

# IBAC's independent oversight of Victoria Police – 2021

A snapshot of IBAC's police oversight work between  
1 January–31 December 2021

IBAC is Victoria's independent body responsible for preventing and exposing police misconduct. Our role is an important part of Victoria's police oversight system and helps the community have confidence that police act fairly, impartially and in accordance with the law.

IBAC has three strategic areas of focus which guide our work to prevent and expose police misconduct in 2021/22. They are:



High-risk police units, divisions and regions



Use of force on people at risk



Police responses to police family violence incidents

## Complaints and notifications



**1671**

Complaints received



**192**

Notifications (including mandatory notifications) received

IBAC receives and assesses complaints (from the public) and notifications (from Victoria Police and other public sector agencies) alleging police misconduct. Every complaint made by a member of the public directly to Victoria Police is reported to us.



**55%** of all complaints received by IBAC in 2021 related to Victoria Police. A single complaint or notification may contain several separate allegations that are individually assessed to determine an appropriate outcome. Possible outcomes of our assessment of each allegation are:

- investigate
- refer
- refer and review
- dismiss
- defer
- return
- take no further action.

IBAC prioritises allegations of serious or systemic corruption and misconduct for investigation.

## Monitoring of low-level complaints from Victoria Police



Complaints received by Victoria Police are triaged by the Professional Standards Command and assigned a classification that determines how each matter is handled. The lowest classifications are Local Management Resolution (LMR) and Management Intervention Model (MIM) matters.

Only minor complaint and conduct matters (for example, customer service complaints) should be classified LMR or MIM because these are incidents that are capable of resolution without using the disciplinary process and do not involve police misconduct, as defined in the *Victoria Police Act 2013*. While they are not required to notify IBAC, Victoria Police does advise IBAC of these matters.

In 2021, IBAC received:



**589**

LMR notifications



**389**

MIM notifications

IBAC monitors all LMR and MIM notifications for accuracy of classification.

## Investigations



- 13** preliminary inquiries and investigations commenced
- Six** preliminary inquiries and investigations commenced were 'own motion'
- 14** preliminary inquiries and investigations in progress
- Six** preliminary inquiries and investigations finalised



Preliminary inquiries are conducted to determine whether IBAC refers, investigates or does not proceed with a complaint or notification.



Full investigations occur where we assess that serious or systemic corruption may have occurred or is occurring. For example, investigations have concerned allegations of:

- unlawful assault and excessive use of force by police officers
- police employees misusing their position in various ways, including falsifying documents, perjury and dealing with the proceeds of crime.



IBAC conducts 'own-motion' investigations where we investigate without receiving a complaint or notification based on information provided anonymously or by intelligence sources. We also have a 'standing own motion' in relation to deaths or serious injuries after police contact.

## Prosecutions



A number of IBAC investigations resulted in criminal charges, including:

- a Victoria Police officer charged in May 2021 with recklessly causing injury and common assault after an investigation into allegations of misconduct, including excessive force, during the arrest of a vulnerable young man (Operation Langlo)
- three Victoria Police officers charged in June 2021 with recklessly causing serious injury after an investigation into an incident where a man received a serious injury during his arrest (Operation Blackmore)
- a former Victoria Police officer sentenced in August 2021 following an investigation into the assault and intentionally causing injury of a 15-year-old boy (Operation Durack).

## Reviews



**174**

Reviews of Victoria Police internal investigations commenced



**143**

Reviews of Victoria Police internal investigations finalised

IBAC reviews Victoria Police internal investigations to check that they have been investigated thoroughly and fairly, and the findings were evidence-based. Our reviews may result in recommendations for Victoria Police to strengthen its policies and procedures and improve its conduct of internal investigations.

## Recommendations



- 10** recommendations made to Victoria Police (under the IBAC Act)
- 13** recommendations made by IBAC this year or in previous years were implemented by Victoria Police
- 21** recommendations made by IBAC are being monitored but are yet to be fully implemented by Victoria Police

As a result of investigations, IBAC makes recommendations for Victoria Police to strengthen its policies and procedures to address systemic police misconduct and improve its conduct of internal investigations. We also actively oversight and report on their implementation.

## Compliance

In 2021, IBAC completed a number of activities to oversee Victoria Police compliance with five acts.



### **Witness Protection Act 1991**

- Completed one annual inspection.
- Completed one report on Victoria Police compliance with its requirements under this Act.



### **Drugs, Poisons and Controlled Substances Act 1981**

- Completed one annual inspection.
- Commenced a report on Victoria Police compliance with destruction requirements under this Act.



### **Sex Offenders Registration Act 2004**

- Completed one inspection.
- Commenced a report on Victoria Police compliance with its requirements under this Act.



### **Firearms Act 1997**

- Reviewed four quarterly reports on Firearm Prohibition Orders (FPO) issued by Victoria Police.
- Reviewed the making of 73 FPO's and provided seven recommendations to Victoria Police to improve compliance with the Act.



### **Crimes Act 1958**

- Reviewed one annual report received from Victoria Police relating to DNA profile samples.
- Commenced a report on Victoria Police compliance with DNA profile sample legislation.

Due to legislative restrictions, not all of IBAC's findings in relation to Victoria Police compliance are made public.

It is anticipated that, in late 2022, IBAC will also assume a compliance and reporting function in relation to Victoria Police's registration and management of human sources.

## Prevention

IBAC performs strategic research and audits, and works with Victoria Police to improve systems and practices to prevent police misconduct.

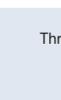


Delivered two special reports focused on IBAC investigations into police misconduct.

- The Operation Turon Special Report highlighted corruption and police misconduct risks associated with inappropriate social media use and online commentary by a senior police officer.
- The Operation Dawson Special Report covered an investigation into allegations that a superintendent misused his position to influence police investigations into sexual offences involving associates of his church.



Ran more than 40 education and training sessions to Victoria Police officers and employees, engaging with various levels of police including recruits, detectives and senior leadership on the importance of integrity and preventing misconduct and corruption.

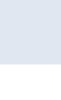


Worked with Victoria Police to improve their Conflict of Interest policy as part of our efforts to improve police systems and practices.

Throughout 2021, IBAC's strategic research included two projects aimed at identifying misconduct risks within Victoria Police and strategies to help prevent them:



a special report on misconduct risks associated with Victoria Police's Critical Incident Response Team



an audit of how Victoria Police handles complaints made by Aboriginal people.

Both of these projects will be finalised and published in 2022.

To learn more about IBAC's oversight of Victoria Police or to report corruption or police misconduct visit

[www.ibac.vic.gov.au](http://www.ibac.vic.gov.au)