Report to the Minister

Pursuant to section 174B of the *Firearms Act 1996* (Vic)

1 January 2021–31 December 2022

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Published by order, or under the authority, of the Parliament of Victoria 2025.

ISBN 978-1-922349-59-0

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1. Overview

1.1. Definitions

BWC	Body-worn cameras
FPO	Firearm prohibition order
FPO applicant	Victoria Police investigator completing the form 1486 FPO application
FPO made	The date the delegate approved section 4 of the application
FPO revoked	The date the FPO is no longer in operation
FPO served	The date the FPO is served by a police officer to FPO subject
FPO subject	Individual who is the subject of an FPO that has been made and served
IBAC	the Independent Broad-based Anti-corruption Commission
IBAC officer	IBAC officers authorised under section 174M(4) to exercise powers of entry and inspection
Inspection period	1 January 2021 to 31 December 2022
Interpose	Victoria Police's database used for collecting and analysing intelligence
LEAP	Law Enforcement Assistance Program
LRD	Licensing and Regulation Division Intelligence Unit
Minister	Minister for Police
Registry	Division of Victoria Police responsible for administering the FPO scheme
the Act	*Firearms Act 1996* (Vic)
the Charter	*Charter of Human Rights and Responsibilities Act 2006* (Vic)
VCAT	Victorian Civil and Administrative Tribunal
VPM	Victoria Police Manual – Firearm Prohibition Orders

1.2. Introduction

Pursuant to section 173 of the *Firearms Act 1996* (Vic) (the Act), the Independent Broad-based Anti-corruption Commission (IBAC) is responsible for monitoring the compliance of the Chief Commissioner of Police (Chief Commissioner) and authorised persons with their obligations in relation to making and enforcing firearm prohibition orders (FPOs), and record keeping requirements under Parts 4A and 10A of the Act.

In summary, IBAC functions under the Act are to:

i. review the making of FPOs by the Chief Commissioner (or delegate) for each three-month period.[1]
ii. monitor any exercise of the powers of the Chief Commissioner or the performance of the duties and functions of the Chief Commissioner under Parts 4A and 10A.[2]

To facilitate these functions, IBAC officers may exercise certain powers, including entering premises occupied by Victoria Police at which IBAC reasonably believes there are documents relevant to its functions under the Act, and inspecting any document found at those premises.[3]

After completing an FPO review or inspection, IBAC may make recommendations in private to the Chief Commissioner on any action IBAC considers appropriate, and the Chief Commissioner must respond within 45 days.[4]

IBAC must report biennially to the Minister for Police (the Minister) in relation to IBAC's monitoring and review functions listed in points (i) and (ii) above.[5] In the report, IBAC may identify and include recommendations to the Minister on possible amendments to Parts 4A or 10A, to improve the operation of those Parts.[6]

IBAC also has a discretionary power to give the Minister, at any time, a report on IBAC's functions, and the Minister may request that IBAC provide a report on the results of its monitoring functions at any time.[7]

The Minister must cause an IBAC ministerial report to be laid before both Houses of Parliament.[8]

This report:

- Provides the results of IBAC's quarterly FPO reviews in the inspection period, including updates made by Victoria Police to its FPO processes and systems in response to matters raised by IBAC in the course of those inspections.
- Sets out the findings of IBAC's inspection pursuant to section 173 of the Act, of Victoria Police's records for the period 1 January 2021 to 31 December 2022 (the inspection period), to determine compliance with the requirements under Parts 4A and 10A of the Act.

Throughout IBAC's FPO reviews and inspection, IBAC liaised with Victoria Police, provided feedback reports setting out matters for consideration, findings, and private recommendations.

1.3. Legislative framework

The purpose of the Act is to provide:

- a system of licensing and regulation about the business of dealing in firearms
- a system of permitting and regulating the acquisition and disposal of firearms and related items
- a system of registering firearms
- requirements for the secure storage and carriage of firearms
- for the establishment of the Firearms Appeals Committee to hear applications for the review of certain decisions of the Chief Commissioner under the Act.[9]

Victoria Police has wide-ranging powers under the Act to manage and oversee licensing, registration and other control measures for the possession, carriage, use, acquisition, disposal, and storage of firearms.

[1] *Firearms Act 1996 (Vic)* s 174F.
[2] *Firearms Act 1996 (Vic)* s 173.
[3] *Firearms Act 1996 (Vic)* s 174M.
[4] *Firearms Act 1996 (Vic)* ss 174A and 174I.
[5] *Firearms Act 1996 (Vic)* ss 174B and 174C.
[6] *Firearms Act 1996 (Vic)* s 174B(2).
[7] *Firearms Act 1996 (Vic)* s 174.
[8] *Firearms Act 1996 (Vic)* s 174D.
[9] *Firearms Act 1996 (Vic)* s 1 – Purpose and outline.

Part 4A of the Act sets out the powers of the Chief Commissioner (or delegate)[10] to make an FPO in relation to an individual, undertake personal, premises and other searches without a warrant or consent, and lay charges for FPO breaches and related offending. These provisions are aimed at increasing the protection of the community from firearm-related offending.[11]

Once an FPO is made by a delegate it does not come into force until the day it is served[12] on the individual to whom the FPO applies (FPO subject). The FPO subject is then prohibited from acquiring, possessing, carrying or using any firearm or firearm related item. The Chief Commissioner must consider a number of criteria and be satisfied it is in the public interest to make the FPO.[13] The subject of an FPO can apply to the Victorian Civil and Administrative Tribunal (VCAT) for a review of the decision to make an FPO.[14]

Pursuant to sections 174F and 174H of the Act, IBAC must review a proportion of FPOs made in each quarter, against the statutory requirements, to assess whether the FPO should have been made. IBAC's review of an FPO must be based solely on the information that was before the Victoria Police delegate at the time of making the FPO.[15]

After reviewing the making of an FPO, IBAC may recommend, in private, that the Chief Commissioner take any action that IBAC considers appropriate.[16] For example, IBAC may recommend that the Chief Commissioner review an FPO with a view to revoking it. The Chief Commissioner must provide a response in writing to IBAC within 45 days of receiving the recommendation.

IBAC's review of an FPO differs from a VCAT merits review in which VCAT remakes the decision based on submissions and evidence from the FPO subject/applicant and the Chief Commissioner, including information that was not before the original decision maker.

1.4. The Firearm Prohibition Order Registry

The Chief Commissioner must take all reasonable steps to ensure records are kept for:

- each FPO made, including any order that is not in operation
- any document received from an individual subject to an FPO
- any policies, procedures or guidelines of Victoria Police about the making of FPOs or the operation of Part 4A
- records of any searches under Part 4A.

The Firearm Prohibition Order Registry (the Registry) within Victoria Police Crime Command has primary responsibility for facilitating the FPO process.

The Registry maintains the Firearm Prohibition Order Register (the Register) that contains information required to be recorded for FPOs.

FPO applications are completed by police officers (applicant) and reviewed by the Registry before being provided to a delegate for decision. The Registry informs the applicant of the outcome of the FPO decision.

For an FPO to come into force it must be served on the FPO subject by a police officer, which is evidenced by an affidavit of service completed by the serving officer.

Once the FPO is in force, a relevant warning flag is added to the FPO subject's profile in Law Enforcement Assistance Program (LEAP) to alert police to the FPO, which allows searches to be conducted if reasonably required in accordance with Part 4A of the Act.

The Chief Commissioner is responsible for maintaining documented policies and procedures to ensure there is a methodical approach to the making of FPOs and record keeping pertaining to all aspects of FPOs, including searches, seizures, charges and revocations.

The Chief Commissioner must include in the Victoria Police annual report the numbers of FPOs issued in the financial year and related statistical information.

[10] *Firearms Act 1996* (Vic) s 112F.
[11] Victoria, *Parliamentary Debates*, Legislative Assembly, 21 September 2017, 2964 (Lisa Neville, Minister for Police and Emergency Services).
[12] *Firearms Act 1996* (Vic) s 112J.
[13] *Firearms Act 1996* (Vic) s 112E.
[14] *Firearms Act 1996* (Vic) s 112L.
[15] All decisions to make an FPO were by a delegate of the Chief Commissioner of Police.
[16] *Firearms Act 1996* (Vic) s 174I.

IBAC is required to monitor the Chief Commissioner's exercise of powers under Part 4A in relation to making and revoking FPOs, issuing FPOs, conducting searches without warrant or consent in relation to the FPO subject, and dealing with surrendered or seized firearms or related items.[17]

IBAC is also required to monitor the Chief Commissioner's compliance with the requirement in Part 10A of the Act to take all reasonable steps to ensure that records are kept of:

- each FPO made
- any document received in relation to the FPO from an FPO subject (or their representative)
- any Victoria Police policies, procedures or guidelines about the making of FPOs or the operation of Part 4A
- records of searches under that Part. [18]

IBAC may recommend, in private, that the Chief Commissioner take any action that IBAC considers appropriate, and the Chief Commissioner has 45 days to respond. [19]

[17] *Firearms Act 1996* (Vic) s 173.
[18] *Firearms Act 1996* (Vic) s 174O.
[19] *Firearms Act 1996* (Vic) s 174A.

