

Victoria Police Manual

The Victoria Police Manual is issued under the authority of the Chief Commissioner 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.

Victim support

Context

Victoria Police is often the first point of contact for victims, witnesses, impacted family members and relatives or people adversely affected by crime. As such employees play an essential role in providing support and assistance to those affected through the criminal justice system. The *Victims' Charter Act 2006* (Victims' Charter) provides legislated standards for the treatment of victims of crime by the criminal justice system. These include:

- recognising the impact of crime on the victim
- recognising the victim's inherent interest in the response by the criminal justice system and to acknowledge the victim's role as a participant
- recognising that all persons adversely affected by crime should be treated with respect by all investigatory and prosecuting agencies, and should be offered information to enable them to access appropriate services
- reducing the likelihood of secondary victimisation by the criminal justice system.

Given the primary role Victoria Police plays in investigating and prosecuting crime, employees must comply with the requirements of the Victims' Charter and ensure that victims are treated with courtesy, respect and dignity.

In order to strengthen the rights and entitlements of victims, the Victims' Charter was amended to include obligations for agencies such as Victoria Police to:

- inform the victim as soon as reasonably practicable, of their right to make a Victim Impact Statement (VIS)
- refer a victim to an appropriate victims' service agency for assistance in preparing a VIS
- inform the victim of their possible entitlements for financial assistance, compensation and any legal assistance available to them.

Policy at a glance

This policy includes:

- the principles governing Victoria Police's response to victims and people adversely affected by crime
- the responsibilities of the investigating member when interacting with victims
- information about services, entitlements and support for victims
- the information victims may be provided with during the key stages of the investigation process
- direction for members assisting victims to manage the VIS process
- instruction for members arranging support for victims through the Victoria Police e-Referrals (VPeR) System
- information about eligibility for inclusion on the Victims Register.

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Definitions

The following definitions apply to this policy:

Affected family member (AFM) – in a Family Violence context, defined in s.4, *Family Violence Protection Act 2008* (FVPA) means

- the family member whose person or property is the subject of an application for an order. It is also important to acknowledge that an AFM in a family violence incident is also recognised as a victim, irrespective of whether only civil matters are engaged. Refer to **VPM Family Violence** for further information on Victoria Police's response to family violence incidents.

Family member - defined in s.8, FVPA and in relation to a relevant person means

- a person who is, or has been, the spouse or domestic partner; or
- a person who has, or has had, an intimate personal relationship with the relevant person; or
- a person who is, or has been, a relative of that person; or
- a child who normally or regularly resides with that person or has previously resided with that person on a normal or regular basis; or
- a child of whom that person is a guardian; or
- a child of a person who has, or has had, an intimate personal relationship with that person; or
- any other person who the person regards as being like a family member having regard to the circumstances of the relationship as outlined in s.8(3), FVPA.

Injury - defined in s.3, Victims' Charter, for the purpose of this policy means

- actual physical bodily injury; or
- mental illness or disorder, or an exacerbation of a mental illness or disorder, whether or not flowing from nervous shock; or
- pregnancy; or
- grief, distress or trauma or other significant adverse effect; or
- loss or damage to property; or

- any combination referred to in the above points.

Investigatory agency - defined in s.3, Victims' Charter, means

- a police officer; or
- a person authorised to investigate a criminal offence

Persons adversely affected by crime - defined in s.3, Victims' Charter, means

- a person who has suffered injury as a direct result of a criminal offence, whether or not that injury was reasonably foreseeable by the offender
- a family member of a person referred to in the point above
- a witness to a criminal offence.

Prosecuting agency - defined in s.3, Victims' Charter, means

- the Director of Public Prosecutions for Victoria; or
- a police officer; or
- a person authorised to bring proceedings for a criminal offence against an enactment.

Publish - defined in s.3, *Open Courts Act 2013* means

- to disseminate or provide access to the public or a section of the public by any means, including by:
 - publication in a book, newspaper, magazine or other written publication; or
 - broadcast by radio or television; or
 - public exhibition; or
 - broadcast or electronic communication

and *publication* must be construed accordingly.

