

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 2023/24. They are:



High-risk police units, divisions and regions



Excessive use of force, including use of force on people at risk



Police responses to family violence incidents and predatory behaviour

Complaints and notifications*

1914

complaints received about Victoria Police

1709

mandatory notifications received from Victoria Police (required by s 169 of the *Victoria Police Act 2013*) (↑13% from 2022)

4317

allegations assessed about Victoria Police (from all complaints and notifications)

193

public interest disclosure notifications received from Victoria Police (required by the *Public Interest Disclosure Act 2012*)

316

serious incident notifications received from Victoria Police (including any police contact that results in death or serious injury) (↑19% from 2022)

58%

of all complaints received by IBAC in 2023 related to Victoria Police

Possible outcomes of IBAC's assessment of each allegation are:



investigate



refer



refer and review



dismiss



defer



return



take no further action

IBAC monitors notifications from Victoria Police daily and can take immediate action.

For example, IBAC can:

- request more information
- undertake ongoing monitoring during a Victoria Police investigation
- review a Victoria Police investigation.

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

Investigations

23

preliminary inquiries and investigations commenced

7

preliminary inquiries and investigations commenced were 'own motion'

15

preliminary inquiries and investigations finalised

14

preliminary inquiries and investigations in progress as of 31 December 2023

Investigation types



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



Full investigations:
Occur where IBAC assesses that serious or systemic police misconduct or corruption may have occurred or is occurring.



'Own motion' investigations:
Occur where IBAC investigates without receiving a complaint or notification based on information provided anonymously or from intelligence. IBAC also has a 'standing own motion' in relation to deaths or serious injuries after police contact.

IBAC must investigate any complaint or notification regarding the conduct of the Victoria Police Chief Commissioner of Police, a Deputy Commissioner or an Assistant Commissioner.

The 15 preliminary inquiries and investigations finalised in 2023 included looking into:

- alleged 'reach back' by a former police officer. 'Reach back' is when former police employees use their relationships with current police personnel for favours, information or access (to systems, buildings or people)
- the handling of a family violence incident
- the apprehension of a person during a welfare check
- alleged improper conduct during a vehicle intercept
- alleged interference with a recruitment process.

Enhancing our response to police complaints

In 2023, IBAC commenced the pilot of a dedicated multi-disciplinary team to assess and investigate single-incident complaints about police misconduct from communities at a higher risk of experiencing misconduct.

The intent of the pilot is to provide a more tailored response to complaints from people who are disproportionately affected by police misconduct in key focus communities, including Aboriginal and Torres Strait Islander, LGBTIQ+, culturally and linguistically diverse, young people or those experiencing mental health issues or disability.

IBAC plans to share the outcomes of the pilot in 2024.

Reviews

221

Victoria Police internal investigations marked for review

241

reviews of Victoria Police internal investigations finalised

IBAC reviews Victoria Police internal investigations to check that they have been investigated thoroughly, fairly and that the findings are evidence-based.

Reviews are an important part of IBAC's work because Victoria Police manages most police complaints internally.

Reviews allow IBAC to monitor how Victoria Police investigates and responds to allegations of misconduct, and how it manages matters referred to its Professional Standards Command for investigation.

Reviews may result in recommendations for Victoria Police to strengthen its policies and procedures and improve its internal investigations.

In 2023, IBAC also finalised **two** thematic reviews of Victoria Police internal investigations that involved:

- use of oleoresin capsicum aerosols (OC spray)
- family violence involving police personnel.

In 2024, IBAC will finalise **five** thematic reviews of Victoria Police internal investigations which were underway in 2023. These involve:

- non-fatal shootings
- use of force involving police vehicles
- use of body worn cameras
- apprehensions of people under mental health legislation.

Compliance

In 2023, IBAC undertook the following activities to oversee Victoria Police compliance with five Acts of law.

Witness Protection Act 1991 (VIC)

- an annual inspection.
- a report on Victoria Police compliance with its requirements under this Act.

Drugs, Poisons and Controlled Substances Act 1981 (VIC)

- an annual inspection.
- a report on Victoria Police compliance with search, seizure and destruction requirements under this Act.

Sex Offenders Registration Act 2004 (VIC)

- an inspection for a two-year period.
- a report on Victoria Police compliance with its requirements under the Act.

Firearms Act 1997 (VIC)

- five quarterly reviews of Firearm Prohibition Orders made by Victoria Police.
- a report on Victoria Police compliance with its requirements under the Act.

Crimes Act 1958 (VIC)

- an inspection for a three-year period.
- a report on Victoria Police compliance with its requirements under this Act in relation to DNA profile sample collection.