2. Review of firearm prohibition orders

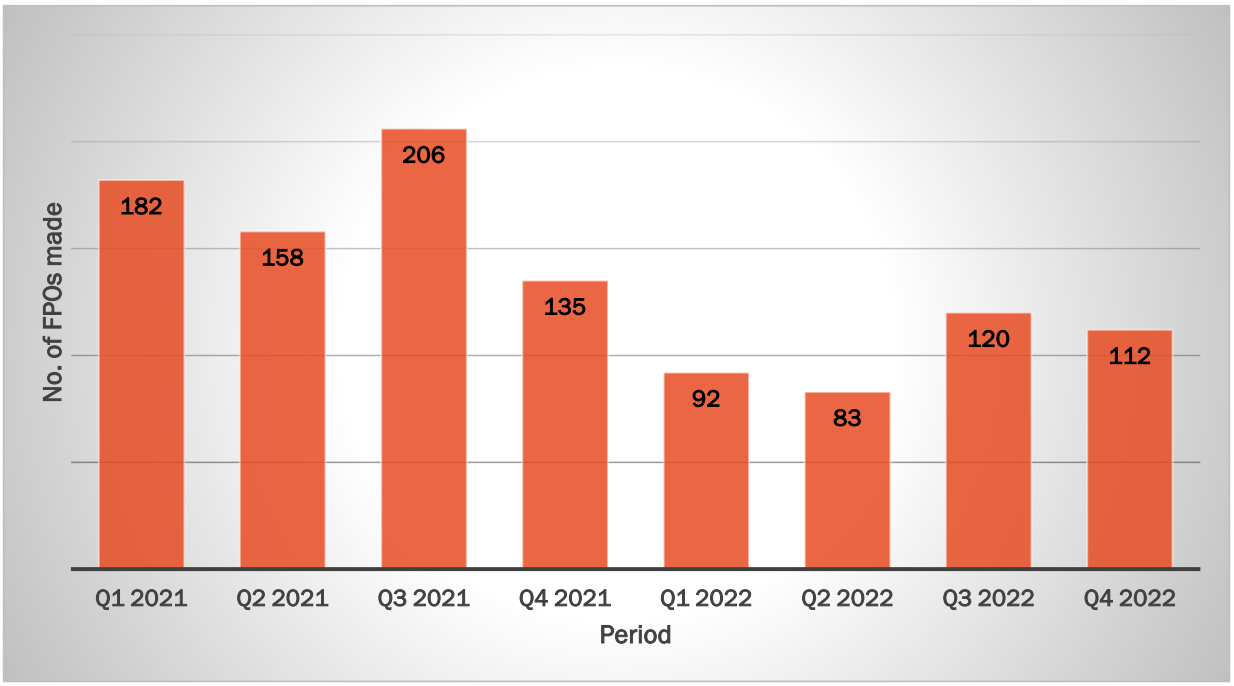
2.1. IBAC's review of FPOs made by Victoria Police

The following statistics show the number of FPOs made in the inspection period. The Chief Commissioner (or delegate) may make an FPO only if satisfied that it is in the public interest to do so, because:

- of the criminal history of the individual
- of the behaviour of the individual
- of the people with whom the individual associates
- on the basis of information known to the Chief Commissioner about the individual, the individual may pose a threat or risk to public safety.[20]

Figure 1 below shows the split across reporting quarters for the 1088 FPOs made by a Victoria Police delegate in the inspection period.

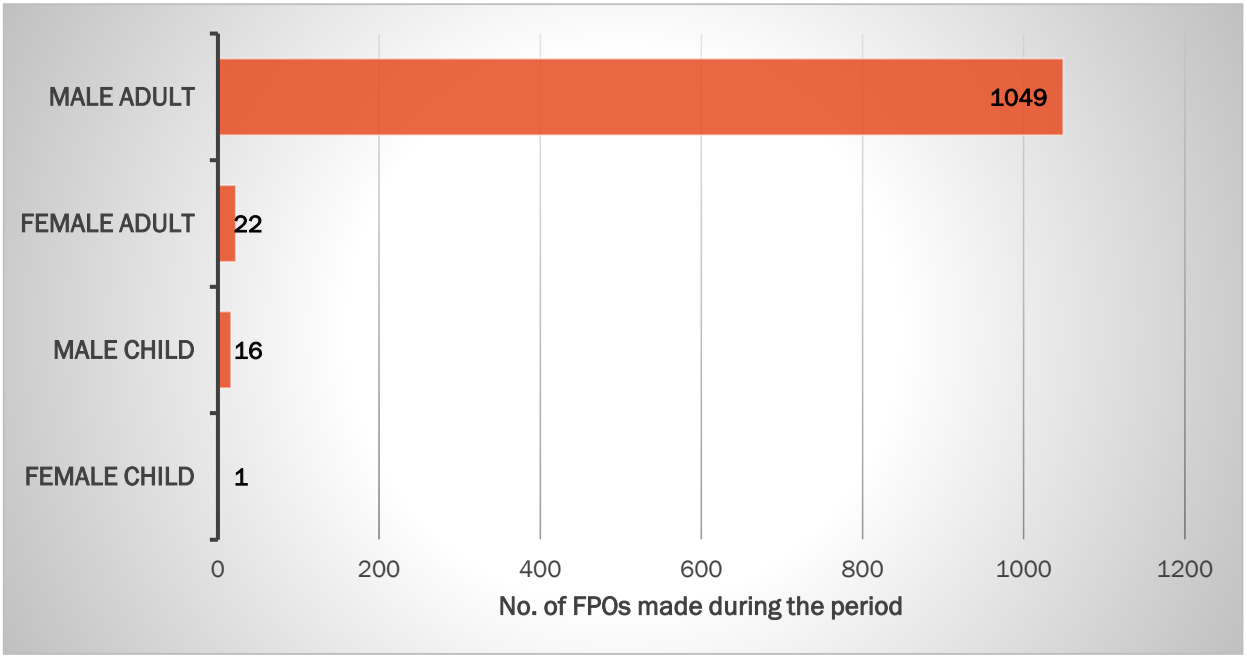
Figure 1: FPOs made



[20] *Firearms Act 1996* (Vic) s 112E.

Figure 2 shows the age and gender split across FPO subjects for the 1088 FPOs made by a Victoria Police delegate in the inspection period.

Figure 2: FPO subjects



An FPO may be made based on one or more of the criteria set out in section 112E(a) to (d). Figure 3 below shows the split across these criteria for the 1088 FPOs made by a Victoria Police delegate in the inspection period.

Figure 3: Each of the grounds under section 112E of the Act on which the FPOs were made

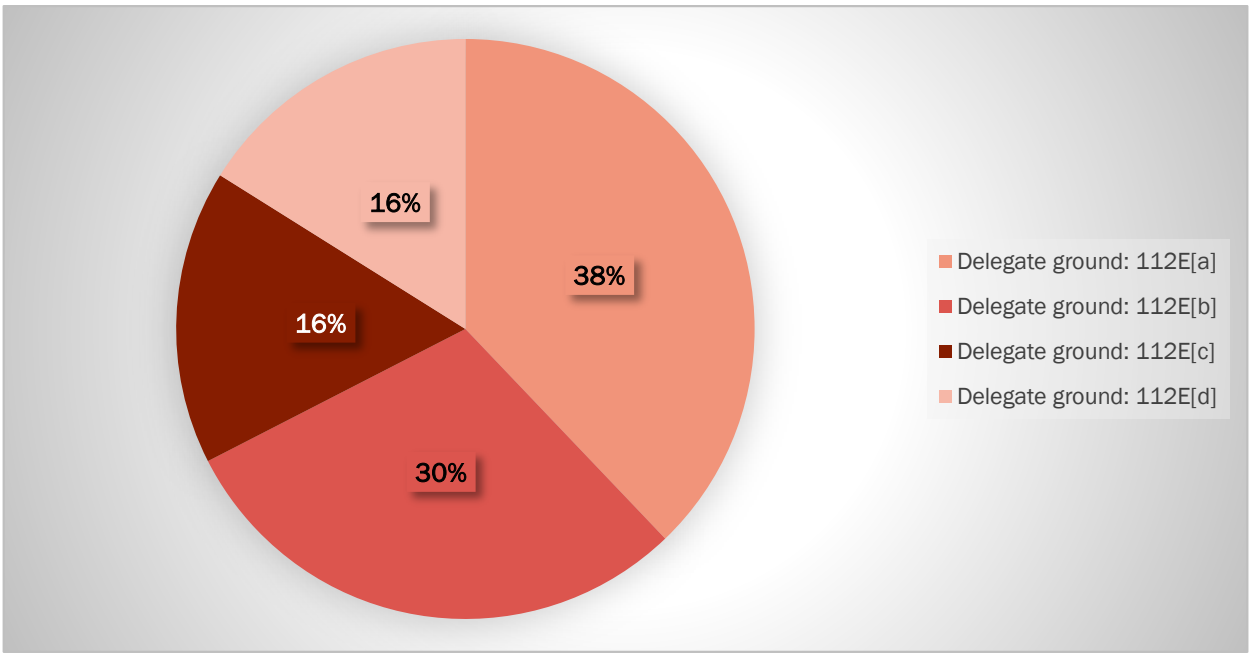
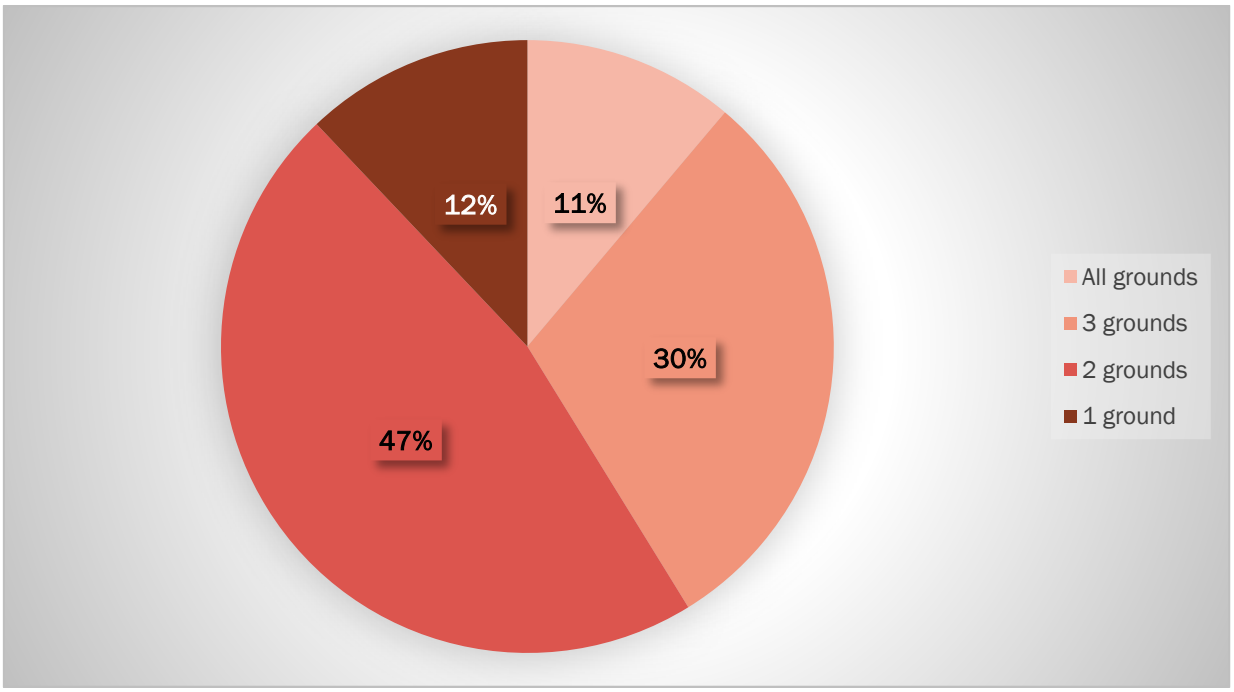


