness (Stanko &
Moreover, although law enforcement agencies do exert a deterrent effect, this does not appear to be directly related to compliance and cooperation (Nagin, 1998; Skogan & Frydl, 2004). For example, the influence of deterrence-based policing strategies does not affect each citizen or citizen group in a uniform way. More specifically, amongst minority groups, harsher punishment does not seem to affect crime rates (Fagan & Meares, 2008). Furthermore, personal experience with police is a strong predictor of confidence in police, suggesting that reports of police performance may not have the influence they are purported to have under instrumental theory (Cheurprakobkit & Bartsch, 2001; Tyler, 1990; Tyler & Huo, 2002).

Research has also demonstrated that the role of distributive justice in judgements of police actions was of greater significance for people whose status in their community was strong, that is, for people whose personal identity was associated with a sense of shared moral values with their community (Sunshine & Tyler, 2003a). By contrast, people of intermediate status, that is, people whose identity and feelings of personal status were not drawn from a sense of shared values with others in their community, placed significantly greater emphasis on aspects of procedural justice (Sunshine & Tyler, 2003a). For example, high status members typically agreed with the statement “I think the people in my neighbourhood would respect my values”, and accordingly were found to be most influenced by aspects of distributive justice issues in policing, such as whether lawbreakers received the outcomes they deserved. Members of the community with intermediate status, on the other hand, were least likely to agree with the same statement and were in turn found to be more influenced by aspects of procedural justice in policing, such as whether the police treated people fairly (Sunshine & Tyler, 2003a). These findings indicated that, as in the case of deterrence-based policing, the influence of distributive fairness did not affect all citizen groups in a uniform way.

Together, these findings suggested that the social control or instrumental model of policing was not the most effective model for the achievement of public compliance and cooperation and, in turn, a subsequent reduction in crime rates.

2. PROCEDURAL JUSTICE THEORIES OF CITIZEN COMPLIANCE

The procedural justice perspective focuses more on the interpersonal dynamics between the public and police than on policing outcomes. Integral to procedural justice theory is the perception of police legitimacy as a social control mechanism (Tyler, 1997). Police legitimacy refers to the acceptance of, and respect for, the authority of the police force and to the level of citizen obedience toward police initiatives (Tyler, 1997). Citizens who view the police as legitimate will be intrinsically motivated to comply and cooperate with the police, effectively negating the need for external social control mechanisms, such as the risk of imprisonment, as they will self-regulate their behaviour (Tyler & Fagan, 2008). According to this perspective, public opinions of the police force and public cooperation with the police force depend more on how police officers treat people than on police performance outcomes. In other words, the fairness of the process is more influential than outcomes such as statistics demonstrating reductions in crime (see generally Tyler and colleagues 1989-2006; Goodman-Delahunt, 2010). In their original postulation of procedural justice theory, Thibaut and Walker (1975, 1978) described this phenomenon as “the fair process effect”, referring to the tendency for disputants to be more satisfied with outcomes when they considered a process to have been fair (Heuer & Sivasubramaniam, 2010). Goldsmith (2005) argued that the primary operating principle in police-community relations is trust, and that trust between police and the public facilitates judgements of police legitimacy. Police legitimacy in turn was more likely to elicit public cooperation with police.

From an organisational and policy-setting point of view, the procedural justice theory implies that in order to increase public cooperation and compliance, policing organisations should focus on
implementing social values through positive staff behaviour rather than attempting to control the public’s behaviour. Specifically, procedural justice theory predicts that perceptions of the trustworthiness of police are a key prerequisite for positive judgements of police legitimacy, which in turn, will increase public cooperation and compliance (Sunshine & Tyler, 2003a).

a. The Group-Value Relational Model

The primary model of procedural justice theory is the Group Value Relational Model (GVRM). In this model, the behaviour of an authority figure is evaluated in terms of what it communicates regarding the social relationship between the individual citizen and the authority, in this case, the police (Goodman-Delahunty, 2010; Sunshine & Tyler, 2003a). Specifically, a citizen will assess a situation based on what it conveys about that person’s position in and sense of belonging or inclusion within a social group or community. Situations are more likely to be considered just and fair if they leave the citizen feeling valued and respected (Sunshine & Tyler, 2003a).

The GVRM consists of four central attributes or pillars: trustworthiness, respectful treatment, neutrality and voice. Trustworthiness refers to the public perception of police openness, sincerity and motivation to serve the best interests of the community. Respectful treatment refers to the treatment of citizens with professionalism and respect. Neutrality refers to the perceived absence of biased treatment. Voice refers to citizens’ sense of being heard and having their input valued (Goodman-Delahunty, 2010; Tyler & Huo, 2002).

Procedural justice theory and the GVRM have received extensive empirical support (Hinds & Murphy, 2007; Lind, Kanfer & Earley, 1990; Naumann & Bennett, 2000; Tyler, 1989, 1990, 2001, 2006). The notion that the more fair a process is, the more satisfaction it will elicit amongst its participants has been so consistently replicated by research, that this “fair process effect” has been referred to as one of the most robust findings in the justice literature (Brockner et al., 2001). Furthermore, following Thibaut and Walker’s (1975, 1978) original idea that process control or voice plays a significant role in the degree to which a “fair process effect” might emerge, a considerable amount of research has ensued confirming this hypothesis. For instance, in a study evaluating the effect of pre- and post-decision voice conditions on fairness judgements, Lind, Kanfer and Earley (1990) demonstrated that the extent to which disputants are allowed to give voice to their position (whether they are encouraged to express their views or given no opportunity to express themselves) significantly influenced their judgements of the fairness of a procedure, regardless of their knowledge under certain conditions that this voicing had no effect on the outcome of a process. In another study examining the role of moral alignment in judgements of police legitimacy it was found, as hypothesised, that citizens were more compliant, more cooperative, and regarded the police more highly when they perceived that the police shared their moral values (Sunshine & Tyler, 2003a). Furthermore, research has demonstrated that citizens accord more legitimacy to police, and are more likely to cooperate, if the initiatives are presented with a fair and respectful approach (Sunshine & Tyler, 2003b).

In another study, further support was accrued for the idea that procedural justice judgements (pertaining to the degree to which citizens felt respected, heard and valued) strongly influenced perceptions of police legitimacy (Reisig, Bratton, & Gertz, 2007). Perceptions of police legitimacy, in turn, were found to influence both cooperation with police and compliance with the law. Conversely, the “obligation to obey” was not significantly associated with either compliance or cooperation (Reisig et al., 2007).

One weakness in the available procedural justice literature examining factors that influence public compliance and co-operation is the wide variation in definitions of key constructs such as trust and confidence in police, attitudes toward police, police fairness and police legitimacy. Indeed
some scholars have questioned the match between theoretical constructs, such as “group standing”, and the way these constructs have been operationalised in research (Heuer & Sivasubramaniam, 2010). For example, concepts such as trust, legitimacy and consent are frequently collapsed into and equated with the singular concept of public confidence in policing, leading other scholars to point out that these concepts are all theoretically quite distinct, and thus should be examined separately (Bradford & Jackson, 2010). Nonetheless, examinations of the relationship between people’s views about the legitimacy of the police and their cooperative behaviour, both with police and within their own community, have consistently revealed that perceptions of police legitimacy strongly influence the degree to which citizens exhibit cooperative behaviour (Tyler & Fagan, 2008).

Attitudes toward police are not consistent within all sectors of a community and considerable variability in confidence in the police exists amongst citizens (Sivasubramaniam & Goodman-Delahunty, 2008; Tyler & Huo, 2002). This variability across the community, however, has enabled researchers to identify some of the mediating factors that influence confidence in police. Most notably, confidence in police is strongly influenced by citizens’ personal experiences with police (Cheurprakobkit & Bartsch, 2001; Tyler, 1990; Tyler & Huo, 2002). Furthermore, minority groups typically perceive themselves as targets of discrimination by police in comparison to majority ethnic groups (Sivasubramaniam & Goodman-Delahunty, 2008).

The GVRM thesis is that police behaviour is evaluated primarily in terms of the relationship that is communicated between police and members of the public. Research undertaken in the area of Customer Relationship Management within business management theory revealed that trust is a critical ingredient influencing the relationship between customers and service providers in the private sector (Maister, Green & Galford, 2000). Similarly, a key component in the relationship between the police and the public is trust.

Many public agencies have recognised the need to provide customer service just as private companies do (Milakovich, 2003), and police agencies are no exception. An understanding of the development of the customer service model — and the discovery of the key role played by trust within this model — provide helpful insights into contemporary policing customer relations initiatives.

b. The significance of minority group satisfaction with police

Research has shown that satisfaction with police varies between sectors of the community. Consequently, police complaints systems need to be sensitive to cultural differences within the community. Compared to majority ethnic groups, minority ethnic groups report significantly lower levels of satisfaction (Wagner, 2001) and typically perceive themselves as more likely to be discriminated against by police (Sivasubramaniam & Goodman-Delahunty, 2008). These findings indicate that police need to place greater emphasis on countering feelings of discrimination in minority ethnic groups to improve confidence levels among these groups and, in turn, in the wider community.

Several studies have revealed a significant relationship between attitudes towards police within minority groups and perceptions of discrimination. In one American study, confidence in police was strongly correlated with race: 60% of Whites expressed “a great deal of confidence” in police while a mere 40% of Blacks expressed the same level of confidence (Wagner, 2001). Drawing from in-depth interviews with Black adolescents, in which their interactions with police were detailed, Brunson (2007) reported that over 80% of respondents agreed that police harassed or mistreated people in their neighbourhood either sometimes or often. As Brunson (2007) noted, whether or not these feelings were justified, the dissemination of perceptions within a community serves to
amplify the perception of police as racially biased. Perceptions of racial bias were also associated with perceptions of police legitimacy: the more that Black American adults and adolescents perceived that they were the subjects of unwarranted aggressive policing encounters, the lower they rated police legitimacy and the more they regarded police-community relations as deficient (Brunson, 2007).

With respect to the impact that different policing approaches may have on minority groups, Fagan and Meares (2008) reported that amongst minority groups, crime rates did not diminish as punishment became harsher. This finding supported the notion, detailed above, that the instrumental model of policing is perhaps not the most effective means of eliciting compliance from the general public. More recently, in a study that examined voluntary cooperation within the Muslim American community in response to police efforts to combat terrorism, data once again supported the procedural justice theory with respect to the most effective means of eliciting public cooperation and compliance (Tyler, Schulhofer, & Huq, 2010). Specifically, the level of voluntary cooperation amongst Muslim Americans was shaped most significantly by the degree to which community members believed the police to be a legitimate authority. By contrast, willingness to voluntarily cooperate with police was less influenced by the community members’ assessment of the outcomes of cooperation (Tyler et al., 2010).

A useful measure of community confidence in the police and the perceived level of customer service provided by the police is the attitudes and perceptions of minority groups (e.g., ethnic minorities, offender populations, youth, and gay and lesbian populations). These groups are more likely to have experiences as victims of crime, are more frequently involved in the criminal justice system, and submit more complaints of mistreatment by the police (Bradley, 1998; Cao, Frank & Cullen, 1996; Sharp & Atherton, 2007; Sivasubramaniam & Goodman-Delahunty, 2008; Sunshine & Tyler, 2003a). Since negative or poor communication and interaction between police and minority groups can influence overall perceptions of police neutrality and decrease public confidence in and satisfaction with police (Gallagher, Maguire, Mastrofski, & Reisig, 2001), research into minority group attitudes and perceptions is likely to shed light on some of the variability in community confidence and trust in police.

Evaluation of experiences of minority groups with police not only provides insight into attitudes of minority group members, but informs a wider assessment of perceptions of police neutrality. Non-minority groups gauge police neutrality by scrutinizing how accessible and inclusive police policies are of minorities (Goodman-Delahunty, 2010). The 2008 Queensland Police Service (QPS) survey, which is held regularly among Queensland residents to measure changes in public perception of police, confirmed this suggestion by showing that the majority of respondents (65.2%) perceived that Indigenous Australians were treated differently from White Australians, pointing toward a strong perceived lack of police neutrality. In the 2010 survey, this figure dropped to 55%, with a majority of respondents still believing that police treat Indigenous Australians differently (Queensland Crime and Misconduct Commission, 2011). In 2008, survey respondents could, for the first time, indicate whether they identified as Aboriginal and/or Torres Strait Islander (Sum, Chan, & Legosz, 2009). Only a small percentage of total respondents self-identified as Indigenous (1.4%), comprising 1.3% Aboriginal and 0.1% Torres Strait Islander. These Indigenous respondents were four times more likely than members of other ethnic groups to report an unsatisfactory encounter with the QPS. However, as stated above, perceptions of police bias were not restricted to members of minority groups.

Similar outcomes emerged in a study of a university sample of ethnic minority and White majority youth in Sydney, Australia (Sivasubramaniam & Goodman-Delahunty, 2008). Ethnic minority groups represented in the study were Asian, Indian, Arabic/Middle Eastern, Eastern/Southern European and Eurasian. Across the study sample, a clear majority of respondents believed that
police targeted certain ethnic groups of young people. Furthermore, there was the greatest degree of agreement amongst respondents to the proposal that police prejudice was targeting Indigenous youth (Sivasubramaniam & Goodman-Delahunty, 2008). Consistent with findings in other studies of a relationship between membership with minority ethnic groups and perceived discrimination, this study also revealed that those who self-identified as minority group members perceived more police bias against their (own minority) group than did those who self-identified as majority group members (Sivasubramaniam & Goodman-Delahunty, 2008). A practical implication of the above research is that a focus on building positive relationships and implementing group-specific, fair protocols for interaction with minority groups can be useful for the improvement of overall public satisfaction and confidence in police (Goodman-Delahunty, 2010).

One way of addressing the variability in attitudes across different ethnic groups, is to adopt the private sector technique of “customer segmentation”. Customer segmentation involves identifying the characteristics, expectations or needs of a particular segment of the community or customer base and tailoring marketing efforts and customer service strategies specifically to meet those needs and expectations (Tomaino, 2000). This strategy of segment or group-specific tailoring may redress imbalances in confidence levels and feelings of discrimination between different ethnic groups. This approach could be extended beyond culture to other markers of identity. Taking a customer segmentation approach to the policing “market” may include tailoring strategies to other groups, including victims, witnesses, police officers, suspects, and vulnerable populations.

### B. THE CUSTOMER SERVICE MODEL

#### 1. CUSTOMER SERVICE IN THE PRIVATE SECTOR

The Customer Service Model, a model which has since been transferred to public sector organisations, including the police, can be understood in light of developments in management theory that emerged in the 1980s. Private sector business operations became more strategic and systematic through the use of “mission statements”, “marketing strategies”, and “performance indicators”; concepts and strategies largely adopted after business performance analyses revealed that a high level of customer loyalty was a key indicator of successful business management (Narver & Slater, 1990; Schneider, White & Paul, 1998). “Customer satisfaction” thus became a primary goal for administrative and management practices which emphasised the primacy of the “customer-service provider relationship.” In turn, a new field of management theory known as Customer Relationship Management emerged (Parvatiyar & Sheth, 2001). Customer Relationship Management is the subject of countless journal articles, training manuals, in-house training programs and education seminars aimed specifically at helping service-providers develop healthy relationships with their customers and to facilitate improved customer retention (Kumar, 2010; Reinartz, Krafft & Hoyer, 2004). Research surrounding the emergence of the customer service model in the private sector quickly came to focus on the importance of the relationship that develops between a customer and their service provider (Parvatiyar & Sheth, 2001).

In examining the factors influencing customer-service, a widely accepted finding is that the two most critical components of a healthy customer-service provider relationship are delivery of high quality service and having satisfied customers (Christopher, Payne, & Ballantyne, 1991; Shemwell, Yavas, & Bilgin, 1998). These two relationship components are regarded as having cognitive and affective components respectively (Johnson & Grayson, 2005; Shemwell et al., 1998). While quality of service is a cognitive evaluation of the service delivery outcomes, customer satisfaction
is widely regarded as the affective, feelings-based component of the relationship. Significantly, some researchers have found that customers place greater importance on the affective aspects of the relationship with their service-provider, that is, on how their customer service-provider relationship makes them feel, than they place on the practical outcomes of the relationship, such as whether service delivery is timely (Olivier, 1993, as cited in Shemwell, 1998). With respect to the goals of improving customer satisfaction and increasing customer retention levels, customer service literature thus emphasised the importance of relationship building over the effectiveness of product or service delivery. These findings are remarkably similar to those from procedural justice research where citizens emphasise fair and respectful treatment over justice outcomes.

Customer relationship management research has typically found that within the customer service-provider relationship the critical ingredient is trust (Morgan & Hunt, 1994). Specifically, the level of trust between customer and service-provider is a key predictor of whether a customer will choose to remain loyal in a customer service-provider relationship (Morgan & Hunt, 1994; Shemwell & Cronin, 1995; Shemwell, Cronin, & Bullard, 1994; Shemwell, Yavas, & Bilgin, 1998). The Commitment-Trust Theory of Relationship Marketing has been successfully tested with consumers of tangible commodities, such as automobile tyres, showing trust and commitment as the key mediating variables of successful relational exchanges (Morgan & Hunt, 1994). Other research has shown that online customers’ “trust scores” successfully predict customer loyalty to a service provider (Jøsang, Ismail, & Boyd, 2007). In an investigation into customer relationships with financial advisers, Johnson and Grayson (2005) emphasised the importance of affective trust. This research defined trust as the confidence a person (or in this case a customer) places in another person (service provider) as a result of the degree of care and concern that the person (service provider) communicates in the relationship (Johnson & Grayson, 2005). Trust-based emotions (identified by affirmative answers to such statements as “If I share my problems with my financial adviser, I feel he or she would respond caringly”) were significantly associated with the degree to which a customer perceived similarity between themselves and the service-provider, with similarity defined as the presence of common values (Johnson & Grayson, 2005).

Since the health of the relationship between customers and their service-providers is understood to be of great importance in the private sector, complaints in particular are viewed as an integral part of that relationship (Nyer, 2000; Prim & Pras, 1998). This is exemplified by the fact that the Society of Consumer Affairs Professionals holds workshops with titles such as, “A Complaint is a Gift” (SOCAP Australia, 2011). Research indicating that customers who were encouraged to complain typically expressed higher levels of service satisfaction also demonstrated that complaints played an important role in the customer service-provider relationship (Nyer, 2000). Specifically, Prim and Pras (1998) defined “friendly” complaints as those made by customers who hoped to improve the services they received. Complaints of this nature are therefore to be encouraged, according to Prim and Pras (1998), as they elicit a relationship based on trust (so long as customers believe that their complaints will indeed be acted upon) which in turn was found to increase customer satisfaction, loyalty and retention (Prim & Pras, 1998).

Many notable commonalities exist between findings on the customer service-provider relationship in the private sector and the Group Value Relational Model of procedural justice. In both domains, behaviours are evaluated on the basis of the social relationship, that is, on feelings of trust and commonality that are communicated between a member of the public and a figure of authority.

2. CUSTOMER SERVICE IN THE PUBLIC SECTOR

From the 1990s onwards, private-sector administrative and managerial techniques were increasingly applied to state agencies (Chan, 1999) through the introduction of reforms known as
New Public Management (NPM) (Christensen & Laegreid, 2002). As a consequence, a new model of public service provision emerged in which traditional roles such as “citizens” and “taxpayers” were increasingly replaced by those of “consumers” and “customers” (Needham, 2007) as successive governments at local, state and federal levels re-oriented public services to a more customer-focussed approach through a series of public service reforms (Australian Public Service Commission [APSC], 2003). State agencies became increasingly accountable for the quality of customer service they provided, with service delivery becoming a key indicator of performance (APSC, 2003). For example, the NSW Ombudsman recently emphasised that complaints systems were important in the public sector as they ensured accountability, quality control, as well as a means of redress (Andrews, 2010).

Recently, it became the norm for public sector agencies in many countries, such as Canada, Belgium, France, Italy, the Netherlands and Spain, to implement charters which outline what citizens can expect from public sector agencies (Andrews, 2010). Notably, the Netherlands e-Citizen Charter makes a point of welcoming complaints from citizens in order to improve services (Andrews, 2010).

3. CUSTOMER SERVICE IN POLICING

As with other state agencies, many policing organisations, both in Australia and overseas, came to adopt the new ethos of managerialism, accountability and customer service, in which they are accountable to the public as providers of a service, with customer satisfaction a key measure of police agency performance (Chan, 1999). The police adoption of the accountability model of customer-provider relations was accompanied by a rise in community policing (that is, in assigning police officers to particular communities in order that they might form relationships with local residents), focussing as it did on partnerships, consultative processes and relationships (Drummond, Ensor, Laing, & Richardson, 2000). A number of studies showed that principles of management, marketing and performance theory were transferable across different service-provider domains, including to the policing domain (Drummond et al., 2000). This finding suggested that successful training methods for improving customer-service provider relationships were also transferable, and therefore customer service training models from the private sector might be applicable to police.

Others (Christensen & Laegreid, 2002) have pointed out that the customer paradigm is not appropriate for public services because of (a) uncertainty about exactly who a public customer is, (b) customers might have conflicting interests and wishes, and (c) customers of public services cannot always shift to another service provider. Market-style relations in public services have also been criticised as detrimental to the commitment and engagement of both public service providers and citizens (Fountain, 2001). Recent scholarship indicated that public sector agencies have moved away from using the term “customer” towards broader and more inclusive terms which imply more active involvement by service users (Lucio, 2009). Problems noted with the term “customer” included (a) that it implied that people passively received government services (rather than actively participated in society), (b) that human beings’ value was economic; and (c) that, while the “customer” construct implied the relations of the economic marketplace, in fact governments’ and citizens engaged in a more collaborative social relationship. While the term “citizen” was considered an alternative, this might exclude those who do not hold official citizenship, thus a more inclusive alternative term, “residents” was proposed (Lucio, 2009).

There has been much debate about the appropriateness of applying private sector principles to policing. For instance, a key difference between policing and services in the private sector is that, in the case of policing, customers are not able to choose their provider (Tomaino, 2000). The absence of a competitive alternative for the provision of policing services results in a customer-
provider relationship which is not entirely comparable to those found in the private sector (Tomaino, 2000). Other critics have focussed on the negative consequences of applying managerialist principles to policing, suggesting that the shift has resulted in diminished police integrity and a scarcity of ethical leadership at senior levels (Goldsmith, 2001).

4. IMPLEMENTING CHANGE IN POLICING ORGANISATIONS

Successful implementation of reforms of any kind within an organisation needs to take into account the existing organisational culture (Chan, 1996). The most frequently cited obstacle to the successful implementation of police reform is police culture (Chan, 2007). Therefore, for police organisations, a clear understanding of a particular police culture is critical to an appreciation of why some initiatives succeed while others fail (Chan, 1996).

Police culture is the system of shared values within a policing organisation, which may be passed from one generation of police officers to the next (Chan, Devery, & Doran, 2003). Police culture is influenced by the external environment (including the political or cultural context), and the physical, cognitive and emotional dispositions that members of that organisation hold through individual or group socialisation (Chan, 1996). Rather than being a stable or homogenous phenomenon, police culture depends to a large extent on the particular context in which it exists at a particular point in time.

Certain trends in police culture have been documented in Australian studies. One case study, for example, found that the increased demands of computerised management and accountability procedures had resulted in growing hostilities towards a perceived “obsession” with management, data collection and accountability (Chan, 2001). Using Karl Weick’s concept of “sensemaking” to explain how members of an organisation respond when reform initiatives are implemented, Chan (2007) found that rank and file police officers experienced a complex process of “sensemaking” during periods of organisational change. In making sense of new reforms, officers were strongly influenced by the meaning that leaders conveyed to them about new reforms. Leaders of police organisations provided the definitions and explanations that rank and file police officers used to make sense of reforms and enabled the shift in police culture that was critical to successful change (Chan, 2007).

Police training in particular has been highlighted as an effective means of conveying the rationale for reform, promoting “best practices” among new recruits, and facilitating a cultural shift within a policing organisation (Chan et al., 2003). However, the problem of “training decay”, where the realities of operational police work over time serve to undermine the gains made through training programs, is a serious impediment to cultural change in policing organisations (Chan et al., 2003). Attempts to promote particular police reforms are likely to be unsuccessful if these values or principles are not regularly reinforced through ongoing training as well as through a range of other change management strategies. Furthermore, just as internal change requires effective engagement, so too does external change. A parallel process of change has been at work in external relations between police and the public, as police have increasingly tried to build relationships with the communities they serve, for example, via the NSWPF Community Awareness of Policing Program (NSWPF, 2010a).

With respect to the use of complaints data to inform and develop an effective complaints management policy, previous researchers have emphasised that a simple reactive strategy to problems identified and officers named in specific complaints is insufficient. An intervention aimed at reducing the number of complaints and at preventing future similar complaints requires policies targeted at the level of organisational culture, and must address underlying issues (Porter, Prenzler, & Fleming, 2011). The implementation of reforms within police can only be effective if
police officers themselves are engaged with, and are allowed to “make sense” of reforms in their own way. This will enable the shift in police culture that is necessary for more enduring change.

**C. THE CENTRAL ROLE OF TRUST IN POLICE CUSTOMER SERVICE**

Several commentators have outlined the critical components for the successful implementation of the customer service model in the domain of policing. Proponents of the Group Value Relational Model of procedural justice theory emphasize four critical ingredients in public and police relations, namely trustworthiness, respectful treatment, neutrality and voice (Goodman-Delahunty, 2010). Others have focussed more closely on trust alone. In criticising the limitations of police reform, Goldsmith (2005) called for “a much deeper understanding of the notion of trust and its relationship to policing” (p. 444).

More recently, in Australia and the United Kingdom in particular, a renewed focus has emerged on the critical role of trust in the relationship between police and the public (Gilmour, 2010; Hough, Jackson, Bradford, Myhill, & Quinton, 2010; Jackson & Bradford, 2010; Waddington, 2010). Various scholars have identified the importance of trust in building relationships between police and a range of other agencies, including governmental, commercial and voluntary organisations (Bull, 2010). The Organisation for Co-operation in Economic Development (OECD) has summed up the role of trust in the public sector:

> Overall, trust and public sector performance interact in vicious and virtuous circles. Citizens approaching public services with very low expectations may be faced with a self-fulfilling prophecy, as his or her attitude may not stimulate the front-level bureaucrat to deliver outstanding service. Satisfied customers motivate public sector staff, and having high satisfaction ratings may support an organisation in budget negotiations leading to budgets that allow them to perform even better. An organisation that is trusted becomes an employer of choice, and may thus attract the best and the brightest, which could eventually increase performance (OECD, 2005, p.16)

Leading scholars in the United Kingdom further commented that all of the issues concerning “public confidence” in policing could be reduced to the perceived trustworthiness of police (Jackson & Bradford, 2010).

Research into customer service, from industries as diverse as manufacturing automobile tyres to financial services, emphasised the importance of trust and a feeling of commonality between consumers and their service providers. Research examining the customer service model of policing likewise emphasised the critical role that feelings of trust exert in the customer–police relationship, and therefore converged with the procedural justice theory of citizen compliance around the key issue of trust. Since both customer service research and procedural justice research have exposed the critical role of feelings of trust in the relationship between police and the public, the questions for police become operational: how is trust built and how can it be measured? What are the key indicators that citizens—or customers—trust (or mistrust) the police?

**D. COMPLAINTS AS INDICATORS OF SATISFACTION WITH THE POLICE**

Using complaints as an evaluative tool for public perception is a method derived from organisational psychology and consumer research on customer service that has, in recent years,
Complaints are considered useful indicators of public perception, but the number of submitted complaints is presumed to under-report public dissatisfaction, and to represent only a small portion of a larger population of dissatisfied customers (Bell & Luddington, 2006). Numerous surveys have highlighted the fact that the majority of dissatisfied customers never complain. Those estimating the under-reporting of complaints have argued that this figure is as high as 95% (TARP, 1979). Research on the rate of complaining to the police revealed that the vast majority (90%) of those who feel violated by police do not take the step of complaining (Woods, 2006). One can safely estimate that as few as one third of dissatisfied consumers will voice their complaints directly to the provider (Stephens & Gwinner, 1998). This finding should not be taken to mean that the majority of dissatisfied customers will voice their complaints elsewhere, for example, with external third parties, such as state consumer protection agencies, rather than the service provider. Research has shown that the percentage of complaints lodged with external third-parties is typically low — as few as 5% in a study comparing US and South Korean consumers (Liu & McClure, 2001). If citizens behave towards the police in the same way that they behave in the consumer sector when making complaints, one would predict more complaints about the police to be filed directly with responsible police agencies than with external third parties, such as those designated by legislation, for example, Ombudsmen or Police Integrity Commissions.

If received complaints are only the “tip of the iceberg” of true public dissatisfaction, the complaints of those customers who take the trouble to communicate their dissatisfaction become a valuable tool; a barometer of public sentiment. Rather than citizens complaining amongst themselves, creating a climate of negative word-of-mouth communication about police, an effective complaints system encourages citizens to engage with police, to communicate their concerns. Thus customer complaints are an extremely valuable resource to police, and can serve as a reliable estimate of public opinion, which in turn, can inform service development (Bell & Luddington, 2006; Gorst, Kanji & Wallace, 1998; Nyer & Gopinath, 2005).

Encouraging complaints, improving the ease of complaining and the transparency of complaint mechanisms are strategies applied to reduce negative word-of-mouth communications, and to secure more reliable estimates of public opinion, which can subsequently inform service development (Bell & Luddington, 2006; Gorst et al., 1998; Nyer & Gopinath, 2005). Procedures that enable the public to make complaints against police, such as complaint hotlines, have played a critical role in police accountability (Goldsmith, 1995). Furthermore, it is important that citizens feel welcome to complain. Complaint procedures which are seen to value the input provided by complainants are likely to significantly increase public trust in police, in turn increasing public willingness to assist police efforts by providing much-needed information (Goldsmith, 1995). Whilst use of complaints has certainly become an important evaluative tool for the police, policing research has yet to realise the benefits arising from the concept of “complaints as information” (Goldsmith, 1995, p.122). Relative to the private sector, in which a great deal of importance is placed on eliciting and managing complaints as a means of increasing customer loyalty, less
weight has been given to the potential for a healthy and highly-utilised police customer complaints system to improve citizen connectedness and judgements of police legitimacy.

Amongst policing organisations, the focus is often solely on reducing the number of complaints filed within a specified time-period. While there is merit in profiling and identifying “hot spots” to reduce complaints because of the problematic police behaviour that they disclose (Porter, Prenzler, & Fleming, 2011), care must be taken not to emphasise the reduction of complaint numbers as an end goal per se. Attention must be paid to the interpretation of a drop or increase in numbers of complaints. Comparisons across jurisdictions are of limited value because the outcomes are confounded by the different systems of complaint classification, reporting and counting systems in each respective jurisdiction. Thus it is difficult to know whether statistics indicating that increases in complaint numbers by 30% in two of the eight Australian jurisdictions, and a decrease of more than 10% in another three jurisdictions (Steering Committee for the Review of Government Service Provision, 2010, cited in Porter et al., 2011) signify enhanced citizen-police engagement, better complaints management or mere changes in the classification and definitions of complaints.

More broadly, setting a goal of complaint reduction should be reviewed in light of the findings from customer service research, and the valuable role that complaint systems serve as an outlet for citizen voice in a democracy. Policing organisations may wish to question whether receiving too few complaints from citizens — or none at all — is not just as problematic as too many complaints. In authoritarian or non-democratic contexts, citizens may fear complaining to the police and remain silent despite dissatisfaction. Viewed from this perspective, citizen complaints about police can be a sign of a healthy democracy. Paradoxically, the legal significance of police complaint, such as written police complaints under the NSW Police Act 1990, which mandates that they be taken seriously, may create incentives to dissuade complainants, decline their reports or conceal complaints. A recent study investigated the motivations and forms of the commonly identified phenomenon of customer complaints concealment. Findings suggested that employees often engage in self-defensive behaviours when they feel that complaints threaten their position, and employees concealed or hindered complaints procedures in order to protect their colleagues (Harris & Ogbonna, 2010). This research into motivations behind customer complaint concealment underscores the importance of cultivating an organisational ethos in which complaints are seen as a positive contribution. A culture of concealment and fear of complaints can create a vicious cycle of corruption: judicial inquiries have argued that police corruption is perpetuated and hidden through failures to investigate complaints (Porter et al., 2011).

Thus, rather than focus on the absolute reduction of complaint numbers, a more nuanced and informed goal may be to achieve an optimal number of complaints. The relationship between customer satisfaction and the number of complaints received is best conceived as curvilinear. This relationship takes into account the fact that too few complaints are indicators of low level of customer satisfaction and confidence, as extremely dissatisfied customers will not use or engage with the provider’s customer service program. Customers who have no expectation that lodging a complaint will resolve a failure in customer service program are deterred from its use. Similarly, when the level of customer complaints is high, this indicates low customer satisfaction. Between these two extremes lie an optimal moderate number of complaints reflective of high levels of customer loyalty and satisfaction, as depicted in Figure 1 below.

The goal of an effective customer service program is to find that optimal range in managing customer complaints so that the complaints system functions as an informative source of customer feedback, and also as an effective tool to increase customer loyalty and satisfaction. To
achieve this balance, the complaint system must be accessible, easy to use, encourage customers who experience problems to register their complaints, and must also be responsive.

**Figure 1: Curvilinear relationship between number of complaints and customer satisfaction**

![Graph](image)

Most effective complaint management is accomplished by early interventions, both to refer the more serious issues to appropriate internal or external authorities for intercession and investigation, and to refer the less serious issues to a local office or agent for immediate informal resolution (Macintyre, Prenzler & Chapman, 2008). By effectively implementing early intervention programs to manage the complaint flow in diverse ways, both the serious and the more mundane issues can be promptly addressed, assuring appropriate responsiveness to affected customers and staff. This approach will remedy operational problems, reduce complaints, build customer satisfaction and staff commitment to customer service. Regardless of the magnitude of the issue in the complaint, the service provider can use the complaints management system to benefit from the opportunity complaints present to enhance customer loyalty and confidence.

Thus, there remains significant potential within policing agencies to appreciate that an effective complaints system can operate not only as an indicator of public satisfaction with police, but can also serve as a means of encouraging feelings of trust among citizens that their opinions and grievances are valued and respected by the police. Since trust-bonds have been demonstrated to be a key ingredient of healthy customer service-provider relationships, the value of complaints should not be underestimated.

1. **CUSTOMER RESPONSE STYLES FOLLOWING A PROBLEM**

While improved complaints procedures can encourage those with grievances to communicate them directly, as noted above, not all customers will take up the opportunity to complain. A common myth is that customers act out of rational self-interest. In fact, customer dissatisfaction is a more emotionally than rationally-motivated. Psychological research has demonstrated three common coping responses following stressful experiences of poor customer service which may influence whether a complaint is made: (a) avoidance; (b) emotion-focussed; and (c) problem-
focussed (Stephens & Gwinner, 1998). The first response, avoidance, is common among customers who conclude that potential gains from taking action are unlikely, thus complaining is simply not worth the effort. They are passive, and cope by ignoring the situation, and avoiding the provider. If there are alternate service providers, these passive customers will vote with their feet, and switch providers. Consequently, customer complaint departments remain unaware of the dissatisfaction of avoidant and passive customers, as they take no action to complain.

Emotion-focussed complainants are also unlikely to contact consumer complaint departments, because they cope by directing their attentions to their emotions. Some are classified as “irate” customers who spread their anger and dissatisfaction by word-of-mouth to friends, family members and others in their community. Other emotion-focussed customers blame themselves for the problem, and empathize with the provider employees who caused the difficulty.

Only the third group of complainants, problem-focussed complainants, direct efforts outside of themselves, to contact either a third party or the service provider about the problem. Two types of problem-focussed complainants are distinguished: “activists” and “voicers” (Singh, 1990; Dart & Freeman, 1994). The activists turn to third party, external intervenors to resolve their dissatisfaction, e.g., lawyers, better business bureaus, the Ombuds office, or other third-party neutrals. Only the voicers seek redress directly with the provider, articulating their concerns in writing or by telephone. It is the only the latter group of problem-focussed customers who will make themselves known to the police customer complaint department.

In light of these three coping and response styles, “no news” from a customer does not signify an absence of problems, but rather may indicate reluctance on the part of many customers to voice their complaints directly to the service provider. Given the importance of customer complaints, those who are willing to communicate, the voicers, need to be encouraged and supported to voice their concerns. Similarly, the passive and avoidant citizens who are dissatisfied with police services and can not exercise consumer control by switching to another similar service provider should be encouraged and supported to register their complaints.

While these citizens’ response types and coping styles influence the likelihood of complaining, customer complaint behaviour is influenced by a multitude of other factors, which interact in complex ways (Jacoby & Jaccard, 1981). For example, ignorance may influence complaining in that consumers often do not know of the available avenues of recourse that may exist within or external to any given organization to handle complaints. In some instances, this is because managers who fear a deluge of complaints do not give complaint channels a high profile. Managers sometimes avoid the word “complaint,” so customers have to work their way through obscure euphemisms, such as “customer service management,” “the information hotline,” or “accounts reconciliation” to voice their issues. For customers who are more alienated from the marketplace, avenues that seem obvious to others will elude them (Singh & Wilkes, 1996).

In the policing context, gaps between the expectations and roles of customers and police may also arise because police are infrequently personally acquainted with citizens in their community or Local Area Command until problems arise. Thus opportunities for citizens to discuss their needs in person with police are rare as are visits by citizens to a police station. Thus, most police-citizen communications are remote and impersonal. In essence, as in other service sectors, citizens have suffered a loss of control in their relationships with police as service providers. Relationships of reliance and trust developed though personal acquaintance and familiarity have been replaced by customer uncertainty, suspicion, and alienation.

Citizens who are most alienated from the marketplace—and may be ignorant of the avenues of complaint—are typically the least empowered citizens. It is important therefore to monitor the
uptake of complaints channels in policing by various segments of the policing customer base. Alienated customers may be those in marginalised or vulnerable populations including victims, some groups of women, ethnic minority groups, people with a disability, the homeless, those with mental health issues, sex workers, and suspect populations or those with a criminal background. For these groups in particular, it becomes important to monitor ignorance of complaints avenues—and alienation from the marketplace—as these may prevent complaints being made. To build confidence, trust, legitimacy and compliance among all segments of the market, special effort can be made to improve access to and knowledge of avenues of complaint for groups at risk of alienation.

2. WHO USES COMPLAINT SYSTEMS

In analysing the likelihood of complaining, researchers have identified two types of predictive factors: those personal to the customer, and situational factors (Bodey & Grace, 2007; Dart & Freeman, 1994; Gursoy, McCleary & Lepsito, 2007; Sharma, Marshall, Reday & Na, 2010; Singh, 1990). Regarding individual characteristics, more complaints are made by a customer who:

- is younger
- is not alienated from the community
- is more educated
- earns a higher income
- has a positive attitude to complaining (Bodey & Grace, 2007)
- has complained successfully in the past
- perceives risks and costs associated with the complaint as low
- perceives the probability of redress as high
- perceives the provider has a good reputation for high quality service

Those who are unlikely to complain include society’s most vulnerable groups (Andreason & Manning, 1990; Bismark, Brennan, Paterson, Davis, & Studdert, 2006; Hunt, 1991):

- the young
- the elderly
- the less educated
- the poor
- the physically and psychologically disabled
- ethnic and racial minorities
- those with language difficulties

Citizens in the latter groups often encounter the police and experience service problems, but are the least likely to complain as they tend to be less well-informed about their rights, less perceptive of unfair treatment, less assertive, and less able to sustain a complaint. For these citizens, some form of third-party intervention will often be required before a complaint is made. Police staff can be trained to identify vulnerable customers, and to assist them—through referrals or other means—to voice their complaints. In other words, the lack of complaints from certain sectors, such as vulnerable groups, should not be interpreted by the police as the absence of any customer relations problems in those sectors of the community.

3. WHAT COMPLAINANTS WANT
The NSW Ombudsman confirmed the findings of research which showed that citizens making complaints were most often seeking (a) acknowledgement of wrongdoing; (b) information about what happened; (c) empathy; (d) an apology (Abeler, Calaki, Andree, & Basek, 2010); and (e) the knowledge that the error would not be repeated (Andrews, 2010). Importantly, this list did not include any desire for retribution or compensation, but rather centred on reassurance, empathy and apology. Apologies also serve a practical function in that they can “de-escalate” disputes and increase the likelihood that complaints can be dealt with informally (Andrews, 2010). In many cases, an acknowledgment of the unpleasant experience and an apology to the complainant (Bhandari & Polonsky, 2006; Abeler et al., 2010) may resolve the issue.

Experts on police complaints have emphasised that it is not enough to simply have a complaints system in place. Multiple studies show that when surveyed, the vast majority of people who have complained to police are dissatisfied with the process (Porter, Prenzler, & Fleming, 2011) citing both lack of independent investigation, and procedural issues related to lost opportunities to voice their concerns or convey their complaint to the officer in question.

The question of whether complaints investigation should be done by police agencies themselves or an external body has often generated controversy. Consumer research on customer preferences when wrongdoing is perceived to be intentional, and has severe consequences, confirmed that a resolution before an external third party is favoured over internal management of these complaints (Arnold & Carnevale, 1997). Provisions for the independent determination of complaints against police are often seen as hallmarks of a democratic and progressive society (Smith, 2010).

Investigation of complaints must be fair and just, and complainants must be shown that they are valued so as to encourage them to voice their grievances (Goldsmith, 1996). Complaints investigations should be sensitive to cultural differences, and this tolerance for difference includes giving complainants the opportunity to voice their concerns about police actions in their own words (Goldsmith, 1996). This advice coincides with the Group Value Relational Model of procedural justice which emphasises the importance of voice in the relationship between the public and the police—specifically, that satisfaction with complaints proceedings will increase if complainants feel that their point of view has been properly heard and respected (Goodman-Delahunty, 2010).

E. INTERNATIONAL TRENDS IN COMMUNITY-POLICE RELATIONS

Over the past few decades and after discovering low levels of citizen confidence in policing organisations, a number of countries, most notably the United States and the United Kingdom, introduced various strategies to improve public confidence in their police by shifting the focus of their attention away from a reaction and response policing model and increasingly towards a service-oriented policing model. This has primarily been done by attempting to improve public satisfaction with and perceptions of police. Examples of some of these strategies are outlined below.

1. THE UNITED STATES: INDEPENDENT REVIEW AND COMMUNITY POLICING

One of the leading democratic societies in the world, the United States, has attempted to track how progressive and effective its public organisations are, including the police. A considerable
amount of research has been conducted in recent decades examining public opinions of the police as a social institution.

During the 1980s and 1990s, studies examining confidence levels in law enforcement agencies amongst American citizens found that attitudes towards police were generally positive relative to those in countries such as China and Japan (Apple & O’Brien, 1983; Huang & Vaughn, 1996; Stack & Cao, 1998). In spite of a respectable level of confidence in police nationwide relative to other countries, over the past couple of decades, public confidence in United States police has fluctuated and at times, sharply declined (Shaw & Brannan, 2009; McDevitt, Farrell, & Wolff, 2008). Periods of nationwide decline in public confidence have typically followed high-profile incidents of police use of excessive force, such as the 1991 beating of Rodney King in Los Angeles, and the police response to street protests at the World Bank and IMF meetings in Seattle in 1999. The federal government responded to declining confidence in the police by focussing attention and resources on promoting “integrity” in policing. Civil actions against the police have always been brought under 42 U.S.C. Section 1983, but, in 1994, the Violent Crime Control and Law Enforcement Act was passed, enabling additional litigation against law enforcement agencies for conduct that deprived citizens of their civil rights.

Independent complaint oversight centres have been part of American policing for the past 20 years and are based on the notion that customer satisfaction increases when the complaint system is objective and independent (De Angelis, 2009). De Angelis (2009) found support for a citizen-run compared to police-run complaint system in terms of satisfaction with the quality of the complaint process and with the level of communication. However, citizen or police-run complaint systems did not differ in their levels of overall customer satisfaction, an outcome inconsistent with the theory underlying citizen-run systems. These results show that citizen-run oversight can increase satisfaction in some areas, but they do not represent a panacea: police-run complaint systems can be effective in ensuring customer satisfaction in many respects.

Also indicative of a shift in US policing philosophy was the development and adoption of the Community Oriented Policing Services (COPS), an office of the US Department of Justice set up to advance the practice of community policing across America’s state, local and tribal law enforcement agencies. One of its stated key components was to establish collaborative partnerships between the police and individual members of the public in order to develop problem-solving strategies and to increase public trust in police. COPS presented a paradigm shift away from enforcement-oriented policing to a more collaborative, problem-solving approach to policing, one which is civilian-centred. Despite widespread acknowledgment that this was the most popular police reform in the USA, a review revealed that police agencies met considerable challenges in the shift to community policing (Mastrofski, Willis, & Rinehart Kochel, 2007). In particular, a resistant police culture was identified as a major obstacle. On a more positive note, success in implementing community-oriented police reform increased over time.

2. THE UNITED KINGDOM: EMPOWERING THE PUBLIC

Over the past decade, the British government has become increasingly aware of the importance of improving relations between the public and its police force. This awareness was largely instigated by the revelation of an apparent disparity between continuing public concerns about crime rates and a fall in actual crime rates during the 1990s (Rehman, 2009). As a consequence, the Police Reform Act of 2002 was created, and a number of public/police relations programs ensued. The Reform Act marked the beginning of a shift in policing philosophy that represented a more service-oriented approach to policing, a philosophy which has become increasingly influential throughout England and Wales (Myhill & Quinton, 2010). In line with this shift in philosophy, the National Policing Improvement Agency (NPIA) was established in 2007. The NPIA
is a non-departmental public body which was set up to support the police force in delivering more effective policing as well as promoting a culture of self-improvement around policing. In doing so the NPIA has played a crucial role in attempts to address low public opinions of police in the UK.

The NPIA has implemented a number of initiatives aimed primarily at improving public confidence in police by placing greater emphasis on public views of service delivery, as well as giving greater attention to public perceptions of police (NPIA, 2009a). One such initiative was the Neighbourhood Policing Programme (NPP), originally piloted as “Reassurance Policing” in 16 wards across England between 2003 and 2005. Evaluation of the pilot program disclosed a significant improvement on a wide range of outcomes including, importantly, confidence in local police (Quinton & Morris, 2008). The subsequent success of the service-wide implementation of neighbourhood policing coincided with the beginning of a six year, year-on-year increase in public confidence, reaching 53% by 2008/09 (Myhill & Quinton, 2010).

Along with neighbourhood policing, the NPIA is also responsible for the Citizen Focus Policing Programme which aims to improve communication between the public and police (NPIA, 2009a). In 2008 the NPIA conducted the first national survey measuring how police forces in England and Wales were conducting and managing contact with the public. With a new citizen-focussed approach to policing and customer service now at its core, results from the survey were overwhelmingly positive, with customer satisfaction scoring as high as 90% in some areas. Furthermore, British Crime Survey figures released by the Home Office in mid 2009 revealed a 4% increase in public confidence, largely attributable to the NPIA’s Citizen Focus measures and Neighbourhood Policing Programme, as well as the rollout of the mid-2008 Home Office initiative, the “Policing Pledge” (NPIA, 2009b). The National Policing Pledge initiative outlined ten customer service promises that included, amongst other things, the promise to treat customers “fairly, with dignity and respect”. In April 2010, after five years of operation, the NPIA’s Citizen Focus and Neighbourhood Policing programs were merged and renamed the Local Policing and Confidence Unit (LPCU).

Research coming out of the United Kingdom is increasingly supportive of the procedural justice model of policing. For instance, a recent survey conducted by the NPIA examined the relationship between public trust in police and perceived legitimacy, and the degree to which research participants reported compliance and cooperation with the law. Citizens’ perceived risk of punishment was not a significant predictor of compliance (Hough, Jackson, Bradford, Myhill, & Quinton, 2010). Rather, trust in police was a significant predictor of perceptions of legitimacy, which in turn was a strong predictor of compliance and cooperation (Hough et al., 2010). This finding lends considerable support to the procedural justice model of policing.

Following the implementation of the NRPP, the Metropolitan Police Service (MPS) rolled out its own reassurance policing model in the form of the Safer Neighbourhoods (SN) program, across a number of wards in London (Rehman, 2009). The SN program aimed to improve confidence in police by delivering a more visible and engaging police presence in London. A case study examining the effectiveness of this program, assessed the Hammersmith Initiative where SN teams were deployed in the Boroughs of Hammersmith and Fulham (Rehman, 2009). Results showed that confidence in police increased in both boroughs by 6%. Furthermore, residents felt more engaged with policing efforts in the degree to which the public informed the police about their views on policing, crime and local problems, as measured by a 9% and 13% increase in Hammersmith and Fulham respectively. Meanwhile, the total amount of anti-social behaviour incidents declined in both Hammersmith and Fulham by 18% and 8% respectively. These findings lent further support to the hypothesis that a more service-oriented approach to policing
(including the procedural justice model) improves public trust and confidence in police, which in turn leads to greater public compliance and cooperation.

Indicative of the government’s sustained appreciation of the importance of developing a positive relationship in which the public feels trust towards and confidence in its police force, in July 2010 the UK government Home Office published its consultation on Policing in the 21st century, identifying the central theme as “Reconnecting police and the people” (U.K. Home Office, 2010). The Home Office outlined its “new approach” to police/public relations, which aimed to “empower the public” and to “give the public a voice”. These slogans indicated that a customer service model of policing in which members of the public are viewed as customers who deserve to be heard and respected, is one which the UK government clearly judged worthy of pursuit.

3. NEW ZEALAND: RISING CONFIDENCE AND THE POLICING EXCELLENCE INITIATIVE

The police force in New Zealand has been generally well-regarded by the public in recent years. For instance, results of a survey conducted in 2006 showed that the New Zealand Police enjoyed considerable goodwill from the general public (UMR Research, 2007). Furthermore, and of most significance to the procedural justice model of policing, the survey found that perceptions of the police were based more on personal experiences and contact with the police than they were on media representations of the police. Further support for the procedural justice model emerged in the finding that New Zealanders expected police to be empathetic to their situations, regardless of how minor any incident might be regarded by police. Additionally, respondents reported that they looked for respectful and professional treatment by police (UMR Research, 2007).

Since 2008, the Citizens’ Satisfaction Survey has been conducted annually by an independent research company for the New Zealand Police force. Results of the 2010 survey confirmed that public trust and confidence in New Zealand Police had increased for the second year running (Gravitas Research & Strategy, 2010). The growth in trust and confidence from 72% in 2009 to 75% in 2010 was attributed to a series of projects implemented around the country that specifically focussed on improving customer service at public contact points, including over the counter and on the telephone (New Zealand Police, 2010). Furthermore, by 2014/15 public trust and satisfaction levels with police are expected to increase further still, while recorded crime levels are expected to drop by approximately 13% following the implementation of the “Policing Excellence” work program, launched nationally in September 2010 (Broad, 2010). The Policing Excellence program aims to shift the current reaction-and-response model of policing to a victim-centric, preventative model, primarily through the deployment of Neighbourhood Policing Teams. In deploying such teams, the New Zealand police force is aiming to work more closely with communities at the local level to achieve a greater understanding of victim needs and to improve police ability to respond to the public needs (Virtual Global Taskforce Conference, 2010).

Listed second amongst the New Zealand Police force’s operating principles, as laid out on its official website is the recognition that “Effective policing relies on a wide measure of public support and confidence” (New Zealand Police, 2011). With the focus on improving relations between police and the public through the deployment of Neighbourhood Policing Teams, the latest Policing Excellence initiative appears to support this key principle. By emphasising the importance of public perceptions of the police force, this initiative appears to reflect a more general shift towards a customer-oriented or procedural justice model of policing.

4. EMERGING DEMOCRACIES: TRUST REPLACES INTENSIVE POLICING
Research on policing models and their relationship to public compliance has emerged primarily out of established democracies like the United States and United Kingdom, where the study of public confidence in police is widely regarded as of considerable importance. In emerging democracies, research into public perceptions of police is only a recent phenomenon (Cao & Dai, 2006). For instance, one of the first studies to investigate variability in public trust in police amongst Chinese citizens showed that factors such as age and perceived political influence were significantly associated with levels of trust in police (Wu & Sun, 2009). Specifically, younger citizens were typically less trusting of police, and citizens with more perceived political influence held more favourable attitudes towards police (Wu & Sun, 2009). A separate study examined levels of police confidence in Taiwan, relative to other recently democratic Asian countries. Taiwanese confidence in police was high, a finding that the authors attributed to effective police performance in the democratic transition, and the corresponding transition from more intensive policing to less intensive policing (Cao & Dai, 2006). Intensive policing is characterised by a repressive approach, in which force is used to exert power in response to threats, whereas less intensive policing focuses on crime prevention, relies more on public opinion, and seeks to achieve its aims peacefully (Cao & Dai, 2006). As less intensive policing emphasises the role of public opinion in effective police work, the success of the Taiwanese transition can be attributed in part to the capacity of the Taiwanese police force to garner public trust.

In postcolonial countries, procedural justice models of policing have been significantly associated with compliance and cooperation amongst members of the public. A survey of Jamaican high school students revealed a significant positive association between procedural justice judgements (measured by responses to such survey questions as “The police always try to make fair decisions”) and perceptions of police legitimacy (measured by responses to such survey questions as “You should do what the police tell you to do even if you disagree” (Reisig & Lloyd, 2009). Furthermore, students with favourable procedural justice judgements of police practices reported a greater willingness to assist police in fighting crime (Reisig & Lloyd, 2009).

These and other studies demonstrate the positive influence that the procedural justice model has had in the development of public and police relations around the world and in emerging democracies.

F. AUSTRALIAN TRENDS IN POLICE-COMMUNITY RELATIONS

Australia has experienced a fairly steady level of public satisfaction with police over the past 20 years. For instance, in 1988 the Australian Institute of Criminology conducted the first survey of its kind examining public perceptions of the police. While an overall confidence level was not obtained, the survey findings nevertheless conveyed support by a majority of respondents for a larger police force. Furthermore, a majority of Australians indicated “great respect” for police (Swanton, Wilson, Walker, & Mukherjee, 1988). Almost twenty years later, data from the National Survey of Community Satisfaction with Policing revealed that, over the previous decade, the percentage of the community reporting satisfaction with the police force had remained reasonably consistent, at around 70-75% (Australian Institute of Criminology, 2007).

The data aggregated at national levels, however, were not necessarily reflective of confidence in the police in all states. For instance, while in 1988, a survey of South Australian respondents revealed that 72% expressed satisfaction with police efforts in dealing with street crime, a mere 37% of New South Wales respondents were satisfied with their state police efforts (Swanton et al., 1988). Indeed public confidence in the New South Wales police force appeared to fall further
still following the fallout from the 1995-1997 Wood Royal Commission’s enquiry into corruption within the New South Wales Police force.

In fact, during the 1980s and 1990s most police forces across the Australian states and territories were defending allegations of corruption of one kind or another, leading to the establishment of a number of Royal Commissions and anti-corruption watchdogs. The growing tide of citizen complaints against police that characterised the 1980s and 1990s was arguably responsible for a shift in legal and administrative systems away from internal management of complaints and towards external review (Goldsmith, 1991) by bodies such as Police Integrity Commissions, Ombudsmen, etc. A 2002 report commissioned by the Criminology Research Council noted an emerging trend in the preceding decade towards increased civil litigation against Australian police (McCulloch & Palmer, 2002). Regardless whether these cases genuinely reflected poor police performance, the Criminology Research Council noted that the high media profile of civil litigation and the cost to public funds of decisions in favour of plaintiffs translated into an urgent need for police to be more proactive in preventing or minimising the risk of litigation.

Public confidence in police organisations has long been considered a reliable metric of a healthy policing system, but some scholars have emphasised the importance of perceptions of police integrity (Goldsmith, 2001). The corruption inquiries that characterised the 1980s and 1990s contributed to a widespread jettisoning of the “few rotten apples” explanation for police misconduct (Chan & Dixon, 2007). Instead of locating blame in the actions of a few corrupt officers, “police culture” and “police socialisation” were invoked to account for entrenched police misconduct (Chan, 1996; Chan & Dixon, 2007; Goldsmith, 2001). In addressing the erosion of the public perception of police integrity in NSW over the 1980s and 1990s, Goldsmith (2001) argued that, critically, what was lost during this period was a sense of trust on the part of the public towards police. This was significant because public trust in police was identified as the key ingredient for “policing by consent” or policing with perceived legitimacy (Goldsmith, 2005).

More broadly with respect to public and police relations in Australia, media depictions of the police have at times hindered efforts to develop good relations between the public and the police. For instance, media reports of the Macquarie Fields riots in NSW during 2005 arguably served to exacerbate already strained relations between the police and communities across southwest Sydney where the disturbances took place (Owen, 2007). By focussing on the confrontational aspect of encounters between the NSWPF and protesters, rather than the possibly legitimate moral grievances of the local residents or even the true circumstances leading up to the riots, many media commentators served merely to stereotype the police as “rule makers” and the so-called “rioters” as “rule breakers” (Owen, 2007). Thus, distortions of the role that police play in such high profile situations can lead to feelings of mistrust towards police and a perception amongst the general public that police are not able or willing to “hear” legitimate grievances.

