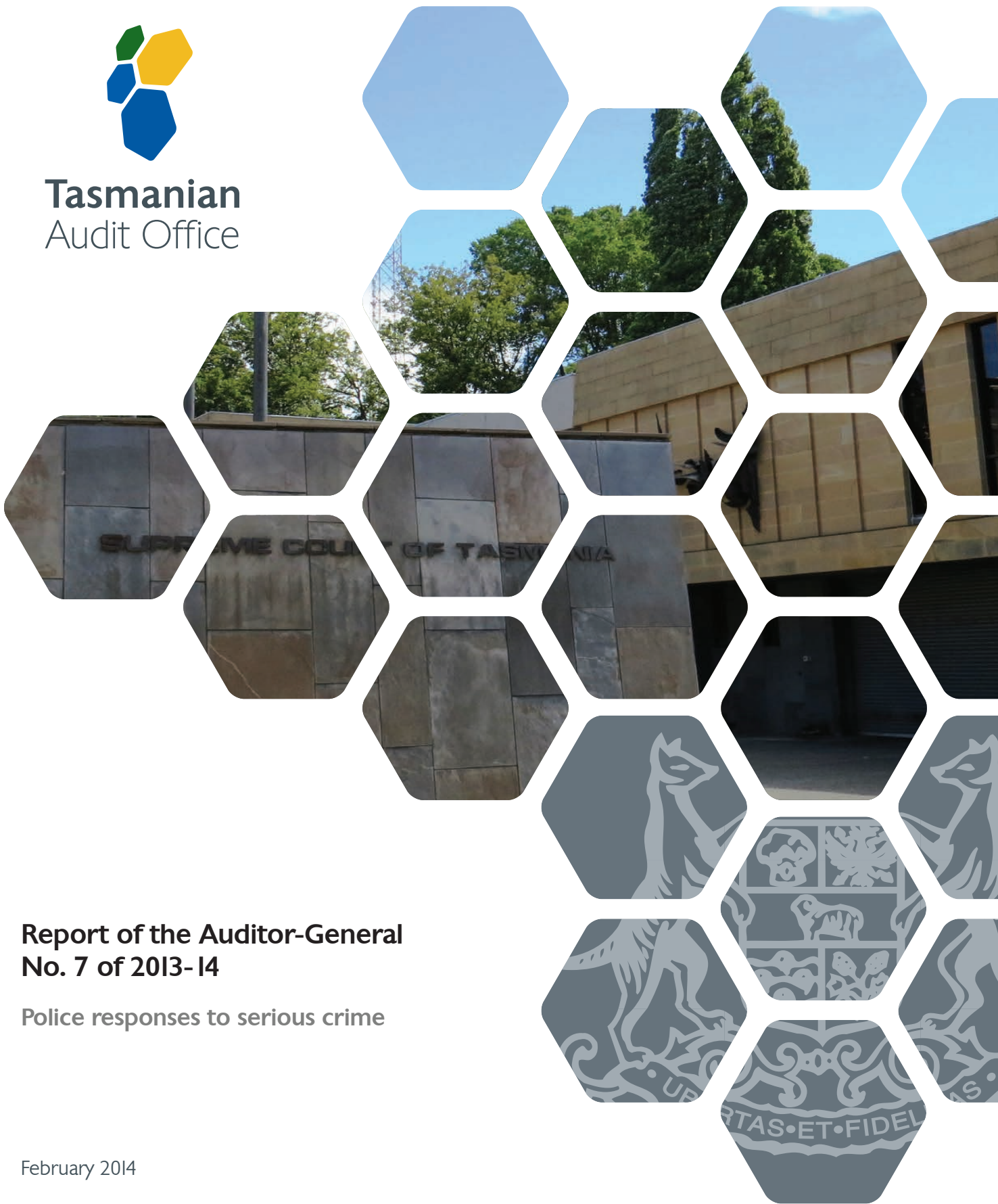




Tasmanian
Audit Office



**Report of the Auditor-General
No. 7 of 2013-14**

Police responses to serious crime

February 2014

The Role of the Auditor-General

The Auditor-General's roles and responsibilities, and therefore of the Tasmanian Audit Office, are set out in the *Audit Act 2008* (Audit Act).

Our primary responsibility is to conduct financial or 'attest' audits of the annual financial reports of State entities. State entities are defined in the Interpretation section of the Audit Act. We also audit those elements of the Treasurer's Annual Financial Report reporting on financial transactions in the Public Account, the General Government Sector and the Total State Sector.

Audits of financial reports are designed to add credibility to assertions made by accountable authorities in preparing their financial reports, enhancing their value to end users.

Following financial audits, we issue a variety of reports to State entities and we report periodically to the Parliament.

We also conduct performance audits and compliance audits. Performance audits examine whether a State entity is carrying out its activities effectively and doing so economically and efficiently. Audits may cover all or part of a State entity's operations, or consider particular issues across a number of State entities.

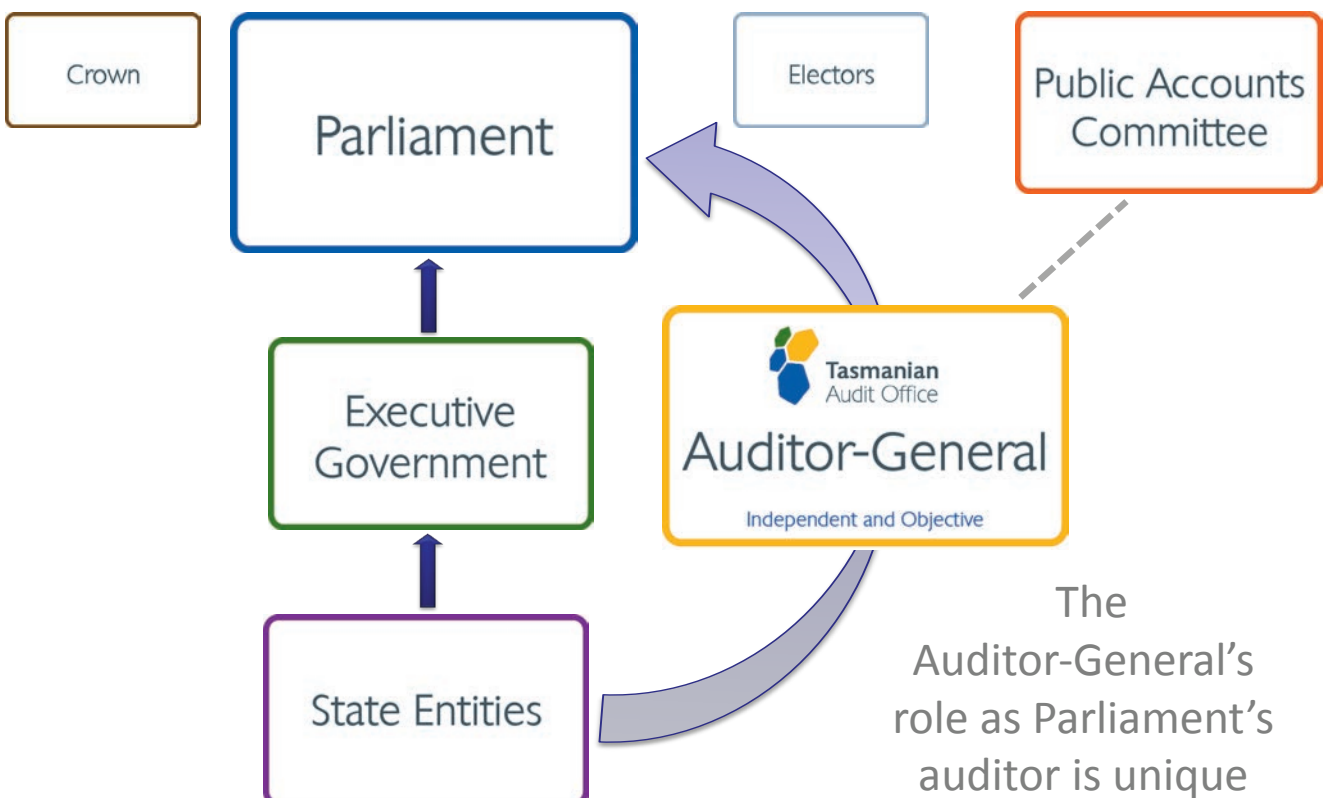
Compliance audits are aimed at ensuring compliance by State entities with directives, regulations and appropriate internal control procedures. Audits focus on selected systems (including information technology systems), account balances or projects.

We can also carry out investigations but only relating to public money or to public property. In addition, the Auditor-General is now responsible for state service employer investigations.

Performance and compliance audits are reported separately and at different times of the year, whereas outcomes from financial statement audits are included in one of the regular volumes of the Auditor-General's reports to the Parliament normally tabled in May and November each year.

Where relevant, the Treasurer, a Minister or Ministers, other interested parties and accountable authorities are provided with opportunity to comment on any matters reported. Where they choose to do so, their responses, or summaries thereof, are detailed within the reports.