Figure 4 shows the split across the number of combined grounds for the 1088 FPOs made by a Victoria Police delegate in the inspection period.

Figure 4: Combined grounds on which the FPOs were made



IBAC reviews a proportion of FPOs made in each three-month period (quarterly review).[21] In doing so, IBAC selects a representative sample and reviews these against the statutory requirements to assess whether the FPO should have been made.[22] IBAC's review is based solely on the information that was before the Victoria Police delegate who decided to make the FPO.

On average, IBAC reviewed approximately 12 per cent of FPOs made by Victoria Police in each quarter, taking into account the total number of FPOs made in the period under review and other factors, including the different grounds relied on and the age and gender of the FPO subject.

The below table summarises IBAC's reviews of FPOs made by Victoria Police in the eight quarters, recommendations made and revocations in response:

Review period	Number of FPOs reviewed	Number of FPOs recommended to be considered for revocation	Revocations
1 January 2021 – 31 March 2021	19	2	0
1 April 2021 – 30 June 2021	16	0	0
1 July 2021 – 30 September 2021	19	0	0
1 October 2021 – 31 December 2021	14	1	0
1 January 2022 – 31 March 2022	10	1	0
1 April 2022 – 30 June 2022	12	1	1
1 July 2022 – 30 September 2022	19	1	1
1 October 2022 – 31 December 2022	20	1	1

[21] *Firearms Act 1996* (Vic) s 174F.
[22] *Firearms Act 1996 (Vic)* ss 174F and 174H.

3. Summary of IBAC's inspection under section 173 of the Act

3.1. Level of compliance

Compliance ratings are based on IBAC's inspections of Victoria Police's records to determine the Chief Commissioner's compliance with Parts 4A and 10A of the Act in the inspection period.

The following ratings are used to describe the level of statutory compliance achieved by the Chief Commissioner during the inspection period in respect of the categories of compliance referred to below:

Compliant – fully compliant with statutory requirements, or any degree of non-compliance was relatively minor in the nature of an occasional mistake or oversight.

Substantially compliant – generally compliant with statutory requirements, but there were material compliance problems or issues identified.

Not compliant – a failure to meet statutory requirements entirely, or a pattern of fundamental compliance problems or issues identified.

Unable to determine – The necessary evidence was not available to IBAC to enable an assessment of compliance with the Act to be made during the inspection.

In relation to the rating of 'unable to determine', IBAC acknowledges that there may be various reasons why the information required for the inspection was not available, including:

- there was insufficient relevant information to enable an assessment of compliance to be made
- the required records were not centrally available for inspection and too difficult to gather.

Not applicable – An invoking element in the criteria was not activated within the scope of the inspection. The element of the criteria may require that a particular activity be carried out, or that an event occur, before the requirement needs to be complied with.

This report also considers other matters related to the Chief Commissioner's compliance with the Act, including administration of Parts 4A and 10A, and any relevant historical matters.

The following table summarises IBAC's assessment of the Chief Commissioner's compliance with the relevant parts of the Act.

Compliance category	Compliance rating
Part 4A	
Delegation of power to make an FPO	Compliant
Persons authorised to make an FPO	Compliant
Making an FPO	Compliant
• Human rights considerations	Unable to determine
Cancellation of licences and permits	Compliant
Form and content of order	Compliant
Service of order	Unable to determine

Compliance category	Compliance rating
Duration of order	Not compliant
Applications to VCAT for review of a decision to make an FPO	Compliant
Revocation of order	Compliant
Searches pursuant to sections 112Q, 112R and 112S	Unable to determine
Dealing with firearms or firearm related items surrendered or seized	Compliant
Notification of a change of address	Unable to determine
Part 10A	
Information to be included in the Annual Report to the Minister	Compliant
Record keeping requirements under Part 10A of the Act	Compliant
Restricting access to records	Compliant

3.2. Recommendations made in private to the Chief Commissioner of Police

Section 174A permits IBAC to make any recommendation to the Chief Commissioner in private after monitoring any exercise of the powers of the Chief Commissioner or any performance of the duties and functions of the Chief Commissioner under Part 4A or 10A.

IBAC made six recommendations to the Chief Commissioner in private for the reporting period 1 January 2021 to 31 December 2022. Of these six recommendations, three were fully accepted by the Chief Commissioner, one was partly accepted, and the remainder were not accepted due to the added administrative burden they would impose on Victoria Police. Implementation of the accepted recommendations will be subject to further checks by IBAC in its next inspection. IBAC will also continue to closely monitor Victoria Police compliance in areas subject to the recommendations that have not been accepted.

Prior to the inspection, there were four outstanding recommendations made by IBAC in previous inspection reports for the inspection report period 8 May 2018 to 31 December 2020, pertaining to operational governance and IT enhancements for the Registry.

These four recommendations were accepted by Victoria Police at the time they were made. One recommendation has been completed and three are still being actioned. The implementation of these recommendations will be subject to further checks by IBAC in its next inspection.

4. Inspection findings

Inspection overview

Between November 2023 to February 2024, IBAC conducted an inspection pursuant to section 173 of the Act, that evaluated the Chief Commissioner's exercise of powers under Part 4A in relation to the making, serving and revocation of FPOs, conducting of searches without a warrant or the consent of an FPO subject, and dealing with surrendered or seized firearms or related items. The inspection also assessed compliance with administrative requirements placed on the Chief Commissioner under Parts 4A and 10A, including the requirement to keep records.[23]

On 21 June 2024, IBAC provided the Registry with IBAC's inspection results and findings. On 8 July 2024, the Registry provided IBAC with responses and updates on actions taken.

The inspection results and actions for proposed changes by Victoria Police are set out below.

Report on compliance with Part 4A of the Act

4.1. Delegation of power to make an FPO

The Chief Commissioner may delegate the power to make an FPO.[24]

The Victoria Police FA2.1 instrument of delegation dated 30 August 2022 (the instrument) by the Chief Commissioner, is made pursuant to section 112F (Delegation of power to make order) of the Act. The instrument states that the duties, functions and powers to be delegated are specified in column 2 of the Schedule, as summarised in column 3 of the Schedule to the persons listed in column 4 of the Schedule.

Column 2 of the Schedule is headed 'relevant legislative provisions'. In that column is listed section 112D, section 112E and section112F. Section 112F is a power of delegation.

Section 176 of the Act specifically prohibits the Chief Commissioner from delegating the power of delegation in s112F. As the Column 3 summary of delegated powers only refers to the powers contained in sections 112D and 112E, IBAC considers it likely that the reference to s112F in Column 2 was an error and was not intended to be delegated.

IBAC considers that there is a low risk that a delegate could interpret the inclusion of section 112F in Column 2 as giving them the power of delegation under section 112F along with the powers under sections 112D and 112E.

Since 21 May 2018, the following positions have been delegated the power of the Chief Commissioner to revoke an FPO:

- Deputy Commissioner
- Assistant Commissioner.

Compliance assessment: In relation to delegation of power to make an FPO, the Chief Commissioner is assessed as being **Compliant.**

[23] *Firearms Act 1996* (Vic) s 1740.
[24] *Firearms Act 1996* (Vic) s 112F.

4.2. Persons authorised to make an FPO

Only a delegate approved for the purpose by the Chief Commissioner may make an FPO.

The Registry's *Victoria Police Manual – Firearm Prohibition Orders* (VPM) stipulates that only those delegates who have attended an FPO delegate information session can authorise an FPO.

IBAC officers reviewed the list of authorised delegates during the inspection period and noted seven delegates had not completed an FPO Delegate Information Session. The Registry advised that these delegates were involved in setting up the FPO scheme, and so have not undertaken the formalised training. The Registry advised reliance has been placed on the existing understanding of the process and legislation these delegates obtained though informal training and experience.

There is no requirement for delegates to attend any further or ongoing training after completion of the initial FPO delegate information session.

Compliance assessment: In relation to delegates authorised to make an FPO, the Chief Commissioner is assessed as being **Compliant**

4.3. Making an FPO

FPO subjects

The Chief Commissioner cannot make an FPO in relation to a person under 14 years of age.[25]

IBAC reviewed the ages of all FPO subjects and is satisfied that no FPOs were issued to persons under the age of 14 years.