Relative - defined in s.10, FVPA means

- any of the following whether of the whole blood or half-blood or by marriage, and whether or not the relationship depends on adoption of the person:
 - the person's father, mother, grandfather or grandmother;
 - the person's son, daughter, grandson or granddaughter;
 - the person's brother or sister;
 - the person's uncle or aunt;
 - the person's nephew or niece;
 - the person's cousin; and
 - for an Aboriginal and/or Torres Strait Islander person it includes a person who, under Aboriginal or Torres Strait Islander tradition or contemporary social practice, is the person's relative.
- For domestic partners, a relative includes a person who would be a relative if the domestic partners were married to each other.

Victim - as defined in s.3, Victims' Charter, means

- a person who has suffered injury as a direct result of a criminal offence, whether or not that injury was reasonably foreseeable by the offender; or
- if the person referred to above has died as a direct result of the criminal offence committed against them, a family member of the person; or

- if the person referred to in dot point one above, is under 18 years of age, or is incapable of managing their own affairs because of mental impairment, a family member of that person
- in the case of an offence under section 49M, *Crimes Act 1958* (grooming for sexual conduct with a child under the age of 16), the child and a family member of that child.

This definition applies whether or not the offender meets the minimum age of criminal responsibility at the time of the offence.

Victim impact statement - defined in s.8L, *Sentencing Act 1991*, means a statement made by a victim under section 8K(1). Section 8K(1) means

- a victim of a criminal offence may make a statement to the court sentencing the person found guilty of the offence, and unless the court orders otherwise, that statement may be considered by the court in determining the sentence of the offender.

Scope and application

This policy applies to all employees.

Guiding principles

Victoria Police must uphold the following principles when supporting victims and their needs:

- treat all victims with courtesy, dignity and respect
- take into account and being responsive to, the particular needs of the person adversely affected by crime, particularly needs relating to:
 - race or indigenous background
 - sex or gender identity
 - culture, including recognising the diversity in family structure of multicultural groups when considering family members affected by crime
 - linguistic diversity
 - sexual orientation
 - disability
 - religion or
 - age
- consider a victim's perspective and needs when communicating with them or in approaching activities
- be inclusive of all parties participating in the criminal justice system
- provide victims with clear, timely and appropriate information about relevant support services, possible entitlements and available legal assistance
- provide victims and those in need of assistance with access to timely and appropriate support
- provide victims with information about the progress of an investigation and court processes unless disclosure may jeopardise the investigation of a criminal offence
- not disclose a victim's personal information except in accordance with the *Privacy and Data Protection Act 2014* or the *Criminal Procedure Act 2009*
- demonstrate accountability in responses to victims of crime through adherence to the Victims' Charter and the *Charter of Human Rights and Responsibilities Act 2006*, *Information Privacy Act 2000*

- provide victims with information on the complaints process for breaches of the Victims' Charter with contact details of the Police Conduct Unit, Independent Broad-based Anti-corruption Commission (IBAC) and the Victims of Crime Commissioner. See section 7 of this policy for more information.

Responsibilities and procedures

1. Victoria Police obligations under the Victims' Charter

1.1 *Responsibilities of the investigating member*

- The investigating member must provide victims with information about support services and entitlements. This information is included in *A victim's guide to support services and the criminal justice system* (Victim's Guide).
- The investigating member must ensure:
 - the investigation process is explained to the victim
 - a copy of Notice to Victim [Form L1] is provided which includes the investigating member's details, incident number and date and details of the incident
 - a copy of, or link to the Victim's Guide is provided to the victim
 - the provision of the Victim's Guide is recorded on LEDR Mk2 and/or the LEAP Victim Notification Module (VNM)
 - the victim is kept informed of the key stages in the investigation and prosecution (subject to consent and the requirements in section 1.5)
 - the victim is made aware of the complaints system as detailed in the Victim's Guide and on the Victoria Police website. See section 7 of this policy for more information
 - if the victim did not provide consent to receive any of the above information, they should be informed it is their right to receive the information at a later date should they choose.
- The investigating member must record the following information on LEAP, within the VNM:
 - whether the victim was provided with the Victim's Guide or the Notice to the Victim [Form L1]
 - if the victim requested not to be notified of the progress of the investigation or prosecution, including the reason(s) why
- The LEAP VNM is created when a victim is identified in a sub-incident offence for one of the following offence types:
 - homicide
 - rape
 - sexual assault (non-rape)
 - assault
 - abduction/kidnap
 - aggravated burglary
 - harassment
 - stalking.
- If a LEAP VNM is not generated, the above details must be recorded on Interpose if applicable.