The Auditor-General's Relationship with the Parliament and State Entities



2014

No. 2



2014

PARLIAMENT OF TASMANIA

**REPORT OF THE
AUDITOR-GENERAL
No. 7 of 2013–14**

Police responses to serious crime

February 2014

Presented to both Houses of Parliament in accordance with the provisions of Audit Act 2008

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Auditor-General's reports are available from the Tasmanian Audit Office, Hobart, although in limited supply. This report, and other Special Reports, can be accessed via our home page (<http://www.audit.tas.gov.au>).

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6 February 2014

President
Legislative Council
HOBART

Speaker
House of Assembly
HOBART

Dear Mr President
Dear Mr Speaker

REPORT OF THE AUDITOR-GENERAL
No. 7 of 2013–14: Police responses to serious crime

This report has been prepared consequent to examinations conducted under section 23 of the *Audit Act 2008*. The performance audit assessed the effectiveness of police investigations into serious crime including preparation of prosecution briefs and actions undertaken to reduce the incidence of serious crime.

Yours sincerely

H M Blake
AUDITOR-GENERAL

Contents

Foreword	vii
Executive Summary	2
Background	2
Detailed audit conclusions.....	2
Recommendations made.....	3
<i>Audit Act 2008</i> section 30 — Submissions and comments received	6
Introduction	10
1 How effective are police investigations into serious crime?	14
1.1 Background.....	14
1.2 Has the clearance rate for serious crimes improved over time?	14
1.3 How did the clearance rate in Tasmania compare to other jurisdictions?	16
1.4 Did any cleared cases not go to trial because of procedural mistakes? .	18
1.5 Did uncleared crimes receive appropriate attention?	19
1.6 Have clearance rates been accurately and consistently measured?.....	20
1.7 Did Tasmania Police follow its own internal procedures?.....	21
1.8 Conclusion.....	23
2 How effective was Tasmania Police at preparing prosecution briefs? .	26
2.1 Background.....	26
2.2 Were prosecution briefs adequate for their purpose?.....	26
2.3 Were prosecution briefs prepared in a timely manner?	27
2.4 Did Tasmania Police follow its own internal procedures with prosecution briefs?	28
2.5 Conclusion.....	28
3 How effective were actions undertaken to reduce the incidence of serious crime?	30
3.1 Background.....	30
3.2 How does the level of serious crime in Tasmania compare to other Australian jurisdictions?.....	30
3.3 Had police been effective at reducing the incidence of serious crimes over time?.....	31
3.4 Have crime prevention programs been evidence-based, effective and raised community awareness?.....	34
3.5 Conclusion.....	39
Independent auditor’s conclusion	42
Recent reports	46

Current projects	48
Appendix.....	50

List of Figures

Figure 1: Serious Crime Clearance Rate 2008–09 to 2012–13	15
Figure 2: Robbery percentage finalised — 30-day status 2011	17
Figure 3: Homicide percentage finalised — 30-day status 2011	17
Figure 4: Serious crimes 2011 — per 100 000 people.....	31
Figure 5: Number of serious crimes 1998–99 to 2012–13.....	33
Figure 6: Total serious crimes and funding to ‘Public safety – support to the community’ (CPI adjusted to 1998 dollars).....	33
Figure 7: Bridgewater Police Division — Arson offences against private and Housing Tasmania properties	36
Figure 8: Inter–Agency Support Teams — Total number of exits by category	38

List of Tables

Table 1: Tasmania Police Manual — Police investigation procedures	18
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Foreword

This performance audit set out to assess Tasmania Police's effectiveness when investigating serious crime, preparing prosecution briefs and actions undertaken to reduce the incidence of serious crime. I also considered how Tasmania Police measures its own performance in relation to serious crime.

Overall, I concluded that, in all material respects, Tasmania Police is performing effectively and that the fall in the number of serious crimes in recent years is pleasing. One difficulty I experienced in carrying out this audit was establishing a causal relationship between expenditure and the number of serious crimes committed although I noted that a fall in serious crime in Tasmania could be attributed, at least in part, to an increase in government spending. In my view establishing such causal relationships needs further research and I encourage Tasmania Police to do this research.

I also noted some difficulty in comparing Tasmania Police's performance with other Australian jurisdictions caused mainly by differing approaches to defining serious crimes. It would be helpful if common definitions were used.

The recommendations made in this Report were aimed at ensuring compliance with internal Tasmania Police standards, all investigative options are pursued and applicable measures of success are established for crime prevention programs that involve substantial resources.

H M Blake

Auditor-General

6 February 2014

Executive Summary

Executive Summary

Background

As Tasmania's law enforcement organisation, Tasmania Police aims to reduce crime through its investigations. A subset of criminal investigations is investigations into serious crime, which is a priority activity for Tasmania Police.

The number of serious crimes has remained fairly steady from 2008–09 to 2012–13, with a low of 447 offences in 2011–12, and a high of 529 offences in 2010–11.

Crime prevention is another important activity of Tasmania Police, involving a range of programs and activities designed to reduce the incidence of serious crime.

With a focus on serious crime, we examined three main areas of police work — investigations, the preparation of prosecution briefs, and preventive activities. Accordingly, the objective of the audit was to assess the effectiveness of police work in relation to these three areas.

Organisationally, the scope encompassed Tasmania Police, and primarily used data from 2008–09 to 2012–13.

Detailed audit conclusions

The audit conclusions are based on criteria that we developed to support the audit's objective and are aligned to the chapter structure of the Report.

1 Police investigations

Tasmania has a relatively high clearance rate of serious crimes compared to other jurisdictions and we found sound investigations were undertaken for cleared and uncleared cases. Tasmania Police also, in general, consistently and accurately measured the number of serious crimes, and followed its own internal procedures. Overall, we concluded that Tasmania Police was effective at investigating serious crime.

2 Preparation of prosecution briefs

We analysed a selection of prosecution briefs and found them to be suitable for their purpose and prepared in a timely manner. Nevertheless, checks undertaken by senior police before a file goes to the Director for Public Prosecutions (DPP) should be recorded in correspondence, to satisfy the public and the DPP that Tasmania Police has met its own standard, as outlined in

the Tasmania Police Manual. We concluded that Tasmania Police was effective and efficient at preparing prosecution briefs.

3 *Crime prevention activities*

We asked whether crime prevention activities were based on prior research or evidence; were effective; and had raised community awareness of their respective issue. Two of the three programs we analysed were based on prior research or evidence, and two out of three had some evidence to show they could reduce the likelihood of serious crimes occurring in the future.

One of the three programs we analysed was not designed to raise community awareness about serious crime issues, and one did not appear to have had an impact on community awareness of arson issues. However, there was one program which had considerable success in raising community awareness and obtaining community action.

Recommendations made

The Report contains the following recommendations.

Rec	Section	We recommend that ...
1	2.4	... all relevant correspondence for indictable files, from Tasmania Police to the DPP, be reviewed to ensure the quality of the file is of sufficient standard and all investigative options have been pursued. Furthermore, correspondence should include comment on the quality of files and the checks undertaken.
2	3.4.3	... Tasmania Police develops with relevant stakeholders, measures of success (where applicable) for crime prevention programs that involve substantial resources.

Audit Act 2008 section 30 — Submissions and comments received

Audit Act 2008 section 30 — Submissions and comments received

Introduction

In accordance with section 30(2) of the *Audit Act 2008*, a copy of this Report was provided to the Department of Police and Emergency Management.

A summary of findings, with a request for submissions or comments, was also provided to the Minister for Police and Emergency Management.

Submissions and comments that we receive are not subject to the audit nor the evidentiary standards required in reaching an audit conclusion. Responsibility for the accuracy, fairness and balance of these comments rests solely with those who provided the response.

Minister for Police and Emergency Management

Tasmania Police has well established performance and accountability processes in place and these are complemented by external reviews such as this audit by your office. I have discussed the Report with the Commissioner of Police and it is pleasing to find the audit confirms Tasmania Police is performing well in this area with Tasmania continuing to experience lower incidence of serious crime than any other Australian State.

As Minister for Police and Emergency Management I am pleased to note the positive comments with regard to the quality of the work undertaken by police officers investigating these crimes.

I have also noted that your report makes two recommendations and the Commissioner of Police has written to you separately to state that he will be giving priority to implementation of these recommendations.

David O'Byrne MP

MINISTER FOR POLICE AND EMERGENCY MANAGEMENT

Department of Police and Emergency Management

Thank you for the opportunity to comment on your agency's draft report into the audit of the Tasmania Police response to serious crime.

I am heartened to find the audit confirms Tasmania Police is performing well in this area. Your report should provide

reassurance to the Tasmanian community as it shows we have a lower incidence of serious crime than any other Australian State. It also identified that when serious crimes are committed, Tasmania Police responds quickly and effectively. It is also pleasing to see the positive comments with regard to the quality of the work undertaken by police officers investigating these crimes.

As an agency we continually strive to improve our performance and I appreciate the areas within the report which may enhance our practices.

The review identified a single case in which it was noted that further investigative work should have been undertaken. I can advise that this matter has since been reviewed. The person named in the Offence Report as a suspect was not initially interviewed as they had been discounted as a person of interest through other enquiries. In this matter, the investigator had inadvertently not updated the Offence Report to reflect the additional enquires undertaken. This has now been remedied and for verification purposes the suspect was also interviewed which confirmed that person's non-involvement in this crime.

In relation to the comments more generally on Tasmania Police's Offence Reporting database, it is gratifying the report recognises the agency's self-initiated improvement with regard to report validation and the increased rigour this provides.