Recently, most Australian States have attempted to implement more effective methods for improving and evaluating police performance and for reducing crime. While some of these support a procedural justice model of policing, such as the NSWPF introduction of its Customer Service Program, others have been more instrumentally focussed. One example of this is the introduction of crime prevention and intelligence programs based on the New York City COMPSTAT approach. In 1994, the New York City Police Commissioner introduced a new, strategic approach to policing called COMPSTAT, which two years later won a Harvard University “Innovations in Government Award”, attracting the attention of Australian police executives and ministers alike. COMPSTAT is short for Computer Statistics and is a four-step approach to crime prevention, comprising accurate and timely intelligence, rapid development, effective tactics, and follow-up and assessment. Over the ensuing years Australian versions of COMPSTAT began to emerge, variously referred to as Operational Performance Reviews (Queensland), Operations
Crime Review (New South Wales), Corporate Management Group Performance Reviews (Tasmania), Organisational Performance Reviews (Western Australia), COMPSTAT (Victoria) and Performance Outcome Reviews (South Australia).

Whilst measurement of the Australian public’s confidence in police has remained fairly static over the past few decades, at the state and territory level, public opinion of the trustworthiness of police has varied dramatically, often in response to damaging inquiries into allegations of police corruption and misconduct.

1. SUPPORT FOR PROCEDURAL JUSTICE IN POLICING

While much research on procedural justice models of policing has been conducted in the US and in the UK, there has been comparatively little parallel research in Australia. Indeed, by the late 2000s only a handful of studies had attempted to explore a procedural justice model of policing in investigations of the Australian public’s willingness to comply and cooperate with police.

Recent research in Australia, however, has begun to examine precisely what factors may influence levels of public satisfaction with, and confidence in, police. In 2007, results from the first Australian study to explicitly examine the effect of procedural justice and police legitimacy on public satisfaction with police were published (Hinds & Murphy 2007). In line with studies previously undertaken in the United States, this study found that people who judged police to be engaging in behaviour that upheld procedural justice principles were more likely to view the police as legitimate. These people in turn tended to report higher levels of satisfaction with police services. This was arguably the first Australian study to support a procedural justice approach to policing as a means of improving public relations with the police and consequently improving public cooperation and compliance with crime control and prevention efforts.

A further Australian study, which used cross-sectional survey data and panel data (Murphy et al., 2008) also supported overseas research linking procedural justice and public willingness to assist police. Murphy and colleagues (2008) found that views about police legitimacy have a positive influence on the degree to which members of the public cooperated with police. Citizens who perceived that the authority of the police as more legitimate were more likely to assist police in their crime control efforts.

In an attempt to address the nuances of the apparent positive relationship between a procedural justice approach to policing and public perceptions of police legitimacy, Murphy (2009) later found that the relationship was influenced in part by whether police encounters were police-initiated or citizen-initiated. Specifically, using survey data from a national sample of 1,462 Australians, Murphy found that under police-initiated conditions, procedural justice dimensions of police service played a greater role in predicting public satisfaction with police services than perceptions of police performance. By contrast, under citizen-initiated encounters, police performance was a greater predictor of satisfaction levels than procedural justice judgements (Murphy, 2009). This finding has significant consequences for attempts to introduce a procedural justice approach (model) to policing in the community. In particular, these findings suggest that in police-initiated encounters, procedural justice dimensions of police behaviour—trust, respectful treatment, neutrality and voice—become even more important.

It is worth noting that whilst a more procedural justice based approach to policing appears to be a recent phenomena in Australia, it has been argued that high levels of procedural justice and reintegration were a feature of Australian convict society during the nineteenth century (Braithwaite, 2001). Braithwaite argued that periods in history that are characterised by a society in which those in power are dependent on the deviant as a labour force, will typically opt for
regulation that is based on reintegration and procedural justice rather than stigmatisation. Consequently, and of most significance for the present study, Braithwaite notes that the state regulatory strategies of reintegration and procedural justice towards the convict majority during the nineteenth century resulted in Australia being a low crime society and boasting prosperity and egalitarianism comparable to any society in the world at the end of the nineteenth century (Braithwaite, 2001).

As many policing initiatives in Australia have been implemented by state policing agencies, it is to these that the report now turns.

2. CUSTOMER SERVICE INITIATIVES IN AUSTRALIAN POLICING

a. New South Wales: From the Wood Commission to the Customer Service Program

While a change in accountability processes away from police control and towards civilian oversight agencies has been the trend Australia-wide (Prenzler, 2004), in NSW the Wood Royal Commission into the New South Wales Police Force between 1995 and 1997 was arguably the key impetus for reforms aimed at preventing and minimising police corruption and restoring public confidence in the police generally. Apart from the establishment of the New South Wales Police Integrity Commission in 1996, internally, the NSWPF has implemented a number of strategies to improve public confidence in policing. For example, Community Safety Precinct Committees (CSPCs) were established as a means for local Councils and community members to meet with Police Local Area Commanders and share ideas and opinions on local crime and safety issues (NSWPF, 2011a).

A more recent reform aimed at improving community confidence in the NSWPF is the Community Awareness of Policing Program (CAPP), which is based on a similar initiative in the United States. In this program, high profile members of the community, from a variety of sectors, are educated in the workings of the NSWPF. These representatives then act as advocates in their respective communities, sharing their new understanding of the police force and its operations. This then injects a more realistic perspective on policing into the community, as well as providing a show of support for police and their policing efforts (NSWPF, 2010a; Burn, 2010).

Since the Wood Royal Commission, the NSWPF has undertaken a strategy of major reform. Changes that have ultimately contributed to significant improvements across a range of areas include better training and education, improved policing strategies, the use of more sophisticated technology and reduced corruption. Among the most significant of the NSWPF reforms, however, was the introduction of its Customer Service Program, discussed in detail in Section III of this report.

b. Victoria: Early intervention and valuing diversity

In the previously mentioned 1988 Australian Institute of Criminology study, Victorian respondents expressed the second greatest level of dissatisfaction with police relative to respondents in the other states and territories who had also had an encounter with police in the preceding 12 months. Almost twenty years later the Office of Police Integrity Victoria tabled a report, Past Patterns – Future Directions (2007), cataloguing 153 years of Victoria Police corruption. The report detailed corruption allegations during the 1980s and 1990s in particular, culminating in the call by Don Stewart, a retired Supreme Court judge, for a Royal Commission into Victorian police corruption, a call which was not taken up (Office of Police Integrity Victoria, 2007).
The Victoria Police nevertheless implemented a number of initiatives to address both corruption and the public’s poor opinion of the police force. In 1996 the Victoria Police Ethical Standards Department (ESD) was established. Within the ESD, the Research and Risk Unit (RRU) is responsible for identifying corruption hazards and ethical issues as they emerge, as well as developing appropriate responses (Macintyre, Prenzler, & Chapman, 2008). In an attempt to prevent issues from reaching the ESD, however, a Police Early Intervention Program was developed in collaboration with the Office of Police Integrity. Four key strategies comprise the program, namely (i) identification of trigger points; (ii) data collection and analysis; (iii) management intervention; and (iv) ongoing maintenance and communication.

Victoria’s early intervention program was in part inspired by a US model of complaints profiling and early intervention that dates back to the late 1960s. A central feature of this and later versions of early intervention systems in the US was that officers who reached a certain threshold for complaints against them or involvement in violent incidents were singled out and required to attend a review panel in their unit to discuss the incidents and make commitments toward behavioural change (Macintyre et al., 2008). In Victoria action was also taken to link performance management to complaints data, and, following the establishment of the early intervention program, citizens and police alike were able to make complaints either to their local police station, to the ESD, or via the Office of Police Integrity.

A 2008 study examined the impact of complaints profiling and the early intervention program in Victoria from 1997 to 2004. The study found that as a consequence of the implementation of early warning systems, the average number of complaints received per quarter declined by more than 71% (Macintyre et al., 2008). The study also supported one of the typical findings of research on complaints against police: that most complaints are not about corruption but are instead complaints about service issues, such as, rudeness from police or simply a perceived inadequacy of service or lack of response (Macintyre et al., 2008).

More recently, a 2010 survey of complaints against Victoria Police yielded similar results, namely that the majority of the complaints related more to problems with service, for example, incivility or neglect of duty, than to corruption or excessive violence (Prenzler, Allard, Curry, & Macintyre, 2010). Furthermore, in accordance with procedural justice theory, the highest-rated reason that respondents gave for lodging a complaint was because they “wanted to express how angry and upset (they) felt”. Other grounds for complaining conveyed a desire for complainants’ position to be validated, or sought an explanation or apology. Some of the determinants of satisfaction with the complaints investigation process included the level of transparency and degree of communication during the process (Prenzler et al., 2010). Significantly, complainants indicated a preference for complaint processing by external agencies, a finding which appeared to convey a desire for neutrality and objectivity in complaints processing. This finding lent further support to the notion that police complaints procedures themselves should follow the principles of procedural justice, including that of neutrality. Overall this survey supported tenets of the procedural justice theory which assert that people’s opinion of police depends more upon how they perceive they were treated by police than it does on police performance outcomes.

Apart from attempts to address issues of police corruption and misconduct, the Victorian Police has also undergone a significant cultural shift over the past decade in an attempt to recast itself as a diversity-inclusive organisation (Metz & Kulik, 2008). The impetus for this shift was felt most strongly during the 1990s amidst continued media reports of gender and racial inequality. The appointment of female Chief Commissioner Christine Nixon was the first in a series of steps taken to implement cultural change within the police force itself, as well as to project a new public image of a police force that embraced the empowerment of women, people from ethnic minority groups, and gays and lesbians. For instance, changes were made to the recruitment procedure to
make entry more accessible to women and other non-traditional applicants. Another example was the very public show of inclusivity when the Chief Commissioner led uniformed officers in the gay and lesbian parade of 2001.

Using a combination of traditional and novel change strategies, the Victoria police projected an altered image to the public of a force that had undergone a significant internal cultural change. According to procedural justice theory, if the values demonstrated are shared by the public, a visible expansion of moral representation is likely to increase public sentiments of sharing a moral platform with the police force, which in turn is likely to increase perceptions of police legitimacy (Sunshine & Tyler, 2003a). As discussed in relation to customer service research, customer perceptions of common values between a customer and service provider, that is, judgements of similarity have been associated with an increase in trust-based emotions on the part of the customer (Johnson & Grayson, 2005). This finding suggested that the Victorian police strategy of visibly demonstrating to the public a shared moral platform, was likely to facilitate feelings of public trust towards the police.

c. Queensland: Community partnership and the importance of front-line police

Following a recommendation from the Fitzgerald Commission of Inquiry that “Community policing be adopted as a primary policing strategy, with policing again becoming a neighbourhood affair” (Fitzgerald, 1989, p.381), community policing has been one of the main focuses of policing strategies in Queensland. This strategy was supported by state legislation passed in 1990, namely the Police Service Administration Act, stating in section 2.4(2) that “Members of the Service are to act in partnership with the community at large” (as cited in Lake, 1995).

A number of community-centric policing initiatives followed, including the installation of thirty fixed and portable “Police Beat” Shopfronts across Queensland during the early 1990s (Lake, 1995). In spite of overwhelming public support for this and other community policing initiatives, almost 12,000 complaints against Queensland police officers were filed in the six years between January 1992 and November 1997 (Ede, Homel, & Prenzler, 2002). Complaint data during the years prior to 1992 were not available. Consequently, it was not possible to examine whether complaints had significantly increased or decreased since community policing programs were implemented.

In an attempt to demonstrate the potential benefits of using complaint data to analyse police misconduct, Ede and colleagues (2002) evaluated a police complaints database to assess the various factors giving rise to complaints. They focussed on complaints raised at the unit level and compared patterns in terms of both the concentration and prevalence of complaints, where a high concentration corresponded to a small number of officers and a high prevalence corresponded to a more diffuse problem in one unit (Ede et al., 2002). This unit-specific analysis of the concentration and prevalence of complaints demonstrated the benefits of complaints analysis in identifying problem areas and making unit specific recommendations.

High levels of the use of complaints systems by the public do not necessarily correlate with low levels of public confidence. On the contrary, an organisation with a relatively large number of customer complaints may indicate of a healthy complaints system in which consumers have confidence in the organisation and trust that their complaints will be valued (Goodman-Delahunty, 2001).
In 2008, most Queenslanders surveyed by the Crime and Misconduct Commission had a positive view of the Queensland Police Service, a finding consistent with previous surveys (Sum, Chan, & Legosz, 2009). In spite of this generally positive view, a majority of respondents also perceived a lack of police neutrality, with around 62% endorsing the view that police in Queensland treated Indigenous Australians differently from white Australians (Sum et al., 2009). This perceived differential treatment of minority groups (Aboriginal and/or Torres Strait Islanders) was seen as a cause for concern by the Commission. The survey revealed that of most Queenslanders who had an unsatisfactory experience with police, either directly or vicariously, reported service-related incidents involving unfriendly, rude or arrogant behaviour by the police. Most significantly, respondents who reported an unsatisfactory experience with an individual police officer in the preceding twelve months were more likely to hold a negative perception of the police force in general (Sum et al., 2009). This finding highlighted the importance of customer service-related issues in determining the degree to which the public expressed trust and confidence in their local police force. The strong association between unsatisfactory personal encounters with police and negative judgements of the police force in general, demonstrated the critical role that front line police officers play in influencing public perceptions of the trustworthiness and legitimacy of police.

**d. Western Australia: From the Kennedy Commission to a Customer Service Charter**

Following widespread concern across the country during the 1980s and 1990s regarding police corruption and failures of police integrity, the Western Australia Police (WAP) was the subject of its own Royal Commission, namely the Kennedy Royal Commission. This was established in 2002 to investigate allegations of police corruption and criminal conduct within the WAP. The commission ultimately found the WAP to be ineffective in monitoring and preventing a range of activities deemed to be of a corrupt and criminal nature within the police force, such as stealing, assaults, perjury and drug dealing. In spite of this finding, the WAP have enjoyed considerable public confidence. For instance, in the 1988 AIC survey of public perceptions of the police, the WAP was accorded “great respect” by a majority (60%) of WA respondents (Swanton et al., 1988). By comparison, around 50% of NSW respondents accorded their police force the same degree of respect (Swanton, et al., 1988).

Nonetheless, the WAP has implemented numerous initiatives in an attempt to increase public confidence. For example, the WAP appointed Crime Prevention and Community Diversity Officers in each district. These officers are responsible for, among other things, “Identifying barriers experienced by people from diverse groups when accessing police facilities and services” (WAP, 2011a).

Most significantly, in 2008 the WAP published its Customer Service Charter, in which it made a commitment to “Providing better frontline services to the community” and to “Being responsive and accessible” (WAP, 2011b). The Charter invites members of the public to provide constructive feedback on the performance of officers in order that the force may improve the delivery of its customer service standards. This suggests that the WAP is keenly aware of the importance of a good relationship between the public and the police, built on trust and communication. The WAP Customer Service Charter demonstrates recognition of the critical role that a high standard of customer service plays in facilitating and maintaining that relationship.

**G. THE IMPORTANCE OF POLICE-COMMUNITY RELATIONS**
The foregoing literature review examined international research on theories emerging in the professional and academic literature on customer service, particularly the extension of procedural justice theory and the Group Value Relational Model to contemporary policing practices. Applicable literature on customer service in nonpolicing contexts was also reviewed. Recent trends in community policing towards policing by consent, and moves to integrate corporate customer service models in policing practices and policies were summarised. The review revealed that the underlying commonality between models of customer service and procedural justice in policing is their emphasis on the quality of the relationship between police and the community. By focusing on these interactions and strategies to strengthen this relationship, public satisfaction with the police can be improved (Hinds & Murphy, 2007), police legitimacy can be enhanced, and, importantly, policing law enforcement objectives and outcomes can be achieved (Murphy et al., 2008). Both customer service models and procedural justice approaches emphasise the centrality of the relationship between the police and the community.
II. THE NSWPF CUSTOMER SERVICE PROGRAM

In keeping with the transformative ethos adopted in the NSWPF since the findings of the Royal Commission were published, late in 2007, the NSWPF set in motion a change management program called the Customer Service Program (CSP), the aims of which were to place a new emphasis on customer service, victims of crime and improved service delivery (Burn, 2010). The goal of the CSP, amongst other things, was to improve public confidence in and satisfaction with police as well as enhance interactions with the community.

A. LEGAL CONTEXT

1. THE NEW SOUTH WALES POLICE ACT 1990

The CSP was devised to fit within the New South Wales Police Act 1990, legislation that governs customer complaints about the New South Wales Police Force.

Section 126 allows any person to make a complaint against the police. Complaints can be made anonymously and may be lodged directly with the New South Wales Police or the Commissioner. Alternatively complaints may be lodged indirectly with multiple other authorities in New South Wales, including the Police Integrity Commission, the Ombudsman, a Local Court, the Independent Commission Against Corruption, the NSW Crime Commission, a Minister, or a member of Parliament (Division 4, Part 8A). Within Part 8A of the Act, drafted to comply with the recommendations of the Wood Royal Commission, sections 121-172 regulate complaints lodged against the police, except for conduct investigated independently by the NSW Police Integrity Commission.

The term “complaint” is not defined within the Police Act 1990. Since Section 127 requires that all complaints must be given in writing, any and all written allegations of police misconduct that are written or reduced to writing, are construed as complaints subject to Part A of the Act, irrespective of any intent to complain (Committee on the Office of the Ombudsman and the Police Integrity Commission [COOPIC], 2006, Chilvers, p. 6). As a consequence, “all allegations about police misconduct, from the most minor managerial matters (e.g., customer service issues) to the most serious criminal allegations” (p. 6) are covered. These include human resource “reports by managers and supervisors that would not generally be considered to constitute a ‘complaint’, but are taken to meet the requirements under Part 8A because the report ‘alleges or indicates’ conduct that meets the requirements of Part 8A,” (COOPIC, 2006, Chilvers, p.1).

According to the definitions in the Police Act 1990, Part 8A, Section 121, a broad range of police conduct is covered, including both actions or inactions (or alleged action or inaction) of a police officer (Section 121). Section 122 of the Act itemizes conduct specified in a complaint that is “notifiable,” i.e., those issues that must be reported to the Ombudsman and investigated:

This Part applies to and in respect of a complaint that alleges or indicates one or more of the following:

a) conduct of a police officer that constitutes an offence,

b) conduct of a police officer that constitutes corrupt conduct (including, but not limited to, corrupt conduct within the meaning of the Independent Commission Against Corruption Act 1988),
c) conduct of a police officer that constitutes unlawful conduct (not being an offence or corrupt conduct),

d) conduct of a police officer that, although not unlawful:

i. is unreasonable, unjust, oppressive or improperly discriminatory in its effect, or

ii. arises, wholly or in part, from improper motives, or

iii. arises, wholly or in part, from a decision that has taken irrelevant matters into consideration, or

iv. arises, wholly or in part, from a mistake of law or fact, or

v. is conduct of a kind for which reasons should have (but have not) been given,

e) conduct of a police officer that is engaged in accordance with a law or established practice, being a law or practice that is, or may be, unreasonable, unjust, oppressive or improperly discriminatory in its effect (COOPIC, 2006, Chilvers, p. 2).

As a consequence, all allegations of police misconduct, from the most minor to the most serious (including criminal) are reviewed or are subject to audit by the NSW Ombudsman:

“The problem is that every complaint about serious criminal conduct through to a complaint about being late to a court matter or being rude to a member of the public is a notifiable matter under the Act and must be recorded and notified to the Ombudsman” (COOPIC, 2006; Chilvers, p.2).

A subsequent Agreement in 2008 between the Ombudsman and the Police Integrity Commission, after consulting the NSW Commissioner of Police, was intended to address this problem and determined that certain matters within Part 8A do not warrant formal oversight, such as complaints about poor customer service or rudeness, notwithstanding the compulsory notification provisions in Section 121 of the Police Act (NSW PIC & Ombudsman, 2008). That Agreement, effective in September 2008, exempted the following matters as nonnotifiable:

- one-off allegations that an officer was not ill while claiming sick leave; in the past complaints of this type have sometimes been notified to the Ombudsman as raising criminal issues.
- allegations of very minor misuse of police assets - which have also been notified to the Ombudsman as raising criminal issues.
- allegations of minor misuse of email, such as forwarding emails with rude, sexist or otherwise offensive: content (but not unlawful content or content which would be restricted to adults ’). These minor matters have been notified as raising harassment or discrimination issues.
- allegations of embellishments in police promotions applications -which have been notified as raising integrity issues.
- Complaints of incompetence only

These matters are still registered on C@TSI to allow auditing by the Ombudsman and Police Integrity Commission.
A series of administrative procedures known as the NSW Police Complaint Handling Guidelines (2008) were developed for internal use by the NSW Police, however these were not available to the AGSP research team. The Police Act 1990 specifies that complaint investigations may be conducted either by the Commissioner or the Ombudsman as governed by the Ombudsman’s Act of 1974. Section 129 gives the Commission discretion whether or not to investigate a complaint, and if an investigation ensues, the Commissioner must inform the Ombudsman, and may inform the officer who is the target of the complaint. Section 141 sets forth factors to consider in deciding whether to investigate, e.g., no investigation may ensue when the issue is too old, appears frivolous, made in bad faith, or alternate means of redress exist.

Investigations of customer complaints lodged in the finance sector have revealed that relatively few complaints were non-meritorious, or frivolous (Goodman-Delahunty, 2001; SOCAP-TARP, 1995). While there is a perception that suspects who complain to the police may do so to retaliate following a search or an arrest, this assertion is rarely supported (Porter, Prenzler, & Fleming, 2011). Research on complaints about the police has shown that the rate of revenge-motivated complaints is likely to be low (Maguire & Corbett, 1991). To deter frivolous or malicious complaints about the police, the NSW Police Act (1990) specifies that it is an offence to make a false complaint about the conduct of a police officer or to give false information against the police (Div 9, Section 167A).

B. THE NSWPF CUSTOMER SERVICE CHARTER

1. ORIGINS OF THE CUSTOMER SERVICE CHARTER

As part of the CSP, a customer service charter was developed and made available to the public, outlining the standard of customer service that members of the public could expect during encounters and dealings with the NSWPF. While complaints about police conduct are governed by the New South Wales Police Act of 1990 Part 8A, which frames police action in terms of risk, the Customer Service Charter (NSWPF, 2009) represents a change in direction. The Charter is a proactive policy with a positive aim and outlook. The Charter emerged under a state mandate that customer service be incorporated within all government organisations. The Charter was overseen by a new Police Commissioner, Andrew Scipione, and represented a positive sea change in the mood of New South Wales policing policy following the traumatic period of the Wood Royal Commission review in the 1990s which documented systemic corruption. The focus in the Charter on wider community engagement by the NSW Police Force was in line with international trends in community policing that saw the purview of police work as wider than law enforcement. As Deputy Commissioner Burn put it, policing is “99% is about the community, only 1% is about law enforcement and interaction with actual criminals,” (Staas, 2009, p.7).

The scope of the Charter was revolutionary, as it incorporated a move away from what Deputy Commissioner Burn described as a “wholly re-active” customer service training program which had previously been viewed as remedial in nature and was supplied only to officers who had been the subject of customer service complaints (Staas, 2009, p.8). The implementation of the Charter was comprehensive: every single one of the 19,000 officers in the New South Wales Police Force was required to complete training by the target date of 2010. As part of customer service training, for a period, the manager of every Local Area Command (LAC) completed a certificate which was eligible for academic credit towards external professional educational qualifications. The appointment of customer service policy officers in every single LAC was intended to have the Charter “ingrained in the fabric of the force”, in Commissioner Scipione’s words (Staas, 2009). The
The NSWPF Charter was nominated for a 2009 Australian Customer Service Award (CSIA) and commended by the Police Integrity Commission (Burn, 2010).

In formulating the charter, extensive consultation was conducted externally and internally. Community feedback emphasised that the rights of victims had been neglected in policy. This feedback indicated that codes and laws to protect the rights of suspects contributed to “to the detriment of victims, individuals and the community” (Burn, 2010, p.250). Internally, feedback solicited from approximately 2800 officers revealed that the notion of including suspects in the Charter definition of customers was, in Burn’s words, a “major road block in the customer service journey” (Staas, 2009, p.7). Feedback from police officers and focus groups indicated that police officers found it difficult to accept the idea that a person who was suspected of or accused of committing a crime could be considered a “customer”. Thus, one of the sticking points in the development of the Charter was the question of how to define the “customer”. Ultimately, the NSWPF Executive concluded that suspects and arrested persons were to be excluded from the definition of a customer. This determination relied on the reasoning that the rights of suspects and arrested persons were already protected under existing legislation, policies and procedures, and had other avenues of recourse to lodge complaints, as specified under the NSW Police Act, such as the offices of the NSW Ombudsman and the NSW Police Integrity Commission. Thus, the customer service paradigm which the NSWPF arrived at was an exclusionary one, in which certain segments of society were regarded as ineligible or illegitimate users of the CSP. This formulation indicated that those conducting the consultation accepted that the rights of suspects and those of victims or nonsuspects are zero-sum or mutually exclusive. Policy could not simultaneously protect both: protecting the rights of one group, (i.e., suspects) was viewed as detrimental to the rights of another group (nonsuspects, including victims). In contrast to this view, the Human Rights Commissioner of the European Council recently promulgated a human rights justice paradigm in which complaints from all citizens are equally valued, to ensure that every citizen’s human rights are upheld within a democratic society (Smith, 2010).

Thus, for those formulating the NSW Charter, an important aim was to fill a service gap in current police practice: protecting the rights of nonsuspects. While the Customer Service Charter had victims in mind, it also incorporated a vision of a typical community customer who was neither a victim nor a suspect. Commissioner Scipione stated that:

The charter makes it so much easier for the constable on the front desk at a station or answering the phone to understand that we really need to look after the good people... It makes you start asking questions in your mind, such as, “If my mum went into the police station, because she was in trouble or needed help or wanted some advice, how would I want her treated?” (Staas, 2009, p.8).

In publicising the program, Commissioner Scipione emphasised the rights of victims and the plan for the Charter “to concentrate on the 80 per cent of folks out there that don’t do anything wrong and really start to meet their needs” (Lawrence, 2008, p.1). In the text of the Charter, customers are defined as “victims, witnesses, the community and our colleagues” (NSWPF, 2009). Suspects and arrestees were omitted from this definition on grounds that their rights were governed by existing legislation, including the New South Wales Law Enforcement (Powers and Responsibilities) Act 2002. The Charter implemented the definition of a victim under the Charter of Victims Rights in the Victims’ Rights Act 1996 as “a person who, as a direct result of a criminal offence, suffers physical or emotional harm”. By increasing support for victims, Deputy Commissioner Burn stated the NSW Police hoped to improve the rate at which victims choose to follow through with prosecutions (Staas, 2009). This framework does not take into account the extent to which the roles and interests of victims and suspects may overlap.
Together with the Customer Service Institute of Australia (CSIA), the New South Wales Police Customer Service Program developed the Customer Service Charter stating the standards of service that members of the public could expect. Specifically, the services included: (i) being accessible, (ii) being professional and helpful, (iii) taking appropriate action to resolve issues or enquiries and (iv) keeping people informed (NSWPF, 2009). The first pillar, Accessibility, included a commitment to 24/7 assistance and provision of information, prioritising emergencies, and being accessible to diverse populations. The content of the second pillar of commitment, Professionalism and Helpfulness, incorporated many of the four procedural justice principles, as reflected in Table 1. The task of the CSP has been to focus on strategies to deliver these commitments to the community. Together with the CSIA, through research and through internal and external consultations, a framework was established to implement the goals of the CSP. The five main arms of the framework are Standards and Expectations, Training and Education, Performance Management, Measurement and Communication.

2. PROCEDURAL JUSTICE PRINCIPLES IN THE CHARTER

The Charter anticipated that the implementation of the procedural justice principles was not one-sided, but would emerge in a relationship, in the interaction of two parties. See Table 1.

Table 1. Procedural justice principles in the NSWPF Customer Service Charter

<table>
<thead>
<tr>
<th></th>
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<tbody>
<tr>
<td>Voice</td>
<td>“We will listen to you and acknowledge your needs”</td>
<td>“We will encourage your feedback, complaints and compliments about our officers, staff and service collect and, where possible, use your feedback to continuously improve how we deliver policing”</td>
</tr>
<tr>
<td></td>
<td></td>
<td>“You can provide us with compliments, complaints and feedback in any language”</td>
</tr>
<tr>
<td>Respectful treatment</td>
<td>“We will treat you...with respect”</td>
<td>“You can help us deliver the services you need by treating our staff with courtesy and respect”</td>
</tr>
<tr>
<td>Neutrality</td>
<td>“We will be accessible to all persons regardless of their culture, language, age, sexuality, physical and mental ability, locality and socio-economic background.”</td>
<td>“We will treat you fairly”</td>
</tr>
<tr>
<td>Trustworthiness</td>
<td>“We will maintain your confidentiality”</td>
<td>“You can help us deliver the services you need by being open and honest in your dealings with us”</td>
</tr>
<tr>
<td></td>
<td>“We will show care and be accurate”</td>
<td>“You can help us deliver the services you need by providing us with complete and accurate information”</td>
</tr>
</tbody>
</table>


While the Charter characterised the police interactions as “responsibilities” or “commitments,” customers were asked for assistance, phrased as requests for assistance (rather than
responsibilities or commitments) in a section entitled “How you can help us”. Notably, the Charter explicitly requested openness and honesty from customers, but there was no parallel commitment to openness and honesty in the police responsibilities.

The task of the CSP has been to focus on strategies to deliver these commitments to the community. Together with the CSIA, through research and through internal and external consultations, a framework was established to implement the goals of the CSP. The five main arms of the framework are Standards and Expectations, Training and Education, Performance Management, Measurement and Communication.

C. TRAINING FOR CUSTOMER SERVICE EXCELLENCE

A critical ingredient in delivering the promises of the Customer Service Charter has been training and educating the police officers who deliver the services. Training and education included a review of the Charter of Victims Rights and accompanying training materials; education and training packages in Customer Service for all NSWPF staff, and enrolment of 130 police officers in an external Certificate Level 4 training course in Customer Service.

Mandatory completion of training on the NSWPF Customer Service Excellence Program was introduced in August 2009. All police employees, both sworn and unsworn, were expected to complete training within a year of its introduction. The training program was devised for delivery to three separate levels or staff groups. The first level was developed for front-line sworn staff; the second level for sergeants and unsworn staff; and the third level for inspectors and unsworn staff. Initially, training sessions were day-long (6-8 hours) and delivered separately to each of the three levels. Following a review, the core content was maintained, but the training sessions were shortened, and delivery in most cases was combined for all three levels.

1. REVIEW OF TRAINING MATERIALS

For the current study, the researchers analysed the NSWPF Customer Service Excellence Training Materials (Customer Service Institute of Australia 2009a; 2009b; 2009c; 2009d), facilitator training guides and participant workbook (not used in shorter sessions), and observed two Sydney training sessions. As with the Customer Service Charter, the content of the training materials incorporated the four procedural justice principles, as shown in Table 2.

The training facilitator’s guide recommended opening the training with a message from the Commissioner highlighting the importance of the Customer Service Charter. The strong presence of procedural justice principles within the training materials indicated that, whether or not this was intended, the materials incorporate elements of trustworthiness, respectful treatment, neutrality and voice, which have been demonstrated in the scientific literature to be robust constructs that are instrumental in enhancing public confidence in and the legitimacy of authorities.

The emphasis on empathy (“put yourself in their shoes”, “understand their point of view”) and genuine engagement (“be honest and tactful, sincere and understanding”) are elements that can convey a genuine level of engagement conducive to building trustworthiness. The reciprocal nature of procedural justice and trustworthiness relationship is exemplified by the motto on the staff information card: “Show respect and you will receive it”. Where a gap exists between the aspects of procedural justice and the training materials, it concerns the neutrality element of procedural justice (see Table 2), absent from training materials.
Table 2. Procedural justice in NSWPF Customer Service Training Materials

<table>
<thead>
<tr>
<th>Procedural Justice Principle</th>
<th>Extract from Training Materials</th>
<th>Source</th>
</tr>
</thead>
<tbody>
<tr>
<td>Voice</td>
<td>“Taking time to listen to the customers and understand their needs”</td>
<td>Facilitator’s manual</td>
</tr>
<tr>
<td></td>
<td>“Listen and be patient.”</td>
<td>Training materials</td>
</tr>
<tr>
<td></td>
<td>“Listen to what they are saying.”</td>
<td>Dealing with challenging people</td>
</tr>
<tr>
<td></td>
<td>“Make sure you understand them clearly - check your understanding with them if you are unsure.”</td>
<td>Dealing with challenging people</td>
</tr>
<tr>
<td>Respectful treatment</td>
<td>Treat “all customers with dignity and respect”</td>
<td>Facilitator’s manual</td>
</tr>
<tr>
<td></td>
<td>Treat “every customer as valuable”</td>
<td>Facilitator’s manual</td>
</tr>
<tr>
<td></td>
<td>“Use forms of address for members of the public such as Sir, Mr or Ma’am and not terms such as mate, buddy or bro”</td>
<td>Staff information card</td>
</tr>
<tr>
<td></td>
<td>“The way you present yourself is extremely important. You must be professional in your appearance, attitude and grooming”</td>
<td>Staff information card</td>
</tr>
<tr>
<td></td>
<td>“Show respect and you will receive it”</td>
<td>Staff information card</td>
</tr>
<tr>
<td>Neutrality</td>
<td>No mention recorded</td>
<td></td>
</tr>
<tr>
<td>Trustworthiness</td>
<td>Respecting the privacy of customers, maintaining confidentiality</td>
<td>Facilitator’s manual</td>
</tr>
<tr>
<td></td>
<td>“Being approachable and available to all customers”</td>
<td>Facilitator’s manual</td>
</tr>
<tr>
<td></td>
<td>“Keeping customers informed”</td>
<td>Facilitator’s manual</td>
</tr>
<tr>
<td></td>
<td>“Always be professional and personable (put yourself in your customers’ shoes).”</td>
<td>Training materials</td>
</tr>
<tr>
<td></td>
<td>“Be honest and tactful, sincere and understanding.”</td>
<td>Training materials</td>
</tr>
<tr>
<td></td>
<td>“Show empathy and genuine care and concern- see where their reaction stems from (put yourself in their shoes). The better you understand their point of view, the better you will be able to reach a mutually satisfactory conclusion.”</td>
<td>Dealing with challenging people</td>
</tr>
</tbody>
</table>

Source: CSIA 2009a, 2009b, 2009c, 2009d; NSWPF, 2011b

The training program is structured for delivery in three stages. The first content section covers (a) the reasons for the Customer Service Program; (b) the definition of a customer in the NSW Police Force Customer Service Charter; (c) an elaboration of the Customer Service Charter Commitments (i.e., be accessible, be professional and helpful, take appropriate action, keep the customer informed); and (d) the benefits of good customer service and the consequences of bad customer service for both the individual and the organisation. This is followed by six sections
outlining key components of good service, each of which is followed by a case study group exercise and a videotaped role-play.

These materials emphasise the importance of:

- first impressions;
- good communication skills;
- awareness of (cultural) diversity and prevention of discrimination;
- behavioural styles, including the difference between assertive and aggressive behaviour;
- quality attitude, highlighting the importance of maintaining a positive attitude; handling difficult situations

The section on first impressions emphasises the importance of a “moment of truth”. This refers to the way in which customers form an image of the police through their personal experience with officers, through both direct contact with and indirect observations of police. In the “moment of truth” the customer compares their expectation of the police with their personal experience. If the experience falls short of the expectation, the customer’s perception of the police will be damaged. The use of the “moment of truth” in training materials is significant, as it emphasises that citizens form their beliefs about police in response to encounters with police. The implication is that citizen beliefs about police are not fixed, but can be influenced by positive encounters with police. This approach supports fundamental principles of procedural justice indicating that confidence in the justice system and outcomes of justice are influenced by how it is administered in day-to-day encounters.

The communication section explains the existence of different modes of communication, including words, body language and tone of voice and the importance of awareness of these in providing good customer service. This section also covers reciprocation through active listening—a technique of “reflecting” back what the person has just said to communicate understanding and empathy.

The segment on diversity is shorter than the previous two and points out the potential for difficulties when communicating with “different cultures, genders, people with disabilities and age groups” (p. 35). This is significant as it recognises the important point, that to be fair and neutral, one of the key elements of procedural justice, may entail adapting one’s communication style with diverse citizens.

The fourth section explains three different possible modes of behaviour for police officers: aggressive, submissive and assertive. The manual goes on to outline why the third mode, assertiveness, is preferred to achieve good customer service. This is significant, as emphasising an assertive mode may alleviate the fear that customer service requires a submissive mode of behaviour where “the customer is always right”.

The final section on “attitude” highlights the importance of a positive attitude as “the customer sees YOU as the face of the NSW Police Force”. This reflects the psychological literature on relations to authority outlined in the Group Value Relational Model, where interactions with individual police officers come to symbolise the institution of authority, the New South Wales Police Force. In turn, the outcome of that micro-interaction comes to influence how the individual feels about his or her place in society. The importance of individuals’ interactions with police is emphasised in “Create the best possible outcome for the customer, the NSW Police Force, and you (Facilitator’s Guide, CSIA, p. 48) and ‘Create a ‘Triple Win’ – for the customer, the NSW Police
Force and you” (Facilitator’s Guide, CSIA, p. 44). The complexity of real life police encounters, however, may sometimes preclude such an unambiguously positive “triple win” situation. The case materials included for training (Appendix 3) may assist in training officers to negotiate the best possible outcome in both policing and customer service terms, in complex real-life situations.

Strategies for dealing with challenging situations are presented in the following segment. The Level 1 training concludes with a discussion of the NSWPF Performance Management Tool, which allows self-assessment of customer service provided. Five steps to deal with difficult situations include: (1) Never overreact; (2) Stop and think; (3) Write down the details; (4) Prepare your response; and (5) Formulate a solution. The guide explains that people who exhibit challenging behaviours are trying to convey a problem and an emotion, and the emotions can lead them to behave unreasonably, irrationally and/or illogically. Officers are advised to take the time to listen and understand the problem, and show genuine empathy and sincerity (trustworthiness). This emphasis on trustworthiness is supported by the findings from procedural justice research.

The training emphasises positive reinforcement and feedback schemes, specifically that positive feedback is more effective than criticism and disciplinary actions in promoting, maintaining and increasing desired behaviours. Examples of positive feedback are provided and some exercises included. This emphasis on positive feedback is in line with findings from educational psychology (Martocchio & Webster, 1992) that accentuate the role of positive reinforcement and motivation over punitive measures in changing behaviours.

The Level Three Training Program centres on the successful implementation of change in customer service. Ways to measure good customer service and the importance of continuous improvement are outlined and are intended to maintain a focus on enhancing customer service through improved processes. A number of media excerpts were included in the Level Three training materials (CSIA, 2009d), namely: (1) the Commissioner’s message; (2) a short video clip in which serving NSW Police Force officers are surveyed about their definition of customer service; (3) three humorous video clips taken from external sources (English television sketch, audio segment of fake police-station messaging service and a television advertisement); and (4) seven role-play scenarios in which an example of “bad” customer service is contrasted with an example of “good” customer service.

For example, one video clip showed an exchange between a nonsuspect and an officer in which the nonsuspect attended the station to report a stolen wallet. In the “bad service” version, the officer behind the counter did not ask the customer for any details, did not offer any sympathy, and pointed to the Police Assistance Line phone without explaining why. In the “good service” version, the officer introduced himself, offered an empathetic response, and explained procedures and options to the customer.

The Facilitator’s Guide provides examples of the effects of poor customer service (see Table 3). These examples are significant as they emphasise the consequences of poor customer service for police officers.

Table 3. Procedural Justice in NSWPF Customer Service Program Facilitator’s Guide

<table>
<thead>
<tr>
<th>Causes</th>
<th>Effects</th>
<th>Procedural Justice Principle: Trust</th>
<th>Outcomes</th>
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Multiple contacts and hand-offs to deal with a single issue or complaint

Lost confidence in the NSW Police Force and its ability to meet service standards and requirements.

“Passing the buck” communicates lack of sincerity to citizens, impinging on trustworthiness.

Lack of trustworthiness damages public confidence in police ability to deliver outcomes.

Staff turnover and absenteeism – less experience equals poorer, more expensive service

Poor “word of mouth” requiring increased defensive attitudes in constables and public officials resulting in the public becoming more sensitive and resistant to the NSW Police Force.

Absenteeism and trustworthiness communicates police officers’ lack of care and dedication, impinging on trustworthiness.

Lack of public trustworthiness damages confidence and compliance with authority.

Data entry error and poor or incorrect information given to customers

Problems with information handling can damage impressions of police truthfulness, sincerity and trustworthiness.


Five of the seven role-plays focussed on front-desk or phone encounters. One of these included an interaction between a constable and his superior over the attendance of officers at a potential domestic violence incident. Role-plays that included more serious real-life concerns such as domestic violence problems were rare. While the stolen wallet example was illustrative, few examples illustrated the complexity of real-world policing, when compared with the real-life complaint narratives analysed as part of the current study (for examples, see Appendix 2).

The inclusion of multiple delivery modes via different media (audio, video, and slides), group exercises and the presentation of information by a facilitator is the strength of this training program. The use of multiple modalities (visual, auditory and hands-on work) ensures that the training caters for different learning styles so that participants may benefit regardless of whether they learn best through auditory or visual presentation of material or via hand-on exercises (Felder & Brent, 2005). The use of group exercises is commendable, since adult learning theory suggests these encourage engagement, motivation and active learning (Slavin, 1995). In the short version of the training, participants were not provided with the workbook containing these exercises. The materials presented in the facilitation guide and workbook demonstrated a comprehensive approach to customer service training for police.

2. TRAINING SESSION OBSERVATIONS

The current project included observations of two customer service training sessions. These training sessions took place close to the internal deadline for completing compulsory training. For the most part, attendees were staff members who had missed the first rounds of training.

The first session took place in May, 2010 at NSWPF Headquarters in Parramatta. Approximately 40 people attended, most of whom were male staff members who were not front-line officers. All three training levels were covered and the full session lasted 2.5 hours.

The second observation was conducted in June, 2010 at a training session in Sydney at a local police station in Rose Bay. Six male participants attended, each with a different employment role. This session lasted three hours. A case for merging the three training levels was made by one of
the attendees on grounds that any officer will at some point be in a supervisory position (even constables supervise probationary constables) and, officers should know what they can expect from their supervisors.

Both sessions drew on materials designed for all three training levels. Different PowerPoint slides were presented at each of the two training sessions observed. The content of the materials presented, however, was the substantially similar. While the written educational materials placed great importance on customer service training, in practice, at both of the observed sessions, the importance of this training was minimised. The devaluing or minimization of the benefit of the training was communicated orally in a series of comments. In the first session, the training coordinator started out by stating that the training did not apply to the persons present in the room because their job duties entailed little contact with members of the public. As the session continued, the attitude that the training was of little relevance of significance to the attendees was reflected in the responses of the participants.

Motivation of attendees in the first session was low: a number of participants dozed off or held private conversations during the training session. Other comments by the training coordinator that served to demotivate participants or minimize the value of the training were that: (1) the outcomes of the most recent mystery shopper evaluation indicated that this customer service training program was not necessary; (2) the training was not very interesting; (3) police in general do not sell a satisfying product, thus dissatisfied customers are inevitable; (4) police officers receive little consideration from other government departments such as the courts, and, specifically, from magistrates, which frustrates the officers, jades their enthusiasm, and hinders them from delivering high quality service to the public. The latter comment, addressing the issue of poor customer service by other agencies, appeared to be endorsed by the majority of attendees, and was attributed as the root cause of most customer service complaints by members of the public against the NSWPF.

Attendees expressed concern about potential discipline or negative consequences after completion of the training, i.e., attendees endorsed the view that a police staff member who was the subject of a customer complaint would be penalised more harshly than previously once he or she had attended the customer service training program. Participants anticipated a “witch hunt” would ensue to resolve accountability for customer complaints.

The only group exercise conducted in the session examined the participants’ understanding of their customers. The trainer explained that the NSWPF definition of a customer includes co-workers, colleagues, and staff in external government and non-government organisations. Nonetheless, several participants stated that they had little contact with victims or with members of the public at large, and therefore inferred they had little customer contact, with the implication that training on customer service did not apply to them. This indicated a problem with the framing of customer service provision within the organisation: those who perceived their roles as other than “front-line” staff believed customer service was irrelevant in their work. Training and organisational commitment on how central customer service is to all policing duties appeared to be ineffective.

The trainers pointed out that although crime suspects were excluded from the definition of customers by the NSWPF Customer Charter, this did not signify that suspects should not be treated with respect. The sentiment was expressed that suspects should be treated with respect because this would increase the likelihood that they would comply with directions. The language used in this comment was telling: suspects were referred to as “crooks” in a statement to the effect of “If you treat ‘crooks’ with respect and dignity, they are more likely to comply with your
directions”. While the term “crooks” reflects a stigmatised view of suspects and arrestees, this statement showed that officers already held firm the notion that compliance stems from respectful treatment, a key tenet of procedural justice research.

The major issue identified by the observer was a problem with motivation on the part of both learners and trainers. The delivery of the training was undermined by negative comments about the value of both the training and the customer service excellence program itself. This disjuncture had a social component independent of the content of the training materials and requires further study and intervention. While there was efficiency achieved by condensing the material and by combining the three levels in a single session, the abbreviated time available for group exercises meant that some aspects of the core content were not delivered, and some participants left with misperceptions about the identity of customers and the relevance of the training to their work. For training to be effective, both the content of the materials and the delivery need to give weight to the importance of customer service as a core element of policing duties. Procedural justice research indicates that how citizens perceive police treatment and trustworthiness is central to confidence in police and police legitimacy.

D. EVALUATIONS OF THE NSWPF CUSTOMER SERVICE PROGRAM

Several programs have been implemented to assess the effectiveness of the CSP initiative. These include the Mystery Shopper Program and a telephone survey of customers.

1. THE MYSTERY SHOPPER EVALUATION

In 2009, the NSWPF introduced the Mystery Shopper Program (HOED mystery shopping) whereby four times a year, representatives from an independent company, posing as customers, conducted a series of random calls or visits to police stations requesting assistance or information. The analysis of trends and results stemming from these anonymous encounters has served as a corporate measure of the effectiveness of the CSP framework. In the first year of its operation, the Mystery Shopper program revealed strong customer service satisfaction ratings, with a statewide average of 87% (N = 80) (HOED Mystery Shopping Straterjee Analysis, 2009). Raters answered questions about confidence in police knowledge, the presence of friendly greetings, smooth and efficient operations, satisfaction with information provided, and confidence to return. They also rated wait time, officer’s tone of voice, attitude conveyed by the officer, and fair and respectful treatment. The appearance and accessibility of stations were scored at an average of 93%, and professionalism and helpfulness of the police officers were scored at 87%. The officers ensured appropriate action was taken 96% of the time. However, the mystery shoppers felt they were treated personably or kept informed only 55% of the time.

The key potential area for improvement identified by the Mystery Shopper Program concerned customer engagement. For example, in a number of cases, customers were left to wait, and the officer did not acknowledge, smile, greet or make eye contact with the customer. Other opportunities for improvement included more personalisation, by increasing the use of names. Officers were advised to provide their own name and to use the customer’s name in conversation. In addition, the provision of contact details was recommended when referring the customer to an external organisation (HOED Mystery Shopping Straterjee Analysis, 2009).

The Mystery Shopper assessment involved “mystery shoppers” posing as customers who called up or presented at a police station with problem vignettes. These shoppers assessed police
performance on a number of customer service indicators. These vignettes included a report of a stolen laptop and insurance claim, a civil matter of money owed, a barking dog, an inquiry about a shooting licence, and a report about inadequate child support payments (See Table 4).

One weakness of the evaluation is that these three vignettes do not reflect core policing business but are all examples of inquiries which require referral to an external agency, such as the council or the courts. While feedback on police performance in responding to such requests may provide some useful data on customer service provision, the evaluation was limited by the fact that they do not incorporate core policing business. This is demonstrated by the lack of concurrence between these scenarios and the complaint narratives contained in C@TSI. Of 3096 complaints received in a one-year period, only 3 included mention of a barking dog. The complexity of real-life policing was not captured by the vignettes devised by the Mystery Shopper evaluation.

Table 4. Vignettes used by Mystery Shoppers

<table>
<thead>
<tr>
<th>VIGNETTE</th>
</tr>
</thead>
<tbody>
<tr>
<td>A. I'm making some enquiries on behalf of my daughter/son/brother/sister, etc., who recently moved into a unit that over looks into the back yard of a house. My daughter/son/brother/ sister, etc., works shift work and need to sleep during the day. The house has a dog that barks during the day while the owners are away at work, when the owners are home the dog is fine. I think the dog is bored. Is there anything my daughter/son/brother/sister, etc., can do?</td>
</tr>
<tr>
<td>B. I'm making some enquiries on behalf of my son/grandson/brother who wants to get his shooter's licence. We have relatives who have a huge property in the country and they want to go there and shoot. How does he go about getting his shooter's licence? Am I able to get it here?</td>
</tr>
<tr>
<td>C. My son/daughter/sister/brother/niece/nephew/friend is divorced and has shared custody of his/her daughter. Yesterday his/her ex-partner would not allow him/her to collect his/her daughter because she/he wants my son/daughter/sister/brother/niece/nephew/ friend to pay more child support.</td>
</tr>
</tbody>
</table>

Source: Service Integrity Mystery Shopping, 2011a-b

Another feature of the Mystery Shopper data analysis was presentation of customer service results by Local Area Command (LAC). While it is necessary to identify individual LACs who are doing well or poorly on a number of performance indicators, too much local focus diminishes the force-wide efforts to change the police culture across LACs. An overly specific focus on individual officers or LACs by management inhibits cultural change throughout the organisation. The NSW Ombudsman has criticised taking a “narrow focus” of customer complaints which involves pointing fingers at individual officers rather than addressing the larger organisational culture or context which gave rise to the problem (Andrews, 2010). Singling out particular Local Area Commands for poor performance may be similarly narrow. While differences between police units are significant, focussing too heavily on differences between Local Area Commands may obscure more important force-wide trends.

The police services sampled by the Mystery Shopper evaluation were confined in their scope and did not seek information about core policing tasks, as all were instances requiring referral of the customer to an agency other than the police (shooting licence referral, barking dog referral to council, custody matter referral to legal agencies). While the spirit of community policing demands that police be equipped to answer misdirected requests effectively and courteously,
these vignettes failed to capture police responses to inquiries which comprise activities that are representative of realistic, day-to-day core policing business, many of which may be more complex and unpleasant. As a consequence, the results of the Mystery Shopper evaluation, while very positive and encouraging, have substantial limitations in terms of informing the NSW Police Force about their customer service profile. Future studies of this nature should incorporate more complex and realistic vignettes to better address the customer service program training.

2. TELEPHONE SURVEY ON COMPLAINT HANDLING

In addition to the Mystery Shopper initiative, to evaluate the extent to which actual police customers who had lodged a complaint against the NSWPF were satisfied with the process or outcome of the complaint, a follow-up telephone survey was conducted. This survey was addressed to customers who had submitted a written complaint covered by the NSW Police Act of 1990.

The survey consisted of five questions:

1. How satisfied were you that the issue or issues you raised in your complaint were understood by the person handling it? (1 = highly satisfied to 5 = highly dissatisfied)
2. Were you adequately informed of the progress of your complaint? (Yes/no)
3. How satisfied were you with the amount of time taken to deal with your complaint? (1 = highly satisfied to 5 = highly dissatisfied)
4. When the outcome of your complaint was given to you, did you understand it? (Yes/no/other)
5. How likely are you to recommend to a friend or colleague that they make a complaint if they have a problem with the NSW Police Force? (Response range 0-10 where 0= not at all likely).

Our research team was provided with a modest police sample of survey responses ($N = 100$; 62 male and 38 female respondents) for analysis. The NSWPF region in which the complaint was lodged was unrelated to the type of answers provided. Overall, the survey results yielded somewhat mixed results about the success of the complaint handling procedures. Results of the analyses are displayed in Table 5.

Table 5. Responses to NSWPF Customer Complaint Telephone Survey (per cent)

<table>
<thead>
<tr>
<th>SURVEY TOPIC</th>
<th>Positive Response</th>
<th>Negative Response</th>
<th>Neutral Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>Police understood the issue raised in complaint</td>
<td>61</td>
<td>24</td>
<td>15</td>
</tr>
<tr>
<td>Kept informed of progress of complaint</td>
<td>64</td>
<td>36</td>
<td>n/a</td>
</tr>
</tbody>
</table>
Respondents who indicated a higher level of satisfaction on one question were more likely to do so on the other questions (except for question 4, “understood complaint outcome”). Respondents who indicated higher levels of satisfaction in response to questions 1-3 were more likely to recommend that their friends or colleagues use the complaint system if they had a problem (question 5). One-fifth of the respondents (21%) indicated that they would recommend making a complaint to a friend or colleague who had a problem with the NSWPF; whereas the proportion who would not recommend complaining was larger (26%). Overall, people who reported satisfaction with the complaint process (from lodgement to receipt of feedback) were more likely to hold the NSWPF complaint system in higher regard, as was indicated by their greater likelihood to recommend the process to others.

However, the telephone survey was limited as only a small number of people completed it, compared to the number of people who make complaints. In addition, the lack of qualitative data limited the usefulness of the survey.

E. NSWPF ANALYSES OF C@TSI DATA

One tool implemented by the NSWPF to assess possible shortcomings in customer service delivery has been in-house research. In addition to evaluations conducted by external consultants, the NSWPF allocated resources in-house to analyse customer complaints in C@TSI, the Professional Standards Command complaints electronic database in which police staff record information about written complaints that are lodged.

The NSW Police Force has identified over 150 Complaint Issues Types, based on the specific police conduct described in the written complaints. These are grouped according to the nature of the allegation they describe into 24 main Complaint Issue Groups. Since a written complaint may contain allegations about more than one type of police behaviour, multiple Complaint Issue Types can be assigned to each discrete written complaint.

1. NSWPF CLASSIFICATION OF CUSTOMER SERVICE RELATED MATTERS

The Complaint Issue Group of most interest in the current study is the Customer Service Related group. The NSWPF classification system distinguishes a total of 14 pre-defined Customer Service Related issues, each of which is assigned a “customer service” tag in the database. The 14 customer service issues are listed in Table 6.

Table 6. Issues classified as Customer Service Related Matters in C@TSI

<table>
<thead>
<tr>
<th>Customer Service Related Matters</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Inadequate customer service</td>
</tr>
<tr>
<td>2. Unprofessional service</td>
</tr>
<tr>
<td>3. Incivility/rudeness/verbal abuse</td>
</tr>
<tr>
<td>4. Customer service not provided</td>
</tr>
</tbody>
</table>
Analysis of Customer Service Related matters in C@TSI for the period 2002-2007 revealed that approximately one quarter (26%) of all complaints centred on customer service delivery, of which more than two-fifths (42%) were for rudeness or uncivil behaviour (Burn, 2010).

Table 7. Frequency of Customer Service Related complaints, 2009-2010

<table>
<thead>
<tr>
<th>Customer Service Related Matters</th>
<th>2009 (N)</th>
<th>2010 (N)</th>
<th>Change (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Inadequate customer service</td>
<td>465</td>
<td>340</td>
<td>-27</td>
</tr>
<tr>
<td>Unprofessional service</td>
<td>377</td>
<td>338</td>
<td>-10</td>
</tr>
<tr>
<td>Incivility/rudeness/verbal abuse</td>
<td>289</td>
<td>287</td>
<td>-1</td>
</tr>
<tr>
<td>Customer service not provided</td>
<td>212</td>
<td>187</td>
<td>-12</td>
</tr>
<tr>
<td>Threats/intimidation</td>
<td>107</td>
<td>60</td>
<td>-44</td>
</tr>
<tr>
<td>Inconsiderate/insensitive/uncooperative</td>
<td>90</td>
<td>64</td>
<td>-29</td>
</tr>
<tr>
<td>Fail to respond/delay attendance to incident</td>
<td>49</td>
<td>52</td>
<td>+6</td>
</tr>
<tr>
<td>Fail to provide adequate/appropriate victim support</td>
<td>47</td>
<td>48</td>
<td>+2</td>
</tr>
<tr>
<td>Neglect of duty/duty of care</td>
<td>42</td>
<td>25</td>
<td>-40</td>
</tr>
<tr>
<td>Improper treatment, fail to provide necessities</td>
<td>28</td>
<td>6</td>
<td>-79</td>
</tr>
<tr>
<td>Fail to identify (name, station, reg. number)</td>
<td>23</td>
<td>18</td>
<td>-22</td>
</tr>
<tr>
<td>Fail to provide appropriate support for vulnerable people</td>
<td>6</td>
<td>2</td>
<td>-67</td>
</tr>
<tr>
<td>Inconsiderate timing</td>
<td>1</td>
<td>0</td>
<td>-100</td>
</tr>
<tr>
<td>Mistreatment of visitors</td>
<td>1</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>TOTAL</td>
<td>1737</td>
<td>1428</td>
<td>-13</td>
</tr>
</tbody>
</table>

Source: NSWPF, 2010c

In the period 2008-2010, the Customer Service Program framework became increasingly embedded in the organisation’s culture and operations. The focus of a NSWPF analysis of the frequency of Customer Service Related matters recorded in C@TSI in this period was whether the customer service initiatives had reduced the prevalence of customer complaints. These analyses were conducted using two “snapshots” of data bearing a Customer Service Related tag in the database, twelve months apart ($N = 1737$ vs. $N = 1428$). Results revealed an overall decline of
18% in customer service complaints in the period August, 2009 to August, 2010, as is shown in Table 7.

