

# REDFERN LEGAL CENTRE: POLICE COMPLAINTS SURVEY

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## SUMMARY

### The Data

. 45 Police Complaints files, ranging from 1977 to 1982, were examined and various characteristics of the complaint, including the place, the police involved, the type of alleged malpractice, and type of assistance given, were noted. This revealed a predominance of inner-city police, a broad range of types of malpractice and degrees of seriousness. Also, that Redfern Legal Centre (R.L.C.) has mainly been running an advice and referral service in this area, the end result of many complaints being unknown. A few of the more serious cases have been taken up by the full-time staff, but otherwise there has been no consistent approach to handling of the complaints.

### Discussion of the data:

. the survey reveals a wide range of complaints and complainants but as yet is too small to show conclusive patterns. However, one clear indication is that migrants make up a large proportion of complainants.  
. the survey reinforced the view of the inadequacy of the complaints system as a whole and the difficulties which arise even before an official complaint is made.  
. the various barriers to complaining and the possibility that at RLC many complaints are included in files categorised as "Criminal", "Prisoner", "Demonstration", "Domestic Violence" mean that the survey is not necessarily representative of complaints generally or of the complaints in all the RLC files.

### Suggestions for improving the RLC service

. to establish a special interest group of students and staff along the lines of the current Tenancy group to collect and collate information, oversee files, produce a more detailed practical guide to the present complaints system, to formulate and carry out further research, to oversee improvements to the identification and categorisation of complaints against the police eg. via the proposed running sheet, to pursue ways of overcoming the barriers

for complainants eg. through a telephone-in, returnable questionnaire published in local paper, and to work towards a local police monitoring committee with the Australian Legal Workers Group (ALWG).

### Further Implications

. the survey findings in themselves are insufficient to be the basis of a political campaign but a few individual cases suitable for publicity have come to light.  
. RLC and ALWG should consider the possibilities for a broader campaign of reforming the police which addresses itself to the more fundamental problems raised in the complaints area: the lack of accountability directly to the public at all levels. One aspect of such a campaign could be the setting up of a local police monitoring committee in Redfern with the help of other interested groups.

### 1. Introduction

The survey came about as the combined initiative of certain members of the Australian Legal Workers (ALWG) and Redfern Legal Centre (RLC) and was undertaken within the Criminal Justice System course at UNSW Law School.

Its genesis was in concern with general questions of policing, police corruption and the current procedure for complaints against the police. The immediate political climate has been one of increasing pressure on the NSW Government to act on police corruption and the inadequate complaints system. Some of the main events have been:

- the highly critical Report of the Inquiry into the Administration of the Police Force, the Lusher Report, released in May 1981,
- the so-called Allen Affair and its aftermath,
- the response of the Ombudsman's Office to their limited power to investigate complaints themselves under the Police Regulation (Allegations of Misconduct) Act, 1978 was to introduce a new category for their determinations:

"Not able to determine whether complaint sustained or not" (recently upheld by the N.S.W. Court of Appeal in Moroney, see Sydney Morning Herald 25th May, 1983), and a public statement by the Ombudsman referring to the complaints system as a "dangerous charade likely to deceive members of the public into believing that there is an effective public watchdog, when there is not" (Sydney Morning Herald, 11th May, 1982). This was followed up by another strong attack in a paper titled "The Ombudsman and the Police - the Determination of Complaints Against Police in NSW" by Susan Armstrong, the Assistant Ombudsman. It received some publicity in the Sydney Morning Herald of 5th June, 1982.

The lack of a genuinely independent complaints system is well known. It was hoped that a survey of relevant RLC files might, among other things, throw light on the nature and extent of the deficiencies.

The aims of the pilot study were formulated as follows:

- to provide information about the specific local policing practices
- to provide information on the operation of the overall system of complaints against the police
- to investigate and evaluate the service of RLC in these matters and to suggest ways of improving that service
- to consider if and how the results could be used in a campaign to reform the complaints system
- to consider the relevance of the results to a broader ALWG campaign for a democratic police and specifically the possibility of a local police monitoring committee
- to consider the possibilities for further research.

Hence, the pilot study was seen as one step in the attempt to render police in NSW subject to more direct democratic accountability, by subjecting them to some sort of surveillance.