- If an employee is made aware of information that has intelligence value but it does not constitute an offence and this information is not recorded on a discoverable corporate system such as LEAP or Interpose, it must be recorded on an information report (IR), e.g. complaint of stalking behaviour that without more information, does not constitute an offence. Refer to **VPM Intelligence** for more information.
- For victims reporting incidents such as some family violence matters and child abuse material matters where a VNM is not generated, a Victim Engagement and Support Plan (VESP) may be completed. Members should:
 - print the VESP form from the Victim-Centric Policing page, Community Support Hub on the intranet; and
 - once completed, store in the Centralised Case File System (CCFS) at the local police station. Refer to **VPM Crime investigation – case management** for more information.
- For cases investigated from a complaint made against a Victoria Police employee, refer to **VPM Complaints**.
- If the matter is a Family Violence investigation, this policy should be read in conjunction with **VPM Family Violence**.
- Where a family violence matter referred from an external agency has been assessed as requiring police involvement and proceeds to a police investigation, the matter is recorded on a Family Violence Report (L17), LEAP, LEDR Mk2 or Interpose in order to support further investigation if required.
- The processes for making specific referrals in relation to family violence, sexual offence investigations and child protection notifications are detailed in **VPM Family violence**, **VPM Sexual offence investigations** and **VPM Protecting children** respectively.
- Refer to **VPM Disclosure in criminal proceedings** in relation to privacy and protected health information.

1.2 Support services and entitlements

- Copies of the Victim's Guide, containing information about court processes, victim's rights and entitlements and contact details of support services, can be obtained from the Victorian Government Victims of Crime website www.victimsofcrime.vic.gov.au. The victim can be directed to the website or an electronic copy or link can be emailed to them.
- Witnesses, family members of victims or members of the community may also be adversely affected by crime and should be provided a copy of, or link to, the Victim's Guide where appropriate.
- The investigating member must ensure that the victim is informed they may be entitled to financial and legal support (information is included in the Victim's Guide). For information on the Financial Assistance Scheme (FAS) see section 6 of this policy. For information on compensation via the Victims' Aid Fund (*Confiscation Act 1997*) refer to **VPM Confiscation Act**.
- If appropriate, the member should offer the victim a VPeR to ensure they receive information and support they are entitled to. Refer to section 3 of this policy and the **Victoria Police e-Referral (VPeR) System Practice Guide** for more information.

- If a victim declines or does not consent to a VPeR, the member must advise they can access this support at any time or can contact the Victims of Crime Helpline directly. Contact details are available at www.victimsofcrime.vic.gov.au.
- Any child or young person (aged under 18 years when charges are laid) who may be a witness in a criminal matter anywhere in Victoria, should be referred to the Child and Youth Witness Service using the Child and Youth Witness Service Referral Form [Form 1394].
- When first engaging with victims from culturally and linguistically diverse backgrounds, or victims with a disability that impacts on their ability to express and/or understand information, members must offer a VPeR referral to the Victims of Crime Helpline via the Victim Support pathway. They will assist in connecting individuals with Victorian Interpreting and Translating Services, including Auslan language services or a service such as the Victims Assistance Program (VAP) for disability support.
- Victims of a violent crime, where the offender has been sentenced to prison, are eligible to apply to be placed on the Victims Register. They can then access information about the offender's sentence, release details, parole conditions, prison transfer details and be notified if the offender dies in custody. See section 5 of this policy for more information.
- For further information on interviews and taking statements from victims with language support needs and accessing translating and interpreting service providers, refer to **VPM Interviews and statements**.

1.3 *Support person*

- A victim is entitled to a support person throughout their dealing with police from the initial report to final court outcomes.
- The role of the support person is to provide emotional support to the victim. The support person must not:
 - act as the person's legal counsel or advocate
 - make decisions on behalf of the person.
- A support person is a responsible adult who is independent of the case. They could be a:
 - friend
 - family member
 - carer
 - worker or volunteer from a support group or service
 - professional counsellor
 - service such as the VAP or for children or young people, the Child and Youth Witness Service.
- A support person can contact police on behalf of a victim if the victim has provided their consent to police. Consent can be provided verbally. In cases where a VNM is created, the details of the support person and the consent of the victim should be recorded in the victim remarks section. Where no VNR is created, the details of the support person and the victim's consent should be recorded by the investigating member on the Patrol Duty Return/Initial Action Pad [Form 501/502] or Official Diary [PB 13]. A victim's needs and preferences can be recorded on this form or in Interpose.

