

# TRANSCRIPT

## LEGISLATIVE COUNCIL LEGAL AND SOCIAL ISSUES COMMITTEE

### Inquiry into Victoria's Criminal Justice System

Melbourne—Friday, 5 November 2021

#### MEMBERS

Ms Fiona Patten—Chair

Dr Tien Kieu—Deputy Chair

Ms Jane Garrett

Ms Wendy Lovell

Ms Tania Maxwell

Mr Craig Ondarchie

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#### PARTICIPATING MEMBERS

Dr Matthew Bach

Ms Melina Bath

Mr Rodney Barton

Ms Georgie Crozier

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Mr Enver Erdogan

Mr Stuart Grimley

Mr David Limbrick

Mr Edward O'Donohue

Mr Tim Quilty

Dr Samantha Ratnam

Ms Harriet Shing

Mr Lee Tarlamis

Ms Sheena Watt

**WITNESS** (*via videoconference*)

Mr Shane Patton, APM, Chief Commissioner, Victoria Police.

**The CHAIR:** Good afternoon, everyone. Welcome back. As no doubt you are aware, these are the Legislative Council Legal and Social Issues Committee's public hearings for the Inquiry into Victoria's Criminal Justice System.

We are very pleased to be joined by Chief Commissioner Shane Patton from Victoria Police.

Just to remind everyone, I am Fiona Patten, the Chair. I am joined by Dr Tien Kieu, the Deputy Chair, Ms Kaushaliya Vaghela and Ms Tania Maxwell as my colleagues on the committee.

Commissioner, if I could just let you know that all evidence taken is protected by parliamentary privilege, as provided by our *Constitution Act* but also the standing orders of the Legislative Council. Therefore any information that you provide during this hearing is protected by law. You are protected against any action for what you say during this hearing, but if you were to go elsewhere and repeat those comments, you may not have the same protection. Any deliberately false evidence or misleading of the committee may be considered a contempt of Parliament. I have to say that feels quite strange saying that to you, Commissioner.

Welcome. Thank you very much for joining us. As you are aware, the department provided us with a very detailed submission, and certainly the committee has had an opportunity to look at that. We are now joined by Sheena Watt as well. If you would like to make some opening remarks, then we will open it up to committee discussion.

**Chief Comm. PATTON:** Sure. I will not speak for terribly long, but as you should be aware, I am the Chief Commissioner of Victoria Police. I was appointed to this role on 27 June last year. At the outset I would like to state that I am attending from the lands of the Wurundjeri people. I wish to acknowledge them as traditional owners and pay my respects to their elders past, present and emerging.

I think probably our time would be better served by me answering any questions you have, but just as a brief outline, when I first got into the role I said to the workforce, 'For me, my approach is one about back-to-basics policing'. And that can sound quite unsophisticated as well, but by that I mean it is one about community safety—it is about engaging with the community, it is about working with them, listening to them and making sure they feel safe. As we step through the discussion we can speak more about it, but it is things like a neighbourhood policing model and a schools engagement model so that the community is being listened to—those things that often are missed that may seem trivial to some people but are so significant in the community. So they are key aspects of what we are about now, what Victoria Police are about now, as well as being, if you like, ideally positioned coming off what has been a modernisation program that we have been on for several years, with 3135 extra police, increased technology and a whole range of things.

It has been, there is no doubt, certainly a challenging last 18 months—having been in the police force before then obviously as a deputy commissioner and a whole range of things—because what we have been trying to do, and I think doing reasonably successfully, is to continue to deliver business as usual, if there is such a term in policing, when it is within a framework of COVID policing. And everyone here is no doubt aware of the complexities with that.

So just to give an assurance to the committee, mine is one about keeping the community safe and driving down crime, which will achieve that, but importantly preventing crime before it occurs. So that will do me for an opening. I think that should give you a feel for what I am trying to achieve and what the organisation is trying to achieve.

