



VICTORIA POLICE

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Coroner Phillip Byrne
Coroners Court of Victoria
65 Kavanagh Street
SOUTHBANK VIC 3006

Subject: Matthew Fitzpatrick - Finding into death without inquest
Court Reference: COR 2017 6095
Date of Recommendation: 21 April 2020

Dear Coroner Byrne,

Victoria Police response to recommendation arising from Finding without inquest into the death of Matthew Thomas Fitzpatrick

This document provides the response to your recommendation to Victoria Police, arising from the Finding into the death of Matthew Thomas Fitzpatrick without inquest, delivered on 21 April 2020.

The Finding reviewed and commented on the adequacy of the search coordinated by Victoria Police and the state of the relationship between Victoria Police and the family of Matthew Thomas Fitzpatrick.

Victoria Police's response to your Finding is set out below.

RECOMMENDATION

The issue of the obvious tension between the family and police members was recognised by the reviewers and a recommendation made that Victoria Police develop and implement a policy where trained Family Liaison Officers liaise with family members in some situations, including searches, for missing persons. Apparently, such an initiative was implemented in the United Kingdom several decades ago and the proposal is to adopt a similar protocol here. I do not know whether the recommendation of the review committee has been adopted and implemented by Victoria Police. However, I support the proposal and if not yet implemented adopt the recommendation of the reviewers.

The recommendation reflects that contained within the incident review completed by Acting Superintendent Logan.

Victoria Police is pleased to confirm that the State Emergencies and Support Command has recently implemented a comprehensive Practice Guide on the appointment of Family Liaison Officers in missing person searches. The Practice Guide stipulates the role and responsibilities of the Family Liaison Officer includes building rapport and providing appropriate support to impacted family members, obtaining relevant information from family members which may assist in the operation (for example, details of the missing person's mental and physical health, knowledge of lost area etc.), providing timely, accurate and contemporary information to the family about the operation as well as information on available Welfare Services, amongst other things. The Practice Guide also addresses how a Family Liaison Officer is to respond and assist requests from family members to help in the search for the missing person.

Further, the Practice Guide also recognises there may be other circumstances in which the use of a Family Liaison Officer may be beneficial and should be considered. For example, in instances of unexplained or violent death possibly arising from a homicide, road death or mass fatality event, or where failing to appoint a Family Liaison Officer may be detrimental to the success of an operation.

In recognition that family members and other members of the public may wish to assist in operations, a related Practice Guide has also been created addressing the use, management and supervision of Spontaneous Volunteers.

Both Practice Guides were launched on 25 May 2020 and are **attached**.

Yours sincerely


Shane Patton APM
Chief Commissioner

21/7/2020

Victoria Police – Practice Guide

This Practice Guide supports the Victoria Police Manual and legislation; if it is in conflict it is invalid. Employees must continue to use the Code of Conduct – Professional and Ethical Standards to inform their decisions.

Family Liaison Officer

Authority and application

Practice Guides are issued to assist relevant Victoria Police employees to understand and comply with legislation and relevant parts of the Victoria Police Manual. They are for educational and good practice purposes, not for compliance.

This Guide is provided by the State Emergency Response Coordination Division to assist employees who, as part of a response to an emergency, undertake the role of Family Liaison Officer (FLO) in relation to emergency response.

This Guide has been approved by the Assistant Commissioner, State Emergencies and Support Command, in line with **VPM Policy development and advice**.

Source policy

This Practice Guide supports and must be read in conjunction with the following:

- **VPM Emergency management response**
- **VPM Specialist support**

Other references

The following additional references should also be considered:

- Victoria Police Emergencies Handbook
- Emergency Management Manual Victoria

Practice guide

1. Family Liaison Officer

1.1 *When to appoint a Family Liaison Officer (FLO)*

- The Police Commander (PC) / Police Forward Commander (PFC) should consider the FLO role in the following instances:
 - a critical incident or missing person search where family liaison may enhance the effectiveness of the police response (for example, an event where there are many family members gathering)
 - an unexplained or violent death, particularly in respect of a homicide, road death or mass fatality event.
- Failing to appoint a FLO may be detrimental to the success of the operation and fail to meet the family's expectations of police.
- For circumstances involving multiple people, consideration should be given to appointing a FLO for each family.

1.2 Positioning of the FLO within the ICCS Structure

- The Investigations Function within the ICCS structure is responsible for the management of witnesses and victims, and as such is the most practical area of responsibility. It is acknowledged that in some instances, realignment of the FLO role to the 'Operations' function may be warranted. This fits with the ICCS principles of being scalable and flexible in approach.
- The FLO may be a shared functional role, but when the scale and complexity of the event increases and the span of control is exceeded, a dedicated FLO role should be considered.

1.3 Appointment of a FLO

- It is preferred to limit the FLO role to one or two members, taking into account rostering and availability for the duration of the operation.
- The FLO should be a police member not directly involved in other key roles or ICCS functions. They should have a work mobile phone and must not use or provide their private number.
- A FLO should be a member who:
 - displays a level of emotional intelligence, is articulate, understanding, sensitive and clear in their communications
 - has direct access to the PFC, ICCS Functional Managers and the emergency management team meeting (EMT)
 - understands the ICCS Structures and is involved during EMTs
 - displays the authority and ability to influence decision making
 - can maintain a positive attitude for a successful outcome while simultaneously not building up false hopes.