- The investigating member should assess if a nominated support person is appropriate. For example, it would be deemed inappropriate if the presence of a support person interfered with the police investigation, risked contaminating evidence or did not act in the best interest of the victim. If a member determines that a support person is not appropriate, their decision, and the reasoning for it, must be recorded. The victim must be advised of the circumstances and offered the opportunity to identify an alternative support person.

1.4 *Nomination of representatives*

- A victim may nominate a person to be their representative. The representative is to be provided with information that is required to be provided to the victim.
- If a victim of crime has died or suffered injury as a result of a criminal offence, one or more family members may be nominated as representatives.
- The details of a nominated person must be recorded in the Victim remarks section within the VNM in LEAP.
- The nominated representative can be the same person identified as a victim's support person.

1.5 *Notification during the investigation process*

- Unless the victim objects to being notified, the investigating member must provide the victim with the following information as soon as reasonably practical:
 - when a brief for charges is not authorised
 - the status of the matter at three months from the date of the report, if the offender has not been identified or charged
 - if the accused is located and extradition proceedings are initiated
 - when the accused is charged
 - after charges are filed, any decision to:
 - substantially modify charges
 - discontinue prosecution of those charges
 - accept a guilty plea to a lesser charge
 - if no charges are to be filed, the reason for that decision
 - information about how to find the date, time and place of the hearing of charges in court
 - the victim's entitlement to attend any relevant court proceedings, unless the court directs otherwise
 - the outcome of any bail application, including any relevant conditions (see section 1.6 of this policy)
 - if a victim is to appear as a witness, information about the trial, summary contest or hearing and their role as a witness
 - the outcome of any criminal proceedings including any sentence imposed
 - if an appeal is lodged, the grounds for the appeal and the result of the appeal and
 - in matters where the criminal investigation arises from a complaint in relation to the actions of a Victoria Police employee, and no charges are filed, advise the victim whether any disciplinary action has been taken in relation to the employee.

- Victims' preferences regarding notifications are recorded in the VNM (in the Victim Remarks section of the Victim Management screen). If there is no VNM on LEAP, victim preferences should be recorded on:
 - a discoverable system, where possible e.g. Interpose
 - a VESP form and stored in the CCFS at the local police station.
- Matters proceeding in the Children's Court of Victoria (ChCV) are subject to restrictions on the publication of proceedings. For all matters proceeding in the ChCV, a person must not publish any details likely to lead to the identification of the particular venue of the court, a child or other party to the proceeding, or a witness to the proceeding, without the permission of the President of the ChCV.
- If the disclosure of the information to the victim may potentially jeopardise or jeopardises any investigation, the victim should be informed about the progress of the investigation to the extent possible. In some circumstances this may mean that no information can be provided.
- Notification may be by email, phone, letter, in person or as otherwise agreed with the victim. Members may use the set of pro forma letters available [Forms 1290A-1290L].
- Bail notifications are not included in Forms 1290A-1290L due to the requirement to notify the victim as soon as reasonably practicable when requested by the victim if an offender is granted bail.

1.6 *Notification of bail*

- Victoria Police, as a prosecuting agency, must inform the victim of any bail application outcome and of any conditions designed to protect the victim, or family members of the victim. This notification should be made as soon as reasonably practicable. This obligation is separate to other victim notifications during the investigation process.
- Where the bail application is heard in the absence of the investigating member, e.g. remand hearing, the nominal informant or the corroborator should notify or arrange for the victim to be notified of the outcome and any conditions.
- If a concern for the victim's safety exists when the accused is granted bail, every effort should be made, as soon as reasonably practicable to notify the victim (or family members where applicable) when the accused is granted bail.
- Refer to **VPM Bail and remand**, **VPM Family Violence** and **VPM Sexual offence investigations** for more information.

1.7 *When the accused is charged*

- Members must take the safety and welfare concerns of the victim into account when considering bail for the offender, consistent with the *Bail Act 1977*.
- The investigating member must confirm the victim has received the Victim's Guide or a copy of the Incident Report (L1) Notice to Victim [Form L1] in the event of:
 - charges being served or
 - a brief not being authorised.