Consideration for making an FPO

As stated earlier in the report, the Chief Commissioner may make an FPO only if satisfied that it is in the public interest to do so, because:

- of the criminal history of the individual
- of the behaviour of the individual
- of the people with whom the individual associates
- based on information known to the Chief Commissioner about the individual, the individual may pose a threat or risk to public safety.

IBAC officers note that the Registry has developed procedural documentation which includes clear instructions and guidance on how an FPO can be made, and the standards and requirements for completing and submitting an FPO Application.

IBAC officers reviewed a sample of the 1143 FPO applications submitted to the Registry during the period. IBAC is satisfied that the management of the application process is in accordance with internal procedures, that applications were completed accurately in most cases, and that information records are kept in relevant FPO files.

There is no statutory obligation for delegates to provide written reasons for their decisions. However, a request for written reasons can be made by the FPO subject, IBAC or VCAT. During this inspection and in past quarterly FPO reviews, IBAC officers noted that many delegate decisions were not documented in the relevant FPO file, as delegates are only encouraged by the Registry to record their decision-making through the completion of a 'Delegate Decision Log'.

Human rights considerations

Public authorities are obligated to give proper consideration to rights listed in the *Charter of Human Rights and Responsibilities Act 2006* (Vic) (the Charter) when making a decision.[26] That obligation is additional or

[25] *Firearms Act 1996* (Vic) s 112D(2).
[26] *Charter of Human Rights and Responsibilities Act 2006* (Vic) s 38(1).

supplementary to any obligation imposed under the primary legislation governing the operations of the public authority.[27] Victoria Police is a public authority under the Charter.[28]

Public authorities are required to evidence proper consideration of Charter rights,[29] though what evidence is required may differ depending on the circumstances.[30]

Failure to give proper consideration of Charter rights is an error of law.[31]

Of the 43 samples reviewed in the inspection period for this criteria, only one sample contained a completed 'Human Rights Risk Assessment form'.

Of the other 42 samples inspected, there was no clear or consistent approach to the recording of consideration of Charter rights. In some cases, the sample stated that Charter rights were considered but provided no further detail. In other cases, the sample did not record any consideration of Charter rights, and in others, the Human Rights Risk Assessment form was either incomplete or blank.

The FPO practice guide states that delegates must have regard to human rights and provides an overview of the Charter and the rights most likely to be impacted by the making of an FPO. The FPO practice guide also states that delegates must turn their mind to the impact of the order on the person's human rights when deciding to make an FPO. IBAC officers were unable to determine compliance with this requirement for the 42 samples due to delegates not recording this consideration.

A higher level of consideration may be required when the subject of an FPO is a person with a special vulnerability.[32] Victoria Police do not collect data on persons with special vulnerabilities consistently and there is no clear guidance in the FPO practice guide or internal resources on what actions are required to satisfy the Charter in relation to people with special vulnerabilities.

Despite this, IBAC officers were able to identify that at least 10 out of the 43 samples selected for inspection involved individuals from vulnerable groups. Specifically, five samples involved children, four involved people born overseas who may speak English as a second language, and one involved an individual who identified as Aboriginal or Torres Strait Islander. Of those 10 samples, IBAC officers only identified one FPO with clear consideration of Charter rights evidenced on the file.

IBAC notes that the issue of recording human rights considerations was raised with the Chief Commissioner in IBAC's quarterly FPO report for Q1 of 2023. This report was provided to the Chief Commissioner outside the inspection period on 15 August 2023. Subsequent quarterly inspections by IBAC have confirmed that there has been substantial improvement in the recording of human rights considerations by delegates. IBAC officers will continue to monitor human rights considerations in further reviews and inspections.

Compliance assessment: In relation to the requirement of delegates to consider human rights when deciding to make an FPO, IBAC assesses that it is **Unable to determine** compliance by the Chief Commissioner.

Timing of FPO applications

IBAC reviewed the timing of 1005 FPO applications made during the inspection period (days taken from application date to date made).

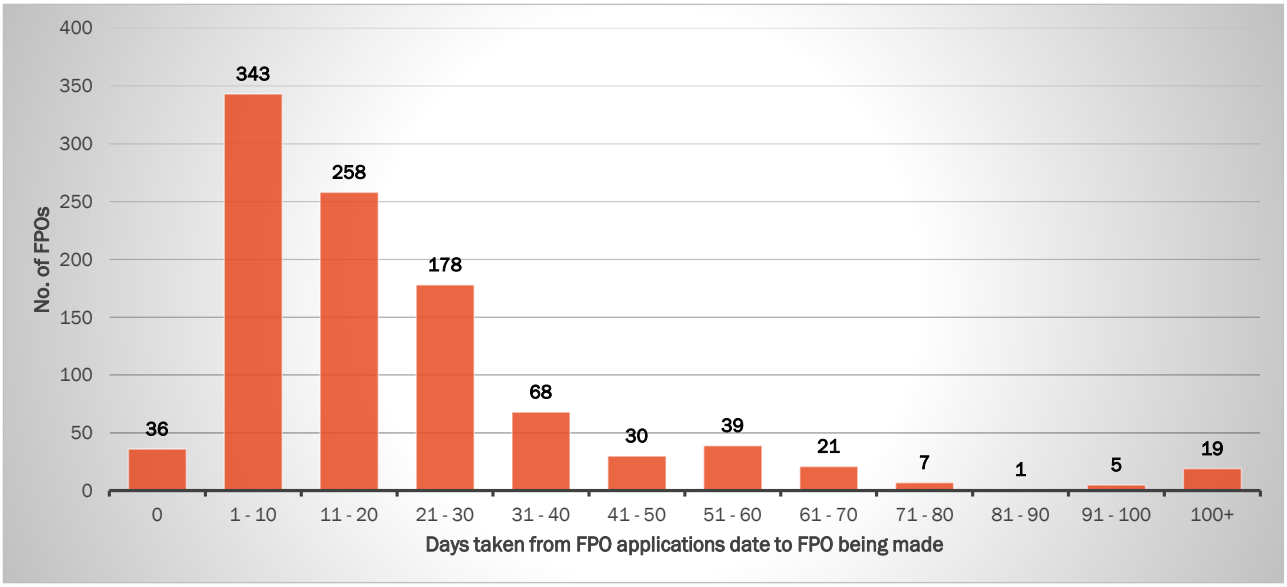
The average number of days taken for an FPO to be made was 22 days.

562 days was the longest time taken from application date to FPO being made.

[27] *HJ v IBAC* [2021] VSCA 200 at [154].
[28] *Charter of Human Rights and Responsibilities Act 2006* (Vic) s 4(1)(d).
[29] *LG v Melbourne Health* [2019] VSC 183, [80]–[82]; *Bare v IBAC* [2015] VSCA 197, [220]–[224]; *Castles v Secretary of the Department of Justice* (2010) [2010] VSC 310 at [185]–[186].
[30] *Certain Children v Minister for Families and Children & Ors (No 2)* [2017] VSC 251 [190] (*'Certain Children (No 2)'*) at [471], [514].
[31] *Bare v IBAC* [2015] VSCA 197 at [236] (Tate JA), at [496] (Santamaria JA).
[32] *Certain Children (No 2)* at [203], [471].

Figure 5 below details the number of days taken from the FPO application date to the date the FPO was made by a delegate.

Figure 5: Number of days taken from FPO application date to the FPO being made by a delegate



Urgent applications

Where circumstances require an FPO to be made as soon as possible, the VPM provides for the urgent issue and service of an FPO. In these cases, the delegate may provide verbal approval for the FPO being made, then provide subsequent written approval to the applicant electronically. The electronic record of approval must be retained.

IBAC inspected the records of the four urgent applications made during the period and were advised by the Registry that these urgent application decisions are recorded by the applicant as written diary entries.

The Register does not have a specific field or tab for recording the status of urgent applications in the Registry.

Regional applications

The FPO practice guide provides that FPO applications that are submitted by regional investigators instead of by police officers attached to specific investigation units must be endorsed by the local Crime Investigations Unit (CIU), Divisional Response Unit (DRU) or Divisional Intelligence Unit (DIU). This is to ensure that the making of an application or the information contained in it will not adversely impact any active investigations. If local endorsement is not identified by the Registry, the application will not progress.

IBAC officers reviewed a sample of FPO applications submitted by regional investigators and found that the appropriate process had been followed. However, in some instances it was unclear in what capacity an officer was endorsing the application – that is, whether as a work group manager or as a local CIU, DRU or DIU.

Upon clarification of the process with the Registry, it was explained that it is not current practise for applicants to obtain endorsement from the local CIU, DRU or DIU. FPO applications only require local manager endorsement before submission to the Registry.

IBAC officers reviewed the Registry's procedural documentation and noted inconsistency between the VPM and the FPO practice guide regarding regional application endorsement requirements.

Warning flags

An FPO comes into effect once served on the FPO subject by a police officer. Once an FPO is in effect, a relevant warning flag is added to the FPO subject's profile in the LEAP database, to alert police to the FPO which allows for searches to be conducted if reasonably required in accordance with Part 4A of the Act.

IBAC officers reviewed a sample of FPOs in the Registry database against the FPO subject's profile on LEAP during the inspection. IBAC is satisfied that the adding of warning flags is in accordance with internal procedures.

An FPO ceases to be in force if revoked or when it expires. Once this occurs, the warning flag in the FPO subject's profile is removed. IBAC officers were unable to confirm if warning flags in the FPO subject profiles were removed immediately upon revocation or expiration of the FPO as the system does not record the date a warning flag is removed.

