



Chief Commissioner's Statement of Commitment

On 8 May 2023, I appeared before the Yoorrook Justice Commission and gave evidence in relation to the historical and present-day interactions between Victoria Police and the Aboriginal community.

In my opening remarks I issued a formal and unreserved apology to the Aboriginal community on behalf of Victoria Police for the significant harm caused by the organisation that directly links to the over- representation of Aboriginal people including children in the criminal justice system and a lack of trust and even fear of police for many Aboriginal people.

I also outlined, in both my written statement and oral testimony, the many initiatives and examples of dedication to duty of Victoria Police, aimed at working effectively in partnership with the Aboriginal community to improve the outcomes of the criminal justice system for Aboriginal people.

While I know that the overwhelming proportion of our workforce is not racist, the persistent and consistent poor outcomes for Aboriginal people is undeniable. This has compelled us to examine where unconscious bias and the inequitable use of discretion or unfair systems are adversely impacting Aboriginal people and contributing to systemic racism.

As the Chief Commissioner of Victoria Police, it is my role to ensure that real change flows from my apology. I accept this challenge, confident in the capabilities, commitment and professionalism of my workforce to bring about transformational change. We will continue to work with the Aboriginal community in the spirit of collaboration and self-determination, to reduce over-representation of Aboriginal people in the criminal justice system. This is reinforced in The Victoria Police *Keeping You Safe* Strategy 2023-2028.

This Statement of Commitment is the roadmap that will ensure we continue to deliver change by partnering and building trust with Aboriginal community members and organisations realising better outcomes for the Aboriginal community.

This vital work is relevant to everyone who works in Victoria Police and builds on and aligns with our existing commitments within the relevant whole of government frameworks.

On behalf of Victoria Police, I make the Statement of Commitment which includes the accompanying plan which details our actions over 2023-2025 period. Victoria Police will partner with Aboriginal community members to ensure the delivery of these commitments in this Statement will be implemented, monitored and deliver tangible outcomes.

This is a living document which will evolve in response to the work of the Commission and the needs of the Aboriginal community.

Shane Patton APM
Chief
Commissioner
11.03.2024



Monitoring and accountability

Assign responsibility for this Statement to an internal Yoorrook Justice Commission Response Taskforce

1. Coordinate implementation of the actions in this Statement of Commitment by **the end of 2025**.
2. Install the shield presented to the Chief Commissioner by the Yoorrook Justice Commissioners.
3. Establish a committee to oversight implementation of these actions.
4. Consult with the Aboriginal Portfolio Reference Group and the Aboriginal Justice Caucus on meaningful measures of transformational change.

Improve the reporting on performance and outcomes

5. Analyse individual, community and trend data differentiating by Aboriginal and non-Aboriginal status to identify risks of systemic racism (i.e., disproportionate and unjustified outcomes of systems, policies and processes).
6. Report compliance on asking the Aboriginal or Torres Strait Islander identifying question.
7. Review the methodology and outputs of predictive tools.
8. Explore the viability of operationalising Indigenous Data Sovereignty within Victoria Police.

Strengthen active oversight of Aboriginal outcomes

9. Include reporting on Aboriginal outcomes as a standing item in our Executive Command and Tier One leadership committees.
10. Seek advice from the Aboriginal Portfolio Reference Group on how Victoria Police develops a workable model for giving effect to self-determination and identifies and addresses unconscious bias and unequal use of police discretion.
11. Propose a standing item on the agendas of the national Police Commissioners Forum, the national Police Ministers Council and the weekly meeting between the Minister of Police and the Chief Commissioner on Aboriginal-specific issues, outcomes and areas for coordinated action.

12. Introduce regular reporting to Executive Command on Aboriginal-specific issues, including Regional Aboriginal Justice Advisory Committees' issues of note, Aboriginal Justice Forum discussions, Aboriginal Community Liaison Officer and Police Aboriginal Liaison Officer advice.
13. Ensure there is monitoring and evaluation of programs that is consistent with the Burra Lotjpa Dunguludja Monitoring and Evaluation Framework which aims to increase self-determination in relation to criminal justice.

