

ombudsman VICTORIAN

**Investigation into an allegation about
Victoria Police crime statistics**

June 2011

**Whistleblowers Protection
Act 2001**

**Ordered to be printed
Victorian government printer
Session 2010 - II
P.P. No. 43**

Letter to the Legislative Council and the Legislative Assembly

To

The Honourable the President of the Legislative Council

and

The Honourable the Speaker of the Legislative Assembly

Pursuant to section 103 of the *Whistleblowers Protection Act 2001*, I present to Parliament my report of an investigation into an allegation about Victoria Police crime statistics.



G E Brouwer
OMBUDSMAN

15 June 2011

Contents	Page
Section 22A of the <i>Whistleblowers Protection Act 2001</i>	3
Executive summary	5
The complaint	7
Background	8
Why crime statistics are important	8
Previous reviews relating to crime statistics	8
2009 Ombudsman report on crime statistics	10
Violence in the Melbourne Central Business District	12
The investigation	15
Victoria Police leaks	15
The caretaker period	15
The media release of 28 October 2010	16
Role of the Victoria Police media unit	19
Concerns about the crime statistics referred to in the 28 October 2010 media release	20
Related matters	26
LEAP and LINK	26
Involvement of the Office of Police Integrity	26
Conclusions	28
Recommendations	31
Appendix 1	32
Appendix 2	34
Appendix 3	36
Appendix 4	37

Section 22A of the *Whistleblowers Protection Act 2001*

1. This report is made pursuant to section 103 of the *Whistleblowers Protection Act 2001*. The names of persons against whom the protected disclosures were made under the *Whistleblowers Protection Act 2001* have been included.
2. Section 22A of the *Whistleblowers Protection Act* provides that I may disclose, in a report referred to in section 103 of that Act, particulars likely to lead to the identification of a person against whom a protected disclosure has been made if I determine it is in the public interest to do so and if I set out in the report the reasons why I have reached that determination.
3. Having considered the four matters referred to in section 22A(2), I have determined that it is in the public interest to identify a number of the subjects against whom protected disclosures have been made in this matter by disclosing the following particulars: the name, occupation and related personal details of the subject. I have made this determination for a number of reasons.
4. I consider that it is in the public interest for the subject of a protected disclosure to be identified in a report to Parliament when the report and the disclosure concern allegations of improper conduct by persons holding public offices of certain significance, such as senior police officers and senior public service staff of Victoria Police.
5. This public interest is derived from the nature of such public offices. In this instance, the public interest arises from the importance of the roles, duties and responsibilities of the individual senior staff members to the people of Victoria and the need for transparent accountability for the performance of those roles, duties and responsibilities for persons holding those significant offices.
6. I do not consider that the public interest identified above can be satisfied by any means other than by identifying the subjects of the disclosure; confidentiality being not appropriate as it is, in the instances in this report, inconsistent with the identified public interest.
7. I also consider that it is in the public interest for the Parliament and the public to be informed of the results of an investigation concerning allegations of manipulation of crime statistics by or involving current or former officials.

8. Furthermore, in this instance it would not be possible to serve this public interest if the report did not disclose the identity of the relevant individuals. This is because the report deals with facts and circumstances which have been the subject of recent media reporting identifying both the public body involved, as well as a number of the subjects and the nature of the concerns that are the focus of the public interest disclosure. This identification arose not only due to media conjecture but also apparently due to the leaking of a Victoria Police document to the media. The high level of media reporting relevant to my investigation has led to considerable public awareness and concern about what I have been investigating and what I will be reporting on in this matter.
9. Accordingly, I consider that even if my report to Parliament 'de-identified' the subjects of the disclosure or attempted to maintain confidentiality in some other way, the subjects of the public interest disclosure would still be readily identifiable by the public or sections of the public.
10. The only way to avoid such identification would be to omit from any report to the Parliament any information relating to the practices undertaken by the subjects. In my view, this would mean that I would not be able to make any form of meaningful report to the Parliament on the investigation. I consider that this would clearly be contrary to the public interest and that confidentiality in such circumstances would be inappropriate.

Executive summary

11. Crime statistics are an important public interest issue. The processes for the recording and reporting of crime need to be trusted. Crime statistics are not only used to inform the Victorian public about crime, but also critically to inform operational decisions by police, such as the allocation of police resources.
12. In 2009 I reported to the Parliament on the issue of crime statistics and police numbers. At that time I recommended that there needed to be an independent body separate to the Victoria Police to manage the release of crime statistics.
13. Since that time nothing appears to have changed. Crime statistics are still managed and disseminated by Victoria Police, with known inefficiencies and other long standing concerns. There is still mistrust in the way crime statistics are used, which can be confusing and impacts on public perceptions and confidence.
14. In late February 2011 I received a complaint from a whistleblower that Victoria Police crime statistics released on 28 October 2010 had been manipulated for political purposes and the data was misleading. The media release stated that ‘... further analysis of the past three months – compared to the same three months last year – has shown a 27.5 per cent fall in street assaults in the city and a 12.4 per cent decrease in assaults across the state’. I investigated the complaint under the *Whistleblowers Protection Act 2001*.
15. My investigation identified that the decision to release the crime statistics several days before the caretaker period leading up to the November 2010 state election was the Chief Commissioner’s and his alone. He confirms this, as do other witnesses.
16. I consider that the quoted reduction of 27.5 per cent of assaults in the CBD between the July–September quarter 2010 compared to the July–September quarter in 2009 without qualification, was based on yet to be validated data. It was therefore likely that releasing the data without qualification could reasonably be perceived to be misrepresenting the fuller picture of the trends. The crime statistics were subsequently used for political purposes during a public debate by the then new Police Minister three days before the election.
17. The release of the quarterly crime statistics data, particularly so close to an election, was likely to be used in a political context. Senior officers also failed to pass on warnings to the Chief Commissioner that the data was not ‘settled’ and was incomplete. In this regard the Chief Commissioner has responded that ‘I accept the figures in the media release, and the July–September statistics as whole [sic], can be criticised on the basis the data did not have time to settle because their release was brought forward’.

18. There is also the perception that the public were misled by the crime statistics. After all, the media for the previous two summers had raised concerns about violence on the streets in the CBD. The data also let rank and file police down. How could for example the Superintendent in charge of the CBD argue for more resources on the basis of this information or make sound operational decisions? It is also in contradiction to their practical experience of violence in the CBD. However, the Chief Commissioner stated that 'resourcing and tasking decisions are not and never would be made on the basis of this single data set. We continue to inject new resources into the city and to supplement as appropriate with resources from other units to deal with the issues in and around the city'.
19. The independence of crime statistics is crucial. I consider there is a clear need as I indicated in 2009, for an independent body to manage the release of crime statistics. I have recommended accordingly. Victoria Police endorses this recommendation.

The complaint

20. In late February 2011 I received a complaint from a whistleblower that Victoria Police crime statistics released by Deputy Commissioner Kieran Walshe on 28 October 2010 had been manipulated for political purposes and that the data was misleading. The whistleblower provided documents in support of their complaint.
21. In light of the information provided I made a determination that it was a public interest disclosure and commenced an investigation under the *Whistleblowers Protection Act 2001*.

Background

Why crime statistics are important

22. Crime statistics are an important public interest issue and need to be trusted; their credibility is essential. Crime data are not only used to inform the Victorian public about the incidence of crime, but also critically to inform operational decisions by police, such as in effectively addressing crime 'hot spots' and in the allocation of police resources.
23. My 2009 report¹ addressed the value of crime statistics, including:
 - Providing key measures of criminal activity for intelligence led policing operations and strategies
 - Assessing the performance of police and providing accountability to government
 - Informing police decisions for resourcing, police numbers, strategic planning and specific operations
 - Informing debate about crime and how to control it and to reduce the impact of crime
 - Providing data for developing and evaluating policies and programs for crime reduction
 - Informing the public about crime and safety issues.

Previous reviews relating to crime statistics

24. Victorian crime statistics and the processes for their collection, analysis and release have been criticised over many years, with claims that the data cannot be trusted and on a number of occasions involved accusations of falsification and/or manipulation of the statistics by Victoria Police. Such lack of confidence and distrust in official crime statistics does not augur well for informed debates about law and order. It impacts on policies to address crime and justice issues.
25. Some 20 years ago, in September 1991 the Victorian Legal and Constitutional Committee of Parliament recommended the establishment of an independent Bureau of Crime Statistics, after earlier efforts in the 1980s, which would provide a number of benefits. It would for example '... promote more rational and disinterested presentation and discussion of crime statistics'. A comparison was made to the approach taken by NSW where the establishment of the Bureau of Crime Statistics and Research in 1969 '... has taken a lot of the heat out of the crime debate, and prevented police from selectively using crime statistics to support budgetary claims and demands for increased powers'².

¹ Victorian Ombudsman, *Crime statistics and police numbers*, March 2009.

² David Brereton, Acting Director Victorian Bureau of Crime Statistics and Research, 16 June 1992.