Compliance assessment: In relation to making FPOs, the Chief Commissioner is assessed as being **Compliant.**

4.4. Cancellation of licenses and permits

All licences, permits and approvals under the Act held by an individual to whom an FPO applies are cancelled when the FPO is made, and the cancellation has effect once the order is served on the subject.[33]

Where an application for an FPO is made in relation to an individual who validly holds a current firearm, security or weapons authority/licence, the Registry will simultaneously notify the Victoria Police Licensing and Regulation Division (LRD) and forward the application to a delegate for consideration. Notification of the delegate's decision will also be provided to the LRD at the same time as the applicant.

IBAC officers reviewed a sample of 140 FPO applications where an FPO had been made. IBAC is satisfied that the management of the notifications to LRD is in accordance with internal procedures.

Compliance assessment: In relation to notifications of FPOs made for cancellation of licences and permits, the Chief Commissioner is assessed as being **Compliant.**

4.5. Form and content of order

An FPO must contain certain information, including a statement of the effect of the FPO, conduct that is prohibited by the FPO and the powers for its enforcement. The FPO must also contain information identifying the individual to whom the order applies, a statement that the order takes effect on the day it is served, the expiry date, and the provisions of the Act that empower the making of the order.[34]

IBAC officers reviewed the Registry template order and are satisfied that these requirements are met.

IBAC officers inspected a sample of issued FPOs and reviewed the information identifying the individual to whom the order applies, the service date and expiry date, and found that in most cases the information was accurate.

Compliance assessment: In relation to form and content of FPOs made, the Chief Commissioner is assessed as being **Compliant.**

4.6. Service of order

An FPO comes into force at the time it is served.[35] An FPO must be personally served on the FPO subject by a police officer.[36] If the FPO subject is located interstate, a Victorian police officer can personally serve the FPO or arrange for service to be undertaken by a special constable (being an officer or member of the police force of another jurisdiction appointed by the Chief Commissioner of Victoria Police).[37]

IBAC officers reviewed the relevant procedural documents that outline the process for service of an FPO.

Verifying evidence when serving an FPO

Procedural documentation stipulates that when an FPO is served, the serving member must advise the FPO subject that:

- the FPO will remain in effect for ten years if they are 18 years or older at the time the FPO was issued or five years if they are aged between 14 and 17 years

[33] *Firearms Act 1996* (Vic) s 112H.
[34] *Firearms Act 1996* (Vic) s 112G.
[35] *Firearms Act 1996* (Vic) s 112J.
[36] *Firearms Act 1996* (Vic) s 112I.
[37] The definition of 'police officer' in s 3 of the *Victoria Police Act 2013* (Vic) (VP Act) does not include a person who is a member of a police force of another jurisdiction. However, under s 193 of the VP Act a 'special constable' is taken to be a 'police officer' for the purpose of any other Act and has the powers conferred on a police officer under any other Act. This gives Victoria Police the option of having a special constable in another State serve an FPO on the individual located interstate.

- they must immediately surrender to the police officer serving the FPO any firearm or firearm related item they are using, carrying or in possession of including firearms that may be at a different location
- it is an offence to fail to surrender firearms or firearm related items and that a search may be conducted to determine whether this requirement has been met
- the ability to search is conferred as soon as service is affected.

During the inspection period, there was no policy for members to turn on their body-worn cameras (BWC) when serving FPOs, which made monitoring compliance with these requirements difficult.[38]

In any event, audio and video footage from BWC is 'protected information' under the *Surveillance Devices Act 1999* (Vic) (SD Act), and the 'use and disclosure' of such footage is strictly governed by the SD Act. Neither the SD Act, Surveillance Devices Regulations or the Firearms Act permit the disclosure of protected information to IBAC for the purpose of an inspection function. Therefore, IBAC could not review any BWC footage to verify if the internal procedures are being followed when serving an FPO.

IBAC officers were made aware that BWC footage will be reviewed by senior police officers in instances where a complaint is made about the conduct of a serving officer, or to conduct a 'spot-check'.

Service documentation

Once service is complete, a copy of the FPO and an affidavit of service must be returned to the Registry, which triggers the Registry to add a warning flag to the FPO subject's profile in the system.

Original affidavits of service are retained by the Registry.

IBAC officers reviewed a sample of files in relation to service documentation and are satisfied that the management of the service documentation is in accordance with the internal procedures.

Interstate service

FPOs may be served on a person interstate. If the serving officer is not a Victorian Police officer, service must be affected by a Special Constable.[39]

There was one FPO served interstate by a Special Constable of Victoria Police during the inspection period. IBAC officers were unable to determine compliance regarding the service requirements for this FPO, as the Registry could not provide evidence of the South Australian police officer's status as a Special Constable of Victoria Police.

Timing of FPO service

There is no legislative requirement as to when an FPO must be served. Given that the basis for making an FPO is to mitigate or control risk to public safety, it is reasonable to expect that service of an FPO would occur as soon as possible after its making.

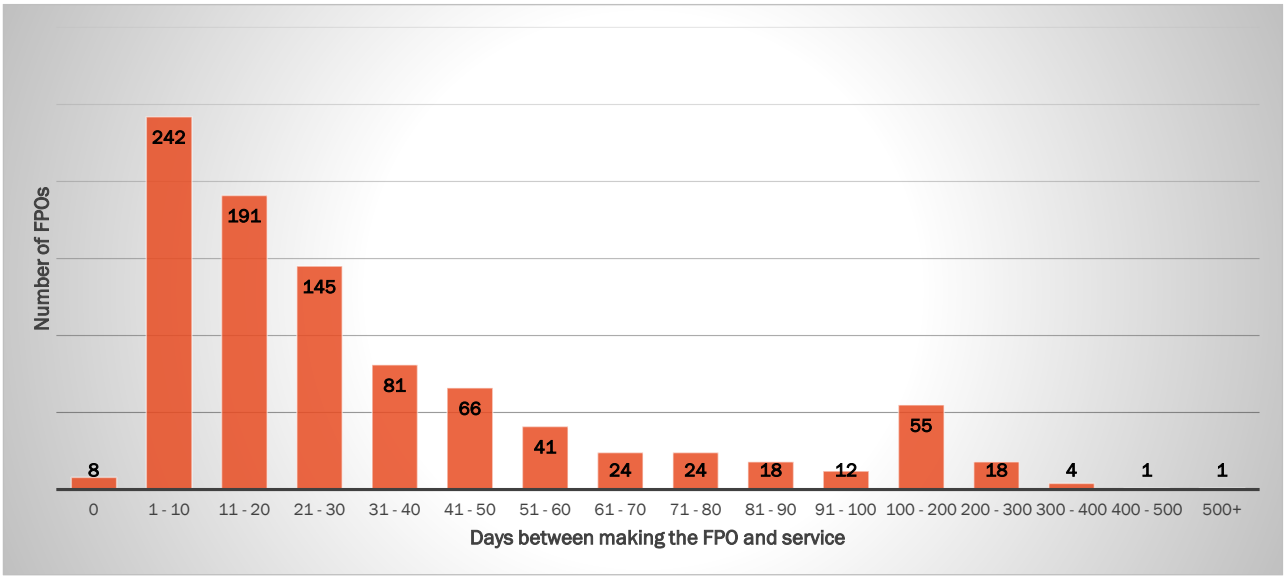
The average number of days between making an FPO and service was 39 days during the inspection period.

During the inspection period, the longest number of days from the day of the FPO made to the FPO being served was 540 days.

[38] The Chief Commissioner's response to the draft Ministerial Report noted that the latest version of the *VPM Firearm prohibition orders* which came into effect in November 2024 (after the inspection period) states that BWC footage must be activated (if available) when conducting any searches using the provisions of the Firearms Act. This VPM directs to the *VPM Body worn cameras* (August 2024), which states that a member wearing a BWC must start a recording when exercising legislated powers, including when conducting person/property/premises searches with or without warrant, processing service, interacting with the public where a Field Contact Report is required, and inspecting premises in accordance with the Firearms Act. IBAC officers will inspect these changes to the VPM in IBAC's 2023/24 inspection.
[39] *Victoria Police Act 2013* (Vic), s 191(2).

Figure 6 details the number of days taken from the FPO being made to the date the FPO was served.

Figure 6: Number of days taken from date made to service



Unserved FPOs

The relevant Victoria Police procedure states that if an FPO remains unserved for 28 days and the FPO subject cannot be located, the officer who applied for the FPO must inform the Registry of the incomplete service, reasons and anticipated service date.

There were 12 FPOs made prior to 1 January 2021 that remain unserved as at 31 December 2022:

- six FPOs between 700 and 800 days unserved
- two FPOs between 801 and 900 days unserved
- three FPOs between 901 and 1000 days unserved
- one FPO unserved for 1649 days.

Of the 76 FPOs made in the period that remain unserved as 31 December 2022:

- 23 were within 28 days of FPO being made as at 31 December 2022
- 53 were greater than 28 days unserved as at 31 December 2022.

IBAC provided the Registry with the above service timeframe findings and were advised that the following factors may impact the timely and efficient service of an FPO:

- the individual being interstate or overseas
- unknown whereabouts of the individual
- the individual is in custody and refusing contact with serving police officers.

IBAC acknowledges the *Firearms and Control of Weapons (Machete) Act 2024* (Vic) (FCWM Act) (which came into effect after this inspection period) has given Victoria Police the power to serve an FPO on an individual in detention (if a visit is refused) by registered post.[40] Neither the Firearms Act nor the FCWM Act provides a timeframe for when an FPO is to be served on an individual once made.

This issue was also noted in IBAC's previous inspection report.[41]

[40] *Firearms Act 1996* (Vic) s 112IA commenced on 13 November 2024.
[41] IBAC 2023, *Firearm Prohibition Order Biennial Ministerial Report Pursuant to section 174B of the Firearms Act 1996 (Vic) – for the period 8 May 2018 to 31 December 2020*, pp 16–17.