Decreases were observed in all categories except for incident responses and victim support. Although no content analysis was conducted of these complaints, these figures were interpreted as evidence of improvements in customer service following the implementation of the targeted police training program on customer service and the more general application of the customer service program.

Various sources of information have been used by the NSWPF to conduct research about the influence of the customer service initiatives, including an analysis of victim follow-up data.

2. FOLLOW-UP WITH CRIME VICTIMS 2007-2008

As part of its Customer Service initiative, and in particular the promise to “keep customers informed”, the NSW Police Force has expressed a strong commitment to the improvement of follow-up with victims of crime, with a goal to follow-up within a seven-day period (Burn, 2009). To foster this practice, mandatory recording of victim follow-up in the Computerised Operational Policing System (COPS) was introduced.

Using the same data from C@TSI for the period 2007-2008, a study of victim follow-up conducted by police staff (Burn, 2010) revealed that only 28% of victim-related events had a recorded victim follow-up at some later point.

The absence of contact post-crime with victims was acknowledged as a breach of the Victim Rights Charter. Deputy Commissioner Burn (2010) reported a need to address this issue in the associated NSWPF training materials.

The subsequent target established for victim follow-up in the period July-October, 2010 was contact with 85% of crime victims. Preliminary data provided to our research team on 6th April 2011 demonstrated that in the period July, 2010 to October, 2010 approximately two-fifths of victims (62.7%; \( n = 88,466 \) of a total of 141,801 victims) were contacted. The scope of noncompliance with the mandatory recording of victim follow-up is unknown. The records reflected that the 85% target was not achieved in any of the six geographic regions in New South Wales, as is shown in Figure 2.

These findings are preliminary as further investigation by the NSWPF is ongoing. Although victim follow-up and notification appears to have improved dramatically, since the rate of follow though more than doubled, from 28% to 62.7%, there appears to be room for substantial improvement.

Figure 2. Follow-up with crime victims 2007-2008
F. AGSP RE-ANALYSIS OF NSWPF COMPLAINT ISSUE GROUPS

In preparation for the current study of the NSWPF Customer Complaint data reported in Chapter IV, AGSP researchers conducted some preliminary analyses of frequencies in a sample of NSWPF complaint data derived from 3131 discrete complaints lodged in the period May, 2009 to May, 2010.

1. FREQUENCY OF COMPLAINT ISSUE GROUPS AND TYPES 2009-2010

Within C@TSI, all complaints were classified into 23 different Issue Groups. The Customer Service Related Issue Group, the 24th Issue Group, was added to C@TSI after the start of the Customer Service Initiative.

The results of this analysis revealed that approximately one quarter of all of the Issue Groups distinguished in the complaints received in the observed 12-month period were classified as Customer Service Related (28.6%, \( n = 1845 \)). The second most frequent Issue Group assigned to written complaints lodged within the study period was Local Management Issues, accounting for 13% of the complaints. Approximately one half of the complaints in the Local Management Issues Group pertained to investigation issues (26.7%, \( n = 231 \)) and unreasonable conduct (not otherwise specified) (23.8%, \( n = 206 \)).

Complainant concerns with the investigation (11%, \( n = 712 \)) and with police use of unreasonable force (11%, \( n = 710 \)) were the only two other Issue Groups that were referenced in more that 10% of complaints lodged in the study period. Table 8 displays the frequency of NSWPF Issue Groups distinguished within C@TSI, the electronic complaint classification system.

Table 8. Frequency of NSWPF Complaint Issue Types, May 2009-May 2010
The proportion of complaint Issue Types classified within each of these thirteen categories of Customer Service Related Matters within a twelve-month period, May 2009 to May, 2010, is shown in Table 9. Approximately one quarter of the identified Issues were designated as “inadequate customer service.”

Results of analyses of the frequencies of the thirteen Customer Service Related Issue Types observed in the period May, 2009 to May, 2010 were similar to those observed by the NSWPF in its own research of complaints received in the period August 2009-August, 2010, as displayed in Table 9 below.


<table>
<thead>
<tr>
<th>Customer Service Related Issue Types</th>
<th>Frequency (%)</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Customer Service Related</td>
<td>28.6</td>
<td>1845</td>
</tr>
<tr>
<td>Local Management Issue</td>
<td>13.4</td>
<td>864</td>
</tr>
<tr>
<td>Investigations</td>
<td>11.0</td>
<td>712</td>
</tr>
<tr>
<td>Unreasonable use of force (including assault)</td>
<td>11.0</td>
<td>710</td>
</tr>
<tr>
<td>Service delivery</td>
<td>6.0</td>
<td>386</td>
</tr>
<tr>
<td>Harassment and discrimination</td>
<td>3.6</td>
<td>231</td>
</tr>
<tr>
<td>Corruption/Misuse of office</td>
<td>3.0</td>
<td>194</td>
</tr>
<tr>
<td>Arrest</td>
<td>2.8</td>
<td>179</td>
</tr>
<tr>
<td>Other criminal act or omission (not specified elsewhere)</td>
<td>2.5</td>
<td>163</td>
</tr>
<tr>
<td>Misuse of information and information systems</td>
<td>2.4</td>
<td>156</td>
</tr>
<tr>
<td>Custody</td>
<td>2.4</td>
<td>154</td>
</tr>
<tr>
<td>Evidence</td>
<td>2.4</td>
<td>152</td>
</tr>
<tr>
<td>Searching</td>
<td>2.3</td>
<td>151</td>
</tr>
<tr>
<td>Property and exhibits</td>
<td>2.0</td>
<td>128</td>
</tr>
<tr>
<td>Prosecution</td>
<td>1.5</td>
<td>96</td>
</tr>
<tr>
<td>Misconduct</td>
<td>1.2</td>
<td>78</td>
</tr>
<tr>
<td>Theft/Misappropriation</td>
<td>0.9</td>
<td>60</td>
</tr>
<tr>
<td>Traffic offences</td>
<td>0.9</td>
<td>56</td>
</tr>
<tr>
<td>Use of service resources</td>
<td>0.8</td>
<td>53</td>
</tr>
<tr>
<td>Untruthfulness/Lying/Dishonesty</td>
<td>0.7</td>
<td>46</td>
</tr>
<tr>
<td>Drugs (other than Searches or Evidence matters)</td>
<td>0.6</td>
<td>38</td>
</tr>
<tr>
<td>Failure to observe service standards</td>
<td>0.05</td>
<td>3</td>
</tr>
<tr>
<td>False complaint</td>
<td>0.02</td>
<td>1</td>
</tr>
<tr>
<td>DNA sampling issue</td>
<td>0.02</td>
<td>1</td>
</tr>
</tbody>
</table>

Source: NSWPF, 2010c; 3131 complaint narratives containing 6460 Issue Types.
<table>
<thead>
<tr>
<th>Customer Service Related Issue Type</th>
<th>Frequency (%)</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Inadequate customer service</td>
<td>24.4</td>
<td>450</td>
</tr>
<tr>
<td>Unprofessional conduct (customer service)</td>
<td>21.8</td>
<td>402</td>
</tr>
<tr>
<td>Incivility/rudeness/verbal abuse</td>
<td>19.6</td>
<td>362</td>
</tr>
<tr>
<td>Customer service not provided</td>
<td>11.8</td>
<td>218</td>
</tr>
<tr>
<td>Threats/intimidation (not assault/excessive force)</td>
<td>6.1</td>
<td>113</td>
</tr>
<tr>
<td>Inconsiderate/insensitive/uncooperative behavior</td>
<td>4.4</td>
<td>82</td>
</tr>
<tr>
<td>Fail or delay attendance to incident/respond to 000</td>
<td>3.7</td>
<td>68</td>
</tr>
<tr>
<td>Fail to provide adequate/appropriate victim support</td>
<td>2.9</td>
<td>54</td>
</tr>
<tr>
<td>Neglect of duty/duty of care</td>
<td>2.0</td>
<td>37</td>
</tr>
<tr>
<td>Fail to identify (name, station, registration number)</td>
<td>1.6</td>
<td>29</td>
</tr>
<tr>
<td>Improper treatment, failure to provide necessities</td>
<td>1.2</td>
<td>23</td>
</tr>
<tr>
<td>Fail to provide appropriate support/adjustment for vulnerable people</td>
<td>0.3</td>
<td>5</td>
</tr>
<tr>
<td>Mistreatment of visitors</td>
<td>0.1</td>
<td>2</td>
</tr>
</tbody>
</table>

Source: NSWPF, 2010c

A further review of the Local Management Issues (LMI) revealed that some complaint issues contained within this classification appeared to overlap with complaint issues contained within the Customer Service Related Issues. For example, some complaint sub-types in the LMI Group were labelled “customer service not provided” \((n = 12)\), “inadequate customer service” \((n = 21)\) and “unprofessional conduct (customer service)” \((n = 44)\). On the assumption that these classifications were duplicated within the database, to determine the independent contribution of complaints in the LMI Group, complaints with these classifications were removed. Following this adjustment, this category independently held 12.2% \((n = 787)\) of all complaint issues.

Further instances of apparent overlap between Customer Service Related Issues and Issues specified in some other Issue Groups were also found. For example, “incivility/rudeness/verbal abuse” was a classification appearing within both the Customer Service Related and Service Delivery Issue Groups, but complaints were categorised in only one of the Groups. Without further information about the methods by means of which information received in written complaints is routinely classified by NSW police staff upon entry into the database, no assessment could be made of the extent to which the apparent overlap between Issue Groups had any effect on reported complaint outcomes.

2. MANAGED OUTCOMES OF COMPLAINT ISSUE TYPES

Not all written complaints about the NSW Police that are entered into C@TSI are investigated. The Police may decline to investigate the issue/allegation under the relevant section of the Police Act 1990. In these cases, the complaint matter is designated as “not selected”.

Within the NSWPF, written complaints are generally managed in one of two ways, namely through (a) formal management and investigation by the Command Complaints Management Team (these complaints are designated as “P” matters and are typically the more serious allegations) and (b) informal resolution of complaints designated as “LMI” matters, which are suitable for informal, speedier management and resolution. After allocation to either formal or informal management
procedures, based on the perceived seriousness of the allegations in the complaint, complaints are triaged.

More serious complaints that are investigated may result in a determination that an issue alleged in a complaint is meritorious. Following an inquiry by NSWPF management, the complaint issues may be recorded as sustained or not sustained. Before an issue is deemed “sustained” the investigating manager needs to be “reasonably satisfied” that police conduct that requires “non-reviewable management action” occurred. In these instances, appropriate management action is taken. In these instances, the complaint is deemed “sustained” and the matter is resolved by non-reviewable management action. When the investigating manager is not “reasonably satisfied” that police misconduct occurred, no management action ensues, and in these instances the complaint issue is recorded as “not sustained.”

After an investigation into less serious complaint issues, formal or informal dispute resolution may ensue rather than nonreviewable management action. In these instances, the matter is recorded as “resolved.” The term “resolved” is reserved for cases in which formal NSW Police Force alternate dispute resolution or informal conflict resolution was applied. “Resolved” is the term applied “if the resolution manager is not reasonably satisfied that conduct requiring nonreviewable management action occurred, but the matter was the subject of formal NSW Police Force ADR or informal conflict resolution” (D.W. Hill, personal communication, April 11, 2011).

For those complaint issues designated as “Not selected”, one of the following occurred (J. Hilder, personal communication, March 10, 2011):

- the Police declined to investigate the issue/allegation under the relevant section of the Police Act of 1990;
- the complaint is not linked to an individual officer, i.e., the officer’s identity is unknown, thus no finding can be noted, or;
- the investigation is incomplete and a finding is pending.

Thus, internally, all complaint issues reported to the NSWPF and entered into C@TSI are classified in one of four possible ways: resolved; sustained, not sustained, and not selected.

Any discrete complaint narrative may contain multiple Complaint Issues. The database used for these analyses contained in excess of 6000 individual Complaint Issues. Each specific issue can be the topic of a separate inquiry. Thus, the complaint outcomes recorded do not refer to the outcomes of discrete complaints, but reflect outcomes regarding each Complaint Issue identified within a discrete complaint.

Analyses of the Complaint Issues by the four possible complaint outcomes recorded by the police revealed that a substantial proportion of the 6460 Issues (derived from 3118 discrete complaints), 45.1% in all (n = 2916) were not sustained. One-third of all Issues were not selected. In all, some formal or informal action was taken to resolve just over one fifth of all the identified complaint Issues, i.e. resolved or sustained, and one of those outcomes was recorded for 22.6% (n = 1457) of the complaint Issues. Of this group, 11.5% (n = 742) were resolved and 11.1% (n = 742) were sustained. Overall, these findings indicated that the majority of Issues identified in complaints were not deemed high risk or were, for other reasons, not acted upon. This distribution of complaint issues by the NSWPF managers is displayed in Figure 3.

**Figure 3. Managed outcomes for Customer Service Related Issues**
With respect to the Complaint Issues tagged by the NSWPF as Customer Service Related, almost half (46.8%, \( n = 864 \)) were not sustained, approximately one quarter (23.5%, \( n = 434 \)) were not selected; one fifth (19.4%; \( n = 358 \)) were resolved through informal procedures and 10.2% (\( n = 189 \)) were substantiated or sustained following an investigation. This distribution of complaint findings in Customer Service Related complaints differed significantly from that observed for other Issue Groups in the database (\( \chi^2 (1,6460) = 205.8, p < .001, \ d = .36 \)), as is shown in Figure 4.

**Figure 4. Complaint outcomes for Customer Service vs. other Issue Groups**

Note: Derived from 6460 police-coded Complaint Issues.

While similar proportions of complaint issues were sustained or not sustained, a higher proportion (19.4%, \( n = 358 \) versus 8.3%, \( n = 384 \)) of Customer Service Issues were resolved...
informally and/or at local command level, for example, via dispute resolution. This type of complaint outcome reflected a speedier complaint handling procedure. In addition, a smaller proportion of Customer Service Issues, compared to other Issue Groups, were not selected (23.5%, \( n = 434 \) vs. 35.8%, \( n = 1653 \)).

**G. LIMITATIONS OF PRIOR COMPLAINT EVALUATIONS**

Effective complaint management includes measuring customer satisfaction with the complaint resolution system. A recent survey showed that in the private sector, fewer than half of the consumer complaint officers systematically measured customer satisfaction (SOCAP, 1995). Thus the NSWPF external evaluations such as the Mystery Shopper program and the customer telephone survey are commendable, as were the internal evaluations, such as the victim follow-up study and internal analyses of complaints.

However, the usefulness of these evaluations was somewhat limited by the content and the format of the exercises. One limitation was that neither the internal nor the external evaluations included an analysis of the content of the written customer complaints, thus could not provide a comprehensive review of the types of situations leading to complaints about the police. Another limitation was the form of the evaluation inquiries. Prior research has shown that assessing customer responses that are primarily emotional is best achieved by means of open-ended oral interviews rather than standard paper-and-pencil questionnaires (Hunt, 1991). The questions fielded in the telephone survey used a standard closed-ended question format. Future evaluations should include open-ended oral interviews with police customers.

Regarding the observed reduction in Issues tagged as Customer Service Related for the annual period ending August, 2010, the conclusion that the decrease signified an increase in customer satisfaction with police service should be drawn with caution. A number of other explanations may account for the observed decrease. For instance, this may be due to a reduction in the number of Issues tagged as Customer Service Related matters after the new definition of a customer was adopted. The new classification of “customer” excluded complaints that were lodged by or about suspects. In other words, the reduction in complaint numbers may be attributable to a reduction in the count of complaints registered in this category following the exclusion from that database of complaints lodged by suspects, rather than any improvement in customer service.

Whether a reduction in complaint numbers is in fact indicative of improvements in customer service is a matter requiring further assessment. The meaning of increases and decreases in complaints is not straightforward, and is debated by leading researchers in the business and public sectors. For example, increases in customer complaints may comprise evidence of an increase in customer trust, and a decrease in customer complaints can be the consequence of diminished trust in the service provider. A mere count of complaints without any analysis of their content and context may be misleading.

No information was available on the reliability of the NSWPF internal analysis of their complaints database, nor whether any inter-rater reliability testing was conducted.

The foregoing review identified a number of issues that impacted the interpretation of previous data reports about customer service programs and complaints. These matters included:

- A change in the definition of police “customers”;
- Overlapping classifications of complaint Issues in C@TSI;
- Counting of Issues separately from discrete complaint narratives;
- The “top down” classification of complaint types;
- Lack of transparency about the classification system, and;
- Lack of transparency about internal management strategies.

Accordingly, in devising the research approach and methodology to use in the current study, one objective was to set aside the classification system applied by the NSWPF and to start afresh in coding the content of the complaint narratives, without reference to the NSWPF C@TSI Customer Service Related Issue tags. Rather, the goal was to use each unique complaint as the unit of analysis. In this way, some fresh perspectives on the frequency of the complaint types from individual citizens could be ascertained, an analysis that was not possible by re-using the classification system applied by the NSWPF to its C@TSI data.

In addition, by coding the data from the “bottom up”, drawing on the content expressed in the complaint narratives to develop the complaint typology, the researchers aimed to avoid imposing a pre-existing conceptual framework about the types of potential complaints on the data. In other words, the study aimed to uncover a data-driven complaint typology of complaints.

The current study was commissioned to provide an analysis of complaint typologies independent of the pre-defined complaint issue classifications employed by the NSWPF in C@TSI. Accordingly, the researchers did not confine their analysis of complaints to the 14 Complaint Types and Issues specified by the NSWPF in C@TSI as Customer Service Related Issues. By expanding the analysis beyond those pre-determined classifications of Customer Service Related Issues, a broader evaluation of the types of conduct that might lead to complaints was possible.
III. THE CURRENT STUDY

The key aim of the current study was to identify a typology of situations that give rise to customer complaints. The purpose of the analysis was to assess perceptions of the police by persons in the community at the time a complaint was registered.

A. METHOD

A descriptive, cross-sectional, mixed-methods design was employed to investigate complaint typology and complainant profiles. Qualitative and quantitative research methods were applied to identify patterns in the complaint data, to identify training needs and to evaluate the correspondence between needs and extant training.

Quantitative coding and analysis was conducted using SPSS (version 19; IBM) while qualitative coding was done with NVivo (version 9; QSR International).

1. HUMAN RESEARCH ETHICS APPROVAL

The current study did not entail in-person contact with any citizens who complained about the NSW Police, nor any in-person contact with the police officers who were the targets of those complaints. All analyses were conducted using electronically maintained official records of discrete written citizen complaints lodged with the NSW Police. The use of these data was deemed a low research risk according to the guidelines issued in the National Statement on the Ethical Conduct of Human Research (2007). Approval to conduct the study was secured from Charles Sturt University School of Policing Studies Minimal Risk Human Research Ethics Committee, SHREC 110/2010/08.

2. SOURCE OF THE CUSTOMER COMPLAINT SAMPLE

Data were obtained from the “front-end” of the NSWPF complaint database (C@TSI). This is the point at which written complaints are lodged and recorded but have not yet been investigated. The database contained police-generated narratives of lodged complaints and some associated details, such as complainant gender, incident and receipt date, incident location and managing unit. Each entry conveyed the complainant’s narrative of the situation that led to complaint lodgement as recorded by a police staff member. No investigation into the sustainability of the complaint information had been conducted at this point. The narratives presented the complainant’s point of view.

This research focussed on complaint information contained within the NSWPF electronic database and the researchers were not privy to the source of those complaints. The researchers had no access to the underlying written complaint documents submitted by complainants. Accordingly, the available content of the complaint narratives as entered into the C@TSI database was taken at face value: all narratives that were internally consistent and coherent were coded as valid. No judgement was made about the veracity or likelihood of events asserted in the complaint narratives.

The decision to treat all complaints as valid is supported by consensus in the complaints and police complaints literature that indicates that a very small proportion of complaints are vexatious. Most people who feel violated by police do not take the step of complaining (Woods, 2006), and
that those who do complain are motivated by a genuine desire to tell their story rather than any wish for compensation or punitive action (Maguire & Corbett, 1991).

a. The period under investigation

The data spanned the period May 1, 2009 to May 1, 2010. Half of the complaints in the database were received after the introduction of the Customer Service Charter on October 29, 2009, and after changes were made to C@TSI inclusion criteria. A major change in police procedures at this point in time was that conceptually, suspects and arrestees were excluded from the definition of “customers” and the scope of customer service provisions. After that date, NSW Police force policy was to advise suspects and arrestees who attempted to lodge written complaints with the NSW Police to seek alternate forms of redress. In some instances, written complaints by suspects and arrestees were lodged in this period and were recorded in the customer complaints database (C@TSI), but these complaints were classified and recorded in a category distinct from the Customer Service Related Group of complaints. This procedural development in October 2009 facilitated a natural experiment and comparison between the types of complaints received before and after the Customer Charter was implemented.

b. Exclusion of internal complaints

One third of the complaints received about NSW police officers are made by other officers (NSW Ombudsman, 2011a). In the current study, internal complaints, i.e., complaints generated by and lodged by NSWPF employees, were excluded from the data in line with recommendations by C@TSI services. To our knowledge, no other restraints were put on the data. While the Police Act specifies that external agencies such as the Ombudsman, and the Police Integrity Commission may undertake to investigate certain complaint issues, and that other matters are investigated internally by the NSWPF, this study did not address matters related to the investigation or ultimate disposition of the complaints.

3. THE STUDY SAMPLE

The NSWPF C@TSI database provided to the AGSP research team contained 3131 discrete cases or complaint narratives. In all, 211 cases (6.7%) were excluded from further analysis as they lacked sufficient information, were inapposite, incomplete, ambiguous or incoherent. For example, ten (0.3%) complaints were omitted as they did not pertain to the police. In certain instances the narratives were either incomplete \((n = 212)\) or did not include a discernible complaint \((n = 10)\). An example of a narrative which on its face did not include a complaint is: “On 24 December 2009 the complainant’s mother was arrested and charged with assault upon a shop assistant. Police attended and arrested the complainant’s mother” (LMI1000519)”. Cases were coded as lacking sufficient information for further analysis when one or more of four main study variables could not be coded, when no actual complaint was recorded, or when the complaint narrative was replaced by or included the phrase “to be updated by Org Manager”.

The researchers observed geographic differences in the rigour with which the complaint narratives were entered into the database. Of the 221 cases which lacked sufficient information for analysis or which failed to record a police complaint (16.7\%, \(n = 37\)), higher proportions originated in the Southern (23.2\%, \(n = 51\)) and Western regions (28.5\%, \(n = 63\)) of New South Wales. On the other hand, most complaints reported in the South Western region were recorded fully, with only a small portion containing missing information (6.3\%, \(n = 14\)).

A total of 2910 cases or complaint narratives comprised the units of analysis in the final sample used in the current study.
4. PROCEDURES FOR CODING THE COMPLAINTS

The complaint narratives were coded in a number of ways. First, a series of thirteen binary categorical variables were used to develop profiles of the critical features of the complaints (Appendix 1). Second, a 5-point scale was developed to record the severity of the conduct reported in the content of the complaint narratives to assess the extent of legal risk exposure associated with the police behaviours in issue (Table 10). Next, binary coding for the four procedural justice elements was conducted (Table 11). In addition, the substantive issues reported were reviewed and grouped by type to permit a “bottom-up,” content-driven analysis of the typology of complaints (Appendix 2). Using this method, in all, a total of 101 distinct types of complaints within 17 major complaint categories were distinguished.

a. Overview of quantitative coding

To permit quantitative analysis, a binary coding scheme was developed and applied to the study sample. A full list of the variables and codes applied is contained in Appendix 1. Missing values were coded separately where appropriate. For each variable, between 8% and 22% of the case narratives lacked sufficient detail, and were coded as missing values.

Complaints were coded on the following 13 categorical variables: (a) gender of complainant and (b) gender of the target of the event (0 = male, 1 = female; missing cases were coded 99); (c) suspect or nonsuspect status of complainant, and (d) suspect or nonsuspect status of the complaint target (0 = nonsuspect, 1 = suspect, 99 = missing); (e) whether the community member or police initiated contact in the encounter (0 = community-initiated, 1 = police-initiated, 99 = missing). The following were coded as 0 (not present or unmarked) and 1 (present or marked): (f) complaint lodged by a third-party agent; (g) complainant was the target of the event; (h) indirect observation of police misbehaviour; (i) mention of young person; (j) mention of mental illness; and (k) mention of the Ombudsman.

Binary codes were also used to record (l) whether there was insufficient information to determine four or more of the main variables within the narrative, or where there was no complaint, or the narrative was not a complaint about police. Case narratives coded for insufficient information on one of those bases included examples such as the following: “To be updated by Org Unit Manager” (LMI0903921), and “Complainant alleges that the nominated officer argued with them and spoke to them rudely” (LMI1001617) as the latter failed to specify the gender of the complainant, whether the complainant was a suspect or nonsuspect, or which party had initiated the police contact. A further code was assigned based on (m) whether the complaint was made before or after October 29, 2009, the date of the introduction in the Customer Service Charter containing a change in the definition of “customer”. In addition, a value was applied to record the geographic location in New South Wales where the complaint originated (n), using standard NSWPF region codes (1 = Central Metro, 2 = North West Metro, 3 = Northern, 4 = South West Metro, 5 = Southern, and 6 = Western). The foregoing 13 specified codes were applied anew by the AGSP research team. Victim status was not coded by the AGSP research team.

A complainant’s status as a suspect or nonsuspect was encoded for the time of the incident, not the time at which the complaint was submitted. The decision to code suspect status was based on the Customer Service Charter stipulation that customer service provision by police applies only to nonsuspects, who are defined as “customers” (NSWPF, 2009). A complainant was deemed a suspect if the subject officer was operating under Law Enforcement (Powers and Responsibilities) Act 2002 (LEPRA) (including “move on” direction) and/or if a complainant was committing an offence that led to official police action or legal consequences (e.g., court attendance notice,
infringement notice, arrest or charge). A person subject to a random breath test (RBT) was considered a nonsuspect until additional police action was required.

In the current study, complaint narratives in which at least one of the police-coded Complaint Issues was sustained were coded as Sustained; complaint narratives in which no Issue was Sustained, but at least one Issue was classified as Resolved, were coded as Resolved; issues which were investigated, but which did not result in Sustained or Resolved outcomes were coded as Not sustained; and Complaint narratives that were Not selected were coded as such. Although NSWPF reasons for not selecting complaints were not disclosed to the researchers, observed differences between complaint narratives that were Not Selected versus Investigated, Sustained and Resolved were documented, and are discussed with relevant results.

b. Degree of risk exposure in reported police conduct

The severity of the police conduct described in the complaint narratives was rated based on definitions derived from civil laws under which the conduct might expose the NSWPF to legal risk, and the potential effect of the conduct on the public image and reputation of the police. Minor incidents and conduct were distinguished from actions or inactions on the part of the police officers that were of higher risk and more serious. Physical consequences alone did not necessarily determine the severity of the conduct or the impact on public confidence.

High risk behaviours included conduct: (a) likely to bring the force into disrepute or diminish public confidence in the police; (b) disgraceful or improper (whether in official capacity or otherwise), such as intentional battery; or (c) negligent or careless in the discharge of duty. In all, five levels of severity or degrees of risk exposure were distinguished, with higher numbers reflecting more serious and potentially higher risk conduct. An example of a complaint in each of the five risk categories assigned to the reported police conduct is provided in Table 10. All illustrative examples are drawn from a list of sustained complaints in C@TSI.

Table 10. Degree of legal risk exposure in reported police behaviour
<table>
<thead>
<tr>
<th>Degree of Risk</th>
<th>Reported Police Behaviour</th>
<th>Case Example</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Low</strong></td>
<td>Rudeness, minor inaction, intolerance</td>
<td>Complainant alleges he was not provided with information pertaining to his report and the subsequent investigation and action taken and outcome re a domestic incident involving his daughter in which he is the reporting person and his wife is the victim (LMI0902457).</td>
</tr>
<tr>
<td><strong>Low - Moderate</strong></td>
<td>Inaction involving: - vulnerable persons - repeated behaviour - cost to complainant - little public impact</td>
<td>Failed to respond to parking complaint call: Complainant had to wait “outside in the cold for over five hours despite numerous requests for assistance” (LMI0903925). Complainant was hit by a taxi and hospitalised: “On several occasions the complainant asked for his clothes to be returned and he stated on one occasion Cst G became hostile” (LMI0903556). Complainant’s wife received two infringement notices on 22/05/09. She alleges that the subject officer demanded that she get out of vehicle in the rain. A wrong infringement notice was issued and the officer then attended the complainant house unannounced to deliver the TIN. Complainant not happy with the way the officer spoke to his wife and came to house unannounced (LMI0902748).</td>
</tr>
<tr>
<td><strong>Moderate</strong></td>
<td>Action or inaction with some public visibility, but no significant consequences or use of force.</td>
<td>Complainant’s vehicle damaged with nail gun. Offender arrested but not charged despite statements by 3 eyewitnesses. No fingerprints or photographs, no search, no victim follow-up (LMI0903457 sustained).</td>
</tr>
<tr>
<td><strong>Moderate – High</strong></td>
<td>Injury, physical or psychological, including assault</td>
<td>Complainant “grabbed by S/C H by the collar, and then grabbed by the neck and lifted off the ground” (P0902161 sustained).</td>
</tr>
<tr>
<td><strong>High</strong></td>
<td>Severe injury or detriment to police public image: - assault involving broken skin, use of fists or feet - negligence/ failure of duty of care - false imprisonment - deceit in court, fabricated evidence - severe intimidation - severe personal injury, wrongful death - corruption</td>
<td>Facebook comments by 3 officers about use of In-Car Video by highway patrol (P0905591 sustained). Treatment of 17-year old daughter: “Constable B then forced her to the ground and restrained her by placing his knee on the back of her neck. Video taken on a mobile phone then shows A being carried to the rear of the caged truck and placed partially in the cage, face down. A male can be heard on the recording to say “get in there or I will spray you” (P0905223 sustained).</td>
</tr>
</tbody>
</table>

c. Presence of procedural justice principles
The complaint narratives were coded for the presence of the four elements of procedural justice under the Group Value Relational Model, namely, Trust, Respectful Treatment, Neutrality and Voice. Codes were assigned based on whether the element was 1 = dominant concern, 2 = secondary concern, 3 = not present, 0 = uncodable (see Appendix 1). Where procedural justice elements were present, decisions about dominance were based on the following criteria: (a) repetition of the element within the narrative; (b) examples or elaborations of the element; (c) proportion of the narrative devoted to that element; and (d) chronology within the narrative, i.e., whether it was mentioned first or listed as a supplementary comment suggesting secondary importance. Some complaints included none of the elements, for instance where they reported a justice outcome, such as a court decision or an arrest, rather than the procedures followed by police or any relational concerns related to trustworthiness, respectful treatment, voice or neutrality. Where three or four procedural justice elements were present in a single complaint narrative, only the two most prominent elements were coded. Table 11 is the coding guide specifying the coding criteria for procedural justice principles in customer complaints.

Table 11: Coding guide for procedural justice principles in customer complaints

<table>
<thead>
<tr>
<th>TRUSTWORTHINESS: Police are benevolent, caring, and sincerely try to help the complainants. Trust is garnered by listening to individuals and by explaining or justifying decisions that address their needs.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lack of concern</td>
</tr>
<tr>
<td>Officer was not sincere, did not really care, did not show concern, didn’t explain properly, didn’t take complainant seriously, or laughed at complainant. Officer showed a lack of genuine concern or did not have the complainant’s best interests at heart.</td>
</tr>
<tr>
<td>Dishonesty</td>
</tr>
<tr>
<td>Behaviours to cover up information, secretive behaviour, deception or lying. Failure to identify oneself as an officer when asked indicated a lack of transparency.</td>
</tr>
<tr>
<td>Inadequate procedure</td>
</tr>
<tr>
<td>Complaints about inadequate process (not outcome) of investigations may indicate that the complainant’s best interests were not taken into account, e.g., allegations of inaccurate information in evidence or improper investigation. Allegations of failure to investigate were excluded when the complainant’s only mention was dissatisfaction with the outcome. Failures to take action were included only when they showed a problem with procedure, e.g., inadequate investigation despite description of evidence available, as this implied poor investigation. No investigation or failure to respond to complaints were included when framed in a relational way (i.e., report of a crime was not taken seriously, or not recorded).</td>
</tr>
<tr>
<td>Failure to assist</td>
</tr>
<tr>
<td>Failure to aid a complainant when complainant requested assistance or called for help (not failure to act as an outcome). Emphasis was on complainant not being given assistance or helped, i.e., relational emphasis. Failure to take a crime report seriously or failure to attend after police said that they would respond.</td>
</tr>
<tr>
<td>Delay</td>
</tr>
<tr>
<td>Delays in investigation.</td>
</tr>
<tr>
<td>Corruption and law-breaking</td>
</tr>
<tr>
<td>Dishonesty and lawbreaking (stealing, corruption) showed lack of sincerity. Corruption violates an expectation that police have a genuine concern about the public. The key dimension in the breakdown of trustworthiness was the privileging of personal interest over public interest. Complaints indicated that officers were motivated by self-interest, that their behaviour had a dimension of personal gain, e.g., friendship with criminals.</td>
</tr>
</tbody>
</table>
### Failure of duty of care

Failures of duty of care where complainants’ best interests were not looked after, particularly if complainants were vulnerable. Cases where the police failure to use discretion harmed the best interests of the complainant, e.g., violations of confidentiality, failure to protect complainant’s or citizen’s rights by excluding support people or organisations.

### Public misconduct

Unreasonably bad behaviour in public damaged public trust, e.g., dangerous driving, inappropriate language (swearing), sexual behaviours, etc.

### Failure to inform

Failure to inform that detrimentally affected complainants damaged police trustworthiness, e.g., complainant not told to attend court and so did not; failure to inform a complainant about rights, the reason for arrest, or provided misinformation about court procedures.

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### RESPECTFUL TREATMENT: Individuals are treated with dignity and their rights are protected.

#### Politeness behaviours

Police did not observe social markers of politeness, or exhibit respectful behaviours. Verbal: complainant reported bad language or sarcastic or disrespectful comments; Nonverbal: complainant reported impolite or disrespectful body language, such as failing to stand while talking to complainant, flicking a business card to the ground in front of one complainant, belching; Paraverbal: a disrespectful tone of voice or an officer’s manner of speaking.

#### Lack of professionalism

Unprofessional treatment needed to be relational (in relation to the complainant or people at the incident, not society at large).

#### Excessive force

Excessive force, assault and physical abuse were forms of disrespectful treatment, including intimidation, threats of physical harm.

#### Failure to communicate or respond

Failure to follow up (e.g., with victims) and failures to communicate: failure to return a phone call, to provide any information, to make contact, to explain properly where the complainant couldn’t understand what the officer said.

#### Lack of customer service

Customer complaints that mentioned customer service as a problem were coded as respectful treatment complaints.

#### Property damage or loss

Failure to return complainant’s property (e.g., while seized for evidence), damage to property or property loss, or failure to take care with complainant’s property.

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### VOICE: Ability to participate in the interaction by expressing his or her own viewpoint.

#### Failure to listen to complainant

Not allowing the complainant to explain, not asking the complainant what happened; talking over complainant, interrupting, or ignoring what the complainant said.

#### Accused complainant of lying

Denials of the veracity of the complainant’s voice.

#### Failure to take a statement

Instances in which officers failed to take a statement from a complainant.

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### NEUTRALITY:

Consistently applied law enforcement principles, unbiased decisions, and “transparency” about how decisions are made.
Bias: Officer was unfair or singled out, targeted or treated an individual differently because of their race, gender, sexuality, etc., or another reason, e.g., disparaging comments were made.

Unfair use of police procedures: Included allegations of unlawful arrest if the complainant was singled out without evidence. Inconsistent application of the law.

Inconsistent legal principles: Police violations of the law demonstrated inconsistent legal applications: one rule for citizens, another for police. Victimless acts were included, e.g., driving above the speed limit without need. This could have been in the public interest, but was perceived as non-neutral.

Assisting criminals: Tipping off criminals, failure to prosecute because of personal connections.

Threat of action: Threats of criminal charges with no reason intimated, inconsistent application of the law/abuse of procedure. Threatening action against someone for complaining, i.e., discrimination against complainants.

d. Typology of police behaviours

The content of the complaint narratives was reviewed to identify all issues reported by complainants and entered into the complaint database. One strength of this approach is that issues inherent in the data were used to identify and develop complaint classifications thus no issues were overlooked because they did not fit within predetermined, externally imposed models of complaint issues or types.

Content analysis of the 2910 complaint narratives yielded a total of 101 distinguishable police behaviours. These 101 types of police behaviours were grouped based on related behaviours into nine overarching types of conduct.

Seven of the eight major types of police conduct described problems in police interactions or the relational aspects of policing and the eighth category focussed on the consequences of the police conduct in issue. These eight major complaint issues accounted for the majority of citizen concerns that gave rise to complaints, and captured the broad complaint typology developed in this research. A full list of the types of police behaviours distinguished and a case example of each type of behaviour is contained in Appendix 2.

The eight major types of police behaviour distinguished were:

1. Mistreatment
2. Misconduct
3. Inadequate service
4. Discriminatory treatment
5. Failure to communicate
6. Failure to provide care
7. Detrimental public incident
8. Negative consequences for the complainant

A ninth category was reserved for miscellaneous reported behaviours that did not fit within one of the 101 groups of police behaviours already distinguished. Overall, the proportion of miscellaneous issues which could not be classified into one of the foregoing 16 process or outcome categories was small. For instance, it included narratives in which the viewpoint of the recording officer rather than that of the complainant was recorded (>5%; n = 150).
Police behaviours comprising Mistreatment and Misconduct were each further divided into two sub-groups. Mistreatment was comprised of (a) Undue aggression (threats, undue physical force); and (b) Incivility, rudeness and abusive behaviour. Misconduct included (a) Unprofessional conduct, including inappropriate behaviour, breach of code of conduct; and (b) Illegal/unlawful conduct, e.g., illegal civil and criminal conduct, corruption. The types of Negative Consequences experienced by complainants were also further distinguished, revealing five distinct types. These were (a) property loss or damage; (b) mental distress; (c) financial cost; (d) physical injury; (e) dissatisfaction with the justice system.

Where the content of a discrete complaint narrative reflected that more than one of the 101 police behaviours was in issue, the narrative content was coded to reflect more than one type of behaviour. In other words, each complaint narrative could potentially be associated with multiple types of police behaviour.

**e. Inter-rater reliability procedures and analysis**

To ensure that codes assigned to classify the complaint narratives were assigned consistently, and to test the validity of the coding scheme, a second researcher independently coded a substantial number (15%, \( n = 469 \)) of the complaint narratives. The codes assigned by the two researchers were compared. Results of this analysis revealed a substantial degree of agreement between coders and confirmed that the coding scheme was robust. The extent of inter-rater reliability was good to excellent. Even moderate agreement between coders falls above the acceptable threshold for valid social science research. These outcomes indicated that the codes developed and applied were reliable and replicable.

Intra-class correlation coefficients (ICC) were estimated for all variables. The ICC provides an estimate of rater agreement, ranging from 0 (perfect disagreement) to 1 (perfect agreement) (McGraw & Wong, 1996). The ICC takes into account the correlation between raters and differences in ratings for individual sub-sections. Agreement between raters was excellent for the following variables: coding of complainant, gender, reference to mental health and reference to young person (\( \kappa = .89 - .96, p < .001 \)). Reliability on the severity scale was good (ICC = .67, \( p < .001 \); Cronbach’s \( \alpha = .81 \)) (Fleiss, 1986). For all other variables, agreement between raters was good (substantial agreement, \( \kappa = .61 - .73, p < .001 \)), except for “indirect observation”, that is, instances in which the complainant observed the event but was otherwise not involved. On this variable, agreement between the raters was moderate (\( \kappa = .44, p < .001 \)) (Landis & Koch, 1977). Finally, with regard to procedural justice principles, inter-rater reliability was excellent for the coding of respectful treatment and good for trustworthiness, neutrality and voice (respectively; ICC = .84, \( p < .001 \); Cronbach’s \( \alpha = .91 \); ICC = .66, \( p < .001 \); Cronbach’s \( \alpha = .79 \); ICC = .68, \( p < .001 \); Cronbach’s \( \alpha = .81 \); ICC = .74, \( p < .001 \); Cronbach’s \( \alpha = .85 \)) (Fleiss, 1986).

Numerous disparities were observed between classifications assigned to the complaint narratives in C@TSI by NSW police staff and by the researchers in the current study. For example, “customer” status was coded less frequently by police staff than by the AGSP researchers.

**B. RESULTS**

To provide an overview of the nature of the complaints received in the 12-month period under review, first the results of the analysis of the profiles or features of the complaints that emerged as a result of the binary quantitative codes applied are reported. The full list of binary codes...
applied to the C@TSI data is itemised in Appendix 1. Next, the results of the qualitative codes that were applied to develop the typology of complaints are presented. The complete list of approximately 100 police behaviours that were distinguished in the complaint narratives is presented in Appendix 2, with an illustrative case example in each category.

Unless specified, nonparametric analyses were used to test for significant differences between groups. Where appropriate, effect sizes (Cohen’s $d$ for t-test and $f$ for the analysis of variance) are presented. Effect sizes provide an indication of the strength of findings, separate from, for example, influences of sample size, and are considered to show practical significance of findings. Conventionally, for Cohen’s $d$ an effect size of .2 or less is considered small, effect sizes from .3 to .5 are considered medium and effect sizes of .6 or higher as large. For the analyses of variance, outcomes are commonly classified as: $f = .1$ small, .25 medium, and .4 large (Cohen, 1988).

1. PERSONS LODGING COMPLAINTS

The majority of the complaints (84%, $n = 2450$) described events in which the complainant was a direct recipient of the unsatisfactory service. Approximately 15.8% ($n = 460$) of the complaints were made by a third party on behalf of the affected person. In relatively few instances, 10% ($n = 291$) of the cases, the complaint reported a situation in which the complainant was not directly involved, and did not know the affected person. In a small proportion of instances, 3.1% ($n = 90$) of the cases, the complaints were submitted by solicitors or other agents of the complainant, and 1.3% ($n = 39$) of the complaint narratives indicated the involvement of the NSW Ombudsman. No significant differences of any kind emerged based on whether the complainant was an observer or the target of the complaint incident.

a. Gender of complainants

The gender of complainants was not systematically recorded in C@TSI, and was discernible in four out of five complaint narratives. Almost half of the complainants were men (44.8%, $n = 1303$), while 28.4% ($n = 826$) were women. The gender of the remaining complainants could not be determined (26.8%, $n = 781$) (see Figure 5).

Figure 5. Gender of complainants

![Gender of complainants chart]

Complaints submitted by men versus women were not processed or handled differently. Approximately equal numbers of complaints brought by men and women resulted in at least one sustained or resolved issue, were not sustained, or were not selected for investigation.

b. Vulnerable complainants
Features such as the age/youth status and mental health status of complainants were recorded at the discretion of the police staff member auditing the complaint. This variable was not reliable for analysis, i.e., visible minorities and vulnerable complainants, such as ethnic minorities, individuals with mental health difficulties or young persons could not be reliably identified.

Involvement of a young person was mentioned in the complaint narratives of 2.5% ($n = 74$) of cases and mental illness was mentioned in only 1.3% ($n = 39$) of cases. These numbers are likely to underestimate the extent to which young persons and people with mental health difficulty are involved in the complaint system.

c. Complaints by NSWPF staff

The content of certain events and complaints made it clear that some of the complainants were persons with insider knowledge of NSWPF operations, as was shown in the following case:

On 1/7/2009, an anonymous person called the Corruption Hotline and advised that Sgt G and Sgt O of PDT, Goulburn are conducting personal affairs in work time. The caller advised that Sgt G attended Paramatta to collect/deliver Lidar equipment and during this trip, he purchased a new vehicle. Another officer drove the police vehicle back, whilst he returned in his new vehicle. The caller also advised that Sgt O purchased a second hand vehicle, put it on a trailer and towed in uniform and in work time. The caller further advised that there is a culture of bullying within PDT and Insp R, Snr Sgt F and Sen Sgt H are aware of these issues but do nothing about it. The caller stated that if anyone speaks to the supervisors about this, they face harassment and are bullied (LMI0903094).

The complainant reported that the officers were using their time as paid public servants to conduct personal business, sometimes while in uniform. The specific nature of these allegations indicated that the complainant has insider knowledge. A more substantial clue to the complainant’s status as an internal colleague came in the second half of the complaint regarding a culture of bullying, which was allegedly ignored by management.

The following case example can also be inferred to have an internal source:

On 28.03.09 a camera and memory cards were handed in to the station. Prior to them being booked up subject officer said he needed those and put them in his pocket. On 14.08.09 subject officer drove with lights and sirens at excessive speeds around Macquarie St Sydney while not on urgent duty. He allegedly went through red lights and exceeded speed limit by over 50km/hr. In the vehicle were a probationary constable and a civilian (P0903836).

The knowledge disclosed by the complainant of the persons inside the police car suggested that he or she was an officer who had observed a colleague both pocket lost property and drive recklessly. This complaint was not coded as explicitly internal.

Instances such as these suggested that the C@TSI database coding was not consistent, since no internal complaints should have been included in this dataset. Nonetheless, what was apparent was that the customer complaint procedures provided an outlet for complaints by incumbent employees and officers. The fact that the NSW Customer Service Charter makes special mention of “internal colleagues” in its definition of customers (NSWPF, 2009), indicated that NSWPF employees may legitimately comprise customers, and use the customer service complaint procedures.
d. Complaints by victims

The NSWPF Customer Service Charter was developed to service crime victims as key customers under the charter, based on the perception that victims’ rights were comparatively neglected (Burn, 2010). No data on internal police coding in C@TSI of victim status was available, and consequently victim status was not coded in the current study. However, case examples drawn from the database revealed that instances of poor procedural justice had an impact on crime victims and the victims suffered negative repercussions and consequences, as was reflected in the following complaint:

Officer failed to P/Cst F is the OIC of a personal violence matter which was listed for hearing at CT Court on 8/10/09. The victim attended Court and was assisted by a MWDCAS worker. P/Cst F had not supplied a copy of her statement to her and had failed to notify/subpoena witnesses to attend for the matter resulting in it being put over until 5/2/10. The victim confirmed with the witnesses that none of them had been subpoenaed and stated to the worker that this was not the first time that P/Cst F had failed to protect her and perform his obligation and duty towards her. The victim also informed the worker that the defendant had been served with papers which contained the victim’s address not previously known by the defendant. This has heightened the victim’s fear for her safety (LMI0904445).

In this case example, the officer had not fulfilled official duties necessary for the advancement of the case, but had also caused negative consequences for the complainant as a result of a breach of confidential information; disclosure to the defendant of the victim’s home address.

e. Complaints by suspects vs. nonsuspects

For the period commencing on October 29, 2009, police staff included data on “customer” status along with the complaint narratives. The majority of cases in C@TSI, almost two-thirds, did not include this information (63.6%, n = 943). Of the cases in C@TSI where this information was recorded, almost one-third (31.4%; n = 465) of the complainants were identified as nonsuspects, while 5% (n = 74) were identified as suspects, and therefore would not be deemed “customers” under the NSWPF Customer Charter.

Of the 539 cases in which the police staff recorded customer status, the substantial majority, 86.3% (n = 465) were coded as nonsuspects and 13.7% (n = 74) were coded as suspects (see Table 12). However, the designation of “customer” status in C@TSI by police staff differed significantly from coding on these dimensions conducted by the AGSP research team. A comparative analysis of cases in which the NSW police staff had recorded customer status revealed that in one out of every four cases (25.8%; n = 130) the NSW police staff recorded a different “customer” status than the AGSP researchers ($\chi^2(1, 530) = 40, p < .001, d = 57$). These coding differences were substantial and statistically significant. Proportionally, AGSP coders classified more than twice as many complainants as suspects than did the police, as shown in Table 12.

<table>
<thead>
<tr>
<th>Status of Complainant</th>
<th>NSW Police coders (%)</th>
<th>Complaints coded (n)</th>
<th>AGSP coders (%)</th>
<th>Complaints coded (n)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Suspects</td>
<td>5</td>
<td>74</td>
<td>27.3</td>
<td>793</td>
</tr>
<tr>
<td>Nonsuspects</td>
<td>31.4</td>
<td>465</td>
<td>64.2</td>
<td>1867</td>
</tr>
</tbody>
</table>
Overall, using the AGSP research codes, analyses revealed that in approximately two-thirds of the cases (64.2%, \( n = 1867 \)) the subject of the complaint was a nonsuspect, or someone deemed a “customer” as defined by the NSWPF Customer Charter (see Figure 6). In 27.3% \( (n = 793) \) of cases, the complainant was a suspect.

**Figure 6. Status of complainants per NSWPF Customer Charter**

<table>
<thead>
<tr>
<th>Missing values</th>
<th>63.6</th>
<th>943</th>
<th>8.6</th>
<th>250</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Total (n)</strong></td>
<td>1482</td>
<td>2910</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

In less than ten percent (8.6%; \( n = 250 \)) of the C@TSI complaint narratives, there was not enough information to determine suspect status. For example, the following case narratives were coded as containing insufficient information to ascertain suspect status:

“Author advised he took offence at allegedly being referred to by the officer as BRA and believed the officer to be rude and offensive,” (LMI0903192) and “Complainant alleges that the nominated officer argued with them and spoke to them rudely” (LMI1001617 Sustained).

Male complainants \( (n = 555) \) were significantly more likely to be suspects than were female complainants \( (n = 166) \) \( (\chi^2 (1, 2254) = 35.6, p < .001, d = .25) \). As expected, complaints received after the Customer Service Charter definition was implemented were more likely to be received from nonsuspects (pre-charter: 67.8%, \( n = 836 \); post-charter: 72.4%, \( n = 1004 \)) than suspects (pre-charter: 32.2%, \( n = 410 \); post-charter: 27.6%, \( n = 383 \) \( (\chi^2 (1, 2254) = 6.7, p < .01, d = .1) \) (see Figure 7).

**Figure 7. Complaint frequency by complainant status, pre/post Charter**
These findings may reflect responses by the NSWPF staff to recently implemented procedures that apply a different strategy to suspects and nonsuspects in the manner in which their complaints are managed. In other words, the policy since November 2009 was to exclude complaints by suspects from the C@TSI system.

**Figure 8. Internal complaint management by suspect status**
Using data on complaint management strategies (whether complaints were sustained, resolved, not sustained, or not selected) an analysis was conducted to determine the features associated with "sustained" complaints (i.e., those involving police conduct requiring non-reviewable management action). Compared to non-sustained complaints, suspects were significantly less likely to have submitted complaints that resulted in one of the issues being sustained \((p < .001, d = .24)\) or resolved \((p < .001, d = .15)\). Complaints by suspects were also significantly less likely to be referred for formal management handling than were complaints lodged by nonsuspects \((p = .03, d = .09)\) (see Figure 8). High rates of suspect complaints were not selected.

Thus, within the complaints system, suspect status was a significant predictor of whether a complaint was likely to be sustained or resolved. Complaints brought by nonsuspects were more likely to be sustained, and thus eligible for a management action, or resolved through formal or informal dispute resolution mechanisms.

f. Complaints following police vs. community-initiated contact

Depending on who initiated the contact with the police, and whether the complainant was a nonsuspect or a suspect, some differences in complaint frequencies emerged. Complaint events were classified as community-initiated or police-initiated depending on whether the community member approached the police first or vice versa. For example, the following case narrative described a police-initiated event: “On 26 April 2009, the complainant alleges that he and some friends were in the Kings Cross area outside the Sugarmill Hotel when they were approached by plain clothes police, one of which was Constable K” (P0902556). By comparison, the following case narrative described a community-initiated event: “Complainant attempted suicide by hanging in the rear yard of his mother’s house. He was cut down and resisted police” (P0903143).

Overall, the police instigated the events that led to approximately three-fifths of the complaints \((61.2\%; n = 1641)\) whereas fewer complaints resulted when complainants had initiated the contact with the police \((35.8\%; n = 1042)\). In a relatively small number of cases \((3\%, n = 87)\), information on who initiated the interaction between the police and the citizen was missing.

Figure 9. Complainant status in police vs. community-initiated contact

![Graph showing the status of complainants in police vs. community-initiated contact]

Note. \(N = 2576\), missing cases excluded
Nonsuspects were almost equally as likely to complain about incidents in which they had initiated contact (68.2%, \( n = 1231 \)), compared to events in which the police had instigated contact (32%, \( n = 579 \)). Complaints made by suspects were more likely following situations in which police had initiated the contact (81.7%, \( n = 629 \)), rather than the complainant (5.1%, \( n = 141 \)). This very substantial difference, depicted in Figure 9, was statistically significant \( (\chi^2(1,2040) = 517.07, p < .001, \ d > 1) \). Nonsuspects (64.2%, \( n = 1867 \)) were significantly more likely than suspects (27.3%, \( n = 793 \)) to complain about events in which they were not actively involved (indirect observation; \( \chi^2(1,2660) = 70.8, p < .001, \ d = .33 \)).

As the majority of suspects were male citizens (77%), one might expect more police-initiated complaint events to include a higher proportion of male complainants, however there was no statistically significant gender difference based on who initiated the interaction with the police.

Police-initiated events led to different complaint management strategies than were applied in response to community-initiated events \( (F(3,2775) = 8.3, p < .001, \ f = .10) \). Complaints arising from police-initiated contacts were significantly less likely to be formally upheld than were community-initiated complaints (sustained versus not-sustained: \( p < .001, \ d = .14 \)). Additionally, sustained outcomes compared to resolved outcomes, were significantly less likely to occur following police-initiated complaints than those initiated by the community member \( (p < .01, \ d = .10) \). A significantly higher number of complaints for events initiated by police officers were “not selected” compared to sustained complaints \( (p < .001, \ d = .19) \) (see Figure 10).

**Figure 10. Internal complaint management strategy by contact initiator**

![Internal complaint management strategy by contact initiator](image)

Other features of the complaints did not differ significantly when cases following community-initiated contact were compared to cases following police-initiated contact, i.e., there were no significant differences between these types of complaints based on the perceived severity of the police conduct reported, whether the complaint was lodged before or after the Customer Service Program Evaluation.
Charter was implemented, geographical regions in which the events took place, and whether the complaint was submitted by an agent or by a minor.

2. RISKY POLICE CONDUCT

a. Frequency of exposure to legal risk

Using the classifications described in Table 10 to reflect the potential legal risks posed by the police behaviour reported in the complaint narratives, the distribution that emerged showed approximately even proportions of cases - one in every five cases (22%) - involved police conduct rated as low, low-moderate, moderate and moderate-high in risk. Only for complaints involving reports of the most extreme police conduct were there comparatively fewer cases, i.e., approximately one in every ten complaints involved police actions rated as posing a high likelihood of legal risk.

Much of the reported police behaviour in issue was not trivial. The majority of the complaint narratives (55%, \( n = 1541 \)) described severe conduct that entailed risk exposure rated as moderate to high; and less than one half (45%, \( n = 1264 \)) of the complaints reflected police conduct that fell below the threshold for potential legal consequences (low or moderately low) (see Figure 11). Less than one quarter (22.8%, \( n = 639 \)) of the complaints involved police conduct that was rated as low risk. Statistical tests comparing the proportion of complaints reporting low versus high risk conduct showed there were significantly more high risk complaints (\( t_{1,2266} = 148.5, p < .001 \)).

Figure 11. Frequency of exposure to legal risk

b. Legal risk by complainant status

Nonsuspects differed significantly from suspects with regard to the degree of risk posed by the police conduct they reported (\( \chi^2(1, 2050) = 44.2, p < .001, d = .3 \)) (see Figure 12). Nonsuspects were more likely to complain of police conduct where the risk of legal exposure was low or moderate, whereas suspects were more likely to complain of conduct posed a moderately high or high degree of legal risk.
Figure 12. Risk exposure by complainant status

![Graph showing risk exposure by complainant status](image)

Note. $N = 2660$, missing cases excluded.

c. Risk exposure pre-and post-Charter

A comparison of differences between the severity of police conduct reported by suspects and nonsuspects in the periods before and after the implementation of the Customer Charter produced no significant differences. One exception was that in the pre-charter period, suspects were more likely to complain about events that were rated moderately-high/high in severity than they were in the post-charter period (Figure 13).

Figure 13. Risk exposure pre-and post-Customer Service Charter

![Graph showing risk exposure pre-and post-charter](image)

Note. $N = 2805$, missing cases excluded.
d. Exposure to legal risk in police vs. complainant-initiated events

On average, the severity of police conduct that was the subject of complaints about interactions initiated by the police was significantly higher than that stemming from interactions initiated by the complainant (see Figure 14). Two-thirds of community-initiated events reported police conduct that was rated low/moderately-low in severity (65.5%, \(n = 554\)). The majority of complaints about police-initiated events involved police conduct rated high risk (68.4%, \(n = 890\)) \((\chi^2 \text{ } (1, 2146) = 238.7, \ p < .000, \ d = .76\)). This finding is important because moderately severe police conduct was the threshold of legal risk, thus risk exposure was greater in events that were community-initiated rather than police-initiated.

Further analyses explored the overlapping variance between complainant status and the initiators of the interactions with the police. The former emerged as the source of the relationship between the severity of the reported police conduct and the event initiator. In other words, differences in the level of severity of reported police conduct in community versus police-initiated complaints emerged because suspects were more likely than nonsuspects to complain about police-initiated events and to report incidents involving more egregious types of police misconduct.

