

Victoria Police Manual

The Victoria Police Manual is issued under the authority of the Chief Commissioner of Police in s.60, Victoria Police Act 2013. Non-compliance with or a departure from the Victoria Police Manual may be subject to management or disciplinary action. Employees must use VPM Professional and ethical standards to inform the decisions they make to support compliance.

Fraud offences

Context

Police have a responsibility to investigate all reports of crime. Fraud refers to conduct that involves the use of dishonest or deceitful means to obtain an unjust advantage over another person or an entity. Under Victorian legislation, numerous offences are categorised as deception offences or relate to fraud and dishonesty.

Not all fraud related offences need to be investigated by Victoria Police. Other agencies such as the Australian Securities and Investments Commission and the Australian Taxation Office also have regulatory powers to investigate and prosecute alleged offences.

This policy provides direction to police members relevant to the most likely reported offences they may come across so that the response to reports of fraud is streamlined, timely and appropriate having regard to all the circumstances, including economic abuse within a family violence context.

Policy at a glance

This policy includes:

- advice for initial action, assessment and investigation of reported fraud related offences including consideration of family violence offences
- investigation primacy in accordance with Crime Screening Principles and the Accountability and Resource Model (ARM)
- criteria for determining the offence location and referrals to other jurisdictions where appropriate and
- information regarding online fraud including reports of cybercrime.

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Scope and application

This policy applies to all police members.

Responsibilities and procedures

1. Receiving reports of fraud related matters

1.1 Overview

- For all fraud related offences reported to frontline members, an initial report must be taken and a record created on LEDR MK2 by the end of the shift, in accordance with **VPM Crime and event reporting and recording** and the **Victoria Police Crime Recording Standards**. Police members must take a crime report for offences against s.74 and ss.81 – 87, *Crimes Act 1958*, including:
 - obtaining property by deception (s.81)
 - obtaining financial advantage by deception (s.82)
 - false accounting (s.83)
 - falsification of documents (s.83A)
 - false statements by company directors (s.85)
 - suppression of documents (s.86)
 - blackmail (s.87)
 - theft (s.74(2)).
- Police members must take a crime report and conduct an investigation where an offence occurred within Victoria or if there is a real and substantial link to Victoria in accordance with s.80A, *Crimes Act* (extra-territorial offences).
- Section 80A, *Crimes Act* provides that where there is a real and substantial link to Victoria in the commission of a crime, the offence can be reported, recorded on LEAP and investigated as a crime in Victoria. This link is established where:
 - a significant portion, if not all of the offending, has taken place in Victoria and/or
 - the substantial harm or impact of the offence is experienced in Victoria by the victim (i.e., the offence was committed in another jurisdiction, but the impact of the crime was wholly or substantially to a Victorian-based victim).
- If the offence location is unknown at the time of the initial report, the victim's location must be entered as the offence location.
- For reports of fraud where a person falsely claims to be an Aboriginal and/or Torres Strait Islander person, refer to the Complaints of fraud regarding false claims of Aboriginality tab on the Financial Crime Squad intranet page for further guidance.

1.2 Initial action

- Upon receipt of a fraud related report, police members must:
 - gather as much information and documentation as possible and conduct an initial assessment to determine if the report involves criminal or civil matters or is best investigated by a regulatory body (refer to section 2.3 of this policy for examples of other agencies)
 - conduct an initial investigation in accordance with **VPM Crime attendance – initial action** and
 - ensure compliance with the *Victims' Charter Act 2006* and **VPM Victim support** by providing referral options where applicable. Refer to **Victoria Police e-Referral (VPeR) System Practice Guide** for more information.

- Where family violence is suspected or disclosed, police members must apply the family violence response model in accordance with the **VPM Family Violence**. Reports involving elder abuse must also be considered in line with the **Family Violence Priority Community Practice Guide**.
- Police members must seek advice from a supervisor and/or the relevant Investigation and Response (I&R) unit when any of the following occur:
 - immediate action is required to preserve/collect evidence
 - the matter involves a high value or unusual crime
 - vulnerable or culturally and linguistically diverse victims are involved and/or
 - a substantial loss has occurred.

1.3 *Fraud Report Form*

- For more complex matters, the reporting person/victim must be provided with a Fraud Report Form [Form 1438] which provides guidance on required information and documents to enable further assessment by police.
- Police members should:
 - advise the reporting person to complete Form 1438 and return it within 30 days, otherwise further police action may not be taken and
 - provide support to those who may require assistance to complete Form 1438.
- Following return of a completed Form 1438 police members should consult the relevant I&R unit.

2. Primacy and investigations

2.1 *Crime Screening Principles and the Accountability and Resource Model*

- In accordance with Crime Screening Principles listed in **VPM Crime attendance – initial action**, when a report of fraud is received that involves a complex investigation, the relevant I&R unit has responsibility for the investigation following the packaged handover by a frontline member, except where either of the following apply:
 - a frontline member is able to arrest and process the offender(s) within the shift or
 - the investigation is of a non-complex nature and there is no significant follow-up required.
- Under the ARM, the Financial Crime Squad provides assistance and support to regional I&R units in the investigation of Category 2 fraud related investigations that:
 - are complex
 - have a high victim impact and/or
 - involve recidivist offenders.
- The Financial Crime Squad has primary investigative accountability and response for all Category 1 fraud offences under the ARM that:
 - are catastrophic
 - are highly complex
 - involve multiple agencies and/or
 - have significant victim impact i.e., the loss of a person's life savings.