Increase shared understanding and transparency of policing outcomes

14. Communicate Victoria Police support for self-determination and how we will action it.
15. Introduce a chapter in the Annual Report to report on Aboriginal-specific initiatives and outcomes, including:
 - Professional Standards Command complaint data, categories and outcomes differentiating between complaints made by Aboriginal and non-Aboriginal people.
16. Improve reporting of statistics on official warnings, searches and remands of Aboriginal people, noting that the Crime Statistics Authority reports statistics on victims, arrests, cautions and summonses, and Courts report on diversions.
17. Continue to report on Closing the Gap goals annually and to the Aboriginal Justice Forum periodically, Aboriginal Justice Agreement goals, recruitment and procurement targets, and program evaluation results.
18. Formalise with the Coroners Court of Victoria the Victoria Police apology process for families of a deceased person.
19. Issue an apology for the role of Victoria Police in the Stolen Generations.
20. Continue to report to the Aboriginal Justice Forum on complaint and discipline numbers, categories and outcomes.
21. Monitor the operationalisation of the decriminalisation of public drunkenness to ensure there is no up-charging or unequal use of discretion.
22. Communicate the impacts of changes from implementing the recommendations of external reviews that affect Aboriginal outcomes.



Cultural competence and human rights capability

Embed Aboriginal Cultural Awareness Training

23. Ensure all police, Protective Services Officers and Police Custody Officers complete the Training.
24. Expand the Training to all Victoria Police public servants.
25. Embed the Training in Foundation Training.
26. Develop refresher training.

Human Rights Currency

27. Ensure all Victoria Police employees undertake human rights training.
28. Implement training programs already subject to review by the Aboriginal Portfolio Reference Group, the Aboriginal Justice Caucus and the Victorian Equal Opportunity Human Rights Commission.

Review the Aboriginal-specific content in foundational, promotional and specialist courses

29. Develop a robust process to review new or revised training to ensure Aboriginal-specific content is included where applicable, in partnership with Priority and Safer Communities Division through consultation with the Aboriginal Portfolio Reference Group and the Aboriginal Justice Caucus.
30. Establish mechanisms to assess understanding of the learning from content developed including Aboriginal Cultural Awareness Training and human rights training.

Enhance the Aboriginal Community Liaison Officer role

31. Increase the number of Aboriginal Community Liaison Officer positions across the state.
32. Finalise the level of the position to reflect the importance and the expanded responsibilities of the role.
33. Create a Senior Aboriginal Programs Coordinator position to support the Aboriginal Community Liaison Officer and the Police Aboriginal Liaison Officer networks.

34. Create an Aboriginal Complaints Support Officer position at Professional Standards Command to review and support the investigation of complaints made by Aboriginal people.

Increase and support the Aboriginal workforce

35. Implement the [Aboriginal and Torres Strait Islander Inclusion Action Plan 2023-2025](#).
36. Review and strengthen Aboriginal applicant attraction strategies including:
 - Establish an Aboriginal and Torres Strait Islander mentoring program; and
 - Actively engage with review and relaunch of *Barring Djinang VPS Aboriginal employment and development strategy* and subject to funding/recourses being provided commit to all relevant quantitative and qualitative targets.
37. Expand the diversity recruitment program with a focus on Aboriginal people.
38. Ensure actions relating to Aboriginal employee life cycle (attraction, recruitment, development, mentoring, promotion, exit) have clearly identifiable criteria for success subject to regular monitoring and reporting.
39. Implement self-determination reform through supporting the Aboriginal Employee Network and Network Council in their role in guiding how Victoria Police applies a self-determination reform framework.
40. Ensure Aboriginal employees are proactively engaged and afforded opportunity to participate in exit interview process when leaving any work-group within Victoria Police or leaving Victoria Police.
41. Conduct an ongoing annual forum for Aboriginal and Torres Strait Islander employees.
42. Conduct an ongoing annual forum for the Aboriginal Community Liaison Officer network.
43. Conduct an ongoing annual forum for the Police Aboriginal Liaison Officer network.

Commit resources to collaborative responses

44. Expand the Aboriginal Youth Cautioning Program capacity and uptake by young people.
45. Expand the Embedded Youth Outreach Program to additional locations.
46. Support the Youth Crime Prevention Program and Early Intervention Project.
47. Support the restorative justice pilot Lotjpadhan with Dr Lois Peeler.

