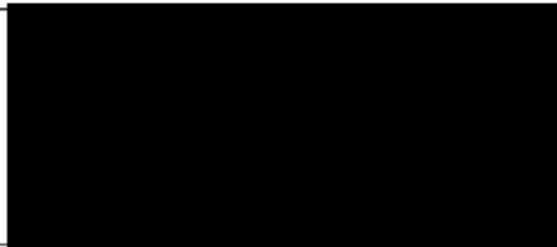


**IN THE MATTER OF THE ROYAL COMMISSION
INTO FAMILY VIOLENCE**

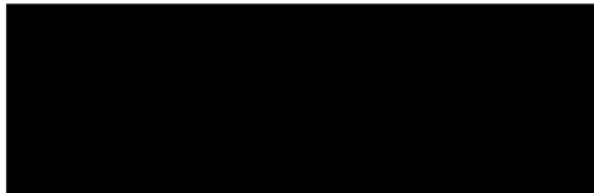
ATTACHMENT CA-7 TO STATEMENT OF SUPERINTENDENT CHARLES ALLEN

Date of document: 11 August 2015
Filed on behalf of: the Applicant
Prepared by:
Victorian Government Solicitor's Office
Level 33
80 Collins Street
Melbourne VIC 3000



This is the attachment marked '**CA-7**' produced and shown to **CHARLES ALLEN** at the time of signing his Statement on 11 August 2015.

Before me:



An Australian legal practitioner
within the meaning of the Legal Profession
Uniform Law (Victoria)

Attachment CA-7



VICTORIA POLICE

ETHICAL POLICING & RESPECTING HUMAN RIGHTS

The services of Victoria Police are underpinned by the Victorian Charter of Human Rights and Responsibilities Act 2006 (the Charter) which sets out the basic rights and freedoms of all people in Victoria. The Charter ensures that the human rights of all Victorians are paramount when decisions, policies and laws are made and services are delivered by State and local governments and public bodies, including Victoria Police. The Charter also underpins the Victoria Police Human Rights Equity and Diversity Standards.

Integrity

The actions and decisions of all employees may be the subject of internal and external scrutiny so it is important to use the SELF test to support decision making.

Decision making should be based on information or intelligence and should be impartial to personal characteristics such as race, colour, ethnicity, faith, sexual orientation, health or ability.

Leadership

People in the community often look to Victoria Police employees for direction, leadership, support and advice. Understanding the local community is vital for effective leadership. By building an understanding of events occurring locally, regionally, nationally and internationally, you will be more aware of the issues that may be impacting on your communities and be in a better position to provide leadership.

- For example, learning about the origins and history of ethnic conflict in another country will help you to consider options and provide direction when dealing with similar conflicts in your community.

Other employees may look to you for direction. You can provide leadership by leading by example and by not being a bystander to inappropriate or discriminatory behaviour by community or colleagues. Racist, homophobic or otherwise derogatory or discriminatory jokes and comments are unacceptable and should be challenged.



Flexibility

Communities change over time and it is important to have an ongoing understanding of local communities. Local council and community organisations can provide up-to-date information and resources on local communities.

- Talking to people and involvement in community engagement activities, such as attending open days at local faith and community organisations, will also help increase local knowledge.

There are community and social issues that will need a collaborative approach. Police members cannot, and should not be expected to, solve every problem without input from other organisations. Consider who else can provide insight, advice and resourcing when addressing an issue.

ETHICAL POLICING & RESPECTING HUMAN RIGHTS



VICTORIA POLICE

Respect

Mutual respect is at the heart of good community engagement. Respect can be shown in many ways:

- Being courteous and maintaining the dignity of all persons you interact with
- Maintaining confidentiality when dealing with personal information
- Being aware and respectful of the cultural and religious needs of cultural and faith communities, in particular when interacting with women, children and young people. The ANZPAA guide, *A Practical Reference to Religious and Spiritual Diversity for Operational Police* (hyperlink: http://intranet/files/documents/96146_Reference-to-Religious-and-Spiritual-Diversity-for-Operational-Policing.pdf), is a good practical guide for all employees.

Support

Support for the community and their concerns can be shown by:

- Showing genuine empathy when dealing with people
- Being responsive to reports of crimes and incidents motivated by prejudice. Show that these matters are being seriously by ensuring a prejudice motivated crime is recorded correctly on LEAP
- Not detaining a person longer than necessary and explaining any delays to the person
- Introduce yourself and give reasons when seeking information from people as soon as practical, unless providing this information compromises your or the public's safety. Communicate the circumstances and facts that support grounds for suspicion and police interaction, where appropriate.

- Providing referrals to support services, where appropriate. Find out more about more about VPeR, including information on making an appropriate referral, eligibility criteria and sample scenarios: Victoria Police eReferral (VPeR)

Professionalism

Police professionalism is about being accountable to both the organisation and the community; maintaining a high personal standard; and being transparent in the delivery of service delivery

Being professional is also about being aware that people may feel apprehensive, judged unfavourably or targeted when interacting with police. An open and relaxed body language and a verbal communication approach that is respectful of a person's communication needs and abilities will help with your engagement.

Ethical Decision-Making

In making decisions that comply with human rights, ensure that the person most impacted is at the centre of decision-making. Continue to use the SELF test to support your decisions.

Scrutiny

Will your decision withstand public scrutiny?

Ethical

Is your decision ethical and does it comply with Victoria Police codes and policies?

Lawful

Is your decision lawful?

Fair

Is your decision fair on the community, yourself and others?



VICTORIA POLICE

CULTURALLY CAPABLE POLICING

A culturally capable employee:

- Is engaged and responsive to community perspectives
- Has a strong understanding of the challenges facing diverse communities
- Adapts service delivery depending on the situation and the needs of the people they are interacting with
- Is able to think creatively and proactively about how to best address these challenges
- Has a broad array of strategies and tactics at their disposal, and
- Reflects on their actions.

Our actions, decisions, records and written and verbal statements must be fair and non-discriminatory.

Victoria Police members operate in complex and dynamic environments and require the flexibility and capability to navigate their way through multifaceted social, political and cultural contexts. The focus on 'capability' rather than 'competency' recognises the need for localised responses that are flexible and adaptable to change and diversity, with an ongoing commitment to human rights principles of dignity, respect and fairness.

This approach also recognises that building the capability and confidence of police members to work in this complex context is an ongoing process.

