

Media Release



Police media comments must not prejudge investigation of police shooting fatality, lawyers warn

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Comments by Victoria Police reported on ABC Online regarding last night's fatal police shooting outside the Endeavour Hills police station contravene police guidelines by pre-judging the investigation, and highlight the need for the independent investigation of police shootings, said Michelle McDonnell, senior policy adviser at the Victorian Federation of Community Legal Centres, today.

'These unfortunate comments are similar to those made by Victoria Police after a fatal police shooting in 2013 which attracted public criticism from the Coroner investigating the death,' said Ms McDonnell.

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 by the Coroner. She said that initial comments by senior Victoria Police reported on ABC Online supporting the officers' 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 to the effect that police had no other choice but to shoot 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 Victoria Police's Professional Standards Command examines officer conduct.

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

'A Victorian coroner this year recommended that an independent observer be present when police interview other police involved in fatal shooting because there is a 'palpable public perception of lack of transparency and collusion.

'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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