## 2. Data

### 2.1. Sample

The files surveyed were those which had been categorised as "complaint against the police" in the RLC File Book. This revealed 55 files, of which 45 could be located and studied. Another 5 files have been referred to us by RLC staff. Approximately 10 files can not be located.

It was assumed that this sample represents the tip of the iceberg of the actual quantity of complaints in the catchment area of RLC and even among the RLC files. Where a complaint against the police was reported but was seen as less important than the main reason for coming to RLC, the complaint may or may not have been marked on the statistics form or in the file book. The relevant information from the computer analysis of the statistics forms was not available in time for this study. Both for this reason and lack of time, the files categorised as "Prisoner", "Criminal", "Domestic Violence", "Demonstrations" were not included in this study. A broader survey of police malpractice would have to undertake a review of these files.

### 2.2. Method

The list of what were considered the relevant elements of a file was developed by examining the files, i.e., was not decided a priori. What emerged was a combination of objective and subjective factors:

- the number of complaints
- where the activity, the subject of the complaint, occurred
- the location of the police involved, by station or squad
- a characterisation of the type of malpractice involved
- some identifying characteristics of the victim
- to whom the complaint was made
- the type of action taken by RLC
- the result of the complaint.

Sub-categories were developed and frequencies noted. Double counting applies in the tables of site of malpractice, type of malpractice alleged, person to whom complaint was made, and type of action taken, where the instance occurs more than once in one file.

### 2.3 Results

Table 1: Number of Complaints Against the Police Files Each Year

1977	1978	1979	1980	1981	1982
9	10	3	12	8	3

Table 2: Geographical Distribution of Police involved  
(where available) by Police Station or Squad

	<u>Inner City</u>	<u>Suburban</u>	<u>Country</u>
Number:	23	8	4
Names:	Kings Cross (2)	Campsie (1)	Gosford (1)
	Glebe (detective) (1)	Wentworthville(1)	Bega (1)
	Redfern (5)	Revesby (2)	Lismore (1)
	Central P.S. (3)	Penrith (3)	Kempsey (1)
	CTB (1)	Marrickville(1)	
	Breaking Squad (1)		
	Darlinghurst (4)		
	21st Special Squad (3)		
	Newtown (2)		
	Homicide Squad (1)		

Table 3: Site of Malpractice (where obtainable and applicable)

While being questioned by police on the street	7
While being questioned by the police at home	3
Prior to arrest	3
During arrest at home	7
During arrest at hotel	2
During arrest at demonstration	1
During arrest while travelling	1
On the way to Police Station	1
While in custody at Police Station	9
Other	4

Table 4: Some Identifying Characteristics of Victim

Marijuana law reform activist	2
Political activist	2
Student activist	1
Motor cyclist	1
Young women	2
Caravan dweller	1
Migrant	10
Homeless person	1
Prison reform activist	1
Known to police via prior convictions etc	4
Prisoner	1
Known to have complained about Police	1
Unemployed	1

Table 5: Type of Malpractice Alleged

Sexual Harassment	2
Continued and unjustified questioning	1
Continued and unjustified threat of arrest/charge	2
Threat of charge unless bribe offered	1
Unjustified calling at home very late/early	1
Perceived threat of violence/arrest intimidation	3
Actual threat of violence/arrest	1
Illegal entering of premises without warrant.	5
Illegal searching of premises without warrant	3
Fabricating/planting evidence	4
Arrest without being charged or given reason	2
Not cautioned of right to remain silent	1
Unjustified arrest	4
Unjustified detention	7
Assault	10
Failure to pursue a complaint	2
Failure to pursue a crime without a written complaint	1
Prolonged and serious victimization	1
Inflexibility in payment of parking fines	1
Not returning client's property	2
Demanding money	1
Extra fine due to mistake by police	1
Perjury	1
False charges	1

<u>Table 6: To Whom Complaint Made</u>	
Police Officers concerned	4
Senior P.O. at station	3
Lawyer/RLC	32
Internal Affairs Branch of Police Force	4
Ombudsman	1
Minister for Police	2
Premier	1
Anti-Discrimination Board	1
Magistrate	1
Judge	1
Council for Civil Liberties	1
Minister for Justice	1
Attorney General	1

<u>Table 7: Type of Action Taken by RLC</u>	
Advice given	14
Referral to another solicitor	9
Letter written	4
Statutory Declaration made to prevent verbal	2
Telephone representation made	1
Charge against a police officer	1
Solicitor accompanied client during police interrogation	1

