



VICTORIA POLICE



EQUALITY IS NOT THE SAME...



YEAR ONE REPORT - 2014

Foreword



In December last year, Victoria Police made a commitment to the Victorian community that we would rebuild the confidence and trust that we have lost among some community members.

Our commitment was reflected in the report *Equality is not the same...*, published at the end of 2013 in direct response to independent reviews and extensive consultations between Victoria Police and the community.

Importantly, *Equality is not the same...* included a Three Year Action Plan that established a clear direction for the way Victoria Police would better meet community expectations and strengthen their confidence in the way we operate.

Over 2014, Year One of the Action Plan, we have developed a range of policies, strategies and tools to enable Victoria Police to adapt and work more effectively within our ever changing and dynamic community.

We want to support all our police members and employees to be good decision makers, and to deliver a quality service that protects human rights, enables social cohesion and values diversity.

As we prepare to roll out and embed this work across our organisation, we are certain that our achievements in Year One will ensure a strong foundation for the future. The improvements we implement will ensure that all members of Victoria Police treat every individual with dignity and respect.

I present to you a review of Year One of our Three Year Action Plan. It is a record of our progress so far, our successes and our challenges. It is above all, an opportunity to reflect, celebrate and prepare for our journey ahead, a journey we take together with the community we serve.

Ken D Lay APM
Chief Commissioner
Victoria Police

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1

Introduction

At the end of 2013, Victoria Police committed to strengthen community trust and confidence in the way we operate. This was articulated in the publication of *Equality is not the same...*, which outlined a Three Year Action Plan to deliver on these promises.

The development of the report was triggered by the settlement of Federal Court litigation in February 2013, which alleged the existence of racial profiling within Victoria Police.

Extensive community consultation was then undertaken to better understand community issues and concerns.

Victoria Police also undertook independent reviews of its cross-cultural training and current 'field contact' policies, that is the formal requirement for police to record interactions with the public.

Mr Julian Gardner, a Human Rights Lawyer and previous Public Advocate for Victoria, was appointed as an independent adviser to ensure the integrity and transparency of that process.

The Three Year Action Plan that emerged from this process outlined the way forward for Victoria Police across five key areas of focus:

- Community engagement
- Communication and respect
- Field Contact Policy and process
- Complaints process
- Cross-cultural training.

This report presents a review of Year One. It outlines where we've come from, where we're at and what more Victoria Police needs to do to achieve its goals.



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Our Approach

In Year One, our approach has been to create a sustainable organisational infrastructure that will deliver our commitments and continue to improve the way we engage with the community into the future.

We established project teams, advisory groups, reviewed and developed policies and processes that set a clear direction for strong consultation, high-level governance and a framework that will ensure projects are monitored and evaluated over time.

Figure 1 illustrates our approach and the actions that will drive cultural change and reform within Victoria Police.



Figure 1: Program Approach



Governance

Accountability for actions and transparency of decision making are the cornerstones of good governance.

The Victoria Police Stakeholder Engagement Committee has governance and oversight of all actions, projects and outcomes emerging from the Three Year Action Plan.

The committee meets each month and reports directly to Executive Command. It is chaired by the Victoria Police Deputy Commissioner for Strategy and Organisational Development and its nine members span the highest levels of Victoria Police command.

The role of the Stakeholder Engagement Committee is to ensure Victoria Police fulfills its commitments in the Action Plan.

Consultation

Our progress towards improved community consultation has included the development of

the Priority Communities Division as a centre for excellence and expertise to engage with our priority communities. The division’s role is to ensure the needs and concerns of priority communities are communicated across all levels and areas of Victoria Police, and that organisational objectives and community expectations are met.

Evaluation

To monitor our performance in the wider community, Victoria Police has developed a framework to ensure each commitment outlined in the Action Plan is implemented and the outcomes of any given project or activity are met.

Ongoing consultation with community representatives, organisations and Victoria Police members is an important part of that evaluation process to ensure changing expectations of our community are met, and the work and activities Victoria Police is undertaking delivers the desired outcomes.

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Year One

The strong and consistent message that emerged from the community consultation and review process was that:

“Truly effective policing is achieved when police are able to both protect the community from crime and respect human rights and civil liberties.”

Victorian Council for Civil Liberties

The task for Victoria Police now, and in every year that follows, is to rebuild the confidence and trust we have lost among some community members. The improvements we implement will ensure that all members of Victoria Police treat every individual with dignity and respect.

Each commitment is interdependent and aims to support Victoria Police conduct and decisions so that they reflect community expectations, and meet our obligation to consider the human rights of every individual with whom we have contact.