The treatment of a person should not be based a stereotype, or false assumptions about what most people from that person's community value or how they behave.

It is important that decisions and assessments are not influenced by stereotypes.

To truly serve our communities, it is important to have a reasonable understanding of the range of values, cultures, lifestyles and life experiences of people from different backgrounds, together with an understanding of the potential difficulties, barriers or inequities people from different backgrounds may face.

If we are faced with circumstances we are unsure about, we need to ask the right questions to find out more while respecting people's rights. We need to then consider whether and how to take into account these circumstances in compliance with Australian law and Victoria Police policy.



CULTURALLY CAPABLE POLICING



VICTORIA POLICE

What can I do as a Victoria Police employee?

- Develop my understanding of the local service delivery area through an awareness of the community profile, including key priority groups.
- Share knowledge and information about communities and stakeholders with newer employees.
- Know the appropriate and respectful language and terminology to use to both engage in conversation and in formal reporting.
- Set the standard amongst peers by not using language that can be perceived as racist, prejudiced or discriminatory.
- Revisit the Prejudiced Motivated Crime (PMC) training materials and legislation to ensure you are reporting appropriate details and compliant with policy.
- Report any feedback from community members about the accessibility and inclusiveness of police services and facilities to supervisors and Community Engagement Inspectors.
- Seek out opportunities to develop your capabilities through formal and informal professional learning.





VICTORIA POLICE

CULTURALLY CAPABLE LEADERSHIP

As a leader, you play a role in setting standards and shaping a culturally capable workforce. There are many ways you can play your part.

Setting standards

- Set the standard and take a stand against casual racism, homophobia and other prejudice amongst employees that may occur in conversation.

Building understanding and knowledge

- Build your knowledge of your community by undertaking research and meeting community leaders. Share this knowledge with your staff, and establish processes for the management and sharing of community engagement knowledge.
- Engage with appropriate proactive members, for example Multicultural Liaison Officers (MLOs), New and Emerging Community Liaison Officers (NECLOs), Gay and Lesbian Liaison Officers (GLLOs), Mental Health Liaison Officers (MHLOs) and Youth Resource Officers (YROs), and corporate staff, for example, the Priority Communities Division, to leverage from their experience and expertise. These employees may provide additional support to your staff by contributing to messaging or being available to answer questions.
- Ensure that you have a succession plan so that the next person in your role understands the community, stakeholders and established networks.



Continuous development

- Use read outs, meetings and station training days as an opportunity to disseminate key messages and examples of good local community engagement practices through case studies.
- Ensure staff members are aware of key dates and places of cultural significance. For example Ramadan and the impact this may have on community practices. Ensure staff know where they can access information that may assist their understanding of emerging issues, for example:
 - 0 Multicultural and multi-faith communities guidelines
 - 0 ANZPAA guide, A Practical Reference to Religious and Spiritual Diversity for Operational Police (http://intranet/files/documents/96146_Reference-to-Religious-and-Spiritual-Diversity-for-Operational--Policing.pdf).
- Encourage staff to engage in further self-development through visiting resources available, including modules on the VP Learning Hub.

CULTURALLY CAPABLE LEADERSHIP



VICTORIA POLICE

- Driving opportunities for informal and formal professional learning, including ensuring the involvement of proactive members.
- Reinforce supervisors', managers' and employees' understanding of their obligations around promoting and recording prejudice motivated crime and incidents and the appropriate ways to record this through LEAP, IFS and Interpose.
- Consider the inclusiveness of your police cells. Are there signs showing the prayer directions for Muslims lodged in the cells? Are Halal or Kosher meal options available? Are there bibles and Korans accessible for use? Any religious texts held at a station should be stored appropriately. Refer to the Police Chaplaincy Network for support and information regarding various faith practices and religiously sensitive issues.
- The same walk should be undertaken in corporate workplaces. Consider the layout of the workspace and meeting rooms; the accessibility of toilets and lifts; and the inclusiveness of the general atmosphere.

Refer to the Victoria Police Cultural, Community and Diversity Education Strategy (http://intranet/content.asp?Document_ID=44161)

Accessibility and Inclusiveness

- Have a walk through your station – from the front desk through to interview rooms and police cells (if applicable) – and consider it from a range of viewpoints, for example, someone who has a physical or cognitive disability, is a new arrival with little or no English, an Aboriginal person or a young person.
 - How welcoming or accessible are these spaces? Can a person in a wheelchair be seen in your reception? Is the front bell accessible? Is this space welcoming and inclusive of Aboriginal people or people from culturally and linguistically diverse backgrounds?
- 0 For Aboriginal communities, refer to the Victoria Police Aboriginal and Torres Strait Islander Protocol Guide (http://intranet/content.asp?Document_ID=44014)



VICTORIA POLICE

ENGAGING WITH COMMUNITY

Police employees engage with the community on many different levels and in a range of situations; from patrols, undertaking police checks and attending stakeholder meetings and forums. In all encounters, it is important to demonstrate professionalism and cultural capability by being inclusive and respectful.

Demonstrating respect

Respect for community members can be demonstrated by:

- Acknowledging that all people have the right to identify as being part of a particular community or group, and to own, define and control their culture.
- Acknowledging the fact that cultures are living and evolving. They are not static and differences can be evident within groups and between generations.
- Showing an awareness of, sensitivity to and respect for each culture as an essential step to building trust, and as being integral to good working relationships.
- Identifying and introducing yourself to existing and established local networks whenever you have the opportunity.
- Being involved with community activities, such as NAIDOC Week, the Midsumma Festival and the local cultural diversity festival. Attending events such as these, when possible, is a positive way to show your support for a community.

Choosing the right words

An important way of demonstrating inclusiveness is by choosing the right words and forms of address. For priority communities, many of whom have experienced offensive communication, this can be vital for building effective relationships. Start by asking people how they wish to be acknowledged and addressed. Refer to the language section under each specific priority group in these Guidelines.

Taking responsibility for learning

All people have their own story and each community its own history. Build your understanding of communities you have had little or no contact with by attending community events and asking people about their culture and communities, and by keeping informed about communities in your area and national and international events.

Being self-aware

We all carry our own cultural assumptions and prejudices. Building cultural capability is about identifying and challenging these cultural assumptions and prejudices.

This includes assumptions about people's sexual orientation, age, drug use and mental health status, disability or homelessness.

Part of this understanding includes being aware of your non-verbal reactions to people, particularly when they are communicating with you.