Figure 14. Risk exposure in police vs. community-initiated incidents

![Figure 14. Risk exposure in police vs. community-initiated incidents](image)

Note. \(N = 2146\), missing cases excluded

e. Legal risk and complaint management strategies

The reported severity of the police conduct described in the complaint narratives was significantly related to the NSWPF internal complaint management strategies \((F_{3,2266} = 14.97, \ p < .001, \ f = .14)\) (see Figure 15): complaints in which more than one of the police-identified issues were sustained were rated significantly higher in severity (i.e., were more likely to involve high risk conduct) than were complaints that were resolved \((p < .01, \ d = .11)\). This finding is not surprising as complaint issues that were sustained were managed formally and resulted in non-reviewable management.
Complaints in which no issues were resolved or sustained involved significantly more severe police conduct than complaints in which at least one issue was informally resolved \((p < .001, d = .16)\). Complaints that were "not selected" involved police conduct of the most severe types, and the severity of the conduct reported in these matters was significantly more extreme than the conduct reported in all three categories in which management investigations of the conduct ensued (not sustained: \(p < .001, d = .15\); sustained, \(p < .01, d = .12\); and resolved, \(p < .001, d = .28\)). This finding indicated a differential internal management response to the more severe reports of police misconduct, i.e., these complaint issues were not recorded as having a finite outcome.

**Figure 15. Internal complaint management strategy by degree of risk exposure**

Complaints based on indirect observations of police misconduct (i.e., situations in which the complainant or persons known to the complainant were not active participants) were by nature classified as interactions initiated by the police. In general, these events involved reports of unlawful police conduct that was rated as high in severity as the unlawful police conduct (ranging from dangerous driving to corruption) occurred in public areas and was observed by numerous witnesses. When factoring out the cases involving indirect observations as defined above, the finding that complaints based on conduct initiated by police involved more extreme or severe police behaviour, persisted. This outcome indicated that more egregious police conduct was reported in complaints following interactions initiated by police, compared to community-initiated interactions, when the complainant was personally involved in that event. For example:

> Complainant alleges he was walking home when he was approached by police, frisk searched, accused of selling drugs, called a ‘fucking black cunt’ and when police were getting back into their vehicle, they were laughing. Complainant claims he is being stopped by police three times in three months and this is bordering on harassment. Complainant claims he is being subjected to racial taunts (LMI1001164).
Other analyses of the features of the complaints produced no differences with respect to the severity of the reported police conduct in issue. Analyses of complaints where data on the gender of the complainant were available demonstrated that the severity of complaints reported by male versus female complainants did not differ significantly.

By far, the large majority of cases (88%, \( n = 2560 \)) in the study sample were tagged by the NSWPF as LMI complaints, and just over one-tenth (12%; \( n = 350 \)) were managed by the Complaints Management Team (“P”). LMI/P division of complaints are not reported further. An investigation of potential differences between LMI and P matters revealed that this distinction did not appear to influence relationships between other variables used in the study. Some differences emerged between the severity of complaint issues in LMI versus P cases, in that P cases involved significantly more extreme and serious police conduct (\( \chi^2(1, 2270) = 144.2, p < .001, d = .52 \)), which is as would be expected. In addition, significantly more P than LMI cases followed contact initiated by complainants than by police (\( \chi^2(1, 2276) = 117.5, p < .001, d = .47 \)). Formally managed complaints were also significantly more likely to be lodged by nonsuspects than suspects (\( \chi^2(1, 2656) = 19.1, p < .001, d = .17 \)). However, when the sets of P versus LMI cases were examined, relationships between variables did not change in terms of statistical significance.

3. THE GEOGRAPHIC SOURCE OF COMPLAINTS

Analyses of the geographic source of complaints in New South Wales were conducted, using the six regions distinguished by NSW police staff at the time of data entry.

a. Frequency of complaints by region

Overall, approximately one half (52%, \( n = 1218 \)) of the incidents that led to a complaint took place in metropolitan regions, and the proportion of complaints arising in rural regions was similar but slightly lower (47.9%, \( n = 1121 \)). Proportionally, more complaints were initiated in the Northern region of the state (25%, \( n = 594 \)), than in any of the other five regions, accounting for one quarter of all complaints received. Half as many complaints were received in the same period from the Western (11%, \( n = 258 \)) and Southern (11.5%, \( n = 269 \)) rural regions of New South Wales, respectively (see Figure 16).

Figure 16. Frequency of complaints by geographic region
Proportionally, higher numbers of complaints were directed at three Local Area Commands in the Northern region (Coffs/Clarence LAC, Tweed/Byron LAC, and Central Hunter LAC) and at one central metropolitan Local Area Command (Kings Cross, Sydney).

b. Legal risk exposure by geographic region

Small observed differences in the severity of police conduct reported in complaints registered in metropolitan (51% high risk) versus rural regions (56% high risk) were not statistically significant. The reported severity of the police conduct in issue varied significantly by region ($F_{5,1834} = 2.67$, $p = .021$, $f = .10$). The proportion of complainants reporting police conduct in the most severe category ranged from 7-8% in the Southern and Western regions of New South Wales to 11% in Northern New South Wales.

A significantly larger proportion of high risk cases were received in the Central Metropolitan Region than in the North West and South West Metropolitan Regions (respectively: $p = .03$, $d = .1$ and $p = .02$, $d = .11$) (see Figure 17). More complaints reporting the most severe ratings of police misconduct were registered in Northern Regional NSW where one in every ten complainants reported conduct, which, if substantiated, had serious negative implications for citizen-police relations in that community. The conduct reported in that region was, on average, significantly more extreme and severe than conduct reported in complaints registered in the North West and South West Metropolitan areas (respectively: $p = .01$, $d = .12$ and $p = .01$, $d = .12$), but did not differ significantly from the severity of conduct reported in Central Metropolitan NSW. On average, the police conduct reported in the South West Metropolitan Region was rated as less severe and of lower risk. The severity of the conduct in that region was also significantly lower than that reported in the remaining rural regions (Southern: $p = .02$, $d = .11$; and Western, marginally significant: $p = .055$, $d = .08$). Differences in the severity of reported police conduct in the Northern and Metropolitan regions neared significance ($\chi^2_{(1,1447)} = 7.9$, $p = .097$, $d = .15$) as a larger proportion of Northern Rural region complaints involved moderate/highly severe (55.4%, $n = 506$) conduct compared to the proportion of conduct in this classification in the Metropolitan regions (51.5%, $n = 257$) (see Figure 17).

Figure 17. Risk exposure in metropolitan and rural New South Wales
Illustrative examples of police conduct in the Northern Rural Regions where the risk posed was rated as moderate/high are itemised in Table 13.

Table 13. Examples of moderate/high risk police behaviour in Northern rural NSW

<table>
<thead>
<tr>
<th>Police Behaviour</th>
<th>Case Example</th>
</tr>
</thead>
<tbody>
<tr>
<td>Negative response to complaints:</td>
<td>Complainant attempted to lodge a complaint at the police station: ...the conversation ended with S/C “yelling at the group to leave the station by using offensive language, further saying ‘Come near me again and I’ll put a bullet in your head’” (LMI0902407).</td>
</tr>
<tr>
<td>Neglect of duty to vulnerable victim:</td>
<td>Complainant’s daughter reported death threats received on Facebook: Complainant claims that due to the inaction of police the offender is going to continue to harass and intimidate members of his family (LMI0904785).</td>
</tr>
<tr>
<td>Disrespectful treatment; neglect of duty to</td>
<td>Complainant reported her 13-year old son was given alcohol and exposed to drugs: The officer allegedly showed contempt for the complainant, her concern and even laughed at her and hung up (LMI0905284).</td>
</tr>
<tr>
<td>inaction and dismissive treatment:</td>
<td>Three weeks after complainant reported receiving death threats via mobile and online: ...complainant was told “the officer had forgotten about it and there was nothing on the system”. Complainant made several further complaints but was told his complaint was “not serious [enough] to warrant spending a few hundred dollars to investigate” (LMI1001383),</td>
</tr>
<tr>
<td>Disrespectful treatment of witnesses:</td>
<td>Complainant sought access his residence nearby a fatal car accident: Whilst being allowed past barriers, made comment to officer who is alleged to have told him to f’off and pushed him (LMI0902273).</td>
</tr>
</tbody>
</table>

4. TYPES OF POLICE BEHAVIOUR COMPLAINED ABOUT

Each complaint narrative in the C@TSI database for the study period was reviewed to classify the types of police behaviour reported. Eight distinct types of police behaviour at issue were identified in the complaint narratives (see Figure 18). Of these, the most frequently reported types of behaviour were mistreatment and misconduct, respectively accounting for 49.9% (n = 1452) and 41% (n = 1193) of the matters reported (total number of complaints = 2910). Inadequate police service was the third most frequent type of complaint, reflected in approximately one third (33%; n = 948) of the complaints.

Complainants’ reports of negative consequences and of police bias and discriminatory treatment were less common, occurring in less than one-fifth of complaints (19.4%, n = 565 and 17.3%, n = 502 of total number of complaints). Police failure to communicate was the subject of the complaint in just over 15% of the cases. The least common types of complaints were reports of police failure to provide care (4.9%, n = 144) and complaints about the police creating a public incident or scene (4.3%, n = 124). Since a single complaint narrative could contain more than one type of complaint, the total number of complaint types shown in Figure 18 exceeds the total number of complaint narratives.
a. Acts of commission and omission leading to customer complaints

The eight major types of police conduct reported were grouped according to whether they comprised acts of commission (undesirable action) or omission (undesirable failure to act). Acts of commission included police mistreatment, misconduct, discriminatory treatment and public incidents, while acts of omission referred to police failures to act, such as inadequate service, and reports that the police did not communicate or provide care.

The majority of the complaints in the study sample reported acts of commission (74.7%, \( n = 2173 \) of all 2910 complaints); substantially fewer complaints (43.7%, \( n = 1271 \)) reported police acts of omission (see Table 14).

<table>
<thead>
<tr>
<th>Police conduct leading to complaint</th>
<th>Percentage of complaints</th>
<th>Number of complaints</th>
</tr>
</thead>
<tbody>
<tr>
<td>Act of commission</td>
<td>74.7</td>
<td>2173</td>
</tr>
<tr>
<td>Act of omission</td>
<td>43.7</td>
<td>1271</td>
</tr>
</tbody>
</table>

Note. Based on 2910 unique complaint narratives.

These results indicated that acts of commission comprised a substantial proportion of reported citizen dissatisfaction with police.

Common types of inaction following a report of a crime that led to complaints included no police activity after a crime report (8.9%; \( n = 259 \)), a poor investigation (6%; \( n = 175 \)), or no investigation...
Inadequate communication also featured significantly: when summed, individual behaviours comprising inadequate communication were reported in more than ten percent (10.1%; \( n = 294 \)) of the complaints.

Only a small proportion (19\%, \( n = 553 \)) of complaints included reports of both acts of omission and commission, as is shown in Figure 19.

**Figure 19. Reported police conduct involving acts of commission vs. omission**

To further develop the typology of police conduct that led citizens to complain, four distinct acts of commission reported in the complaint narratives were distinguished, namely (a) mistreatment by the police, (b) acts of police misconduct, (c) biased or discriminatory treatment of the complainants or others, and (d) public conduct by the police in public incidents. In this section, each of these types of complaints is reviewed and illustrative examples provided.

**b. Acts of commission: Types of police mistreatment**

As noted above, one half of the complaints received included allegations of mistreatment by the police, and this type of misconduct by the police was the most frequently reported issue. Within this category, two types of mistreatment were distinguished, undue aggression and rude or abusive treatment. The frequency with which these types of mistreatment were mentioned was similar, as is shown in Figure 20.

**Figure 20. Frequency of types of police mistreatment specified in complaints**

\[
\begin{array}{cc}
\text{Rude and abusive (n=887)} & 31 \\
\text{Undue aggression (n=891)} & 31 \\
\end{array}
\]
A distinguishing feature between the classification of behaviours as unduly aggressive and those classified as interpersonally rude and abusive was the more apparent abuse of authority in incidents involving undue aggression. Both types of mistreatment were equally present in the complaint narratives. Undue aggression was reported in almost one-third of all the complaints (30.6%, \( n = 891 \) of total 2910 complaints). Aggressive police behaviours fell along a continuum that encompassed verbal and nonverbal conduct short of physical force (19.4%, \( n = 564 \)), as well as undue use of physical force, which was reported in as many as 14.4% (\( n = 420 \)) of the complaints. (The total exceeds 891 because 93 complaints included both physical and nonphysical acts of aggression.) Complaints about police incivility, rudeness and abusive behaviour accounted for approximately the same proportion of complaints (30.5%, \( n = 887 \)).

Table 15. Types and frequency of reported mistreatment in all complaint narratives

<table>
<thead>
<tr>
<th>Types of Mistreatment</th>
<th>Police Behaviour</th>
<th>Frequency (%)</th>
<th>No. of behaviours</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>UNDUE AGGRESSION</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Physical Force</td>
<td>Physical force (excessive force, assault)</td>
<td>14.3</td>
<td>415</td>
</tr>
<tr>
<td></td>
<td>Inappropriate OC spray</td>
<td>0.2</td>
<td>7</td>
</tr>
<tr>
<td></td>
<td>Shot at</td>
<td>0.1</td>
<td>2</td>
</tr>
<tr>
<td>Malicious Verbal Action</td>
<td>Verbal intimidation or aggression</td>
<td>9.4</td>
<td>274</td>
</tr>
<tr>
<td></td>
<td>Spread rumours/lies</td>
<td>0.2</td>
<td>7</td>
</tr>
<tr>
<td>Threats</td>
<td>Physical intimidation</td>
<td>3.8</td>
<td>112</td>
</tr>
<tr>
<td></td>
<td>Threat (arrest, fine, etc.)</td>
<td>2.8</td>
<td>82</td>
</tr>
<tr>
<td>Excessive Action</td>
<td>Excessive action</td>
<td>1.8</td>
<td>51</td>
</tr>
<tr>
<td></td>
<td>Provoked complainant</td>
<td>1.0</td>
<td>30</td>
</tr>
<tr>
<td></td>
<td>Overzealous behaviour</td>
<td>0.3</td>
<td>8</td>
</tr>
<tr>
<td><strong>INCIVILITY, RUDE AND ABUSIVE CONDUCT</strong></td>
<td></td>
<td><strong>30.5</strong></td>
<td><strong>887</strong></td>
</tr>
<tr>
<td>Insults</td>
<td>Discourteous</td>
<td>23.4</td>
<td>682</td>
</tr>
<tr>
<td></td>
<td>Disinterest</td>
<td>1.6</td>
<td>47</td>
</tr>
<tr>
<td></td>
<td>Discredited complainant</td>
<td>1.4</td>
<td>42</td>
</tr>
<tr>
<td></td>
<td>Ridiculed complainant</td>
<td>0.9</td>
<td>26</td>
</tr>
<tr>
<td>Absence of Compassion</td>
<td>Insensitivity, lack of compassion</td>
<td>4.1</td>
<td>118</td>
</tr>
<tr>
<td>Fail to Act</td>
<td>Unhelpful</td>
<td>1.6</td>
<td>48</td>
</tr>
<tr>
<td></td>
<td>Wasted complainant’s time</td>
<td>1.3</td>
<td>38</td>
</tr>
<tr>
<td>Disrespectful</td>
<td>Attended at inappropriate time/place</td>
<td>1.6</td>
<td>48</td>
</tr>
<tr>
<td></td>
<td>Failure to respect request</td>
<td>1.0</td>
<td>30</td>
</tr>
<tr>
<td></td>
<td>Provided false information</td>
<td>2.0</td>
<td>57</td>
</tr>
<tr>
<td></td>
<td>Denied right (e.g., phone call, food, toilet)</td>
<td>1.4</td>
<td>41</td>
</tr>
<tr>
<td></td>
<td>Rights violated (e.g., during arrest)</td>
<td>0.7</td>
<td>20</td>
</tr>
</tbody>
</table>

Note. Based on 2910 unique complaint narratives.

To better identify police conduct that was more frequently perceived as problematic, these two major types of police mistreatment were further sub-divided into eight sub-groups of 22 distinct types of behaviour identified by complainants, ranging from more severe aggressive use of arms, such as inappropriate shooting and use of capsicum spray, to milder forms of verbal ridicule. Details of each of the types of mistreatment distinguished in developing the typology of conduct leading to complaints are presented in Table 15 above.
Within the category of aggression, undue physical force, ranging from excessive force by police to assault, occurred in 14.4% (n = 420) of the complaints. The following cases provided some illustrative examples:

D states that at about 13:40 hrs on the 25/10/09 she was walking with friends, Ms S and Ms L in Church Street, Maitland, en route to the Maitland Police Station. The complainant states that Sen Con K was very forceful, swearing at her, grabbing her phone and pulling her hair. She states that Sen Con K threw her telephone to the ground and threatened to smack her, standing in her face. Ms D also states that she attended Maitland Police Station at about 7pm on the 26/10/09 and was told by the police officer on duty that a female police officer has put a complaint in that morning about Constable K. Ms D is seeking a formal apology and whether K can be charged with assault (P0904757).

On 5/9/08, police entered the house of the complainant in relation to an alleged noise complaint. The incident was domestic related and a melee ensued after the complainant was informed he was under arrest. It is alleged that the complainant was punched to the ear, kneed in the spine and punched a number of times to the head. He was arrested and conveyed to Belmont Police Station and charged with the Breach of AVO and assault police (LMI0902520).

Complainant alleges that on the 13/07/2009 Sen Con W was extremely aggressive and pushed her into her car after stopping her to issue an infringement notice near Mutu Street Woy Woy (LMI0903309).

Malicious verbal intimidation or aggression by the police was mentioned in one of every ten complaints (9.4%). The following cases illustrated this behaviour:

Allegation that Constable P threatened her neighbour with an infringement notice over a barking dog; telling the neighbours where they can and cannot park; taking photographs of their son’s car; swearing at their children, threatening to get the highway patrol to target family members, friends and visitors. Further, the subject officer attended the school of the daughter of one of the complainant and the daughter was pulled out of class, allegedly without the mother’s knowledge or permission. Complainants allege they have been subject to on gong intimidation, harassment and bullying from the subject officer since she moved in the area (P0904141).

Complainant states she attended station in company with her son. She wished to report an incident that occurred at the sturt mall that day. It is alleged that constable J refused to listen to her concerns and aggressively accused her son of breach of avo and continued to threaten to breach the son whilst the complainant was trying to speak about the incident she wished to report (MI1000900)

The complainant alleges that Constable H threatened that he would charge the complainant with “anything and everything he could” if police were called again for any further incidents involving the complainant (LMI0904385).

The next most frequent form of aggression was threatening behaviours, both in the form of physical intimidation (3.8%; n = 112) and in the form of threatened consequences, such as arrests or fines (2.8%; n = 82).
With respect to incivility, four different sub-groups of rude and abusive police behaviour were distinguished. These included behaviour that was (a) insulting to the complainants; (b) insensitivity in the form of failure to treat the complainants with compassion; (c) failure to address the issue raised by the complainant; and (d) failure to respect the privacy of the complainant. Among the behaviours classified as insulting to the complainants, discourteous or rude behaviour accounted for almost one quarter of complaints (23.4%).

Illustrations of discourteous or rude police behaviour are drawn from the following three cases examples:

The complainant is 81 years old and has had a number of debt collectors attend her address seeking a former neighbour. Some of these calls are as late as 9.30pm and as she resides on her own she is becoming distressed. The complainant was concerned at the escalation of the visits and contacted the s/o and it is alleged the s/o advised her to “relax have a bubble bath or go to the beach and have a swim” to avoid the stress of the visits. The complainant found these comments offensive and insulting (LMI0904377).

Briefly the complainant states that she attended the Town Hall Police Station with a friend of hers who had been detained by police. This occurred on the 19th of September, 2009. The complainant alleges that whilst she was trying to speak to the officers a police officer told her to ‘shut up’ (LMI0904412).

Complainant alleges officer was rude and disparaging in his manner when questioning her about a complaint made by one of her neighbours. Officer stated he had seen CCTV footage and it was clear as day that she was guilty of something. After reviewing the CCTV footage he said that he could now see she was telling the truth. He did not apologise for his previous rude treatment or the comments he had made (LMI0904444).

Other insulting behaviours, such as evident disinterest, discrediting of the complainant and ridicule of the complainant, were reported far less frequently. The second most commonly reported type of incivility was a lack of compassion (4.1%; n = 118). Complaints about a failure of compassion included the following:

Complainant’s daughter suffers from mental health issues and she is concerned that her daughter is not getting much help, care or concern from police. Additionally she alleges that her daughter is often made to feel that she is nothing more than a pain to police (LMI0904742).

Detective Sergeant S had been allocated an internal investigation whereby she had to interview Ms KW. She had made an appointment to interview her and on the day that it was supposed to occur Ms KW was admitted to hospital. D/Sgt S telephoned Ms KW’s mother whilst her daughter was in hospital and despite Mrs W indicating that KW was in a critical condition, Detective S still pressed her to make an interview appointment for the following Thursday. She was very concerned in relation to the persistence and inconsiderate behaviour of Detective S (LMI0904429).

The Complainant made an allegation that she was indecently assaulted she received a massage. This matter was investigated by City Central Detectives who
informed the victim that no action would be taken. The complainant then wrote a letter of complaint and the matter was assigned to Det Sgt C to re-investigate. The complainant alleges that whilst speaking to C he was aggressive on the phone, insensitive and made thoughtless comments. The matter is still under investigation and is awaiting a legal advising (LMI0905491).

Further examples of case narratives illustrating each category of mistreatment are contained in Appendix 2.

c. Acts of commission: Types of police misconduct

Reports of police misconduct in the complaint narratives were subdivided into two distinct types of behaviours: illegal/unlawful behaviour and unprofessional behaviour (see Figure 21).

Figure 21. Frequency of types of misconduct specified in complaints

Unlawful behaviour encompassed both criminal misconduct, including more serious types of lawbreaking such as corruption and interfering with justice, as well as abuses of police procedures and violations of civil laws. An illustrative example of a report of unlawful police conduct in the form of abuse of procedure, corruption and lawbreaking is the following case:

On 23rd December 2009 an anonymous letter was received at Central Metropolitan Region indicating a recent conversation that had been recorded on Facebook between S/Cst P, S/Cst C and Cst R. The conversation related to the use of In Car Video (ICV) by HWP and how the footage can be used at Court. During the conversation S/Cst P writes ”Mate. ....save yourself a court matter. Do what I used to do. Turn the ICV off....get $50 off them and send them on their way. Is that wrong of me? I hope no-one can read this?...ha”. The complainant alleges that this can be read by any and all persons linked to these officers on Facebook. It is believed that Cst R and S/Cst C were both on line and viewed the comments made. To date neither officer has reported this possible corrupt conduct (P0905591).
Allegations of unlawful misconduct by police were common, specified in one third of the complaints (30.5%, \(n = 887\)). Thus, allegations of illegal behaviour outstripped allegations of unprofessional misconduct by a ratio of two to one.

An example of an allegation of unprofessional conduct is included in the following case example:

Complainant alleges that Senior Constable N is alleged to have spent the majority of her rostered shift at his residence. She parked the police vehicle behind a tank on the complainant’s property and socialised for the remainder of her shift. She attended on the pretext of a ‘rural property inspection’. The inspection took 4 mins to complete. The complainant further alleges that the officer although off duty at the time was in attendance to the Ardlethan bowling club in the presence of members of the public making disparaging remarks against the Temora police. In particular calling them ‘a bunch of arseholes’ (LMI0904350).

Other examples of unprofessional conduct include reports of sexually suggestive behaviour, such as an officer “seen to dance around a group of females who were sitting at a table outside a shop and put his handcuffs on one of the females, laughing and joking about same” (LMI0904399); inappropriate behaviour while on duty, such as public threats and verbal aggression towards a drunk Aboriginal man while ejecting him from a tram (LMI0904436); and complaints about police misuse of computer systems to access personal information (LMI090457).

These two types of misconduct, unprofessional conduct and unlawful conduct, were further analysed to elaborate the typology of specific police behaviours which gave rise to complaints and their respective frequency. Details of each of the types of misconduct distinguished in developing the typology of conduct leading to complaints are presented in Table 16. Examples of cases within each category are provided in Appendix 2.

The most common form of police misconduct identified in complaint narratives was an abuse of legal procedures through false arrest, false charges, inappropriate search or unwarranted detention (see Table 16), occurring in 15.7% (\(n = 457\)) of the complaints. The next most common form of reported misconduct was corruption, present in 10.5% (\(n = 305\)) of the complaints. Failure to follow procedure and release of confidential information came next, at 4% (\(n = 117\)) and 3.5% (\(n = 102\)) respectively.

The majority of types of misconduct complained about related in some way to an alleged abuse of professional power, unprofessional behaviour, or abuse of procedure or position. Very few misconduct behaviours were for illegal, reckless or other conduct which was unrelated to officer’s professional position or power (e.g., violations of civil statutes).

Table 16. Types of police misconduct specified in complaint narratives

<table>
<thead>
<tr>
<th>Types of Misconduct</th>
<th>Police Behaviour</th>
<th>Frequency (%)</th>
<th>No. of behaviours</th>
</tr>
</thead>
<tbody>
<tr>
<td>ILLEGAL/UNLAWFUL CONDUCT</td>
<td>False arrest, search, charge, accusation or detention</td>
<td>31.0</td>
<td>887</td>
</tr>
<tr>
<td></td>
<td>False information recorded</td>
<td>12.0</td>
<td>349</td>
</tr>
<tr>
<td></td>
<td>False arrest, search, charge, accusation or</td>
<td>3.0</td>
<td>88</td>
</tr>
<tr>
<td></td>
<td>detention</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
d. Acts of omission

Incidents described in the complaint narratives in which police inaction was specified were grouped as acts of omission (see Table 17). The most frequent type of omission was inadequate or negligent service, mentioned in one third of the complaints (32.6%, \( n = 949 \)).

Table 17. Types of police inaction specified in complaints

<table>
<thead>
<tr>
<th>Acts of Omission</th>
<th>Police Behaviour</th>
<th>Frequency (%)</th>
<th>No. of behaviours</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>INADEQUATE SERVICE</strong></td>
<td></td>
<td>32.6</td>
<td>948</td>
</tr>
<tr>
<td>Inaction</td>
<td>No action after crime</td>
<td>8.9</td>
<td>258</td>
</tr>
<tr>
<td></td>
<td>No investigation</td>
<td>3.1</td>
<td>91</td>
</tr>
</tbody>
</table>

Note. Based on 2910 unique complaint narratives.
Examples of inadequate service included failures to respond to a complaint about a neighbour’s party after four hours (LMI09043834) and a complaint by a victim of delays in investigating an assault, and difficulty in contacting the officer in question (P0905327). Only one in fifty (2%, \( n = 58 \)) complainants framed their complaint about inadequate service specifically as a customer service issue. An example is provided by the following complaint:
Alleged lack of customer service during an incident with the complainant and a taxi driver whereby he dropped her at Rose Bay due to an argument. The complainant then states that the Cst did not attend to her welfare, seek her version of events or enquire about her rights as a taxi driver or the drivers obligations (LMI1000031).

Failure to communicate was specified in just over fifteen percent of complaints, and was the second most common act of omission reported. Cases of these included a friend of a detainee being told to “shut up” as she was trying to speak to the officers (LMI0904412), a failure to return phone calls or update the victim with information (LMI0905054) and the following case:

Complainant’s mother was victim in break and enter on 19/10/2009. Complainant claims when she contacted police she was told to sleep it off and worry about it in the morning and that police who did attend were inexperienced (LMI0904617).

Failure to provide care was a less frequently reported form of police inaction, present in fewer than five per cent of the complaints. This following case was classified as an example of failure to provide care:

It is alleged that whilst police searched the complainant’s vehicle, made her four children stand by the side of the road at night, in the rain. Did not tell them the reason for searching the vehicle, were aggressive and behaved in a threatening manner (LMI0902050).

Other common types of inaction following a report of a crime that led to complaints included no police activity after a crime report (8.9%; n = 258), a poor investigation (6%; n = 174), or no investigation (3.1%; n = 91). Inadequate communication also featured significantly; when summed, individual behaviours comprising inadequate communication were reported in more than ten percent (15.5%; n = 451) of the complaints.

Details of the types of police inaction or acts of omission that were distinguished in developing the typology of police behaviours that led to complaints are presented in Table 17. Examples of cases within each category are provided in Appendix 2.

e. Biased and discriminatory treatment

Another major issue identified in complaints was the problem of biased or discriminatory treatment by police officers, which, as described above, occurred in 18.8% (n = 547) of complaints. This issue was illustrated by the following case:

On 26/9/09, the complainant’s 16 year old son was riding his motorised mini bike along ROAD and crossed to the median strip, to wait for cars to pass so he could cross to the other side. While waiting, a police caged truck pulled up to speak to him about riding an unregistered mini bike on a public street. It is alleged that whilst one officer asked him for ID, then went to move the police vehicle on to the median strip, SC A verbally expressed his frustration at having to chase mini bike riders to the son, then stepped towards him, punching him with a jab to his mouth. The other officer then returned & directed him to push the mini bike home. He told his mother about this incident when he arrived and both then came to Police Station where a statement was taken (P0904335).

Allegations of discriminatory treatment included a significant proportion of reports of bias attributed to the complainant’s age, gender, sexual orientation, criminal background (7.9%; n =
231) or race (1.6%; n = 47) (see Table 18). Over seven percent of the complaints included reports of biased action, including police harassment (5.7%; n = 165) or citizens alleging that they were singled out or targeted for surveillance by police (1.6%; n = 46).

Table 18. Types of bias or discrimination specified in complaints

<table>
<thead>
<tr>
<th>Type of Bias (Behaviour)</th>
<th>Frequency of Complaints (%)</th>
<th>No. of Behaviours</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Biased Motivation</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Age, gender, sexual preference, criminal background</td>
<td>7.9</td>
<td>231</td>
</tr>
<tr>
<td>Racism</td>
<td>1.6</td>
<td>47</td>
</tr>
<tr>
<td>Conflict of interest</td>
<td>0.3</td>
<td>10</td>
</tr>
<tr>
<td><strong>Biased Action or Inaction</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Harassment</td>
<td>5.7</td>
<td>165</td>
</tr>
<tr>
<td>Singled-out for surveillance</td>
<td>1.6</td>
<td>46</td>
</tr>
</tbody>
</table>

Note. Based on 2910 unique complaint narratives.

f. Public incidents

A public incident caused by police behaviour was reported in fewer than five percent (4.3%; n = 124) of the complaint narratives (see Table 19). In most instances, the incident described entailed unlawful police conduct in full view of the public (3.8%; n = 111), such as illegal driving by police witnessed by members of the public. An example of a complaint in this category is the following case:

Complainant has written to the Commissioner regarding the issue of Penalty Notice 4025927254. On Friday evening 12th March 2010 at 23:33 he was driving on Australia Avenue, Homebush Bay and entered the intersection of Sarah Durack Ave. He “Continued through the intersection as it was too late to commence braking since my vehicle had crossed the traffic lights stop line. I noticed a police vehicle travelling north-east along Australia Ave then make (what I believe to be) an illegal U-turn through a red traffic light, with no indication by way of a signal being made for such a manoeuvre. This way, I believe, a quite dangerous thing for the police to do. The weather was fine the road surface dry, the traffic volume light and it was quite dark with only the street lights lighting the intersection”. It is also alleged the police vehicle drove “through a red light in order to make the U turn” The Penalty notice was then issued to the complainant. The complainant contends that he did not commit any offence (LMI1001535).

Some of the public incident complaints reported damage to the police image via the use of technology, including new technologies such as Facebook. The increasing prevalence of these technologies may pose future risks for public incident complaints. Some case examples of these complaints are included in Appendix 3, Section B2.

Table 19. Types of public incidents caused by police
g. Other types of police behaviour reported

A final independent category of miscellaneous police behaviours that were the subject of the complaint narratives emerged from the qualitative analysis: these were behaviours which did not fit into any of the foregoing categories of complaints distinguished in Tables 15 through 19.

The largest subgroup referred to complaint narratives in which not only the complainant’s account of events was documented but also the recording officer’s opinion or description of the situation (> 5%, n > 150). These narratives included, but were not limited to, cases in which the validity of the complaint was questioned, or in which the officer recorded his or her own experience during the event that generated the complaint, rather than that of the complainant.

Another independent category concerned complaints about circumstances in which the officer who was the subject of the complaint was not on duty at the time of the event in issue (3.1%; n = 89). These entries suggested that even though the officers were not wearing official police attire, they were nonetheless perceived as official representatives of the police force. The following case illustrates this category:

The IPC has been approached by a security guard at the Walcha Bowling Club in relation to a person trying to gain entry to the Club when it was full - when entry was refused the person has allegedly displayed her Police Badge then Warrant Card (LMI1001441).

A third independent category of complaints was comprised of inappropriate interactions by police with staff from external organisations with which the police frequently work. In all, one percent (n = 26) of the complaints referred to events in which subject officers allegedly showed disregard to professionals from external organisations. This category reflected a concern by complainants that police officers should have a cooperative and professional relationship with staff from other sectors, including corrective services or (emergency) health care services. This is illustrated by the following complaint example:

Allegations that police followed police protocols and not the protocols of the group home. Police refused to discuss the arrest with the Group Home Manager on the phone, police were rude and used foul language, police detained YP in a “lockup” with an adult male (LMI0902363).

Finally, a recurrent set of complaints centred on citizens who were compelled by police to stop recording police activities. Complainants perceived this as a transgression of their rights and the

<table>
<thead>
<tr>
<th>Police Behaviour</th>
<th>Frequency of Complaints (%)</th>
<th>No. of Behaviours</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public Incident</td>
<td>4.3</td>
<td>124</td>
</tr>
<tr>
<td>Breaking the law in public</td>
<td>3.8</td>
<td>111</td>
</tr>
<tr>
<td>Scene in public</td>
<td>0.4</td>
<td>11</td>
</tr>
<tr>
<td>Judicial comments re: police</td>
<td>0.1</td>
<td>4</td>
</tr>
</tbody>
</table>

Note. Based on 2910 unique complaint narratives.
officers’ directives as unlawful. These complaints included situations in which the complainant was told to stop filming the police (0.5%, $n = 16$) during, for example, an accident, arrest of self or other, or public gathering.

h. Negative consequences of police behaviour

Negative consequences for the complainant as a result of the contact with the police were mentioned in approximately one in every five (19.4%; $n = 565$) complaint narratives. These were instances where the content of the complaint expressed suffering of a loss or some other negative consequence. In some cases, the negative consequences experienced by complainants were profound, involving life disruption through loss of employment or relationship breakdown. Table 20 displays examples of complaint narratives illustrating negative consequences reported by complainants.

Table 20. Examples of negative consequences of police behaviour

<table>
<thead>
<tr>
<th>Consequence</th>
<th>Case Narratives (and Researcher Comments)</th>
</tr>
</thead>
</table>
| Mental Distress | In relation to an insurance claim for a motor vehicle accident during a phone call the Constable “was rude, telling her that the claim number was insufficient and was allegedly talking over the top of her. Ms C has stated the officer was rude and frightened by Constable L’s alleged actions (LM1000906). 
Researcher comment: The complainant expressed fear, a form of mental distress, caused directly by the officer’s rude and intimidating behaviour. |
| Mental distress, dissatisfaction with justice system and negative financial or legal consequence | Officer did not supply a copy of the victim statement to the personal violence victim before a court hearing. The officer had also failed to subpoena or notify witnesses so the matter was delayed. The complainant “stated to the [MWDVCAS] worker that this was not the first time that P/Cst F had failed to protect her and perform his obligation and duty towards her. The victim also informed the worker that the defendant had been served with papers which contained the victim’s address not previously known by the defendant. This has heightened the victim’s fear for her safety (LM10904445).
Researcher comment: The victim experienced a negative legal outcome as the court matter for her case was delayed. She was deprived of her right to information in the form of a copy of her statement. She expressed dissatisfaction with the justice system based on this and previous negative experiences with this officer. She experienced mental distress in the form of fear for her safety because the officer disclosed her address to the defendant. |
| Loss of job | Complainant was intoxicated at the time of an incident and did not remember the details. He attempted to find out from the officers what had happened but no response was provided. Upon his return to work, he learned that his manager had been advised of the incident. During a meeting with his manager, his manager said that he had been informed by police that he had been arrested, but the complainant had no memory of this. Complainant was subsequently dismissed from his job. In the months that followed his phone calls requesting more information were not returned. The complainant finally learned after further discussions with the officer that he had in fact not been arrested on that night, but had been served with a CAN (LM10904035 Sustained).
Researcher comment: The complainant suffered a job loss as a result of inaccurate information provided by the officer to his boss (that he had been arrested when in fact he had been served with a CAN). His attempts to clarify what happened met with no response on multiple occasions. When information was finally provided, the police were able to clarify what had happened. Earlier provision of this information may have obviated the complainant’s job loss. |
| Property loss or damage: lost clothing | Complainant was hit by a taxi and hospitalised in an induced coma. His clothes were taken for scientific examination. After regaining consciousness, the complainant learned that the driver was not to be charged, and “on several occasions the complainant asked for his clothes to be returned and he stated on one occasion Cst G became hostile” (LM10903556).
Researcher comment: The complainant lost his clothes when they were taken for scientific examination. This may seem minor compared to the severe physical injury sustained in the
Case analysis revealed that these negative consequences stemmed from improper use of complainant information, or information leaks, including making the details of a victim’s address available to a suspect, or otherwise violating confidentiality. Leaks of information were a violation of complainant trust, but the profound consequences may have been difficult to foresee. Further examples of these complaints are included in Appendix 3, Section B3.

Negative consequences reported by complainants were classified based on the type of individual loss or harm identified (Figure 22). Results of this analysis revealed that property loss or damage was the single-most common negative consequences experienced by complainants (6.1%; \(n = 177\)), closely followed by financial losses (5.7%; \(n = 167\)). Also prominent were various forms of injury, both mental distress (5.3%; \(n = 153\)) and physical injuries (3.6%; \(n = 106\)), which together occurred in just under nine percent of the complaints.

**Figure 22. Frequency of negative consequences specified in complaints**

![Bar graph showing frequency of negative consequences specified in complaints](image)

Note. Based on 2910 unique complaint narratives.

5. **WHO COMPLAINS AND WHAT THEY COMPLAIN ABOUT**

To expand the profile of the typology of complaints made to the NSWPF, further analyses were conducted on the major complaint types, by gender of the complainant, complainant status, initiators of the interactions with the police, severity of the reported police conduct and the geographic origin of the complaints.

a. **Gender of complainant**
There was little variation in the type and frequency of complaints received from men and women. A small but nonsignificant difference (2.4%) emerged in the frequency with which they reported concerns about unlawful conduct by the police. Male complainants reported proportionally more incidents than did female complainants (7.7% of all complaints, \( n = 269 \) vs. 5.3%, \( n = 105 \)).

### b. Nonsuspects and suspects

Across all types of complaints, without exception, the proportion and number of complaints reported by nonsuspects exceeded those reported by suspects.

#### Table 21. Types of police behaviour reported by suspects vs. nonsuspects

<table>
<thead>
<tr>
<th>Police Behaviours</th>
<th>Nonsuspects</th>
<th>Suspects</th>
<th>Total N</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>% (n)</td>
<td>% (n)</td>
<td></td>
</tr>
<tr>
<td>Mistreatment</td>
<td>23.6 (750)</td>
<td>17.1 (541)</td>
<td>1452</td>
</tr>
<tr>
<td>Misconduct</td>
<td>21.8 (690)</td>
<td>11.6 (365)</td>
<td>1193</td>
</tr>
<tr>
<td>Inadequate service</td>
<td>24.4 (774)</td>
<td>3.7 (116)</td>
<td>948</td>
</tr>
<tr>
<td>Fail to communicate</td>
<td>10.4 (329)</td>
<td>2.8 (90)</td>
<td>451</td>
</tr>
<tr>
<td>Discriminatory treatment</td>
<td>8.1 (256)</td>
<td>5.5 (174)</td>
<td>502</td>
</tr>
<tr>
<td>Negative outcome</td>
<td>8.8 (280)</td>
<td>7.6 (242)</td>
<td>565</td>
</tr>
<tr>
<td>Fail to provide care</td>
<td>3.2 (93)</td>
<td>1.4 (45)</td>
<td>144</td>
</tr>
<tr>
<td><strong>Total (n)</strong></td>
<td><strong>3172</strong></td>
<td><strong>1573</strong></td>
<td></td>
</tr>
</tbody>
</table>

Note. Based on 2910 unique complaint narratives.

For both suspects and nonsuspects, complaints about police mistreatment (23.6% vs. 17.1%, respectively) and police misconduct (23.7% vs. 11.5%, respectively) exceeded complaints by these groups about other types of police behaviours, although the ratio of complaints about police misconduct reported by nonsuspects was twice that of suspects.

However, some differences emerged in the patterns of complaints lodged by these two groups of complainants. Nonsuspects were approximately six times more likely than suspects to complain about situations in which they perceived a lack of adequate service (26.6% vs. 3.7%) and were also far more likely to report failures by the police to communicate adequately (10.4% vs. 2.8%); fewer than one in every three complaints on this basis came from a suspect.

An equivalent proportion and number of negative consequences experienced by nonsuspects and suspects following contact with the police were reported, as is shown in Table 21.

Although concerns have been expressed by the NSWPF that the nature and content of complaints reported by suspects are qualitatively different from those received from nonsuspects, analyses of the C@TSI complaints data provided little support for that perception.

An example of a complaint from a suspect who reported mistreatment, misconduct and negative consequences in the form of physical injuries and theft by the police was the following:

On 16/05/09 complainant arrested in relation to a pursuit where it is alleged that he was the driver. He claims he was threatened prior to the interview; when arrested he was assaulted by being kicked and punched and had $300 stolen by police. He
refused to make a statement as he claims that he had already told police about the allegations (P0902308).

Not all of the complaints about mistreatment of suspects were lodged by the suspects themselves; they were at times lodged by third parties on behalf of the persons who had experienced mistreatment. The following case is an example of a complaint filed by another state agency, the NSW Department of Juvenile Justice:

Complaint by Juvenile Justice of behalf of Mr M alleging police used excessive force at his arrest causing scratches to his 'L' shoulder, 'R' arm and bump to his head (LM10904560).

c. Police versus community-initiated contact

When compared with interactions initiated by complainants, police-initiated contact was more likely to result in reports of mistreatment and misconduct (respectively 28.5% and 32.5% of all complaints versus 10.4% and 5.3%) compared to reports of mistreatment and misconduct following contact with the police that was initiated by complainants. In addition, when police instigated the contact, complainants reported higher proportions of negative consequences (10.2% vs. 4.3%) and were more likely to perceive that the police actions were motivated by bias or discrimination (12.1% vs. 6.2%), as shown in Table 22.

Table 22. Types of complaints following community vs. police-initiated contact

<table>
<thead>
<tr>
<th>Complaint Types</th>
<th>Community-Initiated</th>
<th>Police-Initiated</th>
<th>Total N</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>%</td>
<td>(n)</td>
<td>%</td>
</tr>
<tr>
<td>Mistreatment</td>
<td>19.7 (302)</td>
<td>32.5 (785)</td>
<td>1452</td>
</tr>
<tr>
<td>Misconduct</td>
<td>10.0 (153)</td>
<td>28.5 (689)</td>
<td>1193</td>
</tr>
<tr>
<td>Inadequate service</td>
<td>36.4 (557)</td>
<td>7.5 (181)</td>
<td>948</td>
</tr>
<tr>
<td>Fail to communicate</td>
<td>16.2 (248)</td>
<td>4.6 (112)</td>
<td>451</td>
</tr>
<tr>
<td>Discriminatory treatment</td>
<td>6.2 (95)</td>
<td>12.1 (293)</td>
<td>502</td>
</tr>
<tr>
<td>Negative outcome</td>
<td>8.2 (125)</td>
<td>12.2 (296)</td>
<td>565</td>
</tr>
<tr>
<td>Fail to provide care</td>
<td>3.3 (50)</td>
<td>2.5 (61)</td>
<td>144</td>
</tr>
<tr>
<td><strong>Total (n)</strong></td>
<td><strong>1530</strong></td>
<td><strong>2417</strong></td>
<td></td>
</tr>
</tbody>
</table>

Note. Based on 2910 unique complaint narratives.

Overall, community-initiated contacts with the police were more likely to result in complaints referring to acts of omission by the police, whereas police-initiated contacts were more likely to result in complaints referring to acts of commission by the police, in the form of overt police behaviours rather than negligence or inaction.

An example of community-initiated contact that resulted in a complaint about acts of commission by the police is the following case:

On 26 April 2009, the complainant alleges that he and some friends were in the Kings Cross area outside the Sugarmill Hotel when they were approached by plain clothes police, one of which was Constable K. The complainant alleges that
Constable K argued with a friend of his about being directed to leave the area. The complainant interjected to defend his friend at which point it is alleged that Constable K has struck the complainant to the eye with a closed fist. The complainant was arrested in relation to offensive language and served with a CIN (P0902556).

Community-initiated contact with police was five times more likely than police-initiated contact to result in reports of police inaction in the form of inadequate service (36.4% vs. 7.5%) and four times more likely to describe police failures to engage or communicate (16.2% vs. 4.6%).

Reports of failure by the police to provide adequate care were evenly spread following incidents where the public or the police initiated the contact with police. Complaints of this nature accounted for a relatively small proportion of the complaints (see Table 22).

d. Degree of risk posed by different types of reported police conduct

An analysis of the major types of complaints was conducted by the degree of legal risk posed by the reported police behaviour identified in order to discern the types of police behaviours that were most strongly associated with higher risk police conduct.

An instance of police misconduct coded as high risk is illustrated by the following case:

An intoxicated man was yelling and stepped in front of the car driven by Ms and her friend Mr. They stopped and persuaded him to get off the road and managed to calm him down. Ms several police then arrived and yelled at the man. She alleges two officers seized him and threw him bodily over a brick wall then three other officers allegedly attacked him by pushing, shoving and head butting. She states they dragged him to his feet and repeatedly knocked him down again. She claims a police officer told her "you have seen nothing tonight - is that clear" and was told to leave. She felt threatened by this. She and Mr then attended Glebe Police Station and reported what she had seen (LMI0902215).

Complaint types in which the majority of complainants reported conduct that was rated as high risk were police failure to provide care (87%), misconduct (84%), biased or discriminatory treatment (71%), mistreatment (64%) and failure to communicate (51%) (Figure 23).

Figure 23. Degree of legal risk exposure by type of police conduct
While it may not be surprising that misconduct issues in the complaints database were often serious or high risk, of the six major types of complaints identified in Figure 23, the issue which was accorded the highest risk ratings, based on the descriptions of the police conduct contained in the relevant complaint narratives, was not misconduct or mistreatment, but failure to provide care.

Some examples of cases that illustrate the higher degree of legal risk posed by incidents classified as failure by the police to provide adequate care include the following:

- **It is alleged that whilst police searched the complainant’s vehicle, made her four children stand by the side of the road at night, in the rain. Did not tell them the reason for searching the vehicle, were aggressive and behaved in a threatening manner (LMI0902050).**

- **The complainant’s son was working at Kempsey Showground as a Security Officer on 29 April 2009 when he held down persons involved in a fight. Police were asked to assist and indicated they were awaiting backup. Whilst police sprayed offenders with capsicum spray, they also sprayed the security officer and left him at the scene without any assistance or decontamination (LMI0902172).**

- **Complainant was on her way to a medical centre for treatment after suffering a swollen throat and vomiting. She was having a panic attack because she couldn’t breathe properly and her mother was not home to drive her. She removed her seat belt because she couldn’t breathe and was holding her mobile phone. Police pulled her over and told her they were going to issue infringement notices for driving without a seatbelt and using a mobile telephone. They showed no sympathy for her condition and provided no assistance even when she collapsed (LMI1000094).**
Of the six types of complaints depicted in Figure 23, even in the category that received the lowest ratio reports of serious police conduct, the proportion of high risk complaints was nonetheless substantial: almost half (49%) of the inadequate service complaints involved police conduct that was rated as moderate to high risk.

Likewise, when the severity of types of reported police mistreatment was examined, the results of this analysis, displayed in Figure 24, revealed that all forms of mistreatment involved relatively high proportions of high risk conduct. More than half of the complaints (53%) about rude and abusive treatment contained details of police behaviour that were sufficiently severe to be rated as high risk. More than four-fifths (83%) of the complaints which reported undue aggression by the police involved higher risk conduct—a very substantial majority.

Figure 24. Degree of risk exposure by type of police mistreatment

When misconduct issues were analysed in terms of the severity of the details of the police conduct in issue, similar high proportions of high risk conduct were found. Criminal conduct had the highest level of severity, with over three-fifths (62%; n = 595) of these complaints rated as high risk. Behaviours classified as forms of Unprofessional conduct involved surprisingly high ratings of risk, with 57% (n = 262) of the conduct rated as sufficiently severe to pass the threshold at which disciplinary or legal action might be warranted (see Figure 25).

Figure 25. Degree of risk exposure by type of police misconduct
Results of analyses of the degree of risk of police conduct associated with different consequences reported by complainants revealed that the majority of complaints resulting in negative consequences were considered moderate to high in severity: financial cost (81.7%, \( n = 136 \)), property damage (79.2%, \( n = 140 \)), and mental distress (60.5%, \( n = 93 \)) (see Figure 26). Police conducted in which a physical injury was reported as a consequence of the police behaviour was automatically rated as high risk (100%, \( n = 153 \)). Events in which the complainant referred to dissatisfaction with the judicial system were rated as low risk in a small majority of cases (58.3%, \( n = 18 \)).

**Figure 26. Degree of risk posed by reported types of consequences**

<table>
<thead>
<tr>
<th>Negative Consequences</th>
<th>High risk</th>
<th>Low risk</th>
</tr>
</thead>
<tbody>
<tr>
<td>Financial cost</td>
<td>82</td>
<td>18</td>
</tr>
<tr>
<td>Property damage</td>
<td>79</td>
<td>20</td>
</tr>
<tr>
<td>Mental distress</td>
<td>61</td>
<td>40</td>
</tr>
<tr>
<td>Dissatisfied</td>
<td>42</td>
<td>59</td>
</tr>
</tbody>
</table>

**e. Complaint types by geographic location**
Complaint types were distributed evenly across the six geographic regions of the state. In every region the most common types of complaints referred to police mistreatment and inadequate service. Two exceptions to the overall pattern emerged, in the South West and Western rural regions. In South Western rural New South Wales, the proportion of complaints about criminal conduct by police (1.2%, \( n = 35 \)) was below the statewide mean of 2%. The statewide mean for complaints about biased and discriminatory treatment was 2.4% \( (n = 69) \), but proportionally more were reported in Western rural New South Wales than in other regions (2%, \( n = 57 \)). The statewide mean for complaints about moderate use of aggression by the police was 2.7% \( (n = 79) \); but in the Western rural region of the state, the proportion of complaints of this nature was lower than average (1.1%, \( n = 31 \)).

The only other regional differences in the type of police behaviour concerned complaints about off duty officers: higher proportions of complaints were received in the Southern rural (5.2%, \( n = 14 \)) and Northern (4%, \( n = 24 \)) areas of the state than in the North West (2.6%, \( n = 10 \)) and South West metropolitan (2.1%, \( n = 7 \)) regions, and Western rural (2.3%, \( n = 6 \)) and Central metropolitan (1.4%, \( n = 7 \)) regions.

6. RELATIONAL CONCERNS IN CUSTOMER COMPLAINTS

Analysis of the frequency with which the content of the complaint narratives contained references to one or more of the elements of procedural justice in their interactions with the police demonstrated that a very substantial majority of customers (86.2%; \( n = 2508 \)) expressed concerns about relational issues in their interactions with the police.

a. Procedural justice elements in customer complaints

Content analyses of the complaints revealed that many raised concerns about more than one procedural justice element, e.g., both disrespectful treatment and lack of trustworthiness were mentioned. Complaints about a lack of respectful treatment occurred most frequently, in a total of 48.8% \( (n = 1408) \) of complaints, and were the most prominent or primary principle in more than one third (37.8%; \( n = 1099 \)) of the cases. Lack of trustworthiness was specified in two-fifths of the complaints (40.6%; \( n = 1170 \)), and was a primary concern in 30.8% \( (n = 895) \) of the complaints. By comparison, neutrality received less emphasis, mentioned in a total of 23.5% \( (n = 684) \) of the complaints, as the primary principle in 15.9% \( (n = 463) \) of complaints and the secondary principle in 7.6% \( (n = 221) \). Voice emerged as the main principle of concern in only 3.4% \( (n = 126) \) of the complaints, and was a primary issue in 1.6% \( (n = 51) \) and a secondary principle in 2.6% \( (n = 75) \) of complaints. Figure 27 displays the proportion of complaints reflecting the procedural justice principles identified as the primary concerns in citizen interactions with the police.

Figure 27. Proportion of procedural justice concerns in complaints
Significantly more citizens included mention of conduct that implicated at least one procedural justice principle (86.2%, \(n = 2507\)) \(\chi^2(1, 2910) = 1521.2, p < .001, d = 1\) than did not, confirming that procedural justice theory aptly explained a substantial proportion of citizen dissatisfaction that generated customer complaints.

To expand upon the evaluation of procedural justice dynamics in complaints made to the NSWPF, further analyses were conducted by gender of the complainant, suspect status, initiator of the interaction, severity of the reported police conduct and timing in relation to the introduction of the Charter. Little variation emerged for gender, but significant differences in the distribution of principles were found with regard to the other variables.

**b. Procedural justice concerns in complaints by suspects and nonsuspects**

Overall, the distribution of procedural justice principles differed significantly in complaints reported by suspects versus nonsuspects \(\chi^2(4, 2671) = 70.11, p < .001, d = .31\). Specifically, nonsuspects were more likely than suspects to complain about violations of police trustworthiness (nonsuspects: 34.4%, \(n = 652\); suspects: 22.4%, \(n = 169\); \(\chi^2(1, 2651) = 35.76, p < .001, d = .23\)) whereas suspects were more likely to have reported incidents of disrespectful treatment (suspects: 50%, \(n = 337\); nonsuspects: 33.5%, \(n = 636\); \(\chi^2(1, 2653) = 62.32, p < .001, d = .31\)). See Figure 28.

![Procedural justice concerns by suspect and nonsuspects](image)
c. Community versus police-initiated encounters

Police-initiated encounters (90.7%, \( n = 1292 \)) were significantly more likely than citizen-initiated encounters (79.8%, \( n = 747 \)) to lead to concerns about one of the four procedural justice relational principles (\( \chi^2(1, 2360) = 57.34, p < .001, d = .32 \)). In addition, significant differences within the distribution of each of the four principles emerged in community versus police-initiated complaints (\( \chi^2(4,2360) = 237.8, p < .001, d = .67 \)).

Figure 29. Procedural justice concerns by initiator of complaint-event

Complaints in which police had initiated contact were significantly more likely to fall under the principle of respectful treatment (65.5%, \( n = 626 \)) than trust (34.5%, \( n = 330 \)), compared to community-initiated encounters, which were more likely to fall under trust (59.4%, \( n = 390 \)) than respectful treatment (40.6%, \( n = 267 \); \( \chi^2(1, 1613) = 97.24, p < .001, d = .51 \)). Police-initiated complaints also differed from community-initiated ones when looking at neutrality, with police-initiated complaints (22.5%, \( n = 318 \)) more likely than community initiated (6.9%, \( n = 64 \)) ones to refer to neutrality as a primary concern (\( \chi^2(1, 2324) = 100.47, p < .001, d = .43 \)). See Figure 29.
d. Procedural justice concerns and degree of risk in police conduct

The distribution of the four types of procedural justice concerns differed significantly in low versus high risk complaints ($\chi^2(4, 2447) = 154.61, p < .001, d = .52$). With respect to high risk police conduct, trust and respectful treatment were reported as issues of concern to an equal extent, mentioned respectively in just over one third of the complaints in this category. With respect to low risk police conduct, concerns about disrespectful treatment were significantly more frequent than were concerns about police trustworthiness (respectful treatment: 42.6%, $n = 482$; trust: 25.5%, $n = 288$; $\chi^2(1, 770) = 48.88, p < .001, d = .52$), as is shown in Figure 30.

Figure 30. Procedural justice concerns by degree of risk exposure in police conduct

![Procedural justice concerns by degree of risk exposure in police conduct](image)


e. Procedural justice principles by type of police conduct

The different types of police conduct identified in the complaint narratives were examined with regard to presence and distribution of procedural justice concerns. More than 90% of the complaints stemming from police acts of commission ($n = 1197$) and acts of omission ($n = 1056$) made reference to one or more relational issues associated with procedural justice (see Figure 31). Examination of the specific types of police behaviour comprising acts of commission and omission revealed that at least one procedural justice concern was identified in 95% ($n = 1376$) of complaints in which mistreatment by police occurred; 98.5% ($n = 138$) of complaints in which there was a failure by police to provide care; 97.1% ($n = 117$) of public incidents; 94.7% ($n = 418$) of complaints in which police failed to communicate; 92.9% ($n = 470$) of complaints of discriminatory treatment; 91.2% ($n = 503$) of complaints which resulted in negative consequences; 91% ($n = 1076$) of misconduct complaints; and 84.1% ($n = 756$) of complaints of inadequate service;

A lack of respectful treatment (45.1%, $n = 950$) was the dominant concern in complaints stemming from police acts of commission, followed by a lack of trustworthiness (35.2%, $n = 644$). This pattern was reversed where police acts of omission led to the complaint, i.e., a lack of trustworthiness (50.9%, $n = 556$) was the main relational concern, followed by lack of respectful treatment (35.1%, $n = 370$). See Figure 31.
These analyses revealed that relational issues of police untrustworthiness and disrespectful treatment predominated in the complaint content in all but two types of police behavior: in allegations of discriminatory treatment and public incidents of police misconduct. A lack of neutrality was more dominant in allegations of discriminatory treatment (44.3%, \( n = 248 \)) and public misconduct (35.9%, \( n = 58 \)) as is shown in Figure 32.
While respectful treatment and trust were the most prominent concerns across all types of police behavior leading to complaints, neutrality and voice nevertheless remained important aspects of the complaints, as is shown in the qualitative analyses and case examples below.