**The CHAIR:** Thank you very much, Chief Commissioner. I think those are probably very promising words to all of our colleagues, because we often see police as that kind of ambulance at the bottom of the cliff, but understanding that role that you have in creating that fence of early intervention and prevention is something that I know the committee as part of this inquiry is really interested in. If I could just start, you mentioned the increase of police of three thousand one hundred and—

**Chief Comm. PATTON:** Thirty-five.

**The CHAIR:** thirty-five, yes—3135. My understanding is, and I would be happy to stand corrected, that we now have more police in Victoria than any other state. One of the concerns about it is when you have more police you actually have more arrests and you have more people going through the justice system, and I was wondering if you had a comment on that.

**Chief Comm. PATTON:** I think that is a really good point. But if I can give some context about the 3135, the first 406 of those, if you like, came through in what was called a public safety police response package in 2016, and then the other 2729—we are in the final stages of delivering those.

You are very correct. That does mean more arrests, which does mean enhanced community safety, but it can also as you rightly point out mean more people incarcerated, impacting on them adversely. But it is not just entirely focused on that. The reality is, contained within all of those police, many of them have been pushed out—and when I say pushed out, we have deployed them out—into the divisions. They are not just in straight policing arrest roles. They are there and they are performing a whole range of different things. We now have 44 youth specialist officers that came as part of that package, to complement our 80 other youth resource officers. So they are focused not on locking people up, if you like. Mind you I do want to say at the outset I do not step away from holding people to account. When there is high-end offending and people are required to be arrested and it does require their remand or for them to be bailed or those things, I absolutely advocate for that to occur, because that is important.

Often that is the circuit-breaker that then gets those people the support services they need when they are brought into custody. Prior to that we often see recidivist offenders go on a crime rampage, and it is not until the police step in and arrest them and then start to deal with the causal issues of their offending that they are able to start and turn their life around. So there is a role for arrest, there is no doubt about that, but coupled with what I just said—with the youth specialist officers, the youth resource officers and a whole range of others—those resources have allowed us to use police in different ways, ways we have not been able to use them before.

I think, and please interject if you want me to stop, that certainly we have been able to get quite a reasonable mix of making sure we have a minimum baseline service level at our stations, which we have negotiated with the police association—so that we know we are going to have those divisional vans, we know we are going to have those people at the reception counter, we know we are going to have those watch house people to be able to look after offenders—but we are also able to utilise them in specific task force areas as well on an as-needs basis. And I think one really good example is if I talk about Taskforce Wayward, which was in the north-west metro area, and it has been predominantly focused on holding high-end youth offenders to account who are committing carjackings or those types of offences. But instead of just locking them up, they then go and work with the families. They then go and work with siblings et cetera who may be going to transition to a life of crime, and we have quite successfully been able to defer them.

I will stop just briefly after this, because I am sure you have got many questions. One other issue: we launched Operation Alliance late last year, which is about youth gangs. We readily acknowledge that we have youth gangs—some of them not very sophisticated, many about just wanting fame amongst their peers et cetera, but some quite seriously offending. So Operation Alliance, which we launched, has seen us focusing on youth gangs, and we have been able to drop the number of youth gang members from around 700-odd to 500-and-something—I can chase the exact figures up, but it is roughly around 200 over this 12-month period—and a third of those who we have charged have then stopped offending. So it is being both proactive and reactive in the way we use our resources.

**The CHAIR:** Thank you, Commissioner. You just mentioned I think that you were still recruiting at the moment. Given, as you quite rightly put it, the changing nature of the style of policing that you are talking about, are you able to recruit the right people? Does it change your recruitment model for these new members?

**Chief Comm. PATTON:** Well, we clearly now, over recent times, through our strategies about cultural diversity, are making sure we are representative of the community, because there is no doubt that in the past we were—and we have improved a lot—very much a white, heterosexual representation of that cohort of the community and not truly reflective of the diversity that exists. So that is a particular focus for us certainly in gender and from different cultures and from different areas within the community, and we are seeing some success in that. We have got programs happening out in the western suburbs—and the name of it escapes me, off the top of my head—where we are actually working with particular African-Australian cohorts to get them

within the community to come into policing so they can bridge that gap that has been prohibiting in the past. We continue as well to look at all of our recruiting criteria, if you like, to make sure that we do not have any inherent systemic bias or racism or gender bias that we do not recognise. So it is a continual evolution for us—one that we are certainly getting better at. We have still got a long way to go, but your point is so valid in us wanting to be fully representative of the community.