ENGAGING WITH COMMUNITY



VICTORIA POLICE

Demonstrating integrity and openness

Integrity can be demonstrated to priority communities by ensuring your work is carried out in an open and transparent manner.

It is important to:

- Consult with Community leaders and representatives to build open and transparent communication and partnership with Victoria Police.
- Make commitments to what you know you can deliver, and ensure you honour your undertakings.
- Make sure all relevant information for communities and organisations is accurate, factual and clearly presented.
- Provide the information necessary to community members to ensure procedural fairness.
- Always follow up after involvement with a priority community. Provide timely feedback about the outcomes and next steps.

Community Engagement

The Victoria Police Community Engagement Strategy sets out our organisational direction for community engagement. When engaging with the community, Victoria Police employees aim to:

- Inform
- Consult
- Involve
- Collaborate
- Reassure.

While the Community Engagement Strategy provides guidance for more formal community engagement opportunities, community engagement also includes day-to-day talking and interacting with the public. For guidance on these interactions, see VPM Interactions with the public.





VICTORIA POLICE

MEETINGS & FORUMS

Best practice policing includes strong community involvement and engagement. There are a range of methods for encouraging public participation in shaping local and corporate priorities including:

- community engagement committees
- community forums and
- social media platforms.

Conducting meetings with diverse communities

At the beginning of any significant forum, the Traditional Owners of the areas should be invited to perform a welcome ceremony for people visiting their country.

An Acknowledgement of Traditional Owners is a protocol that is often used in Australia at the opening of launches, meetings, special events and official functions. Unlike a Welcome to Country, an Acknowledgement of Traditional Owners can be made by anyone who would like to pay their respects for the Traditional Custodians of a particular region or area.

When acknowledging the Traditional owners, ensure you find out who the Traditional owners of your local area are. You can consult with the Aboriginal community about preferred forms of Acknowledgement.

The generic 'Acknowledgement to Country' suitable for use by Victoria Police employees is:

//We acknowledge that we are meeting on country of the Traditional owners of the area and pay our respects to Elders past and present.

Refer to the Victoria Police Aboriginal and Torres Strait Islander Protocol Guide (hyperlink: http://intranet/content.asp?Document_ID=44014)



When organising meetings and forums, there may be people from a range of cultures, faiths and communities. It is good practice to ask about people's needs:

- Ask attendees if they have dietary requirements. For example, Muslims require Halal catering, and Jewish require Kosher.
- Ask if they have accessibility needs. For example, will someone require an Auslan interpreter, a hearing loop or tactile interpreter (for people who are deaf or blind).

When considering a venue, consider:

- The size of the venue. Is it large enough and is there provision of prayer room facilities/ablutions? For example, Muslims pray five times a day. For daily prayer times in Melbourne, please see Islamic Finder (<http://www.islamicfinder.org/>).



VICTORIA POLICE

MEETINGS AND FORUMS

- Are there amenities such as ambulant toilets and wheel chair access? Is there room for people who use a wheelchair or mobility aid to move around inside?
- Is the venue accessible by public transport? Is there parking available for people with disabilities?
- If the venue is a faith establishment, is there a requirement for the removal of shoes, need for head covering or the separation of sexes? This will need to be sensitively explained to other guests.

Are there religious/cultural obligations on certain days that may conflict with your meeting date? For Muslims Friday is the most important day of prayer; and Jews maintain the Sabbath from sunset Friday to sunset Saturday and abstain from all types of work during this time.

Are you familiar with different sections of various communities? For example, in Judaism, there are Ultra-Orthodox, Orthodox, Liberal, Conservative & Progressive groups.

There may be special considerations or sensitivities that you need to be mindful of when convening meetings made up of different groups (i.e. existing tensions within communities or with other communities).

Are Interpreters required, including Auslan? When providing translated material, ensure information has been translated by an accredited translator. Try to have material available in Easy English.

If there are young people participating, ensure the event is held at a time suitable for young people who are at school or university or are working, and at a venue that is accessible by public transport. Additionally, the consent of parents/guardians may need to be sought.





VICTORIA POLICE

RESPECTFUL & INCLUSIVE COMMUNICATION

Victoria Police employees will be required to interact and communicate with a range of people whose communication styles may be very different from theirs. Some may have a language other than English or low literacy skills. Others may have little or no ability to communicate at all, such as people with communication or cognitive disabilities. In each and every interaction, it is important to ensure the person's human rights are respected and their communication needs are addressed. This requires a 'person-centred' approach that avoids language that belittles, patronises or stigmatises people. People centred approaches

Each person is an individual and interactions must recognise and respect individual preferences. At the heart of many conversations for particular groups, who have experienced discrimination or stereotyping through language, is the need to recognise the individual. This can be recognised particularly through the ordering of words when describing people with particular needs or attributes, for example identifying someone as a "person with a disability" rather than a "disabled person".

Individual service delivery

There is no one solution to inclusiveness through language. This is because people are complex and no one situation is the same. Whilst one way of identifying someone may be comfortable for one individual or group, it may not be for others. As such service should be individualised for each interaction and this includes the appropriate use of communication tools and language.

It's appropriate to ask

An officer should not be hesitant, when unclear, to ask directly and respectfully to clarify their understanding of someone's particular needs.

This is equally relevant for the completion of any paperwork and assumptions should not be made in relation to a person's physical appearance or name.

Good practice

Observe and actively listen to the communication style of the people you are interacting with. There may be indicators, such as their sentence structure or speech difficulties, that may suggest they have communication needs. In these instances, it is good to be patient and take your time with a person. Let them communicate without being patronising and correcting their English.

When engaging with a person who appears to have communication needs, it is important to speak in an ordinary tone of voice and at an ordinary volume, but speak clearly and slowly, using simple and direct English, particularly when explaining processes and procedures:

- Avoid using idioms and figurative speech such as "It's clear as mud". This can be confusing for people who speak languages other than English and people with cognitive disabilities such as Autism Spectrum Disorder can often take your words literally.
- Avoid using double negatives, such as "the witness didn't say that they saw nothing". It is better to be clearer, "the witness saw something".
- Avoid legal jargon and Latin words and phrases, unless necessary.

As part of active listening, it is good practice to ask all people to repeat their understanding of statements, requests and directions, for example

RESPECTFUL & INCLUSIVE COMMUNICATION



VICTORIA POLICE

the caution. For more information, refer to the *Interviewing victims, witnesses & offenders* factsheet.