Human rights and cultural rights compliance

Reduce the over-representation of Aboriginal young people and adults in the criminal justice system

48. Evaluate and enhance the effectiveness of the Aboriginal Youth Cautioning Program.
49. Explore the feasibility of introducing a cautioning program for adults.
50. Develop policy, procedures and training to operationalise the decriminalisation of public drunkenness.
51. Continue to reinforce the obligations under section 3A of the *Bail Act 1977* and section 19 of the *Charter of Human Rights and Responsibilities 2006* to bail decision makers and police prosecutors.
52. Develop policy, procedures and training to operationalise the raising of the age of criminal responsibility.
53. Support the Department of Justice and Community Safety's development of an alternative service model for 12-13 year olds that includes culturally appropriate support.
54. Coordinate, support and review the statewide implementation of local Police and Aboriginal Community Protocols Against Family Violence with the Aboriginal community.
55. Monitor application of the Framework to Reduce Criminalisation of young people in residential care.

Implement all police recommendations from the Royal Commission into Aboriginal Deaths in Custody

56. Complete the review of recommendations with the Aboriginal Justice Caucus Project team.
57. Develop timelines and accountabilities for implementing the outstanding recommendations.
58. Report any death in police custody in near to real time to the Australian Institute of Criminology.

Improve the implementation of external recommendations

59. Audit all outstanding Aboriginal related recommendations to ensure delivery dates, accountable recommendation owners, linkages between recommendations and the intent are being met.
60. Assess whether changes implemented in critical areas fulfils the intent of the recommendations.
61. Coordinate organisational changes arising from recommendations made in related themes.
62. Action items from the Aboriginal Justice Forum with urgency.

Improve the police handling of complaints made by Aboriginal people

63. Review the triaging and oversight of complaints made by Aboriginal people.
64. Seek legislation to enable complaints to be made via a third party or to a Victoria Police public servant.
65. Monitor the substantiation rates and complaint outcomes relating to Aboriginal people.
66. Ensure conflict of interest forms are attached to all complaint files.
67. Require the Assistant Commissioner of Professional Standards Command to approve oversight reports on investigations of any death or serious injury to an Aboriginal or Torres Strait Islander person in police custody or in custody related operations.
68. Create a Police Aboriginal Liaison Officer network within Professional Standards Command.
69. Revise the complaint form to be more user-friendly and accurately capture the nature of a complaint.
70. Improve the timeliness of investigations and the communication with the person making the complaint.
71. Support any independent oversight body with investigations of complaints made by Aboriginal people.

Assess the potential impacts of new policy, procedures and legislation on Aboriginal communities

72. Develop a process for including an assessment of potential impacts in submissions or advice to government.
73. Include impact on Aboriginal people as a component of Victoria Police Policy Impact Assessments and the Human Rights Risk Assessments.
74. Specify the Aboriginal community as a community within the Neighbourhood Policing model.



75. Review policies in the *Victoria Police Manual* that may disproportionately affect Aboriginal people.

Enhance police custody management

76. Revise the guidelines in the *Victoria Police Manual* and incorporate the *Chief Commissioner's Instruction about Oversight of Aboriginal and Torres Strait Islander Children in Police Custody*.
77. Review, whether the custodial health services provided are culturally appropriate and safe.
78. Automate the internal reporting of police custody-related incidents.
79. Specify the process for notifying WorkSafe of deaths and serious illness or injuries in police custody in the *Victoria Police Manual*.



VICTORIA POLICE

Update History:

Version	Date	Revised Material
1.1.	March 2024	Amendment to wording of Action 54 to include 'review': Coordinate, support <u>and review</u> the statewide implementation of local Police and Aboriginal Community Protocols Against Family Violence with the Aboriginal community.
1.2	June 2024	Amendment to wording of Action 67 to include direct reference to Aboriginal and Torres Strait Islander People: Require the Assistant Commissioner of Professional Standards Command to approve oversight reports on investigations of any death or serious injury <u>to an Aboriginal or Torres Strait Islander person</u> in police custody or in custody related operations.