At the conclusion of 2014, we offer back to the Victorian community the following report card of our delivery on those commitments in Year One.



1. Create / Establish Infrastructure

Our Commitment

Establish community advisory groups to work collaboratively with Victoria Police by providing advice and guidance in the development of policy, processes, data collection requirements and community engagement initiatives. These groups will include:

- A Strategic Advisory Committee chaired by the Chief Commissioner.
- Stakeholder Advisory Groups coordinated through the Priority Communities Division.

These groups will be integral to the implementation of the Action Plan by helping us to establish what success looks like and how that might best be measured.

What we've delivered

- Established a Human Rights Strategic Advisory Committee that is chaired by the Chief Commissioner. The committee is made up of senior leaders of community, government and peak body organisations who represent priority communities. It has already provided advice and worked collaboratively with Victoria Police on particular projects, policies and initiatives.
- Established seven Portfolio Reference Groups representing the following communities: Aboriginal, Disability, Lesbian, Gay, Bisexual, Transgender and Intersex (LGBTI), Mental Health, Multicultural, Seniors and Young People. Each group is made up of key peak bodies and advocacy groups representing their community and is chaired by an Assistant Commissioner.
- Feedback from the seven Portfolio Reference Groups has informed the development of *Cultural and Community Awareness Guidelines* and communications tools for our complaints process. The groups' input has also guided our *Field Contact Policy* and racial profiling analysis.

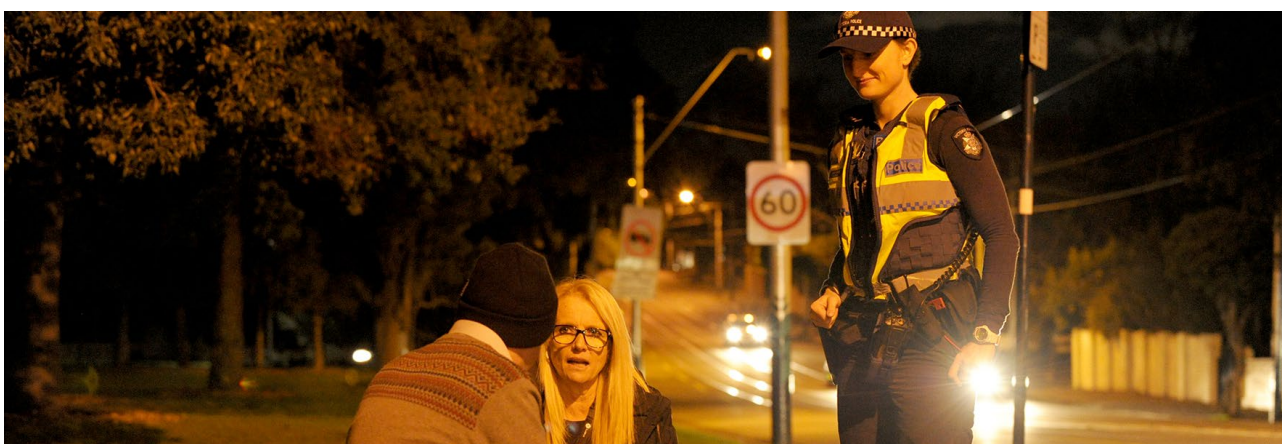
2. Implement a Victoria Police Community Engagement Strategy

Our Commitment

Produce and publish an organisational Community Engagement Strategy that includes good practice frameworks for community engagement initiatives, consultation and accountability mechanisms. The strategy will also establish the benchmarks for communications with the community in general, thereby driving overall improvements, including the strengthening of our communication and engagement with young people.

What we've delivered

- Developed a *Community Engagement Strategy* for Victoria Police employees, which includes good practice frameworks for community engagement initiatives and consultation, as well as processes for accountability and benchmarks for communications with the community.



3. Review our policies to ensure they do not lead to racial profiling

Our commitment

Review our policies to ensure that they do not lead to racial profiling and state explicitly in these policies that racial profiling is not acceptable and there is a zero tolerance of this practice in any form. We will involve our stakeholder advisory groups to identify the policy areas with the greatest risk for racial profiling.