The agency will continue to improve our practices when implementing crime prevention initiatives. It should be recognised, however, that benefits derived from these programs are not easily measured and that processes should not be put in place which may stifle local initiatives. In many cases, simply creating a positive working relationship with relevant stakeholders is a measure of success.

Finally, I note the report makes two recommendations as a result of your review. I commit to prioritising the implementation of these recommendations.

DL Hine
COMMISSIONER OF POLICE

Introduction

Introduction

Background

Tasmania Police is Tasmania's law enforcement organisation, with a key objective being to reduce crime through its investigations. A subset of criminal investigations is investigations into serious crime, which is a priority activity for Tasmania Police. There are 37 serious crime offences defined by Tasmania Police, which include a range of offences against the person, and a smaller number of offences involving property over the value of \$50 000. The offences include:

- assault
- robbery
- arson
- rape
- murder, attempted murder, manslaughter
- stealing (over \$50 000)
- burglary (over \$50 000)
- shoplifting (over \$50 000).

The number of serious criminal offences in Tasmania remained steady from 2008–09 to 2012–13, with a low of 447 offences in 2011–12, and a high of 529 offences in 2010–11¹.

Tasmania Police is also involved in crime prevention, which includes a range of programs and activities designed to reduce the incidence of serious crime.

Audit objective

The objective of the audit was to assess the effectiveness of police:

- investigations into serious crime
- preparation of prosecution briefs
- actions undertaken to reduce the incidence of serious crime.

In doing this, the audit also considered how Tasmania Police measures its own performance in relation to serious crime.

¹ Department of Police and Emergency Management, *Annual Report 2011-2012*, Hobart, 2012, pp.26-27.

Audit criteria

The audit criteria developed for this audit were aimed at addressing the following effectiveness aspects:

- How effective are police investigations into serious crime?
- How effective is Tasmania Police at preparing prosecution briefs?
- How effective are actions undertaken to reduce the incidence of serious crime?

Audit scope

This audit assesses the performance of Tasmania Police in addressing serious crime, with a focus on the past five years (2008–09 to 2012–13). Other aspects of police work, such as public safety and traffic policing, as well as other minor crimes, were not covered by the audit.

In relation to actions taken by Tasmania Police to reduce the incidence of serious crime, the audit investigated three programs conducted over the review period. Two of these programs do not directly target serious crime. Instead, they target activities that can lead to an escalation towards serious crime (i.e. the prevalence of illegal firearms and activities of at-risk youth).

Audit approach

In line with the three audit criteria we developed, we created a number of sub-criteria and set about finding answers to each. We sought appropriate audit evidence by:

- interviewing staff
- analysing serious crime statistics, obtained primarily from Tasmania Police and the Productivity Commission
- review of case files, Offence Reports and other electronic records obtained from Tasmania Police and the DPP
- examining policies, procedures and other documentation.

For our first audit criterion, we relied on a mixture of Tasmanian and national statistics, police and DPP case files, the Tasmania Police Manual, and interviews with police staff. Our second criterion predominantly used police case files, while our

third required a mixture of qualitative and quantitative data to assess the effectiveness of three crime prevention programs.

Timing

Planning for this audit began in July 2013. Fieldwork was completed in November 2013 and the report was finalised in January 2014.

Resources

The audit plan recommended 925 hours and a budget, excluding production costs, of \$140 539. Total hours were 728 and actual costs, excluding production, were \$106 857, which was below our budget.

1 How effective are police investigations into serious crime?

1 How effective are police investigations into serious crime?

1.1 Background

As outlined in the Introduction, Tasmania Police has categorised 37 different types of serious crime, which included crimes against the person and crimes against property.

We reviewed whether police investigations into serious crime are effective, by asking:

- Has the clearance rate for serious crimes improved over time?
- How did the clearance rate in Tasmania compare to other jurisdictions?
- Did any cleared cases not go to trial because of procedural mistakes made by Tasmania Police?
- Did uncleared crimes receive appropriate attention by Tasmania Police?
- Have clearance rates been accurately and consistently measured?
- Has Tasmania Police followed its own internal procedures?

For the last two questions, we used the Tasmania Police Manual as a guide. The Manual is a compendium of orders, instructions and guidelines to assist members of Tasmania Police in fulfilling their responsibilities. It is primarily aimed at providing guidance for sworn police officers, although it may be used by State Service employees and State Emergency Service volunteers where applicable. While the Manual is intended as a guide, Orders are to be complied with by all members of Tasmania Police as per the *Police Service Act 2003*.

1.2 *Has the clearance rate for serious crimes improved over time?*

A key measure used by police agencies to gauge the success of their criminal investigations is to compare the total number of crimes that are 'cleared', with the total number of crimes

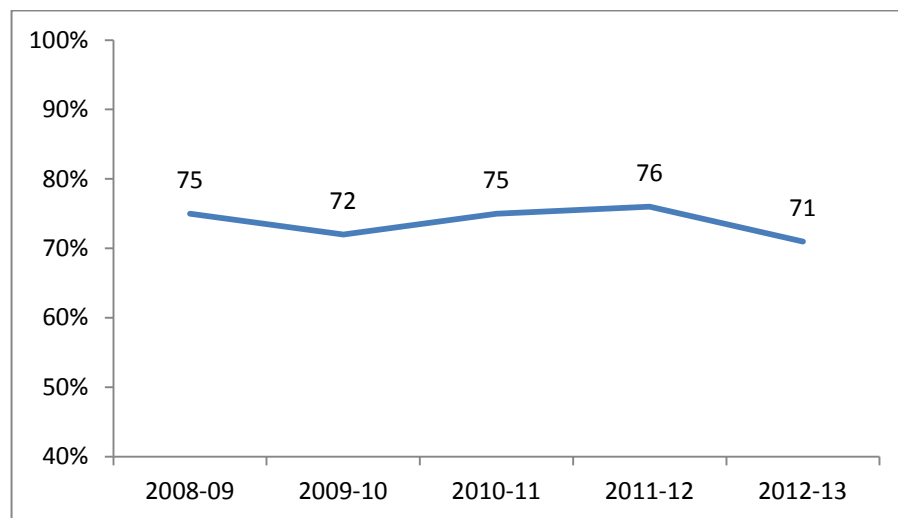
recorded (known as the clearance rate)². The term clearance includes the following:

- initiation of court proceedings
- unable to proceed (e.g. death of alleged offender)
- lapsing of offence (e.g. statute of limitations)
- offence withdrawn (e.g. victim does not wish to proceed)³.

We were interested in two types of clearance rate data, to understand how effective Tasmania Police is at clearing crimes. These are clearance rates over time, and clearance rates compared to other Australian jurisdictions.

The clearance rate for Tasmanian crimes for 2008–09 to 2012–13 remained fairly steady over the five-year period. This means that there has been little change in the percentage of crimes being cleared and little change in the percentage that go unresolved. The changes in the clearance rate are shown in Figure 1.

Figure 1: Serious Crime Clearance Rate 2008–09 to 2012–13



Source: Tasmania Police

Importantly, there does not appear to be any consistent trend upwards or downwards in the clearance rate. From a starting figure of 75 per cent in 2008–09, there was a slight fall in

² Department of Police and Emergency Management, *Annual Report 2011–12*, Department of Police and Emergency Management, October 2012, p.34. Criminal Justice Profile 1993, 'Criminal Justice Glossary'. Accessed 10 October 2013. <http://plsinfo.org/healthysmc/12/glossary.html>

³ Department of Police and Emergency Management, *Annual Report 2011–12*, Department of Police and Emergency Management, October 2012, p.34.

2009–10 before two calendar years of increases, leading to a rate of 76 per cent in 2011–12. This was followed by a fall to 71 per cent in 2012–13.

Tasmania Police records statistics each year about the number of full time equivalent staff in the agency. This shows that Tasmania Police had a fall in staff between 2011 (1228 staff) and 2013 (1120 staff) or nine per cent. However, in our discussions with Tasmania Police staff, they stated that the small changes in the clearance rate over the years could not be easily attributed to changes in the actions of Tasmania Police, the number of operational police, or other factors. We agree with this viewpoint, which is further supported by evidence presented in Section 3.2 of this Report.

