

This Q&A is part of the Knowledge to Advocate resource and expands on the material in the Knowledge to Advocate video. The following are the questions most commonly asked by regional stakeholders about the Victoria Police response to family violence.

What are the ways that family violence is reported to Victoria Police?

- Police may receive reports of family violence directly from the affected family members (AFMs); their family, including children; from a friend, neighbour or anonymous person; or from another service.
- Reports are often made by telephone or in person at a police station.
- Police may also detect family violence in the course of their normal duties.

What is required of police attending family violence incidents, in relation to using interpreters?

- In cases where the AFM is not fluent in English, an interpreter of the same gender as the victim (if appropriate) should be arranged at the earliest opportunity and at every stage of the investigation. This includes:
 - » during initial crisis intervention (e.g. at the scene)
 - » when evidence gathering and statement taking
 - » when explaining the conditions and purpose of a family violence safety notice (FVSN) and/or intervention order (IVO) to the AFM or the respondent.
- Police should not use individuals known to the AFM or the respondent as interpreters. Importantly, family members and children should not be used.

In relation to the Victoria Police Options Model, why would police choose civil versus criminal action?

- Police investigate any criminal offences that have been reported to them. In addition to investigating the criminal offences, police will consider civil options and, where appropriate, will apply for an IVO or FVSN to help keep the AFM safe.
- In circumstances where there are no criminal offences disclosed to police, consideration will still be given as to whether civil options are appropriate.

How do police support children and young people who are present or impacted by family violence?

- Victoria Police recognises that children and young people are particularly vulnerable to the negative impact of family violence and for this reason they are likely to require additional assistance and support. The needs of children and young people are quite different from those of their parent/s. Therefore, it is essential that police assess the interests of children independently from those of a parent.
- Upon receiving a report of any family violence incident, police must:
 - » consider the safety needs of children and young people separately and where appropriate include them in an application for an IVO to protect the AFM; or consider the need for a separate application with the child or young person as the AFM

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- » consider the referral or reporting needs of the child. If the child or young person has suffered, or is likely to suffer, significant harm as a result of physical injury or sexual abuse, police must make a mandatory report to Child Protection
- » consider making a referral to Child FIRST where there are significant concerns for the wellbeing of a child, unborn child or young person
- » make mention of children and young people present in any referral made on behalf of the AFM.

What powers do police have to remove respondents and keep them away from the AFM and children?

- Police will make an application for an IVO or FVSN wherever the safety, welfare or property of a family member appears to be endangered by another family member.
- IVO conditions may, amongst other things, prohibit the respondent from:
 - » contacting or communicating with an AFM by any means
 - » approaching or remaining within five metres of an AFM
 - » going to or remaining within 200 metres of a named address or any other place where an AFM lives, works or attends school/childcare.
- Once the IVO or FVSN has been served, a respondent who is in breach of the order can be arrested.
- 'Holding powers' are to be used to ensure the safety of AFMs and their children, or preserve property

of AFMs while an application is being made for an IVO. A respondent can be directed to a police station, or another location and must remain there whilst the application for an IVO is made.

Who in Victoria Police can workers liaise with after a family violence incident?

- If workers have any questions following an incident that has been reported to police, they can liaise with the police member involved. The Family Violence Liaison Officer at the relevant police station may also be able to assist, and may refer the worker to the Family Violence Investigation Unit (FVIU) if the incident is being investigated or if risk management is being undertaken by the FVIU.

What is the process to provide feedback or make a complaint about police response?

- In the first instance, feedback or issues concerning police action should be dealt with at the local level by contacting:
 - » the Family Violence Liaison Officer (who is a police supervisor)
 - » another police supervisor, or
 - » the Officer in Charge of the relevant police station.
- Any unresolved issues can be referred to the Divisional Family Violence Manager.
- Professional Standards Command can also be contacted if a person has feedback or wants to make a complaint about police.

Thanks to Sharon Matheson, Senior Sergeant, Family Violence Command, Victoria Police for her contribution to this Q&A. The Code of Practice for the Investigation of Family Violence 2017 and the *Children, Youth and Families Act 2005* have informed the content.

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