What we've delivered

- Reviewed the policies in the *Victoria Police Manual* to ensure our operational policing policies do not lead to racial profiling.
- Established an internal advisory group for the *Field Contact Policy* and process, and racial profiling reviews.
- Held discussion forums on racial profiling with young people from various multicultural and Aboriginal communities, with the support and assistance of the Aboriginal Advancement League and the Centre for Multicultural Youth.
- Consulted with our stakeholder advisory groups to identify policy areas and areas of risk for racial profiling.
- Developed a definition and policy statement on racial profiling.
- Developed new *Human Rights, Diversity and Equity Standards* to incorporate this definition and statement.

4. Revise field contact policies and processes

Our commitment

Revise our field contact policy in line with recommendations made. This will include an assessment of common practices (both formal and informal) as well as the tools underpinning the policy (for example field contact reports). The redevelopment will:

- Define the terms 'reasonable suspicion' and 'high risk locations', as well as legislative requirements and obligations.
- Identify opportunities to improve the communication to individuals, for example by introducing standardised interactions 'scripts' during field contact exchanges.
- Provide general information on field contact processes to the wider community.
- Enhance accountability, for example by improving supervisory mechanisms.
- Examine data collection (including the nature of the data collected), as well as enhancing monitoring, analysis and reporting processes and capabilities.
- Training police members in the revised policy and its operational application.

Further to this, we will examine the guidance and principles by which police exercise their discretion to ensure that the principles of dignity, respect, fairness and justice underpin the decisions that are made. This will enhance our practices associated with field contacts.



What we've delivered

- Reviewed our *Field Contact Policy*.
- Engaged the Victorian Equal Opportunity and Human Rights Commission (VEOHRC) to review our *Field Contact Policy*, and provide expert advice and guidance on specific changes. This includes strengthened statements around accountability and supervision and the incorporation of human rights and anti-discrimination statements into the *Victoria Police Manual*, our operational policing policy document.
- Established an internal advisory group whose input informed the development of the new *Interactions with the Public* policy and the revised *Field Contact Policy*.
- Reviewed the *UK Police and Criminal Evidence Act (PACE) Code A*, identified key lessons and adapted these statements to new and existing policies.
- Reviewed current ethnic descriptors, data collection and monitoring approaches.
- Developed a new policy for Victoria Police called *Interactions with the Public* and revised our *Field Contact Policy*.
- Developed decision making principles to support interactions and incorporated these within the new policy.
- Commenced work on a draft *Education and Training Plan* and drafted internal and external communication strategies.

5. Reform communication and feedback mechanisms of complaints processes

Our commitment

Reform our complaints processes, focusing specifically on community awareness and understanding of the process, as well as feedback mechanisms. This reform will include the examination of:

- The accessibility of information regarding the process to lodge a complaint.
- The accountability and transparency mechanisms.
- Structured communication and feedback processes.
- Ongoing auditing and review of complaints handling processes and outcomes.

This reform will examine national and international best standards to identify improvements and identify audit and review regimes for ongoing performance monitoring.

What we've delivered

- Reviewed and reformed our complaints processes, focusing specifically on community awareness and understanding of the process, as well as feedback mechanisms.
- Examined the accessibility of information and feedback of the complaints process.
- Examined national and international best standards.
- Developed a *Complaints Process Map* to be available on our website and guides that will be translated into eight community languages.
- Updated our website with VEOHRC and Independent Broad-based Anti-corruption Commission (IBAC) details to more effectively communicate the different avenues that people can make a complaint.

6. Scope, develop and trial a receipting pilot (Proof of Concept (POC) pilot)

Our commitment

Work with our advisory groups to develop a receipting method(s) to be utilised in line with field contact processes for pilot. The development of this pilot will include:

- Exploring the various receipting options (for example full report, business card etc.) and identifying which method(s) are appropriate to be trialled.
- Defining pilot process and practice guidelines, including methodology and timeframes.
- Ensuring the data collected is relevant and appropriate.
- Identifying appropriate pilot sites across the state and working with those communities to clearly communicate the purpose and intent.
- Preparing for the data collection and analysis methodology, including defining the collection and publication of effectiveness and efficiency data in the trial location(s).
- Defining the benchmarking mechanisms and determining what success looks like.
- Determining reporting measures.

The method(s) trialled will be consistent with existing statutory requirements (for example Information Privacy Principles (IPPs)). To ensure the pilot is conducted in a manner that will provide clear outcomes, substantial scoping and development will be undertaken before it commences.