26. While a Bill to parliament was prepared in 1992, it was never passed. Instead, a small temporary arrangement was set up within the then Attorney-General's department, operating between 1992-93; this was followed by the establishment of an administrative unit within the Department of Justice, the Criminal Justice Statistics and Research Unit which operated from 1995 to 2001. Neither of these short lived initiatives was given access to relevant crime data by Victoria Police, nor did they have a major role in the analysis and release of crime statistics, although a number of attempts were made to do so.
27. Numerous reviews of crime statistics have highlighted significant issues relating to the recording and presentation of crime statistics in Victoria and elsewhere.³ Some of these have been internal to Victoria Police⁴ while others were conducted externally by the Auditor General and the Australian Bureau of Statistics. More recently, in a review of CompStat⁵ prepared by Corporate Management Review Division (February 2006), it was noted that there have been inaccuracies in the data presented to CompStat [forums].⁶
28. It has been stated that '... ultimately, the usefulness of crime statistics as a basis for understanding crime depends on their accuracy and reliability'.⁷ That in turn depends on the quality of the administrative systems in place to collect, process and present the crime data. It also depends on the procedures and rules applied when recording crime incidents onto the data base.
29. For the public, it may mean that perceptions about their safety and direct experience as victims of crime are out of step with published crime data and can lead to uncertainty and misunderstanding about the extent and nature of crime in the community.
30. For Victoria Police, it also means that the intelligence base for operational decision making and resource allocation may be unreliable and inaccurate with potentially negative consequences.
31. The Victorian Parliamentary Drugs and Crime Prevention Committee has reported on a number of occasions about crime trend data, initially following a reference from the Legislative Council (1 March 2000).⁸ In its reports, the Committee highlighted a number of concerns regarding the collection and dissemination of Victoria Police crime statistics. It noted the difficulties encountered in obtaining statistical information from Victoria Police; concerns that have been echoed by others.

3 See for example: UK Home Office, *Review of Crime Statistics: A Discussion Document* (Simmons) July 2000; *Crime Statistics: An Independent Review* (Smith) November 2006; UK Statistics Authority, *Overcoming Barriers to Trust in Crime Statistics: England and Wales*, May 2010.

4 See Table 2 listing 14 such reviews up to July 2001 in the report of the Australian Institute of Criminology (AIC) *Review of Victoria Police Crime Statistics*, 2002.

5 The purpose of the Victoria Police CompStat process is to evaluate and improve performance against set measures, identify strengths and share best practices; enhance Intelligent Policing and encourage effective use of resources.

6 op. cit. page 32.

7 Victorian Drugs and Crime Prevention Parliamentary Committee, *Inquiry into Crime Trends 4th Report*, May 2002 page 44.

8 Victorian Drugs and Crime Prevention Parliamentary Committee *Benchmarking Crime Trend Data 1995-1996 to 1999-2000; Second Report June 2001; Reporting Crime in the Melbourne CBD*, November 2010.

32. In its October 2002 report, the Committee again identified concerns about Victoria Police crime statistics. It also considered the review of Victoria Police crime statistics by the Australian Institute of Criminology (AIC)⁹ in 2002 and summarised its main findings and recommendations. As the Committee noted in its report, the problem of coverage and recording practices by police are central to 'the validity and usefulness of crime statistics ... if some kinds of crime are selectively omitted from crime statistics because of the evidentiary problems that they present to investigating police, the community cannot be guaranteed that it has a comprehensive picture of the nature of crime in this State'. The Committee concluded by stating that the 'continuing concerns about the quality and accuracy of Victoria Police crime statistics only add weight to the argument for a Victorian Bureau [of Crime Statistics and Research] and it made a recommendation that a Bureau of Crime Statistics and Research be established in Victoria as an independent statutory agency reporting direct to Parliament.

2009 Ombudsman report on crime statistics

33. I have previously investigated crime statistics as a result of a complaint in April 2008 from the then Leader of the Opposition the Hon T Baillieu that crime statistics and/or police numbers had been subject to manipulation. At that time I was concerned that the uncertainty regarding the validity of crime statistics needed to be resolved. The continuing debate about the integrity and accuracy of the crime data could potentially undermine public confidence in Victoria Police. I considered that there was also a need to ensure as far as possible that the public's experience of crime accords with crime statistics released by Victoria Police.
34. During that investigation I was able to gain insight from a number of sources within Victoria Police and externally from the Australian Bureau of Statistics and academic experts. It was also useful to gain the perspective of The Police Association, particularly on how crime statistics may be used in relation to resources and police numbers.
35. My investigation identified a range of concerns about the crime statistics produced by Victoria Police which could continue to fuel debates about law and order, and about the accuracy of Victoria Police crime data. The concerns included inefficient administrative systems and historical Victoria Police practices which led to some crime being under-reported. Some of these concerns focussed on how assaults are recorded by Victoria Police which is particularly relevant to the current investigation.

9 Australian Institute of Criminology, *Review of Victoria Police Crime Statistics*, July 2002.

36. In my 2009 report I identified that the antiquated, time-consuming administrative practices for recording crime that have to be followed by frontline police associated with outdated information technologies, were clearly unsuited to modern policing. I considered that Victoria Police continued to miss opportunities to modernise its practices for the recording and processing of crime data. To this day, there are large numbers of hand-written forms which have to be completed by frontline police, checked by supervisors and then faxed to civilian support staff for data entry on the Law Enforcement Assistance Program (LEAP) database.

37. I made 23 recommendations, including that Victoria Police:

- Review its approach to reporting crime statistics, such as by providing more timely data
- Ensure effective progress on the LINK project (the replacement for LEAP), including the elimination of manual forms for recording crime.

I also recommended that the Victorian Government give consideration to the establishment of an independent unit external to and independent from Victoria Police to develop and maintain statistical databases on crime; to monitor and report on trends in crime and with a capacity to audit crime statistics and crime recording practices.

38. During that investigation I also identified that some police misuse the procedures for recording cleared crime to make it appear that more crime had been successfully solved than is actually the case. I referred this matter to the Office of Police Integrity (OPI) for investigation in March 2009. On 26 May 2011 the OPI tabled in Parliament its report.¹⁰

39. The OPI report found that 'Victoria Police is unable to produce accurate crime clearance statistics to the Victorian Government, the Australian Bureau of Statistics and the Victorian community. This is due primarily to inherent flaws in the design of LEAP and the outmoded and flawed systems for entering data onto it'. It further notes that the recording of crime clearances rates is a 'process open to manipulation', (although insignificant in the overall impact on clearance rates) and that 'less crime is occurring than is actually the case'. It also notes that the misuse and abuse of the *Intent to summons process* (from which clearance rates are derived) '... occurred in the context of system deficiencies, lack of clear policy, inadequate monitoring'.

40. Comment on the OPI report provided by the Chief Commissioner (at page 82 of the OPI report) notes that 'Changes to further improve crime reporting in the short to medium term will require changes to the current LEAP system, training and reporting compliance regimes' and further that 'an important consideration for the [production of crime statistics] is allowing data sets time to 'settle''.

¹⁰ Office of Police Integrity, *Report of Investigation into Victoria Police crime records and statistical reporting*, May 2011.

41. The Chief Commissioner also stated that 'Because LEAP is a dynamic database being updated 24/7 by an internal data processing unit and 15 per cent of reports can take longer than 48 hours to be entered, it requires time for the data to 'settle'. For consistent production of statistics, we download LEAP data on the 5th of the month so that all monthly reporting can take place with the snapshot of data. For MyPlace, 6 weeks time is allowed to complete the required data quality checks internally with an exception for financial year release'.
42. Little appears to have changed in the past two years. In my report¹¹ on assessing progress on implementing my recommendations, I was concerned that only nine of my 2009 recommendations had been implemented by Victoria Police. I considered the response I received from Victoria Police insufficient and lacking the necessary detail or evidence to demonstrate implementation. I noted the Chief Commissioner's comments about the postponement of the LINK project as well as about 'external constraints' which have impeded Victoria Police's capacity to finalise the implementation of my recommendations. However I consider that Victoria Police has had sufficient time to progress further than it has.
43. Some progress has been made in relation to the release of more timely crime data. In early 2009 Victoria Police began the release of quarterly statistics on its website (www.vicpolice.com.au/myplace), in addition to the normal release of annual crime statistics in August prepared by Corporate Statistics. The media unit has responsibility for the media release of the quarterly statistics together with commentary. Alongside a message from the Chief Commissioner with the release, comments are provided by the local Police Service Area (PSA) Inspectors on crime trends and any local crime issues.¹²
44. Ironically it was the release of these quarterly statistics on 28 October 2010 that was at the origin of the allegation subject of this investigation.

Violence in the Melbourne Central Business District

45. Of direct relevance to my investigation is the high level of concern about violence in the Melbourne central business district (CBD) and the surrounding areas.¹³ In recent times the government and Victoria Police have allocated significant resources to addressing what is seen as a serious public order crisis in the CBD.¹⁴ The widespread concern about the crime and public order problems in the CBD led to concerted efforts by government and Victoria Police including its *SafeStreets Task Force* to address what is seen as a serious public disorder problem.

¹¹ Victorian Ombudsman, *Ombudsman's recommendations – Second report on their implementation*, October 2010.

¹² The approach of Victoria Police to the release of quarterly statistics differs from the approach taken by the NSW Bureau of Crime Statistics and Research (www.bocsar.nsw.gov.au).