Receipt of the guide or Incident Report (L1) must be noted on LEAP or interpose.

- Members may provide the victim the name of the accused if the person is over 18 years of age however, additional details of the accused must not be released unless ordered by the court.
- Members must not release the accused's name to the victim where the victim may use the information to retaliate or where the information would jeopardise the police investigation or place any party at risk.
- Where the matter will be heard in the ChCV, the investigating member must inform the victim there are restrictions on the publication of details about the court proceedings unless permission has been granted by the court. This includes publishing the name of the accused, witnesses and identification of the court venue (s.534, *Children, Youth and Families Act 2005*).
- If the victim requires further information about court processes, the role of witnesses or needs further support, refer them to the:
 - Victims of Crime Helpline
 - Victims Assistance Program
 - Victim's Guide
 - Court Network (for Magistrates' Court matters)
 - Witness Assistance Service (for cases handled by the Office of Public Prosecutions)
 - Family Violence Court Liaison Officer (for matters involving family violence)
 - Child and Youth Witness Service (where the victim is a child) or young person.
 - Victoria Police Witness Support Unit (for victims who are employees of Victoria Police).
- Where the victim is concerned for their safety in court, members should consider the court security provisions or requesting a secure court in accordance with **VPM Court processes**.

1.8 *Engaging with victims from priority communities*

- Victoria Police is required by law to provide reasonable adjustments to people from priority communities so the person can equally access and participate in the service being offered.
- Victoria Police's identified priority communities are:
 - Aboriginal and Torres Strait Islander people
 - people with disability, including people with cognitive impairment
 - Lesbian, Gay, Bisexual, Trans and gender diverse, Intersex, Queer/Questioning and Asexual (LGBTIQ+) communities
 - people experiencing mental illness
 - linguistically diverse multicultural and multifaith communities
 - senior Victorians
 - children and young people.
- Members must undertake best practice when engaging with priority communities by delivering services in line with the community engagement principles as outlined in **VPM Community policing**, the Victims' Charter, the Charter of Human Rights and Responsibilities Act and the *Equal Opportunity Act 2010*.
- The investigating member must provide relevant information in a format preferred by the victim including Easy English (if available).

- For victims with a cognitive impairment who are able to be interviewed or have a statement taken, an Independent Third Person (ITP) must be present during the interview. It is recommended that members engage a trained ITP whenever possible due to a trained ITP's independence, familiarity with police procedures and capacity in helping a person understand their rights, options and consequences.
- For people with a cognitive impairment who are victims in sexual offence matters or witness in homicide matters, members should use the Intermediary Program for communication support and not an ITP. For more information contact IntermediaryProgram@justice.vic.gov.au.
- If a trained ITP is not available to attend within a reasonable period of time, or the person giving the statement does not want a trained ITP, then a parent, guardian, relative or close friend can act as the ITP if appropriate and independent of the investigation. A person's ITP must not be from their disability or mental health service provider.
- To determine whether the presence of a parent, guardian, relative or close friend during the statement would be suitable, refer to **VPM Interviews and statements**.
- Consider the use of Visual Audio Recorded Evidence (VARE) for some victims including children, young people and people with a cognitive impairment, to provide their evidence-in-chief without giving evidence in an open court. Refer to **VPM Visual Audio Recorded Evidence (VARE)** for more information.
- Victoria Police should, as is reasonably practicable, consider the particular needs of victims living in rural and regional locations and the availability of support services for these victims.
- For more information on supporting victims with a disability, see Victim-Centric Policing for People with Disability in the Community Support Hub on the intranet.

1.9 *Responsibilities to people adversely affected by crime*

- People adversely affected by crime are also commonly referred to as witnesses, secondary victims and by-standers.
- During incidents of mass casualty, terrorism and/or extreme violence when there are many individuals involved, it is important to distinguish between people adversely affected by crime and victims. This is essential in determining how everyone will be managed and supported by Victoria Police, as the response to people adversely affected by crime is different to that offered to victims.
- As supported by the Victims' Charter, a person adversely affected by crime must be provided with clear, timely and consistent information about relevant support services and possible entitlements. If appropriate, they must also be referred to relevant support services via the VPeR victim support pathway.
- People adversely affected by crime do not need to be kept updated about the progress of the investigation, prosecution and court process.