**The CHAIR:** Thanks, Shane, and hopefully I will have some time to come back. Tien—Dr Kieu.

**Dr KIEU:** Thank you, and thank you, Chief Commissioner, for appearing here today and also for assisting us. I am so thankful to you and the police force for helping us to keep the public safe, particularly in this COVID time.

**Chief Comm. PATTON:** Thank you.

**Dr KIEU:** You are at the front line and sometimes have to face very challenging, disturbing and violent mobs and you also help with the various health measures, so thank you for that. During COVID the number of incidents of family violence has risen, and that may be understandable because of the way that people have to stay indoors and are constrained most of the time. So I would be interested in learning from you: is there any systematic way to deal with family violence or any dedicated unit to deal with that, not only during COVID but ongoing as well? I will give you an example. One witness appeared before us sometime during the last hearing. She complained, in her case—I mean, we heard one view, her view—that she reported a family violence incident and then when the police arrived it was misinterpreted, according to her, as something else and then as a result she was detained and had to go through a very difficult time. So how do the police deal with family violence and is there any dedicated unit to do that kind of work? Thank you.

**Chief Comm. PATTON:** Thank you, and this is such an important area of focus for us. It has been since Chief Commissioner Nixon really had us embark on focusing on family violence and how we can address the scourge of family violence because it is such a significant issue. There is a lot in that question there, so I will try and just sort of hit the higher notes to give a bit of an overview. But just in the last financial year, and since we have been focusing on trying to address family violence, we saw over 93 000 family violence incident reports, which is the most we have ever had. And we see that it continues to grow year on year on year. We recognised this a long time ago, and we are doing everything we can to address and provide support to those who are victims of family violence, predominantly women I should say.

There was obviously the Royal Commission into Family Violence as well. We have acquitted all of the recommendations that Victoria Police had responsibility for in regard to family violence, and I am very comfortable to say I think we are one of the world leaders in responding to and trying to prevent family violence. We established through some of the funding of those 3135 police—we had 415 specialists who were deployed into family violence units. In the 21 police divisions across the state we have 31 family violence investigation units that are staffed with their sole focus to address the issues and to try and mitigate the harm and risk involved. We have obviously done fairly well in that. But then you say, ‘How can you claim to be doing well in that when the numbers have increased so significantly?’. By that I mean it is pretty clear that there is an increased confidence in the community, and that confidence continues to rise in reporting and it allows us to focus on how we can stop the offending.

We have got a range of other initiatives as well to try and mitigate the risks for the victims of family violence. We have rolled out a digitally recorded evidence-in-chief so we can take their evidence-in-chief at the scene. We have now got a Family Violence Centre of Learning—I do not know of any other one anywhere in the world—where we have specialist training. We have a range of special assessment tools that we have rolled out to give greater skills to our police officers. We have family violence liaison officers specifically to provide victim support. So there is a whole range of different things that are occurring because there is no quick fix for this.

And I think what we have seen is—and I mentioned it at the outset in my brief address when we spoke about COVID-19 and the impacts this has had—we have had a rise in family violence and we recognised that that could potentially occur as well. So early last year we launched Operation Ribbon, which was a response to family violence where we had all of our family violence units, if you like, visiting affected family members who we had identified as high-risk family members as well as high-risk family violence perpetrators and

targeting those. The number of arrests and remands that came out of that and the amount of support that we were able to provide were absolutely astounding. The figures—and when I say ‘figures’, it is a very easy word to use but they are all individuals who are either conducting criminal behaviour or are victims of crime—resulting from that operation were absolutely astounding, even to me. It was a sustained, proactive engagement strategy, and going from that we have learned that it really is the role of our family violence units to be out there being proactive.

So we couple everything we have got in terms of our modernisation program, our new intelligence system, our body-worn cameras that allow us to do the evidence-in-chief to support the victims—all of those victim support matters we have in place as well as now specialist detective investigators in addition to taskforce Artemis, which is our family violence command task force that is focused on high-risk perpetrators.

There are a whole range of other things, but when you put all those together there is a whole raft of focus by us—and it is not just Victoria Police. We are one part of a whole system that is trying to work together through the risk assessment management panels and the Orange Doors and many different areas all working to the one goal—and that is to make victims of family violence safe. But as can be seen from the figures I quoted, it is a very long road, but one that we are not stepping away from and one that we are absolutely committed to, because we know the tragedy that occurs as a result of it.