What we've delivered

- Examined receipting trials undertaken overseas to better understand the complexities of receipting, to identify models that have worked elsewhere and to identify potential barriers.
- Explored a range of different receipting options, including paper-based forms, business cards, Mobile Data Network-integrated systems and smartphone applications. Key considerations for this task included the suitability of the method for operational policing, the time involved in issuing and administering the receipt, and the costs and applicability for widespread implementation.
- Explored and developed with police members and project working groups the types of police contact that would result in a receipt being issued.
- Established project working groups comprising of community representatives and local police. The working groups provided input and feedback on a wide range of issues and assisted us to identify community expectations of the project, as well as key messages and channels to communicate with the local community about the trial.
- Identified proposed metropolitan and rural sites to trial receipting.
- Examined the review of current ethnic descriptors, data collection and monitoring approaches contained in the review of field contacts.
- Established a data working group with representation from the newly established Crime Statistics Agency and the Commissioner for Privacy and Data Protection, to commence in January 2015.

7. Develop a Cultural, Community and Diversity Education Strategy

Our commitment

Develop a Cultural, Community and Diversity Education Strategy to underpin the wider education reforms for local, divisional and regional delivery. This strategy will outline the education needs of police members and will address the training focused on:

- Unconscious bias
- Immersion
- Human rights
- Cultural awareness
- Enhanced communication training.

What we've delivered

- Established Education Advisory Groups, with membership including key internal Victoria Police stakeholders and external subject matter experts to provide advice for the development of our *Cultural, Community and Diversity Education Strategy*.
- Reviewed key strategic documents and determined alignment to the *Victoria Police Education Master Plan*.
- Developed a framework to apply organisational values to cultural, community and diversity education.
- Researched contemporary education and policy documents and benchmarking across Australasian policing jurisdictions.
- Conducted interviews and focus groups with stakeholders and educational experts.
- Developed cultural, community and diversity key concepts and principles.
- Developed a cultural, community and diversity education framework.
- Developed a *Cultural, Community and Diversity Education Strategy*.

8. Develop and implement unconscious bias training packages as a component of redeveloped human rights refresher training

Our commitment

Create and implement training packages to develop police members' knowledge, understanding and recognition of unconscious bias and to provide them with the tools and capabilities to ensure unconscious bias does not impact their decision making. These training packages will form part of the redeveloped human rights refresher training.

We will initially develop packages for implementation across foundation learning curriculum and professional progression programs. These training packages will be further enhanced as part of the overall curriculum reform to be undertaken in subsequent years of this program of works.

What we've delivered

- Scoped key bias concepts in support of foundation program development.
- Reviewed existing human rights training within foundation and specialist programs.
- Reviewed international training guidelines to reduce impact of bias and discriminatory decision making.
- Developed training solutions to form part of the redeveloped human rights refresher training, foundation learning curriculum and professional progression programs.

9. Develop and communicate Cultural and Community Awareness Guidelines

Our commitment

The Priority Communities Division will create good practice guidelines for local cultural awareness programs that can be tailored to local needs and include guidance on communicating and working with young people in particular.

These guidelines will be developed with the community advisory and stakeholder groups to ensure they are appropriate and applicable. Once established, these guidelines will be communicated across the organisation using a top down approach to ensure they are championed appropriately.

What we've delivered

- Developed *Cultural and Community Awareness Guidelines*.
- Consulted with our Portfolio Reference Groups and Victoria Police operational members to ensure accuracy and useability.
- Developed a communications plan to rollout the guidelines across the organisation in an effective and meaningful way in 2015.

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The Way Forward

To ensure the needs and expectations of the Victorian community are met, we will continue to monitor, examine and improve our approach to everything we do.

Our focus in Year Two, will be the implementation of the program of works developed in 2014 to ensure their sustainable integration at all levels of our organisation. We will also begin to collect data that will measure our success as we drive these changes and improvements forward into 2016 and beyond.

In Year Three we will evaluate our progress to assess what benefits and learnings we will take into the future.

Victoria Police and its members hold a unique and significant role in the community to promote a safe, secure and orderly society. It is a complex role, and one that continues to expand, guided and informed by valuable feedback from the community we serve.

We would like to acknowledge the contribution the community and those that have worked with us have made to help drive our organisational change this year.