¹³ Includes areas covered by Melbourne (3000) Docklands (3008 and 3003), Southbank (3006) and East Melbourne (3002).

¹⁴ Examples of media interest; *Herald Sun*, 20 July 2008 and 1 September 2008; *The Age*, 14 September 2008.

46. The Melbourne CBD, especially on Friday and Saturday nights, is the major entertainment precinct for wider metropolitan Melbourne, drawing in large numbers of people in the evening to the rapidly growing numbers of licensed premises, including cafes, restaurants, hotels, bars and nightclub venues. The Drugs and Crime Prevention Parliamentary Committee report (August 2010) *Inquiry into strategies to reduce assaults in public places* noted that 44 per cent of all assaults in public places in Region occurred in the CBD, representing 7 per cent of such assaults across the state. The report further found that 54 per cent of public place assaults in the CBD occurred on the street. The increasing seriousness of assaults was noted.¹⁵
47. Assaults are an offence category of specific interest to my investigation. When they are detected or reported to police and are recorded, they are classified under the *crime against the person* category. Victoria Police annual statistics show that they accounted for 8.8 per cent of total offences recorded in 2008–09, rising to 9.5 per cent in 2009–10. It should be noted that there are many specific categories of assaults, ranging in seriousness from summary to indictable offences. Assaults associated with family violence incidents can be separately recorded. The location of where an assault allegedly occurs can also be counted. Common locations are *private residential* (often associated with family violence) and *street/lane/footpath* which accounts for almost a third of all assaults in 2009–10.
48. While annual crime trends in Victoria have been showing reductions for many years in a range of crime categories: including drug offences, motor vehicle theft and burglaries and in total crime, there have been notable increases in some crime categories. According to the Victoria Police 2009–10 Crime Statistics, assaults increased by 3.8 per cent from 2008–09 to 2009–10 and over the same period, *behaviour in public* offences increased by 28.6 per cent.
49. As recently as May 2011, concerns continue to be expressed about ensuring that the CBD streets are ‘... free of drunken violence and antisocial behaviour ... and [is] a top priority when liquor licenses were granted’.¹⁶ At interview, the former Police Minister, Mr Bob Cameron, said ‘We also had legislation around public order ... and it was my very clear view that that would make a difference ... We had a campaign about [sic] on the streets ... and like [sic] my view always was that campaign was going to result in less street trouble’.

15 Drugs and Crime Prevention Committee, *Inquiry into strategies to reduce assaults in public places in Victoria*, Melbourne, Parliament of Victoria, 2002.

16 *The Herald Sun*, 20 May 2011. In this context the findings by the NSW Bureau of Crime Statistics and Research (January 2011) on the association between alcohol outlets and assaults showing that assaults are more likely to occur around licensed premises is highly relevant. See also the Victoria Police commissioned review *Safer Victoria: a whole of government approach to public safety*, June 2009, by PricewaterhouseCoopers, and in the Drugs and Crime Prevention Parliamentary Committee report, *Inquiry into strategies to reduce assaults in public places*, 2010.

50. The evidence about the alleged reduction of assaults in the CBD as stated in the media release of 28 October 2010 is seen from a practical perspective when senior police officers responsible for the policing of the CBD were interviewed. Their evidence identified a slowing of the rise in assaults but not the significant reduction portrayed in the media release of 28 October 2010. For example, one Inspector said: 'the stats were trending down ... The city hasn't got worse'. He added however, that the claim of a 27.5 per cent reduction could be 'misleading'.
51. Also, Superintendent Wilson, the Officer in Charge of Region I¹⁷, which includes Melbourne PSA and the CBD, provided data which sets out the incidence of assaults in the PSA since 2002-03. It demonstrates his view that the increase in assaults in the CBD is slowing compared to recent years, but not to the extent portrayed in the media release of the 28 October 2010 (see later in this report).

¹⁷ The CBD is part of the Melbourne Police Service Area (PSA) within North West Metro Region I.

The investigation

52. My investigation included:
- Interviewing witnesses on oath including the Chief Commissioner, senior police officers, the former Minister of Police, a Ministerial advisor and others
 - Examining email and other records
 - Conducting an analysis of relevant crime statistics
 - Making other enquiries.

Victoria Police leaks

53. This matter came to light as a result of a leaked Victoria Police intelligence brief to the Neil Mitchell program on radio 3AW (Melbourne) on 28 February 2011 (see copy at Appendix 1). This is not the only occasion during my investigation that material from Victoria Police has been leaked. For example, the intelligence report was also given to another person who provided a copy to my office.
54. One only has to read the newspapers to see that it is a regular occurrence for confidential Victoria Police information to be leaked to the media. Sometimes this may be for personal reasons including payback and for others it may be for altruistic reasons such as revealing the facts surrounding a police activity.
55. Although I am not investigating the leaks of the intelligence brief, I am concerned about the culture and propensity for this to occur. In this case, the misleading use of the crime data may have motivated the leaks. However, given the availability of the *Whistleblowers Protection Act 2001* (the Act), it would be desirable for internal witnesses to provide such material in a lawful manner, as provided under the Act.

The caretaker period

56. Successive governments have accepted that, during the period preceding an election for the Legislative Assembly, the government assumes a caretaker role (known as the 'caretaker period'). This practice recognises that with the expiry or dissolution of the Legislative Assembly the Executive cannot be held accountable for its decisions in the normal manner, and that every general election carries the possibility of a change of government. In this case the caretaker period commenced from 3 November 2010.

57. During the caretaker period, the business of government continues and ordinary matters of administration still need to be addressed. However, the circumstances of an election campaign require special attention to ensure the impartiality of the Public Service is maintained.¹⁸
58. In particular, government agencies should avoid active distribution of material during the caretaker period if the material can be seen as promoting party political content, government policies or emphasises the achievements of the Government or a Minister.¹⁹
59. The elections were to take place on Saturday 27 November 2010. Senior Victoria Police officials knew the importance of not making comment which could be deemed to be party political during this period. The Chief Commissioner said that he was aware of it; the Director of Communications, Ms Nicole McKechnie said that she had reminded the Chief Commissioner of it.

The Media Release of 28 October 2010 (See Appendix 2)

60. The normal practice for Victoria Police's release of crime statistics has been for the Chief Commissioner or one of his Deputies to present them at a press conference. The crime statistics are prepared by Corporate Statistics, using a data extract from the LEAP database (taken on the 5th of every month) and checked using its quality assurance processes. The crime statistics are then forwarded without commentary to the media unit. Comments on the trends are provided by the media unit in the form of a media release accompanying the quarterly statistics which are then up-loaded by the media unit onto the MyPlace location on the Victoria Police website.

Timing of the release

61. The normal release date for the July-September quarterly crime statistics should have been around mid-November 2010. The reason for the six week delay in releasing the data between the end of the quarter and the public release, as explained to my investigation, was that the data needed to be 'settled' because LEAP is a dynamic database whereby existing records are continually updated and new records and new information are added as it becomes available. The data entry staff also amend records following quality controls on inaccurate or incomplete information.
62. In response to my draft report the Chief Commissioner said:

'While I acknowledge that the timing of the September quarter release meant there was less time for the data to 'settle' (and that was undesirable) the data was accurate at the date of its release. I accept however, it should have been accompanied by a qualification that it had not had sufficient time to settle'.

¹⁸ Department of Premier and Cabinet (Victoria) *Caretaker Conventions – Guidance of handling government business during the election period, 2006.*

¹⁹ *ibid.*

63. Some witnesses held the view that the figure of 27.5 per cent reduction was included in the media release because of additional analysis requested by the Minister's office. The Minister's advisor on police matters said that he had often asked questions of Victoria Police about crime data. At interview he acknowledged that he 'may've pointed out' the quarter to quarter comparison subsequently used in the media release. In response to my draft report the Ministerial advisor said '... i [sic] did not instruct VicPol to include this number in **their** [his emphasis] release – that was a matter for them ... They determine what goes in their release not us'.
64. The Chief Commissioner said in response to my draft report:
- '... The reporting of crime statistics was the subject of discussion between the former Police Minister, his staff and me from time to time since 2009'.
...
'The elaboration ... about how this data came to be introduced into the statistics and media releases makes it plain I was describing historical conversations over a long period, not referring to conversations immediately before the release of the July–September 2010 crime statistics'.
...
'Again my reason for doing this was to put more information into the public domain so there could be an informed debate since it was obvious to everyone that CBD violence would be discussed in the run up to the election. At that time I wasn't even aware of what that analysis would show'.
...
'My recollection is that, despite being copied into the draft media releases circulated by email, I did not clear it ... I had almost no involvement in actually [sic] the preparation of the media release. Other than, you know, giving instructions that I wanted the release to happen ahead of going into the caretaker period'.
...
'I was not warned at any stage by anyone about general or specific issues with respect to the data or media release'.
65. Ms McKechnie said that she was worried about the volatility of the data to be used in the media release. She also said 'I raised it with the Chief Commissioner ... essentially it was, I'm – am concerned about including these figures. I understand the Government's keen to have them in but I'm concerned about them being included because – because of the perception'. She said that it was the Chief Commissioner's decision to release the crime statistics and that there was some haste to get the media release out before the start of the caretaker period'.