<u>Table 8: Result</u>	
Unknown	20
Complaint resolved satisfactorily for client	6
Complaint resolved unsatisfactorily for client	2
Discontinued by client	1
Continuing	1

<u>Table 9: Complaints Made by Mentally Ill People</u>	4
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(2.4.) Individual Cases

A. One case involved an approach to RLC by a man convicted of armed robbery. He said that he was innocent of the offence, and that another prisoner at Long Bay had admitted doing the particular robbery. He made a number of allegations about the conduct of the arrest and interrogation - by the Armed Hold-up Squad, and the trial. He was arrested at home early in the morning with the door being broken down. The police allegedly took clothes which were similar to those shown in the photos of the TAB cameras; and he was later dressed and photographed in these.

There were many threats of violence and he was apparently given whisky, valium and serepax to force a confession. This was corroborated by his sister who was allowed to see him a number of hours later. At trial, an unsigned record of interview was admitted, the evidence of identification was ambiguous, the long delay between arrest and the crime was not questioned, the police witnesses saw him before the

trial, and he had an alibi but those witnesses were not called. It is unclear why an appeal did not go ahead, though it was reported to us that the 'victim' decided not to proceed. Representations were made by Andrew Haesler (first when he was employed on 'Actionline') to the Attorney-General, the Premier, the then Minister for Police, Mr. Crabtree, and to the Police Commissioner, though all to no avail (except that he was interviewed by the Police Internal Affairs Branch).

B. Another case involved a fellow who had a motorcycle accident. He was knocked unconscious and regained consciousness in hospital. At 11pm the next Saturday, 2 plain-clothes police appeared at his door, informing him that they were from the 21st Squad and that his motorbike had hit their car and had done \$300 damage, which they demanded. The man offered his TV but they didn't want it; they said they'd be back the next Saturday, but didn't show up. On Tuesday, 15th at 6.30am when 3 police arrived, his wife was home alone. She told them they'd been to Legal Aid, (Leichhardt, refused aid but advice given) and that they weren't going to pay until the matter had been through the courts. The police threatened to get a summons and said that he'd be jailed for 6 months, they'd take his bike as payment, and that he was to ring them on the following Monday. The wife came to us. Despite three letters from RLC, the clients did not come back though RLC was prepared to go to the Police Commissioner and pursue legal action.

C. This file involved a well-known then student/prison activist being arrested late at night at Kings Cross. She was asked to come outside the Ashfield Hotel where she was charged with unseemly words before anything had been said. She then had her clothes torn off and was charged with resisting arrest. She had to face the police charges but also instituted actions for assault against the police involved. Unfortunately no results are indicated in the file.

D. This case involved allegations of false charges and assault. The client had gone to a party and got drunk. His girlfriend, who didn't drink, was driving home when he dragged on the steering wheel to pull himself up, forcing the car onto the footpath; where she left him in the car to sleep it off. Next morning he awoke,

bruised and sore in Revesby Police station, charged with 2 counts of assaulting police, drunken driving and negligent driving. The police told him that it took 6 police to control him. That morning he was taken from the cell, stood against a wall and punched in the face by a constable whilst a senior officer turned his back. The guy was then taken to the girlfriend's home with a bloodied jaw and jumper, where the senior policeman told her that he'd fallen and hit his face on a gutter when jumping a fence. The next day he complained directly to the Police Internal Affairs Branch, who interviewed him. He also went to hospital where it was found that he had a broken jaw, and is currently regularly seeing a specialist because of its seriousness. This matter is currently being handled by RLC. The problems include establishing a defence to the police charges and acting on the assault by police (on the morning and possibly when picked up), though the police will argue that the injuries were received at the 'alleged fracas' at the car.

### 3. DISCUSSION

#### 3.1. Preliminary Qualifications

This survey cannot be said to have revealed or investigated all areas of police malpractice. Nor can it be said to be representative for a number of reasons. People may not make any complaint, through ignorance of the complaint mechanisms or procedures, fear of further victimisation, or from pessimism about a satisfactory result. RLC is only one small centre for the reception of complaints from a range of bodies: the police themselves, politicians, the Ombudsman, and other legal centres lawyers, community agencies and groups. That is, those who come to RLC with a complaint against police must be viewed in the context of the location, clientele, structure and services of RLC. Hence, some areas don't show up in RLC files e.g.

