



VICTORIA POLICE



*Court Ref: 0359/08*

*Our Ref: 071488/12*

The Honourable Judge Coate  
Coroners Court of Victoria  
Level 11, 222 Exhibition Street  
Melbourne Victoria 3000

Dear Judge Coate,

**Re: INQUEST INTO THE DEATH OF JAMES THOMAS SMITH**

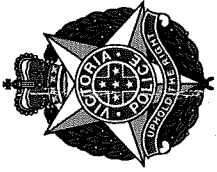
I refer to the letter received from your office dated 2 December 2012 which relates to the inquest into the death of James Thomas Smith. Court reference 0359/08 refers.

In accordance with the recommendations made by your office, Victoria Police will ensure appropriate updates are made to the Victoria Police Manual (VPM) relating to the 'Family Violence Risk Assessment and Management Report (L17)'. Furthermore, Victoria Police will continue to enforce a timely response to affected family members in relation to the conditions and outcomes of Family Violence Intervention Orders made by police on behalf of the affected family which will be promoted through an update to the '*Victoria Police Code of Practice for the Investigation of Family Violence*'. A more detailed response is attached – please see attached.

Should you require any further information in relation to the aforementioned, please do not hesitate to contact Detective Superintendent Rod Jouning on 03 9611 8815.

Regards,

Graham Ashton AM  
Deputy Commissioner, Crime and Operations Support



VICTORIA POLICE

**Victoria Police response to recommendations resulting from the inquest into the Death of James Smith**

	Recommendation	Progress to date
1	<p>To assist victims of family violence, the Chief Commissioner of Police review the Victoria Police Manual provisions that require members to complete and forward the Family Violence Risk Assessment and Management Report (L17), following attendance at family violence incidents. The purpose of this is to ensure that the Manual has clear instructions as to which member is responsible for ensuring that the L17 is completed and sent to the relevant family violence support service.</p>	<p>A proposed direction has been prepared to nominate the attending member as responsible to formally refer family violence victims and perpetrators to respective specialist family violence services through completing and forwarding the police preliminary risk assessment outlined in the Family Violence Risk Assessment and Management Report (VP Form L17).</p> <p>Subject to internal approval this instruction will be included in the Victoria Police manual and communicated to all police members.</p> <p>Continuous Improvement Teams will be responsible for ensuring that recommended action has been added to station management instructions under their control.</p> <p>These changes will also be communicated through a broader communications strategy being prepared to accompany the revised Code of Practice for the Investigation of Family Violence (second edition).</p> <p>Proposed electronic information systems enhancements currently being developed include capacity to promptly transfer formal referrals via e-mail rather than by fax.</p>
2	<p>The Chief Commissioner of Police review current procedures and directions to ensure that the conditions and outcomes of Family Violence Intervention Order applications made by police on behalf of affected family members, is conveyed in a timely, effective and</p>	<p>The Code of Practice for the Investigation of Family Violence sets out the obligations and responsibilities of Victoria Police members in communicating intervention order applications outcomes to Affected Family Members.</p> <p>In instances where both parties are present in court, intervention orders are served on site and AFMs will be provided with a copy of the order and given associated explanations by the registrar or Magistrate.</p>

consistent way of those affected by family violence.

The responsibility on police to provide the Affected Family Member with a copy of the IVO and serve orders in a timely manner will be reiterated through a broader communications strategy being prepared to accompany the revised Code of Practice for the Investigation of Family Violence (second edition). A notation will be included to make clear that it is the responsibility of the attending member, (post execution of an Application and Warrant (VP Form 422) and subsequent bail application), to explain to the AFM all the bail conditions. This includes ensuring the AFM has understood any exclusion conditions and the importance of reporting a breach of bail.