2. Victim Impact Statements

- A VIS is completed by the victim to outline in their own words how the crime made them feel and how it impacted them physically, financially, emotionally and socially.
- A VIS can assist the judge or magistrate to understand how the crime has affected the victim and provide assistance to the court in determining a sentence after a

finding of guilt (s.8K, Sentencing Act and s.13 of the Victims Charter or s.359 Children, Youth and Families Act).

- Once court proceedings against a suspect have commenced, investigators must:
 - inform the victim of their right to complete a VIS
 - offer the victim a Guide to Victim Impact Statements Booklet or a link to the electronic copy of the document in the publications section of www.victimsofcrime.vic.gov.au.
- If a victim expresses a wish to make a VIS, the prosecuting agency must provide the victim with a hard copy or a link to the electronic copy of the VIS guide mentioned above. The guide provides general information about the types of material in a VIS that the court may rule inadmissible and the consequences that may occur from that ruling.
- Noting the above point, the prosecuting agency does not have a duty to advise the victim of the admissibility of a particular VIS.
- Where a victim has indicated they wish to make a VIS this must be reflected on the Preliminary Brief -Statement made by Informant [Form 1372].
- Where a victim has indicated they do not wish to make a VIS, the informant should:
 - record this decision and date of decision on the VNM on LEAP/on interpose
 - notify the relevant prosecutor for this decision to be recorded on the brief
 - advise the victim to contact the informant if they later decide to make VIS.
- A VIS should only be compiled after a finding of guilt. Whilst a victim may complete a VIS prior to a finding of guilt (and prior to sentencing), the VIS must be assessed for relevance and disclosed to the accused when assessed as relevant. For further information regarding relevance and disclosure consult **VPM Disclosure in criminal proceedings** and the **Disclosure in criminal proceedings Practice Guide**. For further assistance on disclosure issues and the VIS, contact Disclosure Support Unit on email lbsb-disclosure-mgr@police.vic.gov.au.
- Members must not assist victims to write their VIS, although they may advise the victim in relation to the procedure involved.
- Members should offer a referral via VPeR Victim Support (application for a Victim Impact Statement) to support the victim in compiling a VIS. See section 3 of this policy or the **Victoria Police e-Referral (VPeR) System Practice Guide** for more information.
- If the victim prepares a VIS, the informant must advise the victim to, at a reasonable time before sentencing is to take place, provide a copy to the informant. The copy must include a copy of any medical report attached to the VIS (s. 8N, Sentencing Act or s.359(6) Children, Youth and Families Act).

3. Victoria Police e-Referral System

3.1 Overview

- Police officers are often the first point of contact for victims and people in need of assistance and therefore have the opportunity to refer them to appropriate support services.

Members must consider referrals at all incidents where a person is present and meets the criteria in section 3.2 of this policy. See the **Victoria Police e-Referral (VPeR) System Practice Guide** for more information.

3.2 *Criteria for referral*

- Referrals must be:
 - non-crisis
 - consent based.
- Referrals made through different pathways, for example family violence, sexual offences or child abuse, may be supplemented by an additional non-crisis referral via VPeR Victim Support, e.g. for assistance with compiling a VIS or application for the FAS.
- Refer to **VPM Family violence** for family violence referrals, **VPM Sexual offence investigations** for sexual offence referrals and **VPM Protecting children** for child protection notifications.
- If a person is in a mental health crisis, members should refer to **VPM Care and control under the *Mental Health and Wellbeing Act 2022***.
- Victim Support referrals are generally limited to support victims of crime against the person. In some circumstances e.g. property crime and/or persons who are traumatised/vulnerable, they may be eligible for victim support services. For further guidance, members should view the VPeR Intranet Hub, contact their supervisor, or email the OFFICE-OF-CMDR-PSCD PBEA.

