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Police impunity could be collateral damage to IBAC 'follow-the-money' reforms

Shocking footage of police brutality aired on national television last night demonstrates why a rigorous independent ombudsman is needed to investigate complaints against police.

The extreme examples of violence captured by the ABC's *Four Corners* program are not isolated to New South Wales police, but are indicative of a culture of impunity that is also prevalent in this state, as shown by recent reporting of similar Victorian cases.

While the NSW has a police watchdog, the Law Enforcement Conduct Commission (LECC), in Victoria complaints about police misconduct are referred to the Independent Broad-based Anti-corruption Commission (IBAC).

But IBAC is not designed to deal with police oversight and refers almost all cases back to the police to investigate themselves. Unsurprisingly, in most cases when police investigate themselves they find nothing wrong.

Victims of police misbehaviour in Victoria often have no option but to pursue costly civil litigation which can take years to settle and is traumatic and do not produce systemic or cultural change.

The legislative framework of IBAC means it was never the right institution to address police misconduct.

The state government yesterday announced sweeping changes to how IBAC addresses corruption. Current laws require IBAC to prioritise corruption over police misconduct. This is explicitly set out in section 15(1A) of the *IBAC Act 2011* (Vic).

Without the establishment of an independent Police Ombudsman, the reforms to enhance IBAC corruption duties will inevitably result in the commission's police oversight function being abolished in practice, leaving Victorians harmed or failed by police misconduct with nowhere to turn.

Four Corners' report clearly demonstrated police cannot be left to investigate themselves. The Victorian Government has made multiple commitments to implement a robust police oversight system following years of scandals and shocking cases of police misconduct and criminality.

The Police Accountability Project, run by Inner Melbourne Community Legal, says that an independent Police Ombudsman is needed to investigate complaints against police in a timely and victim-centred way, and monitor the police to identify systemic problems and make recommendations to improve police conduct.

Comments by Michelle Reynolds, Director of Policy and Advocacy at the Police Accountability Project:

“The system is failing people who have been hurt by police.

“Police misconduct and accountability reforms must accompany the boosting of IBAC’s anti-corruption powers.

“IBAC investigates less than 1% of police misconduct complaints. This will drop to zero if follow-the-money reforms happen without creating a separate police oversight and complaints body.

“Police are given extensive powers. They carry and use guns, tasers, pepper spray and batons, they can stop and search people on the street, and enter a person’s home. But who is keeping an eye on how these powers are being used? There is no independent monitoring of police powers and use of force.

“Worse still, Victorians who have been harmed by our police are being denied justice.

“They deserve to be heard. Making a complaint against police should be safe, accessible and fair.

“Powerful police require powerful independent oversight if community trust and safety really matters.”

“That’s why we need a Police Ombudsman now.”

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