1.3 *How did the clearance rate in Tasmania compare to other jurisdictions?*

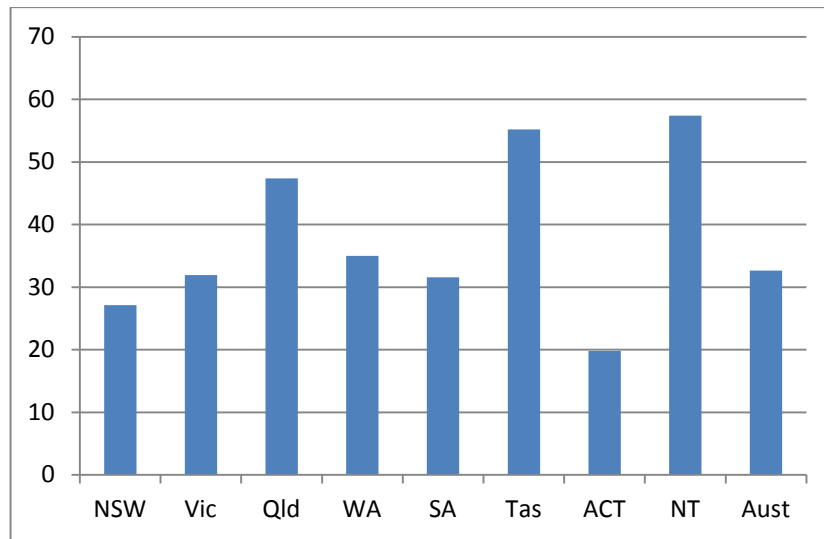
Tasmania Police state that there is no comparable clearance rate data for Australian jurisdictions that is reported on an annual basis. However, the Productivity Commission's *Report on Government Services* (ROGS) produced comparative data for some serious crimes in 2011 for finalised cases after 30 days from the time the crime was reported to police⁴. It should be noted that in ROGS, which we use in the following Section, the Productivity Commission noted that 'extreme caution' should be used in making comparisons between states and territories. This is due to differences in business rules, procedures, systems and recording practices of police agencies across the country⁵.

The first group of serious crimes we decided to examine was robbery, which includes armed and unarmed robbery. This is demonstrated in Figure 2.

⁴ A finalised case is defined and grouped in the same way as clearances. Finalised is the term used in national reporting, while cleared is the Tasmanian term.

⁵ Productivity Commission, *Report on Government Services 2013*, Volume 1, Productivity Commission, 2013, Attachment Table 6A.31.

Figure 2: Robbery percentage finalised — 30-day status 2011

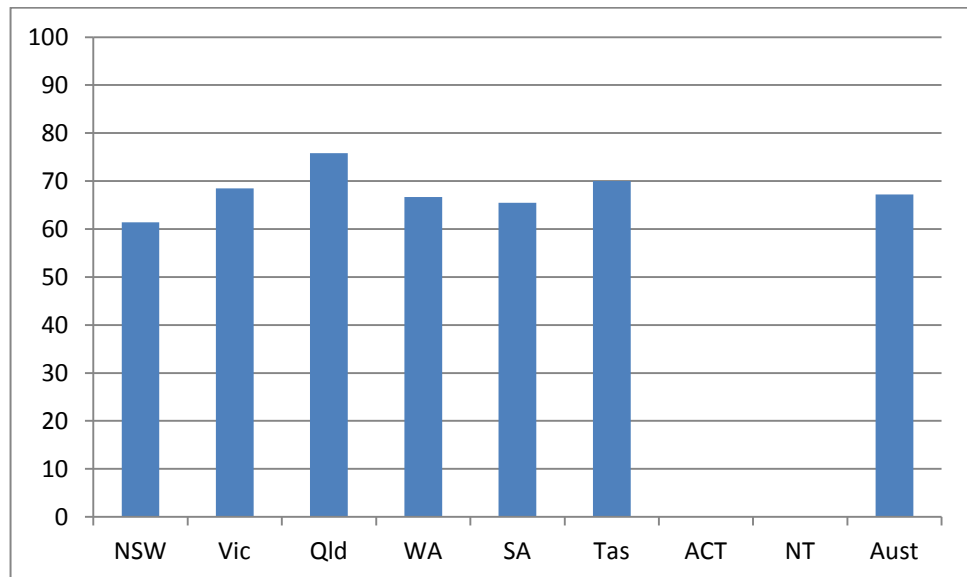


Source: Productivity Commission, Report on Government Services 2013, Volume 1, Table 6A.31.

The data in Figure 2 indicates Tasmania is performing second to the Northern Territory, with 55 per cent of robberies finalised within a 30-day period. Compared to the Australian average, Tasmania was also performing very well.

Another group of serious crimes where comparative timeliness measures are available is homicide, shown in Figure 3 below.

Figure 3: Homicide percentage finalised — 30-day status 2011



Source: Productivity Commission, Report on Government Services 2013, Volume 1, Table 6A.31.

In 2011, more than half of the homicide cases were finalised across the country within 30 days of the crime being reported. The Australian average was 67 per cent. The highest rate was in

Queensland with 75 per cent. Figure 3 also shows that Tasmania is performing to a high level. However, the low number of homicide cases being counted in the smaller states such as Tasmania (10 cases for the year), and the differences between jurisdictions in terms of their recording practices, suggests caution should be applied when interpreting these figures.

Overall then, and notwithstanding concerns about interstate comparisons, we concluded that Tasmania appears to assess and clear its cases relatively quickly and effectively compared to other jurisdictions.

1.4 *Did any cleared cases not go to trial because of procedural mistakes?*

As outlined in Section 1.2, cleared cases can fall into various categories which include cases going to trial, and a number of categories where the case does not proceed to trial. These include unable to proceed (e.g. death of the alleged offender, diplomatic immunity), lapsing of offence or case withdrawn. In addition, sometimes when Tasmania Police recommends that the DPP institutes court proceedings against an accused person, the case does not eventuate in a trial (i.e. the accused is 'discharged'). This is either because the DPP believes there is a low likelihood of a conviction, or it is not in the public interest.

We reviewed whether police had been effective at gathering evidence and following correct procedures — that is, if any of the reasons for discharge were due to oversights made by Tasmania Police.

We assessed a random sample of cleared cases which did not proceed to trial. We found that the reasons for cases being discharged varied, and included: charges being dropped by the complainant; no independent witnesses; self-defence and difficulty in attributing blame for the crime; differences in the complainant's version of events; complainant could not remember the incident sufficiently; and Closed-Circuit Television (CCTV) footage was not sufficiently strong. From the case files we reviewed, there were no cases where the discharge occurred due to procedural mistakes made by Tasmania Police (see Case Studies 1 and 2 for further evidence).

Case Study #1

One discharged case we assessed involved a charge of assault (wounding) against a woman, after she was involved in an altercation with her partner using a knife. The DPP decided to drop the charge, given there were no independent witnesses to the events, and the nature of the wounds could be explained by both the accused and the complainant's version of events. There was also a strong case for self-defence.

Case Study #2

Another example was a man charged with the attempted rape of his partner. After some time his partner asked the DPP to drop the charge, given she had reconciled with the man and did not want to give evidence against him. Given the victim's desire to drop the charge, it seems the DPP had no other option than to discharge the man.

1.5 *Did uncleared crimes receive appropriate attention?*

We assessed the police case files of a number of crimes which were yet to be cleared, to see what effort was made by Tasmania Police to solve these crimes. We were interested in seeing whether Tasmania Police was giving these crimes sufficient attention.

Of the files we examined, the vast majority of cases appeared to have been thoroughly investigated, with either no proof of a crime being committed; police having no reasonable grounds to believe a suspect had committed a crime; or police were unable to find a suspect. To illustrate, in most cases a variety of investigative techniques were used or considered, which included witnesses and suspects interviewed, CCTV footage assessed, forensic and medical reports undertaken and doorknocks conducted.

There was one case, however, where we believe further investigation work should have been undertaken, concerning an arson case at Launceston. Two and a half hours after the blaze, the fire scene investigator advised police that there was a suspect who appeared at this fire. Formerly a volunteer fire fighter, the person was relieved of this position because of suspicions regarding several previous arson cases. Importantly, the person was not interviewed by Tasmania Police, despite the history and the person's presence at the scene and at four other recent fires.

Given that there was only one case which showed further investigative work was required, we believe this was an aberration, rather than a systemic problem with the way investigations are undertaken. We concluded that uncleared crimes are receiving appropriate attention by police.

1.6 *Have clearance rates been accurately and consistently measured?*

We were interested in finding out whether clearance rates were being accurately and consistently measured, by reviewing three measures for accuracy and consistency:

- Were Offence Reports (ORs) completed immediately after police became aware a crime had been allegedly committed?
- Were all alleged crimes included in a database?
- Did a validation process take place after each Offence Report was created?

1.6.1 *Were offence reports completed immediately after police became aware a crime had been allegedly committed?*

We evaluated whether Tasmania Police had completed ORs in a timely manner, to ensure important details were not lost over time. We checked cleared ORs to see whether they had been completed immediately after the offence was reported, as required in the Tasmania Police Manual.

Only sixty per cent of offence reports met this criterion. The remaining reports did not have a date in the 'Summary and MO' section, making it impossible to determine whether this important section of the document was written on the day the offence report was created, or sometime after.

Tasmania Police advised that a new OR system, 'ORS2' was introduced in January 2012. This system included automatic date stamping in the 'Summary and MO' section. We checked ORs before and after this date, and this confirmed that ORs before January 2012 did not have dates and times in the 'Summary and MO' section, while ORs after January 2012 had date and times. We were therefore satisfied that Tasmania Police have remedied this deficiency with the OR system.

1.6.2 *Were all alleged crimes included in a database?*

We assessed randomly selected telephone calls to police to see if they had been recorded in the OR or Information Data Management (IDM) system, which is an intelligence system used to record a range of information. A reported crime is only recorded in the OR database after it has been verified by the

attending police. Where attending police do not confirm a crime had taken place, they may choose to create an information report in the IDM system, if they feel there is information (intelligence) which may be useful in the future.

We tested and were satisfied that an offence was recorded in all cases where attending police confirmed that it had occurred.