Note that words may have different meanings for different groups and communities.



The way a person's language, behaviour and appearance is interpreted by another person is culturally-determined, and can impact on how a person's credibility or trustworthiness is assessed. For example, a person may not look you in the eyes as a sign of respect rather than because they are being untrustworthy.

Be careful of the person agreeing or saying "yes" when they do not mean to agree - they may be saying yes in order to show that they are being obliging/amenable, or because they are nervous or see the situation as hopeless or futile, or rather than admit they do not understand the question.

Notice if the person is trying to repeat or is repeating the exact words and grammatical structure of the questioner - they may simply not have the English skills to give a more accurate or precise reply.

Be careful of "I don't know" responses. They may not mean evasiveness and may simply mean that this is not an appropriate way for the person to provide the information. There may also be issues of shame or modesty involved. Try a different approach.

Consider feelings of shame and modesty of the person when giving their information and statements in front of particular people. In some cases, the person may need to have a support person.

Guidance on language and terminology for specific communities is contained in the *Priority Communities Guidelines*.





VICTORIA POLICE

INTERVIEWING VICTIMS, WITNESSES & OFFENDERS

There are a range of options and requirements for ensuring human rights are respected when interviewing victims, witnesses and offenders.

Identifying and responding to needs

Identifying the cognitive and language abilities and support needs of a person early on will assist to ensure that the interview process is undertaken in a way that upholds a person's rights and benefits an investigation or inquiry.

When a person enters a station to make a report or be interviewed, Victoria Police officers can ascertain a person's cognitive ability by observing behaviour and by asking questions like:

- "Do you have any communication needs or issues that make it difficult to understand what is happening or what is being said?" A question like this will assist with people whose first language is one other than English including signed language.

Refer to the *Responding to a person who may have a cognitive impairment Ready Reckoner*.

When stating the caution, it is important to ascertain whether a person has understood the meaning of the caution and their rights. It is good practice to ask all people whether they understand the caution and their rights, using words like "Tell me in your own words what that means". A person's understanding can be impacted by language, low literacy, cognitive and intellectual disability, mental health issues and stress.

Another way of ascertaining a person's fitness for interview is during the completion of the attendance register.

Asking about the use of medication can indicate that the person has a mental impairment or incapacity:

- For example "Are you taking any medication? What is the medication for? When did you last take the medication?"

It is preferable that the questions and disclosure of health information and accessibility needs should occur in a private space.

Remember that it is not the role of Victoria Police officers to diagnose. If you are uncertain, request an assessment from a Forensic Medical Officer (FMO).

Independent Third Persons & Independent Persons

For the interview of any person with an impaired mental state or capacity who is fit to interviewed as a suspect, the accused, an offender, a victim or a witness, an Independent Third Person (ITP), who can be a trained volunteer from the Office of Public Advocate or another support person, such as a family member or a friend, is to be present.

If the child or young person has a cognitive impairment, a trained ITP is to be requested. If an ITP is not available, an independent support person such as a relative or close friend can be present.

INTERVIEWING VICTIMS, WITNESSES & OFFENDERS



Youth Referral and Independent Person Program (YRIPP) who should be contacted for an interview with a child or young person who is a suspect, the accused or an offender, and the parent or guardian is not available. A YRIPP must not be used where the child or young person has a cognitive impairment.

Refer to *VPMG Interviews with vulnerable persons*.

Easy English

Easy English is a style of writing that has been developed to provide understandable, concise information for people with low English literacy, or communication or cognitive disability. People with low English literacy are people with a limited ability to read and write words.

- For example, Easy English uses graphics and pictures to help explain the meaning of written words visually. It also uses simple sentences to convey idea in concise and easily understandable terms.

Aboriginal support

When an Aboriginal person is taken into custody and entered into the attendance module, the Victorian Aboriginal Legal Service is automatically notified.

In areas where they are located, you should also notify the local Aboriginal Community Justice Panel (ACJP).

Refer to *VPMG Attendance and Custody, section 1.9, Entering persons identifying as being of Aboriginal/Torres Strait Islander descent on Attendance*.





VICTORIA POLICE

INTERPRETERS

An interpreter is someone who interprets speech, for example they may interpret what is being said in court to any party or witness to the proceedings.

A translator is someone who translates texts, documents and other recorded information, for example business letters or a taped videoconference.

Section 25 of the Charter of Human Rights and Responsibilities Act 2006 (Vic) makes it a requirement that a person charged with a criminal offence is entitled without discrimination to:

- be informed promptly and in detail of the nature and reason for the charge in a language or, if necessary, a type of communication that he or she speaks or understands, and
- to have the free assistance of an interpreter if he or she cannot understand or speak English, and
- to have the free assistance of assistants and specialised communication tools and technology if he or she has communication or speech difficulties that require such assistance.

While not stated in the Charter, this should apply to victims and witnesses, where possible.

Common abbreviations used are:

- LOTE – Language other than English
- EAL – English as another language.

Languages other than English

Ascertain what language or dialect your client speaks before booking an interpreter. It is misleading to guess the language by the country of birth, for example someone born in Vietnam may not speak Vietnamese.

Make sure that an appropriate level of interpreter is provided wherever it appears that a particular person is unable to fully understand or adequately communicate in English. Allow an interpreter to be provided if a particular person, or their legal representative, asks for one. Family members, including children, should not be used.

If a document in a community language is at all important to your interaction or investigation, ensure that it is effectively and adequately translated by an appropriate level of translator.

Refer to VPMG Interview with vulnerable persons, section 6, Non-English speaking persons.

Auslan

Auslan (Australian Sign Language) is the language used by the Deaf community of Australia. It is a visual language with hand shapes and movements along with facial expressions.

It is important that an Auslan interpreter is used if requested. Auslan is the first language for people in the deaf community and many Auslan users are not proficient or fluent in English. Auslan has its own distinct grammatical structure, syntax and idioms which differ from English.

INTERPRETERS



VICTORIA POLICE

As an example, where we might say 'I saw a beautiful black cat this morning', the same sentence in Auslan would be constructed as 'Black cat beautiful this morning I saw' or 'Cat Black I saw this morning beautiful'. For this reason, attempting to communicate by using pen and paper is not recommended.

To use an Auslan interpreter at an interview, refer to *VPMG Interview with vulnerable persons, section 5, Persons with a hearing impairment*.

