

Point 1 – The number of serving NSW Police Officers currently categorised by rank i.e. Senior Executive Service, Superintendent, Chief Inspector, Inspector, Senior Sergeant, Sergeant, Constable etc.

NUMBER OF SERVING OFFICERS as at 20 JANUARY 2016	
RANK	TOTAL
Senior Executive Services	21
Chief Superintendent	5
Superintendent	136
Chief Inspector	37
Inspector	708
Senior Sergeant	300
Sergeant	2785
Senior Constable	9250
Constable	2944
Probationary Constable	492
Grand Total	16678

Point 2 – The number of serving NSW Police Officers, categorised by rank who have criminal convictions and traffic offences as at 20 January 2016.

RANK	NUMBER OF OFFICERS
Sergeant	11
Senior Constable	47
Constable	14
Probationary Constable	1
TOTAL	73

Traffic offences are only included where process was served on the officer to attend court in the first instance (i.e. traffic infringement notices are not included). These results are based on the conviction being recorded on COPS under the same CNI as that which is recorded on the SAP Personnel System.

These figures are significantly different to previously released figures for similar requests and cannot be compared against them. Spent convictions as determined by the *Criminal Records Act 1991* have been removed from these figures. The legislation allows for convictions to become spent after certain conditions are met. Where a conviction has become spent the person is not required to disclose to any other person information concerning the spent conviction and any questions concerning a person's criminal history is take to refer only to any convictions which are not spent. In accordance with section 12C(i) of the *Criminal records Act 1991*, the New South Wales Police Force has provided information in respect of non-spent convictions only.

Points 3 & 4 – The number of NSW Police Officers who have been charged with a criminal offence/s or traffic offence/s including infringement notice/s, how many are currently awaiting the outcome of the offence/s, how many of these officers are at work or have been suspended and if suspended on full pay and the type of offences as at 20 January 2016.

Point 3

CATEGORY	Number of Officers
Number of NSWPF officers charged with a criminal offence and currently awaiting the	53

outcome of those offences	
Number of NSWPF officers suspended as a consequence of having been charged with a criminal offence	32
Number of those NSWPF officers above who have been suspended with pay	21

Point 4

OFFENCE
Access/modify restricted data held in computer
Act of indecency
Aggravated indecent assault
Aggravated sexual assault
Assault a person with intent to resist/prevent the apprehension/detainer of any person
Assault occasioning actual bodily harm
Assault with act of indecency
Breach of AVO
Common assault
Contravene prohibition/restriction in ADVO
Contravention of personal apprehended violence order
Do act etc w/i to pervert the course of justice
Drive recklessly, furiously or at speed of manner dangerous – first offence
Drive while under the influence of alcohol or other drugs
Drive with high range PCA
Drive with low range PCA
Drive with mid range PCA
Evade Police (Tasmania offence)
Exceed 0.05 – PCA (Tasmania offence)
Exceed speed over 45km/h – estimated
Exclude person fail to leave premises when required
Fabricate false evidence with intent to mislead judicial tribunal
Fail to quit licensed premises
Fail to submit to roadside breath test
Give false/misleading evidence at hearing before Commission
Holder of public office misconduct him or herself
Incite aggravated act of indecency
Intimidate police officer in execution of duty w/o abh
Intimidation
Intimidations with intent
Knowing make false/misleading statement
Make false statement on oath amounting to perjury
Malicious damage
Misconduct in public office (Common Law)
Modify restricted data held in computer
Neglect of Duty
Negligent driving (not occasioning death/gbh)
Not give particulars to other driver
Not stop at stop line at red light
Obstructing Police (QLD criminal code)
Perjury to procure conviction/acquittal serious offence
Police officer neglect/refuse/not carry out any lawful order
Possess a loaded firearm in a public place

Possess equipment to administer prohibited drug
Possess prohibited drug
Possession of unregistered firearm
Refuse to or fail to submit to a breath analysis
Resist officer in execution of duty
Serious assault of police officer (s340(1)(b) QLD Criminal Code)
Sexual intercourse with child aged 10-14
Shoplifting
Stalking with intent
Stalk/harass/intimidate person with whom a law enforcement officer has a domestic relationship
Stalk/intimidate intend fear physical etc harm
Supply prohibited drug
Unauthorised access to restricted data held in a computer
Use carriage service to menace/harass/offend
Use offensive weapon to prevent lawful apprehension

Please Note: Professional Standards Command (PSC) relies on commands to provide charge information that Panel Operation then records in a Microsoft Access database. It is possible that information provided by commands is incomplete or that advice from commands is provided well after the fact. These could be police officers who have been charged that have not been reported to PSC and are not yet captured on the database.

Point 5 – The total number of recorded offences, categorised by rank for the total number of current NSW Police Officers listed in Point 2 who have at least one or more criminal convictions including traffic offences as at 20 January 2016.

RANK	NUMBER OF OFFENCES
Sergeant	15
Senior Constable	57
Constable	20
Probationary Constable	2
TOTAL	94

These results are based on the conviction being recorded on COPS under the same CNI as that which is recorded on SAP Personnel System.

These figures are significantly different to previously released figures for similar requests and cannot be compared against them. Spent convictions as determined by the *Criminal Records Act 1991* have been removed from these figures. The legislation allows for convictions to become spent after certain conditions are met. Where a conviction has become spent the person is not required to disclose to any other person information concerning the spent conviction and any questions concerning a person's criminal history is take to refer only to any convictions which are not spent. In accordance with section 12C(i) of the *Criminal records Act 1991*, the New South Wales Police Force has provided information in respect of non-spent convictions only.

Point 6 – The total number of NSW Police officers as listed in Point 1 categorised by rank who have had their NSW drivers licence disqualified; suspended or cancelled as at 20 January 2016.

The Professional Standards Command has advised that they do not maintain the information requested for this point.

To retrieve this information the personnel files of each of the 16678 NSW Police Force officers would need to reviewed, which would be an unreasonable diversion of the agency's resources.

In accordance with section 12 of the GIPA Act, I have taken into account the following public interest considerations in favour of disclosure of the information:

1. the statutory presumption in favour of the disclosure of government information; and
2. the general right of the public to have access to government information held by agencies.

I have therefore decided to refuse to deal with your access application under s 60(1)(a) that *as dealing with the application would require an unreasonable and substantial diversion of the agency's resources.*

Point 7 was withdrawn from the application.

Point 8 – Since 2007 when Mr Scipione became Commissioner, how many Police officers have received a section 181D notice? How many of these officers have the Industrial Relations Commission recommended to be reinstated? How many of these officers have been reinstated? Numbers as at 20 January 2016.

Number of Officers who have received 181D Notices	137
Number of Industrial Relations Commission order reinstatements	3

The question asks how many officers have received a s181D Notice. A 181D Notice is the 'show cause' an officer receives which provides them an opportunity to respond to the Commissioner's allegations. Not all officers who receive a show cause notice are removed by the Commissioner. Another question asks how many reinstatements are recommended by the Industrial Relations Commission (IRC) and then how many were actually reinstated. The IRC do not recommend a reinstatement, they order such action. Therefore, once all legal avenues are finalised and the outcome is an order reinstatement, the NSW Police Force reinstates the person.