66. In response to my draft report Ms McKechnie said:

‘There had been intense scrutiny of Victoria Police over a long period of time and many accusations of ‘spin’. Law and order was a central platform for both political parties – it was extremely difficult to navigate through this and often Victoria Police was criticised for being both ‘too close’ to government and at other times ‘at odds’. I was concerned that the use of this additional data would be seen as favourable to the Labour Government and provide another opportunity for criticism. Whilst I was concerned about some volatility around the quarter specific statistics, I certainly was not aware it was overly significant statistically.

67. She also said:

‘The decision to release the statistics with the additional information ... was made by the Chief Commissioner. I cautioned against this, as I was concerned about perceptions’.

68. The Chief Commissioner said at interview:

‘... Again at the end of the day it was me who made a decision to include some of that (being the quarterly comparisons) in the commentary. Because again I felt it was in the public interest to try and put forward a balanced explanation as to what going on ...’

69. He also said in response to my draft report:

‘Its true that I had a conversation with Nicole McKechnie about again including some quarter by quarter analysis in the media release for the July-September figures’ ... ‘The context was that I felt we were facing ‘hysterical media reporting that I thought was unduly distorting what was actually going on, and was actually scaring people’.

70. In response to my draft report, the former Police Minister’s advisor said:

‘I don’t believe i [sic] ever suggested to you that the release time was anything other than the decision of Victoria Police’.

He added:

‘... I do recall saying the figures were good that they did painted [sic] a good picture – a 27.5 per cent reduction in street assaults is clearly a welcome and encouraging result. I don’t believe we ever suggested this should be a reason for their release time – we basically took whatever time was dictated to us by police command – **they** [his emphasis] determined this timing, based on their quarterly release of data – i believe the chief commissioner was concerned to get it out ahead of the election so it wasn’t being release [sic] during an election campaign, but that was a matter for him.

71. There clearly was a sense of urgency to have the quarterly statistics released and they were the subject of a number of emails days prior to the release. For example, Ms Peachey, Executive Director Business Services, email of 19 October 2010 under the subject ‘re Quarterly Stats’ to the Manager, Corporate Statistics, stated ‘can we get moving on this please’. This followed on from a request from another officer described as being ‘from the Minister’s office’ on 13 October 2010 ‘... seeking a specific date that the quarterly crime statistics will be available for distribution to the Police Minister’s office’.

72. While Deputy Commissioner Walshe was the spokesperson for the press conference and media release on 28 October 2010, he took no part in either its preparation or the commentary used in the media release. He acknowledged that he had received a draft on 27 October 2010 and the subsequent final media release the next day, some 15 minutes before the press conference. He had no formal briefing with the Manager of Corporate Statistics; nor was her cautionary note accompanying the quarterly statistics passed on or explained to him, nor did any one raise it with him. He said that his role was to 'just stand up and present what the media unit had provided to me, in terms of the media release and the talking points'.

Role of the Victoria Police Media Unit

73. The media play a significant role in shaping public perceptions of crime and understanding of the crime problem. The increasing importance of media coverage of crime statistics in the context of law and order debates also gives a key role to the Victoria Police media unit.
74. In my investigation I formed the view that the media unit saw its role as to put a positive story on information released by Victoria Police. Ms McKechnie responded that her 'role was always to protect and enhance the reputation of Victoria Police but only through appropriate behaviour'.
75. Releasing the media release without qualification could reasonably be perceived to be misleading. In this regard the Chief Commissioner has said that 'I do accept there should have been appropriate qualification of the data because of its early publication'. This was compounded by its politicisation shortly afterwards in the lead-up to the November election, bearing in mind that the 27.5 per cent fall in street assaults in the CBD was at odds with other assault data available to Victoria Police at the time. It also ignored warnings from the Manager Corporate Statistics to Ms McKechnie and others that the normal quality assurance and validation processes had not yet been completed on the data at the time the release was made.
76. This selective use of the crime data released shortly before the caretaker period commenced could be perceived as political in its timing and content. This data, only after a proper validation process, would have been released mid-November 2010 at the earliest.

Concerns about the crime statistics referred to in the 28 October 2010 Media Release

77. In investigating this matter, I identified a number of sources of information which when taken together indicated to me that the statement that there had been a decrease of 27.5 per cent in street assaults in the CBD did not portray an accurate picture and it was also out of step with other assault data available to police at the time.

78. In this regard the following issues are relevant:

- Since March 2009 Victoria Police has released quarterly statistics on its website (www.vicpolice.com.au/myplace). Usually such data is not released until six weeks after the end of the quarter to ensure that the figures had 'settled', that is, validation and quality assurance processes had been completed to the satisfaction of the Manager, Corporate Statistics.
- Former Superintendent Richard Grant who had had line responsibility for Corporate Statistics provided my office with a table (Appendix 3) which specified the timeline for such releases which he had circulated during his time as Assistant Director, Performance and Business Intelligence Division, to the Director of Corporate Communications, the Chief of Staff to the Chief Commissioner and the Minister's office. The table identified that the statistics to be extracted from the LEAP database on 5 October 2010 should not be made available until 16 November 2010 on the basis that LEAP data is not 'real-time' data. Rather, as he explained, '... this lag time may be caused by leave, work load of a member, chasing up incomplete information ... and for many other reasons'. The six weeks' period has been a quality assurance standard within the crime statistics area for a number of years. As one witness stated 'It means that when you are looking at data you are comparing like with like'.
- Ms Uma Rao, Manager, Corporate Statistics at Victoria Police for the last 18 years, when forwarding the quarterly statistics for the media release on 26 October 2010 cautioned Ms Jenny Peachey, the Executive Director of Business Services as follows:

'Please note as stated below these statistics have been compiled earlier than scheduled and as such not all the necessary data quality checks have been completed in the time this data was required'.

In an earlier email on 20 October 2010 she reminded Ms Peachey that the data for July-September quarter 'has not been given usual six weeks to settle [sic]'. Ms Peachey responded '... can you do all you can to quality assure the data'.

Ms Rao also stated that 'CDEB [Central Data Entry Bureau] and Corporate Statistics have not completed the usual quality controls on the quarterly data'. At interview she said that the 'settled' data would have made a difference and that the data in the form it was released was 'misleading'.

In response to my draft report, Ms Rao added:

'Statistics derived from LEAP are subject to variation. Therefore we need to be very clear when these statistics are produced, what was the reference period and the content.

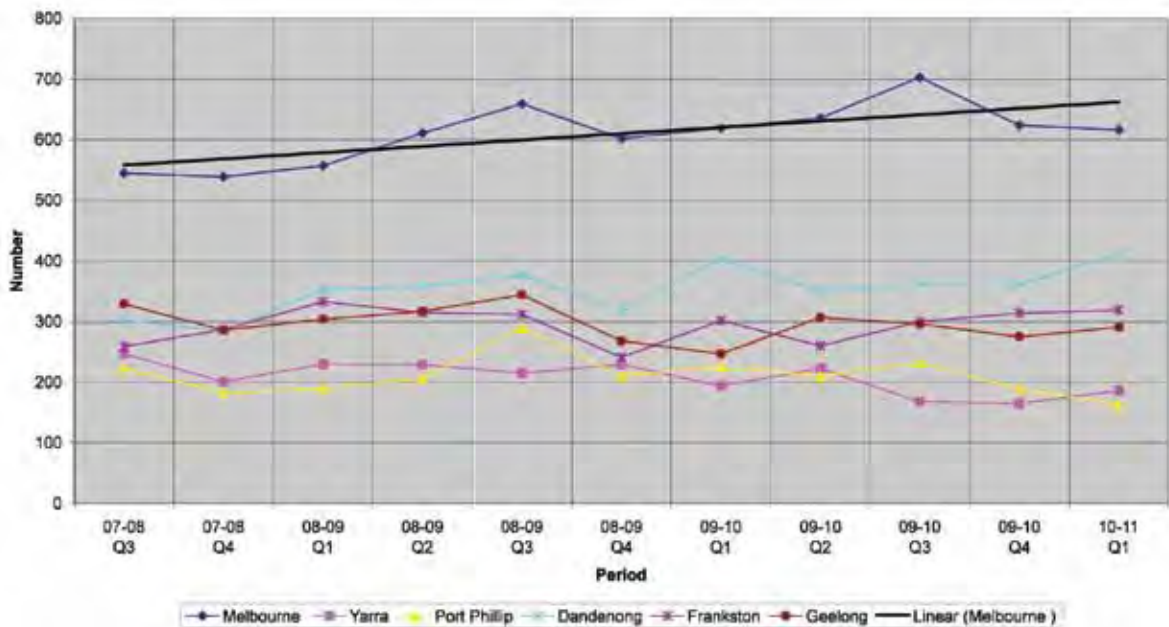
In Victoria Police, more recently, there are many layers and players who are handling crime statistics which has resulted in misleading and confusing statistics'.