When booking an interpreter

CONTACT DETAILS

VITS - Language Link

- For On Site Interpreting Booking: (03) 9280 1955
 - For Telephone Interpreting Booking: (03) 9280 1907
- All Graduates Interpreter Service: (03) 9605 3091
On Call Interpreter Services: (03) 8807 2300

Ask for a NAATI qualified interpreter.

Request a male or female interpreter according to sensitivity of the case, for example sexual assault or domestic violence.

Prior to the interview

Provide the interpreter with the name of the client, the expected duration and nature of the appointment, and any other relevant information.

During the interview

Introduce yourself and the interpreter to the client.

When working with an Auslan interpreter, ensure lighting and seating arrangements are appropriate for clear communication. It is normally best if the interpreter is seated next to the main speaker and opposite to the Deaf person, however, you should consult with the interpreter and Deaf person first.

Maintain eye contact with the client throughout the session, and speak to them in the first person. Always speak to the client directly and not the interpreter.

Speak clearly and avoid using jargon. Speak in short intervals allowing time for the interpreter to interpret what you have said. Provide opportunity for the client to ask questions.

Do not talk with the interpreter and exclude the client. Everything that is said during the interview must be interpreted.

Always remember that you are in control of the interview. Interpreters do not control the interview.





VICTORIA POLICE

ABORIGINAL COMMUNITIES

Good Practice

Be guided and flexible

Take time to build meaningful relationships with the local Aboriginal community.

Family and relationship structures are important in Aboriginal communities and not typical of non-Aboriginal communities. If unsure, seek guidance about the complexities of relationships within your local Aboriginal community.

Respect community and historical context

Each Aboriginal community is unique. What occurs in one may not occur in another.

There has been a long history of mistrust between Aboriginal people and police and many Aboriginal people fear contact with police. Understand where this fear comes from and do not take it personally.

Silence and other forms of non-verbal communication can play an important role in Aboriginal communication. Be aware of non-verbal cues and be comfortable and patient with silence.

Respect identity

Aboriginal communities are as diverse as other communities and their appearances are a reflection of this. Do not assume that a person is not Aboriginal just because they do not look like your perceived idea of an Aboriginal person.

Refer to the Victoria Police Aboriginal and Torres Strait Islander Protocol Guide (http://intranet/content.asp?Document_ID=44014)

Language and Terminology

Check with the local Aboriginal community in relation to appropriate and preferred terminology. People may be living and working in one particular area, but originate from another. As such, it is important to acknowledge the diversity of Aboriginal and Torres Strait Islander peoples when communicating with them.

Aboriginal/Aborigine

Do not use either of these terms as a noun; they should only be used as an adjective. Always capitalize the 'A' in 'Aboriginal' as you would for other proper nouns or names. Similarly, always capitalise 'Torres Strait Islander'.

Aboriginal people or peoples

'Aboriginal people' is a collective name for the original people of Australia and their descendants, and does not emphasize the diversity of languages, communities, cultural practices and spiritual beliefs. By adding an 's' and using Aboriginal peoples, the diversity is recognized and respected.

Community

Non-Aboriginal people often use 'community' to refer to a particular geographical locality. However, past practices saw many Aboriginal people forcibly removed from their ancestral lands to live elsewhere. As such, an Aboriginal person may belong to more than one community, and regard 'community' as central to their Aboriginality, and use this term to reflect a sense of inter-relatedness and belonging.

ABORIGINAL COMMUNITIES



VICTORIA POLICE

Country

This is a term used to describe a culturally defined area of land associated with a particular Aboriginal community.

Elder

An Elder is an identified and respected male or female person within the community who is able to provide advice and offer support to other members of the community, particularly younger people. In traditional Aboriginal culture, age alone does not necessarily define a person as an Elder.

Indigenous

The Macquarie Dictionary defines 'indigenous' as 'originating in and characterizing a particular region or country.' It is a term that can be applied to plants, animals and people, and holds some negative connotations for Aboriginal peoples because of past practices and policies. If the term is to be used, it is recommended that it is always as part of the term 'Indigenous people' or 'Indigenous peoples' rather than as a singular word.

Koori / Koories

These are terms directly derived from Aboriginal languages and are non-offensive. This term may be used singularly or in plural to refer to Aboriginal peoples who originate from Victoria and southern New South Wales.

Mob

'Mob' is an extremely important term to Aboriginal people because it is used to identify who they are and where they are from. It is a term generally used by Aboriginal people and between Aboriginal people. As such, it may not be appropriate for non-Aboriginal people to use this term.

Traditional Owner

A traditional owner is an Aboriginal person directly descended from the original Aboriginal inhabitants of a culturally defined area, and who has a cultural association with this country which derives from the traditions, beliefs or history of the original inhabitants.

OUTDATED LANGUAGE

PREFERRED LANGUAGE

ATSI

Abbreviating terms in this manner is offensive to some Aboriginal and Torres Strait Islander peoples, and should not be done.

Clan

The term 'clan' has a specific meaning derived from non-Aboriginal societies and therefore may not necessarily be appropriate to use. Generally, it refers to a named, localized descent group whose members have an historical, religious and genealogical identity and territory defined by ritual and economic responsibilities.

Tribe

Like 'clan' the term 'tribe' has a specific meaning derived from non-Aboriginal societies and therefore may not necessarily be appropriate to use.



VICTORIA POLICE

LGBTI COMMUNITIES

Good Practice

Build trust and confidence

It is important at all levels for Victoria Police employees to build the trust and confidence of the Lesbian, Gay, Bisexual, Transgender and Intersex (LGBTI) communities.

This can be achieved by:

- Participating in and providing support to local events held by the LGBTI communities.
- The use of non-discriminatory language by police employees.
- Encouraging and supporting the reporting of violent and hate crime and intimate partner violence by the LGBTI communities. Many people in the LGBTI communities are reluctant to report crimes of violence to police. This may be due to the circumstances of the crime, for example intimate partner violence, not wanting to publicly disclose their sexual orientation or because they anticipate a negative response by Victoria Police members.
- Ensuring that people in the LGBTI communities who report crime are treated sensitively and with respect.
- Ensuring policing activities, such as searches, are mindful of policy and guidelines and are undertaken in a sensitive and non-discriminatory fashion. With regards to searches of transgender and intersex people, refer to the *VPMG Searches of Persons, section 1.1 Transgender and intersex persons*.

Language and Terminology

As has been stressed, it is important to be mindful of your assumptions, language patterns and stereotypes when engaging with members of the community. You do not know if someone is gay, lesbian, transgender, bisexual or intersex by looking at them.