3.3 *Consent and personal information*

- Members must obtain consent from the person in need of support to make a referral. Referrals must not be made on behalf of another person.
- Only the consent of the young person is mandatory for Youth Support referrals. For further information refer to section 3.4 of this policy.
- Consider the use of an interpreter regarding obtaining consent from linguistically diverse people.
- Members should ensure people with mental/ cognitive impairment understand the VPeR process prior to submitting a referral. After explaining the process, consider asking the person to explain it back in their own words. An ITP can also support this however, cannot provide consent on behalf of the person.
- Upon receiving consent from the person in need of assistance for a referral, obtain the following information:
 - full name
 - date of birth
 - residential address
 - contact information including phone number/s and an email address
 - relevant information as to why support is required e.g. physical or cognitive impairment, mental health condition.
 - preference of a culturally appropriate service.
- When making a referral, members should:

- identify the appropriate referral pathway
- only submit one referral per contact. If multiple issues are presented, members should select the most suitable referral pathway which addresses the person's key presenting issue.

3.4 *Young persons*

- When submitting a referral via the Youth Support pathway, only the consent of the young person is mandatory. Members should still make all reasonable attempts to obtain parent/guardian consent. If the young person is referred via another pathway, parent/guardian support is mandatory.
- If the young person has:
 - been a victim of a crime, they should be referred via the Victim Support pathway
 - requested an Aboriginal and/or Torres Strait Islander service, they should be referred via the Aboriginal and/or Torres Strait Islander pathway (see section 3.5 of this policy for more information).

3.5 *Aboriginal and/or Torres Strait Islander people*

- People who identify as Aboriginal and/or Torres Strait Islander may prefer to receive assistance from a dedicated Aboriginal service provider.
- Members must ask the Standard Indigenous Question (SIQ) and confirm if the person would like a culturally appropriate service. If yes, the referring member should select the Aboriginal and/or Torres Strait Islander pathway. This provides assistance with all referral types, excluding victim support. If the person is a victim of crime, a referral should be submitted through the Victim Support pathway, which will be assessed by the Victims of Crime Helpline.

3.6 *Submitting a Victoria Police e-Referral on LEDR Mk 2*

- Referrals should be submitted on LEDR Mk2 via the 'e-Referral' tab.
- A referral can be generated from an existing LEDR Mk2 report through 'Actions' > 'e-Referral'.
- Members should submit the referral prior to the end of shift or as soon as practically possible.
- Once a referral has been submitted by the member, it will be automatically sent to their supervisor for approval.

3.7 *Supervisor approval*

- All referrals require supervisor authorisation. Once approved, it will be automatically sent to the service agency and the reporting member will receive a confirmation email.
- When approving referrals supervisors must ensure that:
 - members are submitting appropriate referrals within required timeframes
 - the referral pathway selected matches the main presenting issue
 - a detailed narrative and up to date contact information is provided
 - referrals are approved before the end of the shift (unless actioning out of hours).

3.8 *Victoria Police e-Referral reporting*

- The reporting capability for referrals is available via:
 - the Workplace Inspection Report (under Other Products) on the Organisational Performance Hub.
 - LEDR Mk2.
- Refer to the **Victoria Police e-Referral (VPeR) System Practice Guide** for guidance on accessing referral reports.

4. Victims Assistance Program

- The VAP, delivered by community-based agencies, provides services to victims, witnesses and family members affected by crimes.
- A referral to VAP should be made via VPeR on LEDR Mk2. Members must select the Victim Support referral pathway and relevant sub-type.

5. Victims Register

- The Victims Register provides information to eligible victims or family members of a deceased victim about offenders under a custodial sentence in Victoria for a violent offence against the victim including:
 - assault
 - armed robbery
 - stalking
 - kidnapping
 - family violence
 - threats to kill
 - sexual offences
 - culpable driving
 - manslaughter
 - murder.
- If a victim of family violence applies to go on the register, the offender's custodial sentence does not need to be:
 - a violent offence against a person, or
 - an offence against the victim of family violence
- Where an investigating member is notified that the accused has received a custodial sentence, the member should:
 - contact the victim and inform them of their entitlement to be included on the victims register
 - consider any request from the victim to be kept informed of case progress.
- Inclusion on the Victims Register is voluntary.
- In order for a victim to be included on the Victims Register, an application form must be completed/submitted by the victim to the Victims Register, managed by the Department of Justice and Community Safety.
- Members can submit a VPeR on LEDR Mk 2 under the sub-category 'Application for Victims Register'.
- Alternatively, the victim can download the application form from the Victorian Government Victims of Crime website (www.victimsofcrime.vic.gov.au/victorian-

victims-register). The information for the Victims Register is located via the “After Court” tab. Eligibility criteria for inclusion on the register is also available on [www.victimsofcrime.vic.gov.au /victorian-victims-register](http://www.victimsofcrime.vic.gov.au/victorian-victims-register)

- Further information can be located on the Community Support Hub intranet site.