IBAC's police oversight functions under the *Human Source Management Act 2023* (VIC) will commence on 30 September 2024.

Prevention

IBAC's functions include informing the community about the harmful effects of police misconduct, and how to prevent and report it. IBAC also undertakes strategic research and audits and works with Victoria Police to educate officers and improve systems and practices to prevent police misconduct.

In 2023, IBAC:



expanded its regional-based advertising campaign to increase awareness about IBAC's police oversight role titled, [You have the right to not remain silent](#), which was viewed more than seven million times



ran **34** education and training sessions for Victoria Police personnel, engaging with various levels of police including recruits, detectives and senior leadership on the importance of integrity and preventing misconduct



completed a strategic assessment of Victoria Police to identify emerging and enduring misconduct risks impacting the organisation



presented at the Aboriginal Justice Forum and **nine** Regional Aboriginal Justice Advisory Committees (RAJACs) on IBAC's audit report, [Victoria Police handling of complaints made by Aboriginal people](#)



hosted a [community webinar](#) on IBAC's police oversight role



worked with an Aboriginal-owned creative agency, Little Rocket, to better understand the perceptions of IBAC and the barriers to First Nation peoples reporting police misconduct to us. This involved focus group research with community members and leaders



published a [prevention resource](#) for the police sector that summarises misconduct risks and drivers, prevention and detection strategies and insights from IBAC's work



created a [video](#) and [information sheet](#) for Victoria Police personnel that explains IBAC's role and the importance of reporting misconduct



developed a police risk system to identify geographical areas with a high risk of police misconduct



published a [special report](#) that analysed Victoria Police's response to IBAC's recommendations



progressed **two** reports aimed at identifying misconduct risks within Victoria Police and providing strategies to prevent them. These reports will be published in 2024:

- [Special report on Victoria Police's use of force](#)
- [Special report on Victoria Police's handling of police perpetrated family violence.](#)

Recommendations

As a result of investigations, reviews, audits and research reports, IBAC makes recommendations for Victoria Police to strengthen its policies and procedures to address systemic police misconduct and improve its internal investigations. This year, these activities resulted in:

19

recommendations made to Victoria Police following investigations and reviews

39

recommendations implemented by Victoria Police which were made by IBAC during 2023 or before

54

recommendations are yet to be fully implemented by Victoria Police as of 31 December 2023.

As well as recommendations made to Victoria Police by IBAC, this data also includes requests made to Victoria Police by IBAC under section 160 of the *Independent Broad-based Anti-corruption Commission Act 2011*.

As a result of the IBAC recommendations reported as implemented in 2023, Victoria Police introduced:

- a simplified complaint classification system to help ensure clarity for people who make complaints, investigators, and subject officers
- a new external complaint form which includes the standard Indigenous question to identify Aboriginal people at the earliest opportunity and ensures their complaint can be prioritised for triage and assessment
- a process which ensures all complaints made by people who identify as Aboriginal will be triaged to receive contact from the PSC Police Aboriginal Liaison Officer (PALO)
- updated cyber security awareness training and policies, and tighter information access protocols for its central database to promote a positive security culture.

IBAC also makes recommendations to improve Victoria Police compliance with five Acts of law. This year, our compliance oversight activities resulted in:

45

recommendations made to Victoria Police.

Measuring Victoria Police's response to IBAC's recommendations



In 2023, IBAC released a [special report](#) that analysed how Victoria Police responded to 104 recommendations made by IBAC between January 2016 and March 2022.

Key findings from this report included:

>90%

Victoria Police accepted and implemented over 90% of IBAC's recommendations

50%

50% of IBAC's investigations involving Victoria Police led to discipline recommendations

50%

50% of recommendations that related to taking disciplinary or management action against officers were made in part because officers concealed or failed to accurately disclose misconduct.

Police stations at risk of misconduct



In 2023, IBAC developed a risk system to identify Victoria Police units and stations with a high risk of police misconduct. This risk system uses a combination of open-source, Victoria Police and IBAC data to:

- provide risk scores for general duties stations
- inform IBAC's decision-making processes, particularly those related to the assessment of complaints, notifications and our prevention activities
- prioritise resources and understand the drivers of risk
- provide insights for IBAC's strategic focus areas.

IBAC will review this system regularly and conduct periodic internal performance reviews to ensure it remains an effective, efficient and accurate tool.

Safely report police misconduct to IBAC or provide information anonymously.



Fill out the secure online form at www.ibac.vic.gov.au



If you have difficulty accessing the online form, call us on **1300 735 135** for further assistance.



If you need help with translation, call Translating and Interpreting Service on 13 14 50 or visit www.ibac.vic.gov.au/mylanguage

April 2024