7. THE CENTRALITY OF PROCEDURAL JUSTICE IN CUSTOMER COMPLAINTS

a. Procedural justice elements in the Customer Service Charter and customer complaints

1. Respectful treatment

Respectful treatment emerged as the dominant relational or procedural justice concern reflected in the complaint narratives, and was also a key premise of the Charter, indicating the confluence of citizen concerns and police commitments. Illustrative examples of complaints that centred on the absence of respectful treatment of police customers are provided in Table 23, by type of complaint. These case examples illustrated how disrespect was conveyed and perceived, both verbally and through nonverbal behaviours.

Some complainants who objected to disrespectful treatment included an admission of wrongdoing on their part,controverting the common perception by police that suspects lodge complaints about police officers in order to deflect attention from their own wrongdoing. An example of an admission of wrongdoing is provided in the following narrative:

The complainant indicates that he swore at the police and said a few things he shouldn't have but he doesn't believe the police were justified in throwing him to the ground as they did. The complainant said he would have been happy to have answered any questions the police had wanted to ask him and they could have left him standing to do this. The complainant said that a paddy wagon attended the scene and the subject officers then got off him. He was placed in the back of the paddy wagon and originally driven to Blacktown Police Station before being taken home and dropped off. The complainant doesn't feel what the original officers did
The complainant suffered from a sore neck and back the next day and would like an apology for the way the officers behaved (LMI0904204).

Table 23. Examples of complaints about a lack of respectful treatment by police

<table>
<thead>
<tr>
<th>Officer Conduct</th>
<th>Case Examples</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rude and abusive:</td>
<td>Complainant “felt bullied by the conversation” with officer attending the matter. Officer attitude “rude, arrogant, and derogatory and totally unprofessional” (LMI1001687).</td>
</tr>
<tr>
<td>Mistreatment:</td>
<td>After issuing complainant with Traffic Infringement Notice, officer “rude and swore at him”. Officer “slammed a car door on the complainant’s thigh” (LMI1000933).</td>
</tr>
<tr>
<td>Failure to engage and rudeness:</td>
<td>Complainant reported that “subject officer inappropriately belched”, also “failed to listen to her and failed to respond to subsequent messages left by her” (LMI0902532).</td>
</tr>
<tr>
<td>Undue physical force:</td>
<td>Complainant witnessed mistreatment of a taxi driver: “Officer yelled, was rude and pushed/twisted the driver’s wrist” (LMI1001842).</td>
</tr>
<tr>
<td>Failure to respond:</td>
<td>Failed to respond to parking complaint call: Complainant had to wait “outside in the cold for over five hours despite numerous requests for assistance” (LMI0903925).</td>
</tr>
</tbody>
</table>

The complainant in the foregoing narrative objected to the undue aggression used by police but nonetheless admitted that he had not behaved appropriately. He sought an apology, not compensation or revenge. Likewise, the complainant in the following narrative included an admission of wrongdoing on his part (offensive language), and itemized his own cooperative behaviour:

The complainant indicates that on 30.5.09 he was issued with penalty notice No. 4012117 and wants to raise the issue that he was not excluded from the licensed premises of Cheeky Monkeys, his friend was. He alleges the subject officer’s communication skills were poor and her demeanour was hostile. Both himself and the others involved were cooperative in providing their details, even though they did not have to by law, and were not threatening in any way. Numerous requests for them to catch a taxi home were ignored and the officer’s attitude and poor communication skills increased to the point that he felt harassed and intimidated. This was obviously frustrating and lead to minor offensive language at the end of the incident. He is happy to take responsibility for his actions in relation to his language due to the situation. He has chosen not to challenge the matter at the local court on advice from his Solicitor (LMI090359).

The citizen in the foregoing narrative complained about disrespectful treatment but also a failure by police to listen to him (a failure of voice) while he owned up to his own disrespectful use of foul language.
While disrespectful treatment by police was the most common procedural justice concern voiced by citizens, police commitment to respectful treatment was evidenced by its presence in the Charter, in the promise, “We will treat you with respect”, and its prominence in training. Analysis of the NSWPF CSP training material revealed that this element was addressed more extensively than the other three elements (trustworthiness, neutrality and voice), suggesting that customer service training was conceptualised primarily as a matter of respectful treatment.

While respectful treatment was important to both police and customers, case analysis indicated that community members had a number of ways of understanding respectful and disrespectful treatment. Complainants listed behaviours which they implicitly objected to as disrespectful, including both verbal and nonverbal behaviours, such as an officer failing to stand while speaking to them. Conversely, they also listed instances where behaviour by a community member was interpreted as disrespectful or noncompliant by police, although this was not the intention. A better understanding of how respect and disrespect are communicated and interpreted can improve relations between police and citizens. Cases of disrespectful treatment are listed in Appendix 3 (Section A1), illustrating the diverse types of disrespectful treatment objected to by members of the community, and the way in which these were interpreted as not only interpersonally rude, but also unprofessional. A consequence of disrespectful treatment is harm to the institutional reputation of the police force, and in turn, public confidence and police legitimacy.

2. Trustworthiness

Police trustworthiness was a concern for both citizens and police. Lack of trustworthy police behaviour was the second most common type of procedurally unjust behaviour that led to customer complaints, and trustworthiness was also present in the Charter’s promise to “show care”. To illustrate the contexts in which complainants included mention of core elements of police trustworthiness, some case examples of complaint narratives are provided in Table 24, by type of complaint. In general, these were situations in which complainants perceived that the police officers in question had failed in their duty to perform their jobs as expected, and rather than evoke trust that the officer was acting in the best interest of the public, the conduct demonstrated a betrayal of that trust.

Complaints about police trustworthiness encompassed numerous types of police behaviours, from inaction to failure to provide care to citizens, as shown in Table 24.

Table 24. Examples of complaints about conduct diminishing police trustworthiness

<table>
<thead>
<tr>
<th>Police Behaviour</th>
<th>Case Examples</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Police inaction and negligence; assault
Complainant attended to assist at a street brawl. 000 calls were only responded to after 40 minutes. Officers “took no control of the situation” and officer called complainant “a ‘dickhead’” several times. Complainant that “all police just stood around like stunned mullets whilst the offenders left.” Complainant observed “one male who was trying to explain what was happening get punched in the head and slapped in the face by the officer because the officer stated he failed to move on.” “Complainant typed this information after a severe panic and anxiety attack and breaking down in tears” (LMI1001163).

Citizen mistreatment:
While in police custody complainant “stripped of his clothing and had to sleep naked all night”. Complainant “humiliated during the removal of his clothing by officers watching this occurrence and laughing at him.” Complainant “traumatised” (LMI0904060).

Unlawful conduct:
Complainant alleges that officer conversation on Facebook said “Mate...save yourself a court matter. Do what i use to do. Turn the ICV [in Car Video] off...get $50 off them and send them on their way. Is that wrong of me? I hope no-one can read this?...ha” (P0905591).

Undue physical force:
Complainant reported “that Blacktown Police do not treat her with respect and are rude to her. She further states that Blacktown Police caused bruising by throwing her into the back of a Police van” (LMI0904342).

Unlawful conduct:
Off duty officer “lied to the insurance company by giving an untrue version of the collision (that the car he was driving was stationary when it happened)” (P0905274).

Failure to provide care:
Complainant reported “police searched the complainant’s vehicle, made her four children stand by the side of the road at night, in the rain. Did not tell them the reason for searching the vehicle” (LMI0902050).

Failure to provide care; belittling
Police took a phone call relating to the 13 y/old son of the complainant being plied with alcohol and exposed to drugs. The officer allegedly showed contempt for the complainant, her concern and even laughed at her and hung up (LMI0905284).

The Charter’s promise “We will show care” matched complaints about police inaction, which community members experienced as harming the trustworthiness of their relationship with police. Cases are included in Appendix 3 (Section A2) to illustrate failures of the Charter’s vow to “show care”, and how these failures harm police trustworthiness.

3. Neutrality

Both the Charter and the complaint narratives reflected a concern with police neutrality. Complaints about a lack of police neutrality revealed that types of perceived discrimination ranged beyond identity categories such as race or gender, to failures of neutrality against complainants, the young, and employees of certain organisations. Examples illustrating the range of groups perceived as targets of police bias are included in Table 25:

Table 25. Examples of complaints about a lack of police neutrality

<table>
<thead>
<tr>
<th>Officer Conduct</th>
<th>Case Examples</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Victimisation
Complainant “made comment about the poor display of driving by police” and was immediately pulled over and investigated. Treatment was “an act of retribution for his comment and obviously designed to inconvenience and denigrate” (LMI0905220).

Age bias
“SC A verbally expressed his frustration at having to chase mini bike riders...then stepped towards [complainant’s son], punching him with a jab to his mouth” (P0904335).

Religious discrimination
Complainant pulled over, officer was “extremely rude and aggressive, opened the door to her vehicle, removed the ignition key without her permission, broke the ignition key, accused her of not pulling over when signalled to do so, issued her an infringement notice for failing to pull over at the direction of the police, and picked on her because she was wearing a head scarf.” “Three separate members of the public stopped and berated the Subject Officer for the manner in which he was speaking to the Complainant.” Triage Officer and ECV record confirmed that “SCon M did approach and open the driver’s door and did remove the female driver (wearing headscarf) from the vehicle. He is then seen to take hold of both of the driver’s arms and place them behind her back before directing her out of camera view. None of these actions are recorded in the COPS Event” (LMI0905283).

Bias against Allianz employees
Senior Constable K called Allianz employee “a dickhead” and commented to another citizen, “Us Cops we hate Allianz so much. If you ever get pulled over, don’t ever say you work for Allianz because we’ll run you off the road” (LMI0904347).

Racism and age bias
Officer “arrogant, condescending and dismissive in his attitude and remarks concerning young persons at the new skate park at Goonellabah”. Spoke in “a reprimanding fashion”, “made disparaging comments about young indigenous community members” and “spoke in racist generalisations about young people and their families” (LM0904708).

Race and gender bias
Officer called complainant “black slut, motherfucker, and a black bitch repeatedly”. When complainant went to help brother, “grabbed by S/C H by the collar and then grabbed by the neck and lifted off the ground”. Complainant voiced that physical contact was unwarranted and excessive, and that she was being harassed. Complaint included further examples of harassment (P0902161).

The Charter’s promise “We will treat you fairly” expressed the element of neutrality, and was also a prominent element of the Group Value Relational Model in the complaint data. Cases in which police neutrality was questioned encompassed situations in which complainants reported that they were treated with bias and others in which police behaviour was deemed biased by researchers, e.g., instances of false action and corrupt or unlawful behaviour. Bias and lack of neutrality came in many shapes and forms, not only traditional categories of race or gender discrimination. Case examples illustrated the insidious nature of problems with neutrality: analysis revealed that citizens complained about subtle forms of discrimination, and discrimination against members of nontraditional groups (such as young people or employees of a particular organisation). Cases included in Appendix 3 (Section A3) illustrate the subtlety of these experiences of discrimination.

Neutrality is a particularly important concern for several reasons. Complaints about discriminatory treatment were serious: 71% of these complaints attracted a moderate to high severity rating,
indicating that complaints about failures of neutrality are likely to include descriptions of high risk incidents and conduct. While no data were available on minority group status, complaints about bias may include higher proportions of minority group complainants, and procedural justice research has shown that minority group perceptions are one of the most important measures of public confidence and police legitimacy (Sivasubramaniam & Goodman-Delahunty, 2008).

### 4. Voice

Voice was the least common procedural justice concern reflected in complaints. However, lack of voice has much wider implications, and a commitment to listening to citizens is enshrined in the Charter. The act of complaining itself is an instance where community members are invoking the importance of voice in the police-community relationship. Police attention to citizen voice has been shown to improve compliance in policing encounters (Dai et al., 2011). Complaints about denial of voice included events in which the complainant did not feel heard or feel as if their opinion was valued. Illustrative examples of the context of complaints centred on a failure to allow customers’ voice are shown in Table 26, by type of complaint.

<table>
<thead>
<tr>
<th>Officer Conduct</th>
<th>Case Examples</th>
</tr>
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<tbody>
<tr>
<td><strong>Failure to explain:</strong></td>
<td>Officer “said something that she could not understand and shoved the machine in front of her face. She did not know what to do and went to ask. The officer then interrupted her and told her to ‘do it now’. She still did not understand what to do…” (LMI0903597).</td>
</tr>
<tr>
<td><strong>Failure to listen:</strong></td>
<td>The complainant was arrested for allegedly stealing frying pan. “Cst Q would not listen to her and kept on telling her to be quiet and at one stage raising his voice. Cst Z agreed to take her to K-Mart, where it was verified by a shop assistant that the complainant had in fact purchased it (LMI0902945).</td>
</tr>
<tr>
<td><strong>Verbal abuse; failure to listen:</strong></td>
<td>Officer told complainant “pack up your family and move out of Deniliquin if you can’t deal with it”. Officer behaved “as a five year old chucking a temper tantrum as she stormed across the lawn yelling at the complainant in an angry tone, and didn’t want to listen to what the complainant had to say” (P0905541).</td>
</tr>
<tr>
<td><strong>Accused complainant of lying; verbal abuse; failed to listen:</strong></td>
<td>Officer alleged that complainant had provided false information in relation to an assault. Officer “yelled in his face and was not interested in listening to him.” Officer failed to investigate subsequently. Complainant fears for his safety and “has lost confidence in Police” (LMI0903101).</td>
</tr>
</tbody>
</table>

These examples demonstrated that failure to allow voice can hinder the progress of an investigation. The second example above described an instance where a contributing factor in the failure to clear up a false accusation was a failure to listen to the complainant. In the third and fourth examples, denial of voice was accompanied by disrespectful treatment, illustrating the very common co-occurrence of procedural justice concerns. Denial of complainant voice was also implicated in more fundamental damage to the citizen’s feelings of safety and loss of trust in police.

Police recognition of the need to respect citizen voice was reflected in the Charter’s commitment, “We will listen to you and acknowledge your needs.” Complaints that referred to issues of voice reflected a perceived failure of this commitment, and were mainly situations in which complainants were ignored and not listened to. Case analysis indicated that failure by the police
to listen to complainants was often distressing for community members, and had negative consequences for the efficacy of police procedures. These are illustrated in Appendix 3 (Section A4). The observed training sessions incorporated the voice principle through emphasising that customers should be listened to, their concerns should be taken seriously, that customers need to be called (back) when requested, that officers should be empathetic to customers’ concerns, and officers need to make sure the customer understand. The majority of these issues overlap with the need for respectful treatment. In the training sessions, although the point was made that customers should be made to feel valued, the principle of voice was not tied to examples of complex policing situations. Incorporating examples of complex, high-pressure policing situations into training on voice may improve understanding of the importance of voice to both the police-citizen relationship and to the efficacy of policing work.

b. Positive dimensions in the police-citizen relationship

Analyses of the complaint narratives revealed that the lack of attention by the police to interpersonal relational and interactional elements of customer service was the motivation for the complaint, not some ulterior or alternative motive. This was illustrated by the following case:

On the 27th November 2009 the complainant was stopped for the purpose of random breath testing in Chantry Street, Goulburn. The complainant states that as soon as the officer approached her window he was immediately aggressive and condescending towards her, tried to goad her into arguing with him, that he was rude and obnoxious and would not listen to her. The complainant has been spoken to and indicates that her treatment by the subject officer made her feel very stressed and nervous but she does not wish for any formal action against the subject officer other than for him to be reminded of his customer service obligations (LMI0905222).

This complainant emphasised the interpersonal treatment that she received (aggressive, argumentative, condescending and rude), and the psychological effects of this on her (stress and nervousness). She explicitly requested a non-punitive response, and this was framed positively. Rather than asking that the police officer be scolded for his actions (a negatively framed response), she asked that he be reminded of the social role and duty that he had as a police officer. The tone of this complaint suggested that the complainant generally trusted the police.

A review of the content of the complaints revealed that some complainants included mention of positive aspects of their treatment by police while complaining about negative experiences. Examples of positive comments about police behaviours are noted below (Table 27).

Table 27. Positive comments about police conduct noted in complaints
Case narrative and researcher comments

On 18/8/09 Cst B and P/Cst W attended Blair Athol in response to a cad message (39) initiated by the complainant alleging that her ex-de facto (C) had abused her and threatened to destroy her property. The complainant states that Cst B questioned her about C’s drug use and after going into the house, he returned and verbally abused her stating that it was a ‘load of bullshit’ and that he should be out locking up real crooks. The complainant states that Cst B treated her like she was drug dealing scum and that he stated that it would be waste of time getting an AVO and that she should “go down the civil line.” The complainant stated that she had no issue with the actions of P/Cst W who was very supportive towards her. A check of Police holdings reveal an intell. Report LMI0903731 submitted by Cst B. No DV cops matter recorded (LMI0903731).

Researcher comment: The contrasting behaviour of the two police officers in the above complaint were noted by the complainant. Just as negative behaviour can harm public trustworthiness of police, positive behaviour can enhance it. The fact that even those individuals who were so dissatisfied as to lodge a complaint also took the trouble to note positive police behaviour is evidence of the impact of positive behaviour on public impressions of police.

Letter received from Mr L indicating that he had attended a ‘meet the community’ function at Kings Cross LAC and was writing to thank the Commissioner for the pleasant improvements from previous functions. In his letter Mr L explains two specific incidents from previous functions where the attending police have ignored issues raised by members of the public and were not proficient at public speaking. Mr L described the improvements as a ‘great contrast... as though a different police force had taken over’ (LMI0905486).

Researcher comment: This complaint mentions successful responses by the police to public concerns and improved communication by certain officers.

The complainant alleges she was assaulted on the 17/11/2009 outside her residential address by an unknown female. When the police attended, they would not listen to her or provide any assistance, and simply left the location without taking any details of the incident. She later reported it at Woy Woy station to S/C F, who she stated, has been of great assistance. (LMI0905501).

Researcher comment: The assistance received from a particular police officer by a victim of assault was acknowledged.

The complainant has written a letter outlining the attendance of the involved officer at the Dillwynia C.C to investigate a report of an Indecent Assault upon an inmate. The complainant outlines that Constable C was very professional and courteous to the alleged victim and wished for him to be commended. As a contrast Constable J is reported to be unprofessional, overbearing and intimidating at the time. Constable J also received and answered a personal telephone call during the interview process with the alleged victim (LMI1001415).

Researcher comment: The contrast between the attitudes and professionalism of two police officers responding to a reported assault of an inmate at a correctional centre was highlighted, one positive and one negative. In this case, the complainant’s objection to Constable J’s behaviour is contrasted with that of Constable C. While Constable J’s answering a personal telephone call is interpreted as disrespectful and unprofessional, Constable C’s positive behaviour (“professional and courteous”) was noticed and noted. Were it not for Constable C’s positive behaviour, Constable J’s behaviour might have tarnished this citizen’s confidence in all police. While disrespectful treatment is damaging for citizen perceptions of police, respectful treatment has a positive impact.

On the 23 October 2009 the complainant was pulled over by Cessnock HWP at Molly Morgan Drive, East Maitland and subjected to RBT with negative result. The HWP officer advised that registration of the vehicle had been cancelled due to fine default and his licence suspended due to dement points. He advised the officer that he had been on holiday and not received any notification from the RTA. This officer was friendly and complainant has no complaint re this officer. A second HWP officer attended in the purple HWP vehicle and accused complainant of lying and rudely interrogating him until he finally felt pressured into stating that he was aware of the cancellation of the registration and the suspension of his licence (LMI0905361).

Researcher comment: As in some previous examples, the complainant reported the experience of both positive and negative treatment from two different police officers who responded to the same incident.
The complainant attended Surry Hills Police Station to report her handbag stolen. She alleges that the officer who spoke with her at the station did not show compassion or empathy with her situation and she felt that she was being dismissed by the officer. The incident was subsequently reported to PAL and she states that the person she reported the incident to at PAL was very understanding and thorough (LMI1001115).

Researcher comment: After one negative experience with a duty officer at one station, the complainant noted the contrast when she subsequently had a positive experience at another location.

Positive experiences with police created satisfaction, trust and confidence in police. While complaints are not likely to be the best source of information about citizens’ positive experiences with the police, the foregoing examples illustrated that police who were supportive, helpful, professional, friendly, thorough, and understanding made a lasting impression. By increasing conduct of this nature, negative impressions of police can be transformed and repaired.

c. Complaints as an outlet for voice

1. Why complaints matter

The importance of voice emerged in multiple stages of this study. The literature review showed that policing research increasingly emphasises the importance of the relationship between officers and the public. Research on what motivates complainants likewise found the importance of voice as a primary concern for those lodging complaints. Within the database of complaints, police failure to respect voice emerged as a prominent concern among complainants. In the review of the training material, the element of voice was comparatively neglected compared to respectful treatment. As voice is a primary motivator for complaining, improving citizens’ desire for voice within the policing encounter itself may improve their satisfaction and lessen use of the complaints system to voice concerns.

Most complainants did not request apologies or compensation, or a substantive verbal, financial or other response from police. This suggested that a main concern was communicating to police their grievance over a past event (and perhaps preventing a reoccurrence of similar events in the future). A well-run complaints system may itself serve to satisfy complainants’ desire to voice their concerns, a key finding in previous research on what complainants want (Maguire & Corbett, 1991). If officers understand voice as a primary motivator among complainants — and a sign of a healthy relationship to authority under the procedural justice model of policing — they may have a greater substantive appreciation of the need for active listening within policing encounters. Satisfying citizen desire for voice in the policing encounter may lessen complainants’ desire to seek voice via a complaints system.

This is not to suggest that complaining behaviour is to be discouraged or viewed negatively. The role of complaints systems as a mechanism for citizen voice indicates that reduction of complaints on its own is not a valuable goal. While the statutory significance of complaints under the Police Act is acknowledged, as well as the role of external agencies such as the Ombudsman and the Police Integrity Commission, creative solutions may engender a way to simultaneously comply with these laws while not seeking to minimise or dissuade complaints.

While efforts to minimize complaints are a laudable goal, this may be a short-sighted and outdated model, not consistent with contemporary customer service theory and research. Rather, energies should be focussed on achieving an optimal number of complaints. Desire to reduce the number of complaints can lead to complaint minimization, discounting, trivialisation within the institution and is not compatible with a customer service approach. A reduction in the number of complaints should not necessarily be viewed positively: it may indicate a “learned helplessness”
where customers do not believe that complaints can effect change, are apathetic, or have very low levels of loyalty to the provider (Goodman, 2006). Energies should be expended on reducing the problems that give rise to complaints (Goodman, 2006), and into reviewing the systemic policy problems that exist on an institutional level (Brewer, 2007).

Even researchers who aim at reducing complaint numbers recognize the significance of a desire for voice on the part of community members, both in their interactions with police and in the complaint process itself (Porter, Prenzler, & Fleming, 2011). Porter and colleagues recommended careful recruitment processes that screen for warning signs that a potential recruit may become a “problem officer” who attracts a disproportionate number of complaints. Interestingly, their research findings showed that instances of multiple complaints against individual officers in the Tasmanian police were rare. In addition to careful recruitment, improving police officers’ communication skills is recommended as a key way to minimize complaints (Porter et al., 2011).

In many institutions there may be cultural resistance to the notion that complaints are to be encouraged. Institutional attitudes to customers who complain include managerial skepticism, perceptions that customers want “something for nothing,” that they are confused, or have incorrectly evaluated the merits of the situation (Resnik & Harmon, 1983). Many professionals apart from police have demonstrated resistance to complaints: doctors, for example, reported believing that the majority of patient complaints were unwarranted (Cunningham 2004) despite the fact—across all sectors—that the actual proportion of malingering or false complaints or allegations is low.

In fact, consumer complaints can be a valuable resource regarding defects in performance and services that can result in a loss of confidence and legitimacy, and engender non-compliance by customers. By attending to customer complaints, and promoting customer complaint channels, police can avoid reputational damage. Engaging with complainants presents an opportunity to increase trust and confidence in police. Ironically, the customers who avail themselves of internal organizational channels to voice their complaints are often the most loyal customers, more loyal than those who do not complain (Goodman, 2006). Those who perceive the police as responsive in a positive way are more likely to complain (Singh & Wilkes, 1996), and customers will not complain to a provider whose proficiency and expertise they do not respect. Armed with this knowledge, the police should treat customers who complain with respect, should encourage this behaviour, and acknowledge the opportunity a complaint provides to build increased customer loyalty and confidence.

2. Improving voice for vulnerable groups

As data on vulnerable group status were unavailable, it was impossible to ascertain how many complaints had been made by vulnerable persons. While improved coding will answer this question, it is nevertheless recommended that access for vulnerable persons be improved based on research which emphasises the importance of vulnerable groups’ perceptions in police legitimacy generally (Sivasubramaniam & Goodman-Delahunty, 2008). Access to complaints systems should be improved to facilitate more effective complaining, particularly among those groups who may have difficulty lodging written complaints. Targeted programs should seek to include the voices of vulnerable complainants. Consulting with minority groups about the best ways to elicit and record lingering complaints may provide eye-opening ways to facilitate access for these communities.

Moreover, the decision to follow an exclusionary definition of “customer” which excludes a particular population from customer service may violate the principle of voice since their voices are not heard or valued within the complaint system. Suspects as a population may exist on the
outsskirts of society, or overlap with other disempowered populations. Research has shown that vulnerable and minority groups provide the best measure of overall confidence in and perceived legitimacy of the police. Excluding suspects as a group entails the loss of an empirically supported, important source of measurement of public image. The decision to exclude suspects may also disproportionately exclude other minority populations who are overrepresented in the criminal justice system.

3. Valuing complaints in police culture

Both procedural justice theories and customer service approaches to policing have delivered the overwhelming message that the relationship between police and the community is crucial to a well-functioning law enforcement system. This relationship is not unidirectional, but runs both ways.

In observed training sessions, individual officers expressed fear that complaints had serious professional consequences. In this context, the workforce will not embrace customer complaints, but be encouraged to minimize them, deny them, and hide them. While the serious statutory implications of complaints are recognised, we recommend moving away from a “rotten apple” approach to complaints, in line with the NSW Ombudsman’s recommendations that:

“There is still a strong tendency to see all issues as the fault of individual officers who need to be punished for wrong conduct or have their failings fixed in some way. We seldom ask why and how such conduct was allowed to happen. We still look for rotten apples and pay little attention to the structural integrity of the barrel in which they operate” (Andrews, 2010, p. 4).

The prominence of this concern at training sessions indicated that extra effort may be necessary to create a culture wherein customer service complaints are not negatively associated with punishment, but instead are viewed as organisational indicators of public confidence and trust (or lack thereof). This may involve finding a way to distinguish between low risk and high risk conduct in complaints, to communicate that complaints about an officer are not in and of themselves negative, rather what is in issue is the conduct of officers, their professionalism, and their relationship with the community. Analysis of complaints revealed that sometimes complainants used complaints as a vehicle for praising individual officers, reminding officers of their duties, or as an informational tool, to bring to the attention of police a point of view or an outcome that the officers in question may have been unaware of. This involves viewing complaints through a much wider frame than simply a punitive one. In the private sector, research has shown that complaints can have a negative impact on employees’ emotional wellbeing, causing a drop in commitment to customer service among some employees (Bell & Luddington, 2006). The solution is not to discourage complaints by customers but rather to support and train staff and to incorporate customer feedback into future organisational policy (Bell, Menguc, & Stefani, 2004). Recent changes to disciplinary procedures in NSWPF support this. Following the findings of Project Lancaster in 2010, complaints investigations place greater emphasis on fair procedures and non-reviewable action (including conduct management plans, warnings, and increased supervision) than on more punitive and reviewable disciplinary action (NSW Ombudsman, 2011a).

Staff need reassurance that not all complaints will jeopardize their careers and result in negative information in their personnel files. A non-punitive approach to lower risk complaints may foster a change in workforce attitudes, and a more positive response to the Customer Service Program and related training. In line with the principle that complaints should be valued and encouraged, numerous companies have studied and implemented effective strategies to enhance the process
of receiving and responding to customer complaints. The best practices include mechanisms to enhance accessibility, such as providing a free telephone call or extended hours of operation.

The decision to treat all complaints as valid is supported by consensus in the complaints and police complaints literature that indicates that only a small proportion of complaints are vexatious. In fact, most people who feel violated by police do not take the step of complaining about the police (Woods, 2006). Research in the UK demonstrated that most police complainants are motivated by a genuine desire to “make a point” and express their anger about an incident, are reluctant to complain, and seek only to communicate their frustration (Maguire & Corbett, 1991). Half wanted an apology, a quarter wanted to “make a point”, and only around a quarter of complainants wanting action to be taken against the offending officer. It is recognised in state agencies, too, that the number of vexatious complaints is not large (Police Integrity Commission, 2009). In Australia, the number of vexatious lawsuits is very low, with a total of only 45 litigants ever having been prevented from bringing proceedings to court, indicating a low incidence of vexatious behaviour (Kirby, 2009). Resources expended on processing unsubstantiated complaints in the public sector are not wasted, because they enhance public confidence (Brewer, 2007). The way in which complaints are processed presents an opportunity to enhance customer confidence.

At a meeting with NSWPF (personal communication, 22/03/11), officers expressed the view that a significant proportion of complainants were not meritorious, brought by malicious, mentally unstable, or vexatious complainants. Research indicates that the opposite is true: people under-complain, rather than over-complain. Deterrents to vexatious complainants exist in the legal penalties for bringing vexatious complaints or complaints that are not in good faith (Police Act, 1990). Moreover, one in every three complaints against NSWPF officers are brought by other officers, not members of the public (NSW Ombudsman, 2011a).

Much research in policing focuses on the goal of reducing the numbers of complaints, based on the assumption that complaints are evidence of negative encounters and conflict, and that complaints should be reduced without preventing genuine complaints (Ede, Homel & Prenzler, 2002). A less prescriptive view of complaints would involve moving beyond “forensic realism” and prescriptive legalistic frames of interpretation that preclude empathy and tolerance of complainant viewpoints (Goldsmith, 1996). Instead, complaints may be viewed as a form of citizen communication, and an outlet for citizen voice, within a procedural justice model of policing.
A. CONTEXT OF THE STUDY

The aims of the study were to;

- review the academic and professional literature relevant to customer service in policing;
- identify gaps between the ambitions of the NSWPF Customer Service Program and delivery of training, and;
- identify a typology of situations that give rise to customer service complaints based on complaints in the C@TSI database.

1. RESEARCH CONTEXT: RESEARCH ON CUSTOMER SERVICE IN POLICING

The literature review encompassed research on procedural justice and customer service, and international trends in professional policing practice. A major finding was that perceptions of fair procedures among community members are key indicators of the quality of community-police relations.

Procedural justice theory was identified as the leading empirically-supported theory of citizen compliance in policing. The Group Value Relational Model of procedural justice in policing indicates that citizen perceptions of police trustworthiness, respectful treatment, neutrality and voice are directly linked to satisfaction with police and citizen compliance. Levels of satisfaction within minority groups are an important measure of public support for police.

Research from the private sector indicates that the quality of the relationship between customers and service providers is a key indicator of customer loyalty. Relationship building exercises aim to improve customer perceptions of a service provider, perceptions of trustworthiness in particular. Complaints are encouraged to strengthen the relationship, improve outcomes and allow citizens to voice their concerns with service providers. Based on these insights, public sector agencies have also incorporated a customer service approach, welcoming complaints from the public to improve services and accountability.

The fit between customer service approaches and police services has been less straightforward due to police law enforcement obligations and barriers within police culture. Successful reforms ensue from underlying cultural change and the active support of individual officers. Complaints are a measure of trust and a valuable resource for gauging customer satisfaction. Research on complainant motivation indicates that most customers are motivated by a desire to voice their concerns and are seeking an apology or acknowledgement that their complaint has been fairly heard.

The level of complaints received by police is likely to be the ‘tip of the iceberg’ of customer dissatisfaction, as most dissatisfied citizens do not lodge complaints. Factors affecting the likelihood to complain include personality traits and demographic characteristics, and the typical complainant is younger, wealthier and better educated than the average citizen. Vulnerable populations are particularly unlikely to lodge complaints, and their avenues for complaining should be improved based on the finding from procedural justice research that minority groups are a barometer of overall satisfaction with police.
While police culture has traditionally focussed on reducing the number of complaints, based on the assumption that this would indicate improved satisfaction and reduced misconduct, police complaints systems need to move beyond the reduction of raw complaint numbers as a singular goal. Given the importance of complaints as a measure of citizen satisfaction, and an outlet for citizen voice, achieving an optimal moderate number of complaints is a better goal. Analysis of the quality of complaints in addition to the quantity enables a healthier institutional relationship to citizen complaints.

A review of international trends in policing revealed an overall trend from force-based to consent-based policing. Community-based policing initiatives were implemented in the United States, the United Kingdom, and New Zealand, with the aim of improving police-citizen relations and improving the trustworthiness of police in the eyes of the public. In jurisdictions where these reforms have been successfully implemented, public confidence has risen. In some cases, poor implementation has been blamed on intractable and inflexible police culture. The trend towards policing policy founded on building trust with communities has extended to emerging democracies, where less intensive policing has been associated with improved trust and cooperation.

In Australia, since the corruption scandals of the 1980s and 1990s, police reform has matched international trends towards procedural justice models of policing, including customer service approaches. Research has found support for the efficacy of procedural justice approaches to policing in Australia, improving citizen trust and willingness to assist police. Australian research has further found that citizens' procedural justice perceptions in police-initiated encounters were particularly important. At the state level, NSW state police agencies have implemented partnership programmes which aim at sharing information between citizen groups and police, and reforming police services as inclusive organisations.

2. WORKPLACE CONTEXT: STAFF Misperceptions vs. Realities

In the course of this research, several common misperceptions held by members of the NSWPF about customer complaints were uncovered. These included misperceptions about the members of the community who lodge complaints, such as:

- Most complainants are women.
- Most complainants are disgruntled suspects, not other members of the public.

Other common misperceptions centred on the nature of complaints:

- Customer service is inconsequential, crime control is the important task.
- Customer complaints programs address trivial concerns, not core policing business.
- Complaints about customer service do not involve serious or substantive issues.
- Complaints filed by suspects lack merit.
- Complaints filed by suspects are motivated by revenge.
- Most complaints are non-meritorious (vexatious or revenge-seeking) unless proven otherwise.

The results of this study indicated that:

- Most complainants were men.
- Most complainants were community members, not suspects.
Only 2% of the complaints were about customer service matters, i.e., specifically complained about poor customer service.

The vast majority of the complaints referred to police behaviour indicating disrespectful treatment, trustworthiness, non-neutrality or denial of citizen voice.

Police behaviours that led to most complaints were mistreatment and misconduct.

One out of every two complaints included an allegation of mistreatment.

Mistreatment complaints were more likely when police approached the customer than vice versa.

Most complaints of undue aggression involved excessive physical force.

Two out of every five complaints included an allegation of misconduct.

One out of every 3 complaints involved illegal or unlawful conduct by the police.

One out of every 3 complaints was for incompetent or inadequate service, or failure to perform.

Least common were complaints about detriment to the public image of police and failures to care for vulnerable persons.

One in 5 complaints alleged discriminatory treatment.

One in five complaints alleged poor communication.

Complaints about failure to care for vulnerable persons were high risk events.

Legal risks were higher when the public approached the police rather than vice versa.

People were more likely to complain when police approached the public (3 out of 5) than when the public approached the police (2 out of 5).

Over half of the complaints involved moderate-to-high legal risks; one in every 10 complaints involved extreme legal risk.

One in two complaints included mention of disrespectful treatment by police officers.

In two out of five complaints, police trustworthiness was the primary concern.

Suspects were more likely to raise issues of disrespectful treatment, while nonsuspects were more likely to raise trustworthiness as a concern.

Results of the foregoing complaints analysis can be applied to reduce complaints by direct interventions or targeted training:

- In geographical hotspots where a higher than average ratio of complaints originate, e.g., Northern Rural NSW (Coffs/Clarence LAC, Tweed/Byron LAC, and Central Hunter LAC) and central metropolitan Sydney (Kings Cross LAC).

- To increase awareness of new technologies that may damage the corporate reputation and image, e.g., Facebook.

- To educate about mistreatment and misconduct.

- To educate about legal risks associated with failure to care for vulnerable persons.

The report notes that training programs should be data-driven, and reflect the types of complaints that arise in real policing situations. Complaint narratives provide a unique insight into the citizen perspective during policing encounters, and problems which may arise.

3. PRIOR EVALUATIONS OF NSWPF CUSTOMER SERVICE PROGRAM

In 2008 an agreement between the PIC and Ombudsman determined that the NSWPF should conduct an annual survey of a sample of complainants and publish the results in the NSW Police Force Annual Report (NSW PIC & Ombudsman, 2008). This provides an opportunity to conduct a more systematic assessment of the complaints handling experience as well as informing the
NSWPF on customer satisfaction. The following weaknesses in C@TSI and the prior evaluations can be remedied in fulfilment of this agreement.

a. NSWPF C@TSI analysis of complaint reduction

Data expected to be consistently recorded in the complaint database were absent in approximately 10-20% of cases. This suggested that either this information was not available or obtained at the time of lodgement of complaint, or was not entered into the database when the complaint was recorded. No information on complainant minority group status was recorded in C@TSI.

The coding of “customer” status in C@TSI by police staff differed from the status recorded by our researchers in a quarter of cases. If categories like these are not applied consistently, both internal and external analysis becomes problematic. There will be damage further down the chain, as research which bases its sample or analysis on C@TSI “customer” tags or titles will be flawed. This includes both internal analysis and external review by bodies such as the Police Integrity Commission, or Ombudsman, whose research may be jeopardized if categories are not applied consistently.

In particular, further analysis is suggested to examine how “customer” status is coded by police staff in C@TSI, as this code was present in only a third of cases. The allocation of “customer” status codes are highly significant to the definitions used by the Customer Service Charter. Some codes may be more easily applied than others. Given the complexity of citizen identities in complaint narratives, if a category such as “customer” is consistently presenting coders with problems, further training on the coding category may be necessary. Although complaints by suspects were supposed to have been excluded from the customer service complaints database, more than one quarter (28%) of complainants were still coded as suspects after the introduction of the Charter. Recording these complaints may constitute an implicit communication that these complaints will be “heard”, i.e., there may be problems with sending a message to suspect complainants that it will accept, record or “hear” their concerns, even though these complainants are, by definition, not legitimate in this particular avenue of complaint.

Regional analysis indicated uneven data entry across regions, with more missing values in Southern and Western regions. Further investigation is necessary to determine why this was the case, but these data suggest that those regions may require further assistance with training and coding.

Another problem with coding was identified in narratives where the validity of the complaint was questioned or in which the officer recorded his or her own experience during the situation that generated the complaint. Often this intrusion was very subtle, at the level of sarcastic punctuation, where someone identifying themselves as a victim was noted in the database as a “victim”. These intrusions represent a threat to the integrity of the complaints database as a neutral record of complainant perceptions. At the stage at which complaints were analysed in this study, no internal investigation to substantiate complaints had yet been conducted. The use of evaluative language or unsolicited information from the recording officer or other persons (i.e., information supplementary to that provided by the complainant) may influence subsequent investigation.
b. Limitations of Mystery Shopper Program

While the mystery shopper evaluation has delivered promising results, analysis of some of the vignettes indicated that their scope should be widened to include examples drawn directly from the complaints database, more representative complaints and more complex policing situations. Measured changes in customer satisfaction following the implementation of the Charter should be interpreted cautiously.

c. Limitations of Telephone Survey

The telephone survey was limited in its design. Only a small number of people completed the survey, compared to the number of people who make complaints. No open-ended comments were collected. The lack of qualitative data limits the usefulness of the survey to inform training and further customer service initiatives. One of the suggestions for future research is an open-ended oral interview with complainants to assess their satisfaction with the complaints system.

d. Improving victim follow-up

Victim status was not included in the coding scheme nor was NSWPF quantitative data on victim status provided to the research team. However, NSWPF data on victim-follow up (provided 06/04/11) indicated that between July 2010 and October 2010 only two-fifths of victims received notification, falling short of the 85% target. While this was a substantial improvement, more can be done to improve follow up. Complaint narratives show that victims object to not being informed, often to the extent that they take the trouble to lodge a complaint based solely on this issue. Failures to follow up with victims resulted in a host of objections, including failures in justice outcomes, through not being informed about a court matter.

B. TYPOLOGY OF BEHAVIOURS THAT LEAD TO COMPLAINTS

1. FREQUENT BEHAVIOURS REPORTED IN COMPLAINTS

The complaint narratives produced eight main complaint types, seven regarding to police procedures or conduct that was the basis for the complaint, and one regarding negative consequences experienced after an interaction with the police. In those complaints, the consequences, such as mental distress, loss or damage to property, were the basis for the complaint, rather than the police behaviour itself.

a. Acts of commission vs. omission leading to complaints

In particular, numerous complaints were about less serious incidents of mistreatment, misconduct and unconscious bias, in line with overseas findings that the majority of police complaints involved less serious misconduct, including neglect of duty or incivility (IPCC, 2009).

However, a significant proportion of complaints were about more serious issues, including issues posing significant risks to complainants, the public, and the police force. A key finding of the analysis was that lower level customer service issues, such as complaints about incivility, often co-occur with more serious issues.
b. Regional variations in complaints

NSWPF regions received similar types and frequency of complaints. However, complaints about off-duty officers were more likely to come from rural and from South West Metropolitan regions, indicating that officers in these regions may be more likely to be known as members of the police force by others and may be under closer public scrutiny in their private lives. Further analysis might explore the reasons for this discrepancy to improve the likelihood that complaints are recorded in an accurate and comprehensive manner across regions.

c. Initiators of events leading to complaints

Events leading to complaints were most likely to be initiated by police officers. The large majority of complaints lodged by suspects related to events initiated by police rather than complainants, whereas the initiator of the event underlying the complaint was evenly distributed for non-suspects. These findings support those of Murphy (2009) who posited that procedural justice is more important measure of public satisfaction in police-initiated events than in citizen-initiated events, where police performance plays a greater role in predicting public satisfaction. Data from the current study lend support to the notion that police-initiated events are particularly important opportunities for improving perceptions of police, and the public image of police.

While some police may believe that suspects who complain about police-initiated events are lodging vexatious complaints, often this is not the case. Many of the complaints analysed illustrated suspect complaints after police-initiated events in which police perception that the suspect was being uncooperative was a hindrance to resolving the issue. These included complaints about police failing to listen to suspects, or misinterpreting their behaviour as non-cooperative (see Appendix 3).

d. Suspect status and complaint trends

For the proportion of complaints in which suspect status was discernible, complaints submitted by suspects accounted for just over a quarter (27.3%) of the total complaints in a 12-month period. Non-suspects were more likely to complain about serious misconduct such as corruption and serious unlawful police behaviour. A large number of these cases were ones in which the complainant was a third, observing party.

Complaints made by suspects were likely to be higher in severity than complaints by non-suspects, with a higher frequency of complaints relating to more serious mistreatment and moderate levels of police misconduct for suspects than non-suspects. Suspects were also at a higher risk of enduring negative consequences as a result of police (in)action. The breakdown of themes by suspect status indicated that complaints by suspects included substantial numbers of themes with significant implications for suspects’ wellbeing, public confidence in police, and police operations. Analysis of complaint narratives revealed that the status of an individual as a suspect or non-suspect was often murky and highly complex (Appendix 3, Section B5). This may account for the inconsistency with which this was coded by police in C@TSI.

e. Gender of complainants

Complainants were more likely to be male (48%) than female (30%), however the gender of the complainants was not recorded in 22% of cases. In addition, the C@TSI coding included no data field option for transgender or transsexual complainants, unlike the police complaints database in the United Kingdom and Wales (IPCC, 2011). At a meeting with the researchers (personal communication, 22/03/2011), several police officers expressed the view that women were more
likely to complain than men. Research has shown that the typical police complainant is more likely to be male, aged 25-44 (Maguire & Corbett, 1991), with latest statistics from police complaints in England and Wales indicating that the typical complainant was a white male aged 18-49 (IPCC, 2010).

2. RISK EXPOSURE IN REPORTED POLICE BEHAVIOURS

A key strength of the current analysis was the coding of risk independent of the nature of the complaint. This may explain results such as the finding in the current study that a high proportion of complaints including high risk behaviours were present in ostensibly lower-risk categories of behaviour, such as neglect of duty of care.

a. Risk in acts of commission: mistreatment and misconduct

Complaints relating to rudeness or abusive treatment comprised the second largest subcategory of complaints. When police behaviour was rated on severity and risk, the majority of complaints were found to contain examples of higher risk conduct (55%), and less than a quarter of complaints including lower severity conduct. In terms of frequency, acts of commission outnumbered acts of omission, indicating that most of the behaviour described in complaints related to issues of mistreatment and misconduct. This illustrates that customer service complaints frequently contain descriptions of serious misconduct, and that customer service training may be inadequate if it fails to incorporate discussion of high risk conduct.

When analyses of severity and of complaint themes were combined, the high proportion of moderate-high to high severity ratings across themes demonstrates the seriousness of complaints about procedural justice themes. In other words, this matching between analyses demonstrated that complaints about poor procedural justice are likely to include a high proportion of serious concerns. Some of these present significant risks to police confidence, as well as negative consequences to complainants and are illustrated by narratives in Appendix 3. The prevalence of higher severity complaints could have considerable implications with regard to the likelihood of successful civil claims against police and the potential negative effect on the public image of the police.

Acts of commission were present in almost three quarters of complaints, indicating that although the database comprised customer service complaints only, these complaints included mention of mistreatment, misconduct and discriminatory treatment which was non-trivial. Mistreatment complaints were evenly divided between complaints about incivility and complaints about undue aggression, including both verbal and nonverbal intimidation. The most frequent type of misconduct complaint was of unlawful or illegal conduct, with only half as many complaints relating to unprofessionalism. These frequencies indicated the prevalence of more severe of acts of commission within customer service complaints, a finding which should dispel any perception that customer service complaints relate to minor or trivial issues. Although the database which was analysed was one in which customer service complaints had been flagged by police coding, these also included other complaints of more serious consequences, indicating that poor customer service, poor procedural justice, and negative consequences for complainants all travel together.

b. Risk in acts of omission: failure of care

Despite the high frequency of police acts of commission in the complaints database, in terms of severity, police failure to provide care was associated with the highest severity ratings out of all the police behaviours distinguished, and more severe ratings than those associated with police
mistreatment and misconduct. This finding illustrated that the police duty of care warrants careful attention in police practice, policy and training. Many of these complaints related to failure by police to seek assistance for or to assist citizens who were vulnerable (for example, injured or elderly), or in vulnerable circumstances (for example, out at night or in the cold, in custody). While these may not be considered core policing business, or key customer service issues, almost 90% of failures to provide care were high-risk. This indicates an area of concern. Examples of these are included in Appendix 3 (Section B4).

c. Risk in negative consequences to complainants

The seriousness of complaints was further illustrated by the negative consequences which were mentioned in approximately one in every five (19%) complaint narratives. These were consequences suffered by complainants as a result of poor police procedures, and included life disruption, psychological and physical injury and suffering, property, legal or financial loss, and dissatisfaction with justice. Life disruption included consequences such as loss of employment or relationship breakdown.

These involved a significant proportion of severe losses or harm, evidenced not by complainants’ own severity ratings, but by independent coding. The consequences which posed predominantly high risk ratings included financial cost (82%), property damage (79%), and mental distress (61%). The seriousness of some of these consequences also brought home the fact that procedural justice is a central component of police-citizen relations, and is not too be minimized.

The high risk of these consequences illustrated that citizens are not only concerned about fair procedures (procedural justice), but also real consequences (distributive justice) (Heuer & Sivasubramaniam, 2010). They also highlighted that unfair procedures and poor relational factors can cause real harms. These consequences demonstrated the risk of poor procedual justice to individuals, but did not measure longer-term society-wide risks of widespread damaged confidence in police or lower citizen compliance. Dissatisfied community members may influence others through negative word of mouth. Negative publicity through media reporting of poor experiences with police can also have a knock-on effect, damaging public confidence, police legitimacy and citizen compliance. This is particularly important given the significant impact of negative experiences with police compared to positive experiences: research shows that a negative police experience has four to fourteen times the impact on perceptions of legitimacy and confidence in police as a positive experience (Skogan, 2006).

The complaint narratives in the database revealed surprising instances where complainants suffered a variety of negative consequences due to information leaks by police (Appendix 3, Section B3). The NSW Police Integrity Commission has highlighted the serious implications of misuse of information, a type of police misconduct (People, 2008), and the report included case studies illustrating this issue.

The PIC drew attention to this as an area for concern:

- The most significant results from this study indicated confusion, misunderstanding and lack of awareness regarding confidential information and its use and dissemination within and outside the NSW Police Force (People, 2008).
- Leaks of information can have devastating impact for citizens, and a significant proportion of complaints about breaches of privacy or confidential information are made by victims (People, 2008).
To reduce these risks, complaint narratives highlighting improper use of information or release of confidential information can inform training (Appendix 3, Section B3).

**d. High risk behaviours co-occurred with relational concerns**

The major issues identified in complaints were failures in the relationship between police and the community. These were deficits in the four elements of the procedural justice theory implementing the Group Value Relational Model, namely, trustworthiness, respectful treatment, neutrality and voice. When applied to the policing context specifically, the model proposes that if members of the public perceive the police to be trustworthy, if they feel they are treated with respect and dignity, if they perceive that the police are operating without bias, and if they feel that their viewpoint is heard and valued, they are more likely to view the police force as a legitimate agent of law-enforcement and are more likely to cooperate and comply with police operations.

While the vast majority of complaints about police behaviours addressed failures in one of the four procedural justice principles, only one in fifty (2%, \(n = 58\)) complainants framed their concerns as complaints of inadequate customer service. This suggested that while a very small proportion of community members understood their relationship with police as a customer-service provider relationship, and their capacity to invoke their power as customers, a far greater number of individuals placed value on the quality of the relationship that they had with police, and the fairness of police procedures. Complainants have yet to internalize a service provider model of policing, but still valued the quality of interactions and the relationship with police sufficiently to lodge a complaint. The importance of trust in the police-community relationship should not be underestimated, as trustworthiness concerns were expressed in two-fifths of the complaints, and trust was identified as a key variable in the relationship between the community and police (Goldsmith, 2005), and with government agencies across the board (OECD, 2005).

**e. Risks to the corporate image**

A number of issues were identified which can easily be addressed to minimize exposure to legal risk. These included issues where a better understanding of complainants’ perceptions of police bias and respectful treatment may improve police-community relations as outlined above. They also included complaint narratives which detailed incidents where, if police had been better informed about behaviours which give rise to complaints or create risks, citizen dissatisfaction may have been avoided. In some cases the best outcomes are difficult to determine because of case complexity. A cost-benefit analysis identified a number of areas where problems with citizen dissatisfaction can be more easily addressed. The ways in which these can be addressed are elaborated further in the subsequent section on training.

Complaints about public incidents were present in a small proportion of complaints (4%), but these complaints may be easily addressed through providing officers with information about the types of behaviour likely to give rise to public incident complaints. Research indicated that police officers aged 21-25 and probationary officers were more likely to be the subject of public incident complaints (People, 2010). More than a third of the public incidents investigated in the PIC study resulted in formal discipline, and the most common public incidents were about officers having a second job, criminal offences, improper associations and harassment. More than half of these complaints were made by other officers.

The PIC report recommended that the problem of off-duty misconduct be addressed by educating officers about it, including the recommendation that training should include example situations of off-duty misconduct and its consequences, including management action, particularly with
respect to avoidable issues, such as the misuse of social networking technologies, and matters to consider when consuming alcohol off duty (People, 2010). Examples of complaints about public incidents are included in Appendix 3 (Section B1) to illustrate the diversity of public incident complaints.

A small number of complaints (0.5%; n = 16) were made by citizens who were prevented from recording police activities, through filming during an accident, arrest, or public event. Complainants perceived these orders as a transgression of their rights. Complainants also outlined cases where police had misused new technologies, such as Facebook.

New technologies such as mobile phone video cameras, YouTube and Facebook have led researchers to point to an age of “new visibility” in policing (Goldsmith, 2010). This included the practice of surveillance, recording of police activities by members of the public as counter-surveillance, including at protests, or in altercations involving police use of Tasers (Goldsmith, 2010). It may be beneficial to review procedures regarding public use of recording devices in cases like these, and to develop strategies to clarify these procedures and regulations to citizens. While the proportion of such complaints was very low, this may be a growing area of concern for policing as these technologies proliferate. Taking action on these areas now may reduce risks in future. Case study analyses indicated the multiple ways in which these technologies can be misused (Appendix 3, Section B2).

C. THE DOMINANCE OF RELATIONAL CONCERNS OVER OUTCOMES

In the past, policing researchers advocated a wider frame of interpretation than simply a “forensic realist” approach (Goldsmith, 1996) to the study of Australian police complaints, in part because this approach “fails to reflect differences of perception, belief, value, and understanding among different sectors of the community” (p.1). The importance of relational concerns to citizens and police customers was demonstrated by the dominance of procedural justice themes over outcomes that emerged from the objective coding of the complaint narratives, summarised in Chapter III, Sections 6 and 7, above. By adopting a relational perspective, such as that incorporated in procedural justice theory and the GVRM, the shortcomings of forensic realism can be avoided.

One way to foster the relational interpretation of complaints is to use the tools of dispute resolution specialists, who distinguish between a conflict and a dispute (Moore & McDonald, 2000). Conflict describes an overriding general negative emotion, while a dispute is a particular situation where the parties may disagree over the facts, but may “agree to disagree.” Interpretation of the relational aspects of police complaints requires a distinction between disputed facts during the event, and underlying conflict or negative affect (including mistrust). Dispute resolution focuses on transforming conflict so that the dispute in question can be discussed (Moore & McDonald, 2000). While not all citizen complaints are appropriately dealt with through dispute resolution, the lessons of dispute resolution can be applied generally to complaints management, handling, and the way in which individual officers view complaints. Complaints are more likely to be interpreted as indicators of a relationship if police officers have a general disposition of trust toward complainants (and do not assume them to be vexatious). Accordingly, police-citizen encounters are more likely to include constructive discussions of the dispute in issue, with the potential to arrive at an end-point of “agreeing to disagree”.
The findings in the current study that deficits in relational issues were prevalent in 86% of the complaints, especially perceptions of respectful treatment and police trustworthiness, are consistent with other contemporary policing research demonstrating that procedurally just behaviour by the police, particularly respectful treatment and voice, had a measurable impact on how citizens behaved in response (Dai et al., 2011). The dominance of respectful treatment concerns in interactions between suspects and police in police-initiated encounters, corroborated findings obtained in previous Australian research (Murphy, 2009) showing that procedural justice was a more important predictor of citizen satisfaction in police-initiated encounters, while police performance predicted more satisfaction in citizen-initiated events.

Problems with police trustworthiness were integral to the underlying relationship between police and citizenry. Trustworthiness has been identified as the crucial element in building police legitimacy: contemporary policing researchers have distilled the issue of confidence in police to a single element - public perceptions of police trustworthiness (Jackson & Bradford, 2010).

While voice did not emerge as a primary concern in a large proportion of the complaint narratives in the current study, police attention to citizen voice has been shown to play a pivotal role in reducing noncompliance by citizens (Dai et al., 2011). Failure to consider of citizen voice was the sole factor shown to increase citizen noncompliance, while attention to voice reduced citizen noncompliance by as much as 60%.

Just as negative experiences with police can harm police-citizen relations, positive experiences with the police have the opposite effect. A recent survey of 1529 citizens in Queensland showed that those who were satisfied with their experiences with police gave the officers’ effective behaviour and conduct high scores on procedural justice dimensions. The leading reason stated for satisfaction was a friendly, courteous and professional manner (50%) by the police officers. Other reasons cited as leading to satisfaction were concerned/caring/interest shown by the police officers (21%), and reasonable or fair behaviour (18%). These elements clearly map on to three of the four dimensions of procedural justice: respectful treatment, trustworthiness and neutrality (Queensland Crime and Misconduct Commission, 2011). The implication of these findings is that attention to procedural justice elements will enhance customer satisfaction and confidence in the police, and decrease the frequency of complaints.

D. CORRESPONDENCE BETWEEN TRAINING AND COMPLAINT DATA

1. GROUP EXERCISES AND FOCUS ON RESPECTFUL TREATMENT

To investigate whether issues raised by complaints matched issues included in the Customer Service training, the researchers reviewed training material and observed two training sessions. Findings from complaints and training were compared, revealing a moderate match between the two.

