

NEW POLICE COMPLAINTS SCHEME

SEPTEMBER 2017

On 4 September 2017, a new legislative scheme governing the making and management of complaints about South Australia Police (SAPOL) officers was introduced.

The new scheme is governed by the *Police Complaints and Discipline Act 2016* which replaced the *Police (Complaints and Disciplinary Proceedings) Act 1985*.

WHY THE CHANGE?

At the request of the Attorney-General, the Independent Commissioner Against Corruption (ICAC) conducted a review of the legislative scheme governing the oversight and management of complaints about SAPOL officers.

The recommendations made in the review focussed on streamlining the complaints process, while maintaining a robust and fair system for the oversight and management of complaints about police.

The new legislation is the Parliament's response to the recommendations made in the review.

WHAT WILL HAPPEN UNDER THE NEW SCHEME?

The transition from the old police complaints scheme to the new scheme resulted in the closure of the Office of the Police Ombudsman on Friday 1 September 2017.

All unresolved complaints that were received under the previous legislation will be dealt with under the new legislation from transition day, Monday 4 September 2017.

HOW WILL YOUR COMPLAINT BE MANAGED?

The new police complaints scheme invests primary responsibility for the management of complaints about the conduct of police with the Internal Investigations Section (IIS) of SAPOL.

If you make a complaint to SAPOL, it will refer your complaint to IIS within three days. If you make a complaint to the OPI, the OPI will also refer the matter to IIS within three days unless the OPI decide to refer the matter to the ICAC.

Matters that may be referred to the ICAC include conduct that raises a potential issue of corruption or serious or systemic misconduct or maladministration.


Unless your complaint has been referred to the ICAC, IIS will be responsible for keeping you informed on the status and progress of your complaint.

Under the new scheme, the OPI oversees the manner in which complaints about police are managed. The OPI is able to reassess matters already assessed by SAPOL, and can issue directions to SAPOL about the investigation of complaints.


HOW TO MAKE A COMPLAINT UNDER THE NEW SCHEME


You can make a complaint about the conduct of police to the Office for Public Integrity (OPI) or to SAPOL.


TO THE OPI

 Complete the hard copy complaint form and mail it free of charge to:
Office for Public Integrity
Reply Paid 85033
Adelaide SA 5001


 Complete the online form at www.icac.sa.gov.au

 Call **8207 1777**
(1300 782 489 country callers)


 Email admin@opi.sa.gov.au

 Visit the OPI in person at
Level 1, 55 Currie Street
Adelaide (by appointment only)

TO SAPOL

 Call **7322 3308**

 Email SAPOLIIS@police.sa.gov.au

 Request any SAPOL officer to take your complaint



The information contained in this document is of a general nature only and does not constitute legal advice.

FACTSHEET