**Dr KIEU:** Thank you.

**The CHAIR:** Thank you. Tania.

**Ms MAXWELL:** Thank you, Chair. Thank you, Commissioner, for joining us today. Gee, you certainly have a lot on your plate, particularly over the last 18 months with COVID as well. Just going back to the family violence, do you believe that it should be a crime perpetrating family violence in front of children? We know that a lot of young children who have been subjected to family violence go on to become perpetrators themselves. We are seeing a large increase in adolescent violence within the family home, and of course nobody wants to report their child as a violent perpetrator. Do you think that that would help to make people stop and think a little bit more if that was also a crime?

**Chief Comm. PATTON:** It is an interesting question. I know the damage caused by family violence being committed in front of children, which is then making them victims as well—whether or not they are the subject of that violence, but being present when it is occurring—and we know that that impacts on their ability to properly assimilate into society later on and has a whole range of impacts to them as victims, most certainly. I am well aware that our family violence command is currently engaging over that very question and has been talking about whether we consider that is an appropriate, if you like, outcome: whether there should be aggravating circumstances that could mean that when a person is convicted of a family violence assault or doing something in the presence of a child it is an offence individually or whether it should be aggravating or enhanced circumstances in sentencing, or whether that might have—sometimes things seem on the surface quite simple, and yes, that might make common sense—converse impacts. It might result in, if you like, a partner of someone who is continually suffering family violence claiming that their children were not present, because they may be fearful of the impacts of their partner getting either an enhanced sentence or being charged with other matters. So we do have to be careful about potential perverse outcomes. I think it is something that certainly needs to be considered. What the right outcome to it is, I do not know.

**Ms MAXWELL:** Just on that, talking about the children as victims of crime, I am just wondering about your feedback, because often children are not seen as individual victims of crime when they have been in circumstances of exposure to family violence. I have had a lot of victims come to me saying their children have not been considered or supported as standalone victims. Do you think that there is more work that should be done around that? I know that is probably a little bit out of your remit, but you would obviously interact with these victims of crime.

**Chief Comm. PATTON:** Yes. Look, I think any support we can give to victims—and they are victims. Being present watching family violence being committed in a home could only be one of the most terrifying things that can occur to a child, irrespective of their age. That is why we are very mindful that when we attend and assess the circumstances and look at what referrals we do make we are trying to make sure children are captured in those referrals to get the appropriate supports. We do not always get it right, though, and there will

be some times—and it is a terrible word to say—where we miss providing some of that support. So it is a continual area of focus for us, and that is why, from a Victoria Police perspective, having a specific family violence command with an assistant commissioner tasked and with around 100 people leading policy, risk assessment, engagement with community and engagement with all of the sector to try and make sure that we are all joined up so that we are not missing anything—that is why I am so pleased we have such a unit, such a department, because they are the types of things that they are continually looking at to say where we can improve.

**The CHAIR:** Thank you. Kaushaliya.

**Ms VAGHELA:** Thanks, Chair. Thanks, Commissioner, for the submission and also for your time today to appear before the committee. I would also like to thank you for the work you and Victoria Police have done during the challenging time of the COVID-19 pandemic, at times putting yourself in harm's way to protect us and to keep us safe. My question—and we all know that the police assistance line was established in 2019, and it has been a point of contact for Victorians during the stay-at-home period—is: now that we are coming out of the COVID-19 restrictions, can you please tell us a bit more about the police assistance line and what kind of role you see it having in supporting Victorians and contributing to community safety?