Both the delivery and the content of the training scored positively on many fronts. The decision to include group exercises in training was supported by literature on adult education, and this mode of delivery should be strengthened and extended. The use of multimodal forms of presentation and of group exercises is to be encouraged and extended. Motivation can be increased by involving officers more in discussions about their work, and using their experiences to structure discussions.
The content of training reflected many of the issues that emerged in complaint data. For example, customer service training focussed on the importance of clear communication and respectful treatment, in line with findings that 40% \((n = 984)\) of the complaint narratives referred to inappropriate communication by the police. Problems with aggressive communication styles were extensively discussed, in line with findings from the current study that rude and abusive treatment and undue aggression were common, each occurring in 31% of complaints.

2. EXTENDING THE CUSTOMER SERVICE CHARTER

Analysis of the Customer Service Charter (NSWPF, 2009) indicated that the four elements of procedural justice constituted key arms of the Charter’s promises, indicating that NSWPF Customer Service policy and training considers these four elements to be crucial to the police-community relationship. The current study found that community members who complain emphasize the quality of their relationship with police, especially with respect to trustworthiness, neutrality, respectful treatment, and voice. This shows that both police and the community place value on the quality of this relationship.

The Customer Service Charter presents a key opportunity to train officers to realize these four principles in police practice, illustrated by the match between the principles of the Charter and the content of citizen complaints (Appendix 3, Sections A1-4). It is possible that the relationship between community members and police breaks down because of a lack of understanding of the other side’s position. Research has emphasized that police complaints be interpreted with an open, non-judgmental frame of mind, with the aim of understanding the diverse points of view of complainants (Goldsmith, 1996). Analysis of complaint narratives reveals that there was an underlying confluence between the themes of the Charter and citizen complaints, with both parties valuing trustworthiness, respectful treatment, neutrality and voice. There may be misunderstandings in the pressures of day-to-day policing about how these elements can be valued and communicated.

Another group may benefit from extending the principles of the Charter and the values of procedural justice in policing: police officers themselves. Approximately one-third of complaints, i.e., those lodged by other officers, were excluded from the database used in the current study. However, the NSW Ombudsman indicated that police officers were a key group deserving of improvements in procedural justice, specifically identifying: (a) relational failures, relating to bullying, harassment and discrimination within the NSWPF; and (b) the need to extend procedural fairness to police officers themselves in the ways in which complaints against them are investigated (NSW Ombudsman, 2011a). These recommendations add weight to the need to extend the principles of the Charter to colleagues within the police force.

3. DEVELOPING AN EVIDENCE-BASED TRAINING PROGRAM

While the training materials covered most of the four procedural justice elements, more explicit and targeted coverage of these principles can be achieved. The literature review indicated the overarching importance of trustworthiness, but trustworthiness did not receive much emphasis in training sessions and materials. The principle of neutrality was comparatively neglected in the training materials although concerns about neutrality were present in reports of police criminal misconduct, unlawful conduct and discriminatory treatment, which appeared in 17.9%, 17.3% and 14.9% of complaints respectively.

Although the Charter themes were touched on in training, these were not well illustrated with real case examples. The complaint typology identified in this study could be integrated into training and matched to the principles of the Charter. The Charter’s promises “Take appropriate action”
and “Keep me informed” could be tied to data showing the kinds of complaints that were made about police inactivity/negligent/inadequate service and failure to engage/reciprocate. Case studies which illustrate these themes, and the themes of trustworthiness, neutrality, voice and respectful treatment, may assist in training (Appendix 3, Section A).

In the observed sessions, it was not explained consistently why the behaviours addressed in training were so important in establishing customer satisfaction, and the crucial role played by trustworthiness was not emphasised. Officers in the training sessions did express support for procedural justice approaches, stating that suspects behave better if treated with respect. The training already seemed to incorporate many concerns that are congruent with procedural justice principles, but lacked a coherent framework. Consolidating this by putting the Group Value Relational Model in place as a framework for the training would assist in structuring the training and providing more in-depth explanations for the rationale behind customer service training.

4. IMPROVING OFFICER MOTIVATION

A major barrier to effective CSP training appeared to be a lack of officer commitment to customer service training and delivery. Several participants stated that they had little customer contact, implying that customer service training did not apply to them. This indicated a problem with the framing of the program among trainees and trainers alike: staff other than “front-line” officers believed that customer service was irrelevant to their duties. Training and organisational commitment on the centrality of customer service to all policing duties was ineffective. Perhaps due to this low motivation among both trainers and trainees, observed training sessions involved truncated versions of the training as described in the written program material. This resulted in omission of core content or superficial oversimplification.

If training is to overcome these motivational barriers, it needs to take seriously officers’ disposition towards customer service training. This may necessitate framing customer service differently, so that the relevance is more readily apparent to officers. An ethnographic study of junior police officers in the UK found that they viewed senior officers as removed from the day-to-day realities of policing “on the street”, viewing police leaders as bureaucrats and politicians who were out of touch (Rowe, 2006).

Training needs to be carefully shaped to take into account prevailing narratives and attitudes among officers. Investigation needs to be done about how officers understand “customer service training” and relate it to what they see as the core business of policing. In the UK, Rowe’s participants expressed the view that senior leaders “become like businessmen, concerned with figures on the balance sheet, but policing is not like a business. I understand we have to be accountable but we’re not a business” (Rowe, 2006, p. 766).

In a meeting with researchers (personal communication, 22/3/11), one officer expressed the view that “We are not Myer”, indicating that a customer service orientation was problematic for police. If narratives among officers express a prevailing view that customer service training is irrelevant to police work, this resistance needs to be taken into account:

“If leaders are to prove effective and current proposals for police reform are to succeed strategies need to be developed to address the normative preferences of junior officers and for this to be done an understanding of police narratives relating to these issues is required” (Rowe, 2006, p.760).

In the UK, the junior officers in Rowe’s sample saw policing as practical work, valuing “people skills” but rejecting theoretical approaches to policing. Likewise, in the observed training sessions...
of the NSWPF, despite an atmosphere of low motivation, officers did express the view that respectful treatment of citizens was important (See Appendix 3, Section A1).

5. ACKNOWLEDGING COMPLEXITY IN POLICING WORK

While the training materials did address the issues of polite communication, most customer service training centred on acts of omission and lower-level mistreatment. Entirely absent from the training materials were more serious failures of Respectful treatment. Problems with Respectful treatment were reflected in the high proportion of complaints of police Mistreatment (50% of complaints). Within the issue of Mistreatment, there were similar numbers of complaints about incivility and aggression (including both verbal and physical), indicating that mistreatment was a non-trivial complaint.

While these more serious acts may be considered to fall outside the scope of customer service training, one of the key findings of the current analysis was that customer service complaints typically contain more serious issues than only ‘lower level’ incivility or politeness issues. While, the training materials aim for a “triple win”: for the customer, the police force, and the individual officer, analysis of the complaints database revealed that many situations which give rise to complaints are highly complex, making the aim of a “triple win” an impossible or a naive goal. Some of the training examples used in role play may be construed by officers as ‘not real police work’. Moreover, the inclusion of training on the impact of more serious acts of commission (mistreatment and misconduct) is important given the research finding (Skogan, 2006) that negative experiences with police have four to fourteen times the impact of positive experiences on perceptions of police legitimacy. It may be the case that focussing on creating positive experiences with police (creating a “triple win”) needs to be balanced with the need for minimising negative experiences, which may have a far greater impact than positive experiences on public image and legitimacy.

The perception that customer service issues are unrelated to core policing work, or more serious incidents, is belied by other research. A recent audit on domestic violence-related complaints notes that customer service was the complaint issue with the single highest proportion of complaints, at 20%. The report notes that this issue co-occurs with “other substantive issues, such as an alleged failure to investigate or apply for an ADVO” (NSW Ombudsman, 2011b, p.25). The Ombudsman’s report recommends reviews of complaints that include both of these issues. This illustrates that customer service complaints cannot be construed as trivial.

Researchers investigating procedural justice in policing note the complex decision-making involved in real policing situations, where the decision-making capabilities of professionals are challenged:

“Officers face many situations wherein there is no apparent “right” way to proceed. Under these circumstances, police may turn to suspect characteristics or the sociostructural environment for help in deciding the best course of action. The likelihood of these extralegal factors seeping into criminal justice agents’ decision-making is greatest when legal factors (e.g., offense seriousness, evidence of criminal activity) are murkiest” (Gau & Brunson, 2010, p. 258).

Incorporating more murky and complex case examples into training, including customer service training, may assist officers in making decisions so as not to allow extralegal biases to influence their practice. Including scenarios which combine lower level typical ‘customer service’ issues, such as politeness issues, with more serious concerns about mistreatment and misconduct, will enable training to more closely match the issues identified in the complaints database. In
particular, issues identified which had moderate to high severity ratings included failures to provide care (87%), misconduct (84%), discriminatory treatment (71%) and mistreatment (64%).

E. LIMITATIONS OF THE RESEARCH

A number of contextual features are relevant in interpreting the outcomes of this study.

First, this study of Customer Service Related complaints against the NSWPF was conducted in the context of the recent NSWPF Customer Service initiative and the NSWPF Customer Service Charter (2009). The Customer Service Charter Commitments included promises to “be accessible”, “be professional and helpful”, “take appropriate action” and “keep customers informed”. These commitments focussed on dignified and respectful treatment of members of the public in NSW. Thus, to some extent, the data are informative of the impact of the Charter on customer service by the police. In particular, some analysis of the impact of a change in the definition of “customer” was feasible because the study sample included complaints received both before and after this change was implemented.

Second, what qualifies as a complaint and the complexities of how complaints are classified and counted are not trivial matters in assessing a complaints system, and in interpreting the research outcomes. Under the NSW Police Act 1990, in the absence of a definition of a complaint, almost all recorded reports of police conduct can qualify as complaints, irrespective of whether the individual reporting that conduct intended to lodge a complaint. A widely-acknowledged consequence of the overly broad and all-encompassing definition of complaints in the Police Act is that formal notification and investigation of all written complaints is required. This mandatory notification procedure has impacted the management of the complaints and police culture in responding to customer complaints. While efforts in 2008 by the Ombudsman and Police Integrity Commission to designate minor day-to-day matters as nonnotifiable so they can be dealt with less formally and without such negative repercussions to police staff, further streamlining of this process appears warranted, as almost all complaints remain notifiable. Unless systemic responses to serious and minor matters are better distinguished, institutional resistance to complaints will persist.

Third, classification of the types of behaviours outlined in complaints about the police is not a topic about which there is consensus. A recent study of complaints about police in Tasmania distinguished four categories: assault, breach of code of conduct, excessive force and criminal allegations (Porter, Prenzler, & Fleming, 2011). Some behaviours, such as assault, can be construed as violations of both civil and criminal laws; other behaviours are unprofessional or incompetent, and may violate standards of performance rather than any law. Each classification system is somewhat arbitrary, and each system will produce different results. Nonetheless, viable classification systems for the behaviours reported in complaints about the police must be able to capture a range of performance deficits, as well as unlawful and illegal conduct. The IPCC in England and Wales identified 23 different types of allegations in complaints about the police, organised into 9 major groups (IPCC, 2010). Within C@TSI, 24 Issue Groups are distinguished. These taxonomic differences and the lack of consensus in the literature make it difficult to compare research outcomes.
Fourth, within C@TSI, analyses are not conducted using individual complaints as the unit of analysis. Rather, police staff review the raw material, such as a complaint letter, and prepare a brief written “complaint narrative”, providing a synopsis of the issues reported. The content in these summaries is analysed by matching a pre-existing defined list of 150 issues “top-down” against the content of the complaint summary. Each discernible issue within a complaint is a unit of analysis within C@TSI, and has its own institutional life, and potential resolution. This approach has both strengths and drawbacks. To generate quantitative data to develop profiles of the complaints, the AGSP researchers examined each discrete individual narrative as a unit of analysis. In addition, to encode content issues contained within each narrative, to provide more insight into the content of the complaints, this study used a qualitative approach by classifying the content in each complaint in a “bottom up” manner, rather than by imposing pre-defined categories and matching the complaint content to those pre-existing categories.

Fifth, the researchers had no access to any raw complaint data. The study examined a snapshot of selected complaint summaries submitted to the NSWPF between May 1, 2009 and May 1, 2010. All summary complaint information used in this study had been previously screened, entered, and classified by the NSW Police. The data were limited in scope, by the exclusion of data on the officers about whom complaints were made. Thus it was not possible to construct a profile of the characteristics of individual officers who attracted high numbers of complaints, or to assess whether officers in certain age groups, or with more or less seniority attracted more complaints.

### F. FUTURE RESEARCH OPPORTUNITIES

A number of future collaborative research projects are proposed to extend the current project:

- Evaluation of customer training impact on trainees using experimental simulations of real-world policing situations in order to observe trainees’ behavioural change. Immersive simulation may include using video or virtual reality media in a controlled experiment.

- Evaluation of internal complaints, applying organisational justice theories and procedural justice principles to assess risk factors leading to complaints and staff attrition. Analyses of complaints lodged by NSWPF employees will help to clarify institutionally that all staff members are also customers, and that the same principles of trustworthiness, respectful treatment, neutrality and voice apply equally to them.

- Open-ended oral interviews with complainants to assess satisfaction with the customer service complaints process.

- Research into potential expectation gaps between citizens and police as to what constitutes policing duties.

- Exploration of institutional barriers to valuing complaints within the NSW Police Force, e.g., the extent to which police perceive customer service training to have a disciplinary dimension.

- Examination of cases litigated and the types of misconduct in issue in those cases compared to the conduct recorded in C@TSI complaints.

- In-depth evaluation of “hot-spots” e.g., rural police complaints versus metropolitan complaints, e.g., the rural Northern region of NSW was the location with the highest proportion of complaints.

- Analysis of the incidence of complaints by victims in the NSWPF customer complaints database.
- Analysis of the complaints handling procedures of the NSWPF, including any barriers to receiving or encouraging complaints.

- Exploring policy solutions to allow the NSW Police Force to simultaneously value (and encourage) customer service complaints under a customer service paradigm and abide by the statutory obligations for formal complaints under the Police Act (1990).

- Analyse the profiles of officers attracting higher numbers of complaints, both to assess the application of the 80/20 principle to the prevalence of complaints in the NSWPF and to identify the groups of officers who are responsible for generating more complaints.

- Collaboration on an online survey to study attorneys’ and advocates’ experiences with the NSW formal policing complaint processes in NSW.

- Collaboration on a survey of young people’s experiences with the NSW formal policing complaint procedures.
V. RECOMMENDATIONS

The recommendations which flow from the foregoing results and conclusions are designed to:

- create an accurate and comprehensive source for data-driven training;
- enhance motivation and create a workplace culture that values complaints;
- integrate customer service training into core policing tasks;
- deliver evidence-based training on the most significant complaint issues, and;
- achieve a more optimal number of complaints and reduce legal risk.

A. A MORE COMPREHENSIVE COMPLAINT DATABASE FOR DATA-DRIVEN TRAINING

Recommendation 1: Establish a regular schedule to conduct random tests of the inter-rater reliability of data entered into C@TSI.

The first step in building more evidence-based training modules to inform the Customer Service Training Program and to reduce complaints is an accurate source of data. Substantial discrepancies were observed between the results obtained using identical codes applied by AGSP researchers vs. C@TSI data entry personnel. Examination of the cause of these disparities revealed inconsistent coding by police staff. To ensure that the C@TSI coding schemes are robust and are applied consistently by multiple coders, inter-rater reliability testing can be implemented to compare the extent to which codes assigned by multiple coders are similar. Where disparities are found, training should be conducted to increase the extent of common practices.

Recommendation 2: Establish and monitor uniform data entry procedures to minimize missing and inconsistent data, e.g., by providing training at all data entry sites.

The C@TSI database was found wanting in several respects. Data fields designated as “mandatory” were not completed in 10-20% of cases, in some areas of the state, data entry was too cursory; and in others, impressions and opinions of the data entry staff intruded. These deficiencies indicated that mandatory data entry fields must be clarified to maximize the usefulness of C@TSI, and that standard procedures must be established to train data entry staff to extract and enter all mandatory data. Further clarification by management is recommended in order to increase the consistency of information recorded in the complaint description or narrative and to enhance staff understanding of the criteria for assigning codes, to improve the database reliability.

Recommendation 3: Clarify the definition of “customer” to increase consistency in recording and handling of complaints by suspects who complain about customer service related matters.

Confusion by NSWPF staff was reflected in the extensive discrepancies found in the data between NSWPF staff entries of complainant status and AGSP coding of complainant status; police coding of these data was unreliable.

Recommendation 4: Establish procedures to systematically gather and record complainant demographic details such as gender, age, race, location, etc.
More extensive knowledge of “who complains” will enable directed and potentially, population specific, interventions. The insertion of additional data fields or variables in C@TSI (mandatory tick-box style, for example) to identify additional complainant characteristics will increase the usefulness of the database. In addition, mandatory data fields should be reviewed and consideration given to the addition of demographic features recognised by police complaints recording agencies in other jurisdictions, such as the inclusion of a data field option for transgender and transsexual complainants, in addition to male and female gender options (IPCC, 2011).

**Recommendation 5:** Establish procedures to gather and record data about vulnerable persons and visible minorities, e.g., intellectually disabled citizens, ethnic minorities, young persons, etc.

The extent to which customer service issues involve vulnerable members of the community may be underestimated because this information is not recorded. Information about the identity of vulnerable complainants is valuable as minority groups represent a “barometer” of public satisfaction with and confidence in police. To better value minority group complainants, more precise and detailed record-keeping to include vulnerable group membership in C@TSI is a necessary first step.

**Recommendation 6:** Train data entry staff to ensure complaint information is recorded neutrally, without bias.

A noticeable proportion of complaints were recorded in ways that did not preserve the complainant’s own words or undermined the validity of the complaint. In these cases the recorder’s knowledge or point of view coloured the complaint record, and it was difficult to identify the complainant’s own voice or words. Events were sometimes “shaped” by the person receiving and documenting the complaint. Staff training is recommended regarding the importance of avoiding colouring complaint records with their own knowledge, comments, or point of view, especially in such a way where it is difficult to distinguish this information from the complainant’s own words. To some degree, whoever defines the problem has control over the resolution. If the procedural justice principle of voice is to be respected, complainants’ words must be faithfully and neutrally recorded.

**Recommendation 7:** Establish procedures to systematically gather and record what customers want when they lodge the complaint, e.g., register their viewpoint, an apology, compensation, etc.

In several cases, the complainants specified that their objective was simply to report a procedural failure so that this problem could be addressed and would not recur in the future to the detriment of someone else in the community. Other complainants sought an acknowledgement, an apology, or some specific form of redress. When complaints are received, staff should identify and separate the customer goal from the description of the events leading to the complaint, and ensure that their own comments about potential outcomes are recorded separately from those of the complainant. By tracking the complainants’ objectives, appropriate triage and follow-up can be arranged.

**Recommendation 8:** Include additional follow-up data fields in C@TSI to systematically track victim follow-up and other complainant requests and outcomes.

By monitoring complaint developments, investigation outcomes, resolutions, further contact with complainants and victim follow-up, the customer service program can be improved. The
Customer Service Training Program materials reviewed were not devised to encompass victims within the examples provided, and did not include any specific information about victim follow-up aside from a cursory mention that mandatory victim-follow up reporting was managed in COPS. The follow-up victim data provided to the AGSP researchers did not appear to be derived from any C@TSI complaints. The importance of follow-up should be emphasised and linked to training by providing examples of complaints about inaction and failure to follow up. Case examples that demonstrate the damage to police trustworthiness caused by inaction are included in Appendix 3, Section A.

B. ENHANCE MOTIVATION AND CREATE A CULTURE THAT VALUES COMPLAINTS

Recommendation 9: Regularly share major trends in complaint data with all staff both in and outside of customer service training sessions.

One effective strategy to change a culture of dismissing and devaluing complaints is to address common misconceptions about complaints. This involves feeding back the results of research on police complaints at all levels of the organization. Common misconceptions about the nature of the NSWPF complaints were:

- Customer service is inconsequential, crime control is the important task.
- Customer complaints programs address trivial concerns, not core policing business.
- Customer service is for police with desk jobs, not officers out in the field community.
- Complaints about customer service do not involve serious or substantive issues.
- Complaints filed by suspects lack merit.
- Complaints filed by suspects are motivated by revenge.
- Complaints are non-meritorious (vexatious or revenge-seeking) until proven otherwise.

Recommendation 10: Increase staff awareness of gaps between perceptions and realities regarding vexatious and nonmeritorious complaints.

A common police perception about most complaints that was shared with the AGSP researchers in the course of this project was that the majority were nonmeritorious as they were brought by complainants who were mentally ill or seeking revenge. To prevent complaints from being ignored, dissuaded or poorly received and investigated, complaints need to be valued as an outlet for citizen voice. The overriding presumption that all complaints are nonmeritorious until proven otherwise needs to change, to build a workplace culture which values complaints as an outlet for citizen voice. Training sessions should counter these misconceptions by providing officers with research findings documenting that the majority of complainants are sincere and genuinely aggrieved (Maguire & Corbett, 1991), and that most people who feel violated by police never complain (Woods, 2006). By incorporating examples of individual complaints into training sessions, and reading these from the complainant’s point of view (Goldsmith, 1996), such as the narratives contained in Appendix 3, staff will become aware of the gaps between perceptions and realities regarding vexatious and nonmeritorious complaints.
**Recommendation 11:** Increase staff awareness of the profile of complainants and common misperceptions of complainants, e.g., misperceptions that they are mostly women, or suspects motivated by revenge or trying to create a defence.

Common police misperceptions about complainants were identified in the course of this research, including the notion that most complainants were women and that most complainants were disgruntled suspects seeking to retaliate against the police, rather than other members of the public with a genuine grievance to communicate. Awareness of these misperceptions can be effectively increased by sharing research findings with the staff which show these beliefs to be false. These findings can take the form of statistical data, such as the findings in this study and other research on complaints against police in other jurisdictions (IPCC, 2011) that has shown that the majority of complainants were not suspects, and that complainants were mostly men. Officers should also review data in the form of case study complaint narratives which illustrate what complainants want in the majority of cases (an explanation, acknowledgement or apology).

**Recommendation 12:** Devise training to build a cohesive, evidence-based training program that connects complaint case studies to the theory of procedural justice that underpins the Customer Charter and community policing models.

The Customer Service Training Program materials and training sessions observed presented the target customer service behaviours as a series of “do’s and don’ts” rather than as principles derived from any meaningful theory about the customer-provider relationship. Although the Customer Service Charter was mentioned, its content was not well integrated into the training materials to convey a fundamental shift in approach to core policing business. In the observed sessions, no illustrations of the Customer Service Charter were provided. By drawing on a well-founded theoretical framework, such as the Group Value Relational Model and the principles of procedural justice, a more integrated and cohesive training program can be devised. Implementing the GRVM as a framework for customer service training will ensure that all four elements of procedural justice (trustworthiness, neutrality, respectful treatment, and voice) are covered appropriately. For training to be effective, both the content of the materials and the delivery need to give weight to the importance of customer service as a core element of policing duties, as procedural justice research indicated that how citizens perceived police treatment and trustworthiness was central to confidence in police and police legitimacy. Training recipients are less likely to regard the program and training as superficial and incidental to their work if they better appreciate these underpinnings. Case examples selected to demonstrate the connection between the Customer Service Charter and principles of procedural justice are provided in Tables 23-26 and Appendix 3, Section A.

** Recommendation 13:** Use training examples to stimulate group participation and discussion, encouraging participants to provide their own examples from practical experience.

Motivation to participate in and attend to the Customer Service Training may be improved by engaging officers more directly in training sessions that make the content more relevant to their own practice. By increasing the number of group exercises, participants will have more opportunities to engage with the materials, and to offer their own input and interpretations. Group exercises are recognised as a key tool in adult learning, and stimulate motivation by requiring active participation. Training will be more effective if it is grounded in the everyday experiences of working officers, and their insights may assist trainers in refining the training program.
C. INTEGRATE CUSTOMER SERVICE TRAINING INTO CORE POLICING TASKS

Recommendation 14: Incorporate real-life case studies arising in New South Wales, using relevance to stimulate motivation in training and in the field.

Findings in this study demonstrated that police behaviours indicating problems with police trustworthiness and a lack of respectful treatment were the most significant concerns expressed by complainants. Background observations of training sessions indicated that some police officers already recognised the importance of respectful treatment, a key tenet of good customer service, to improve suspect compliance. Training sessions with group-based discussions that tap into officers’ pre-existing commitments to elements of procedural justice, such as respectful treatment, will improve motivation in training and the responses of participants to the content. By providing real-world case examples, issues that arise in day-to-day core policing tasks can be integrated into the Customer Service Training Program. The first 35 case examples in Appendix 3 were selected specifically to illustrate the four key principles of procedural justice in action: trustworthiness, respectful treatment, neutrality and voice. Real examples taken from the field, such as these, demonstrated that failures to adhere to those principles resulted in customer dissatisfaction and complaints.

Recommendation 15: Illustrate training materials with examples showing how core policing tasks lead to complaints.

Framing customer service training through a more serious lens by incorporating real-life case studies of complex policing events may increase motivation and present the complexity of real-life police encounters that lead to complaints. Case studies and complaint narratives drawn from C@TSI can be used to stimulate discussion in training sessions and improve motivation by countering the misconception that customer service issues are of minor importance in core policing work. Reframing the content and anchoring training in examples that officers regard as core policing business will assist in changing the workplace culture and motivation regarding customer service and the content of the training. A compendium of useful case examples is contained in Appendices B and C. Real examples taken from the field, such as these, demonstrated that policing failures resulted in customer dissatisfaction and complaints.

Recommendation 16: Illustrate training materials with examples showing how core policing tasks involve customer service skills.

The NSW Ombudsman’s 2011 audit of domestic violence-related complaints revealed that customer service was the most frequent complaint issue, occurring with “other substantive issues” (NSW Ombudsman, 2011b, p.25). This illustrated that customer service complaints cannot be construed as separate from core policing tasks. The training should better reflect this co-occurrence. The current customer service training materials are framed to emphasize customer service as a distinct area of police practice. This approach is at odds with the findings from the current study showing that customer service issues are intermingled with core policing tasks such as responding to domestic violence cases, neighbourhood disputes, and fatal motor vehicle accidents. Case examples drawn from C@TSI that can be used in developing awareness of ways to integrate customer service skills in complex and challenging core policing tasks, such as domestic violence cases, neighbourhood disputes, and fatal motor vehicle accidents, etc., are included in Appendix 3, Section B5.
**Recommendation 17:** Incorporate training examples to illustrate customer service skills applied in complex and challenging policing tasks, such as domestic violence cases.

Case examples drawn from C@TSI that can be used in developing awareness of the complexity of roles that make it challenging to distinguish victims from suspects in the midst of core policing tasks, such as domestic violence cases and neighbourhood disputes, are included in Appendix 3, Section B5. A risk-averse approach in these situations is to treat all members of the New South Wales public as customers.

**Recommendation 18:** Incorporate training examples that illustrate the uncertainty and changeability of victim and suspect roles in real policing tasks.

Complaint narratives highlighted that in the midst of performing law enforcement duties, it can be difficult to definitively label community members as either victims or suspects. Other cases demonstrated that within a single incident, these roles could shift. For instance, victims of domestic violence incidents themselves became suspects within the course of a complaint narrative. Training sessions which include discussion of real-life situations such as these will highlight that officers may have multiple responsibilities and duties towards a single community member and that suspect identity is often uncertain, complex and changeable. By providing customer service to as many community members as possible, risks can be obviated and the number of complaints from people with shifting suspect status reduced.

**Recommendation 19:** Incorporate training examples that illustrate the complexities in defining customers and noncustomers in real policing tasks.

The training materials evaluated as background to the study included a series of role-plays that provided a context for the use of customer service skills. Role-plays that included more serious real-life concerns such as domestic violence problems were rare, and the overarching atmosphere in the training was that customer service was ancillary to core policing tasks and “real” police work. Case examples drawn from C@TSI that can be used in developing awareness of the complexity of roles that make it challenging to distinguish customers from noncustomers in the midst of core policing tasks, such as domestic violence cases and neighbourhood disputes, are included in Appendix 3, Section B5. A risk-averse approach in these situations is to treat all members of the New South Wales public as customers.

**Recommendation 20:** Provide training on active listening in policing situations to satisfy customer desire for voice; reducing the desire to complain.

Research on what motivates complainants indicated that customers were motivated by a desire to communicate a genuine grievance, while procedural justice research indicated the importance of citizen voice in police-community relations. Officer training in communication should include a specific focus on the importance of voice, and the importance of listening to citizens and allowing them to explain their point of view. This will reduce the number of complaints by customers who feel that their point of view was not taken into account in the policing encounter, and who may therefore be seeking to voice their point of view through the complaints system. The training materials review showed that active listening was covered in detail, and this should be strengthened. If citizens feel that they are genuinely listened to, the desire for both voice and trustworthiness will be fulfilled during the policing encounter, minimizing citizen desire to have these fulfilled in the complaints process. Training for all officers — and complaint handlers — should emphasize techniques such as this which allow staff to convey genuine concern and
empathy to citizens. The training sections on communication for respectful treatment, and active listening, should therefore be retained and strengthened.

D. EVIDENCE-BASED TRAINING ON THE MOST SIGNIFICANT COMPLAINT ISSUES

Recommendation 21: Deliver evidence-based training on police behaviours that draw the highest number of complaints.

Case examples of police mistreatment and police misconduct, the two categories of police behaviour that resulted in the highest number of customer complaints, should be included in customer service training to alert personnel to these issues and familiarize them with the fact that these are basis of most complaints, so that instances of this sort of behaviour and the attendant complaints can be reduced. Case examples of misconduct and mistreatment are provided in Appendix 2 and Tables 15 and 16.

Recommendation 22: Deliver evidence-based training on complaint hotspots in rural and metropolitan New South Wales.

By tracking complaints data in geographical areas that are hotspots, where a disproportionately high number of complaints are received, or a disproportionately high number of the complaints involve high risk issues, exposing the police to more potential litigation, targeted interventions can be devised to reduce complaints and improve police-community relations. For example, more complaints were filed during the study period in rural and metropolitan New South Wales, specifically in Northern Rural NSW (Coffs/Clarence LAC, Tweed/Byron LAC, and Central Hunter LAC) and central metropolitan Sydney (Kings Cross LAC). Training sessions can be developed by drilling down the types of complaints that recur in these areas, and by planning community interventions to enhance the police image in those communities.

Recommendation 23: Deliver evidence-based training on police behaviours that draw the lowest number of complaints.

C@TSI data can be used to identify police behaviours least likely to result in complaints. Before training on these issues is reduced, inquiries should be made into the seriousness of the conduct associated with complaints that were lodged, and potential reasons that the ratio of these complaints is low. For example, proportionally very few complaints were received about failures by the police to provide adequate care for individuals in vulnerable circumstances or vulnerable individuals. This outcome may be a consequence of the fact that those individuals were least able to exercise their voice and avail themselves of the right to make a written complaint. For example, relatively few complaints of discrimination were lodged. Again, this outcome may not reflect the absence of discrimination in policing, but may reflect that marginalised community members and visible minorities are more reluctant than other members of the community, or less well-equipped than other members of the community, to make a claim against legal authorities such as the police. Alternative ways to seek feedback about policing practices from these customers may need to be developed. Reasons underlying a low ratio of complaints with respect to these and other topics may differ, and can be explored in training. Case examples of complaints based on police failure of care and discrimination that can be used to develop training materials for discussion are included in Appendices 2 and 3 and Table 25.
Recommendation 24: Incorporate C@TSI data into training on profiles of the most typical complainants.

Analysis revealed that acts of omission by police were reported far less frequently, in 44% of complaints, compared to acts of commission, which were the focus of three-quarters (75%) of complaints. Complaints about inadequate service (33%) and failure to communicate (16%) showed that there was room to improve in terms of service delivery and communications with members of the public, but far more awareness is needed of complaints about acts of commission, such as police misconduct (50%) and mistreatment (41%). By incorporating data into training that illustrate the contrasting proportions of complaints received about commissions versus omissions, a workplace culture can be developed which does not compartmentalise customer service delivery and complaints as a service issue, framed primarily in terms of failures of politeness or communication.

Recommendation 25: Incorporate C@TSI data into training on the diverse types of negative consequences experienced by complainants following service problems.

One topic that was not addressed in the customer service training program (and which was not addressed in the C@TSI data field codes either) is information about the diverse range of negative consequences of police-community interactions experienced by community members. These consequences included life disruption, loss of employment, lost property, psychological and physical injuries, and dissatisfaction with the criminal justice system. Officers may not realise the diverse and substantial harm experienced by customer service complainants. Providing them with exposure to these, in the form of complainants’ own narratives, may increase empathy towards complainants (Goldsmith, 1996), so that complaints are viewed in a more complex frame than as simply true/untrue, substantiated/unsubstantiated. Customer service training that incorporates data in the form of case studies illustrating the diverse types of harm experienced by complainants will reduce officer misconceptions that customer service complaints are of little relevance to core policing work, and that they do not include serious issues. This will assist in promoting a workplace culture that takes complaints and complainants seriously. Case examples of the types of negative consequences experienced by complainants that can be used in training are presented in Table 20.

Recommendation 26: Incorporate C@TSI data into training on the police behaviours that increase exposure to legal risk.

C@TSI data indicated that a significant proportion of behaviours outlined by complainants increased the NSWPF exposure to legal risk. Training should incorporate case examples that illustrate how such risks arise, and the police behaviours associated with them. Rather than presenting such case studies with a “blame approach”, where complaint narratives can only act as morality tales illustrating the behaviour of “bad” officers in the complaint narratives, case studies can be taken as a starting point for discussion. Group discussion can elicit officer feedback about what went wrong during the event in question, possible diverging points of view of the officer and complainant in the narrative, as well as suggesting how the officer could have or should have behaved differently to mitigate the risk of harm and negative consequences to the complainant, the officer and the NSWPF.

Recommendation 27: Incorporate C@TSI data into training on the co-occurrence of customer service complaints with core policing business.
Observations of training sessions and meetings with NSWPF disclosed resistance to or rejection of customer service approaches to policing because of the view that this is peripheral to the core law enforcement role of the police. Analysis of complaints data, however, indicated that a single complaint narrative typically included both customer service issues and issues regarded as core police work. To mitigate low motivation or resistance to customer service training and customer service provision, training sessions should incorporate case studies which illustrate that customer service issues have a significant presence in the core policing tasks of fighting crime, investigating suspects, and safeguarding the community.

### E. ACHIEVE A MORE OPTIMAL NUMBER OF COMPLAINTS AND REDUCE LEGAL RISK

**Recommendation 28:** Increase awareness of the negative effects of too few and too many complaints and the role of a more optimal number of complaints to enhance police-community relations.

In order to reduce everyday police behaviours which deflect, minimise, dissuade or hide complaints — often in imperceptible ways — all officers across the organisation need to recognise the value of complaints. While the statutory requirements of the Police Act 1990 are generally acknowledged, officers need to understand the value of complaints. The research literature review conducted for this study indicated that across both public and private sector organizations, and within police complaints policy, complaints are increasingly recognised as a valuable form of communication. By presenting officers with a vignette describing a hypothetical jurisdiction in which no police complaints are received, and asking them to reflect on why this may be problematic, training participants can begin to appreciate the value of complaints as a tool of communication between community members and the police. This may involve tracking a middle ground which involves seeking an optimum number of complaints, and measuring the quality of complaints, rather than focussing on counting complaints to determine whether there are too many or too few. In training sessions, officers should be encouraged to understand the complainant’s point of view through role-plays, enabling them to move from a simplistic view of complaints as sustained/unsustained, or verified/unverified, to one in which the complainant’s point of view is recognised and valued, even if it does not result in a sustained finding.

**Recommendation 29:** Conduct regular hotspot analyses and plan interventions to reduce complaints in those areas.

Analysis indicated that the rural Northern NSW region attracted a higher than average proportion of complaints. Further analysis is necessary to discover why, and regional profiling should continue in order to identify regions with higher numbers of complaints. This analysis should focus not only on the raw numbers of complaints, but look at the police behaviours complained about, as simply reducing the raw numbers of complaints may not on its own, be a measure of success.

**Recommendation 30:** Incorporate training on misconduct within customer service training programs.

Training should provide officers with data about the high proportion of complaints about mistreatment and the specific officer behaviours outlined in these complaints. Examples of these behaviours can be found in Table 15 and Appendix 2. The materials should be accompanied by
case studies that illustrate the problem of customer mistreatment for group discussion so that officers can meaningfully engage with the problem of mistreatment and how to avoid it in the context of stressful day-to-day reality of police work.

**Recommendation 31:** Incorporate training on misconduct within customer service training programs.

Training should provide officers with data about the high proportion of complaints reporting misconduct, including the fact that almost one third of complaints specified illegal or unlawful conduct. Examples of these individual behaviours are presented in Table 16 and Appendix 2. These should be accompanied by case studies that illustrate the problem of misconduct, in order to illustrate the types of events that generate complaints about unlawful police behaviour.

**Recommendation 32:** Target training on police behaviours that most frequently produce more severe or high risk consequences.

In the training materials, the selected examples of police behaviours depicted conduct such as incivility, rudeness, and failures to engage or reciprocate, which would be classified as low risk. This presentation tended to reinforce the common misperception that customer service obligations are separate and distinct from core policing tasks and performance. Findings in the current study revealed that a substantial proportion of the complaints arose from police mistreatment and misconduct rated moderate to high in severity, thus exposing the NSWPF to considerable legal risks. This finding mandates that future training should focus on police behaviours such as mistreatment and misconduct that not only generated the vast majority of complaints, but also entailed conduct with more severe or high risk consequences.

**Recommendation 33:** Target training on highly visible new behaviours that are risk-prone, e.g., new technologies, Facebook, to mitigate public incidents or damage to corporate image.

Risk of damage to the corporate image and reputation is heightened by the use of new technologies to record instances of unprofessional behaviour or police misconduct, and these are records which are easily transmitted to the media. Training to increase awareness of risks associated with technologies, such as Facebook, mobile phones, video cameras, etc., can assist in reducing these risks. Examples of illustrative complaints are contained in Appendix 3, Section B2.

**Recommendation 34:** Target training on behaviours giving rise to complaints that involve public and media exposure.

Damage to the NSWPF corporate image and reputation is most likely to follow negative exposure through public incidents of misconduct or inappropriate behaviour, whether the witnesses are third-parties, complainants, or fellow-officers. Several complaints demonstrated how public incidents resulted in increased legal risk. By paying more attention to conduct that is highly visible to members of the general public, police can reduce complaints about public incidents and instead, use these opportunities to build more positive relationships with the community. Examples of cases that can be used in training on this topic ranged from reckless driving to instances of police brutality and corruption, and are included in Appendix 3, Section B1.

**Recommendation 35:** Conduct more frequent and extensive evaluations of community satisfaction and trust in police.

Evaluations of customer satisfaction such as the Mystery Shopper Program and the telephone interview were limited, and not very closely related to complaints documented in C@TSI, or the
procedures for handling complaints. The September 2008 Agreement between the NSWPF, the Ombudsman and the PIC included a directive to conduct a more rigorous annual survey to measure complainant satisfaction (NSW PIC & Ombudsman, 2008). Consideration of factors that lead people to complain or to avoid complaining should be taken into account when measuring customer satisfaction. Other methods of assessment should be explored, including oral interviews of a sample of complainants and noncomplainants. By using multiple methods, a more comprehensive evaluation of customer satisfaction can be achieved.

**Recommendation 36: Conduct regular evaluations of the customer service training program.**

No information was available about evaluations by NSWPF staff of the customer service training program. Ideally, some systematic and periodic assessment should be conducted to measure behavioural changes, and cultural change, and to find out from the participants and consumers of the training what recommendations they make for improvements.
VI. REFERENCES


The Police Act 1990 (NSW) (Austlii).


VII. APPENDICES

APPENDIX 1: CATEGORICAL VARIABLES.......................... ERROR! BOOKMARK NOT DEFINED.
APPENDIX 2: CASE TYPOLOGY AND EXAMPLES............. ERROR! BOOKMARK NOT DEFINED.
APPENDIX 3: CASE EXAMPLES FOR TRAINING ............... ERROR! BOOKMARK NOT DEFINED.
APPENDIX 4: HUMAN RESEARCH ETHICS COMMITTEE APPLICATION ERROR! BOOKMARK NOT DEFINED.
APPENDIX 5: 2009 AGSP RESEARCH PROPOSAL.............. ERROR! BOOKMARK NOT DEFINED.
### APPENDIX 1: CATEGORICAL VARIABLES

<table>
<thead>
<tr>
<th>No.</th>
<th>Variable Name</th>
<th>Coding Structure</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Gender of complainant</td>
<td>0 = Male&lt;br&gt;1 = Female</td>
</tr>
<tr>
<td>2.</td>
<td>Gender of the target of the event</td>
<td>0 = Male&lt;br&gt;1 = Female</td>
</tr>
<tr>
<td>3.</td>
<td>Suspect or nonsuspect status of the complainant</td>
<td>0 = Nonsuspect&lt;br&gt;1 = Suspect</td>
</tr>
<tr>
<td>4.</td>
<td>Suspect or nonsuspect status of the complaint target</td>
<td>0 = Nonsuspect&lt;br&gt;1 = Suspect</td>
</tr>
<tr>
<td>5.</td>
<td>Community or police initiated contact</td>
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<td>6.</td>
<td>Complaint lodged by a third-party agent</td>
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<tr>
<td>7.</td>
<td>Complainant was the target of the event</td>
<td>0 = Not present or unmarked&lt;br&gt;1 = Present or marked</td>
</tr>
<tr>
<td>8.</td>
<td>Indirect observation of police misbehaviour</td>
<td>0 = Not present or unmarked&lt;br&gt;1 = Present or marked</td>
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<td>9.</td>
<td>Mention of a young person</td>
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<tr>
<td>10.</td>
<td>Mention of mental illness</td>
<td>0 = Not present or unmarked&lt;br&gt;1 = Present or marked</td>
</tr>
<tr>
<td>11.</td>
<td>Mention of the Ombudsman</td>
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<tr>
<td>12.</td>
<td>Insufficient information to determine four or more of the main variables within the narrative, or where there was no complaint made</td>
<td>0 = Not present or unmarked&lt;br&gt;1 = Present or marked</td>
</tr>
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<td>13.</td>
<td>Narrative was not a complaint about police</td>
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<td>14.</td>
<td>Respectful treatment</td>
<td>0 = Complaint entry uncodable&lt;br&gt;1 = Dominant concern&lt;br&gt;2 = Secondary concern&lt;br&gt;3 = Not present</td>
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<td>Trustworthiness</td>
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</tr>
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<td>16.</td>
<td>Neutrality of police conduct</td>
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</tr>
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<td>17.</td>
<td>Voice of complainant</td>
<td>0 = Complaint entry uncodable&lt;br&gt;1 = Dominant concern&lt;br&gt;2 = Secondary concern&lt;br&gt;3 = Not present</td>
</tr>
</tbody>
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**Note:** Missing cases for all variables coded as 99.
APPENDIX 2: CASE TYPOLOGY AND EXAMPLES

A. COMPLAINTS ABOUT POLICE MISTREATMENT

1. UNDUE AGGRESSION

a. Physical force

i. Excessive physical force, assault

The complainant approached police whilst they were securing Phillip Park, Lurnea to secure a landing site. He was given a direction to move and refused. He claims that excessive force was used upon him when he was arrested (LMI0904811).

ii. Inappropriate OC spray

At 11.30pm on the 23/1/10 the compl was in a group of approx 40 persons leaving a wedding function at Golf Club and boarding a privately chartered bus. Once on board the bus a fight commenced between five (5) male persons on board and police were called. The compl alleges the police officers attending did not announce their office and the s/o indiscriminately sprayed any males on the bus whether involved in the altercation or not. There were a number of persons suffering secondary contamination and the compl alleges no assistance was provided to them (LMI1001310).

iii. Shot at

The complainant alleges that he has suffered mental trauma from an incident where police attended his home. The complainant alleges that police opened fire on him. He further claims that the only reason for his arrest was racial discrimination. Inquiries reveal two COPS events around this time (LMI0903471).

b. Malicious action

i. Verbal intimidation or aggression

Complainant (Ambulance Officer) and subject officer both undertake secondary employment with the NSW Fire Brigade. Complainant alleges that officer acted in an intimidatory manner during a conflict which occurred between the parties whilst undertaking secondary employment (LMI0904802).

ii. Spread rumours/lies

On the 16/09/2009 S was arrested by Maitland TAG for drug and firearm offences. Mr S claims that police have alleged that he used school kids to traffic drugs and as a consequence of these allegations his baby was taken from him and his partner by DOCS (LMI0904809).
c. Threat

i. Physical intimidation

Alleges that she received a phone call from the officer in which the officer was rude and called the complainant a smart bitch. She also mentions another incident on 30 October alleging that the officer that “if you were my wife I would smack you down”, and proceeded to stare at her. The complainant alleges that she is being victimised by the officer (LMI0905031).

ii. Threat of arrest/fine

The complainant alleges that Constable H threatened that he would charge the complainant with “anything and everything he could” if police were called again for any further incidents involving the complainant (LMI0904385).

d. Excessive action

i. Excessive action

The complainant states that his daughter was arrested by the involved officer for a driving offence and taken to Penrith Police Station where she was ultimately issued a Field Court Attendance Notice to attend court for the offence of Drive Whilst Suspended. The complainant states that when attending court the charge was replaced with the offence of Drive Whilst Unlicensed. The complainant questions the reason behind arresting his daughter and conveying her to the Police Station for the driving matter when a FCAN would have sufficed at the time (LMI1001274).

ii. Provoked complainant

Allegation that an unmarked Police vehicle engaged in tailgating complainant whilst travelling along the Bells Line of Road between Mt Tomah and Bell in order to intimidate her to speed up and be caught by a marked Police vehicle operating radar (LMI1001481).

iii. Overzealous behaviour

Complainant says he was pulled over by police and alleges the actions of police were overzealous with excessive verification of his cards and documents. He alleges the Sgt was prejudicial, belligerent, provocative, rude and abusive. Complainant believes the Sergeant’s attitude needs definite improvement (LMI0902217).

2. INCIVILITY, RUDE AND ABUSIVE BEHAVIOUR

a. Insults

i. Discourteousness

The compl alleges the s/o was rude and yelled at her when she was making inquiries into her missing sister who suffers from a mental illness. The compl alleges the s/o prevented other officers from dealing with her issues and further the compl was concerned about the police not scheduling her sister (LMI1000136).
ii. **Disinterested**

The complainant has alleged that he contacted Mt Druitt Police Station in relation to an incident of Malicious Damage and spoke to a female. He indicates he was concerned about the attitude of the female who answered the phone, who eventually told him she “had to go” (LMI0904400).

iii. **Discredited complainant**

It is alleged that Bathurst Police have contacted the complainant’s son with regard to an AVO. The son is paraplegic it is alleged that the subject officer did make written notation that the son’s injury is not as bad as he makes out which has upset the complainant (LMI0904977).

iv. **Ridiculed complainant**

Officers responded to a robbery but did not take action against the suspects, merely suggesting that ‘$10 would suffice as punishment’. When asked to press charges the officer laughed it off. Complainant felt intimidated (LMI0904452).

b. **Absence of compassion**

i. **Insensitivity, lack of compassion**

On 09/05/09 C committed suicide. Her next of kin Ms D was contacted by the Subject Officer asking a number of questions in relation to identity of the deceased. The Complainant felt that there was a lack of empathy and feeling displayed by the Officer (LMI0903006).

c. **Fail to act**

i. **Unhelpful**

When spoken to by Police on 5 October, 2009, complainant alleges Officer said ‘I’ve given you your options get a phone book and look up a tow truck’ (LMI0904576).

ii. **Wasted complainant’s time**

Complainant, S was injured in a motor vehicle accident. The complainant has attended the police station on 4 separate occasions to answer the same questions, however the subject officer has continually left inaccuracies in the police report (LMI0905384).

d. **Disrespectful**

i. **Attend at inappropriate time/place**

Complaint by Mr B that Holroyd Police destroyed written representations requesting no further action re Mr S. Further, Holroyd Police attended his home causing minor damage to his front door and causing him embarrassment. Further, that a Holroyd Police officer telephoned him at 1am on a work night causing him stress (LMI0905157).
ii. **Failure to respect request**

DVO Applicant's address disclosed in documentation contrary to Applicant's strict instruction to Police not to disclose address as applicant in fear of ex-partner (LMI1000135).

iii. **Provided false information**

The complainant was allegedly assaulted on 12/10/09. She attended Nelson Bay Police Station that date to report the matter but was allegedly told they were too busy. Police attended her residence the next day and took details, advising her to attend the Chamber Magistrate and take out a PVO. She has since been advised by a solicitor that assault charges could be laid although Nelson Bay police had informed her that it was too late (LMI0905477).

iv. **Denied right (e.g., phone call; food; toilet)**

Complainant was arrested for breach AVO and was unable to secure his home and asked Police to do so. Whilst he was in custody, a person has entered his home and removed documents and diaries. Complainant believes it was Ms H (AVO - Protected person and ex business partner). The complainant seeks police assistance in recovering the items, but has been informed is a civil matter. He states Police possibly aided and abetted the actions of H by giving her access to the home with the key. Whilst in custody he was not provided food and water or his diabetic equipment, police refused for him to go to hospital re his diabetes, officers kept lights on in his cell all night, no response to his buzzer by police whilst in cells, was referred to as a ‘ratbag’ and told on his release he could get his gear back and shoot up til his heart's content, was forced to make his own way home from Maclean after Court (LMI0904813).

v. **Rights violated (e.g. during arrest)**

The subject officer arrested and charged the complainant on the 10.2.09 at Goulburn Police Station with 2 driving offences from an incident on the 8.2.09 at Goulburn. The complainant alleges that the subject officer denied him access to legal representation and fabricated evidence in his interview with him (LMI0903447).

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**B. COMPLAINTS ABOUT POLICE MISCONDUCT**

1. **ILLEGAL/UNLAWFUL CONDUCT**

a. **Abuse of power**

i. **False arrest, search, charge, accusation or detention**

Police have unlawfully entered the complainant’s home on the 06 October 2009 and that the complainant has been assaulted by Police (LMI0904760).

ii. **False information recorded**
Mr R complains that misleading/false information is being recorded on police systems and upon being contacted raises the issue of customer service (LMI1001027).

iii. **Unreasonable error**

Complainant alleges that officer who attended incidents did not properly investigate matters and incorrectly recorded information on COPS (LMI0904654).

b. **Misuse of power**

i. **Corrupt (other)**

Anonymous complainant alleges 7 televisions were purchased at a government rate with 3 of those televisions paid for by staff at the cheaper rate for personal use (LMI0904566).

ii. **Corrupt: Protect criminals**

Information supplied from the Australian Federal Police Professional Standards that a female member from NSW Police Manly Station alerted an alleged offender that NSW Police were about to execute a warrant and warned him to clear out of the house (LMI1000984).

iii. **Corrupt: Protect family/friends**

Complainant states that on 29 August 2009 a large tree on his property at Dolphin Point was cut down and removed by unknown person. Complainant alleges that a neighbour (member of Rural Fire Service) has cut down the tree as there have been previous disputes re same. Complainant alleges Police have failed to investigate the matter appropriately and are protecting the offender. Complainant wants compensation for the tree (LMI1000106).

c. **Violation of civil statutes**

i. **Breaking law: officer engaging in illegal behaviour (on duty or in private time) observed by complainant**

On 28.03.09 a camera and memory cards were handed in to the station. Prior to them being booked up subject officer said he needed those and put them in his pocket. On 14.08.09 subject officer drove with lights and sirens at excessive speeds around Macquarie St Sydney while not on urgent duty. He allegedly went through red lights and exceeded speed limit by over 50km/hr. In the vehicle were a probationary constable and a civilian (P0903836).

ii. **Sexual harassment or assault**

Anonymous complaint raises a general proposition that Subject Officer inappropriately uses his position as a weapons trainer when dealing with female recruits/officers. Secondly, an inference that Subject Officer had a sexual liaison with a student, R, and further, that this liaison may not have been consensual (LMI1000791).

d. **Interfering with justice**
i. False information given (e.g. in court)

Alleged that subject officer attempted to avoid payment of or responsibility for traffic infringements by making false and misleading declarations (P0902327).

ii. Withhold, suppress destroy or give false evidence

Complainant alleges police have destroyed video and audio evidence relating to his arrest at Pitt Street, Redfern and subsequent custody at Redfern Police Station. He alleges this evidence is a crucial part of his legal defence (LMI0902242).

iii. Pressure person to X (sign statement/plead guilty)

Officer was very rude, tried to get complainant to change facts of an incident involving her son (LMI0904584).

iv. Unlawful associates

Complainant has telephoned Albury Police to tell them about a property dispute involving Mr B of Avenue, Howlong. The complainant also made claims that a police officer regularly attended this address and smoked cannabis whilst he was on duty (LMI0904513).

v. Interfere with justice

Suspicions were raised by concerned staff and a review of a telephone Intercept resulted in the opinion that Detective Senior Constable M has possibly supplied false and misleading information in the affidavit. It’s believed that D/S/C M has possibly acted corruptly and deliberately attempted to pervert the course of justice based on information recorded in the Telephone Intercept Affidavit (P0903183).

2. UNPROFESSIONAL CONDUCT

a. Unprofessional conduct

i. Did not follow procedure

Monday 23/11/2009, on the 6pm PRIME news featuring an article on police trying to reduce road trauma. S/Sgt U was featured and was not wearing his appointments and reflective vest whilst conducting random breath test on motorists. A/C B was also seen not wearing a reflective vest (LMI1000130).

ii. Released confidential information

DVO Applicant’s address disclosed in documentation contrary to Applicant’s strict instruction to Police not to disclose address as applicant in fear of ex-partner (LMI1000135).

iii. Failed to provide ID
It is alleged by the complainant that police failed to properly identify themselves during a motor vehicle stop where firearms were drawn, the improper recording of her vehicle as being stolen and the failure by police to rectify the identified problem (P0902776).

iv. **Inappropriate use of COPS database**

Allegation that an officer has been given Duty Officer COPS Access and directed to delete possible unauthorised searches (LM10904549).

v. **Inappropriate (non-sexual) comment or behaviour**

Anonymous complaint alleges a senior officer at the Aviation Support Branch arranged for another officer to be handcuffed to a fence and hosed down on his last day of duty prior to transferring to another command. The officer was left handcuffed to the fence whilst he dried off and this was in view of members of the public. It is also alleged the same senior officer rostered a Sergeant for a cancelled rest day performing Constable/Senior Constable duties when there was sufficient time to alter the roster and/or offer it to other Constable/Senior Constables (P1000168).

vi. **Negative comment re: police force**

Complainant alleges that Senior Constable N is alleged to have spent the majority of her rostered shift at his residence. She parked the police vehicle behind a tank on the complainant’s property and socialised for the remainder of her shift. She attended on the pretext of a ‘rural property inspection’. The inspection took 4 mins to complete. The complainant further alleges that the officer although off duty at the time was in attendance to the bowling club in the presence of members of the public making disparaging remarks against the X police. In particular calling them ‘a bunch of arseholes’ (LM10904350).

vii. **Lost items (report/statement/property)**

Complainant states that he has been trying to have Bankstown Police return his mobile phone for the past eight months. Inquiries conducted by the PSDO in triage process failed to locate item. Still recorded on hand and now considered lost (LM10904898).

viii. **Inflamed situation**

Members of the H family had met at their mother’s residence in Deniliquin for a family meeting. An argument broke out and police officers attended. It is alleged that three officers were rude and fuelled the situation, and spoke to them like dogs (LM11001297).

b. **Abuse of position**
i. Personal use of police property (vehicle, internet)

Anon IPC has alleged the subject officer has retained his covert driver licence despite no longer being an active undercover operative. Further, the officer has shown this licence repeatedly to other staff (LMI0905068).

ii. Private business on duty

Anonymous complainant alleges the involved officer has on a number of occasions attended his secondary employment business (Shoalhaven Kayaks) whilst in Police uniform and in a Police vehicle (LMI090440).

iii. Unlawful second job

Allegation that on 22/02/2010 Sen Con was working cash in hand for Ms A carrying out home renovations. Further allegation that Sen Con has continued to carry out unauthorised secondary employment as a referee for Rugby League whilst on sick leave (LMI1001780).

c. Reckless conduct

i. Endangering public (e.g. driving)

Complainant described being or referred to feeling in danger of harm due to police action. Erratic Driving by Highway Patrol at Scene of fatal MVA (LMI0904357).