- CompStat data for North-West Metro Region Division I, which includes the Central Melbourne Business District and the Melbourne PSA²⁰ released on 6 October 2010 for the forum chaired by Deputy Commissioner Kieran Walshe, reported that assault offences at 31 August 2010 in the Melbourne PSA increased by 4.2 per cent over 12 months to August 2010. Mr Walshe has since advised that this '4.2 per cent increase refers to all assaults in the Melbourne PSA, including family violence assaults'. However further analysis showed that only a small number of these assaults (less than 5 per cent) related to assaults associated with family violence.
- Superintendent Rod Wilson, the Officer in Charge of the North-West Metro Region Division I, which includes the Melbourne PSA, provided my officers with a graph (Appendix 4) showing the trend for total assaults, YTD as at 28 February 2011 for the Melbourne PSA between 2002-03 and 2010-11 which he had prepared for another matter. The graph demonstrates that the total number of assaults is still rising, although the increase appears to be slowing since 2009-10. He said that it was not declining as stated in the media release.
- The North-West Metro Region Division I intelligence brief dated 22 February 2011 (the document which appears to be the one that was leaked to 3AW Neil Mitchell's radio program) shows that while there was a reduction of assaults occurring at specific street/lane/footpath locations, there were 'significant' increases at multi-level carparks, train stations, restaurants/fastfood outlets and unspecified/unknown locations (77 offences). This last figure could have made a difference if the location had been specified, particularly if they related to street/lane/footpath.

20 The 54 Police Service Areas broadly correspond to the Local Government Areas.

- The 3 June 2010 media release quoted Chief Commissioner Overland as saying ‘The 2.3 per cent rise in assaults remains a concern and demonstrates there is still more work to be done in this area’. He noted that ‘much of this rise can [sic] attributed to an increase in family violence’. He reported that ‘we are continuing to see a pleasing decrease in street violence, with a number of street assaults down across the state by 6.8 per cent’.
- The following three figures of quarterly statistics for assaults are shown below for the Melbourne PSA, and for comparison purposes are shown with the figures for several PSAs concerning other major regional centres with entertainment precincts, Geelong, Dandenong, Frankston, Port Phillip and Yarra.

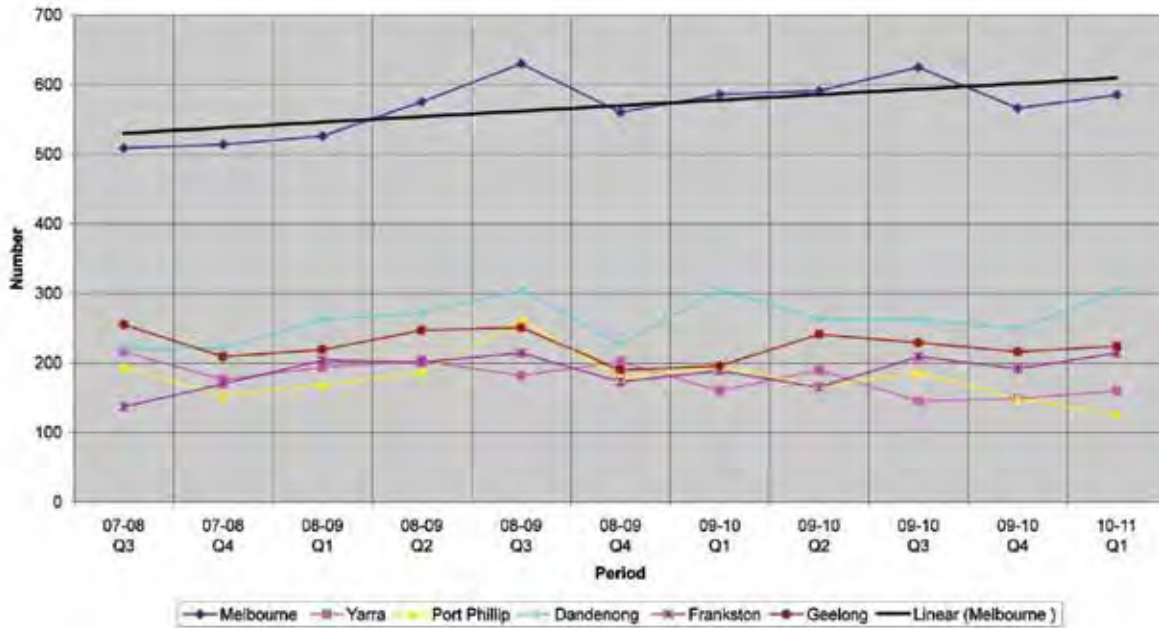
Figure 1: Total assault offences recorded for selected PSAs, Victoria Police



Source: Figures prepared from data provided by Victoria Police, extracted from LEAP database October 2010

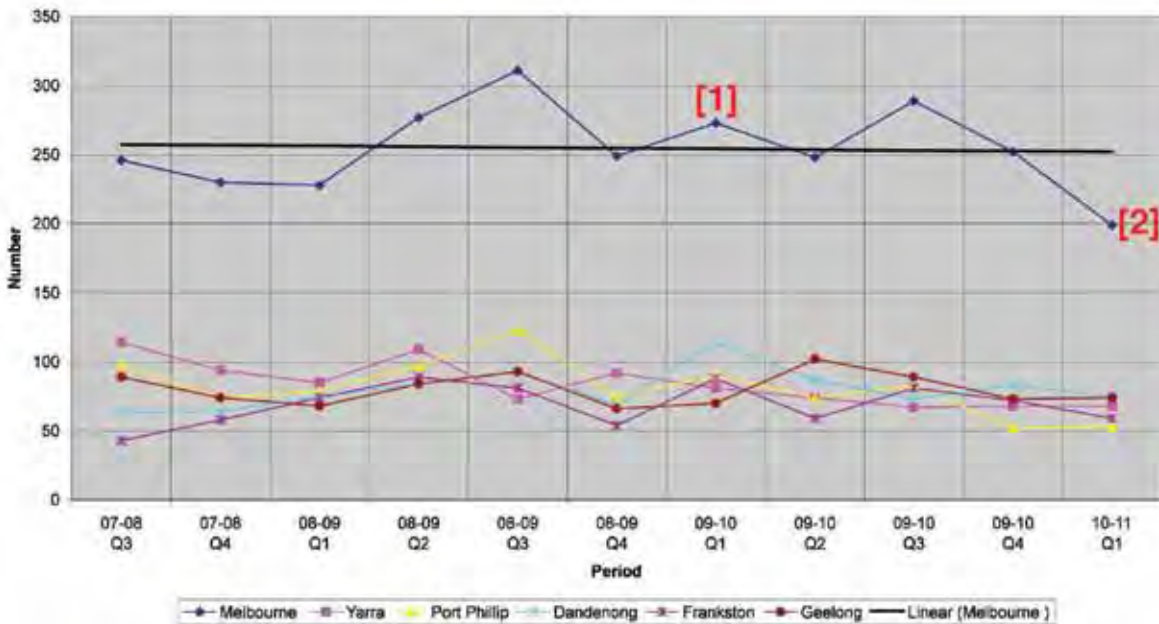
79. The trends in Figure 1 clearly indicate that the Melbourne PSA has more than double the number of assault offences compared to other areas. The assault trend for the Melbourne PSA also shows an increase, less evident in the other areas, with the exception of Port Phillip PSA which covers the St Kilda area. When assaults arising from family violence incidents are excluded, the number of assault offences drops slightly but the upward trend remains unaffected (See Figure 2).

Figure 2: Assault offences not arising from family incidents for selected PSAs, Victoria Police



Source: Figures prepared from data provided by Victoria Police, extracted from LEAP database October 2010.

Figure 3: Assault offences at street/lane/footpath for selected PSAs, Victoria Police



Source: Figures prepared from data provided by Victoria Police, extracted from LEAP database October 2010.

80. Figure 3 shows assault offences which occur in public places. These can be approximately captured by the LEAP category street/lane/footpath for the selected PSAs.²¹ While the figures for the other PSAs fluctuate between 50–150 offences per quarter, those in the Melbourne PSA are around 250 per quarter and show considerable variability across the quarters. Thus depending on which quarter comparison is selected, one can calculate a percentage change. For example, by selecting quarter 4 (April/May/June) 2008–09 with the same quarter in 2009–10, there is a 1.2 percent decrease. The media release compared **[1]** in 2009–10 with the same quarter a year later 2010–11 **[2]** – that is from 282 to 204, a 27.7 per cent decrease. This is clearly a selective ‘slice’ of the assault data which, when viewed over a longer period of time, demonstrates that assaults at street/lane/footpath locations in the Melbourne PSA have barely declined.
81. It is likely that after validation and ‘settling’ of the data, more offences will be added to the most recent quarters. This has proven to be the case as validated data provided to me in June 2011 confirms this. More generally, quarter by quarter comparisons are not considered stable enough. When trends are being analysed preference is given by statisticians to YTD comparisons and to rolling 12 months because these provide greater reliability for trend analysis. When I requested from Victoria Police the relevant data per quarter, as extracted from LEAP on 5 June 2011, the following comparative figures are obtained (Table 1) which demonstrate the importance of LEAP data being allowed to ‘settle’ before being released.
82. I compared the ‘settled’ assault statistics for the Melbourne PSA obtained in June 2010 with those extracted in October 2010 which still had to be validated. By comparing quarter 1 in 2010 with the same quarter in the previous year, Table 1 demonstrates that the reduction in assaults is 12.0 per cent, not 27.7 per cent (quoted as 27.5 per cent in the media release). However, this reduction in itself is inconsistent with the trends discussed elsewhere in this report, and is misleading in terms of the trend of assaults in the CBD as it is a selective representation of the data.