1.6.3 *Did a validation process take place after each Offence Report was created?*

After each OR is created, a senior police officer or Crime Management Unit member checks to ensure all fields in the OR are completed and the data entered is correct.

As outlined above, Tasmania Police advised that a new OR system, 'ORS2' was introduced in January 2012. This incorporated a drop-down option with the words 'This report is confirmed as being valid, with all offences correct'. Prior to this new system being introduced, no record of the validation process would be evident in the Offence Reporting System, unless a supervisor made a change to the offences recorded.

We reviewed ORs, some of which had been created after 6 January 2012, and others which were created beforehand. As expected, the more recent ORs included information that confirmed validation. These ORs were relatively recent. As expected, however, the older ORs did not have any record of a validation process taking place.

We were pleased that Tasmania Police had introduced this change to the Offence Reporting System that creates an automatic notice, as it provides assurance that quality control is consistently taking place.

1.6.4 *Conclusion*

We believe that clearance rates are being accurately and consistently measured.

1.7 *Did Tasmania Police follow its own internal procedures?*

The Tasmania Police Manual has an investigation procedures section (see Appendix). From this we created six tests and undertook an assessment, as outlined in Table 1.

Table 1: Tasmania Police Manual — Police investigation procedures

Procedure	Findings
1. Members must conduct sufficient reasonable inquiries in an investigation to establish that a crime(s) have been committed	Sufficient reasonable inquiries were conducted by police in all cases.
2. Members must conduct sufficient reasonable inquiries in an investigation to establish the person(s) responsible for committing that crime(s)	In all cases except one, we believe the police conducted sufficient inquiries. In some cases police were unable to find a suspect. In one case, a possible suspect connected to an arson was not interviewed by police, which was a clear oversight (Section 1.5).
3. Investigators are to conduct sufficient inquiries to investigate possible defences to a crime, particularly in circumstances where a suspect may nominate witnesses, including alibis	While in a small number of cases there were no defendants, in all cases where there was a defendant(s), investigators conducted adequate inquiries to investigate possible defences to a crime.
4. Relevant inquiries must be conducted regardless of whether such issues are raised during an investigation or later during court proceedings	In the cases where there was a defendant(s), relevant inquiries regarding defences to a crime were conducted.
5. All potential sources of evidence were investigated (complaints and witnesses; crime scene examination; exhibit examination and analysis; records; intelligence and information; technical/physical surveillance; interview of suspects/offenders)	In all but one case, all potential sources of evidence appear to have been investigated. In one case a suspect had not been interviewed (Section 1.5).
6. Investigation plan created	Tasmania Police advised that investigation plans are stored on the police intranet site, partly due to their confidential nature. We viewed a number of investigation plans and were satisfied that they are created for complex cases.

Overall, our review of the investigations section of the Tasmania Police Manual revealed that in the vast majority of cases, Tasmania Police met its required standard. The most obvious omission to us was that, in one case, a possible arson suspect was not interviewed.

1.8 *Conclusion*

Tasmania has a relatively high clearance rate of serious crimes compared to other jurisdictions and we found sound investigations were undertaken for cleared and uncleared cases. Tasmania Police also, on the whole, consistently and accurately measured the number of serious crimes, and followed its own internal procedures. Overall, we concluded that Tasmania Police was effective at investigating serious crime.

2 How effective was Tasmania Police at preparing prosecution briefs?

2 How effective was Tasmania Police at preparing prosecution briefs?

2.1 *Background*

The term ‘prosecution brief’ is used to describe three important documents which form part of a police file — the brief itself, facts for the prosecutor and a fact form. Other parts of a police file may include statutory declarations, photos, ballistics and forensic information. Prosecution briefs are created once an arrest is made and prior to the accused facing the Magistrates Court.

We reviewed whether Tasmania Police was effective at preparing prosecution briefs, by asking three key questions:

- Were prosecution briefs adequate for their purpose?
- Were prosecution briefs prepared in a timely manner?
- Did Tasmania Police follow its own internal procedures?

2.2 *Were prosecution briefs adequate for their purpose?*

Our initial thoughts about this were that a successful prosecution brief would accurately recount the crime and the facts surrounding it, and be of a quality sufficient to sustain a charge and later a conviction.

In correspondence with us, the Assistant Director of Public Prosecutions from the DPP stated that the quality of police files in general is rarely a reason why the DPP fails to secure a conviction. As he mentioned:

... on the whole the decision not to indict an accused person and to discharge them from further proceedings on a complaint has nothing to do with the standard of police files ... A Crown Law Officer can only indict an accused person if there is a reasonable prospect of conviction. The test for indicting a person is much higher than the test for Police to charge a person.

We also assessed a number of cases to see whether the prosecution brief accurately described the events that had taken place and the charges laid (through comparison with the ORs). We were also looking for any commentary from the DPP about the quality of the prosecution briefs, and that all three documents making up the prosecution brief were part of the file.

Our investigation of case files and their prosecution briefs revealed all files contained the three items. Collectively, these documents gave a good summary of the key details and a description of the events that led to the arrest, as outlined in ORs. There were no comments from the DPP suggesting improvements were needed in the three key documents.

We concluded that the prosecution briefs that we assessed were complete and adequate for their purpose.

2.3 *Were prosecution briefs prepared in a timely manner?*

For serious crimes, police have two options for bail, which affects the amount of time taken between the arrest and the prosecution brief being created. The first option is to have the accused presented to a magistrate where the question of bail is considered. This means the accused appears in court as soon as possible. In this case, a prosecution brief is immediately created in time for the court appearance.

The second option is to have bail granted by police. If this occurs, then the accused will be given bail by police and then released. The accused will not appear in court for at least 21 days, but the prosecution brief must be completed at least 14 days prior to the court date. It is possible that bail dates can be much longer than 21 days, depending upon the volume of cases before the courts.

We reviewed the time taken to prepare prosecution briefs and found that:

- 53 per cent of briefs were prepared in one full day or less (consistent with the first option).
- A further 40 per cent were prepared within 21 days (consistent with the minimum time for the second option).

We reviewed the case files for the remaining seven per cent and were satisfied that preparation times were reasonable. This was because they were prepared more than 14 days before the first court appearance.

2.4 *Did Tasmania Police follow its own internal procedures with prosecution briefs?*

In making our assessment, we used the Tasmania Police Manual, which provided two clear tests for prosecution briefs and associated files.

The Manual states that Detective Inspectors are to ensure that firstly, before any file is supplied for prosecution or indictment, the file must be thoroughly checked. Secondly, where any file is found to be deficient in substance or preparation, this should be immediately brought to the attention of the reporting officer's supervisor for appropriate action.

Of the case files we examined, only 43 per cent had evidence, in the form of a letter, to demonstrate they were definitely checked by a Detective Inspector before being presented to the DPP. The remaining case files may have been checked by a Detective Inspector, but there was no evidence on the file confirming this.

Recommendation 1

We recommend that all relevant correspondence for indictable files, from Tasmania Police to the DPP, be reviewed to ensure the quality of the file is of sufficient standard and all investigative options have been pursued. Furthermore, correspondence should include comment on the quality of files and the checks undertaken.

2.5 *Conclusion*

Our analysis of a selection of prosecution briefs found them to be adequate for their purpose and prepared in a timely manner. However, checks undertaken by senior police before a file goes to the DPP should be evidenced in correspondence, to satisfy the public and the DPP that Tasmania Police has met its own standard, as outlined in the Tasmania Police Manual. Overall, we concluded that Tasmania Police was effective and efficient at preparing prosecution briefs.

3 How effective were actions undertaken to reduce the incidence of serious crime?

3 How effective were actions undertaken to reduce the incidence of serious crime?

3.1 Background

Tasmania Police undertakes a number of different actions designed to reduce the incidence of serious crime. This can include front-line policing, and the implementation of a range of programs designed to tackle different types of crimes or underlying causes of crime.

We reviewed how effective Tasmania Police actions were at reducing the incidence of serious crime, by asking the following questions:

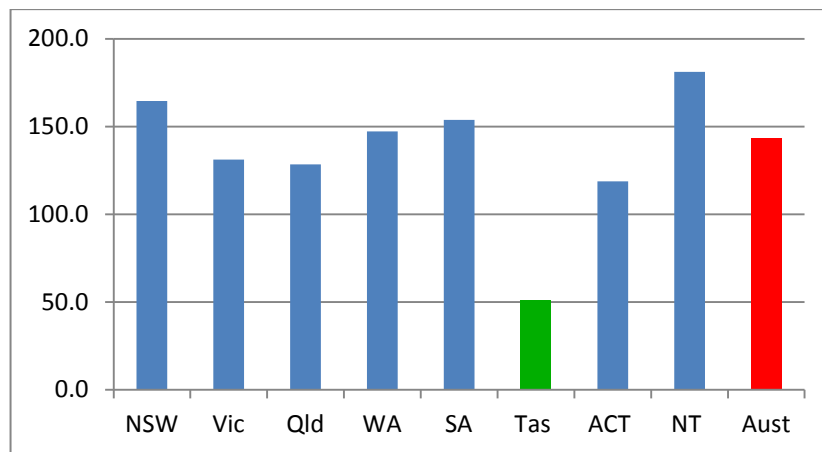
- How does the level of serious crime in Tasmania compare to other Australian jurisdictions?
- Had police been effective at reducing the incidence of serious crimes over time?
- Have crime prevention programs been evidence-based, effective and raised community awareness?