Aboriginal people are catered for by the Aboriginal Legal Service (ALS); the alleged widespread abuse under Intoxicated Persons Act, especially of young people; or the harassment of motorcyclists. Finally, as noted earlier, the sample was restricted to files where the complaint was the main matter.

#### 3.2. The Data

Clearly then, the survey did not reveal conclusive patterns of local policing, complaints against police, or police malpractice. Nonetheless, some patterns are outlined and require comment. Firstly, the wide range of complaints, locations, and complainants shown by the files indicates the breadth and depth of the problem of police malpractice.

The main group of complainants at RLC are 'migrants'. This is due to such factors as the ethnic composition of the population of the Redfern area, the class characteristics of such people, and to some extent, the identification and differential treatment of 'migrants' (on this basis) by police.

Predictably, most alleged malpractices took place in the inner city: in Redfern, Darlinghurst/Kings Cross, Central and Glebe. The other most common locations were Penrith, Revesby and Wentworthville. However, account must also be taken of the general relations between law and class including the differential deployment of police resources in working-class suburbs.

Assault was the most frequently reported malpractice in the files, yet the previously mentioned limitations on the sample may have influenced this result. For example, "verbals" are more likely to be reported as ancillary to the main matter of a 'criminal' or 'prisoner' file. This indicates the need for further research.

Not surprising either is that the main 'sites' of malpractice were the victim's home, the street and police stations. This serves however to raise the important point that at issue are not just abuses of power but also the extent of police powers (at common law and by statute) and the concomitant lack of protection and remedies for those subject to police activity.

The differential nature of policing is indicated also by the finding that approximately half of the complainants are of 'recognisable' groups who are perceived by police as threatening, deviant, subversive, or as causing problems for 'law and order'.

### 3.3. The RLC Service

A number of factors make it difficult to evaluate the service provided by RLC to clients complaining of police malpractice. That requires more detailed analysis of the strategies adopted in all files which have a complaint against police.

How RLC handles such complaints must be seen in the context of its organisation, role and resources: including the pressures of other work, time, money, limited numbers of full-time staff, and dependency on volunteer staff. The latter is significant because few have expertise in this area, though they must receive, identify, advise, refer or pursue such complaints.

A handful of cases seem to have been fully pursued, including one successful use of the Ombudsman system, one in which a policeman resigned, and another which proceeded to the point of litigation but proved too complex and costly (some 13 police were being sued), and a number of more straightforward cases. Most cases involved an initial interview with advice, referral or some follow up work, and no recorded resolution. Generally, there has been no consistent way of handling complaints.

An important influence has been the pessimism of clients, students and lawyers in the use, results and consequences of taking an instance of malpractice to police or the Ombudsman. Whilst the decision is the client's and her/his interests are paramount, such an approach has the danger of being overly restrictive. Also, it works against attempts to keep pressure on the institutions of the complaints system and the government, against the collection of information on policing, and the working out of the most effective strategies.

### 3.4. Improving that Service

There are a number of ways RLC could improve its handling of complaints against police, keeping in mind its restricted resources, and its organisation and role.

The reticence of people in coming forward may in part be met by letting local community groups and agencies know of RLC's availability in this regard e.g. the proposed open day during the South Sydney Festival; and /or through a telephone-in or

distributed questionnaire-reply form. The identification, categorising and pursuit of complaints received may be improved, especially where it is a secondary matter, by the filling out of the file statistics form, deliberate follow up of this aspect of the case, and perhaps even the opening of a separate file. Two innovations would be the use of the 'running sheet' and special statistics form, by the assistants, staff, prisoner's legal service, and other lawyers, centres and groups (see Appendix Two and Three)

A 'guide sheet' could be developed and adopted providing detailed information about the procedures, and the guidelines and strategy appropriate to pursuing complaints against police. This would make the handling of complaints easier and more consistent. It could possibly be included in the Lawyer's Practice Manual, as a supplement to the Legal Resources Book, or distributed in some other forum.

For these purposes and given RLC's resources and organisation, a "Police Monitoring" student group could be established along similar lines to the Tenancy Group. It is anticipated that this would be a permanent group and that it would continuously be active. Its aims and functions are set out in detail in Appendix One. Briefly, it would oversee current files, continue the research of this preliminary survey, and work on the suggestions made in this report.