**Chief Comm. PATTON:** Thank you for that—and thank you for the thanks to the members, I will make sure that is passed on. In terms of the police assistance line, I do want to reflect on what it has meant through COVID as well, because to have that capability has been absolutely amazing. What we have seen over the duration of the pandemic is it has provided, if you like, an avenue that would not otherwise have been there. We have had members of the public at various times subject to the chief health officer restrictions—and gee I would like a dollar for every time I have used that name, the chief health officer. And I say that in the nicest of ways; it is just that he is so omnipresent in our lives. With the chief health officer restrictions, when they have been imposed, we have seen at various times when we have had to enforce at higher levels and when they have not been high and restrictions have been lower that by having that established it has given an avenue for the public to be able to ring up. We would see during weekdays, if you like, where there would be a few hundred calls to the police assistance line and they could report breaches, and yet on weekends we would see on some occasions upwards of nearly 2000 reports of members of the public with concerns about mask wearing or public gatherings or other breaches of chief health officer directions. So the public had a vehicle to be able to give those to, and then we were able to pass those on to the industry enforcement and engagement units. So I do not know where we would have been without that.

That was part of our modernisation program as well as the online reporting capability that exists with it. In terms of burglary, theft, theft from motor car, theft of bicycle—I am loath to use the words 'lower level crimes', because if I had my bike stolen, I would be very annoyed too, but 'non-violent crimes' I think is probably what I should be using, those property crimes—it is given when people could not be out and about; they could jump online and report them as well. So it has been absolutely essential for us throughout COVID-19 and continues to be because it has also alleviated a whole host of demand off 000 calls that otherwise would have been made to them. So that was a key modernisation aspect for us.

Moving forward we will continue to look at how we can expand the police assistance line to what other offences we can utilise, because we are in a digital age, we all know that, and many people do not want to be going down to the police station to report matters. So we will see whether there is scope for further expansion of that, which tends to make sense. Also looking at that because of what we have seen in recent years as well—if you think back not to 2020 but November 2019, we started that horrendous run of bushfires in the north-east and in Gippsland, and that ran through for four or five months, so we will continue to explore what role that police assistance line may have, if any, in terms of potential emergency response and supporting the community through that. So we will step it through. At the moment, though, all I can say is it has been an absolute benefit to us, a benefit to the community, and it has allowed a lot of the pressure to come away from those 000 calls.

**Ms VAGHELA:** Thanks, Commissioner. Chair, I will come back if there is time in the second round.

**The CHAIR:** Thank you. Sheena.

**Ms WATT:** Thanks, Chair, and thank you for being with us, Chief Commissioner. I, like others, want to thank you and point out particularly your ongoing commitment to Aboriginal justice. I first met you in your

work at the Aboriginal Justice Forum. Earlier on we had the secretary of the department come along, and I asked a series of questions around Aboriginal victims of crime, but I wanted to ask you a particular question around what are some of the steps that Victoria Police are taking to make Aboriginal victims of crime want to go to the police, want to report it and want to feel like the police is a service that they can trust and that can deliver for them and their aspirations for safety in their community. So I figured that might be a good one to start with and, like my colleague, I might come around with a second question if we have time.

**Chief Comm. PATTON:** Absolutely. Thank you, and you are right: we are very committed, as am I, to making sure equality is present in how we deal with Aboriginal persons. You will have seen that by, as you are well aware, the recent changes that we have implemented in the cautioning programs and expansion of the Aboriginal cautioning program. But in terms of Aboriginal victims specifically, it is a really important question. It goes to not just Aboriginal victims but Aboriginal persons having confidence in police in general. I think that is even the broader question.

Where we are at the moment is I have currently got a discipline transformation program that is ongoing. That is stepping through how we can make sure that the community have confidence in police in general in terms of actually reporting matters, that they know that their matters will be fairly and impartially investigated and that there will not be any, if you like, adverse issues coming back to them as a result of reporting—especially in small communities.

If I then move to the specifics about aboriginality, we are very much aware that there is distrust because of past policing issues and issues that still occur to the present. We do not always get them right, and I have been very clear since I have been in this role, for a year and a half, that where we get it wrong I will hold people to account. But gaining the trust of Aboriginal persons so that they feel confident as victims to come and report on every occasion to us is something that is not going to happen overnight. That is why part of the transformation process that I have set in terms our discipline transformation program to gain that trust is that it cannot be us going, ‘This is what’s going to work for you’. We have to engage with Aboriginal persons and allow them to self-determine what is going to be the best outcome and what extra needs we need to put in place so that we get the trust of them to report to us. Because if we are not seeing victims—it is especially the case even now. I mean, we have rolled out numerous Aboriginal family violence protocols but some of those are not working as effectively as we would like, and we know we have undertaken reviews of those recently.