3.2 How does the level of serious crime in Tasmania compare to other Australian jurisdictions?

One measure is the number of serious crimes committed in Tasmania compared to other Australian jurisdictions.

As outlined in the Introduction to this report, Tasmania Police list 37 crimes that are considered serious. However, for reporting purposes, there are differences in what is considered a serious crime between jurisdictions. Nevertheless, we noted eight crimes which all jurisdictions classified as 'serious', which are presented in Figure 4⁶.

⁶ The crimes are murder, attempted murder, manslaughter, sexual assault, kidnapping/abduction, armed robbery, unarmed robbery and blackmail/extortion. Productivity Commission, *Report on Government Services 2013*, Volume 1, Productivity Commission, 2013, Table 6A.25.

Figure 4: Serious crimes 2011 — per 100 000 people

Source: Productivity Commission, Report on Government Services 2013, Volume 1, Productivity Commission, 2013, Table 6A.25.

We found that in 2011 Tasmania was a relatively safe place to live, given it had 51 serious crimes per 100 000 of population, compared to the next lowest of 119 in the ACT. Tasmania was also below the national average in seven of the eight categories of serious crime, with murder being the only category where Tasmania was higher (at 1.6 per 100 000 people, compared to the Australian average of 1.1)⁷.

The low level of serious crimes in Tasmania compared to other jurisdictions was also repeated in 2010, giving support to the 2011 data and the view that Tasmania has fewer serious crimes. Major differences are in three categories: armed and unarmed robbery, and sexual assault.

3.3 *Had police been effective at reducing the incidence of serious crimes over time?*

It is important to recognise that attributing a causal relationship between police actions and serious crime levels is extremely difficult, due to the many factors that can potentially influence crime rates (aside from the performance of the police force). Examples include economic factors and trends in alcohol consumption. As discussed by the NSW Bureau of Crime Statistics and Research in its report:

The interpretation of trends in official reports of crime can be considerably more difficult than the interpretation of trends in

⁷ Productivity Commission, *Report on Government Services 2013*, Volume 1, Productivity Commission, 2013, Table 6A.25.

unemployment or inflation statistics. The ease with which recorded crime statistics can be misunderstood creates a temptation to offer an authoritative explanation for each major crime trend. Indeed, in many instances it is simply impossible to state with any assurance why a particular trend has appeared. This report, therefore, confines itself to identifying and describing trends in recorded crime, rather than explaining them⁸.

We take a similar view in this Report, acknowledging that caution is needed in trying to explain trends in serious crime statistics in Tasmania. In this section we will consider:

- trends in serious crime
- funding for community support work.

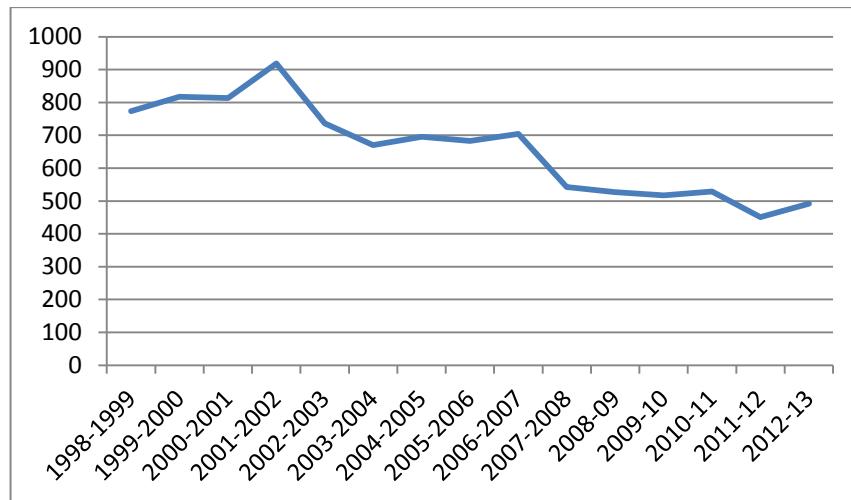
3.3.1 *Trends in serious crimes*

A key performance measure for Tasmania Police, as suggested in its Annual Report, is the number of serious crimes in Tasmania each year⁹. We assessed the number of serious crimes over a fourteen-year period in two categories — the total number of serious crimes against the person, and serious crimes against property with a total value of \$50 000 or more. In doing so, we also reviewed the amount of funding Tasmania Police allocated to its Output Group ‘Public Safety - Support to the Community’, to determine what impact, if any, this funding has had on the number of serious crimes that are committed. Figure 5 shows a dramatic decline in the number of serious crimes, particularly in 2007.

⁸ NSW Bureau of Crime Statistics and Research, *New South Wales Recorded Crime Statistics*, Quarterly Update, September 2010, p.27.

⁹ Department of Police and Emergency Management, *Annual Report 2011-12*, p. 26.

Figure 5: Number of serious crimes 1998–99 to 2012–13

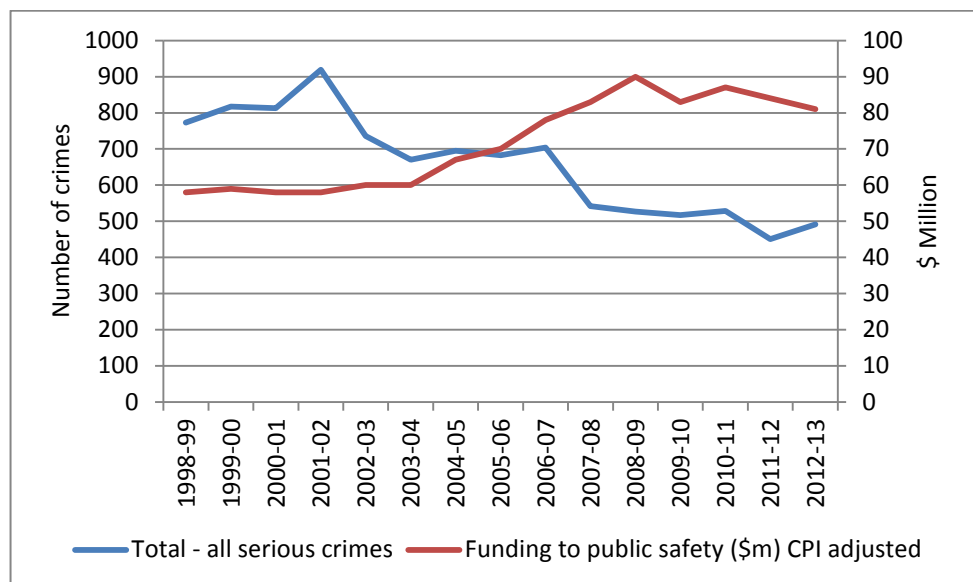


Source: Tasmania Police

3.3.2 Funding for community support work

We also explored a possible relationship between serious crime rates and expenditure on crime prevention activities. For our analysis we considered expenditure classified as ‘Public Safety - Support to the Community’ which included police patrols and work with community organisations. Figure 6 tracks this relationship.

Figure 6: Total serious crimes and funding to ‘Public safety – support to the community’ (CPI adjusted to 1998 dollars)



Sources: Tasmania Police. Tasmanian Government Budget Papers.

At first glance, there appears to be a strong correlation between the amount of funding spent on public safety policing and the

number of serious crimes. The period which breaks this apparent trend, however, is the time prior to 2004–05, where expenditure was relatively steady yet serious crimes fell dramatically. Nonetheless, Figure 6 provides at least weak evidence of a relationship between police expenditure on prevention and crime rates.

3.3.3 Conclusion

Overall, the fall in the number of serious crimes in recent years is pleasing. Despite the previously stated difficulty in establishing a causal relationship between expenditure and the number of crimes committed, the fall in serious crime in Tasmania could be attributed, at least in part, to an increase in government spending.

3.4 Have crime prevention programs been evidence-based, effective and raised community awareness?

Tasmania Police has implemented at least three crime prevention programs in recent years. The three programs that we audited, and that fell within the audit's scope, were:

- *Operation Unification* — dealing with illicit firearms around the state
- *Operation Icarus* — addressing arson in Bridgewater
- Inter-Agency Support Team program — targeting 5–17 year olds.

The following sub-sections ask whether these programs were based on research or evidence; assesses the effectiveness of each program; and addresses whether they raised community awareness about serious crime.

3.4.1 Operation Unification

Illegal firearms are weapons that are illegally imported into Australia, illegally manufactured in Australia or stolen from registered owners. It is estimated that about 1500 firearms are stolen in Australia each year, with few recovered. This a concern to police because there are often links to organised crime¹⁰.

¹⁰ Australia New Zealand Policing Advisory Agency (ANZPAA), 'Operation Unification – Illicit Firearms', ANZPAA, <http://www.anzpaa.org.au/current-initiatives/operation-unification-illicit-firearms>. Accessed 26 August 2013.

Operation Unification focusses on reducing the number of illegal firearms available to criminals, by encouraging the public to anonymously provide information about illegal firearms to the Crime Stoppers hotline. It was held over a two-week period in May and June 2013, incorporating both Crime Stoppers calls and planned searches across the state.