- Where an I&R unit believes an investigation to be a Category 1 fraud under the ARM and seeks to refer the investigation to the Financial Crime Squad for further assessment, they should consult with the work unit manager, Financial Crime Squad in the first instance and prior to transmitting or transferring the investigation package.

2.2 *Conducting investigations*

- Police members must manage investigations in accordance with **VPM Crime investigation – case management**.
- Initial avenues to determine if an offence has occurred and to establish the identity/location of any Persons of Interest (POL's) include:
 - information relating to opening a bank account such as points of identification, means of verification relied on, method (online/in person)
 - account statements including ATM withdrawals
 - closed-circuit television footage for in-store purchases
 - linked phone numbers/Internet Protocol IP addresses and related registration information from telephone/internet service providers which may include geolocation data
 - Australian Transaction Reports and Analysis Centre or
 - National Criminal Intelligence System.
- Refer to Fraud Investigation Guidelines on the Financial Crime Squad/Forensic Accounting Unit intranet page for other tools and resources.

2.3 *Appropriate agency considerations*

- As stated, not all fraud related offences need to be investigated by Victoria Police. Police members should consider other agencies which also have regulatory powers to investigate and prosecute alleged offences, including but not limited to:
 - Australian Federal Police
 - Australian Health Practitioner Regulation Agency
 - Australian Financial Security Authority
 - Australian Securities and Investments Commission
 - Australian Taxation Office
 - Labour Hire Authority
 - State Electoral Commission (Local Government Inspectorate)
 - Legal Services Board or
 - Services Australia.
- Refer to the Fraud Investigation Guidelines on the Financial Crime Squad intranet page for further information or contact the Financial Crime Squad directly for advice.

2.4 *Investigation scoping and management considerations*

- Due to the nature, size and complexity of some fraud matters, investigation scoping may be used to provide an I&R manager the ability to manage and progress an investigation in a timely manner.
- Investigation scoping involves consideration of factors such as delays in progressing investigations, available resources, costs and those considerations outlined in the Policy of the Director of Public Prosecutions for Victoria.

- For Category 1 investigations, approval for scoping is the responsibility of the management team of the Financial Crime Squad and
- For Category 2 and all other fraud investigations, approval for scoping is the responsibility of the work unit manager of the relevant I&R unit.
- Further advice on scoping of investigations can be located within the Fraud Investigation Guidelines and/or contacting the Financial Crime Squad directly.
- I&R managers must also comply with **VPM Crime Investigation - case management**.

3. Referral to other jurisdictions

3.1 *Interstate referrals*

As stated in **VPM Crime attendance – initial action**, where an investigation is transferred to an interstate law enforcement agency (LEA):

- the investigating member must ensure the investigation file is completed and details the reason for the referral
- a supervisor must review the file prior to submission to the work unit manager for approval to release the file to the interstate LEA and
- the file must be accompanied by the Referral of Investigation to Interstate Law Enforcement Agency [Form 1418].

Refer to the interstate LEA contact list on the Intelligence Collection and Liaison Unit (ICLU) intranet site for relevant addresses.

Note: for complex matters, members should also include Form 1438.

3.2 *International referrals*

Police members must refer to the Intelligence and Covert Support Command (ICSC), External Agency Liaison - Interpol and Europol intranet page for guidance, where it is determined that the matter requires investigation and/or assistance by a jurisdiction outside of Australia.

4. Online fraud

- For reports involving cybercrime, refer to **VPM Reporting cybercrime**.
- For reports involving cryptocurrency, refer to Crime Command's Cryptocurrency Team intranet site.
- For all other instances involving an online purchase, police members must determine if the person has lodged a formal complaint with the seller's online customer service or resolution centre and take a report in accordance with section 1.2 of this policy. Where the person has not lodged a formal complaint, they should be encouraged to do so. Note: the online customer service or resolution centre process may assist police members in determining if an offence has been committed.
- Where an offence is detected, an investigation must be undertaken in accordance with section 2.1 of this policy.
- Where no offence is detected, the reporting person should be advised it is a civil matter and there will be no further police action.

Related documents

- VPM Crime and event reporting and recording
- VPM Reporting cybercrime
- VPM Crime investigation – case management
- VPM Crime attendance – initial action
- Fraud Investigation Guidelines
- Victoria Police e-Referral (VPeR) System Practice Guide
- *Crimes Act 1958*
- *Crimes Act 1914 (Cth)*

Further advice and information

For further advice and assistance regarding this policy, contact a supervisor or the Financial Crime Squad, Crime Command.

Update history

DATE UPDATED	SUMMARY OF CHANGE	FORCE FILE NUMBER
01/07/2025	VPMG Fraud investigations converted to VPM format and renamed VPM Fraud Offences, inclusion of referral to new VPM Reporting cybercrime and additional content regarding economic abuse in a family violence context.	FF-241696/264922 FF-122510
22/09/2025	Addition of cross reference to Victoria Police e-Referral (VPeR) System Practice Guide	FF-266230