Try to use the word 'partner' if you are not sure whether someone is heterosexual.

Never refer to sexual orientation as sexual preference, a choice, an alternative lifestyle or something that has to be admitted or confessed.

Intersex

- People are born with many different kinds of bodies.
- Intersex is an umbrella term that describes people who have natural variations that differ from conventional ideas about 'female' or 'male' bodies. These natural variations may include genital, chromosomal and a range of other physical characteristics.
- Intersex is the term most widely preferred by such people. Although intersex people may use a variety of terms to describe themselves, it is generally considered rude for others to describe intersex people as 'hermaphrodites' or as having 'disorders of sex development'.

LGBTI COMMUNITIES



VICTORIA POLICE

Transgender or Trans

- Currently in Australia, people are classified at birth as female or male.
- A female-classified person who identifies as a boy or man might describe himself as a trans man or simply as a man. Similarly, a woman classified as male might describe herself as a trans woman or simply as a woman.
- Some transgender people identify trans as their gender.
- The term trans (often written as trans*) is also sometimes used as an umbrella term for anyone whose gender characteristics differ from their society's expectations. It is generally considered rude to assume that someone identifies as trans based on their history or to call someone 'a trans', 'a transgender' or 'tranny'.

Using pronouns for intersex people, transgender people and gender diverse people

Most but not all intersex people and transgender people who identify as women prefer being described as 'she'. Most but not all intersex people and transgender people who identify as men prefer to be described as 'he'. Some people who identify as women or men may prefer to be described using only their first name instead of a gendered pronoun.

The dignity of each individual can be respected by:

- Respecting that person's wishes regarding use or non-use of pronouns. If a mistake is made, acknowledge the mistake and apologise.
- In situations where it will not be necessary to ask how a person prefers to be identified, such as performing breath tests or engaging during patrols, address the person as the gender they present. If unsure, use the person's name.



- In situations where it is necessary to know how a person prefers to be identified, such as in a formal interview, people can be asked directly how they wish to be described. When asking be respectful (for example, "Can I ask how you wish to be identified?") and whenever possible ask privately to reduce discomfort.
- Avoiding using gender neutral language. Instead, use inclusive language. This means calling an intersex or transgender woman 'she' and 'the woman' instead of calling her 'the person', 'he', 'it' or avoiding pronouns.
- Using pronoun cueing which means using words and actions to send a 'cue' about someone's gender. Respectful pronoun cueing helps to make our communities and services more inclusive. Let's say we are talking to a co-worker about a transgender woman who was classified as 'male' and who is often mistaken for a man due to her deep voice and her appearance. Using respectful pronoun cueing, we would say 'she was in the office today' or 'this woman is here to see you'. This promotes inclusion and reduces misgendering (describing or addressing someone using language that does not match how that person identifies their own gender or body).



VICTORIA POLICE

MULTICULTURAL & MULTI-FAITH COMMUNITIES

Good Practice

Self-identity is important

A person's personal identity may be defined in many ways, including through their nationality, religion or ethnicity. Rather than make assumptions, ask the person how they would like to be identified and respect their choice.

Think globally, act locally

Be aware that events and conflicts happening internationally may have an impact locally. For example, people from ethnic groups in conflict in an overseas country may feel animosity towards each other. Build an understanding of cultural norms and historical and social issues that may be influencing relationships within and between groups in your local community.

Seeking help may be difficult

People from new and emerging communities may not actively seek out assistance from police because they lack English proficiency; are not aware of what services Victoria Police provides or may fear police due to negative experiences of authorities in their home country. Being open and approachable can help break down barriers.

Greetings and handshakes

Members of many communities follow strict protocols when dealing with members of the opposite sex. For example, observant Muslims and Jews will not shake the hand of a person of the opposite sex. The best rule to follow in this instance is that unless someone offers you their hand first it is best not to offer yours at all.

Eye contact

Many communities avoid eye contact. This is done as a sign of respect and should not be viewed as a sign of guilt. In Islam, males and females are often taught from a young age to lower their gaze.

Removal of headwear for the purposes of identification

These guidelines apply where a person is a member of a religious group and the headwear is of a type customarily worn by members of the group.

The headwear should only be removed in the presence of an officer of the same sex as the person, and at a place that does not allow a person of the opposite sex to the person to view the headwear being removed, unless an officer of the same sex is not immediately available, or compliance poses a serious threat to a person's safety.

Delivering death messages

Many communities follow strict protocols regarding bereavement and mourning. For example, in both Judaism and Islam there is a religious requirement that the deceased be buried within a 24 hour period. From time to time it will be necessary for a post mortem to be conducted on a body and police attending the scene should seek guidance from the 24 hour Victoria Police Multi-faith Chaplaincy Service or local Regional Multicultural Liaison Officers.

Attending members should also be aware that gender issues play a large role in some communities and if possible it would be preferred that both a male and female officer attend to deliver the message to persons of their gender in the household. For example, Muslim men will prefer to

MULTICULTURAL & MULTI-FAITH COMMUNITIES



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deal/talk to men whilst the same applies to women who will prefer to speak only to women). Attending members should consider taking their shoes off (if practicable and safe to do so) before entering the home as this is a sign of respect.

Conducting searches/raids

Where possible and in accordance with personal safety considerations police members conducting searches or raids on homes or places of worship should be respectful and observant of gender and faith considerations, for example sacred items and prayer times.

For more information, see A Practical Reference to Religious and Spiritual Diversity for Operational Police (http://intranet/files/documents/96146_Reference-to-Religious-and-Spiritual-Diversity-for-Operational--Policing.pdf).

Conducting an Interview

In communities that adhere to strict gender protocols (i.e. some Muslim or Jewish communities) it is often preferred, where possible, that a female police officer interview female witnesses and that male police officers interview male witnesses.

Be aware of religious festivals and cultural days of significance, for example High Holy Days and Sabbath (Judaism) or Ramadan (Islam), and religious requirements, such as daily prayer times for Muslims, which may impact the scheduling of, or the availability of a person to attend, an interview.

Language and Terminology

Terms that demean or could be perceived as offensive are unacceptable, even in private. Remarks that stereotype or make assumptions about cultures or faiths are to be avoided.

Low English proficiency

Low English proficiency can limit the capacity of people from culturally and linguistically diverse communities to integrate socially and economically in Australia. They might find it difficult to do things that those with high English proficiency take for granted, for example reading street signs, using an ATM or navigating public transport.