Table 1: Assault offences at street/lane/footpath for the Melbourne PSA

	July/Aug/Sep 2009 (Q1)	July/Aug/Sep 2010 (Q1)	% change
Date extracted from LEAP, Oct 2010	282	204	decrease 27.7
Date extracted from LEAP, June 2011	274	241	decrease 12.0

Source: Table prepared from data provided by Victoria Police, extracted from LEAP database October 2010 and June 2011.

²¹ The data excludes assault offences where no location was recorded, some of these may have been on street/lane/footpaths.

83. In this regard the Chief Commissioner responded:

'As with all statistics, the quarter by quarter data set has advantages and disadvantages. For example, public space assaults have seasonal variations, with more assaults occurring in the warmer months. Quarter by quarter analysis can better reflect this than other data, such as rolling twelve month average statistics that smooths the data so that such fluctuations are not obvious. It is by its nature more volatile'.

'Victoria Police accepts that including unsettled data without qualification was a mistake'.

Related matters

LEAP and LINK

84. Underpinning the crime data subject of my investigation is LEAP, the large police data base established in March 1993. I reported my concerns on this antiquated system in 2005²² when I was Director, Police Integrity. These concerns were also raised in my 2009 report and elsewhere.
85. In 2001 the Drugs and Crime Prevention Parliamentary Committee noted that LEAP ‘has serious problems’. Former Chief Commissioner Nixon spoke to the Committee on 11 September 2001 and said about LEAP:
- ‘... that it is an incredible complex mainframe database ... it is also a system that was put in place not necessarily to be able to produce accurate statistics or data ... the point is that it was not necessarily designed to produce the sort of information that we are now looking for it to produce on a daily basis so that in terms of operational policing you can regularly know what the figures look like in your own area of responsibility ... it does what in a sense it was intended to do ... but it does not do what many of us want it to do. The initial entry by handwritten report is systems that should have been out of data 10 years ago ... no money has been spent looking to introduce a system where you can have direct entry and a more efficient locally based system. I think technology within Victoria Police has lagged behind nothing seems to have changed. Victoria Police officers are still served by an old information technology system, based on 1980’s technology’.
86. Since I reported on LEAP’s shortcomings, the number of separate databases within Victoria Police has almost doubled, with over 600 separate databases being used by police to fill the gaps because of LEAP’s inadequacies.
87. A new system called LINK was meant to replace LEAP. The LINK project has been deferred because of problems with functionality and cost. I recently commenced an own motion investigation into this and other major information and communication technology projects within the Victorian public sector as a result of my concerns about cost overruns and the failure of such systems to meet their objectives. I will be reporting to Parliament on this issue in due course.

Involvement of the Office of Police Integrity

88. On 8 March 2011 I informed the Director of the OPI, that I was commencing an investigation into crime statistics as a result of a public interest disclosure to my office. I was aware that the OPI had an interest in crime statistics, as I had previously referred a matter to the Director in 2009 relating to the falsification of police records associated with Victoria Police practices in relation to clearance rates and finalising crime reports.²³

22 Office of Police Integrity, *Investigation into Victoria Police’s Management of the Law Enforcement Assistance Program (LEAP)*, March 2005.

23 op. cit.

89. On 10 March 2011 a senior officer at the OPI met with the Deputy Ombudsman and informed him of an OPI investigation into an intelligence brief 'leak'. As a result of that meeting, the Deputy Ombudsman wrote to Mr Michael Strong, Director of OPI on 15 March 2011 raising his concerns about the intelligence brief 'leak' being investigated by the OPI when my office was investigating the underlying and far more important issue of the falsification of crime statistics. The Deputy Ombudsman also drew the Director's attention to his concerns about the sensitive nature of the allegations so as to ensure that the OPI's handling of the investigation was not seen as detrimental action against the whistleblower.
90. On 17 March 2011 the OPI Director met with me to discuss this issue. He agreed to hold his investigation in abeyance pending the outcome of my whistleblower investigation. At his request I wrote to him on the same day stating that I considered that it would not be in the public interest for both our organisations to be investigating related issues and endorsed his decision to hold his investigation in abeyance. I reiterated my Deputy's concerns about the sensitivities of the matter.

Conclusions

91. The decision to release the crime statistics several days before the caretaker period was the Chief Commissioner's, and his alone. Other witnesses have confirmed this, including the former Police Minister Mr Bob Cameron, who said that the Chief Commissioner 'wanted to get this out of the way, so he wasn't involved during the election campaign'.
92. The Chief Commissioner said that it was his decision to include the quarterly figures in the media release as he 'felt it was in the public interest to try and put forward a balanced explanation as to what was going on'.
- '... The decision to include a comparison of the July-September quarter 2010 with the July-September quarter 2009 was mine, and was not politically motivated or influenced. Rather it was part of my initiative, which started in 2009, to try to provide a wider and more informative range of data to the Victorian community.
- ...
- '...quarter by quarter comparisons can have validity, particularly when included in conjunction with a range of other data, such as is the case in this instance. Quarter by quarter analysis can pick up seasonal factors and variations that are not as evident when using other data sets such as rolling twelve month averages. In fact, one purpose of rolling twelve month average is to 'smooth' such factors. This does not mean that at times it is not valid to also look at quarter by quarter data because it shows a different view; whether this year is better or worse when compared with the same period last year, or to show trends more quickly'.
93. The Chief Commissioner also said 'if we had maintained our normal timeframe the quarterly statistics would have been released in the week before the election. I feared this was a much greater risk of politicisation than an early release. It was my decision and mine alone made free from any input from anyone else'. However, in doing so the picture in relation to assaults in the CBD was distorted as the quoted reduction of 27.5 per cent was based on selective, incomplete, and yet to be validated data.
94. The Chief Commissioner said at interview that the release of the crime statistics had not been picked up by the media and they 'had no impact'. However they were used subsequently by the new Police Minister, Mr James Merlino in a public debate with the then Opposition spokesperson on police, Mr Peter Ryan on radio station 3AW on 24 November 2010, just three days before the election. In particular, Mr Merlino said 'What I would say to my family and friends is I feel safe walking the streets of Melbourne'. He also said 'We are turning around street violence, with a 27.5 per cent reduction in CBD street violence in the past quarter, compared to this time last year'. He attributed this to the actions of the Labour Government in providing 'additional police and tougher police powers'.

95. The release of the quarterly crime statistics data, particularly so close to an election, was likely to be used in a political context, particularly using the figure of 27.5 per cent reduction in assaults in the Melbourne CBD without qualification and without acknowledging the more complete picture of assault trends. In this regard the Chief Commissioner said:
- ‘I do accept that is a reason why it is important to qualify data, if it should be qualified, and that it was an oversight and mistake not to have done that on this occasion.
- ...
- My evidence is quite clear that I appreciated the political sensitivity of the release of quarterly crime statistics at this time ... Relying on unsettled data without appropriate qualification was a mistake, but there is no basis to suggest it was conscious manipulation’.
96. While the Chief Commissioner said ‘with the benefit of hindsight ... we would do it differently’, in my view the figure of 27.5 per cent reduction was misleading and inconsistent with all other available data. Deputy Commissioner Walshe should also have recognised this, as he had chaired the CompStat forum on 6 October 2010, just three weeks before the release, when the figure for assaults in the CBD was a 4.2 per cent increase. Mr Walshe responded that this conclusion ‘... is both unfair and unreasonable’. He stated that ‘... the CompStat data is rolling 12 months data and therefore a different data set to the release [sic] crime statistics which were year to date data for the 1st quarter of the reporting period’.
97. Mr Walshe also said:
- ‘I chaired three CompStat forums in two days ... I would challenge any reasonable person’s ability to readily recall one particular element of data out of the multitude of data considered during three CompStat forums over a two day period three weeks prior’.
98. Also Ms Peachey should have passed on the warning from the senior statistician that the data was still not ‘settled’, however she only sought confirmation that the numbers were correct.
99. In the haste to release the crime statistics just before the caretaker period, a number of senior police officers and public servants involved not only ignored the warnings about the incompleteness of the data, but also failed to realise the impact such data would have, both politically and within Victoria Police.
100. In response to this issue the Chief Commissioner said:
- ‘I accept that mistakes were made ... and that I can be criticised for some of them, but this ... ignores the reality of the difficult decision that I had to make about the timing of the release. As I said ... we’re in a bit of a Catch 22 situation: if I release the data in caretaker mode, I can be accused of being politically motivated; if I didn’t release the data in the caretaker mode, I can be accused of being politically motivated ...’
- ...
- ‘I was very aware of this risk and acted to address this risk ... I appreciate it is open to you to find that we then got that wrong by using unsettled data and not qualifying it’.