1.4 Considerations for managing the family

- Establish an appropriate area for the family to meet/wait, that is not too close to the Forward Command Post or area of operations.
- Consideration should be given to this area being suitable to provide involvement and connection to the operation, but also located out of hearing of operational decisions and radio traffic.
- Consider the comfort and privacy of the family, in an area that protects them from the media.

2. Roles and responsibilities

2.1 The role of a FLO

- To build rapport and ensure appropriate support is provided to the impacted family members.
- To glean relevant information to assist with the operation that may not have already been provided, including mental and physical health, habits and abilities with regards to area lost (e.g. map reading skills, bushwalking and hiking skills in respect to search and rescue events).

- The FLO is the conduit for providing timely Welfare Services to the impacted family (*note that these services are usually derived during the EMT*). Consider Victims of Crime Support Agency, Council of Churches or local Municipal Welfare Services.
- To keep the family informed of incident progression and answer questions asked by family members, providing a link between the family and the police operational response.
- All information/intelligence gathered must be communicated back to the PFC or ICCS Functional teams, as that information may later become relevant.
- Provide timely, accurate and contemporary information to the family. (*If the FLO is unsure, refrain from providing it and seek clarity from the PFC. If the family have many questions, consider having them write them down*). Any outcomes, positive or negative (when approved by the PFC) should be passed on to the family as soon as possible.
- A FLO may arrange a visit to the FCP to provide reassurance, however this should be done by appointment via the PFC / search coordinators so any sensitive information can be secured.
- As operation extends close to or beyond estimates of survival, the FLO should prepare the family for the inevitable scale down and manage their expectations.
- The FLO should maintain an awareness of family members social media use and offer to assist the family to help shape social media interactions.
- Where reasonable to do so, the PFC or FLO should consider catering for family members regarding meals (*e.g. where field catering or lunch packs have been arranged for search personnel and the distance is too great*).

2.2 Family involvement during incident response

- In the case of missing persons, a request from the family to assist in the search should be considered, and where appropriate supported. This can assist to ensure effective management of family.
- The FLO and PFC should consider the **Spontaneous Volunteer Practice Guide** when using family members to search.
- Allocate a safe area for family members to search, that is manageable with minimal risk and carefully considers their capability and emotional state. It is the PFC's responsibility to manage risk of family finding the missing person.
- Allocate the family search party a team member FLO or another suitable member to escort family members that are searching.
- Use an alternative form of communication where possible, to avoid family members hearing the operational channel, which can be misinterpreted.
- A family representative should be provided an option to address/thank the searchers during any hot debrief, if they so desire. Post operation, the FLO or PFC should invite the family to provide feedback to any formal debrief (in written format).

2.3 FLO Welfare Considerations

- The FLO role can be very stressful and impact on the FLOs wellbeing. It is the PFC's responsibility to ensure the FLO is given enough breaks and appropriate support throughout. Consider PEER Support, Safe-t-net and other supportive mechanisms.

- Consider introducing the Police Chaplain or Welfare Services early, to support the FLO with delivering news or assisting throughout protracted events.
- The welfare aspect of liaison is inherently important, given the ongoing relations between police and the family often outlast the course of the operation. Careful consideration by the PFC is needed on assessing the need for the FLO function to continue across funerals, coronial investigations or court appearances.

Further advice and information

For further advice and assistance regarding this Practice Guide, contact the State Emergency Response Coordination Division or your supervisor.

Update history

DATE UPDATED	SUMMARY OF CHANGE	FORCE FILE NUMBER
01/05/20	First published	FF 121420 - 1

Victoria Police – Practice Guide

This Practice Guide supports the Victoria Police Manual and legislation; if it is in conflict it is invalid. Employees must continue to use the Code of Conduct – Professional and Ethical Standards to inform their decisions.

Spontaneous Volunteers

Authority and application

Practice Guides are issued to assist relevant Victoria Police employees to understand and comply with legislation and relevant parts of the Victoria Police Manual. They are for educational and good practice purposes, not for compliance.

This Guide is provided by the State Emergency Response Coordination Division to assist employees who, as part of a response to an emergency, may consider a Spontaneous Volunteer effort in relation to a protracted search or other emergency response.

This Guide has been approved by the Assistant Commissioner, State Emergencies and Support Command, in line with **VPM Policy development and advice**.