C. COMPLAINTS ABOUT INADEQUATE POLICE SERVICE

1. INACTION

a. No action after crime

On 15 September, 2009 the complainants daughters’ house was firebombed E7 relates. On 17 Sept, 2009 she attended Police Station to report she had received a threatening text message stating “next one goes boom. It’s not over until you are dead.” It is alleged that the SO refused to take a report and was rude allegedly stating “it was not worth writing down” (LMI0904349).

i. No investigation

Complainant alleges that police took a report of stealing relating to her husband stealing property belonging to her. It is alleged that police failed to advise the complainant that the matter was civil and made the determination not to investigate without advising the alleged victim (LMI1001057).

ii. Unspecified negligence or inactivity

DVO Applicant’s address disclosed in documentation contrary to Applicant’s strict instruction to Police not to disclose address as applicant in fear of ex-partner (LMI1000135).
iii. Not followed-up

On 8/8 Ms R reported a stealing offence, including an amount of $20,000. She stated that unknown employees of the dating site rsvp.com.au were responsible. She alleges police have failed to investigate/follow up. A third officer told her the matter was not being investigated - he was unprofessional and made her feel like rubbish (LMI0904931).

iv. On complaint

Complainant is dissatisfied with the alleged lack of response from Insp S regarding her complaint (LMI0904552).

b. Inadequate service

i. Poor investigation

Complaint by Mr R Anderson alleging that Holroyd Police failed to properly investigate a motor vehicle accident at Merrylands West on 13 May 2008 (LMI1001030).

ii. Poor customer service

Alleged lack of customer service during an incident with the complainant and a taxi driver whereby he dropped her at Rose Bay due to an argument. The complainant then states that the Cst did not attend to her welfare, seek her version of events or enquire about her rights as a taxi driver or the drivers obligations (LMI1000031).

iii. Inadequate action

Complainant was hit by a taxi at about 12.15am on Sunday 14 July 2009. As a result of the accident the complainant sustained serious head injuries and was hospitalised for 6 days in an induced coma. The complainant’s clothes were taken for scientific examination. The complaint regained consciousness and sometime later the complainant was advised there will be no action taken against the taxi driver. On several occasions the complainant asked for his clothes to be returned and he stated on one occasion Cst G became hostile (LMI0903556).

c. Response speed

i. Didn’t show up/arrived late

Complainant was hosting a party at her home when 20-30 gatecrashers became violent and damaged property. Complainant made 3 calls for assistance over 1 hour period and Police did not attend until 6 hours later (LMI0904989).

ii. Investigation duration
Complainant dissatisfied with service and support provided relating to investigation of alleged sexual assault. Complainant alleges police took four to five months to question perpetrator and have treated her case with a lack of severity and urgency (LMI0904391).

iii. **Rush or delay**

   Alleged complaint regarding a delay in the investigation into an assault matter concerning her and her neighbour (LMI0904401).

**d. Failure to inform**

i. **Of progress**

   Complainant was involved in a motor vehicle accident on the 12 October 2009. The complainant has made numerous attempts to contact the OIC of the matter Constable M to seek an update of the investigation however the officer has not returned her calls (LMI1001128).

ii. **Of reason for action (e.g. arrested)**

   Alleged that S/C G did not investigate an allegation of assault made to him. That he would not provide a reason for arrest to the partner of the complainant, that the complainant was conveyed in a caged vehicle whilst pregnant with special needs, failed to provide medical treatment and that the complainant is harassed by S/C G by his continued stopping of her and her husband whilst they are driving (P1001062).

**e. Fail to follow procedure**

i. **Not obtain evidence (e.g. CCTV/statements)**

   Police have attended an incident where a motorbike has been stolen and informed the complainant that a fingerprint examination would occur the following day. In a review of the COPS event reveals no fingerprint job has been created and CID message in relation to event not actioned (LMI0904423).

ii. **Not record info (incl. on COPS)**

   Complainant states teenagers were banging on the front door of her business with a golf club, her husband called the local police and the phone was transferred to Bourke Police Station, Bourke got the details but no one turned up to assist. Complainant’s husband went down to the Brewarrina Police the next day and they had no record of the incident (LMI0904344).

iii. **Not provide info (e.g. event number)**

   The complainant states police did not take a report from him regarding a serious assault. Later when he asked for an event number he was not provided with one (LMI0905295).

iv. **Failure in court duties (e.g. attend/send report)**
Officer was required at court on 21/9/09 for a defended hearing of FCAN relating to Exceed Speed Limit but failed to attend as he was outside travel range to the court (LMI0905213).

D. COMPLAINTS ABOUT DISCRIMINATORY TREATMENT

1. BIASED MOTIVATION

a. Age; gender; sexual preference; criminal background

Complainant alleges both he and his male partner were stopped and searched by Csts S and L and treated to 50 minutes of intimidation and humiliation on the suspicion of drug dealing. Also alleges Cst S was aggressive, harsh and abrasive in her tone and attitude. Complainant also raised concern at both he and his partner being body searched by both officers and their wallets checked. Complainant alleges he and his partner were targeted by police because they are gay (LMI0904133).

b. Racism

Member of public observed male of African appearance in an agitated and frightened state attend Waratah Station to report an incident. Male observed to speak with broken English, however was understandable to observer to be reporting a robbery or break and enter. It is alleged that the subject officer was intolerant of the communication barrier, failing to provide assistance and failing to take a report or investigate report (LMI0904277).

c. Conflict of interest

On 1/10/09, S/Sgt T attended the, in relation to the matter of solicitor H. During the proceedings, Counsel assisting the C, Mr S, highlighted the relationship T had with H (possible conflict of interest). Mr. S then put to T issues involving H providing him (T) with hams around Christmas time. (Possible breach of NSWPF receipt of gifts and benefits policy and guidelines.) (LMI0904364).

2. BIASED ACTION OR INACTION

a. Harassment

The complainant, Mr F alleges that he is continuously harassed and searched by Police in the Kings Cross Local Area Command (LMI0904448).

b. Singled-out for surveillance

Complainant alleges that the subject officer has pulled her son up on a number of times and threatening to "lock him up" and accusing him (on another occasion) of being responsible for fights between Wee Waa and Narrabri boys. Complaint believes that these accusations have no basis (LMI0904838).
E. COMPLAINTS ABOUT POLICE FAILURE IN COMMUNICATION

1. INADEQUATE COMMUNICATION

   a. Fail to respond (e.g. no call back)

      Complainant rang Police regarding a parking complaint and Police did not attend (LMI0904623).

   b. Did not listen/ allow complainant to explain

      Complainant states that on 14 December 2009 whilst leaving HMAS Albatross he was pulled over by the involved officer and wrongly issued a TIN for using his mobile phone. Alleges the involved officer was rude, obnoxious, intimidating and threatening and would not listen to his explanation of the incident (LMI1000117).

   c. Cut-off communication (e.g. phone hang up)

      Police were aggressive and rude when at the house to collect property, and was hung up on by who he believed was the Commander. Sgt D states that she was aware police were of the opinion S had been avoiding service of AVO Declined S141(1)(e) the matter goes to hearing (LMI0904717).

   d. Told complainant too busy

      An incident occurred on the 17.8.08 and the matter was reported to Rosehill Police Station. The case was transferred to St Mary’s LAC and referred to the subject officer. The complainant alleges that the subject officer has not returned her calls and when actually speaking with him he has indicated that he has a high workload and that if she is not happy to write in a formal complaint (LMI0902987).

   e. Ignored complainant

      The complainant has had ongoing issues with local youths. The problems appear to have escalated since she appeared on a television and radio program. On the night in question, the complainant alleges she contacted police and 000 with respect to youths ‘causing havoc’ outside her property. Police attended and according to the complainant, ‘were laughing with the youths and sent them on their way’ and did not speak to her (LMI0904841).

   f. No explanation provided

      Complainant was the victim of an assault on 24 January 2010. After checking with the officer in charge of the matter she was advised that the matter was under investigation. On making further inquiries she was advised that the charges had been dropped. Complainant states that she has not been formally spoken to about the incident nor advised as to the reason why the charges were dropped (LMI1001495).
2. FAIL TO RESPECT

a. Minimised complainant’s concern

On 18th February 2010 the complainant alleges that she was assaulted resulting in neck and ankle injuries, she also alleges that she is being counselled for PTSD. She alleges that LSC F was insensitive and “Like many abusers” minimised the abuse she received from her former partner, although an AVO was sought and granted she is dissatisfied that her former partner was not charged with assault (LMI1001781).

b. Accused complainant of lying

The complainant was involved in a melee at the MacDonald Restaurant and as a result sustained a stab wound. He claims that whilst inside the toilet cleaning himself after the incident Police entered and were rude, did not believe that he was stabbed and told him to return to Auburn (LMI0904869).

3. FAIL IN DUTIES

a. Refusal to act

Complainant states she attended Newtown Police Station to report an assault but was turned away. She then reported the incident at Kogarah Police Station who took a statement from her and then referred her back to Newtown. Complainant tried a number of times to contact the officer in charge but was unsuccessful (LMI0904624).

b. Case closed without explanation

‘Complainant informed case closed with no explanation’ or ‘Case closed but complainant not informed of this or explained why.’

On 7 August, 2009 unknown persons tipped motor vehicle on its side in Montview Parade, Hornsby Heights. The complainant contacted the Hornsby Police Station and the PAL to determine whether the vehicle had been fingerprinted however, no further contact was made. Staff from PAL made a COPS entry E and decided no further investigation was warranted (LMI0904433).

4. DISSUADE REPORTING

a. Told to leave station

The complainant alleges she was injured by police when she was arrested at Centrelink. When she returned to the police station to complain she was sent away and told to write a statement (LMI1001113).

b. Dissuade complaint or filing report

On 22 September 2009 the complainant’s son was evicted from his premises in Moruya. Complainant states he considered the eviction unlawful and that during a telephone conversation he had with the involved officer regarding same, the involved officer threatened to not give any assistance in the recovery of his son’s
belongings from the premises if the complainant pursued his complaint. Further
complains that the involved officer terminated the call by hanging up on him
(LMI0905108).

5. FAILURE OF EMPATHY

a. Ignored complainant perspective

Complainant alleges subject officer did not obtain her version of events prior to
issuing her with an Infringement Notice for offensive conduct in relation to an
ongoing neighbourhood dispute at Cedar Crescent Forbes. The complainant
claims that she was mistreated by police and was issued with an Infringement
Notice solely because of her aboriginality (LMI1001135).

b. No victim care

Complainant alleges that police were inconsiderate to her when dealing with her
after a domestic violence incident (LMI0904699).

F. COMPLAINTS ABOUT POLICE FAILURE TO PROVIDE CARE

1. FAILURE TO PROVIDE CARE

a. Ignored duty of care

Email received from ALS solicitor S on the 09/10/2009 indicating SC had submitted
a brief of evidence to her in the matter of DPP v O. The OIC (SC) included as the
first page the contact details of the victim who is aged 14yrs of age (including
mobile number). This is despite the police actually requesting an AVO with a ‘no
contact’ clause (LMI0904769).

i. Failed to intervene (in assault/accident/crime)

Complainant states that on 27 November 2009 when leaving the Bateman’s Bay
Soldiers Club he and his friend were set upon and assaulted by a number of youths.
States he called 000 but before the arrival of Police they were assaulted a further
three times. States he pointed out the offenders to Police however Police failed to
take any action against the offenders or protect him from them (LMI0905381).

ii. Denied medical care

Statement of Claim in relation to the State of NSW as Ms K. The complainant claims
damages in respect of cause of action stating breaching duty of care by falsely
detaining her in custody and failing to provide medical care (LMI0905154).

G. COMPLAINTS ABOUT DETRIMENTAL PUBLIC INCIDENTS
1. DETRIMENTAL PUBLIC INCIDENT

a. Breaking law in public

i. Breaking law in highly visible circumstances

Police officer driving police car near Leichhardt Market Place and talking and laughing on mobile phone. Drove for about 200 metres talking on the phone and drove through a set of traffic lights and a roundabout (LMI0904442).

ii. Scene in public

Complainant refers to police officers conduct on a tram that was travelling between Central to Lilyfield on Friday 18th September, 2009. Two police officers were on the tram and they ejected a drunk aboriginal man. Before they ejected him from the tram one of the police officers was talking loudly and aggressively to the man and at one stage said words to the effect that he would have assaulted him if there was not the audience on the tram. The complainant stated that she found the police officers actions more offensive than the man who was drunk (LMI0904436).

iii. Judge comments re: police

Senior Constable has charged the defendant (X) with four (4) domestic related offences including assault. On 4.5.09, Magistrate has dismissed the assault charge. During the summation, Magistrate has made adverse comment in relation to the police officers who attended the incident, quote “the two police that attended on the first night did the victim a disservice and assisted me in not being satisfied beyond a reasonable doubt. The defendant was convicted on three charges and the fourth charge of assault was dismissed (LMI0902125).

H. COMPLAINTS ABOUT NEGATIVE CONSEQUENCES FOR COMPLAINANTS

1. PROPERTY LOSS OR DAMAGE

a. Property damage

The complainant alleges at approximately 1:30am he was walking through Kings Cross to meet his friends. The complainant alleges that a Police Officer grabbed his phone out of his hand, accusing the complainant of filming with it. It is then alleged that the officer dropped the complainant’s phone causing the screen to crack. The complainant attended Kings Cross Police Station and filed a complaint with Inspector. The incident occurred 3 weeks ago and to date the complainant has not been contacted by Inspector (LMI0904454).

i. Property removed or stolen
Complainant alleges the Police seized his log book and he questions the Subject Officers authority to do this. He also alleges the log book has still not been returned to date (LMI0904287).

ii. Property not returned

The complainant indicates miscellaneous property has failed to be returned to him since May 2009. Police from the station have contacted him on 5 occasions. On each occasion he has indicated for the property to be delivered to him with his address provided. To date his property has not been returned. It is not of significant value. No one has made any attempt to return it to him despite his request on each occasion they have contacted him (LMI0904443).

iii. Pet injured

The complainant alleges that on the 21/08/2009 she was harassed and abused at a local shopping centre, persons unknown. As a result she contacted her councillor as she was upset. The councillor then contacted the police concerned for the complainant’s welfare. Later the same day the complainant attended The Entrance Police Station to report the shopping centre incident. The complainant alleges that a female officer informed her that they had picked her locks and took her dog to the pound. As a result the complainant’s dog was injured and her front door damaged (LMI0905492).

2. FINANCIAL COST

i. Negative financial or legal outcome

On 8 October 2009 the complainant attended Campbelltown Court in relation to a DV matter. The complainant states that no police attended court and was later informed the Constable S was on holidays and that court staff, Prosecutor and DAFVIS staff were not aware of any application for an adjournment. The complaint is annoyed by the lack of communication which resulted in loss of income (LMI0904542).

ii. Financial cost due to police (in)action

Triple 000 call made re unknown persons damaging a car and balcony (made by Mr’s neighbour). Mr noticed the offenders in the street and he then called Triple 000. After 30 minutes of waiting police had not arrived and offenders had left the street. He was told by his neighbours the next morning that there was no police response and they had to call again. They have been told they are not covered by insurance since no offenders identified. Mr is outraged by this perceived police inaction (LMI0902262).

3. MENTAL DISTRESS

i. Distressed/upset

Mr H rang police to report drug usage/selling in his street. He wanted to talk to a particular Sergeant however the officer would not speak with him. Mr H states he has provided information to police before and is upset that the Sergeant would not speak with him (LMI1000646).
ii. **Humiliated/treated like criminal**

The complainant alleges that the subject officer was rude to her during an incident stating she was made to feel like a criminal (LMI0904616).

4. **PHYSICAL INJURY**

i. **Physical injury following police action**

Complainant alleges she was transported by Police Vehicle to Police Station and sustained bruising. That she was arrested and charged with “Flashign herself” when she was incapable of doing such a thing. And that customer service was not provided (delay in serving AVO) (LMI0904621).

5. **DISSATISFACTION WITH JUSTICE SYSTEM**

i. **Distressed with procedure**

The subject officer investigated a complaint of Assault at the Direct Factory Outlet car park, Homebush Bay on 27 Nov 2009 which stemmed from a parking dispute. Complainant was dissatisfied with the manner in which the matter was handled (LMI1001118).

ii. **Didn’t charge severely enough**

The 6 old son was seriously mauled by a dog owned by the partner of a serving member of the service. The compl is of the opinion (after being provided with some poor advice by an unknown council ranger) the POI being issued with a $500.00 infringement notice was inadequate and the fact the partner is a serving member of the service may have influenced the investigation (LMI1001505).

iii. **Dissatisfied with justice outcome**

Complainant dissatisfied with outcome of investigation of alleged assault against herself and alleges communication from subject officer has been ‘next to nothing’ (LMI1000721).
Approximately 100 examples of case narratives that illustrate the typology of police conduct that produces customer complaints are contained in Appendix 2. Those examples, along with the following case narratives, were selected to assist in developing customer service training based on real-world policing situations. The 65 additional case examples contained in this Appendix are thematically organised. The selected themes were chosen because training on these issues will be most effective in reducing the volume of customer complaints.

A. COMPLAINT REDUCTION BY IMPROVING THE POLICE-CITIZEN RELATIONSHIP

Case examples presented in this section will allow training to be theoretically well-grounded, and connected more directly to the principles espoused in the NSWPF Customer Service Charter. The first 35 case examples are selected specifically to illustrate how the four key principles of procedural justice, trustworthiness, respectful treatment, neutrality and voice, work in action. These field examples demonstrate that failures to adhere to these principles results in customer dissatisfaction and complaints. By providing real-world examples, which can be further de-identified for use in the classroom, issues that arise in day-to-day core policing tasks can be integrated into the Customer Service Training Program.

1. “WE WILL TREAT YOU WITH RESPECT” (RESPECTFUL TREATMENT)

The content of the complaints showed that the people of New South Wales were appreciative of respectful treatment by police.

The complainant has written a letter outlining the attendance of the involved officer at the Dillwynia C.C to investigate a report of an Indecent Assault upon an inmate. The complainant outlines that Constable C was very professional and courteous to the alleged victim and wished for him to be commended. As a contrast Constable J is reported to be unprofessional, overbearing and intimidating at the time. Constable J also received and answered a personal telephone call during the interview process with the alleged victim (LMI1001415 Sustained).

Were it not for Constable C’s positive behaviour, Constable J’s behaviour might have tarnished this citizen’s confidence in the police. The respectful treatment was noticed and noted by this complainant, and had a positive impact. The lack of professionalism and disrespectful treatment by the second officer was extended to the victim.

It is alleged that whilst police searched the complainant’s vehicle, made her four children stand by the side of the road at night, in the rain. Did not tell them the reason for searching the vehicle, were aggressive and behaved in a threatening manner (LMI0902050 Sustained).

The complainant, viewed as a suspect, had an encounter with the police which she characterised as disrespectful. The police officers were “aggressive and... threatening,” and provided no explanation for their actions; had the search been explained, the complainant’s reaction may have differed. The complainant was vulnerable in several ways: through her identity as a mother in care of four children; through exposure on the road at night in the rain; through a lack of
information about what was happening; and through feeling threatened by police in front of her children.

Complainant alleges that she was assaulted by a police officer at her home. She also alleges that when she attended Bankstown Police Station to complain she was not taken seriously (LMI0903784 Sustained).

The complainant in this example was most upset about the disrespectful treatment which she felt she had received, and did not voice any concern over the outcome of the incident. This was not a complaint about poor treatment of one citizen by another: the complainant articulated that a reasonable expectation of a police officer who is performing in a professional manner is the respectful treatment of citizens, thus this behaviour was “unprofessional”.

The content of this complaint revealed concerns about the manner in which the citizen was addressed and treated by a police officer, not concern about the outcome (issuance of the infringement notice). The complainant was focussed on the experience of unprofessional and disrespectful treatment in the form of foul and abusive language and physical abuse (slamming the car door on the complainant’s leg). The verbal abuse by the officer was a significant element of the encounter.

Complainant indicates that herself and 3 others were watching a concert being held in the Domain from a vantage point, a distance away from the main Domain arena and were approached by Inspector M on her Mounted Police Horse and told to ‘get out’ and ‘move’ in a very aggressive voice. When asked ‘why’? she would not give a reason. Complaint said she just said ‘because I said so’. She was also evasive when asked for her name and was moving her horse towards her and her party aggressively. Complainant felt harassed and bullied by officer who she felt was extremely rude (LMI1001332 Sustained).

The complainant reported physical and verbal threats by an officer on horseback without provocation. The officer’s refusal to provide a reason or her name was additional disrespectful treatment.

About 8pm on Friday 15/1/2010 the complainant and her son Mr X attended Penrith Police to seek advice in relation to a domestic violence incident. They were met at the front counter by a female police officer who spoke to the family. It is alleged Senior Constable X spoke to the complaint from a seated position at the computer without taking his eyes off the screen. He allegedly told the complainant that she was “wasting their time” and at the end of the conversation he was texting on his mobile phone. It is alleged that Constable X refused to give the complaint a business card and stated that they were for victims and that the complainant was not a victim and she should "just go away." Before telling the complaint to get out (LMI1000893 Sustained).
This case demonstrated a lack of respectful treatment, and specified both nonverbal police behaviours as evidence of rudeness (failing to stand, failing to look at the parties, continuing engagement with a computer screen, texting during the conversation) as well as verbal evidence of rudeness (dismissing the parties as non-victims, ordering them to “just go away” and “get out”).

Complainant reported dangerous driving of a tour operator of a tour they had participated in. When police had not attended, they re-rang and officer alleged said “blah, blah, blah”. When police did attend to take statement, officer when speaking to tour company rep allegedly referred to complainants as a ‘bunch of whingers’. Complainant does not think the police appreciated the gravity of the situation and showed no concern for the driver or others on the road (LMI0904499 Sustained).

This complaint highlighted problems with trustworthiness, voice and respectful treatment. The complainant suggested that attempts to alert police to the dangerous driving of a tour operator were dismissed both on the telephone and by the attending police, who did not take the complaint seriously or value the input of the complainants, who were belittled as a “bunch of whingers”. Disparaging comments, insults and ridicule (“blah, blah, blah”) were experienced as a lack of respectful treatment, diminishing the perceived trustworthiness of the police.

Alleges that he was traumatised after being apprehended and when held in police custody he was stripped of his clothing and had to sleep naked all night. Further he was humiliated during the removal of his clothing by officers watching this occurrence and laughing at him (LMI0904060 Sustained).

The man in custody was not informed why his clothing was removed, and his dignity was affronted when he was observed and ridiculed by police. Training should emphasise the devastating effects of humiliation and ridicule on some citizens, including suspects.

2. “WE WILL SHOW CARE” (TRUSTWORTHINESS)

P/Cst F is the OIC of a personal violence matter which was listed for hearing at CT Court on 8/10/09. The victim attended Court and was assisted by a MWDVCAS worker. P/Cst F had not supplied a copy of her statement to her and had failed to notify/subpoena witnesses to attend for the matter resulting in it being put over until 5/2/10. The victim confirmed with the witnesses that none of them had been subpoenaed and stated to the worker that this was not the first time that P/Cst F had failed to protect her and perform his obligation and duty towards her. The victim also informed the worker that the defendant had been served with papers which contained the victim’s address not previously known by the defendant. This has heightened the victim’s fear for her safety (LMI0904445 Sustained).

The victim in this case was not provided with information in advance of the hearing date about the case, and witnesses were not notified to appear. The officer in question had previously behaved in a similar manner. The negative consequences included loss of time and inconvenience, a four-month delay in the legal proceedings, dissatisfaction with the justice system, loss of privacy through careless disclosure of the victim’s personal information to the defendant, and distress and fear experienced by the complainant. The negative consequences suffered by this complainant were additional to any she suffered as a victim of the crime in question. This case illustrated a failure of the Charter’s vows “We will take action”, “We will maintain your confidentiality”, and “We will show care”, all of which impinged on police trustworthiness.
Whilst complainant at home a brawl broke out in street two houses from complainant. Complainant was asked to assist as many young people were being assaulted and bashed by gate crashers. Numerous 000 calls were placed by many people at least 20 calls. The response time was nearly 40 minutes. Complainant was attacked by several males with bottles which complainant was able to defend. Police took no control of the situation and one officer called him a ‘dick head’ several times. The Duty Officer took no control of the situation and all police just stood around like stunned mullets whilst the offenders left. Complainant saw one male who was trying to explain what was happening get punched in the head and slapped in the face by the officer because the officer stated he failed to move on. Complainant had 3 police come in front his family and female duty officer lectured and didn’t ask for one piece of information. Complainant typed this information after a severe panic and anxiety attack and breaking down in tears (LMI1001163 Sustained).

This case involved multiple, cumulative failures leading to a breakdown in trust. The complainant outlined police inaction, verbal abuse, failure to attend to voice, and physical assault. The complaint sustained psychological harm in the form of a severe panic and anxiety attack. This case illustrated a failure of the Charter’s vows to “Take appropriate action”, and “We will show care”, and negative consequences suffered by the complainant.

Complainant’s daughter reported to police a disgusting and life threatening letter received via ‘Facebook’. Complainant alleges the suspect has committed the offence of ‘intimidation’ and police should have taken out an interim AVO. Complainant attended Casino Station on 7/10/09 and relayed his concerns to A/Sgt W who is alleged to have indicated he would contact him after 9/10/09. However the complainant and his daughter have not been contacted since. Complainant claims that due to the inaction of police the offender is going to continue to harass and intimidate members of his family (LMI0904785 Sustained).

This example illustrated an instance of neglect of duty to a vulnerable victim. The failure to take action, and to “keep me informed,” two of the core principles of the Charter, led to ongoing risks which could have been prevented had the officer made contact and taken appropriate action.

Complainant was hit by a taxi at about 12.15am on Sunday 14 July 2009. As a result of the accident the complainant sustained serious head injuries and was hospitalised for 6 days in an induced coma. The complainant’s clothes were taken for scientific examination. The complaint regained consciousness and some time later the complainant was advised there will be no action taken against the taxi driver. On several occasions the complainant asked for his clothes to be returned and he stated on one occasion Cst G became hostile (LMI0903556 Sustained).

The complainant was a victim in a motor vehicle accident and apart from his objection that (a) there was no action taken against the driver and (b) the officer became hostile, the complainant focussed on an outcome: the loss of his clothes. While the failure to return his clothes focussed on property loss, it is likely that the loss had a psychological or symbolic dimension. After suffering a series of negative consequences as the victim of an accident, the final ‘straw’ may have been this affront to the complainant’s dignity by ignoring his requests.

Police at Grafton took a phone call relating to the 13 y/old son of the complainant being plied with alcohol and exposed to drugs. The officer allegedly showed contempt for the complainant, her concern and even laughed at her and hung up (LMI0905284 Sustained).
Sincerity is one of the core components of trustworthiness. Laughing, ridiculing, ignoring and failing to show empathy all indicated a lack of trustworthiness. The case also illustrated neglect of duty to a vulnerable victim.

The complainant states the involved officer attended the address of her cousin, Ms P at address on the 31 March, 2010. The complainant states the involved officer was rude and intimidating towards her and that she felt bullied by the conversation she had with him. The complainant states that she felt the involved officer’s attitude was rude, arrogant, and derogatory and totally unprofessional (LMI1001687 Sustained).

Numerous complainants conveyed that they were laughed at, ridiculed, or not taken seriously. Genuine concern is a key element of trustworthiness. Officers should be trained to communicate genuine concern to citizens, regardless of the officers’ personal views on the severity or veracity of the events reported.

The complainant alleges that upon attendance by Constable B at her residence in November 2009 to investigate a report of a possible break and enter/stolen property that he was abrupt, rude and aggressive from the outset, that he showed complete disbelief and seemed to ‘write off’ the matter, wasn’t the slightest bit interested and ‘couldn’t get out of the place quick enough’. That Constable B didn’t contact her with the event number, didn’t have her premises fingerprinted, didn’t conduct a comprehensive investigation into her theft, didn’t check her house for points of entry, displayed a complete lack of common courtesy, concern and empathy on all occasions that she spoke to him making a distressing situation worse. The complainant desires the investigation be re-opened and investigated thoroughly (LMI1000458 Sustained).

Inaction in police duties typically co-occurred with a perceived lack of sincerity, which is a core component of trustworthiness. The complainant in this case emphasised the relational issues such as the dismissive attitude, lack of trustworthiness, and disrespectful treatment, in addition to the substantive issue of failure to investigate.

The complainant states the police were called to her residence in response to a group of Aboriginals making threats to rape & murder everyone in the house’. Police seemed to be disinterested in their concerns and were rude and dismissive (LMI1000287 Sustained)

In this case, the disinterest of the police damaged the complainant’s trust and confidence in police to follow through in a situation where the complainant received disturbing threats of assault and death.

The complainant’s daughter was allegedly seriously assaulted in the early hours of 13/9/09. The daughter rang Raymond Terrace Police Station on 3 occasions on 13 & 14/9/09, on at least one occasion speaking with Senior Constable R. On each occasion the complainant’s daughter was advised to report the incident to local Tea Gardens police when they were next working (LMI0904192 Sustained).

The complainant reported inaction with regard to a serious assault on her daughter and objected to “passing the buck.” Failure on the part of the officer on duty to take responsibility for investigating or following up the complaint impinged on police trustworthiness, and the citizen was burdened by having to report the incident a second time to other officers.
Complainant was issued with a PIN for parking in a no stopping zone in Queen Street CT on 17/7/09. The officer lectured the complainant in relation to her parking for 15 minutes despite the fact that she was in the process of picking up her elderly mother.

On 15/8/09 the complainant observed marked police truck CT16 parked in a no stopping zone in Queen Street, CT adjacent to CT station and near a Chinese restaurant. The complainant alleges that a male officer was ordering a meal in the restaurant and not responding to any job. The complainant queries whether her vehicle had been targeted or that there were more important issues to deal with rather than harass a mother with three children stopping for 2 minutes to pick up an elderly woman (LMI0903862 Sustained).

Witnessing abuse of police privilege resulted in a loss of perceived trustworthiness. The vulnerability of the complainant and her charges (a mother with three children picking up an elderly woman) was contrasted with an absence of any emergency motivating the observed officer’s rule-breaking to order a meal. This case illustrated the complainant’s expectations that (a) the same standards should apply to officers and civilians and (b) that police should have exercised a measure of discretion before charging a vulnerable person with a minor offence.

Police failure to communicate led to distress for complainants and damaged police trustworthiness. The narrative below illustrated that the complainant received no information on the progress of her complaint, as she, not the police, was burdened with “chasing this matter up”.

The complainant indicates a friend of the family, Mr W, is living with her mother D as a carer. Her mother does not know how to use the internet and she gave Mr W permission to pay her bills only. It added up he frauded $80,000 over four years. The complainant discovered this and she has provided the evidence to the subject officer on 8.12.08 and COPS Event No. E3638 refers. Her mother’s bank statements show how and where the money was going. She realises we are all busy and really doesn’t want to complain, but she’s heard nothing. She seems to be the one chasing this matter up, she has sent information in person to the station and has no feedback. It’s starting to anger and frustrate her. It may not be a big deal, but to them it is. Her mother and herself would like to be kept in contact with any progress and they have not. As of 10.8.09 she is relocating to Tamworth to live and any information would be good (LMI0903365).

Communicating with complainants about the progress (if any) of the investigation would alleviate damage to police trustworthiness exemplified in the foregoing narrative.

3. “WE WILL TREAT YOU FAIRLY” (NEUTRALITY)

Over seven percent of the complaints included reports of biased action, including police harassment of citizens who were singled out or targeted for surveillance. Improved understanding of police behaviour which citizens perceive as bias can improve public perceptions of police fairness and neutrality, enhancing trust, confidence and legitimacy.

On 26/9/09, the complainant’s 16 year old son was riding his motorised mini bike along ROAD and crossed to the median strip, to wait for cars to pass so he could cross to the other side. While waiting, a police caged truck pulled up to speak to him about riding an unregistered mini bike on a public street. It is alleged that whilst one officer asked him for ID, then went to move the police vehicle on to the median strip, SC A verbally expressed his frustration at having to chase mini bike riders to the son, then stepped towards him, punching him with a jab to his mouth. The other
... officer then returned & directed him to push the mini bike home. He told his mother about this incident when he arrived and both then came to Warilla Police Station where a statement was taken (P0904335 Sustained).

The complainant's son was targeted and harassed due to his age. This bias was expressed verbally and physically by punching the boy in the jaw and intimidating him physically. The failure of neutrality and the physical assault were compounded in severity by the fact that the citizen in question was a vulnerable individual (a minor) whose mother accompanied him to the station and made the complaint on his behalf.

About 8.15am on Wednesday 17th November 2009 the complainant was driving to work along Penshurst Street, Penshurst. A marked police car pulled out of a side street into lane 2 of stationary traffic. This blocked lane 1 and the complainant and other traffic were delayed for a brief time. The complainant then stopped beside the police car at a set of traffic lights and calmly made comment about the poor display of driving by police. Immediately upon traffic moving, police pulled the complainant over. The subject officer demanded the complainant's license and conducted a breath test before subjecting the complainant to a string of questions about car ownership etc. delaying him a further 10 minutes. The complainant believes his treatment by the subject officer was an act of retribution for his comment and obviously designed to inconvenience and denigrate him (LMI0905220 Sustained).

This case illustrated an instance of victimisation and retaliation. The complainant was singled out for investigation because he voiced his criticism of this officer's driving. The harassment was experienced both as inconvenience and an act of humiliation or denigration.

The complainant states he was denied help from the Police at Brunswick Heads following the attack where 4 men from a group charged out of the hotel and started punching and kicking him for several minutes breaking his nose and leg severely, leaving him in traction for 2 months. At the Brunswick Heads Police Station, the police refused to take any statement from him and claimed that he initiated the attack and spat at them which he denies, as he was having difficulty breathing through his broken nose which was also bleeding heavily. The complaint also has concerns that another person known to him Z had previously been attacked by the same persons and that was also not followed up by the same Brunswick Heads Police, as he stated that one of the Police at the Brunswick Heads Police Station that night knew the offender as he had played football with him. The victim attended Mullumbimby Police Station on the 17 February when he could walk unaided to see if they would take and investigate his complaint but the officers again refused to take the complaint. The victim states that Constable X's statement that he still did not know who attacked him is hard to believe given that all of the above information is common knowledge in the district, including the assault. He believes that the charge against him, after he had been denied assistance for three and a half months is either a cover up for the lack of a proper police investigation into his original complaint or as a payback for persisting with his complaint (LMI0902116 Sustained).

The failure by police to assist the complainant who sustained significant physical injuries was followed by a long-standing refusal to accept his complaint, and ultimately, a charge against him. This case illustrated how the initial failure to provide care led to a series of negative interactions, including victimisation of the complainant by the police.
On 26 April 2009, the complainant alleges that he and some friends were in the Kings Cross area outside the Sugarmill Hotel when they were approached by plain clothes police, one of which was Constable K. The complainant alleges that Constable K argued with a friend of his about being directed to leave the area. The complainant interjected to defend his friend at which point it is alleged that Constable K has struck the complainant to the eye with a closed fist. The complainant was arrested in relation to offensive language and served with a CIN (P0902556 Sustained).

Complainant alleges that when she was involved in a motor vehicle accident on date 2009, Cst Z attended the scene. Once he determined who the driver was, he acted in an abrupt and aggressive manner towards her. The complainant had difficulty understanding his questions and felt intimidated and threatened. The complainant’s husband arrived at the scene and was concerned by Cst Z’s attitude. He approached Sen Cst X to voice his concerns (LMI0902201 Sustained).

The core of this complaint was that the driver was not treated neutrally by the police officer attending a motor vehicle accident. Once the officer learned that this woman was the driver, his attitude towards her changed and she was treated in a disrespectful manner. No information on the ethnicity of this complainant was recorded, but the complaint implied that her physical appearance gave rise to biased and discriminatory treatment and English may not have been her first language as she had difficulty understanding the officer’s questions.

On the 5 November, 2009 the Complainant was driving her vehicle east on the Great Western Highway, Westmead/Mays Hill when she was signalled to stop by Senior Constable M. The Complainant alleges SCon M was extremely rude and aggressive, opened the door to her vehicle and removed the ignition key without her permission, broke the ignition key, accused her of not pulling over when signalled to do so, issued her an infringement notice for not moving out of the path of the police vehicle and picked on her because she was wearing a head scarf. The Complainant alleges three separate members of the public stopped and berated the Subject Officer for the manner in which he was speaking to the Complainant. The Complainant alleges the Subject Officer said to her something similar to, “You’re lucky I didn’t call more police here, I could have shot you.” Records indicate the Complainant has been issued with two TIN’s for ‘Not move out of path of police or emergency vehicle’ and ‘Not Display P Plates’. The Triage Officer has reviewed ICV record and this indicates the subject vehicle was stopped at 1745 hrs, SCon M did approach and open the drivers door and did remove the female driver (wearing headscarf) from the vehicle. He is then seen to take hold of both of the driver’s arms and place them behind her back before directing her out of camera view. None of these actions are recorded in the COPS Event (LMI0905283 Sustained).

This case illustrated an instance of religious discrimination against a woman wearing a headscarf. This discrimination took the form of disrespectful treatment, lack of courtesy, property damage, accusation and threats. The disrespectful treatment was witnessed by members of the public who stopped to intervene on her behalf. The officer did not record the events accurately in COPS, but the ICV record validated the complaint.

Allegation that on 27/08/09 Senior Constable K has called an employee named P from Allianz, a dickhead when speaking to him over the telephone in respect to a disputed injury claim. It is alleged that K has made inappropriate remark to Ms A.
Groups targeted for biased treatment were not restricted to visible minorities based on age, gender, sexual orientation, religion or race. In this example, the population against which bias was expressed were individuals employed by Allianz. Training on bias and discrimination should guide officers to recognise the importance of neutrality towards all sectors in the community.

Officer is alleged to have been arrogant, condescending and dismissive in his attitude and remarks concerning young persons at the new skate park at Goonellabah. He is alleged to have said 'I hope you are happy with yourselves, we are going to be up here every five minutes. Whose idea was it to put this thing here, you are asking for trouble. How could anyone be so stupid? Look at them, you've got them all congregating in the one area. Instead of them being in areas A, B and C, they're all here now. Look at them'. The officer is alleged to have spoken in a reprimanding fashion and he berated Ms M for the whole time. The officer did not wear any identification and is alleged to have made disparaging comments about young indigenous community members and spoke in racist generalizations about young people and their families (LMI0904708 Sustained).

This complaint outlined bias against young people and indigenous youths. The officer was disrespectful to the complainant and insulted community members. This officer’s frustration over a policy change damaged the public image and trustworthiness of the police. Training should encourage officers needing to ‘let off steam’ about work changes to use more appropriate channels, including the Employee Assistance Program.

Complainant alleges he was walking home when he was approached by police, frisk searched, accused of selling drugs, called a ‘fucking black cunt’ and when police were getting back into their vehicle, they were laughing. Complainant claims he is being stopped by police three times in three months and this is bordering on harassment. Complainant claims he being subjected to racial taunts (LMI1001164 Sustained).

This complainant was subjected to a series of intimidating behaviours by more than one officer, as part of a campaign of racially motivated harassment.

It is alleged that Mr E client Mr B was issued with a Court Attendance Notice at 2am in the morning. Mr E seeks an explanation for the service of the CAN at this time of the morning being that there was no urgency. Mr B works usual business hours and a statement has already been provided to police (LMI0903951 Sustained).

The complainant’s client objected to being issued with a notice at 2:00 a.m., without good reason. The behaviour might imply deliberate harassment.

Other grounds for bias complained about included singling out of persons with a criminal record:

The complainant indicates at about 10.15pm on Tuesday 1.12.09 he was driving home from Queensland to Ballina and was tired so he decided to stop at Byron Bay. He sat on a seat over at Belongil Beach and watched the fire twirling and listened to the drummers and alleges a policeman approached him and asked what he was doing there. He asked the officer if he was doing anything wrong and the officer said that due to his suspicious nature, as a policeman, he just wanted to find out why he was there. The officer asked for his ID which he gave him and he wrote his details in his notebook and then gave his ID back to him. The officer then walked away.
talking on his radio and he decided to go back to his motel room and the next thing he knew the officer chased him and told him of his criminal record and accused him of being a paedophile. He said to the policeman that what happened was 17 years ago and that it was really none if his business. He is not happy about the officer’s attitude toward him. He was just minding his own business when he approached him. He had done his time for the offence, is it going to be thrown at him every time a police officer decides he doesn’t like him? (LMI0905304).

Other groups complaining about bias included police officers:

Complainant alleges her daughter, C, was poorly treated & unnecessarily arrested by Det Snr Cst B on 13/8/09 in regard to a failed sale of a horse to an Adelaide police officer, Ms L. Complainant cannot understand why she made an appointment to speak with police only to have her daughter arrested when they arrived. She alleges DSC B failed to show any compassion towards her daughter & was not interested in her side of the story. Complainant believes there are double standards shown because L is a police officer & she wants an apology (LMI0904167).

Not all perceived failures of neutrality were against traditionally recognised groups (e.g., racial minorities). In the case above, perceived preferential treatment of a police officer was grounds for imputed bias.

4. “WE WILL LISTEN TO YOU AND ACKNOWLEDGE YOUR NEEDS” (VOICE)

The author has made a complaint online on 5 February 2010 and sent another complaint dated 3 February regarding this matter. On 5 December 2009, the complainant lodged an insurance claim regarding a motor vehicle accident she was involved in where she was contacted by Constable L and advised that she had to provide her details to the other driver. Ms C informed him the reasons why she could not provide him with further details but the claim number was provided which according to Ms C should suffice. On 17 January 2010, it is alleged by Ms C that during a phone call she received from Constable C, he was rude, telling her that the claim number was insufficient and was allegedly talking over the top of her. Ms C has stated the officer was rude and frightened by Constable L's alleged actions (LMI1000906 Sustained).

In this case, the officers’ rudeness and refusal to listen to the complainant (talking over her) left her fearful and distressed.

The complainant was arrested by a Loss Prevention Officer in Target for allegedly stealing a frying pan. Police were called and the complainant protested that she had bought it from K Mart but she could not produce a docket. The LPO had a statement prepared indicating that she saw the complainant steal the frying pan and further that she scanned the item amounting to a certain price. They held the complainant under arrest until police attended. The complainant indicated that Cst Q would not listen to her and kept on telling her to be quiet and at one stage raising his voice. Cst Z agreed to take her to K Mart, where it was verified by a shop assistant that the complainant had in fact purchased it. The complainant had further questioned why police did not take action against the LPO for ‘Making a false statement’ (LMI0902945 Sustained).
This case showed that an innocent citizen, believed to be a suspect, was denied the opportunity to provide her account of the events in issue. She was instructed to be quiet and yelled at when seeking to explain what occurred.

The complainant indicates that at about 5.45pm on Sunday 9.8.09 she was driving in Appel Street, Tweed Heads when she was stopped for a random breath test. She alleges the police officer said something that she could not understand and shoved the machine in front of her face. She did not know what to do and went to ask. The officer then interrupted her and told her to ‘do it now’. She still did not understand what to do, as he had spoken too fast for her to understand him the first time. She went to ask him again, he interrupted her mid sentence and told her if she did not comply she could be arrested for not doing as he asked. She went to ask for the third time what she needed to do, the officer then interrupted her again and asked for her license and told her that she would be arrested if she did not do what he asked. He then gave her the instructions which she could hear clearly this time. Through all of this she felt as though she had done something wrong. The officer did not allow her to ask what to do, instead he cut her off repeatedly. The tone in which he spoke to her was very unsettling. She has never been spoken to like that by a police officer before. She understands that even police officers have their bad days, they are human. However, the way she was spoken to made her feel threatened. She felt as though she did not have a leg to stand on and that she had done something wrong, when she had committed no wrong doings. She would like this police officer to know the way he made her feel and that it is not appropriate to speak to members of the public in this way (LMI0903597 Sustained).

This case illustrated an instance where a complainant who was denied an opportunity to speak was misinterpreted as noncompliant. Training should emphasise the importance of clear communication and the need to check for understanding. The subject officer did not give the complainant the benefit of the doubt. Rather than assume that she could not understand or hear, he assumed wilful noncompliance. The situation escalated to a threatened arrest, further distressing the complainant. Like other complainants, she was willing to make concessions for the police (“they are human”). The denial of voice was also disrespectful.

It is alleged that S/Cst J attended the complainant’s residence stating that she had received a complaint about two weeks ago whereby the complainant had made rude gestures towards her sister-in-law. When the complainant tried to talk to S/Cst J, she reacted by saying “pack up your family and move out of Deniliquin if you can’t deal with it”. It is alleged that S/Cst J portrayed herself as a five year old chucking a temper tantrum as she stormed across the lawn yelling at the complainant in an angry tone, and didn’t want to listen to what the complainant had to say. It is also alleged that since an incident whereby the complainant’s husband was admitted to Nolan House, Psychiatric Ward of Albury Base Hospital, they have received harsh treatment from S/Cst J in and out of her uniform in that every time they see her, S/Cst J looks them up and down and makes them feel like she is trying to get them into trouble (P0905541 Sustained).

In this case the complainant was rudely cut off by the police officer when she tried to speak. The failure to listen was exacerbated by further unprofessional behaviour on the part of the officer. The complainant reported that this denial of voice and subsequent harsh treatment did not appear to be isolated events, but were ongoing.
Mr H has lodged a complaint about the attitude and behaviour of SC B following an assault that occurred on 2 May 2009 at Seven Hills. Mr H states that SC B met him and his partner, Mr W at Blacktown Hospital after the assault. Mr H claims that SC B insinuated that he and Mr W had instigated the assault and that information Mr H had given him at the scene was inconsistent with the physical evidence. He claims that B yelled in his face and was not interested in listening to him. After two months of calling the Police Station about progress, Mr H states that he is constantly told by SC B that he still needs to interview people. Mr H states that he and Mr W still hold fears for their safety and that he has lost confidence in police (LMI0903101 Sustained).

This complainant was not listened to, was subjected to verbal aggression, and was accused of lying. An accusation that someone is lying may be experienced as a denial of voice. The effects on the complainant and his partner included fears for their safety and loss of confidence in police.

On the 27th November 2009 the complainant was stopped for the purpose of random breath testing in Chantry Street, Goulburn. The complainant states that as soon as the officer approached her window he was immediately aggressive and condescending towards her, tried to goad her into arguing with him, that he was rude and obnoxious and would not listen to her. The complainant has been spoken to and indicates that her treatment by the subject officer made her feel very stressed and nervous but she does not wish for any formal action against the subject officer other than for him to be reminded of his customer service obligations (LMI0905222 Sustained).

Most complainants did not seek apologies or compensation but were seeking an opportunity to voice their concerns to the police, as was illustrated in this example both during the RBT and in making the subsequent complaint.

The complainant and three males attended Buladelah PS to complain about the actions of police. The station was closed at the time and S/C was rostered as an alpha unit. He answered the knock on the door and had a conversation with the group which resulted in him yelling at the group to leave the station by using offensive language, further saying “Come near me again and I’ll put a bullet in your head”. He was not wearing his appointments at the time and immediately reported the incident to the Duty Officer (LMI0902407, Sustained).

This case illustrated a negative response by police to a complaint, possibly because acknowledging a complaint is not regarded as a core policing task. Refusal to accept or acknowledge a complaint is a form of denial of voice. This response was likely to have a detrimental effect on any trust the complainants had in the complaints process.

Failing to listen to a complainant’s questions can lead to misunderstanding and miscommunication:

The complainant indicates that at about 5.45pm on Sunday 9.8.09 she was driving in Appel Street, Tweed Heads when she was stopped for a random breath test. She alleges the police officer said something that she could not understand and shoved the machine in front of her face. She did not know what to do and went to ask. The officer then interrupted her and told her to ‘do it now’. She still did not understand what to do, as he had spoken too fast for her to understand him the first time. She went to ask him again, he interrupted her mid sentence and told her if she did not
comply she could be arrested for not doing as he asked. She went to ask for the third time what she needed to do, the officer then interrupted her again and asked for her license and told her that she would be arrested if she did not do what he asked. He then gave her the instructions which she could hear clearly this time. Through all of this she felt as though she had done something wrong. The officer did not allow her to ask what to do, instead he cut her off repeatedly. The tone in which he spoke to her was very unsettling. She has never been spoken to like that by a police officer before. She understands that even police officers have their bad days, they are human. However, the way she was spoken to made her feel threatened. She felt as though she did not have a leg to stand on and that she had done something wrong, when she had committed no wrong doings. She would like this police officer to know the way he made her feel and that it is not appropriate to speak to members of the public in this way (LMI0903597).

In some cases, failure to attend to the complainant’s voice led to unnecessary harm:

LMI100479 has been resolved by Sgt M and relates to this complainant and his claims that money was missing from his wallet after his arrest by Police at one of the Big Day Out concerts (Friday 22 Jan 2010). That complaint was reported on by the subject officer M after the complainant wished to make a formal complaint on the night he was arrested. In the on-line complaint dated 28 Jan 2010 the complainant states that ‘due to the amount of force being used by both officers above names I immediately made both of them aware that I had a disability and my legs had been broken. Both of the police officers appeared to ignore my comments made as neither of the officers responded or appeared to acknowledge this....At no time did either of the officers acknowledge this or act in a different manner to use less force towards me than would have been required. He also complains that M would not take his complaint about excessive use of force and only took the report of the missing money from his wallet (LMI1001129).

In the foregoing complaint, the complainant tried to communicate his vulnerable status to officers but this was neither acknowledged nor responded to. Paying attention to what citizens say during policing encounters can reduce risk for police and citizens.

Failures of voice did not occur in isolation from failures of trustworthiness, respectful treatment and neutrality. Often, all four elements co-occurred within a single narrative:

The complainant alleges that on 24.12.09 she was injured and in shock after being thrown down stairs and assaulted by a person at Mooball. She rang 000 for assistance and police attended her home, but she alleges she was not able to give her side of events and was treated like a criminal. The officers continually interrupted her and interrogated her, however, they were not interest in her story of injuries. The officers were intimidating and she feared she would be charged with an offence. She rang helpline to tell her side of the story, but was given the officers names so rang and left a message. The same officers contacted her on New Years Eve, however, did all the talking and again intimidated her and would not listen to her. They walked away laughing and made her feel worse. After the experience she has deep mistrust of police. She wants to make a statement so the offender is charged with assault and wants to apply for an ADVO. She also requests the statement be taken from an officer outside of Murwillumbah (LMI1000505).
In the foregoing narrative, the complainant could not tell her side of the story and was not listened to. She indicated that she was treated disrespectfully and laughed at. As a result, she experienced a "deep mistrust of police" and believed local police to be biased, requesting that a statement be taken by an officer at another LAC.

Another narrative showed that police failure to listen to the complainant endangered her life:

The complaint above illustrated the importance of citizen voice for minimising risk but also the simultaneous importance of trustworthiness and care about citizens’ wellbeing.

B. COMPLAINT REDUCTION BY MINIMIZING LEGAL RISK IN CORE POLICING TASKS

The following thirty case narratives were selected to provide case examples of some key issues that emerged in the analyses of complaints where legal risk can be decreased by targeted training on selected topics.

For instance, damage to the corporate image is most likely to follow negative exposure through public incidents of misconduct or inappropriate behaviour. Several selected cases below demonstrated how public incidents and behaviours by police resulted in complaints. A related group of case narratives showed how new technologies have increased the risk of public exposure of conduct that can damage the reputation and tarnish the image of the police. Examples of complaints that were sustained because of the existing evidence provided via CCTV footage, mobile phone photography, and Facebook are included. Next, a series of examples are included of acts of commission in the course of core policing duties that produced sustained complaints.

A substantial number of complaints were received showing inappropriate treatment of complainants who were vulnerable because of their status as members of visible minority groups, their age, their mental health, a physical or intellectual disability, etc. Selected examples of sustained case narratives are included so that training can be provided that demonstrates the legal risks of failing to attend to the needs of vulnerable complainants. Most of the examples in this section are acts of omission that had serious consequences.

The final eight case examples in this section were selected to illustrate more complex policing situations and tasks which pose both challenges and also risks in terms of rapidly identifying victims, suspects and other members of the general public, particularly when the individuals may fit into multiple categories. A pragmatic and risk-averse approach is to offer all participants the best possible customer service, and not spend time deciding whether someone is or is not technically a customer and thus either entitled or not entitled to high quality customer service.
1. **DAMAGE TO THE CORPORATE IMAGE IN PUBLIC INCIDENTS**

By paying more attention to conduct that is highly visible to members of the general public police can reduce complaints about public incidents and instead, use these opportunities to build more positive relationships with the community.

An intoxicated man was yelling and stepped in front of the car driven by Ms X and her friend Mr Y. They stopped and persuaded him to get off the road and managed to calm him down. Several police then arrived and yelled at the man. She alleges two officers seized him and threw him bodily over a brick wall then three other officers allegedly attacked him by pushing, shoving and head butting. She states they dragged him to his feet and repeatedly knocked him down again. She claims a police officer told her "you have seen nothing tonight - is that clear" and was told to leave. She felt threatened by this. She and Mr then attended Glebe Police Station and reported what she had seen (LMI0902215 Sustained).

Passers-by who observed the police physically abuse and intimidate a third party were ordered to leave. This implied that the officers were aware that what was witnessed had corporate significance and exposed the police to legal risk.

About 6.25pm on Friday 16 April 2010, the Complainant states that he witnessed a Police officer be unnecessarily aggressive towards a Taxi Driver on Goodlet Street, Surry Hills. The Complainant states that the Officer yelled, was rude and pushed/twisted the driver's wrist (LMI1001842 Sustained).

In this case a bystander reported police mistreatment and disrespect for a taxi driver in a public location. This case showed that sometimes a bystander was motivated to complain after witnessing an incident of apparent misconduct.

On 28.03.09 a camera and memory cards were handed in to the station. Prior to them being booked up subject officer said he needed those and put them in his pocket. On 14.08.09 subject officer drove with lights and sirens at excessive speeds around Macquarie St Sydney while not on urgent duty. He allegedly went through red lights and exceeded speed limit by over 50km/hr. In the vehicle were a probationary constable and a civilian (P0903836 Sustained).

The detailed knowledge in the complaint tended to indicate that the complainant was a fellow officer who had observed a co-worker pocket lost property and drive recklessly. This case illustrated the visibility of police actions to their colleagues as well as to members of the public.

Complainant has written to the Commissioner regarding the issue of Penalty Notice 4025927254. On Friday evening 12th March 2010at 23:33 he was driving on Australia Avenue, Homebush Bay and entered the intersection of Sarah Durack Ave. He “Continued through the intersection as it was too late to commence braking since my vehicle had crossed the traffic lights stop line. I noticed a police vehicle travelling north-east along Australia Ave then make (what i believe to be) an illegal U-turn through a red traffic light, without any indication by way of a signal being made for such a manoeuvre. This way, I believe, a quite dangerous thing for the police to do. The weather was fine the road surface dry, the traffic volume light and it was quite dark with only the street lights lighting the intersection”. It is also alleged the police vehicle drove “through a red light in order to make the U turn" The Penalty notice...
was then issued to the complainant. The complainant contends that he did not commit any offence (LMI1001535 Sustained).

The complainant compared the dangerous driving by the officer with the complainant’s own behaviour. The complainant was penalised for a minor, excusable infraction, justifiable in the context, whereas the officer was not penalised for action which was not reasonable in the context. This case illustrated that community members expect the police to observe the same standards that they enforce.

2. REDUCE PUBLIC EXPOSURE VIA NEW TECHNOLOGIES

Some cases exemplified the need to train officers about social networking sites, such as Facebook, and the risks that emerging technologies can pose in terms of the harm they can cause to the reputation of the police. The boundaries between an officer’s public duty and private life may be difficult to maintain when social networking is implicated.

On 23rd December 2009 an anonymous letter was received at Central Metropolitan Region indicating a recent conversation that had been recorded on Facebook between S/Cst P, S/Cst C and Cst R. The conversation related to the use of In Car Video (ICV) by HWP and how the footage can be used at Court. During the conversation S/Cst P writes “Mate. ....save yourself a court matter. Do what i use to do. Turn the ICV off....get $50 off them and send them on their way. Is that wrong of me? I hope no-one can read this?...ha “The complainant alleges that this can be read by any and all persons linked to these officers on Facebook. It is believed that Cst R and S/Cst C were both on line and viewed the comments made. To date neither officer has reported this possible corrupt conduct (P0905591 Sustained).

The officer’s conversations on Facebook were tracked and recorded by an individual who reported this to police. The conversations included an admission of corrupt conduct, and an admission that the officer was aware that (a) the conduct was wrong (“Is that wrong of me?”) and (b) that the admission was public (“I hope no one can read this...ha”). Training should emphasise both the seriousness of such conduct (turning off the ICV) and the fact that communicating in a light-hearted manner in a public forum can have serious corporate and individual consequences.

Complainant daughter N was driving with a friend W on 09/10/2009 in a car park in Revesby when the car she drove collided with a car driven by an off duty Police officer G and showed his police badge and advised N the collision was her fault. He advised he would not charge N for parking in a Disabled Space. He mentioned he had previously written off his $50,000 car (another complaint matter relates). G didn’t take N’s details but later saw her at Panania. It was at this point G allegedly placed his hand on the upper part of N’s leg which the complainant’s submit has taken advantage of their daughter in her vulnerable state. It is alleged that G has also lied to the insurance company by giving an untrue version of the collision (that the car he was driving was stationary when it happened). The complainants report that G has a Facebook page that contains inappropriate material such as that he is a fan of ‘Piss up and a BBQ’ and ‘Getting Wasted’. The complainants believe that G’s behaviour on the day of the collision was such that he was under the influence of something, and his Face Book page adds further weight to that (P0905274 Sustained).

The second half of the complaint narrative contained details of the officer’s Facebook page. The complainant alleged that this online material supported her complaint, as it confirmed that the
officer had been under the influence. Training should emphasise that material posted online is publicly available, and that this information, while perhaps expressed in the context of one’s private life, can reflect poorly on one’s character in relation to professional integrity.

The complainant has expressed concerns in relation to the interpretation of Domestic Violence Legislation and interactions by police over a domestic situation involving his nephew and his former partner. A provisional order has been granted on behalf of the nephew and the complainant alleges that this order has been breached by comments made on Facebook. The complainant also alleges that the subject officer showed him ‘complete disrespect’ when he attended the police station (LMI1001788 Sustained).