IBAC accepts that delays in service of an FPO can be justified in certain circumstances. However, IBAC is of the view that, once an FPO is made, its service must be given priority. This is because an FPO is made on the basis of an affirmative conclusion by the decision-maker that there is a risk that the FPO subject will come into possession of a firearm in circumstances where the firearm may be used to endanger the peace and safety of the public.[42]

Compliance assessment: In relation to the service under Part 4A of the Act, IBAC assesses that it is **Unable to determine** the compliance of the Chief Commissioner**.**

4.7. Duration of order

The duration of an FPO is determined by the age of the individual to whom it applies at the date of the order.

An FPO remains in force for a specified period from the day on which it is served on the individual. For an individual who is of, or over, the age of 18 years, an FPO remains in force for 10 years from the day on which it is served on the individual.[43] An FPO that applies to an individual under the age of 18 years remains in force for five years.[44]

The FPO practice guide details clear instructions on the method for calculating the expiry date of an FPO.

IBAC officers reviewed the duration of all active FPOs as at 31 December 2022 and noted inconsistency in the methodology applied by officers when determining expiry dates.

IBAC was advised on 9 May 2024 (outside the inspection period) that the Registry has taken action to correct any FPOs with incorrect expiry dates and updated the relevant procedural documents.

The implementation of the updated process will be reviewed by IBAC at the next inspection.

Compliance assessment: In relation to the duration of order, the Chief Commissioner is assessed as being **Not compliant**.

4.8. Applications to VCAT for review of a decision to make an FPO

An FPO subject can apply to VCAT for a review of the Chief Commissioner's decision to make the FPO.[45] An FPO subject has a further VCAT right of review at the half-way point of the FPO's duration.[46]

The Registry is notified of VCAT applications and related matters by Victoria Police's Legal Services Division (LSD). VCAT applications are then recorded in the Registry database, and related records kept. All communications from FPO subjects relating to a VCAT review are managed through the LSD with updates communicated to the Registry.

There were 36 FPOs subject to VCAT applications made in the inspection period. Seven of these FPO's status was 'active' due to the VCAT application either being struck out, withdrawn by the applicant, or not proceeding. The remaining 29 FPOs subject to VCAT review had the following status at the time of IBAC's inspection:

- seven FPOs - active - VCAT proceeding stayed
- 13 FPOs - active - pending VCAT review
- nine FPOs – revoked.

VCAT considers the information and material on which the decision was originally based as well as subsequent information, material, and the facts as they exist at the time of the VCAT proceedings. This enables an FPO subject to demonstrate that the basis for making the FPO is no longer warranted.

Minor issues were identified by IBAC relating to the status of FPOs subject to VCAT reviews not being updated in a timely manner. Upon communication of this to the Registry, IBAC officers were informed that this issue was rectified after recruitment of further staff to the Registry.

Compliance assessment: In relation to the administering and record keeping of VCAT applications, the Chief Commissioner is assessed as being **Compliant**.

[42] *Chief Commissioner of Police v Colin Websdale* [2019] VSCA 305 at [36].
[43] *Firearms Act 1996* (Vic) s 112J(1).
[44] *Firearms Act 1996* (Vic) s 112J(2).
[45] *Firearms Act 1996* (Vic) s 112L.
[46] *Firearms Act 1996* (Vic) s 112M.

4.9. Revocation of order

The Chief Commissioner (or delegate) has the power to revoke an FPO, which must be at the sole discretion of the decision maker, as another person cannot 'apply' to have an FPO revoked.[47] This power is delegated to Assistant Commissioners and Deputy Commissioners.

The four causes that may prompt a delegate to revoke an FPO occur where:

- an IBAC recommendation is made under section 174I
- a court or tribunal with jurisdiction orders that the FPO should not have been made
- an FPO subject has been identified as deceased
- an FPO is recognised by Victoria Police as requiring revocation.

During the inspection period, 42 FPOs were revoked:

- one was revoked following an IBAC recommendation made under section 174I
- one was revoked by VCAT
- 32 were revoked as the subject of the FPO deceased
- eight FPOs were revoked after Victoria Police recognised they required revocation (e.g. after application by the FPO subject to VCAT for review of the decision to make an FPO).

IBAC is satisfied that the management of revocations is in accordance with legislation and internal procedures, and that relevant procedures and guidelines in relation to the operation of section 112K are kept.

Compliance assessment: In relation to the revocation of FPOs, the Chief Commissioner is assessed as being **Compliant.**

4.10. Searches pursuant to sections 112Q, 112R and 112S

Victoria Police can exercise the following powers pursuant to sections 112Q and 112R of the Act, without warrant or consent:

- enter and search any premises occupied by, or under the control or management of, the individual
- search any vehicle, vessel or aircraft which the individual is in charge of or is a passenger in
- search the individual and any item in his or her possession
- seize any firearm or firearm related item
- stop and detain the vehicle or individual for so long as is reasonably necessary to conduct the search.

These powers may be exercised:

- by a police officer if the exercise of the power is reasonably required to determine whether an FPO subject has acquired, possesses or is carrying or using a firearm or related item in contravention of the Act
- in relation to an adult who is an FPO subject, and a child aged between 14 and 17 years who is an FPO subject.

Police also have the power under section 112S of the Act to search a person who is in the company of an FPO subject, if police reasonably suspect that the person:

- is committing or is about to commit an offence against the Act
- has a firearm or related item in his or her possession.

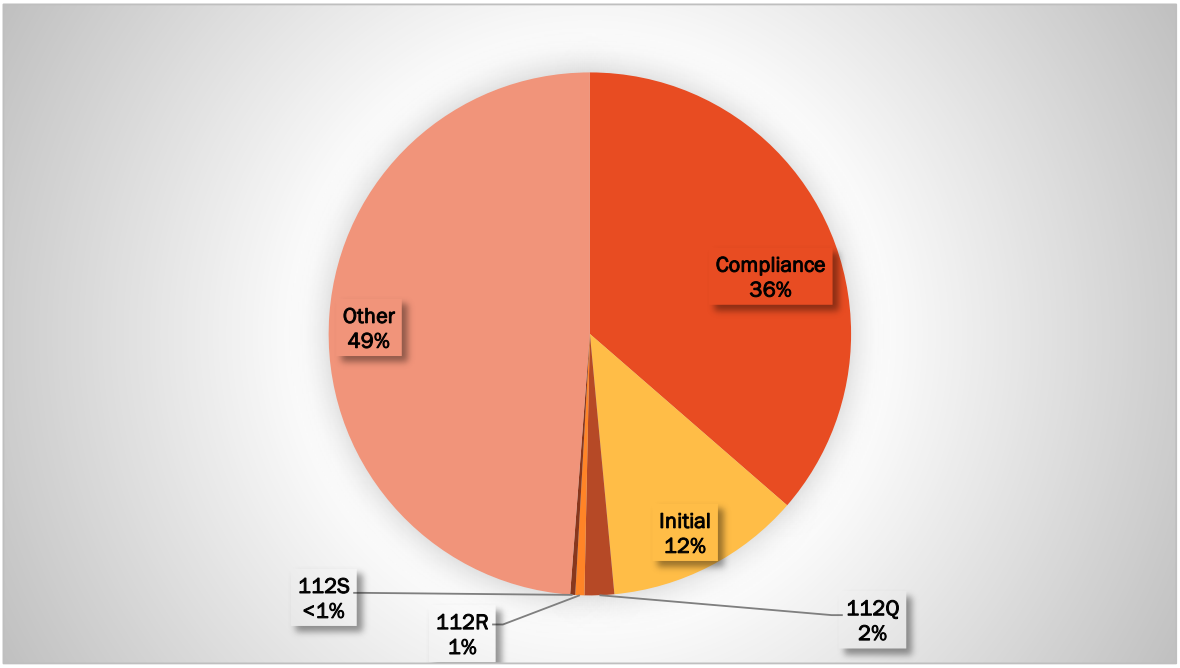
The Chief Commissioner must ensure that records of any searches under Part 4A are kept.[48] The VPM requires that as soon as possible after an FPO related search has been conducted, the members must record the search, including the justification for the exercise of the power. The VPM provides detail as to where the information is to be recorded to ensure compliance with the Act and that search information is appropriately available to other areas within Victoria Police.

IBAC's desktop inspection of information recorded in spreadsheet format (provided by the Registry) shows that 4808 searches were conducted within the period 1 January 2021 to 31 December 2022.

Figure 7 provides a breakdown of the types of searches conducted on FPO subjects or persons in the company of an FPO subject.

[47] *Firearms Act 1996* (Vic) s 112K.
[48] *Firearms Act 1996* (Vic) s 174O.

Figure 7: Searches conducted



'Other' searches conducted that were linked to FPO subjects but were not related to the exercise of powers under Part 4A related to vehicle searches, person checks, drug/drink driver bans and other drug searches under warrant.

IBAC inspected a sample of searches undertaken by police officers under Part 4A and reviewed information from the Registry database, as well as several other Victoria Police systems outside of the Registry where the grounds for searches are also recorded.

IBAC officers have been informed that FPO data quality is reliant on users from outside of the Registry accurately selecting the type of search and inputting the required information. The Registry also relies on monthly corporate statistics and conducts data checks extracted from LEAP to ensure data is captured as accurately as possible. Awareness of these limitations have been raised by the Registry via the FPO Implementation Working Group.

Before conducting a search under Part 4A of the Act, the police officer must inform the individual:

- of the registered number of the police officer
- that the police officer intends to search for any firearm or firearm related item, and that they are empowered to do so under the Act.[49]

If it is not practicable to provide this information before conducting a search under section 112Q, it must be provided after the search is finished.[50]

Further, a police officer may detain a person for so long as reasonably necessary to conduct the search under sections 112S and 112R.[51]

During an FPO search, where evidence of an offence against another act is found, the VPM directs that members must obtain a relevant warrant to search for and seize that evidence.