Adapt your language to ensure that it can be easily understood. You can use communication aids, such as pictures, to assist. Use an interpreter when needed. If you have access to translated material in the person's language, it is important to not assume that the person is able to read in their own language.

Be careful to explain practices and processes clearly

Legal, criminal justice and civic practices and processes that exist in Australia and Victoria are not universally applied in other countries. Ask people if they need explanations for our political and legal system or practices, and do so clearly and concisely.

Common abbreviations used are:

- CALD – Culturally and linguistically diverse communities
- LOTE – Language other than English
- EAL – English as another language.





VICTORIA POLICE

PEOPLE EXPERIENCING MENTAL HEALTH ISSUES

Good Practice

It is likely that when police members come into contact with a person experiencing a mental health issue, that person may be distressed and wary of police contact. Good communication is essential to assisting this person. Good communication is essential to assisting this person.

- Explain who you are, what your role is and what they can expect from you.
- Use the H.E.A.R principle:
 - 0 Help
 - 0 Empathise
 - 0 Actively Listen
 - 0 Rapport.
- Acknowledge and respect how they are feeling and use statements that are neutral or supportive:
 - 0 "I am sorry that you have experienced this...."
 - 0 "This sounds like an upsetting/frustrating situation for you..."
- Listen sensitively and actively and use responsive body language.
- Be flexible with your tactics and approach.
- Manage your own fears/feelings. Remain calm and non-judgemental.
- Set a positive mood for the interaction/s.
- Reduce stimulus/distractions.
- Address the person by their name.
- Consider lowering your voice and speak slower than usual
- Exercise patience Give short and simple instructions.
- Don't argue about or 'buy into' any delusions.
- Show genuine concern and provide reassurance.
- Use repetition to help the person to understand.

Language and Terminology

'People-first' language

Adopt 'people-first' language, which focuses on the person instead of their limitations. Putting the person first before the mental health condition demonstrates his or her dignity and worth.

Talk about a person's health condition only if necessary. A person's mental health is only one aspect of who the person is. If the information doesn't contribute to the topic in a necessary or meaningful way, there is no need to mention it.

PEOPLE EXPERIENCING MENTAL HEALTH ISSUES



If the information is important, ensure your language is inclusive and puts the person first.

OUTDATED LANGUAGE	PREFERRED LANGUAGE
Normal/Sane	She doesn't have a mental health condition.
Paranoid schizophrenic	He has paranoid schizophrenia.
Anorexic	She has anorexia nervosa.
Depressive	He has major depression.
Obsessive-compulsive	She has obsessive-compulsive disorder
Emotionally disturbed	He has a serious emotional disturbance
Special education student	She's a student receiving special education services
Addict/Substance abuser	He has a substance use disorder.
	She has lived experience of substance use
Mentally ill	Person experiencing a mental health issue
A person suffering from...	She has a mental health condition (or diagnosis).
A sufferer/Victim/the afflicted	He has lived experience of a mental health condition
Prisoners or inmates in a psychiatric hospital	Patients
	Service users or clients

Other considerations

Somebody who is angry is not 'psychotic'.

A person who is down or unhappy is not the same as someone experiencing clinical depression.

A person is discharged from hospital and not released from hospital.

In relation to suicide:

OUTDATED LANGUAGE	PREFERRED LANGUAGE
Successful/ unsuccessful suicide	Completed/ attempted suicide
He unsuccessfully attempted suicide.	He attempted suicide



VICTORIA POLICE

SENIORS

Good Practice

It is important when interacting with older people to recognise their right to be treated with dignity and respect, and have their independence recognised.

The assumptions that older people are helpless and unable to make decisions for themselves is a stereotype which can be undermining.

Older people have the right to privacy and confidentiality

An older person's privacy and dignity can be respected by talking to the person not their family members. This may mean taking extra time and effort to ensure the person understands. If English is not the person's first language it is important to use an interpreter.

Older people have the right to make their own decisions

A person's capacity can be temporarily affected by stress, anxiety, medication, illness, infection or injury, and then regained after a temporary illness or stressful situation passes.

This lack of capacity is not necessarily an indicator of dementia. Decision making capacity can vary depending on the issue being decided. For example, it may be difficult for a person to understand complex banking arrangements, but they may be quite capable of deciding things such as medical treatment or where they want to live.

If the crime being reported by an older person, or on behalf of an older person, is a sexual crime or a family violence incident, please contact your Sexual Offences and Child Investigation Team or Family Violence Advisor to ensure specialist assistance.



SENIORS



VICTORIA POLICE

Language and Terminology

When referring to a person's age, the language used should reflect the humanity and individuality of people. Terms sometimes used to refer to older people such as 'the elderly', 'the old', 'the aged' imply that older people are a homogenous group thereby failing to recognise a person's individuality. Labelling older people as 'senile' or 'geriatric' is demeaning, dehumanising and offensive.

Generalisations based on age have the effect of stereotyping and demonising people. Not all older people are grumpy or boring just like not all young people are lazy or arrogant. Not everyone has a mid-life crisis either.