So it is a roundabout way, I think, of me saying I do not have the silver bullet answer to that. I think it is one broadly of enhancing the trust in totality with police with the Aboriginal community, which will then flow on to victims. Certainly in terms of family violence we have got a structured protocol in there, and we are working through those protocols and we are engaging locally. With our discipline processes as well we will also be engaging. In general, though, it is us saying, ‘We have to earn the trust and we have to engage with you and with Aboriginal persons, and not tell them what the answer is but listen to what the answer is’.

**Ms WATT:** Thank you.

**The CHAIR:** Thank you. Commissioner, obviously we have heard a lot about the bail reforms and the effect they have had on the prison numbers and the number of people remanded. I note that those reforms, particularly those from 2017, enabled police to remand offenders without a bail justice—to unilaterally remand people. I was just wondering: under what circumstances might police unilaterally decide to remand someone? And then on the flip side, at what times can police unilaterally provide bail to someone? Is there any data on the ability of police to remand or bail?

**Chief Comm. PATTON:** A couple of questions there—I hope I can remember them all. In essence, my understanding is: with the changes from the Coghlan review to the bail reforms, what has that broadly meant for us and are we remanding lots more? Broadly I can see why you would be asking the question.

If I can deal with, firstly, the Coghlan reforms, they came post the tragedy in Bourke Street, as we know. What it meant was that police, as bail decision-makers, could remand a person if they were going to get them to the court within 48 hours I think it is, off the top of my head. But also we saw the change from ‘show cause’ in the *Bail Act* to ‘compelling circumstances’, which in effect, with the expansion of the schedules in the *Bail Act*, set a higher bar I think. But it also put in place with it a range of checks there as well so that a police bail decision-maker could not remand a vulnerable person I think, an Aboriginal person—

**The CHAIR:** That is right. Or a child.

**Chief Comm. PATTON:** Yes, and so they were required to go before a bail justice, which then comes back to a whole different story about bail justices and their education and all of that, but let us not get into that. By and large, I think they do a fantastic job.

**The CHAIR:** Yes. They are our next witnesses.

**Chief Comm. PATTON:** Okay. Good. I am glad I did not make any comments about that. As I said, by and large, I think they do a fantastic job. We do not have the statistics, and again they are not statistics that people are being denied their liberty. We do not have those statistics about who we remand, but I think importantly, from my perspective, it is certainly appropriate when we have those high-end offenders—those people who, as I mentioned earlier, are committing carjacking, who are committing home invasions, who are on recidivist rampages, for lack of a better word—we remand them. All in all, with the others we are very much focused on diversion, we are very much focused on not remanding and we are very much focused on trying to even give cautions where we can. We have expanded adult cautioning for shop stealing to \$500. It used to be \$100. Sorry, you want to ask a question.

**The CHAIR:** No, no. I think that is absolutely correct, Commissioner. So you can unilaterally remand someone. Just quickly, can you unilaterally bail someone?

**Chief Comm. PATTON:** Oh, yes. We bail literally thousands and thousands of people from the police station. It is done regularly. Remand is pretty much a last resort to us, when it is a risk to the community, when there is a risk to public safety or where they are on multiple counts of bail and because, under the *Bail Act*, it puts them into—

**The CHAIR:** Breach of bail.

**Chief Comm. PATTON:** Yes, a breach of bail. Can I just add though, in relation to children, everything we are focused on at the moment is about keeping kids out of the justice system full stop, but also we have put in place protocols where if they are going to be considering any type of disposition other than just summoning them they need to get advice from supervisors and our frontline prosecutions unit. So it is a key focus area for us.

**The CHAIR:** Just quickly and finally in that regard—and I have read with interest the changes in your policies on cautioning and diversions—looking at recorded crime we have seen stabilisations. The one thing we have not is recorded drug possession offences events have doubled. Now, with this new approach to cautioning and diversion, would you expect those numbers to go down?