Operation Unification worked on the premise that taking illegal firearms out of the community would reduce the incidence of firearm-related crimes. This view was supported by a substantial decline in crimes against the person following the introduction of the *Firearms Act 1996* and subsequent buy-back of weapons following the Port Arthur mass murder¹¹.

We found that the two-week program resulted in:

- 21 calls from the public (compared with a pre-program average of 4 calls per fortnight)
- 33 illegal firearms seized
- 17 people charged.

On these measures, *Operation Unification* can be viewed as a reasonably effective program for removing illegal firearms from the community. We would, however, also have liked to have seen some performance targets for the program, given these would enable Tasmania Police to assess whether the program had been successful and whether it should be run again in Tasmania (see Recommendation 3).

3.4.2 Operation Icarus

Operation Icarus is an arson prevention program which has been running since 2010 in Bridgewater in southern Tasmania, and focusses on vacant public housing owned by Housing Tasmania (HT). The program involves a range of measures to prevent and better respond to arson, which include:

- patrols of hot spot areas currently targeted by offenders
- high visibility HT reward signs and letters to householders regarding information in relation to arson

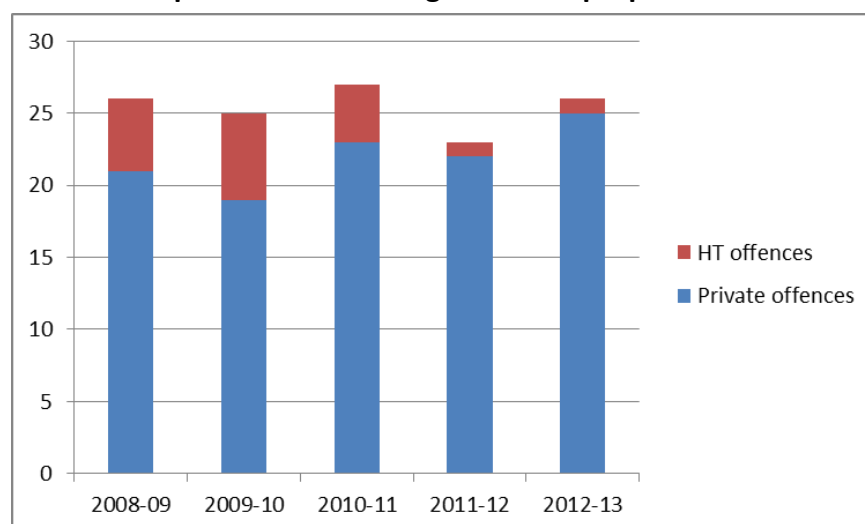
¹¹ Tasmanian Audit Office, *Gun Control in Tasmania*, Special Report No.55, May 2005, p.15.

- response to HT-activated surveillance cameras located in properties
- the conduct of bail checks of active offenders
- an intensive police response from the time the fire is reported until eight hours after the fire
- timely demolition of severely damaged properties and repair of moderately damaged properties.

A representative from Tasmania Police stated there was no evidence to support the activities initially planned as part of *Operation Icarus*, beyond a recognised need to do something to reduce arson in Bridgewater.

The number of arson offences in the Bridgewater Police Division for the past five financial years is shown in Figure 7, broken up into the number of arsons carried out on private properties, and the number carried out on HT properties.

Figure 7: Bridgewater Police Division — Arson offences against private and Housing Tasmania properties



Source: Tasmania Police. Housing Tasmania.

Considering that *Operation Icarus* began in 2010, the program does not appear to have had any noticeable impact on the number of arson offences in the Bridgewater Division over the five-year period, which was one of the aims of the program. However, there has been a reduction in the number of HT properties affected — another key focus for the program.

The other measure used by Tasmania Police to determine the effectiveness of the program is the clearance rate. On this measure, Tasmania Police has had moderate success, with the clearance rate gradually and consistently increasing from a low of 23 per cent in 2008–09 to a high of 27 per cent in 2012–13. It

is important to note, however, that this number is still below the historical arson clearance rate for Tasmania of around 35 per cent.

Operation Icarus has also undertaken a number of activities to raise community awareness of arson, and encourage members of the community to come forward with information. Statistics indicate very little change from before and after the program was implemented, from a very low base of around seven calls per year. We therefore concluded that *Operation Icarus* did not have any real effect in raising community awareness about arson in the Bridgewater area, or encouraging the community to come forward with information about arson-related crime. Similar to *Operation Unification*, we would also like to see some performance targets developed for *Operation Icarus*, to establish whether the program was a success (see Recommendation 3).

3.4.3 *Inter-Agency Support Teams*

Inter-Agency Support Teams (IASTs) are committees that bring together government and non-government service providers to discuss and plan an approach to assist young people and their families who are experiencing, or who are at significant risk of experiencing, two or more of the following problems or behaviours:

- mental health issues
- problematic alcohol and/or other drug use
- family violence
- neglect or other parenting issues
- accommodation issues
- difficulties with engaging in education
- antisocial behaviour
- offending¹².

Amongst the IAST objectives are the following for young people and their families:

- a reduction in behaviours that lead to interaction with the youth justice system
- an enhancement in the protective factors that encourage improved behaviour

¹² Once an approach has been agreed upon by the IAST committee, it is implemented by the relevant agencies.

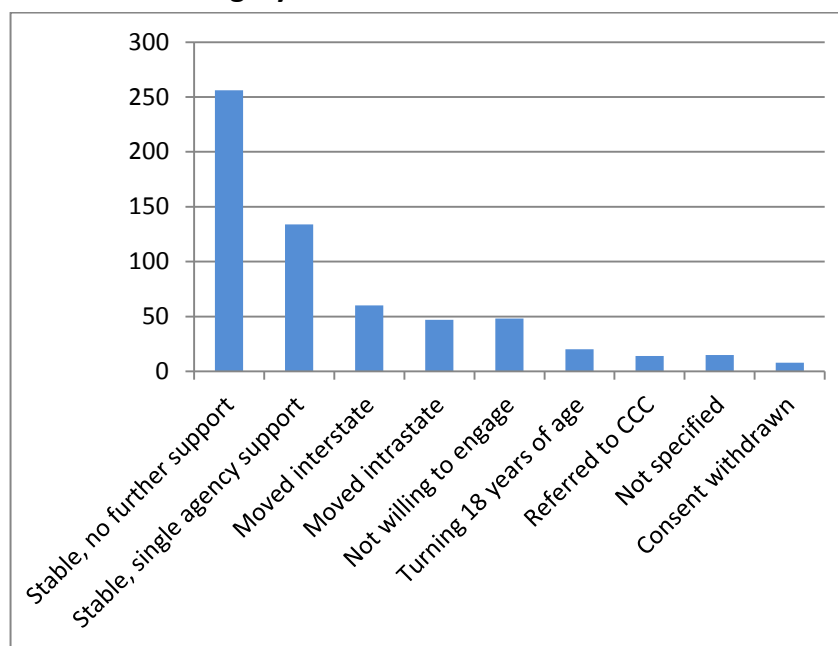
- more coordinated support for children and their families.

It should be recognised, therefore, that addressing criminality is an important aspect of the IAST program, albeit not the only aspect.

Evidence to support the program’s intervention approach comes from the Australian Institute of Criminology paper titled, *Crime Families: Gender and the intergenerational transfer of criminal tendencies*, which argued there is a range of risk factors that can lead a young person to crime. These include poverty, disrupted families, single and teenage parenting, and living in the most deprived neighbourhoods¹³. Some of these concerns, such as parenting issues, are also criteria for referral to the IAST program.

Another issue for this program is whether the IAST approach of coordinating effort to assist young people will have any effect on the choices that young people make. The reasons for young people’s exit from the program are shown in Figure 8.

Figure 8: Inter–Agency Support Teams — Total number of exits by category



Source: Tasmania Police

¹³ V Goodwin and B Davis, ‘Crime Families: Gender and the intergenerational transfer of criminal tendencies’, *Trends and Issues in Crime and Criminal Justice*, No. 414, Australian Institute of Criminology, May 2011, pp. 1-3.

The reasons for young people's exit from the program are a useful indicator of program success, given exit from the program should indicate that the troubling behaviours and risks have reduced. The two successful categories of 'Stable and no longer requiring IAST support', and 'Stable, single agency support' make up the vast majority of exits from the program. This compares with a small number 'Not willing to engage' and even fewer where consent was withdrawn.

Further evidence of success comes from an independent 2006 program evaluation commissioned by the state government, argued that the panels (as they were previously known) were making a difference:

... the information already available is compelling, and provides very strong support for their effectiveness. For example, the outstanding reduction in crime in the Huon Valley in recent years appears to be related to the operation of the Panel and the associated Stronger Community Partnership.

It also seems likely that the IAST program has led to better collaboration between participating agencies in dealing with young people facing complex problems, than would have occurred without the program.

Among the aims of IASTs is to reduce behaviours that place young people at risk of coming into contact with the youth justice system. In order to obtain the support of young people and their families, often trust must be built between them and the government agencies involved in IASTs. As a consequence, IASTs are not designed to raise awareness about youth crime or serious crime, as this may damage the trust developed between government agencies and the participants.

Similar to the other programs we reviewed, we believe some performance targets would benefit the IAST program.