Contributors

Aboriginal Portfolio Reference Group

Aboriginal Family Violence Prevention and Legal Services
Commissioner for Aboriginal Children & Young People
East Metropolitan Regional Aboriginal Justice Advisory Committee
Gippsland Regional Aboriginal Justice Advisory Committee
Koori Justice Unit, Department of Justice
Koorie Youth Council
Victoria Aboriginal Community Services Association LTD (VACSAL) / Indigenous Family Violence Regional Action Group
Victorian Aboriginal Legal Service
The Gathering Place

Education Advisory Group

Australian Migrant Education Service (AMES)
Australian Multicultural Foundation
Commissioner for Aboriginal Children and Young People
Community members
Ethnic Communities Council of Victoria (ECCV)
Flemington Kensington Community Legal Centre
Gay and Lesbian Health Victoria
Koori Justice Unit
Mind Australia
Racial Profiling Monitoring Project
The Office of Public Advocate
Victims' Services
Victoria University
Victorian Aboriginal Legal Service
Victorian Equal Opportunity & Human Rights Commission (VEOHRC)
Worowa Aboriginal College

Disability Portfolio Reference Group

Alzheimer's Australia, Victoria
Amaze
Blind Citizens Australia
Carers Victoria
Deaf Victoria
Disability Discrimination Legal Service
Disability Justice Advocacy
First People's Disability Network
Office of Disability, Department of Human Services
Office of the Public Advocate
State Trustees
VEOHRC
Victorian Coalition of ABI Service Providers (VCASP) Inc
Villamanta Disability Rights Legal Service
Women with Disabilities Victoria
Yooralla
Youth Disability Advocacy Service

Human Rights Strategic Advisory Committee

African Think Tank
Castan Centre for Human Rights, Monash University
Centre for Cultural Diversity and Wellbeing, Victoria University
Centre for Ethical Leadership, University of Melbourne
Centre for Multicultural Youth
Commissioner for Aboriginal Children and Young People
Commissioner for Children & Young People
Commissioner for Senior Victorians
Disability Services Commissioner
ECCV

Federation of Community Legal Centres
Human Rights Law Centre
Justice Connect
Law Institute of Victoria
Office of the Public Advocate
Orygen Youth Health
Victoria Gay and Lesbian Rights Lobby
Victoria Legal Aid
Victorian Aboriginal Legal Service
Victorian Council of Social Service
VEOHRC
Victims of Crime Assistance League
Victorian Multicultural Commission
Youthlaw, Young People's Legal Rights Centre

LGBTI Portfolio Reference Group

Anti-Violence Project
Australian GLBTIQ Multicultural Council
GASP Geelong
Gay and Lesbian Health Victoria
Gay and Lesbian Switchboard
Minus 18
No to Homophobia
Organisation Intersex Internationale
Transgender Victoria
VEOHRC
Victorian AIDS Council
Victorian Gay and Lesbian Rights Lobby

Mental Health Portfolio Reference Group

Council to Homeless Persons
Forensicare
Foundation House
Headspace
Justice Connect
Mind Australia
Orygen Youth Health
SANE Australia
Spectrum
Tandem Incorporated
Victoria Legal Aid
Victorian Alcohol & Drug Association
Victorian Mental Illness Awareness Council

Multicultural Portfolio Reference Group

African Think Tank
Arabic Welfare Inc
Association of Hazaras in Victoria
Australian Multicultural Foundation
Australian Muslim Women's Centre for Human Rights
Australian Vietnamese Women's Association
Centre for Multicultural Youth
ECCV
Federation of Indian Associations of Victoria
Horn of Africa Communities Network
Islamic Council of Victoria
Jewish Community Council of Victoria
Monash University
Office of Multicultural Affairs & Citizenship
Sunraysia Mallee Ethnic Communities Council
Union of Greater Upper Nile States Inc
United Pasifika Council of Victoria
Victorian Multicultural Commission

Receipting Pilot Working Groups

African Think Tank
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Flemington Kensington Community Legal Centre
Keysborough College
Moonee Valley community member
Moonee Valley Legal Service
Rotary Australia
Southern Migrant & Refugee Centre
Springvale Monash Legal Service
YSAS
Wingate Avenue Community Centre

Seniors Portfolio Reference Group

Ageing and Aged Care Branch, Department of Health
Alzheimers Australia
Carers Victoria
Council of the Ageing (Victoria)
ECCV
Leading Age Services Australia (Victoria)
Municipal Association of Victoria
Office of the Public Advocate
Seniors Rights Victoria
Sexual Health and Ageing Program, La Trobe University
State Trustees
VicRoads
VEOHRC

Young People Portfolio Reference Group

Anglicare
Berry Street
Centre for Adolescent Health
Centre for Multicultural Youth
Children's Court of Victoria
Commission for Children and Young People
Department of Education and Early Childhood Development
Department of Health
Department of Human Services
Flemington Kensington Community Legal Centre
Jesuit Social Services
Koorie Youth Council
Royal Children's Hospital
Victoria Legal Aid
Youth Affairs Council of Victoria
Youth Law
YSAS



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