**Chief Comm. PATTON:** In the last financial year I do not know whether we saw drug possession double. I think—

**The CHAIR:** Sorry. The submission says it has doubled over the last 10 to 15 years

**Chief Comm. PATTON:** Yes. We saw decreases in drug possession in the last year and increases in cultivation and manufacture, as we are focusing on the high end. As you are well aware, through our recent drug strategy we want to be treating drug possession and use. If we can divert them into programs, if there is a need or if it is a minor matter of cannabis possession and we can keep them out of our criminal sanctions, we are absolutely wanting to do that. Our focus is going to be on mid-tier and top-end drug traffickers. The possession ones—we come across them incidentally and we want to treat them as an education and a health matter.

**The CHAIR:** Fantastic. Thank you. Deputy Chair Tien Kieu.

**Dr KIEU:** Thank you. Continuing on my colleague Sheena Watt's question about the Aboriginal community and what the police are doing to build or to establish trust between police and the community, that is not only confined to the Aboriginal community but also in the ethnic and the multicultural, because people like me came from countries where the trust between police and the people is not that high. So there may be a challenge to recruit people from a community and particularly to act in the role of community or multicultural



liaison officers. Could you inform us about what kind of work and what role those officers play in the community in preventing the community members coming into contact with the justice system?

**Chief Comm. PATTON:** Yes. Our multicultural liaison officers are vital, as are all of our police officers. I think for me the key is, yes, we have many different cohorts of communities who require greater police assistance and greater police engagement in building that trust, because often they will come from areas where there is no trust with police, from overseas, and we readily recognise that. That is why we have, if you like, a tiered range of how we deal with things. We have a priority communities division, which at a state level is engaged in setting policies and engaging all community leaders—not just Aboriginal community leaders, but community leaders from a whole range of different areas and communities—so that we can understand what issues they are experiencing.

From a Victoria Police perspective, one of the key things that we are promoting is localised community engagement through the neighbourhood policing model that we are introducing, and that means for our community engagement inspectors; it means for all of our youth resource officers. But every police officer has a responsibility and a role to be engaging with the communities. That happens on a whole range of different programs, and we can provide those programs through. But in essence we are replicating the type of engagement that we have had and have with the Aboriginal community right throughout all other communities and recognising that there are different requirements. I can still remember as a superintendent there were specific communities when I was out at Dandenong that did not understand road safety needs, and so we had to sit down and deal with them for those specific areas. So it is a broad way of saying I absolutely understand everything you said then. It is a key focus for us, and we are doing it strategically through our priority communities division. We have a range of portfolio reference groups and we will continue to do so, and at a local level we have an absolute emphasis for all of our police managers and all of the local people to be engaged in a range of different programs that suit that particular community.

**The CHAIR:** Fantastic. Thank you. Tania.

**Ms MAXWELL:** Thank you, Chair. Commissioner, there has been a lot of feedback from members of Victoria Police about their frustration with judges and magistrates, where police do extensive work on the briefs, the perpetrator goes before the court and there may be a continued slap on the wrist without the follow-up of diversionary programs or police cautions et cetera. Because this inquiry looks at both the tenure and employment of judges and magistrates, would you say that that is a fair analysis? Do you hear that from your members?

**Chief Comm. PATTON:** No, it is not something that I would actually be commenting on really. I mean, the role of the judiciary is not for me to be commenting on at all. The reality is they have an incredibly difficult job: to weigh up all of the factors that require sentencing considerations.

Just from recollection, when I used to sit on the Sentencing Advisory Council and heard the term ‘intuitive synthesis’, I did not have any understanding what that meant at the outset. I think it means a complex mixture of numerous things that need to be considered, and the judiciary I think are best placed to make those decisions and determinations. So it is not something for me to comment on.

**Ms MAXWELL:** So you do not hear back from your members in relation to that matter?

**Chief Comm. PATTON:** I think—

**Ms MAXWELL:** You are under parliamentary privilege.

**Chief Comm. PATTON:** I know. There is certainly no—since policing began in 1853 police have always had a view on what happens in courts, but I do not think is appropriate for me to be talking about that.

**Ms MAXWELL:** Okay.

**The CHAIR:** Nice try. Kaushaliya—and I apologise, Kaushaliya and Sheena, we have just got a few moments.

**Ms VAGHELA:** No problem. Thanks, Chair. Commissioner, you also spoke about back-to-basics policing in your remarks today. But at the same time over the past five or six years there has been significant investment

in police technology, such as smart devices, body-worn cameras and new intel systems. So now that this new technology has been fully rolled out and is being used across the front line, can you give us a sense of how it is going and what kind of impact it is having on policing more generally but also how it is contributing to community safety?