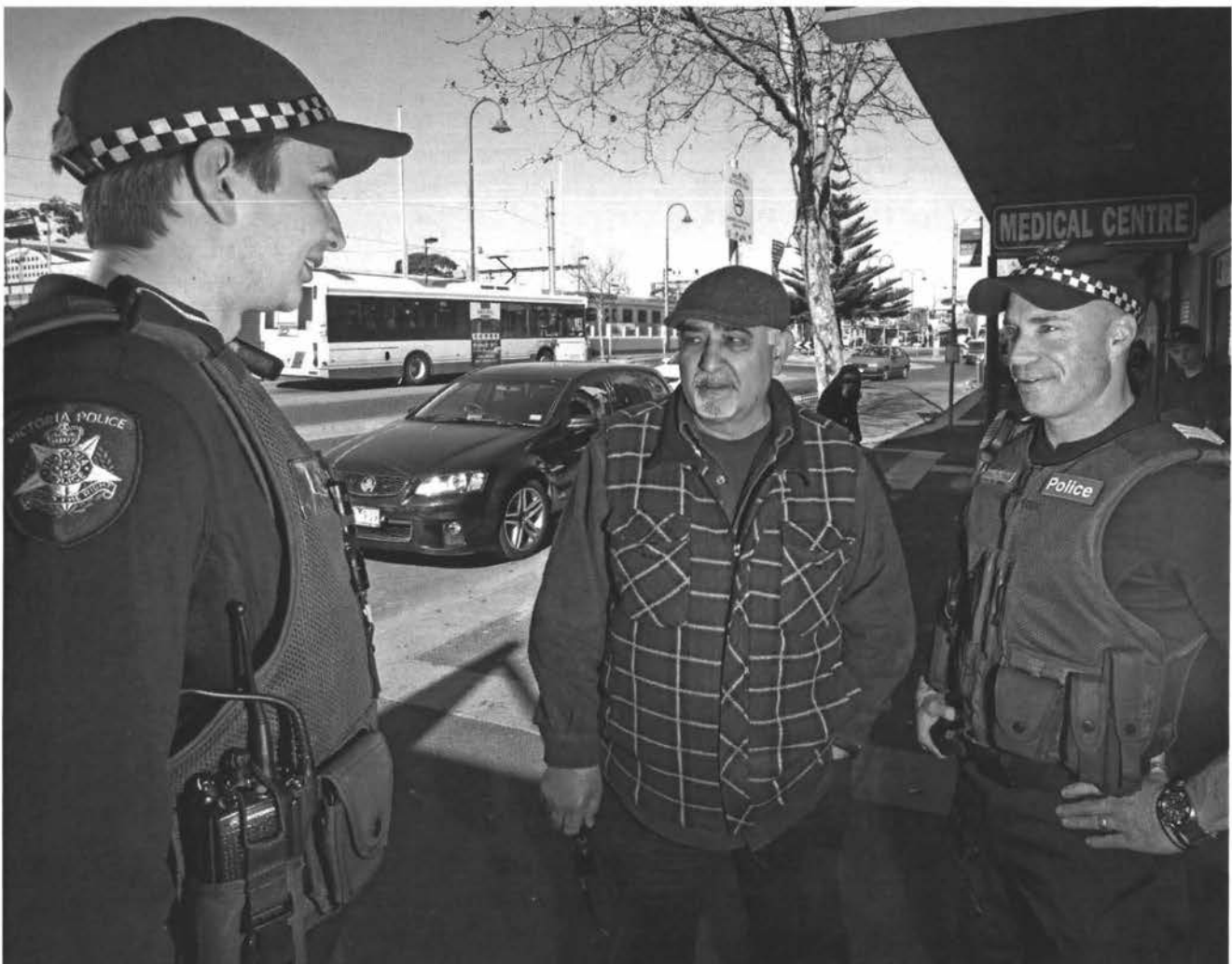
Expressions such as 'he behaves like an old woman' are also demeaning and insulting to women in general and mature women in particular.

OUTDATED LANGUAGE

the elderly, the aged, the old, geriatric, senile

PREFERRED LANGUAGE

Seniors, older adults, mature aged





VICTORIA POLICE

YOUNG PEOPLE

Good Practice

Police can have frequent contact with young people, in particular due to their reliance on public space for entertainment and socialising. Despite their public visibility, young people are more likely to be victims of crime than to commit it. In your interactions and communications with young people, you have an opportunity to positively influence outcomes.

Young people are often defined as those aged 10 to 25. This reflects their ongoing cognitive and behavioural development and not just their physical development. Many young people appear physically much like an adult despite their age. This is important to consider in your interaction in terms of your choice of verbal communication and body language. Below are some practical reminders to assist police in their engagement with young people.

Build upon existing relationships

Informal and minor interactions are useful in building trust. Saying 'hello' and offering help can aid in building these relationships. Continue to actively participate in any locally supported initiatives (i.e. youth groups).

Fear and nervousness

Young people may be nervous when engaging with police. This does not mean that they have committed an offence, but may reflect a power imbalance. Victoria Police members can provide reassurances of trust and safety by being open about why young people are being stopped.

Avoiding stereotypes

It is important not to make assumptions based on appearance or dress, name or unsubstantiated

information. (i.e. "Youths causing trouble" reported by a member of the public may be more reflective of the community member's own assumptions about young people).

Defensiveness or challenging authority

Young people may be more likely to resist authority and to challenge boundaries. This may be more prevalent for young people in groups. There are times when it is better to accept the limits of the situation, remain calm and professional, avoid aggravating the situation and, depending on purpose, consider walking away.

Developmental stage

Young people's brains are still developing and this is sometimes reflected in their behaviour (i.e. noisy, sensation-seeking or disruptive). Having an understanding of this may assist your interactions with young people. For more information, speak with your Youth Resource Officer (YRO).

Resources

Utilise YROs and other resources within Victoria Police, including the Priority Communities Division, and externally, such as health, social and community legal services. Know your local area, including public spaces (i.e. spaces where young people congregate) as well as external referral options to youth-specific support services. VPer

Social media

Social media can be a key point of communication for young people. While there are benefits to young people in the use of social media such as

YOUNG PEOPLE



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networking and sharing of information, there can also be drawbacks with cyberbullying and sexting. If young people in your community have concerns about themselves or their friends, ensure that these concerns are taken seriously and appropriately documented, and information reports are filed where relevant.

Use of public spaces

Young people often do not have space of their own to socialise. For this reason, they rely on public spaces (i.e. skate parks, train stations). Consider whether they are really causing any problems before deciding to move them on as this may be their 'backyard' and may be a safer space. Sometimes a quick reassuring chat is a better option.

Purpose of engagement and explanations

When engaging with young people, it is important to explain your purpose. This can help to alleviate fears and lead to better rapport and open dialogue.

Considering group dynamics

In some cases, it may be beneficial to speak with an individual away from a larger group of friends. However, be mindful not to unnecessarily embarrass an individual when singling them out.

Language and Terminology

Communicating and engaging with young people

Members should consider their choice of words and body language. Humour is a good way to develop rapport with young people, however members should not feel that they need to adopt the language used by young people themselves.

Initiating conversation

When initiating conversations, members should explain who they are and why they are talking with a young person. Members can identify their

expectations, including the young person's behaviour (i.e. If they are blocking a public entry way) and how long the interaction might take (i.e. "We just need two minutes of your time").

Active listening and showing interest

Reflect back what the young person is saying. Ensure they feel respected and heard. Look for opportunities to take interest in them relevant to the situation (i.e. Do they have a soccer ball or are they wearing something that might lead to a conversation?).

OUTDATED LANGUAGE

Kids, boys, girls

PREFERRED LANGUAGE

Younger person, young people