This complainant objected that comments made on Facebook were not accepted by police as evidence of breach of an order, and that he was not treated with respect by officers. Training should include direction on the significance of online communications in relation to domestic violence matters.

This case illustrated a breakdown of trust through (a) police inaction; (b) failure to communicate; and (c) failure to be taken seriously when she overheard an officer make a disparaging comment about her case. Officers should be aware that communication devices, including telephones and newer technologies such as email, social networking, and mobile recording technologies (mobile phones with cameras) have increased the visibility of police actions and comments. Information that might be intended as a private interaction can be easily overheard, forwarded, recorded and permanently preserved.

On the evening of 14/3/10 a number of altercations have broken out at the Country Club. During one of those altercations, off duty police officer, Senior Constable W, has intervened. As a result an unknown female sustained a bleeding injury to her lip and allegedly stated to police she had been injured by Senior Constable W and would “have his job for this”. In the early hours of 15/3/10 a group of unidentified persons attended Nelson Bay Police Station demanding to see video footage of the brawl. These persons declined to leave particulars inferring they would make a complaint to another authority. On 16/3/10, Mr S, made a complaint on behalf of T, alleging that Senior Constable W became involved unnecessarily and started throwing punches at women, and had punched T in the mouth (P1001256 Sustained).

This case illustrated how an officer’s public identity as a member of the police force prevailed in social occasions over his or her private identity. The police officer in question was in the public eye even during his time off. The CCTV footage of the incident was a reminder that even in private settings the actions of police officers were potentially on the record.

About 10pm on 1/10/2009 the complainant’s 17 year old daughter, A, was in the Mittagong area with a number of friends when they were stopped and spoken to by Constable’s B and C. A has voluntarily handed police a wallet, still containing an
amount of money, that she had found earlier that afternoon. After some questioning A became upset and turned her back on police. Constable B then forced her to the ground and restrained her by placing his knee on the back of her neck. Video taken on a mobile phone then shows A being carried to the rear of the caged truck and placed partially in the cage, face down. A male can be heard on the recording to say “get in there or I will spray you.” A was then conveyed to Bowral Police Station where she was released without charge into the care of her step-father (P0905223 Sustained).

Although the young woman was attempting to hand in a lost wallet, her distress was misinterpreted by police as noncompliance, leading to her arrest. Mobile phone video footage supported the complainant’s account. New recording technologies on mobile phones and other devices are increasingly used by members of the public in policing incidents. Officers should be aware that their interactions with both suspects and nonsuspects are monitored and recorded.

3. MINIMIZE RISK IN ACTS OF COMMISSION

On 5/9/08, police entered the house of the complainant in relation to an alleged noise complaint. The incident was domestic related and a melee ensued after the complainant was informed he was under arrest. It is alleged that the complainant was punched to the ear, kneed in the spine and punched a number of times to the head. He was arrested and conveyed to Belmont Police Station and charged with the Breach of AVO and assault police (LMI0902520 Sustained).

This case illustrated the non-trivial nature of the physical force reported by some suspects, resulting in a sustained complaint.

Complainant alleges that at approx. 2am on Saturday 9/5/09 she went to assist her brother in a melee involving approx. 20 people in Condon St, Condobolin. As she did this she was told to leave the area by S/C H. He allegedly called her a black slut, motherfucker, and a black bitch, repeatedly. She also claims that when she went to physically help her brother she was grabbed by S/C H by the collar, and then grabbed by the neck and lifted off the ground. The complainant feels this physical contact was not warranted and was excessive. Since this incident she has received an infringement notice for ‘Not obey reasonable direction of police’. The complainant believes that she is being harassed by both S/C H and S/C HH (female). The complainant indicated that recently she received an infringement notice for ‘Cause offensive noise from a vehicle’ and that she was not driving the vehicle at the time and has not been spoken to by police regarding this offence (P0902161 Sustained).

This complainant was verbally abused, physically assaulted, and then the target of multiple infringement notices.

The complainant alleges that whilst attending Kings Cross Police Station on 1 March 2009 to report an alleged assault at the Bourbon Hotel, Kings Cross, he was struck very hard at the base of his legs by a male police officer. The complainant asked why he was struck and the male police officer yelled “do you have a problem?” and the police officer continued to yell. Further, the complainant alleges that Constable L has inadequately investigated a second alleged assault incident at The Bourbon Hotel and that CCTV footage clearly shows the complainant being assaulted which should have attracted charges against a security officer (LMI1001241 Sustained).
This complaint outlined physical and verbal abuse of a person reporting a crime, as well as a failure to investigate. This complaint reported both acts of commission (mistreatment through assault and verbal abuse) and an act of omission (failure to investigate).

Complaint of South Eastern Sydney Illawarra Health in relation to a breach of confidentiality. A social worker at Wollongong Hospital was referred a patient by the name of X who informed him that she is the victim of domestic violence. She agreed to a referral to the NSW Police. The Social Worker saw Ms X a number of times and she informed him that she was getting threatening phone calls while in hospital from the alleged offender saying he would kill the children. The Social Worker discussed the situation with complainant as she is his Manager. Due to the threats to the children, it was decided a notification to DOCS was required. It was also discussed whether Ms X should be informed and decided against it as they were not sure how she would react and whether she would inform the alleged offender. On 13 May 2009, after the social worker had left work, another social worker was asked to see Ms X while Senior Constable and another officer were in attendance. It is alleged that in front of Ms X, Senior Constable stated that the other social worker had made a DOCS notification (LMI0902438 Sustained).

This case illustrated an instance where a breach of confidence put a victim and her children in a dangerous situation. The potential of a breach of confidence to cause harm should not be underestimated. This case underscored the need for police to work in a sensitive and careful manner with other government employees.

The complainant, Mr W, was involved in an incident on 13/03/2009. As he was intoxicated at the time of the incident and was unsure of his actions. Later that day he went to Rosehill Police Station to speak to the reporting officer, Probationary Constable L, to find out what he had done. Probationary Constable L was not on duty that day, Mr W left a message for the Probationary Constable to contact him. There was no response to his request so he rang later that night and several other occasions over the next few days, however, there was no response from Probationary Constable L. On his return to work on 16/03/09 Mr W was asked to report to his General Manager, who was contacted by Probationary Constable L and advised of the incident. Mr W was asked to explain his actions as a result of the subject incident. As he could not recollect what had happened he was asked to leave work and a formal meeting would be held the following morning. He attended the following day with his barrister Mr H. During the meeting he was told by the GM that Probationary Constable L told him he was arrested, however, he stated he was never arrested. Due to conflicting statements, Mr W was told to take a week leave while the matter was being investigated. On 20/03/09, Mr W was summoned by his Manager and dismissed from his place of employment (St Johns Ambulance). Over the next few months Mr W and Mr H attempted to contact Probationary Constable L on numerous but never received a response to their messages. After further discussions with Probationary Constable L, Mr H was told that his client was not arrested on the night of the incident; however, he was served with a CAN. The matter was listed for mention at Bankstown Local Court on 09/09/09. An application to have the matters withdrawn was lodged by Superintendent H (LMI0904035 Sustained).

In this case, a complainant lost his job as a consequence of inaccurate information provided by the police to his boss (that he had been arrested when in fact he had been served with a CAN).
Several attempts to clarify what had happened were ignored. Earlier provision of the correct information may have obviated the job loss experienced by the complainant.

In some complaints, a seemingly low-risk situation eventuated in high-risk acts of commission. Training may focus on factors that lead an event to escalate, as well as providing officers with strategies for de-escalating and defusing conflict, such as through apology.

Complainant’s son attended the Unity service station, his debit card failed and police were called. Police stated he was no more than a thief and that he should leave the keys to his car, his Iphone, and laptop and told him if he left the service station he would be arrested. The complainant contacted the service station and after intervention by Police, the service station accepted her credit card payment. Complainant wants to know why her son was subjected to the inappropriate behaviour of the attending Police (LMI1000794).

The complainant alleges she fell whilst alighting from a vehicle, occasioning a cut on her left eyebrow which bleeds profusely, her partner requests assistance from Police. Police at the scene allegedly pull her partner from her side, the complainant alleges she runs to where Police have taken her partner, when she is grabbed by Police, placed in handcuffs. The complainant “goes off” and is then slammed to the grounds by at least four Police, where she sustains a swollen lip, and further states she received numerous knees to her body and legs by Police. When the Ambulance arrives she is then picked up by the handcuffs and thrown onto the gurney. While in the ambulance she is allegedly injected and wakes up in hospital and is discharged in a hospital gown and given a blanket (LMI0902853).

4. **FULFIL DUTY OF CARE TO VULNERABLE PERSONS**

Mrs B’s son T committed suicide on the railway tracks at Mt Colah railway station on 2 September, 2009. Senior Constable D has carriage of inquiries together with the preparation of a brief of evidence for the Coroner’s Office. It is alleged the Officer failed to keep the victim’s parents informed of the process of both inquiries and coroner’s inquest (LMI1000708 Sustained).

The burden on an already distressed citizen was worsened by a police failure to inform. This case illustrated the importance of victim follow-up.

Complainant alleges police failed to check on the condition of a male person who was placed in the rear of a police truck. The man appeared unconscious/unresponsive and lay face down in the truck. It is also alleged the officers laughed after the male person was placed in the rear of the vehicle. An IPC report has also identified that the officers taking the male person into custody have failed to search him, either when being placed into the vehicle, or when being taken into custody at Newtown Police Station (LMI1001730 Sustained).

This case illustrated disregard for the well-being of a man in custody. Omissions included failure to seek medical care, and failure to search to ensure he was not carrying items which he could have used to harm himself. The dignity of the person in care was affronted through ridicule and disrespectful treatment.
It is alleged that whilst police searched the complainant’s vehicle, made her four children stand by the side of the road at night, in the rain. Did not tell them the reason for searching the vehicle, were aggressive and behaved in a threatening manner (LMI0902050 Sustained).

The presence of four vulnerable children in this case compounded police failure to show care, their disrespectful treatment, and undue aggression.

Complainant was on her way to a medical centre for treatment after suffering a swollen throat and vomiting. She was having a panic attack because she couldn’t breathe properly and her mother was not home to drive her. She removed her seat belt because she couldn’t breathe and was holding her mobile phone. Police pulled her over and told her they were going to issue infringement notices for driving without a seatbelt and using a mobile telephone. They showed no sympathy for her condition and provided no assistance even when she collapsed (LMI1000094 Sustained).

The complainant’s vulnerable medical situation was disregarded to issue her with infringement notices, and the officers’ failure to assist her when she collapsed increased the severity of the situation. This complainant was experiencing physical and emotional distress and was not given assistance.

The complainant’s son was working at Kempsey Showground as a Security Officer on 29 April 2009 when he held down persons involved in a fight. Police were asked to assist and indicated they were awaiting backup. Whilst police sprayed offenders with capsicum spray, they also sprayed the security officer and left him at the scene without any assistance or decontamination (LMI0902172 Sustained).

The police not only failed to intercede during the fight, but indiscriminately used capsicum spray, harming the security officer, and subsequently failed to assist him.

Member of public observed male of African appearance in an agitated and frightened state attend Waratah Station to report an incident. Male observed to speak with broken English, however was understandable to observer to be reporting a robbery or break and enter. It is alleged that the subject officer was intolerant of the communication barrier, failing to provide assistance and failing to take a report or investigate report (LMI0904277 Sustained).

A vulnerable community member who had to overcome significant barriers in attending a police station to report a crime was met with intolerance, failure to assist, and failure to investigate.

About 12.55am on 22.11.2009, Police attended Strathfield after reports of up to 15 persons fighting in the street. It is believed these persons were leaving a birthday party nearby. While at the scene attending police received two reports from victims of Malicious damage to a fence and a vehicle E41386283 relates. 17yr old C was allegedly detained by Police. It is alleged that the child was handcuffed and then subjected to a number of kicks (which may have been Leg Sweeps), thereby causing soreness to a leg grazing to one side of his face. It is alleged that police took the child to his home address but simply left him outside the location and departed. The child then allegedly made his way inside and reported the matter to his mother, the complainant. The complainant took the child to Concord hospital where he was treated for injuries sustained. At the time of initial triage there is no record found of
This particular part of the incident, although an Event 41386283 broadly covers the Malicious Damage matter and refers to some street offences (including a brawl) being committed by a group of persons who had attended a party in the vicinity that night. It is not known whether the child was exhibiting any injury in the first instance when dealt with by Police. It would appear no record of this relevant matter was created during the whole nightshift by any persons (P0905261 Sustained).

This case illustrated a failure of duty to care for a vulnerable person, in this case a young person. Failures of this sort diminish trust in the police.

5. ENHANCE CUSTOMER SERVICE IN COMPLEX CASES

Motor vehicle accidents, domestic violence incidents, and neighbourhood disputes that led to complaints were typically complex and stressful situations. The importance of maintaining a professional demeanour and providing high quality customer service in these circumstances is heightened. Many of these cases illustrated the difficulties and risks in labelling individuals as either suspects or nonsuspects to determine who is entitled to customer service, as is shown in the following cases.

Complainant was in the vicinity of a fatal motor vehicle collision involving a pedestrian. Complainant required to walk beyond police barriers to gain access to his residence. Whilst being allowed past barriers, made comment to officer who is alleged to have told him to ‘f’off and pushed him. Complainant ex-officer concerned for the overall demeanour and unprovoked actions of the officer notwithstanding the stressful situation (LMI0902273 Sustained).

This complainant objected to the disrespectful treatment of officers through both verbal and physical abuse. While he made a concession for the “stressful situation” faced by the officer, indicating a willingness to be understanding about a difficult situation, he nonetheless objected to the unprovoked physical and verbal attack on a bystander.

As a result of a report of Domestic Violence Police attended the property of K and O. On entering the premises the victim hit Police on the shoulder with a fire poker. Police delivered a short burst of Oleoresin capsicum spray unarmed the victim and placed her under arrest (LMI0903025 Sustained).

The victim in this incident, during the course of the encounter with police, was also a suspect within the meaning of the Customer Service Charter. This case illustrated that distinguishing between suspects and victims is not a straightforward matter, and that there are risks associated with the denial of customer service to persons presumed to be suspects.

Complainant is a victim of domestic violence. Police were called to convey her from her home to the Women’s Refuge at Grafton as the perpetrator of the DV was at her home. Police arrived, roughly grabbed the complainants bags hurting her shoulder, throwing her luggage in back of paddy wagon. The officer was angry and told the complainant to get in the car, complainant refused and was grabbed roughly by left arm and told ‘get in the car, Do you think I have come all the way out here for nothing, we have more urgent business then coming out here for you, if you don't get in the back seat I will throw you in the Paddy Wagon’. The officer drove at high speed to Grafton between 130 and 140kph, was tailgating and driving aggressively. Complainant states she was a victim of two rapes and Police don’t believe her.
Complainant believes the officer does not take domestic violence seriously (P0903737 Sustained).

These cases illustrated the problematic task of distinguishing suspects from victims, particularly in the context of domestic violence.

Involved officers attended the complainant’s address in Surf Beach on 5 December 2007 in relation to a domestic violence incident involving himself and his girlfriend. Complainant alleges that he was the “victim” in the incident and that due to the involved officers not properly investigating the matter he was later arrested, charged and sentenced to a custodial term for AOABH. Complainant requests the matter be re investigated (LMI0903341 Sustained).

This account conveyed the complexity of identifying victim or suspect status.

Complainant was arrested for breach AVO and was unable to secure his home and asked Police to do so. Whilst he was in custody, a person has entered his home and removed documents and diaries. Complainant believes it was Ms H (AVO - Protected person and ex business partner). The complainant seeks police assistance in recovering the items, but has been informed is a civil matter. He states Police possibly aided and abetted the actions of H by giving her access to the home with the key. Whilst in custody he was not provided food and water or his diabetic equipment, police refused for him to go to hospital re his diabetes, officers kept lights on in his cell all night, no response to his buzzer by police whilst in cells, was referred to as a ‘ratbag’ and told on his release he could get his gear back and shoot up til his hearts content, was forced to make his own way home from Maclean after Court (LMI0904813 Sustained).

This vulnerable complainant was not assisted in securing his possessions. While in custody, he was denied his right to food, water and medical assistance. This was compounded by disrespectful treatment and failures to assist the complainant following his release.

The complainant alleges that after waiting until the early hours of the morning, she was informed that her husband was bail refused after being arrested and charged, she was asked to leave the station. The complainant had just been evicted from where she and her family had been staying, she had two small children and was homeless. The complainant states that it was cold, she had no clothes, nappies, pram, transport etc. and was not allowed to return to the place she was residing without a Police escort (LMI0904533 Sustained).

The complexity of a complainant's identity, and difficulties in distinguishing suspects from nonsuspects was demonstrated in this case in which the association of a vulnerable complainant with a suspect, her husband, was the basis of a failure of duty of care. The negative consequences suffered by this complainant flowed on to those in her care, her children.

Complainant states that Police attended her address in relation to her son who had an outstanding warrant. Ms L informed Police that her son did not reside with her but that he might be with his father. On 3 Aug 2009 Ms L was contacted and advised that her son had been arrested because he did not attend Court. She states that as a result of his arrest she held fears for her safety and that of her other children. She rang Blacktown Police station and asked if her son was in custody. She wanted this information as she had requested a "restraining order" against her son and she didn't
know if it was enforceable or not. The female from the Police Station informed her that that information should be on her papers. Ms L informed the female that she had lost her papers and the female then called her a "freakin' idiot" and hung up on her. Ms L again contacted the Police station and on this occasion spoke to a male. She became confused and accidentally gave the wrong date of birth for her son. The officer informed her that the information she provided was incorrect and then would not provide her with the information she sought. She states that Blacktown Police do not treat her with respect and are rude to her. She further states that Blacktown Police caused bruising by throwing her into the back of a Police van (LMI0904342 Sustained).

A distressed person who feared for her safety was not treated with patience, but was insulted and treated disrespectfully. She experienced verbal aggression, ridicule and humiliation. Previously, she was physically injured through rough treatment by police. At various points in the complaint narrative, the complainant was a victim fearing for her safety, a relative of a suspect, and a suspect herself. This case shows how complex a task it can be to classify a complainant as a suspect or nonsuspect.

Police have failed to investigate a series of incidents/issues between the complainants and their neighbours, one incident involved the drive by shooting of the complainant's residence in April 2009. Complainant states his family has had to flee the family home and live in several undisclosed locations since that time due to fears for safety (LMI1000324 Sustained).

This case illustrated how neighbourhood disputes can escalate, leading to potential loss of life. Failure to investigate impacted past alleged crimes and allowed further incidents to transpire. Here, police failure to investigate was linked to later threats to life, and negative consequences, psychological and practical, through distress and having to flee the family home.

Ms alleges that on 28/04/09 Police advised her she was the victim in an assault matter and acted in self defence. She states that Police returned 2 hours later and charged her with assault. Ms attempted to get an AVO on the other party but Police declined as she had been charged. Ms believes Police mishandled her situation and were not willing to help (LMI0902427).

6. UTILISE APOLOGY IN POLICING ENCOUNTERS

Many complainants included a request for an apology:

Complainant was pulled over for an RBT test. Police took her license and when it was returned to her the license card was broken in half. Complainant claims it was harassment and wants an apology (LMI1000530).

Complaint forwarded by ALS on behalf of the B family concerning an inappropriate alias name recorded for B on his criminal history. The printout indicates that one of the alias' recorded is "Fat Little Cunt". The complaint asks for an explanation of this entry and an apology for B and his family (LMI1001817).
Complainant was asked to leave Bar by staff, then when outside approached Police and was allegedly pushed by a Police Officer wearing badge “2” approximately 30 metres up Oxford Street, Paddington. In the written letter of complaint Mr R would like his complaint resolved by way of an apology (LMI0903189).
## APPENDIX 4: HUMAN RESEARCH ETHICS COMMITTEE APPLICATION

CHARLES STURT UNIVERSITY

Human Research Ethics Committee
School of Policing Studies and Australian Graduate School of Policing

Minimal Risk Application

APPLICATION FOR APPROVAL FOR USE OF HUMAN PARTICIPANTS OR MATERIALS IN RESEARCH

PROJECT TITLE: Customer Service in the New South Wales Police Force

Section 1 - Researchers

<table>
<thead>
<tr>
<th>Chief Investigator(s)</th>
<th>School or Research Centre</th>
<th>Qualifications</th>
<th>Phone</th>
</tr>
</thead>
<tbody>
<tr>
<td>Professor Jane Goodman-Delahunty</td>
<td>School of Psychology/Australian Graduate School of Policing</td>
<td>BA (Witwatersrand), TTHD (Witwatersrand), JD (Seattle U), PhD (Washington)</td>
<td>02 9934 4831</td>
</tr>
<tr>
<td>Associate/Professor Karl Roberts</td>
<td>Australian Graduate School of Policing</td>
<td>BSc (Hons), MSc, PhD, CPsychol (forens), FHEA, AIAIP</td>
<td>02 9934 4853</td>
</tr>
</tbody>
</table>

Co-Investigator

<table>
<thead>
<tr>
<th>Co-Investigator</th>
<th>School or Research Centre</th>
<th>Qualifications</th>
<th>Phone</th>
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</thead>
<tbody>
<tr>
<td>Ms Hielkje Verbrugge</td>
<td>Australian Graduate School of Policing</td>
<td>BA(Hons), MPsychol(Forensic)</td>
<td>02 9934 4834</td>
</tr>
</tbody>
</table>

Address to which correspondence should be forwarded

Australian Graduate School of Policing
Charles Sturt University (Manly Campus)
Bldg 44, Former Artillery School
Scenic Drive, North Head
( Correspondence: P O Box 168 )
MANLY NSW 1655
Fax: (02) 9934 4830
SECTION 2 - Research Proposal

2. RESEARCH PROPOSAL

2.1 Research Question purpose or aims of the project (briefly, and in lay terms provide a brief rationale of the research project including the aims and research question)

The Australian Graduate School of Policing, in collaboration with the NSW Police, will explore the concept of customer service within policing. One relevant issue is the behaviour of staff and the perceptions of that behaviour by the customer. A negative experience may result in negative customer views of the service provided. The actions of staff are influenced by a range of factors including their attitudes and beliefs, their mood at the time of the interaction with the customer, the behaviour of the customer, staff workload and priorities, previous education and training and other contextual factors. Like many organisations, NSW police have attempted to influence staff behaviour through staff training and publicity campaigns emphasizing the importance of customer service. A central question to be addressed in this study is the suitability of the Police Force’s ‘customer service’ training program in relation to complaint typology.

The research will focus on the analysis of complaints made to the police, since the most straightforward way of exploring customer service failures is to examine complaints made against the police by members of the public as these are precisely the occasions when a customer has perceived police behaviour as inadequate.

Key outcomes will be a typology of situations that give rise to customer complaints; increased understanding of training program; the identification of training needs related to the complaints; and an evaluation of the match between training needs and extant training.

2.2 Outline the research design and/or the nature of the project

The project will be a quasi-experimental, retrospective study based on archival NSW Police Force Complaint data. These data will be explored to identify patterns of complaints and to generate a typology of situations and staff behaviours that are implicated in incidents that produced customer complaints. In addition, the Police Force’s training materials will be gathered and evaluated. Gap analysis will be conducted to evaluate the match between customer service failures and customer service training.

2.3 Outline the value and benefits of the project (eg. to the participants, your discipline, the community, a literature etc. If appropriate provide a literature review).
Researchers have identified that support and cooperation from the public is required for effective policing (Murphy, Hinds & Fleming, 2008) and that a strong relationship exists between public support and cooperation and their perception of and attitudes toward police (Sunshine & Tyler, 2003). Procedural Justice theory (and in particular the Group Value Relational Model of procedural justice) suggests that police behaviour is evaluated in terms of what they communicate with regard to the relationship between individual and authority (Sunshine & Tyler, 2003). Police legitimacy refers to perceived entitlement to be deferred and obeyed and to the level of acceptance by public to bring their behaviour in line with authority’s directive. Perceptions of police legitimacy are in turn directly related to cooperative behaviour; (long-term) compliance with norms, rules and regulations; and support for empowerment of police (willingness to support policies that increase police power). The Group Value Relational Model is based on principles of: trustworthiness, respectful treatment, neutrality, and voice (ability of members of the public to ‘voice’ their opinion) and suggests that public opinion of police and public cooperation depends more on how police officers treat people than on police performance (the process is more influential than the outcome). Improving treatment of members of the public by police officers (i.e., customer service) has been identified as a primary strategy to increase public perception of the police (Sunshine & Tyler, 2003).

Any consideration of customer service should explore situations in which customers perceived that they did not receive adequate service. The reason for this is to document and understand customer service failures, so that any problematic patterns of behaviour may be identified.

Identification of patterns of customer service failure will allow training needs to be identified. The extent to which the current training addresses these needs may then be evaluated and recommendations will be made to the Police Force and training may be adjusted accordingly. In line with the Group Value Relational Model, tailored training has the potential to benefit both law enforcement staff and the community as a whole by increasing police customer service and subsequently, the public’s sense of procedural justice.

References:


2.4 Despite the value and benefits of the project, outline the burdens and/or risks (if any) of the project to your research participants and/or other people (eg. painful and unpleasant procedures, invasion of privacy, physical/psychological/mental stress, possible embarrassment, anxiety, discomfort, etc) and the details of how the Chief Investigator will respond to such risks (eg. will counselling be available for research participants?).

This project will use archival data, which is the least intrusive form of research. That is, no participants will be approached in person and no new data will be collected. There will, therefore, not be any direct impact on participants by this research.

Section - 3 Participant Details/Recruitment

3. PARTICIPANT DETAILS

3.1 Give the number of intended research participants: Not Applicable

3.2 (a) From where will the research participants be recruited? Not Applicable

(b) How will the research participants be recruited? Not Applicable
3.3 If you are going to utilise a database as an information source, have you established that the participants named on the database have given their permission for their details to be used for research purposes?

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<th>Yes</th>
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Persons involved in the complaints (including complaints and officers) are considered to be participants in this study as data are owned by the NSW Police Force.

Nevertheless, no personal identifying details will be used for research purposes. However, it is likely that complaint narratives include names of some parties involved. Complaint information recorded in the database belongs to the NSW Police Force and the public all consented to the recording of the complaint info when making the complaint. They did this voluntarily, arguably consenting to the creation of these records. Although complainants and other parties involved did not consent to this specific research, the police have discretion to use their own data in this way to improve customer relations.

Beyond the initial data collection stage, no individuals will have their identity or circumstances identified. The proposed research is based on existing records only. Therefore, the only foreseeable risk is if the researchers do not maintain confidentiality regarding any personally identifying personal information contained in these records. Contacting these parties to seek consent would cause disruption to their lives, potentially cause distress and possibly engender negative sentiments to police and subsequently defeat the purpose of the study. Moreover, contacting parties would also mean obtaining further personal details than are available in the provided data, such as phone numbers or addresses, further increasing the risk of disclosure of private details.

| 3.4 How will you obtain a research participant’s agreement to be involved in your research? Note: A copy of any consent form and/or information sheet for the project should be attached to this application. PLEASE EXPLAIN IF THE CONSENT FORM AND/OR INFORMATION SHEET IS NOT ATTACHED. (Details on how to complete a consent form and information sheet are attached to this application form.) |
|-------------------|-------------------|-------------------|
| Not Applicable     |                   |                   |

3.5 How will you be protecting the research participants’ confidentiality?

Only archival data will be used, which include detailed descriptions of complaints to the NSW Police Force. Records of these complaints were entered into a database by police staff. Extracts from this database will be provided to the researchers. There will, therefore, be no direct contact between any parties involved in the complaint-event and the researchers. Measures have been taken by police staff in charge of supplying the data to minimise the presence of any personal identifiers. However, due to the lengthiness of the complaint narratives and subsequent resource and time costs associated with de-identifying, files may contain the names of involved officers and perhaps complainants and witnesses. Therefore, additional confidentiality measures will be put in place. In all data received by the researchers, cases will be systematically de-identified. That is, any remaining personally identifying information will be removed by the project assistant. Once this process is completed, the original data files will be deleted. The researcher will sign a confidentiality form and will abide by all practice and ethical codes. Only the researchers will have access to the data. Files will be electronically stored and kept under password protection at all times.

3.6 a) Is it possible that your research involves gaining informed consent from research participants such as minors, people in dependant relationships, the mentally ill (refer National Statement on Ethical Conduct in Human Research Chapter 4.5) or unconscious patients?

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<thead>
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<th>Yes</th>
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b) please provide details of how the research participants’ rights will be protected.

3.7 a) Is it possible that some of your participants will be from an Aboriginal and/or non-English speaking background?

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<th>Yes</th>
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b) please provide an explanation for your response above if YES or NO.  
( ) (x)

c) If you answered YES to 37 a) please provide details of how the research participants’ rights will be protected and if applicable, how you will be sensitive to their cultural backgrounds. (The Committee considers that there may be specific issues related to the inclusion of participants from Aboriginal or non-English speaking backgrounds and considers that while some projects may not be specifically targeting these groups, they may still be included in the participant group and may require careful consideration on the part of the researcher).

<table>
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<tr>
<th>3.8 Does your research involve the collection of human tissue?</th>
<th>Yes</th>
<th>No</th>
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3.9 If you answered yes to 3.8, please provide details on any requirements to obtain consent from the persons from whom the human tissue is derived or from the organisation which has custody of the human tissue.

3.10 Does your research involve children or young people under the age of 18?  
( ) (x)

3.11 If yes to 3.10, have you obtained a Working with Children Check?  
If you have obtained a clearance to work with children, please attach a copy of the notification to this application - Please note that approval to undertake research activities involving children/young people will not be granted without the appropriate clearance.

<table>
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<tr>
<th>3.11 If yes to 3.10, have you obtained a Working with Children Check?</th>
<th>Yes</th>
<th>No</th>
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Section - 4 Methodology

4. PROCEDURAL EVALUATION

4.1 Describe the research procedures/methodology as they affect the research participants and any other parties involved. Comment on any biomedical procedures, procedures to elicit information (through personality tests, questionnaires, surveys, observations), procedures designed to influence the knowledge, thinking, attitudes, feelings or other aspects of behaviour of research participant(s). Include approximate time involved per session and number of sessions per subject.

As described above, only archival data will be used.

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<thead>
<tr>
<th>4.2 Does the project involve any of the following procedures?</th>
<th>Yes</th>
<th>No</th>
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<tbody>
<tr>
<td>a) the use of chemical compounds, drugs or biological agents?</td>
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<td>b) any invasive procedures (eg. blood sampling, tissue extraction, telephone sampling, etc)</td>
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<td>(x)</td>
</tr>
<tr>
<td>c) any identification procedures (eg. fingerprinting, TAPE/VIDEO RECORDING, photography, etc)?</td>
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<td>(x)</td>
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<tr>
<td>d) deception of participants at any stage of the project?</td>
<td>( )</td>
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</table>
e) accessing confidential personal data without prior consent of the research participants?  

f) obtaining information from another party (eg. doctor, employer) which requires identification of a research participant?  

4.3 If you have answered yes to any of the questions in 4.2, please provide details.

As the data are archival and owned by the NSW Police, who have consented, complainants or other parties involved in complaints are not considered as participants for the purpose of this study.

4.4 Has application been made for external funding

<table>
<thead>
<tr>
<th>(a) If yes, what is the name of the funding agency?</th>
<th>Yes</th>
<th>No</th>
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<tbody>
<tr>
<td>(b) What is the outcome? Approved (x) Pending (?) Refused (?)</td>
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4.5 Does this research involve another institution (eg. university, government school, health care facility)?

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<tr>
<th>Yes</th>
<th>No</th>
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4.6 If you answered yes to 4.5, give details including whether or not you have submitted an application to that institution for ethics approval. If you have already received ethics approval from that institution, please attach a copy of your letter of approval with this application.

The research will be conducted in collaboration with the NSW Police Force. They fund and proposed this study and have requested AGSP staff to conduct the research.

The Police Force does not have an internal ethics committee.

Section - 5 Ethical Considerations

5. JUSTIFICATION AND ETHICAL CONSIDERATIONS

5.1 What, in your opinion, are the ethical considerations in this proposal? (You may wish to comment, for example, on issues to do with consent, confidentiality, risk to research participants etc.)

The project is owned and funded by the NSW Police Force. To avoid potential conflicts of interest and promote objectivity, the researchers, who are unfamiliar with the incidents, complainants and officers involved, will code, analyse and report the outcomes.

Datafiles to be provided by NSW Police may contain names of persons involved in complaints. This information will not be used for further research and will be removed from the files. However, potential concerns exist around identification of persons involved to the researchers. These people have not provided specific consent for the release of their information, but since the information is owned by NSW Police, release is at their discretion.

Contacting complaint parties involved to obtain consent would be highly disruptive to their lives and may cause distress. Furthermore, parties involve could include officers, complainants and witnesses. They would, therefore, include persons whose addresses are unknown or who have moved. Locating these individuals would be extremely expensive and there are no funds available to undertake this task. In addition, contacting officers involved could be internally disruptive and jeopardise law enforcement capacity. Most importantly, contacting complainants and witnesses could be detrimental to the public welfare and to relationships between police and the public, which is the opposite of what this project is seeking to achieve.
5.2 Give details of the arrangements that have been made for the safe storage of data and also the measures which will be adopted to protect confidential records about research participants. (eg. locked filing cabinet). The Committee expects that data would normally be stored in a staff member’s office or School. Students should clearly indicate where their research data is to be stored.

(a) During the study: Files will be electronically stored and password protected. Only identified researchers will have access. Once de-identification of data is completed, all original files will be deleted.

(b) After the study is completed: Data will be electronically stored with one of the principal researchers. Files will remain password protected and will be kept for the required number of years.

5.3 How will confidential records be destroyed after the study is completed? (The Committee recommends that confidential records be stored for at least five years and that the records be destroyed by a shredder)

No confidential data (data containing personal identifiers) will be stored.

5.4 Will anyone else, apart from the Chief Investigator(s), have access to the confidential records or (where applicable) human tissue samples?

<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
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<tr>
<td>(X)</td>
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</table>

5.5 If you answered yes to 5.4, please provide an explanation.

The project assistant.

5.6 If your research involves the collection of human tissue, please explain how you will store and dispose of the human tissue.

5.7 May any party, other than investigators, claim ownership of materials or results derived from this research?

<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
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5.8 If you answered yes to 5.7, please provide an explanation.

NSW police owns the data and will have to approve any publications that will follow from this research.

5.9 Are there any other comments which you would like to add which may assist the Committee in its consideration of this project?

Data to be used in this study is owned by the NSW Police Force. They have developed and proposed this project.

Any analysis will be conducted on de-identified data only and results will be aggregated and discussed only in an anonymised fashion.
## Section 6 - Declaration

<table>
<thead>
<tr>
<th></th>
<th>DECLARATION; I have attached the following documents:</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Consent form</td>
<td></td>
<td>N/A</td>
</tr>
<tr>
<td></td>
<td>Information sheet</td>
<td></td>
<td>N/A</td>
</tr>
<tr>
<td></td>
<td>Surveys/non-standard questionnaires – please note if you are using a standard questionnaire there is no requirement to include this with your application.</td>
<td></td>
<td>N/A</td>
</tr>
<tr>
<td></td>
<td>Ethics approval from external institution (including approval from the Department of Education and Training if applicable)</td>
<td></td>
<td>N/A</td>
</tr>
<tr>
<td></td>
<td>Interview guide</td>
<td></td>
<td>N/A</td>
</tr>
<tr>
<td></td>
<td>Notification of clearance to work with children (if applicable). Refer to <a href="http://www.kids.nsw.gov.au">www.kids.nsw.gov.au</a> for information, and contact the Division of Human Resources on (02) 6338 4632 for further information.</td>
<td></td>
<td>N/A</td>
</tr>
</tbody>
</table>

6.1 If you are unable to provide the Committee with any of the above supporting documents, please provide a brief explanation:

Not Applicable

6.2 Can the Chief Investigator certify that the investigators and assistants involved in experimentation have been fully briefed on procedures and relevant ethical considerations.

Yes (x)  No (  )

6.3 Have the investigators and assistants involved in the experimentation read the guidelines of the relevant professional body (if applicable), and if yes, please give the name of the this body.

---

6.4 We, the undersigned, have read the National Statement on Ethical Conduct in Research Involving Humans (issued by the National Health and Medical Research Council)* and the Charles Sturt University Code of Conduct for Research (contained in the University's Academic and Administrative Manuals) and accept responsibility for the conduct of this research in respect of the National State Statement and any other conditions specified by the University’s Human Research Ethics Committee.


*Note; All Chief Investigators, Co-investigators and Supervisors are required to sign this declaration.*

<table>
<thead>
<tr>
<th>Name</th>
<th>Role (eg. Chief Investigator, Co-investigator or Supervisor)</th>
<th>Signature</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jane Goodman-Delahunty</td>
<td></td>
<td></td>
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<tr>
<td>Karl Roberts</td>
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<td></td>
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</tr>
<tr>
<td>Hielkje Verbrugge</td>
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</tbody>
</table>
Please complete the checklist below to ascertain whether your research project would be eligible to be submitted to your School’s Ethics in Human Research Committee (SEHRC) for ethical review as a minimal risk research. Student researchers must review the completed checklist with their supervisors. If you answer “YES” to any items in the checklist your project would normally not be eligible for submission to the appropriate School Ethics Committee for review (unless you can make a special case – refer section 6) and you should complete an ethics application form (Form 1) and email it to ethics@csu.edu.au for review by the Human Research Ethics Committee.

Please note MINIMAL RISK research can be defined as where the foreseeable risk to participants is no more than one of discomfort. For example:
- questionnaires and/or surveys, anonymous or otherwise, online etc. involving non-sensitive topics
- observations, with or without consent

For more information, refer to the National Statement on ethical conduct in human research 2007 Chapter 2.1: Risk and Benefit.

Timing constraints are not an acceptable reason for seeking expedited review through this process where projects are of more than everyday risk.

<table>
<thead>
<tr>
<th>PROJECT TITLE</th>
<th>Customer Service in New South Wales Police</th>
</tr>
</thead>
<tbody>
<tr>
<td>CHIEF INVESTIGATOR</td>
<td>Professor Jane Goodman-Delahunt, BA (Witwatersrand), TTHD (Witwatersrand), JD (Seattle U School of Law), PhD (Washington)</td>
</tr>
<tr>
<td>Name (Title/ given name / family name), Qualifications</td>
<td>Associate/Professor Karl Roberts, BSc (Hons), MSc, PhD, CPsychol (forens), FHEA, AIAIP</td>
</tr>
<tr>
<td>Student No(if applicable)</td>
<td>N/A</td>
</tr>
<tr>
<td>SUPERVISOR</td>
<td>N/A</td>
</tr>
<tr>
<td>Name (Title/given name / family name), Qualifications</td>
<td>Australian Graduate School of Policing</td>
</tr>
<tr>
<td>School/Research Centre/ External Organisation</td>
<td></td>
</tr>
<tr>
<td>Level of Study</td>
<td>Course</td>
</tr>
<tr>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Brief outline of the project (2 lines)</td>
<td>Evaluation of customer complaints to the NSW Police Force with the aim to investigate complaint typology and inform the Police Force’s customer service training.</td>
</tr>
</tbody>
</table>
1. EXTERNAL REQUIREMENTS

Is the research being funded by an agency outside the University which requires Human Research Ethics Committee approval involving community representation? [If you have answered “YES” to this question you must forward the CSU ethics application form to the Human Research Ethics Committee]

☐ YES ☒ NO

Is the project hosted/auspiced by an organisation other than CSU If you have answered “No” proceed to point 2. Risk Assessment

☐ YES ☒ NO

Is the project seen as being ‘owned’ primarily by the Organisation or CSU If the organisation provide

Name of host organisation: New South Wales Police Force

Brief outline of the project (2 lines): see above

Approval process followed including committees/position of person(s) approving the proposal: NSW Police proposed project and it has been approved by relevant parties, including Assistant Commissioner Catherine Burn and Inspector Leith G. Kennedy.

Agreement about Intellectual Property of researcher and organisation: all data are owned by the NSW Police and any publications will be approved by them.

2. RISK ASSESSMENT

A. Are any of the following topics to be covered in part or in whole?

☐ YES ☒ NO

- research involving children and young people
- research about parenting
- research investigating sensitive personal issues
- research investigating sensitive cultural issues
- explorations of grief, death or serious/traumatic loss
- depression, mood states, anxiety
- gambling
- eating disorders
- illicit drug taking
- substance abuse
- self report of criminal behaviour
- any psychological disorder
- suicide
- gender identity
- sexuality
- race or ethnic identity
- any disease or health problem
fertility □ YES □ NO
termination of pregnancy □ YES □ NO
anger management □ YES □ NO
impulse control □ YES □ NO
self esteem □ YES □ NO
domestic violence □ YES □ NO
elderly neglect □ YES □ NO
divorce □ YES □ NO
adults abused as children □ YES □ NO
participant(s) being asked to provide information on another person □ YES □ NO
any similar topic of possible concern □ YES □ NO
use of researcher devised questionnaire researching a sensitive topic (eg. depression) □ YES □ NO

B. Are any of the following procedures to be employed?

use of personal data obtained from organisations (including Commonwealth or State Government Department/Agency) □ YES □ NO
deception of participants □ YES □ NO
concealing the purposes of the research □ YES □ NO
covert observation □ YES □ NO
audio or visual recording without consent □ YES □ NO
recruitment via a third party or agency □ YES □ NO
withholding from one group specific treatments or methods of learning, from which they may “benefit” (e.g., in medicine or teaching) □ YES □ NO
any psychological interventions or treatments □ YES □ NO
administration of physical stimulation □ YES □ NO
invasive physical procedures □ YES □ NO
infliction of pain □ YES □ NO
administration of drugs □ YES □ NO
administration of other substances □ YES □ NO
administration of ionising radiation □ YES □ NO
tissue sampling or blood taking □ YES □ NO
collecting body fluid □ YES □ NO
genetic testing/DNA extraction □ YES □ NO
use of medical records where participants can be identified or linked □ YES □ NO
drug trials and other clinical trials □ YES □ NO
administration of drugs or placebos □ YES □ NO
potentially humiliating tasks □ YES □ NO
any other similar procedures □ YES □ NO

C. Other Risks

Are there any risks to the researcher, (e.g. research undertaken in unsafe, isolated environments or trouble spots)? □ YES □ NO

3. PARTICIPANT VULNERABILITY ASSESSMENT

Does the research specifically target participants from any of the following groups?

suffering a psychological disorder □ YES □ NO
suffering a physical vulnerability □ YES □ NO
people highly dependent on medical care □ YES □ NO
minors without parental or guardian consent □ YES □ NO
people whose ability to give consent is impaired □ YES □ NO
residents of a custodial institution □ YES □ NO
unable to give free informed consent because of difficulties in understanding information statement (eg language difficulties) □ YES □ NO
members of a socially identifiable group with special cultural or religious needs or political vulnerabilities □ YES □ NO
those in dependent relationship with the researchers (eg lecturer/student, doctor/patient, teacher/pupil, professional/client) □ YES □ NO
participants able to be identified in any final report when specific consent for this has not been given □ YES □ NO
Indigenous Australians □ YES □ NO
small sample size which may lead to participant identification in final report □ YES □ NO
any similar vulnerability concerns □ YES □ NO
4. RESEARCH LOCATION ASSESSMENT

Location of interviews:

<table>
<thead>
<tr>
<th></th>
<th>YES</th>
<th>NO</th>
</tr>
</thead>
<tbody>
<tr>
<td>interviews being conducted in participant's home</td>
<td></td>
<td></td>
</tr>
<tr>
<td>interviews being conducted in an isolated area</td>
<td></td>
<td></td>
</tr>
<tr>
<td>any other similar concerns</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

5. RESEARCH IN OVERSEAS SETTINGS ASSESSMENT

Does the research involve any of the following:

<table>
<thead>
<tr>
<th></th>
<th>YES</th>
<th>NO</th>
</tr>
</thead>
<tbody>
<tr>
<td>research being undertaken in a politically unstable area</td>
<td></td>
<td></td>
</tr>
<tr>
<td>research involving sensitive cultural issues</td>
<td></td>
<td></td>
</tr>
<tr>
<td>research in countries where criticism of government and institutions might put participants and/or researchers at risk</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

6. SPECIAL CASE ASSESSMENT

If you have answered “YES” to an item in the checklist but you still believe that because of the particular nature of the project and the participants your project may still be eligible for expedited review. Please provide details below, or attach an additional sheet. You must then submit these reasons with the checklist to the Chair of your School's Ethics in Human Research Committee (SEHRC) for consideration and approval of your special case.

<table>
<thead>
<tr>
<th>SPECIAL CASE DETAILS:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Data to be used for this project concern detailed descriptions of complaints to the NSW Police Force. These complaints have been entered into a database by police staff and extracts from this database will be provided to the researchers. There will, therefore, be no direct contact between any parties involved in the complaint-event and the researchers. Measures have been taken by police staff in charge of supplying the data to minimise the presence of any personal identifiers. However, due to the lengthiness of the complaint narratives and subsequent resource and time costs associated with de-identifying, files may contain the names of involved officers and perhaps complainants and witnesses. Therefore, additional confidentiality measures will be put in place. In all data compilations and reports prepared by the researchers, cases will be systematically de-identified. That is, any personally identifying information will be removed by the project assistant. The researcher will sign a confidentiality form and will abide by all practice and ethical codes. Files will be electronically stored and kept under password protection.</td>
</tr>
</tbody>
</table>

RESEARCHER SIGNATURE:
APPROVAL BY SEHRC OF SPECIAL CASE

The SEHRC has met and considered the special case details associated with this project and agree / do not agree that the project can be submitted to the School Ethics in Human Research Committee for review.

Other comments:

SEHRC CHAIR SIGNATURE:

If you have answered “NO” to all items, attach this checklist to your Human Research Ethics Committee Application for Approval for Use of Human Participants or Materials in Research application (Form 1) and submit to your School’s Ethics in Human Research Committee (SEHRC). Please note the SEHRC may forward your application onto the HREC for review if they deem your research not to be minimal risk.

If you have answered “YES” to one item or more and are NOT requesting a special case email your completed Human Research Ethics Committee Application for Approval for Use of Human Participants or Materials in Research application (Form 1) to ethics@csu.edu for review by the full Human Research Ethics Committee.
Section 6 - Declaration

6 DECLARATION: I have attached the following documents:

- Consent form
- Information sheet
- Surveys/non-standard questionnaires – please note that if you are using a standard questionnaire there is no requirement to include this with your application.
- Ethics approval from external institution (including approval from the Department of Education and Training if applicable)
- Interview guide
- Notification of clearance to work with children (if applicable). Refer to www.kids.nsw.gov.au for information, and contact the Division of Human Resources on (02) 6338 4632 for further information.

6.1 If you are unable to provide the Committee with any of the above supporting documents, please provide a brief explanation: n/a

6.2 Can the Chief Investigator certify that the investigators and assistants involved in experimentation have been fully briefed on procedures and relevant ethical considerations.

<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

6.3 Have the investigators and assistants involved in the experimentation read the guidelines of the relevant professional body (if applicable), and if yes, please give the name of the body.

<table>
<thead>
<tr>
<th>Name</th>
<th>Role (e.g. Chief Investigator, Co-Investigator or Supervisor)</th>
<th>Signature</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jane Goodman-Delahunty</td>
<td>Co-Investigator or Supervisor</td>
<td>Signature</td>
<td>17/10</td>
</tr>
<tr>
<td>Karl Roberts</td>
<td>Co-Investigator</td>
<td>Signature</td>
<td>17/10</td>
</tr>
<tr>
<td>Hiekie Verbrugge</td>
<td>Co-Investigator</td>
<td>Signature</td>
<td>17/10</td>
</tr>
</tbody>
</table>

6.4 We, the undersigned, have read the National Statement on Ethical Conduct in Research Involving Humans (issued by the National Health and Medical Research Council) and the Charles Sturt University Code of Conduct for Research (contained in the University's Academic and Administrative Manuals) and accept responsibility for the conduct of this research in respect of the National Statement and any other conditions specified by the University's Human Research Ethics Committee.


Note: All Chief Investigators, Co-investigators and Supervisors are required to sign this declaration.

NOTE – IF AN ELECTRONIC SIGNATURE IS NOT INCLUDED SIGNATURE TO BE FAXED OR MAILED TO THE APPROPRIATE SCHOOL OR FOR APPLICATIONS TO THE HUMAN RESEARCH ETHICS COMMITTEE

FAXED TO
(02) 6338 4194

MAILED TO
Executive Officer, Human Research Ethics Committee, Office of Academic Governance, Charles Sturt University, Panorama Avenue, Bathurst NSW 2795

Please CLEARLY INDICATE ON THE FAX COVER SHEET WHICH APPLICATION THIS PAGE RELATES TO.

Name of Research Project:
6. SPECIAL CASE ASSESSMENT

If you have answered "YES" to an item in the checklist but you still believe that because of the particular nature of the project and the participants your project may still be eligible for expedited review. Please provide details below, or attach an additional sheet. You must then submit these reasons with the checklist to the Chair of your School's Ethics in Human Research Committee (SEHRC) for consideration and approval of your special case.

SPECIAL CASE DETAILS:

Data to be used for this project concern detailed descriptions of complaints to the NSW Police Force. These complaints have been entered into a database by police staff and extracts from this database will be provided to the researchers. There will, therefore, be no direct contact between any parties involved in the complaint-event and the researchers. Measures have been taken by police staff in charge of supplying the data to minimise the presence of any personal identifiers. However, due to the lengthiness of the complaint narratives and subsequent resource and time costs associated with de-identifying, files may contain the names of involved officers and perhaps complainants and witnesses. Therefore, additional confidentiality measures will be put in place. In all data compilations and reports prepared by the researchers, cases will be systematically de-identified. That is, any personally identifying information will be removed by the project assistant. The researcher will sign a confidentiality form and will abide by all practice and ethical codes. Files will be electronically stored and kept under password protection at all times.

RESEARCHER SIGNATURE: [Signature]

APPROVAL BY SEHRC OF SPECIAL CASE

The SEHRC has met and considered the special case details associated with this project and agree / do not agree that the project can be submitted to the School Ethics in Human Research Committee for review.

Other comments: __________________________

SEHRC CHAIR SIGNATURE:

If you have answered "NO" to all items, attach this checklist to your Human Research Ethics Committee Application for Approval for Use of Human Participants or Materials in Research application (Form 1) and submit to your School's Ethics in Human Research Committee (SEHRC). Please note the SEHRC may forward your application onto the HREC for review if they deem your research not to be minimal risk.

If you have answered "YES" to one item or more and are NOT requesting a special case email your completed Human Research Ethics Committee Application for Approval for Use of Human Participants or Materials in Research application (Form 1) to ethics@csu.edu for review by the full Human Research Ethics Committee.
6 July 2010

Professor Jane Goodman-Delahunty,
Associate Professor Karl Roberts &
Ms Hielkie Verbrugge
Australian Graduate School of Policing
PO Box 168
MANLY
NSW 1655

Dear Professor Goodman-Delahunty,

The School of Policing and the Australian Graduate School of Policing Human Research and Ethics Committee (SOPS-AGSP HREC) has approved your proposal “Customer Service in the New South Wales Police Force,” for a twelve month period from 6 July 2010.

The protocol number issued with respect to this project is 110/2010/08. Please be sure to quote this number when responding to any request made by the Committee.

Please note that the Committee requires that all consent forms and information sheets are to be printed on AGSP School letterhead. Students should liaise with their Supervisor to arrange to have these documents printed. You must notify the Committee immediately should your research differ in any way from that proposed.

You are also required to complete a Progress Report form, which can be downloaded from www.csu.edu.au/research/forms/chre_annrep.doc, and return it on completion of your research project or by 6 July 2011, if your research has not been completed by that date.

The Committee wishes you well in your research and please do not hesitate to contact the Committee further on telephone 02 6272 6240 or email kerbrown@csu.edu.au if you have any enquiries.

Yours sincerely,

Ms Kerrie Brown
Secretariat, SOPS-AGSP HREC

Per Dr Anna Corbo Crehan, CHAIR SOPS-AGSP HREC

www.csu.edu.au
Research Proposal

Customer Service in New South Wales Police:

An evaluation of customer service training

Overview

NSW Police, in collaboration with the Australian Graduate School of Policing, Charles Sturt University, will explore the concept of customer service within policing. One relevant issue is the behaviour of staff and the perceptions of that behaviour by the customer. A negative experience may result in negative customer views of the service provided. The actions of staff are influenced by a range of factors including their attitudes and beliefs, their mood at the time of the interaction with the customer, the behaviour of the customer, staff workload and priorities, and other contextual factors. Like many organisations, NSW police have attempted to influence staff behaviour through staff training and publicity campaigns emphasizing the importance of customer service. An important question to be addressed in this project is the impact and effectiveness of staff training upon staff behaviour with customers. To answer this question, the research will consist of a number of interrelated components:

Stage 1: To ensure that the project takes into account findings and theories emerging in the professional and academic literature on customer service, the project will begin with a detailed review of these literatures. The aim of the review is to conceptualize the area of customer service and to identify current theories and approaches that are applicable to the NSW police.

Key outcomes:

- detailed scholarly review of customer service literature relevant to policing.

Stage 2: Any consideration of customer service should explore situations in which customers perceived that they did not receive adequate service. The reason for this is to document and understand customer service failures, so that any patterns of behaviour may be identified. Identification of patterns of customer service failure will allow training needs to be identified. The extent to which the current training addresses these needs may then be evaluated.

The most straightforward way of exploring customer service failures is to examine complaints made against the police by members of the public as these are precisely the occasions when a customer has perceived police behaviour as inadequate. Stage 2 of the project will entail a detailed analysis of existing police complaints data. These data will be explored to identify patterns of complaints and to generate a typology of situations and staff behaviours that are implicated in incidents that produced customer complaints.
To achieve this, we require access to the police complaints data. We do not require disclosure of identifying details of the complainant, police officers complained about, or location. For purposes of this analysis, anonymous data that describe the nature of the complaint and the underlying circumstances or context will suffice. These data will be subject to thematic analysis in order to identify a typology of situations giving rise to customer complaints. We will then consider the customer service training programme in light of the results of these analyses to explore the extent to which the current training program addresses the needs identified.

Key outcomes:

- a typology of situations that give rise to customer complaints
- the identification of training needs related to the complaints
- an evaluation of the match between training needs and extant training.

**Stage 3:** The aim of training is to effect some behavioural changes in trainees so that they will ultimately behave in ways that maximise positive customer service. In evaluating the efficacy of a training programme it is therefore of interest to identify the extent to which the training impacts upon the behaviour of the trainees. This is not however a simple task. Traditionally, evaluations may observe the behaviour of trainees before and after training and may also present trainees with questionnaires designed to assess how they think they will behave in the future. Both methods are problematic: observation creates demand characteristics that can change the actual behaviour of those observed as they are aware that they are being observed. Similarly, assessing behavioural intentions using questionnaires is limited because individuals often express behavioural intentions that they may not fulfil.

A novel solution to these methodological problems is proposed. We propose to subject trainees to simulations of real world situations in order to observe their behavioural responses to them. The customer service simulations will be created to mirror features, themes and contexts identified as most prevalent and most egregious in Stage 2, i.e., events that pose the greatest risk of producing customer complaints. The simulations will be presented on-line and the behaviour and responses of trainees will be recorded for analysis. This methodology will enable us to identify areas of strength and weakness in the behaviours of staff in dealing with customer service issues.

To obtain a measure of the impact of training we also propose to test some staff prior to receiving training and again after exposure to the training. This design will allow us to explore differences in performance between the two groups and to identify the impact of training. The pre-training and post-training assessments (repeated measures) provide a powerful and direct evaluation of the impact of the training program.

Key outcomes:

- insight into staff behaviour in customer service situations
- assessment of the impact of training as an agent of staff behavioural change.

**Ethics Approval**

The research will be subject to ethics approval by the Charles Sturt University Human Subjects Research Ethics Committee. For this purpose, a detailed research and ethics proposal will be drafted.

**Proposed Timelines**
The objective is to complete the project within a 12-month period. NSW Police will be provided with interim reports at the conclusion of each of the three major stages outlined above, and a final report at the conclusion of the project.

The anticipated timeframe for the research is detailed below.

<table>
<thead>
<tr>
<th>Months</th>
<th>Stage</th>
<th>Activities</th>
<th>Data source</th>
<th>Outcomes</th>
</tr>
</thead>
<tbody>
<tr>
<td>1-3</td>
<td>1</td>
<td>Review empirical literature</td>
<td>CSU library</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Submit ethics application</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1-4</td>
<td>2</td>
<td>Analyse complaint data</td>
<td>NSW Police complaint database</td>
<td></td>
</tr>
<tr>
<td>5-8</td>
<td>3</td>
<td>Develop test vignettes; pilot test software</td>
<td></td>
<td></td>
</tr>
<tr>
<td>9</td>
<td></td>
<td>Administer scenario tests</td>
<td></td>
<td></td>
</tr>
<tr>
<td>10-11</td>
<td></td>
<td>Analyse test results and training outcome data</td>
<td></td>
<td></td>
</tr>
<tr>
<td>12</td>
<td></td>
<td>Draft final report</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Research Team:**

Charles Sturt University  
Professor Jane Goodman-Delahunty

Associate Professor Karl Roberts  
Australian Graduate School of Policing  
Charles Sturt University