6. Financial Assistance Scheme

- A person may apply for financial assistance through the FAS. Criteria for eligibility and application forms for financial assistance can be located on the FAS website (<http://www.victimsofcrime.vic.gov.au/fas>).
- For victims requiring assistance, members should make an e-Referral LEDR Mk2 to Victim Support who will provide assistance to the victim in making an application to FAS.
- FAS has a dedicated Aboriginal and/or Torres Strait Islander pathway, Marra Yattakunar. If the applicant identifies as Aboriginal and/or Torres Strait Islander, members should offer the contact details of the Marra Yattakunar helpline via 1800 849 778.

7. Reported breaches of the Victims’ Charter

- If a victim of crime believes a member has not treated them, or a family member in line with the Victims’ Charter, they are able to make a complaint to Victoria Police.
- A complaint can be made by:
 - completing a Victoria Police complaint form available on the Victoria Police website, and submitting via email or mail to the Police Conduct Unit
 - the person visiting their local police station to talk to a police member in person
 - contacting the Independent Broad-based Anti-corruption Commission (IBAC) directly or to any police officer.
- Complaints must be handled as per **VPM Complaints** and **VPM Discipline**.

7.1 Victims of Crime Commissioner

- If a victim is not satisfied with the response they received from Victoria Police regarding their original complaint to the Police Conduct Unit, they have the right to complain to the Victims of Crime Commissioner.
- The Commissioner may consult and/or seek information from Victoria Police when considering a complaint. Professional Standards Command is responsible for liaising directly with the Commissioner regarding the nature of the complaint(s).

Related documents

- *Victims’ Charter Act 2006*
- *Victims of Crime (Financial Assistance Scheme) Act 2022*
- VPM Community Policing
- VPM Disclosure in criminal proceedings
- VPM Intelligence
- VPM Family Violence

- VPM Sexual offence investigations
- VPM Protecting children
- VPM Interviews and statements
- VPM Care and control under the *Mental Health and Wellbeing Act 2022*
- Code of Practice for the Investigation of Sexual Crime
- Code of Practice for the Investigation of Family Violence
- Victoria Police e-Referral (VPeR) System Practice Guide
- VPeR Prompt Card
- Victim-Centric Policing Manager's Guide
- Victim-centric Checklist
- Victims' Charter Act 2006 Factsheet
- Victim-Centric Policing Flowchart
- Victim Assistance Program Factsheet
- Mobile Technology Fact Sheet – sending an L1 and a victim notification via IRIS

Further advice and information

For further advice and assistance regarding this policy, contact PSCD at PBEA: OFFICE-OF-CMDR-PSCD.

Other information and resources can be found on the Community Support Hub intranet page.

Update history

DATE UPDATED	SUMMARY OF CHANGE	FORCE FILE NUMBER
29/03/21	Consolidates and replaces VPMP Victim support and VPMG Victim support , with further instruction regarding the use of VPeR; alignment with amendments to the <i>Victims' Charter Act</i> ; incorporation of recommendations from the Royal Commission into Institutional Responses to Child Sex Abuse (support person); recommendations arising from Operation Titan / Bourke Street incident (person adversely affected by crime)	FF-104687
01/09/23	Update to reflect new terminology and legislative references under the VPM Care and control under the <i>Mental Health and Wellbeing Act 2022</i>	FF-232451 1
18/11/2024	Update to reflect Victims of Crime Assistance Tribunal name change to Financial Assistance Scheme.	NA
22/09/2025	Consolidates Victoria Police Victim-centric Policing policy statement within VPM Victim support . Added information on the Victims Assistance Program, updated information on VPeR, notification of bail, updated terminology and VPM references, deletion of appendix outlining referral pathways. VPeR referral Information now located in new Victoria Police e-Referral (VPeR) System Practice Guide .	FF - 266230 FF - 267377

30/09/2025	Updated definition of a victim in accordance with the <i>Youth Justice Act 2024</i> to include a person impacted by the conduct of a child under 14 years if the conduct would constitute offending if the child was 14 years or older.	NA
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