101. The media for the previous two summers had raised concerns about violence on the streets in the CBD. The released data also let rank and file police down. How could for example the Superintendent in charge of the area argue for more resources on the basis of this information or make sound operational decisions? It is also in contradiction to their practical experience of violence in the CBD.
102. In this regard the Chief Commissioner responded:
- ‘As I explained in my interview, resourcing and tasking decisions are not and never would be made on the basis of this single data set. We continue to inject new resources into the city and to supplement as appropriate with resources from other units to deal with the issues in and around the city’.
103. If previous recommendations made over the past two decades regarding the establishment of an independent bureau had been implemented, we would not have had this situation.
104. Policing has changed in significant ways in recent years and there is a clear need for a vision for the future of policing in Victoria. The current LEAP system is simply not suited for a modern police force. The inefficiencies in the collection and entry of data contributes to the shortcomings my investigation has identified.²⁴ To have 600 separate data bases (up from 350 in 2005) simply because the LEAP database is inadequate is not good enough.
105. It is in this context that the matter of the independence of crime statistics is crucial. It has been said that ‘Governments of all persuasions have an interest in glossing, delaying or interpreting the data. Criminal justice statistics should be published regularly and to timetables determined by the [independent] agency, not by the political exigencies of the moment’.²⁵ Victoria Police has failed in this regard by injudicious shifting of the timing of the release and by choosing to ignore warnings about the quality assurance processes which had not been completed; by including selective crime data; and by ignoring other crime data that revealed a different picture.
106. There is a clear need for an independent body to manage the release of crime statistics. The Chief Commissioner said: ‘I wholeheartedly agree with your findings and recommendation with respect to an independent bureau of crime statistics’.

24 Yet the Chief Commissioner stated in comments on the OPI (2011) report ... ‘that the broad critical statements made throughout the report about the LEAP database could undermine the Victorian community’s confidence in overall crime reporting.’ Page 76.

25 Professor Arie Freiberg, *The Sunday Age*, 29 May 2011.

Recommendations

Recommendation 1

I recommend that Victoria Police address the continuing inefficiencies in the recording of crime as a matter of urgency. In doing so, a comprehensive plan for the future of policing in relation to its information technology needs should be developed together with proper audit processes. Any new information system needs to embrace all aspects of modern technology as statistics have a bearing on resourcing for front line police.

Recommendation 2

I also recommend that the Victorian Government create an independent body to manage, collate and disseminate crime statistics.

Victoria Police's response:

Victoria Police supports the recommendations.

G E Brouwer
OMBUDSMAN

Appendix I: Intelligence brief.



VICTORIA POLICE

North West Metro Region Division 1

Intelligence Brief

CAVEAT

The interpretations and conclusions in this report are made on the balance of probabilities, on information available at the time of preparation. The information contained herein is NOT EVIDENCE and is intended to provide a basis for further consideration

Melbourne PSA YTD Assaults

As at 22nd February 2011

KEY FINDINGS

- **OVERALL ASSAULTS** – Up 2% on Year to Date Basis for Melbourne PSA
- **INDICTABLE ASSAULTS** – Figures suggest that indictable assaults within Melbourne PSA are higher across most offence types compared to the previous year.
- **SUMMARY ASSAULTS** – Figures suggest that summary assaults within Melbourne PSA are generally lower than the previous year.
- **OFFENCE LOCATION** – The number of assault offences detected as occurring in a street/lane/footpath location are down 18% on a YTD basis.

INTRODUCTION

Superintendent Rod WILSON from North West Metro Region Division 1 has requested initial analysis be undertaken to determine the current status of assault offences within Melbourne PSA.

This analysis has been based on initial information derived from SASeg as at 22nd February 2011.

This report will be further supplemented by additional analysis to be undertaken at a later date.

ANALYSIS

As at 22nd February 2011, on a Year to Date basis there were 1,687 assaults recorded indicating a 2% increase or (31 offences) on the previous year.

Of note is that serious assaults within the Melbourne PSA on a YTD basis have tended to increase which is evident in the following table of indictable assaults:

Prepared By:

Intelligence Brief

Appendix I: continued.

Table 1: Indictable Assault Offences within Melbourne PSA YTD Comparison (as at 22nd February 2011)

OFFENCE	INCREASE IN OFFENCES ON A YTD BASIS	UP NO OF OFFENCES
Recklessly Cause Injury	33%	66
Intentionally Cause Injury	10%	23
Reckless Conduct Endanger Life	122%	11
Reckless Conduct Endanger Serious Injury	50%	9
Intentionally Cause Serious Injury	19%	7

In comparison the following table indicates the summary assaults which have recorded significant decreases include:

Table 2: Summary Assault Offences within Melbourne PSA YTD Comparison (as at 22nd February 2011)

OFFENCE	DECREASE IN OFFENCES ON A YTD BASIS	DOWN NO OF OFFENCES
Assault Police (Summary)	48%	72
Affray (Common Law)	19%	33
Assault By Kicking	58%	15
Use Carriage Service to Threaten Serious Harm	N/A as 15 offences previously	15

It is evident from the initial analysis of assault offences by type that indictable assaults in the Melbourne PSA have increased on a Year to Date basis compared to the previous year and the impact of this increase has been significantly offset by the fact that the number of summary assaults have decreased.

Analysis of locations of assault offences on a Year to Date basis indicated that there was a significant reduction of 18% or 126 assaults occurring at a Street/Lane/Footpath LEAP location. Areas that experienced significant increases were at Unspecified/Unknown Location (220% or 77 offences), Multi level Carparks (500% or 30 offences), Train Stations (33% or 29 offences) and Restaurants/Fastfood outlets (42% or 20 offences).

CONCLUSION

It has been identified within Melbourne PSA that indictable assault offences have generally experienced increases over the period and vice versa for summary assaults.

Further analysis is to be undertaken to identify the key drivers to these increases/decreases however it should be noted that over recent times Melbourne PSA has implemented a number of initiatives to address the increase in indictable assaults including i.e. Operation , Operation and Operation

Appendix 2: Victoria Police media release.

28 October 2010

STREET ASSAULTS DOWN IN MELBOURNE CBD

Street assaults continue to drop significantly in Melbourne CBD, adding to an overall reduction in crime across the state.

Victoria Police has today released its most recent crime statistics which show a 14 per cent drop in street assaults in the city over the past 12 months.

The rolling 12 month statistics show a 3.8 per cent drop in overall crime across state, including a 9 per cent drop in robberies and continued reductions in property crime.

The overall crime rate has now fallen by 29.9 per cent since 2000/01, measured as a rate per 100,000 of the population.

The statistics compare the 12 months to September 2010 with the 12 months to September 2009. While there has been a slight increase in overall assaults of 0.5 per cent during that period, the significant factor behind this was an increase in family violence-related assaults of 7.7 per cent. When family violence is excluded, the rate of assaults decreased by 1.8 per cent.

Over the past 12 months, property crime has continued to decline with property damage dropping by 9.7 per cent, residential burglary by 8 per cent, theft from motor car down 5.9 per cent and theft of motor car down 11.4 per cent.

A number of regional and suburban areas have achieved significant reductions in crime including Monash, Melbourne, Yarra, Maribyrnong, Cardinia, Casey, Dandenong and Frankston.

Deputy Commissioner Kieran Walshe said the latest crime statistics demonstrated that the hard work of police officers right across the state was paying off, and they were having a strong impact on crime.

"Every weekend we have hundreds of police officers out on the streets, in licensed premises and in and around public transport corridors, actively working to address alcohol related behaviour and violence," Mr Walshe said.

"The reduction in assaults in the Melbourne CBD is a promising sign. In fact further analysis of the past three months alone – compared to the same three months last year – has shown a 27.5 per cent fall in street assaults in the city and a 12.4 per cent decrease in assaults across the state. It shows that we are making gains in this area and the city culture is starting to change.

"Whilst our officers are reporting considerable improvements in the behaviour and level of intoxication of those visiting the city on Friday and Saturday nights there is no room to be complacent.

"We are heading into the warmer months and more and more people will be consuming alcohol and heading out to licensed venues right across the state. It is a critical time on our roads and is typically a time when assaults and drunken behaviour more readily occur.

Appendix 2: continued.

"We will be maintaining a strong visible presence in and around licensed premises and whilst these latest statistics show we are moving in the right direction, the community and police must remain focused on this issue and continue to tackle alcohol related violence and public order offences.

"I ask people to be mindful of their actions and behaviour when consuming alcohol. Whilst there is nothing wrong with having a good time, police will continue to act swiftly if people are highly intoxicated and behaving in an offensive or aggressive way. "

Mr Walshe said in coming months officers from the Operations Response Unit would be supporting regional officers and transit police to conduct large scale operations across the state.

"We will continue to focus on street robberies and knife crime, running a number of targeted operations in various hotspots across the state.

"We will be saturating our roads in a bid to halt the rising road toll. This is a critical period for us - as the festive season approaches, so does the dangers of drink-driving and fatigue in long-haul trips.

"This year 22 more people have died on our roads compared with the same time last year.

"Police will be out across the state cracking down on speed, poor driver behaviour and drink-driving - but we need the community to work with us to reverse this trend."