We believe that RLC should, in conjunction with other groups such as the ALWG, ALS, other legal centres, and community agencies and activist groups, locate its own activities in a broader on-going political campaign of subjecting police to real democratic accountability. To this end RLC should also consider participating in the proposed local liaison/"watch" committee, and groups that could supervise local trouble spots i.e., the police station, pubs etc. As well, RLC could make available material from its files and research (through the student group) for release in a "POLICE-WATCH BULLETIN" established as a separate publication, or in such forums as the LSB, the ALWG newsletter etc. Realistically, given that complaints against police are a relatively small part of RLC's services, this area could only be adopted by RLC as a special interest area in the context of such a combined

campaign. Hence, if the running-sheets are distributed outside RLC then the student group could collect and collate these.

### 3.5. Further Research

One of the original aims of the study was to identify particular policing practices if possible. But as the study proceeded the various limitations of legal files as a source of information became apparent. As the beginning of a legal process, the files focus on what was done in the particular instance, the evidence to prove or disprove that, and whether there is a legal solution to the problem. Aspects of a complaint which may give more information about:

- the possible motivation of the police
  - characteristics of the complainant which may make them identifiable to the police
  - any information about relevant circumstances, eg what the demonstration was about in a complaint about police malpractice at a demonstration,
- are irrelevant to the legal solution and are mostly not included. To some extent this is necessary for the process of giving legal advice efficiently, but it means that other ways of finding out about policing practices must be developed.

One approach is the possible monitoring of all police activity in one local area, by direct observation to the extent that it is possible with the assistance of social welfare agencies and independent groups. This is discussed in the next section. Another possibility is centring research around groups which seem to be the particular targets of police malpractice. These include Aborigines, unemployed youth, motor-cyclists, police/prison reform activists, ex-prisoners, women etc. If done in co-operation with organized bodies within these groups, such research could assist organized resistance to objectionable police practices. Further inquiries along these lines were made in the areas of sexual harassment of women by police and harassment of young white unemployed people.

### Sexual Harassment of Women by Police

There seems to be widespread sexual harassment of women by male police officers (1). There is also a very broad range of degrees of seriousness. For example:

- "over friendliness" and unsolicited and unwanted touching of a young woman by police while investigating a burglary at her house
- unsolicited calling around to house, hanging around, entering the house of a young woman who had become known to the police by being a surety on a bail application
- unwarranted frisking during arrest
- stopping a car carrying three young women from Kings Cross, given car defect notice. Comment on file: a regular practice - if the women come forward with sexual favours, the ticket/charges will be dropped.
- Stripping clothes off feminist anti-prison activist while arresting her in a back street
- the alleged rape of a prostitute in Darlinghurst Police Station in 1980.

The whole area seems to be largely undocumented, no doubt due to the difficulties of classifying, identifying and proving harassment except in the most serious cases. One suggestion for resistance to these practices has been to link it with the demand for equal numbers of women police in all aspects of police work.

(1) The sources of these examples are: interviews with women friends, a feminist law student, a worker at the Leichhardt Women's Health Centre, comments on one file at RLC, general knowledge.

### Harassment of Young White Unemployed People Under the Intoxicated Persons Act (2)

Most young people picked up by Police under the Intoxicated Persons Act 1979 are in the Darlinghurst/Kings Cross area and a much smaller number in the Redfern area. In Redfern the ones picked up are almost all known to the police or have parents who are known to the police: they are known as a certain group of "bad boys" (although they include girls as well) who go to the Redfern CYSS project sometimes. The ages range from 12 to early 20s. Usually they are picked up on the street, kept overnight, or their parents called.

It seems that certain police still demand \$1 "bail" to be released. This, however, is an illegal carryover from earlier procedures. Police have the power to search people detained under the Act and to keep their property while the person is detained (s.6) and there are complaints about money not being returned to people after detention.

The Community Lawyer at RLC is present-ly involved in assisting people mentioned and is getting the young people at the CYSS project to sign a statutory declaration aimed at preventing verbals. Also Andrew Cornish, a research officer at the Bureau of Crime Statistics, has recently completed a major study of the operation of the Intoxicated Persons Act which was presented to the Government in June 1982. In it he recommended that the Act be abolished on the grounds that it is not working as it was intended. The report has not been published.