**Chief Comm. PATTON:** Thank you. Well, there is a whole range of issues there. I mean, the intelligence system, Neo—I describe it as Google internal for policing—allows us to analyse what were potentially disparate systems previously and brings together a whole range of intelligence for us. It has just been phenomenal in solving crimes. What would have taken days and days for analysts to work through now can be done in a number of minutes, so it has really brought us into modern policing, which has been just a real fillip for us.

Certainly we have seen with body-worn cameras, as I alluded to earlier on, digital recording of evidence-in-chief so it is easier for victims at crime scenes, but importantly it actually captures what is happening at a scene—it can be in a critical incident—so there is no dispute. We are seeing decreases in police complaints as well. We are seeing greater confidence in members because they know that it is actually depicting what has occurred in real life.

The handheld devices, the IRIS devices—where members now have access to them, we are seeing enhanced checking and greater checks of people. More arrests are occurring because, where they might not have been able to get on the air because it was very busy on the radio, they can just conduct a check and see if they are wanted on warrants. The crowd control equipment that we got, well, that was vital over the last period of time. And, as I said, the police assistance line—just a whole range of things.

Singularly each of those matters has been important, but cumulatively they have been astronomical, because what they have done is free up police time. They have freed up 000 time. They have allowed us to be able to, I think, represent what has occurred at a range of incidents and put it beyond doubt—and made court hearings, even though they have been suspended for a while. There is clear evidence and so people, when they are confronted with the clear evidence through their lawyers, are pleading guilty. We are seeing more guilty pleas, so it is a saving to the justice system. So all of those issues and many more—it has just been a fantastic outcome for us.

**Ms VAGHELA:** Thank you.

**The CHAIR:** Thank you. Sheena.

**Ms WATT:** I might just build on my earlier question, Chief Commissioner, which was about Aboriginal and Torres Strait Islander communities, but what I have heard here in my community lately is around the police outreach with the LGBTI community. I understand there is a range of offices around the state that support that. Can you talk to me about some of the emerging work that Vic Police are doing around engaging with the LGBTI community—and with a particular view to some concerns that have been raised by members of the trans community and the appropriateness of police settings for the trans community. If you have any comments on that, I would certainly appreciate that.

**Chief Comm. PATTON:** The LGBTI community is an absolutely important community partner for us. I know there were issues as a result of a couple of incidents that occurred, and certainly we do not take our relationship with them for granted. We know that we have got work to do, and we have been working with them. Just recently I have asked one of my deputy commissioners to hold a meeting, and we will be holding a town hall meeting very soon with them, or representatives of that cohort, down in St Kilda so that we can continue to answer any questions and/or criticisms of us—because in the past there has clearly been some discriminatory practice or bias that has occurred. So you do not build this trust up overnight.

But we are very mindful of the importance of it, and so that is why we do have representatives working with the community—so that we understand what the concerns are. I mean, it was raised at the last Midsumma Festival whether we should be marching or not in uniform and that sort of thing. We absolutely wanted to, but we did not want to take it for granted either and we did not want to offend anyone. So we worked through that with members of the community, and we continue to work through any issues they have got.

**Ms WATT:** I really appreciate that. Thank you. I have a very dear loved one who is a member of the LGBTI community who also is in blue every day. This is something very dear to me, so I appreciate that question, thank you.

**Chief Comm. PATTON:** Thank you.

**The CHAIR:** Thank you. Commissioner, thank you very much. We have appreciated you giving us your time, and we have appreciated you allowing us to go over time. Thank you. As I mentioned from the outset, you will receive a transcript of today's hearing. Please have a look at it just to make sure that we did not mishear you or misrepresent anything that you have told us today. We greatly appreciate it, and it will definitely form part of our report.

**Chief Comm. PATTON:** Thank you. I will have to very carefully read it after the warning you gave me at the outset about false evidence.

**The CHAIR:** It was one of my more awkward moments of today, I would have to say. Thank you, Commissioner.

**Chief Comm. PATTON:** Thank you all.

**Witness withdrew.**