As discussed in 4.6, IBAC officers are unable to access BWC footage for inspection purposes. Further, due to a lack of specific notes or recorded observations made by police officers outside of the Registry, IBAC is unable to be satisfied that in each FPO case involving the exercise of search powers under Part 4A that all legislative and compliance obligations have been met.

IBAC has raised the issue with Victoria Police of having a centrally accessible and readily available store of records to enable IBAC officers to determine whether all information is recorded as required by the Act, noting that IT enhancements could facilitate the solving of these issues identified.

[49] *Firearms Act 1996* (Vic) ss 112Q(5), 112R(4) and 112S(4).
[50] *Firearms Act 1996* (Vic) s 112Q(6).
[51] *Firearms Act 1996* (Vic) ss 112R(5) and 112S(5).

Overall, IBAC finds that Victoria Police has in place a record keeping system (albeit made up of multiple record keeping repositories and systems) as well as instructions in the VPM governing FPOs which, if adhered to, will ensure compliance with Parts 4A and 10A of the Act. However, the current process has a number of limitations and does not easily or efficiently allow the Registry or IBAC full visibility of records relating to FPO searches.

Compliance assessment: In relation to searches conducted under Part 4A of the Act, IBAC assesses that it is **Unable to determine** compliance by the Chief Commissioner.

4.11. Dealing with firearms or firearm related items surrendered or seized

Any firearm or firearm related item that is seized or surrendered under Part 4A may be retained for as long as required if it is evidence of an offence under the Act, or if it is reasonably necessary to test the firearm or firearm related item to determine if it is evidence of an offence under the Act or other legislation.[52] Provision is also made for the forfeiture of firearms or firearm related items to the Crown, or return of these to the person who is lawfully entitled to possess them.

Where firearms or related items are seized by police as a result of an FPO search, a notification is sent to the Registry by email and the items are managed through another system. The Registry is provided with a copy of the receipt from that system, for retention within the central FPO records.

The Registry relies on police members to provide relevant information in relation to items being seized during an FPO search.

IBAC inspected a list of FPO items that were seized in the course of FPO searches, together with associated receipts for firearms or firearm related items surrendered or seized in the reporting period.

IBAC is satisfied that Victoria Police is meeting its obligations in relation to retention of firearms and related items.

Compliance assessment: In relation to the obligations in relation to retention of firearms and related items, the Chief Commissioner is assessed as being **Compliant.**

4.12. Notification of a change of address

On 30 August 2022, section 112CA was inserted into Part 4A of the Act. FPO subjects must now notify the Chief Commissioner of a change of address within 24 hours of the change occurring or face a penalty of 50 units or 12 months imprisonment.

The Registry obtains details and documents relevant to notifications of change of residential address and maintains those details in an up-to-date register. Relevant systems are updated to reflect this change of address as soon as possible by the Registry.

IBAC inspected 74 change of address notifications received by the Registry from an FPO subject from 30 August 2022 to 31 December 2022. Upon providing feedback to the Registry in relation to missing change of address corresponding documentation, IBAC officers were made aware that the Registry obtains all details and documents relevant to notifications of changes of residential address, and maintains these details in an up-to-date register. However, IBAC officers were not provided with corresponding documentation to support the change of address in 71 of the cases inspected and are therefore unable to determine compliance with this record keeping requirement.

Compliance assessment: In relation to record keeping requirements under section 112CA of the Act, IBAC is **Unable to determine** the Chief Commissioner's compliance.

[52] *Firearms Act 1996* (Vic) s 112T.

Report on compliance with Part 10A of the Act

4.13. Information to be included in the Annual Report to Minister

The Chief Commissioner is required to report to the Minister annually, and include in Victoria Police's annual report, certain statistics in relation to FPOs made and in operation, including:

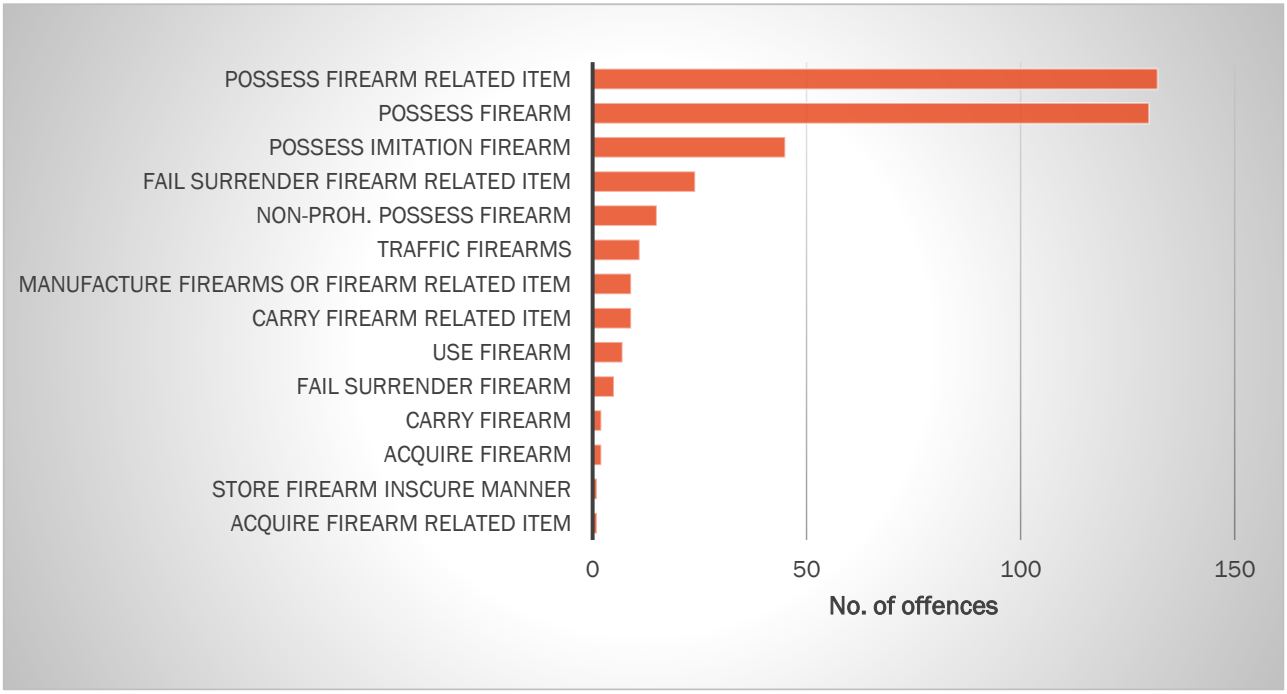
- FPOs issued
- FPOs in operation
- people under 18 years of age who are subject to an FPO
- firearms and firearms related items seized during any exercise of powers under Part 4A
- charges laid for offences under the Act connected with searches under Part 4A
- charges laid for other offences connected with searches under Part 4A.[53]

Charges arising from FPO searches

IBAC is satisfied that Victoria Police has a process in place for identifying whether charges laid fall under section 172(1)(e) and 172(1)(f) of the Act. However, it is noted that the process relies heavily on manual checks by the Registry, is time-consuming and open to error. IBAC was therefore unable to determine the completeness of FPO related charges and is unable to comment on Victoria Police's compliance in relation to this.

Figure 8 shows the number of charges laid for offences under the Act connected with searches conducted under Part 4A.

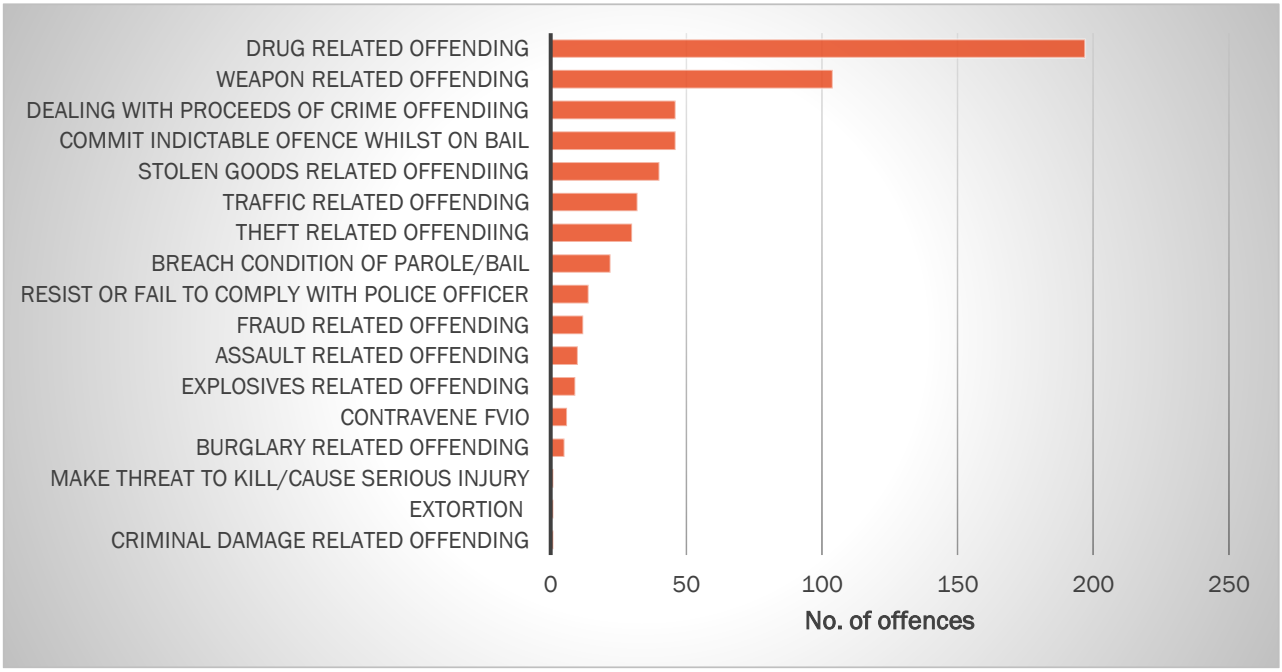
Figure 8: Offences under the Act



[53] *Firearms Act 1996* (Vic) s 172.