An interesting footnote to the discussions with the CYSS workers was that it seems that there was some history of attempts at liaison with the Redfern Police and various community welfare agencies a few years ago, but which have since broken down. They also recalled some intervention in the training of police cadets in presenting a subject aimed at increasing awareness of community issues.

- (2) Sources for this information were: Debbie Whitmont, Community Lawyer, Redfern Legal Centre, Jo Winter, Sharon Hardy of Redfern CYSS, Andrew Cornish, N.S.W Bureau of Crime Statistics and Research, RLC Complaints Against the Police files.

### 3.6. Some Further Implications

The fact that police malpractice seems to exist in a wide cross-section of police work has already been noted. But this combined with the long history of the inadequacy of the complaints system suggests a more fundamental problem with the Police Force. An aspect of the problem is touched on in Susan Armstrong's recent paper on the complaints system. In discussing the general problems of external scrutiny of the Police Force, she cited as a major obstacle, "the widely recognized propensity of police officers to protect their fellow officers even where some wrong-doing may be involved often known as the "brotherhood syndrome" (3). Then quoting the Lucas Report and some of the current NSW Ombudsman's files she gives concrete examples of how it is done. The Lusher Report contains more damning examples of resistance to outside scrutiny, and in one instance successful resistance to attempts by its own planning section to monitor the efficiency of policing

in a certain area (4). This means that to the extent to which the Police Force is successful in these practices it is a power unto itself answerable to no-one. Thus, what the deficiencies in the complaints system highlight is the need for a broad political campaign with the long term goal of rendering police subject to real democratic accountability at all levels. In this context we suggest that the ALWG in co-operation with the independent legal centres has an important role to play in initiating and co-ordinating such a democratisation of the police project.

An analysis of the structure and nature of policing in NSW would have to be developed by monitoring how police resources, powers and discretion are exercised at various levels. Strategies will need to be developed to open these things up for political debate, to pinpoint particular problem areas, and to work for direct public participation at various levels (5). This is where a local monitoring (or watch liaison) committee in the Redfern area would fit in ie., to gather data and exert pressure at the lower levels of the exercise of police discretion. (For more detailed account of the proposal currently before the ALWG Co-ordinating Committee see David Brown, "Background Discussion Paper on Policing" reproduced below).

Essential elements of such a project would be a vehicle for publishing results and a capacity to respond to opportunities for public comment as they arise e.g., to press publicly the goal of greater public accountability of police at all levels in the current crisis of confidence in the police in the wake of the Allen affair.

- (3) Susan Armstrong, "The Ombudsman and the Police - The Determination of Complaints Against the Police in NSW." Unpublished. Presented to UNSW Faculty Seminar on 6th June 1982. p. 16.
- (4) Report of Inquiry Into the Administration of the NSW Police Force 1981, Ch. 8.
- (5) the lack of political debate on the establishment of the Tactical Response Group being a prime example. Noted by Russell Hogg in (1982)7 Legal Service Bulletin p.75.



Appendix 1

A Police Monitoring Student Group as noted earlier, this could take the form of the Tenancy Group being established by interested students volunteering via the roster-forms circulated at the beginning of each session.

The aims and functions of such a group would be:

1. Complaints against the police system: familiarise themselves with the procedures of the existing system.

2. Current Files: oversee current files to ensure everything that can be done for an individual complainant is done, and to follow up clients who have been given advice or referred elsewhere to check if contact was made and what the outcome was.

3. Previous Files: analyse in more depth the files located by this pilot study, with regard to patterns of policing and malpractice and strategies pursued.

4. Related Files: study files listed in other headings which involve police, e.g., Criminal, Prisoner, Demonstration, Domestic Violence, etc.

5. Procedures: the group could institute more efficient procedures for identifying complaints against the police by

making sure that file statistics forms are adequately filled in or that a separate file is opened where the complaint is ancillary to the main matter in the file,

supervising a central Complaints Against the Police folder which would contain the essential elements of all complaints i.e., to distribute, collect and collate the running sheet and special statistics form.

6. Resources Material: gather resource material on policing and police malpractice e.g., recent judgments, newspaper reports, government records, precedents of actual complaints and alternative strategies. Also to develop a more detailed practical guide for assistants and lawyers not familiar with the procedures.

