



VICTORIA POLICE

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Judge Sara Hinchey
Coroners Court Victoria
65 Kavanagh Street
SOUTHBANK Vic 3006



Dear Judge Hinchey

Subject: Kelly Ann Thompson
Case No: COR 2014 0824
Date of Rec: 21 April 2016

Victoria Police response to recommendations arising from the Inquest into the death of Kelly Ann Thompson

This document provides the Victoria Police response to Judge Ian Gray's recommendations directed at the Chief Commissioner of Police (recommendations 2 - 6), arising from the Inquest into the death of Kelly Ann Thompson at Point Cook on 9 February 2014.

Further, and on behalf of Victoria Police, I apologise to Kelly Thompson's family for Victoria Police's response in the lead up to Kelly's death. Whilst noting Judge Gray's finding that the individuals related to this matter acted in good faith, I acknowledge the hurt and suffering felt by Kelly's family as a result of Kelly's tragic and untimely death.

Victoria Police is unequivocal about the seriousness with which it responds to family violence. We have developed and are improving our training and policy initiatives to respond to family violence in a timely and appropriate manner, with a view to preventing tragedies like Kelly's death from occurring again.

RECOMMENDATION 2

I recommend that Victoria Police implement, if necessary by changes to the Victoria Police Manual and/or the Code of Practice for family violence, a practice that requires police officers who attend property collections where an IVO is in place, to:

- (a) review available information in relation to the parties before attending including past L17 assessments, LEAP notes, the IVO application and whether there have been previous property exchanges;***
- (b) (note that there is no reference to item b)***

- (c) actively utilise the property exchange as an opportunity for risk assessment and risk management, if indicated by the circumstances;*
- (d) give consideration to whether completion of a Form L17 is required and complete the Form L17 if so required; and*
- (e) record the fact of their attendance and their observations of the parties on LEAP.*

It may be appropriate to allow some flexibility in situations where members are attending property collections at very short notice and are not able to fulfil all of these requirements.

2(a) REVIEW INFORMATION PRIOR TO PROPERTY EXCHANGES

Victoria Police supports the Coroner's recommendation.

The Victoria Police Code of Practice for the Investigation of Family Violence (Code of Practice) sets out the obligations for police in assisting with property retrieval. Victoria Police will amend the Code of Practice to explicitly state that police should review available information relating to the parties prior to a property exchange.

The Victorian Royal Commission into Family Violence has made a series of recommendations requiring amendments to the Code of Practice. Victoria Police will incorporate the Coroner's recommendations into the Code of Practice amendments for consideration as part of the response to the Royal Commission.

2(c), (d), (e) ATTENDANCE AT PROPERTY EXCHANGES

Victoria Police supports the Coroner's recommendations.

The responsibility of police in recording any family violence incident is clearly articulated in the Code of Practice. Police officers' mandatory responsibilities in recording family violence incidents apply where family violence occurs or is reported during a property exchange.

The Code of Practice will be strengthened to reiterate that consideration should be given as to whether individual circumstances require completion of a Form L17 whilst police are present at a property exchange. In addition, in response to the Victorian Royal Commission into Family Violence, Victoria Police will establish a Family Violence Centre of Learning, which will further develop and embed police understanding of family violence. The changes recommended by the Coroner in this investigation can be included as part of the curriculum for the new Centre of Learning.

Victoria Police will investigate options to improve the process for recording police attendance at property exchanges. This will include identifying ways to record this information on LEAP and make it accessible to all police.

RECOMMENDATION 3

I recommend that Victoria Police and the Magistrates' Court of Victoria develop an information exchange system that will enable the details of the information contained in the intervention order application made by self-represented, or privately represented parties to be uploaded to LEAP in the same way as the information is uploaded in cases where police are making the intervention order application.

Victoria Police supports the Coroner's recommendation in principle, and will work with the Magistrates' Court of Victoria to identify options for implementation of this recommendation. Victoria Police acknowledge that police officers currently do not have access to important and relevant narrative information contained in self represented intervention order applications through the LEAP system. Such information is available on LEAP through police initiated intervention orders.

However Victoria Police also refers to the findings of the Victorian Royal Commission into Family Violence and, in particular, to the Commission's recommendation as to the need for better information sharing arrangements and systems in cases of family violence. Whilst work is still being undertaken in this area across Government as to the development of such better information management systems, it is expected that a more mature information sharing environment between agencies, including Courts and Police, will assist with implementation of this recommendation.

It is Victoria Police's view that it is in the context of the development of such improved information management processes will provide opportunities for this issue to be best addressed.

RECOMMENDATION 4

I recommend that Victoria Police examine the feasibility of developing a system for recording a telephone call to a police station by a party to a family violence incident, creating a record that is visible to members who subsequently check the parties on LEAP.

Victoria Police has examined the feasibility of implementing Recommendation 4 and is investigating options to improve our current processes for recording this information on LEAP.

In particular, Victoria Police notes that technology is available to develop this capability, however an assessment of the feasibility for implementing this capability will need to be undertaken, as such a technical solution raises both technical and resource issues for the organisation.

RECOMMENDATION 5

I recommend that the AFMs be informed by police if the perpetrator is not charged with breach of the IVO. I will not prescribe a precise time for that but I agree that seven days is reasonable.

Victoria Police supports the Coroner's recommendation.

The *Victims' Charter Act 2006* (Vic) (Victims' Charter) and the Victoria Police Manual set out the obligations of police to notify victims who have suffered an injury¹ of the progress and outcomes of an investigation process, including whether charges are filed against the offender. This does

¹ "Injury" as defined in section 3 of the *Victims' Charter*

not include contraventions of intervention orders where the affected family member (AFM) has not suffered an injury.

Victoria Police will amend the Code of Practice to require police to inform AFMs if a contravention charge does not proceed. This will build on our existing obligations under the Victims Charter.

The Royal Commission into Family Violence has made a series of recommendations requiring amendments to the Code of Practice. Victoria Police will incorporate the Coroner's recommendations into the Code of Practice amendments for consideration as part of the response to the Royal Commission.

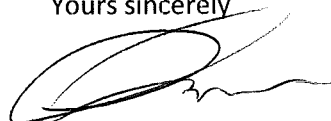
RECOMMENDATION 6

I recommend that the AFMs be educated/advised by Victoria Police and other family violence agencies to call 000 to report breaches of an IVO.

Victoria Police supports the Coroner's recommendation.

Victoria Police's Media and Corporate Communication Department will work with Family Violence Command and other Family Violence agencies to develop and implement a campaign to inform affected members of the community of the need to contact 000 in the case of any breach of an IVO as well as Police Officers, and those working in Family Violence.

Yours sincerely



Graham Ashton AM
Chief Commissioner

28/7/16