

Victoria Police Manual – Policy Rules

Interactions with the public

Context

Interactions with the public are a core part of policing and play an important role in community engagement and safety, relationship building and the detection and prevention of crime. Community contact provides members the opportunity to better understand the community they police, promotes public trust in police and provides the community with confidence to engage with police. When a police member communicates the reasons for their decisions, public confidence in the use of police powers is strengthened.

Community engagement is one of the most fundamental aspects of policing. This policy reinforces the importance of engagement and communicating reasons for decisions in relation to interactions with the public.

Application

Policy Rules are mandatory and provide the minimum standards that employees must apply. Non-compliance with or a departure from a Policy Rule may be subject to management or disciplinary action. Employees must use the Professional and Ethical Standards to inform the decisions they make to support compliance with Policy Rules.

These Policy Rules apply to:

- All Victoria Police employees

Rules and Responsibilities

1. General engagement with the community

A significant aspect of community policing is actively engaging with the community. Often this begins as a simple chat to greet members of the public in the vicinity and show a police presence. Depending on the circumstances, this may lead to further interaction which can lead to a range of outcomes, some of which require additional considerations. When being approached by a member of the public, or considering whether to approach someone, regardless of the type of interaction, members should observe the following:

- be approachable, professional and helpful

- act fairly, responsibly and impartially without discrimination, prejudice, stereotypes or bias
- act with professionalism, consideration and respect
- remain mindful of a person's right to privacy and reputation
- be aware that initial contacts can lead to a range of outcomes, some of which require additional considerations and actions
- understand that interactions with members of the public can impact on people's human rights. Members must take a considered and balanced approach and act in a way that is reasonable, proportionate and justified based on respecting people's dignity, equality and freedom.

2. Formal enquiries and enforcement action

2.1 *Circumstances*

Where members need to make more formal enquiries or take enforcement action, further considerations need to be taken into account as the intrusion on the person's rights becomes more significant. For example, this may include:

- requesting information about behaviour or presence at the location to determine whether to take the matter further or eliminate suspicions
- requesting name and address
- compelling provision of name and address (refer section 2.3)
- issuing fines, infringement notices, giving cautions or diversions in accordance with **VPMP Disposition of offenders**
- completing a Field Contact Report, submission of an Information Report or other information product in accordance with **VPMP Reporting contacts and intelligence**.
- undertaking searches in accordance with **VPM Searches of a person** or **VPMP Searches of properties**
- effecting an arrest in accordance with **VPMP Arrest and preventative action**.

2.2 *Considerations*

- All decisions must align with Victoria Police's organisational values taking into account community expectations.

- Where it is determined that more formal enquiries or enforcement action is necessary, members must:
 - provide reasons, or the statutory grounds where applicable, for why the information is being sought, or why further action is being taken, having regard to the section 2.1
 - ensure the interaction is procedurally just and fair taking any cultural matters into account where appropriate
 - make the intrusion on the liberty of the person as brief as possible, taking the circumstances into account.
- Any targeted interactions with members of the public should be justifiable and based on intelligence, the person's behaviour or reasonable suspicion. They cannot be based upon attributes such as race, colour, language, religion, nationality or national or ethnic origin, sexuality, gender identity or impairment unless relevant.

2.3 Requesting name and address

Members may request information from a person, including their name and address at any stage and are encouraged to do so when necessary. Where a person lawfully refuses to provide a name and address, this does not constitute reasonable grounds for suspecting the commission of an offence.

- Where a specific legislative power, such as that provided by *the Road Safety Act 1986*, to demand this information is not available, s.456AA, *Crimes Act 1958* states a member may require a person to provide their name and address only where the member believes on reasonable grounds that the person:
 - has committed or is about to commit an offence, whether indictable or summary
 - may be able to assist in the investigation of an indictable offence which has been committed or is suspected of having been committed.
- When using this power:
 - reasonable belief cannot be based on generalisations or stereotypes of certain groups or categories of people as being more likely to be involved in criminal activity
 - in compelling a person to provide their name and address, members must inform the person of the grounds for his or her belief in sufficient detail to allow the person to understand the nature of the offence or suspected offence.
 - where the person asks for the member's details (i.e. name, rank and the station to which they are attached) this information must be provided in writing if requested.

Quick Links

- Guidelines – may be more than one set of Guidelines that apply to the Policy
- VPMP Reporting contacts and intelligence
- VPMP Human Rights Equity and Diversity Standards

Further Advice and Information

For further advice and assistance regarding these Policy Rules, contact your supervisor or Priority Communities Division, Corporate Strategy and Operational Improvement Department.

Update history

Date of first issue	31/08/15	FF-086506
Date updated	Summary of change	Force File number
08/04/19	Update to correctly reference VPM Searches of a person	FF-105377