7. Support Local Monitoring Group  
Idea: Make contact and liaise, on behalf of RLC with the Ombudsman's Office, other Legal centres, local community groups such as the Aboriginal Legal Service, Aboriginal Medical Service, community health centre, Redfern CYSS, Prisoners Action Group/ Women Behind Bars, Rape Crisis Centre, Unions, migrant centres, local council

etc. This would be directed to the establishment of a local police monitoring group.

8. Role of Full-Time Staff: Work with one member of the full-time staff who would be responsible for supervising the group's operation, and with a volunteer solicitor who might be willing to take this area on as a special interest, with the possibility of a specialist night service.

9. Possibility co-ordinating research projects with the various Criminology courses at UNSW.

10. Publicise serious cases, results of research, press releases on topical issues in for e.g., LSB, Redfone, ALWG newsletter, etc.

Appendix 2

COMPLAINT AGAINST THE POLICE FORM

This is part of an on-going project by Redfern Legal Centre and the Australian Legal Workers Group with aims of 1) getting a better idea of the scope of police malpractice 2) campaigning for a more independent police complaints system 3) gathering information about policing practices 4) pursuing direct community participation in policing decisions at all levels. The form is intended to be used to take instructions from those wishing to initiate a complaint as well as collecting information. Could you please return this form or a copy of it to 71-73 Pitt St., Redfern. 2016.

NAME OF COMPLAINANT: \_\_\_\_\_  
(confidential/not confidential)

ADDRESS: \_\_\_\_\_

\_\_\_\_\_ PH. \_\_\_\_\_

\_\_\_\_\_ DATE: \_\_\_\_\_

NATURE OF COMPLAINT: \_\_\_\_\_

NAME OF POLICE INVOLVED: \_\_\_\_\_

\_\_\_\_\_ STATION: \_\_\_\_\_

\_\_\_\_\_ SQUAD: \_\_\_\_\_

WITNESSES (Name and Address): \_\_\_\_\_

OTHER PROOF: \_\_\_\_\_

ACTION TAKEN SO FAR: \_\_\_\_\_

Appendix 3

POSSIBLE CATEGORIES FOR STATISTICAL ANALYSTS OF COMPLAINTS

NAME: \_\_\_\_\_

SEX: \_\_\_\_\_ AGE: \_\_\_\_\_

ADDRESS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

PH. \_\_\_\_\_

WHEN IT OCCURRED: \_\_\_\_\_

WHERE: complainant's home, - another private residence, - the street, - pub, - dance, - Police Station, - court, - demonstration.

NATURE OF COMPLAINT:

- calling at home very early/very late
- unjustified and continued questioning
- unjustified threat of arrest/charge
- threat of violence
- demanding money
- sexual harassment
  - persistent requests for sexual favours
  - unsolicited, unwanted touching
  - unnecessary frisking
  - sexual assault
  - other
- illegally entering premises without warrant
- illegally searching premises without warrant
- unjustified arrest/detention
- arrest without being charged or given reason
- not informed of right to remain silent
- not informed of right to telephone call
- not given adequate food, medical treatment
- assault
- not returning complainant's property
- damaging complainant's property
- prolonged and serious victimization
- verbal
  - fabricated record of interview
  - false entry in notebook
- planting evidence
- failure to pursue a complaint - other

POLICE INVOLVED: Names: \_\_\_\_\_

Rank: \_\_\_\_\_ Station/Squad: \_\_\_\_\_

\_\_\_\_\_ On Duty, \_\_\_\_\_

Off Duty, Comments: \_\_\_\_\_  
\_\_\_\_\_

TO WHOM COMPLAINT MADE: \_\_\_\_\_ Police Involved.

Senior Police Officer - Internal Affairs Branch. - Police Commissioner. - Attorney-General - Magistrate. - Judge. - Minister for Police. - Minister for Justice - Premier. Ombudsman. - Newspaper. - T.V. Other interest group: \_\_\_\_\_

ACTION TAKEN: Advice only - Referral, Letters written - Phone Calls - consultation with client - consultation with police - Consultations with other officials - Preparation of documents - court appearance. Other: \_\_\_\_\_

RESULT: Satisfactory to client - Unsatisfactory to client - discontinued by client - Apology - Return of property - Substantiated by Ombudsman - Unsubstantiated by Ombudsman - Ombudsman unable to decide