Figure 9 shows the number of charges laid for other offences connected with searches conducted under Part 4A.

Figure 9: Other offences

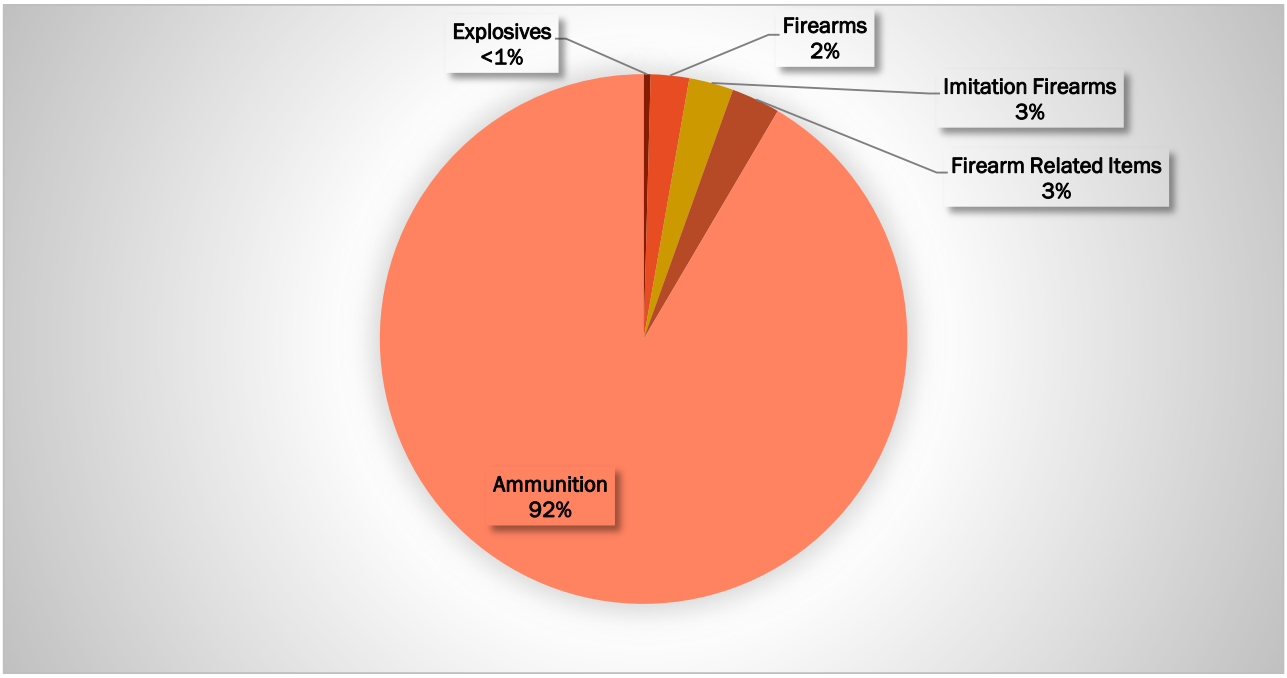


Firearms and firearm related items seized during FPO searches

IBAC was informed that FPO data quality is reliant on users (outside of the Registry) accurately selecting the type of search and inputting required details. The Registry also relies on monthly corporate statistics and conducts checks on data extracted from LEAP to ensure data captured is complete. Due to the recording of information being reliant on members from outside of the Registry, IBAC was unable to determine the completeness of the data relating to firearms and related items seized during searches under Part 4A of the Act and is unable to comment on Victoria Police's compliance in relation to this.

Figure 10 shows the number of firearms and firearms related items seized during the exercise of powers under Part 4A charges laid for other offences connected with searches conducted under Part 4A.

Figure 10: Seized firearms and related items



IBAC reviewed the relevant Victoria Police 'Governance and Internal Audit Arrangements' procedure, and notes that the Registry undertakes audits at daily, weekly and quarterly intervals, as well as on an ad hoc basis as necessary. Based on a review of the guidance material, IBAC considers that these audits include all information required to be reported under section 172 of the Act.

Compliance assessment: In relation to annual reporting requirements under section 172 of the Act, the Chief Commissioner is assessed as being **Compliant**.

4.14. Record keeping requirements under Part 10A of the Act

The Chief Commissioner must take reasonable steps to ensure that records are kept of:

- each FPO made
- any document received in relation to the FPO from an individual the subject of the order
- any Victoria Police policies, procedures or guidelines about the making of FPOs or the operation of Part 4A
- records of searches under that Part.[54]

Victoria Police has appointed the Registry to govern FPO applications, relevant decision-making processes, and records management. The Registry maintains the Register that contains relevant details of FPOs.

During IBAC's inspection of the Register, a sample of electronic entries were reviewed, predominantly consisting of files added to the Register in the inspection period. IBAC officers identified that the Register substantially contained the information required to be kept, although some inconsistencies, errors and omissions were identified. These were brought to the Registry's attention for verification and follow up.

Noted inconsistencies or omissions in the Register include:

- date of birth
- FPO status
- grounds made
- service date
- age.

IBAC notes that populating the Register requires manual entry of information and data retrieved from other systems (which do not communicate with each other). The process is time consuming for the Registry staff and the information sourced from other systems may contain errors or incomplete detail, which leads to data errors within the Register.

The Registry attempts to eliminate errors through quality control and educating members responsible for submitting FPO applications with identified errors or missing information.

IBAC have been advised that an IT solution is being designed to assist with manual steps involved in managing and updating the Registry database.

IBAC notes the Registry's ongoing commitment to improving data accuracy which has resulted in a reduction in inconsistencies and errors since the previous inspection.

Compliance assessment: In relation to Victoria Police obligation to maintain records, the Chief Commissioner is assessed as being **Compliant**.

[54] *Firearms Act 1996* (Vic) s 174O.

4.15. Restricting access to records

The Information Privacy Principles (IPPs) contained in the *Privacy Data and Protection Act* (2014) governs information use, handling and storage by Victoria Police.

Authority to access the Register and associated records

IBAC officers were provided with a list of persons with access to the Register and associated records during the inspection period. The Registry removed access to all persons whose position no longer justified access the Registry shared drive.

IBAC were informed that the Registry will monitor systems access on a periodic basis to ensure only authorised persons with justification have access.

IBAC officers reviewed the current list of persons with access to the Register and associated records and are satisfied that access is appropriately restricted.

Location and physical access

The Registry is located at Victoria Police premises and provides an appropriate level of security.

IBAC is satisfied that the Registry is in a secure environment and that appropriate controls are in place to restrict access to the Register.

Compliance assessment: In relation to the obligation to restrict access to the Register and associated records, the Chief Commissioner is assessed as being **Compliant**.

Complaints made to Victoria Police and IBAC

Complaints may be made to the Victoria Police Professional Standards Command (PSC) or IBAC relating to misconduct or corruption of Victoria Police officers.

The Registry explained to IBAC that where PSC receives a complaint relating to an FPO, the Registry Superintendent is made aware of the complaint and PSC conducts usual enquiries.

A request was sent to PSC from the Registry on behalf of IBAC requesting information on complaints relating to FPOs and the Registry. PSC indicated there were no complaints regarding these subjects in the inspection period, but also informed IBAC that "FPO" is not a subject capable of being searched within their complaints data.

From November 2021 to November 2023, IBAC received five complaints relating to FPOs. IBAC officers utilised these complaints to identify FPO systems or processes for inspection.

Other matters

Governance

During the inspection IBAC officers were briefed on the Registry's governance arrangements. The Registry produce a large suite of procedural documentation which includes standard operating procedures, manuals, guidelines, and templates which are regularly updated and provide clear instruction. The Registry has also implemented and performs different audits of the Register to ensure data validity and to alert Registry staff to upcoming actions. IBAC is satisfied that there is an effective framework for managing the Registry's governance and operational matters within Victoria Police.

Resourcing

IBAC officers were given a comprehensive briefing on the resourcing for the Registry. The Registry has processed and managed 1143 FPO applications. Of these, 1,088 FPOs were made during the inspection period. Victoria Police continue to prioritise the work of the Registry in acquitting legislative responsibilities under the Act.

Overall

IBAC recognises the significant role of the Registry in ensuring the overall effective and efficient operation and management of the Register and related matters.

IBAC encourages Victoria Police to ensure that the Registry is appropriately resourced, including to allow for necessary IT enhancements or upgrades to the Registry database to mitigate risks of error and incomplete data and to provide for efficiencies within the Registry.

The helpful discussions between IBAC and staff at the Registry, along with the Registry's willingness to engage constructively with IBAC's oversight functions, demonstrates Victoria Police's continued commitment to meeting its statutory obligations and ensuring best practice in relation to the requirements set out in the Act. Registry staff were courteous and cooperative and provided considerable assistance to IBAC in undertaking the inspection.

I take this opportunity to thank the Registry for their assistance, particularly in facilitating access to the Registry and its records and providing ongoing assistance to IBAC officers about the operation of the Registry.

In the inspection period, IBAC did not identify any provisions within Parts 4A or 10A of the Act that it considered as needing to be the subject of recommendations to the Minister for possible amendments to improve the operation of those Parts.



Victoria Elliott

Commissioner

Independent Broad-based Anti-corruption Commission

Date: 07 May 2025

ibac | Strengthening Victoria's Integrity

Independent Broad-based Anti-corruption Commission

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