

Media Release



Federation of
Community Legal Centres
VICTORIA

Police comments pre-judge fatal shooting investigation, community legal peak says

Monday 26 August 2013 – for immediate release

Comments by Victoria Police reported in the *Herald Sun* regarding last night's fatal police shooting in Windsor contravene police guidelines by pre-judging the investigation, and highlight the need for the independent investigation of police shootings, says Michelle McDonnell, senior policy adviser at the Victorian Federation of Community Legal Centres.

'This is an extremely serious case', said Ms McDonnell. 'A life has been lost. Three bullets have been discharged in a busy Melbourne street. There are issues concerning police officer safety, public safety and incident planning which need to be explored.'

Ms McDonnell said the police officers may have acted entirely appropriately in this case, but the facts must be properly established through an independent investigation. She said that initial comments by senior Victoria Police reported in the *Herald Sun* backing the officer's conduct are inappropriate and breach police guidelines which require all police spokespersons to limit comments to statements of fact based on information available at the time.

'By making comments within a few hours of the death that the shooting was an act of self-defence calls into question the ability of Victoria Police to conduct the investigation impartially and independently,' Ms McDonnell said.

'Under our current system, the police homicide squad conducts the shooting investigation. Police officers prepare the brief of evidence for the Coroner and the police's Professional Standards Command examines officer conduct.'

'There must be a genuinely independent investigation for the public to have confidence in the process.'

'By failing to provide for an objective examination from outside of the police force, our system falls short of the standard required by international human rights law and the Victorian Human Rights Charter. Investigation should be conducted by an independent body. This independent model is already being used in parts of Canada, New Zealand and the United Kingdom,' Ms McDonnell concluded.

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