Recommendation 2

We recommend that Tasmania Police develops with relevant stakeholders, measures of success (where applicable) for crime prevention programs that involve substantial resources.

3.5 Conclusion

Two of the three programs we analysed (*Operation Unification* and IASTs) were based on prior research or evidence. Given the lack of research and evidence backing the strategies used in *Operation Icarus*, we concluded that Tasmania Police has not

consistently used research and evidence to support their crime reduction programs.

Operation Unification and the IASTs had some evidence to show they could reduce the likelihood of serious crimes occurring in the future. It can be argued that it is still to be seen whether *Operation Icarus* will be successful in achieving an overall reduction in arson at Bridgewater. We therefore conclude that Tasmania Police's crime reduction programs have had some success in preventing serious crime, although there is room for improvement.

Of the three crime prevention activities which this audit analysed, IASTs are not designed to raise community awareness about serious crime issues, and *Operation Icarus* does not appear to have had an impact on community awareness of arson issues. However, *Operation Unification* has had considerable success in raising community awareness and obtaining community action.

Independent auditor's conclusion

Independent auditor's conclusion

This independent conclusion is addressed to the President of the Legislative Council and to the Speaker of the House of Assembly. It relates to my performance audit assessing how police respond to serious crime.

Audit objective

The objective of the audit was to assess the effectiveness of police:

- investigations into serious crime
- preparation of prosecution briefs
- actions undertaken to reduce the incidence of serious crime.

The audit also considered how Tasmania Police measures its own performance in relation to serious crime.

Audit scope

This audit examined Tasmania Police's performance in addressing serious crime, with a focus on the past five years (2008–09 to 2012–13).

In relation to actions taken by Tasmania Police to reduce the incidence of serious crime, the audit investigated three programs conducted over the review period. Two of these programs do not directly target serious crime. Instead, they target activities that can lead to an escalation towards serious crime (i.e. the prevalence of illegal firearms and activities of at-risk youth).

In developing the scope of this audit and completing my work, Tasmania Police provided me with all of the information that I requested. There was no effort by any party to the audit to limit the scope of my work. This Report is a public document and its use is not restricted in any way by me or by any other person or party.

Responsibility of the Commissioner of Police

The Commissioner is responsible for implementing processes to ensure police respond to serious crime in an appropriate manner.

Auditor-General's responsibility

In the context of this performance audit, my responsibility was to express a conclusion on the effectiveness of those aspects of

police responses to serious crime outlined in my audit objective including how Tasmania Police measures its own performance.

I conducted my audit in accordance with Australian Auditing Standard ASAE 3500 *Performance engagements*, which required me to comply with relevant ethical requirements relating to audit engagements. I planned and performed the audit to obtain reasonable assurance that the Commissioner had implemented effective processes.

My work involved obtaining evidence of the manner in which Tasmania Police manages incidents of serious crime.

I believe that the evidence I obtained was sufficient and appropriate to provide a basis for my conclusion.

Auditor-General's conclusion

Based on the audit objective and scope and for reasons outlined in this Report, it is my conclusion that, in all material respects:

- Tasmania Police was effective at investigating serious crime and at preparing prosecution briefs
- Tasmania Police's crime reduction programs have had some success in preventing serious crime, although there is room for improvement
- Tasmania Police has not consistently used research and evidence to support their crime reduction programs.

My report contains two recommendations which were aimed at ensuring:

- Tasmania Police satisfies its own internal requirements.
- Serious crime files satisfy necessary standards.
- All investigative options are pursued.
- Applicable measures of success are established for crime prevention programs that involve substantial resources.

H M Blake

Auditor-General

6 February 2014

Recent reports

Recent reports

Tabled	No.	Title
Oct	No. 2 of 2012–13	TasPorts: benefits of amalgamation — October 2012
Nov	No. 3 of 2012–13	Volume 3 — Government Business Enterprises, State Owned Companies and Water Corporations 2011–12
Nov	No. 4 of 2012–13	Volume 4 Parts 1 & 2 — Local Government Authorities 2011–12
Nov	No. 5 of 2012–13	Volume 1 — Analysis of the Treasurer’s Annual Financial Report 2011–12
Nov	No. 6 of 2012–13	Volume 2 — Executive and Legislature, Government Departments, other General Government Sector State entities, other State entities and Superannuation Funds 2011–12
Dec	No. 7 of 2012–13	Compliance with the <i>Tasmanian Adult Literacy Plan 2010–15</i>
Mar	No. 8 of 2012–13	National Partnership Agreement on Homelessness
Mar	No. 9 of 2012–13	Royal Derwent Hospital: site sale
May	No. 10 of 2012–13	Hospital bed management and primary preventive health
May	No. 11 of 2012–13	Volume 5 — Other State entities 30 June 2012 and 31 December 2012
Aug	No. 1 of 2013–14	Fraud control in local government
Nov	No.2 of 2013–14	Volume 1 — Executive and Legislature, Government Departments, Tasmanian Health Organisations, other General Government Sector State entities, Other State entities and Superannuation Funds
Nov	No.3 of 2013–14	Volume 2 — Government Businesses, Other Public Non-Financial Corporations and Water Corporations
Dec	No.4 of 2013–14	Volume 3 — Local Government Authorities
Dec	No.5 of 2013–14	Infrastructure Financial Accounting in Local Government
Jan	No. 6 of 2013–14	Redevelopment of the Royal Hobart Hospital: governance and project management

Current projects

Current projects

Performance and compliance audits that the Auditor-General is currently conducting are as shown below:

Title	Audit objective is to ...	Annual Plan of Work 2013-14
Alcohol, Tobacco and Other Drug Services: five-year plan	... examine whether the Department of Health and Human Services has implemented the strategies listed in the <i>Alcohol, Tobacco and Other Drug Services, Tasmania: Future Service Directions — a five year plan, 2008/09 – 2012/13</i> .	Page 10, Topic No. 4
Radio communication networks	... assess the efficiency and effectiveness of the current radio communications networks used by police and other emergency service personnel.	Page 10, Topic No. 2
Security of Information and Communications Technology (ICT) infrastructure	... assess the effectiveness of security measures for ICT infrastructure and its functionality.	Page 11, Topic No. 3
Processes to ensure teacher and teaching quality in public high schools	... assess the quality of teaching in public high schools.	Page 11 Topic No.2
Motor vehicle fleet usage and management	... determine whether use by selected government departments of vehicles is effective, efficient and economic. The audit will also consider allocation and use of motor vehicles complies with government guidelines and whether fleets are properly managed.	Page 13, Topic No. 2
Follow up audit	... ascertain the extent to which recommendations from reports tabled from October 2009 to September 2011.	Page 12 Topic No. 4
Quality of Metro services	... look at the quality of public transport services provided by Metro Tasmania.	Page 12 Topic No.8

Appendix

Appendix

Police investigation procedures — Tasmania Police Manual

- (1) Members must conduct sufficient reasonable inquiries in an investigation to establish that a crime(s) has been committed and the person(s) responsible for committing that crime(s).
- (2) Investigators are to conduct sufficient inquiries to investigate possible defences to a crime, particularly in circumstances, where a suspect may nominate witnesses, including alibis, who may be able to give relevant admissible evidence.
- (3) Relevant inquiries must be conducted regardless of whether such issues are raised during an investigation or later during court proceedings
- (4) The sources of evidence available in an investigation can be listed under seven basic categories:
 - (a) interview of complainants and witnesses;
 - (b) crime scene examination;
 - (c) exhibit examination and analysis;
 - (d) records;
 - (e) intelligence and information;
 - (f) technical/physical surveillance of suspects and premises; and
 - (g) interview of suspects/offenders.
- (5) The aforementioned categories are provided to assist in formulating an investigation plan¹⁴.

¹⁴ Tasmania Police, *Tasmania Police Manual*, Section 4.5.2 'Investigation Procedures', Tasmania Police, 2013, p.100.

Audit Mandate and Standards Applied

Mandate

Section 17(1) of the *Audit Act 2008* states that:

‘An accountable authority other than the Auditor-General, as soon as possible and within 45 days after the end of each financial year, is to prepare and forward to the Auditor-General a copy of the financial statements for that financial year which are complete in all material respects.’

Under the provisions of section 18, the Auditor-General:

- ‘(1) is to audit the financial statements and any other information submitted by a State entity or an audited subsidiary of a State entity under section 17(1).’

Under the provisions of section 19, the Auditor-General:

- ‘(1) is to prepare and sign an opinion on an audit carried out under section 18(1) in accordance with requirements determined by the Australian Auditing and Assurance Standards
- (2) is to provide the opinion prepared and signed under subsection (1), and any formal communication of audit findings that is required to be prepared in accordance with the Australian Auditing and Assurance Standards, to the State entity’s appropriate Minister and provide a copy to the relevant accountable authority.’

Standards Applied

Section 31 specifies that:

‘The Auditor-General is to perform the audits required by this or any other Act in such a manner as the Auditor-General thinks fit having regard to –

- (a) the character and effectiveness of the internal control and internal audit of the relevant State entity or audited subsidiary of a State entity;
- (b) the Australian Auditing and Assurance Standards.’

The auditing standards referred to are Australian Auditing Standards as issued by the Australian Auditing and Assurance Standards Board.



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