ENDS

VP6393/2010

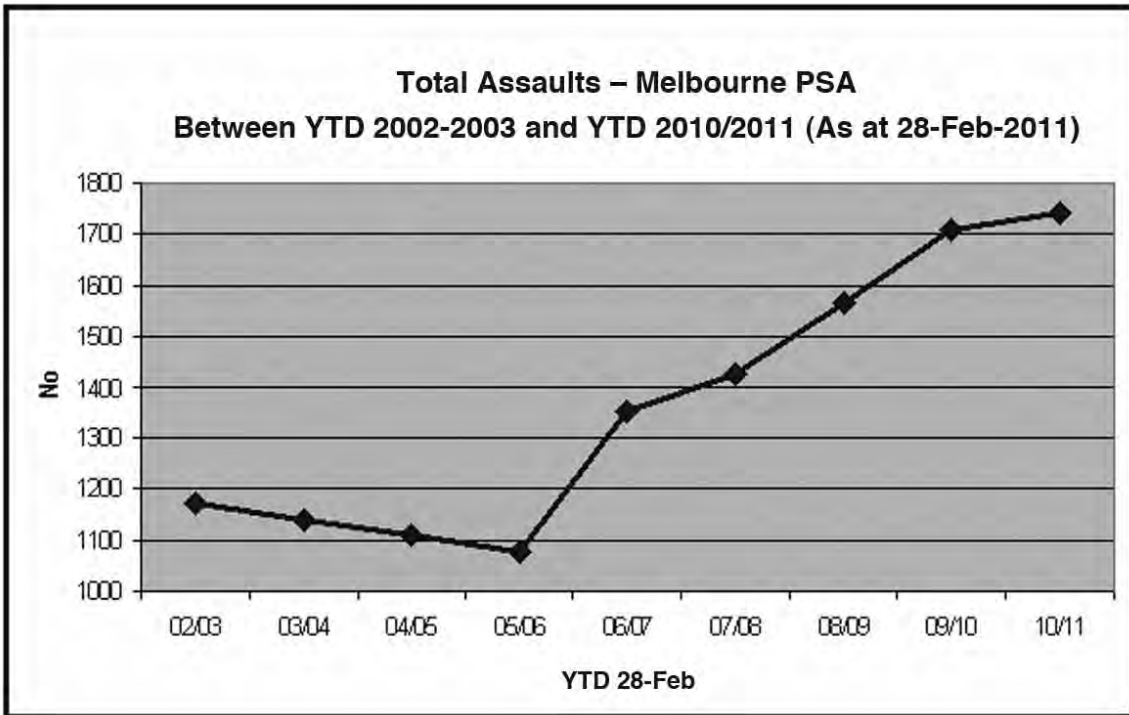
Appendix 3: Quarterly media release schedule 2010-II.

The following table provides the timelines for the provision of quarterly statistics for publishing on the Internet

Corp. Stats - Data Extraction	Corp. Stats & CDEB - Data cleansing	Corp. Stats - Data Extraction	Data Made available to M&CCD	M&CCD liaise with regions for comments on data	M&CCD publish data on Internet	Covering period*	Comparing to
5.1.10	5.1.10-4.2.10	5.2.10	8.2.10	8.2.10 - 12.2.10	16.2.10	Jan 2009 - Dec 2009	Oct 2008 - Dec 2008
5.4.10	5.4.10-4.5.10	5.5.10	6.5.10	6.5.10-13.5.10	17.5.10	Apr 2009 - Mar 2010	Apr 2008 - Mar 2009
18.7.10	N/A	N/A	End of financial year data.	Available on approx. 10-15.8.10		Jul 2009 - Jun 2010	Jul 2008 - Jun 2009
5.10.10	5.10.10-4.11.10	5.11.10	8.11.10	8.11.10 - 12.11.10	16.11.10	Oct 2009 - Sep 2010	Oct 2008 - Sep 2009
5.1.11	5.1.11-4.2.11	5.2.11	8.2.11	8.2.11-14.2.11	18.2.11	Jan 2010 - Dec 2010	Jan 2009 - Dec 2009
5.4.11	5.4.11-4.5.11	5.5.11	6.5.11	6.5.11-13.5.11	17.5.11	Apr 2010 - Mar 2011	Apr 2009 - Mar 2010
5.7.11	N/A	N/A	End of financial year data.	Available on approx. 10-15.8.11		Jul 2010 - June 2011	Jul 2009 - Jun 2010

* The most recent 12 months of Statistics compared to the same 12 months in the previous year.

Appendix 4: Email communication to Sup. Rod Wilson.



	02/03	03/04	04/05	05/06	06/07	07/08	08/09	09/10	10/11
Assaults	1173	1138	1109	1076	1350	1426	1567	1710	1742
% Increase		-3%	-3%	-3%	25%	6%	10%	9%	2%

Ombudsman's Reports 2004-11

2011

Corrupt conduct by public officers in procurement
June 2011

Investigation into record keeping failures by WorkSafe agents
May 2011

Whistleblowers Protection Act 2001 Investigation into the improper release of autopsy information by a Victorian Institute of Forensic Medicine employee
May 2011

Ombudsman investigation – Assault of a Disability Services client by Department of Human Services staff
March 2011

The Brotherhood – Risks associated with secretive organisations
March 2011

Ombudsman investigation into the probity of The Hotel Windsor redevelopment
February 2011

Whistleblowers Protection Act 2001 Investigation into the failure of agencies to manage registered sex offenders
February 2011

Whistleblowers Protection Act 2001 Investigation into allegations of improper conduct by a councillor at the Hume City Council
February 2011

2010

Investigation into the issuing of infringement notices to public transport users and related matters
December 2010

Ombudsman's recommendations second report on their implementation
October 2010

Whistleblowers Protection Act 2001 Investigation into conditions at the Melbourne Youth Justice Precinct
October 2010

Whistleblowers Protection Act 2001 Investigation into an allegation of improper conduct within RMIT's School of Engineering (TAFE) – Aerospace
July 2010

Ombudsman investigation into the probity of the Kew Residential Services and St Kilda Triangle developments
June 2010

Own motion investigation into Child Protection – out of home care
May 2010

Report of an investigation into Local Government Victoria's response to the Inspectors of Municipal Administration's report on the City of Ballarat
April 2010

Whistleblowers Protection Act 2001 Investigation into the disclosure of information by a councillor of the City of Casey
March 2010

Ombudsman's recommendations – Report on their implementation
February 2010

2009

Investigation into the handling of drug exhibits at the Victoria Police Forensic Services Centre
December 2009

Own motion investigation into the Department of Human Services – Child Protection Program
November 2009

Own motion investigation into the tendering and contracting of information and technology services within Victoria Police
November 2009

Brookland Greens Estate – Investigation into methane gas leaks
October 2009

A report of investigations into the City of Port Phillip
August 2009

An investigation into the Transport Accident Commission's and the Victorian WorkCover Authority's administrative processes for medical practitioner billing
July 2009

Whistleblowers Protection Act 2001 Conflict of interest and abuse of power by a building inspector at Brimbank City Council
June 2009

Whistleblowers Protection Act 2001 Investigation into the alleged improper conduct of councillors at Brimbank City Council
May 2009

Investigation into corporate governance at Moorabool Shire Council
April 2009

Crime statistics and police numbers
March 2009

2008

Whistleblowers Protection Act 2001 Report of an investigation into issues at Bayside Health
October 2008

Probity controls in public hospitals for the procurement of non-clinical goods and services
August 2008

Investigation into contraband entering a prison and related issues
June 2008

Conflict of interest in local government
March 2008

Conflict of interest in the public sector
March 2008

2007

Investigation into VicRoads' driver licensing arrangements
December 2007

Investigation into the disclosure of electronic communications addressed to the Member for Evelyn and related matters
November 2007

Investigation into the use of excessive force at the Melbourne Custody Centre
November 2007

Investigation into the Office of Housing's tender process for the cleaning and gardening maintenance contract – CNG 2007
October 2007

Investigation into a disclosure about WorkSafe's and Victoria Police's handling of a bullying and harassment complaint
April 2007

Own motion investigation into the policies and procedures of the planning department at the City of Greater Geelong
February 2007

2006

Conditions for persons in custody
July 2006

Review of the *Freedom of Information Act 1982*
June 2006

Investigation into parking infringement notices issued by Melbourne City Council
April 2006

Improving responses to allegations involving sexual assault
March 2006

2005

Investigation into the handling, storage and transfer of prisoner property in Victorian prisons
December 2005

Whistleblowers Protection Act 2001 Ombudsman's guidelines
October 2005

Own motion investigation into VicRoads registration practices
June 2005

Complaint handling guide for the Victorian Public Sector 2005
May 2005

Review of the *Freedom of Information Act 1982* Discussion paper
May 2005

Review of complaint handling in Victorian universities
May 2005

Investigation into the conduct of council officers in the administration of the Shire of Melton
March 2005

Discussion paper on improving responses to sexual abuse allegations
February 2005

2004

Essendon Rental Housing Co-operative (ERHC)
December 2004

Complaint about the Medical Practitioners Board of Victoria
December 2004

Ceja task force drug related corruption – second interim report of Ombudsman Victoria
June 2004