Source policy

This Practice Guide supports and must be read in conjunction with the following:

- **VPM Emergency management response**
- **VPM Specialist support**

Other references

The following additional references should also be considered:

- Spontaneous Volunteer Strategy 'Coordination of volunteer effort in the immediate post disaster stage' by the Australian Government
- Victoria Police Emergencies Handbook
- Emergency Management Manual Victoria
- Spontaneous Volunteer Management Resource Kit by the Australian Government and Red Cross
- Spontaneous Volunteer Registration Form

Practice guide

1. The National Spontaneous Volunteer Strategy

- The 'Coordination of volunteer effort in the immediate post disaster stage' was endorsed by the Australian and New Zealand Emergency Management Committee (ANZEMC) in October 2015. It was developed to recognise the inevitability of spontaneous volunteerism in contemporary disaster management and to help harness its value and contribution to disaster resilience.
- Objectives of the National Strategy are:
 - the effective and efficient coordination of spontaneous volunteers in the immediate post-disaster phase of an emergency
 - to contribute to empowered individuals and communities
 - to satisfy volunteers who may continue to volunteer in the emergency management sector.

- The National Strategy does not mandate a prescribed jurisdictional approach. It provides broad guidance on considerations when coordinating and managing spontaneous volunteers. It includes policy considerations and suggested actions as a guide for jurisdictions and emergency management agencies in the effective engagement, coordination and management of spontaneous volunteers.

2. The Victorian Perspective

- Emergencies and search and rescue (SAR) operations can generate a significant level of community interest particularly for vulnerable missing persons. Mainstream and social media may attract many spontaneous volunteers (SV) attending a search headquarters seeking to assist with the SAR effort.
- Persons interested in searching often include family and friends of the missing person/s. SVs will come from a wide spectrum of fitness levels, experience, qualifications and motivations for assisting. While the majority of SVs will be well intended, it must be acknowledged that among them there may be some that are not (example – criminal interests/involvement etc.).
- If discouraged, ignored or not managed as part of the SAR operation, SV's will likely search in the area anyway. This could cause a variety of problems for the search operation and may create a considerable risk to the operation (or the SV's themselves).
- It is the responsibility of the Police Forward Commander (delegated to the Tactical Commander, the SAR Coordinator) to consider the use of volunteers in each circumstance. There will likely be insufficient time to conduct detailed criminal history checks while managing large scale SAR operations involving hundreds of people. LEAP checks should be done discreetly at a later time.

3. Spontaneous Volunteer Manager

- Coordinated use of SVs should be via an appointed Spontaneous Volunteer Manager (SVM), under the control of the search coordinator. The SVM should be a member of the Search and Rescue Squad, or a suitably experienced general duties member. Management of SVs is to be done separately to aligned volunteers (i.e. State Emergency Services, Surf Life Saving Victoria etc.).
- Each SV must complete an SV registration form. They must be assessed and suitably tasked in a manner that will not impact on the safety of themselves or others. If there are serious concerns of their suitability for involvement, they should not be part of the search (mindful that refusal may result in them searching within the area unsupervised and uncontrolled).
- Once registered and assessed, a SV should be allocated into a group. SVs are never to search by themselves. Groups of SVs should be supervised by a member of police or another emergency service member with search experience, either directly or in reasonable proximity.
- The safety and welfare of all searchers is the responsibility of the Police Forward Commander and Tactical Commander (SAR Coordinator). It is imperative that every SV is properly equipped and physically capable to undertake the task assigned to them.
- SV groups are not to be tasked in areas where it is known that deceased and/or body parts will be located, although chance findings cannot be planned for.

- Unless the SV's skill/experience/equipment is known to be a suitable standard, SV groups should only search in areas of very low risk (suggested areas could be the sides of a track or road). Police equipment such as radios, GPS etc., should not be issued to SVs. These devices should remain in possession of the police member supervising the group.
- SVs may augment existing SAR capabilities. They should not be used outside the below guidelines:
 - all SVs must be registered using the Spontaneous Volunteer Registration Form
 - the details contained on this Registration Form are for SAR purposes only
 - SVs:
 - must sign the acknowledgement on the Registration Form
 - are to self-manage their own catering needs, unless otherwise provided by the Police Forward Commander
 - must wear a supplied vest (and return it at end of task)
 - will only be used within their capabilities, as part of a team
 - will not be part of any specialist search team (divers, vertical rescue, confined spaces etc.)
 - will not be part of any evidentiary building/house/yard internal searching
 - should a requirement eventuate to search private property, a police member must be part of that search group.
 - all SVs will be checked by a delegated member for suitability (appropriate clothing/footwear or PPE, fitness level for task, carrying water/food, sunscreen, comprehension of task etc.)
 - SVs deemed not suitable will be refused participation until the identified issue is resolved (e.g. change into appropriate clothing/footwear etc.)
 - SVs will be arranged into teams, ideally with a police member in charge (or possibly another emergency service professional) and will not search individually
 - SVs will be briefed and allocated a search area
 - SVs will need re-supply, rotation and resting
 - be mindful that SVs will often have time restrictions (pick up school children, work commitments etc.) so this must be planned accordingly
 - SVs must report back when they either finish their task, or need to leave the area prior. De-registration should provide opportunity for de-brief and the time they cease volunteering should be recorded.

Further advice and information

For further advice and assistance regarding this Practice Guide, contact the State Emergency Response Coordination Division or your supervisor.

Update history

DATE UPDATED	SUMMARY OF CHANGE	FORCE FILE NUMBER
01/05/20	First published	FF 121420 – 1