

Legal Yarns

Police Complaints



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Artwork by Dixon Patten, a proud Gunnai, Yorta Yorta, Gunditjmara and Dhudhuroa man.

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Police Complaints



A broken complaints system

Many Aboriginal people don't have faith in the police complaints system because almost all complaints are investigated by police and many of these complaints are not believed. It can be a lot of effort to make a police complaint, and you may not get a favourable outcome. You might also worry about retaliation especially if you live in a small community. However, **making a police complaint can be an important way for you to tell your story.** Even if you don't get a good outcome you might want to make a complaint so it is on the police officer's record.

This factsheet has information about making a police complaint. **If you would like more information or to speak with a lawyer, you can call VALS Wirraway team on 1800 064 865.**

What can I complain about?

There are rules about what police officers can do and how they use their powers. If you think you have been treated unfairly by police or are concerned about an interaction with police, you should talk to VALS about making a complaint.

Things you can make a complaint about include:

- Excessive use of force
- Unfair, discriminatory or racist treatment
- Unlawful arrest
- Failure to investigate an offence
- Unlawful stops and searches including strip searches
- Excessive and ongoing police attention and harassment
- Improper treatment in police custody. For example, not being given medical attention
- Not being permitted to speak with a lawyer.

When can I make a complaint?

Although there is no time limit on making a complaint, you should make it as soon as possible. Some low-level complaints might not be investigated if they are made more than a year after the incident.

If you are facing criminal charges because of the incident that you are seeking to complain about, it is recommended you seek legal advice about whether you should wait until after the charges have been finalised before making a complaint.



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If you had a bad interaction with police and want to know whether you can make a complaint, you can call VALS on 1800 064 865.

What information should I record if I am concerned about an interaction with police?

You should contact VALS' Wirraway team before making a complaint. Wirraway can provide advice about making a complaint and assist you in creating a record of the incident or obtaining CCTV or Body Worn Camera footage.

It is important that you make a record of your interaction with police while everything is fresh in your mind. A good way to do this is by writing a document or diary, or by sending yourself an email.

Try to note as much relevant information as possible. Some things you should record are:

- The **name, rank** and **station** of the police officers involved.
- Note as much information as you can about **what happened**.
- Find out if anyone else **witnessed** the incident. If possible, get their contact details.
- Any **photographs or videos** you have of the incident. You are allowed to film police in public, as long as you are not hindering them in their work.
- If you are injured you should:
 - **Take photos of any injuries** you have.
 - **See a doctor** as soon as you can. A doctor's record of your injury may help with your complaint.
- If you think there was **CCTV footage** of the incident you can ask the venue keep the footage. This footage may assist your complaint.
 - CCTV footage is usually not stored for very long, so it is important to contact the CCTV owner as soon as possible after the incident. Wirraway can help you do this.

Even if you don't have all this information, you can still make a complaint. **Your version of what happened is important evidence.**

Who can I make a complaint to?

You can make a complaint to the Independent Broad-based Anti-Corruption Commission (IBAC) or Victoria Police.



For more information or to speak to our legal teams,
call VALS on 1800 064 865.



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IBAC is independent of Victoria Police, so you might prefer to lodge your complaint with IBAC and ask for them to investigate in-house. Except for the most serious complaints, IBAC refers most of the complaints back to Victoria Police to investigate. IBAC is now starting to investigate more complaints from Aboriginal and Torres Strait Islander people in-house.

If you want to discuss what happened or need support making a complaint you can call VALS on 1800 064 865.

IBAC	Victoria Police
Independent Broad-based Anti-Corruption Commission GPO Box 24234 Melbourne VIC 3001 Phone: 1300 735 135 www.ibac.vic.gov.au	Police Conduct Unit GPO Box 913 Melbourne VIC 3001 Phone: 1300 363 101 www.police.vic.gov.au
<p>Ways to make a complaint:</p> <ul style="list-style-type: none">• Online complaint form.• By phone <p>Once IBAC receives a complaint, they will assess whether the complaint should be dismissed, investigated by IBAC or referred to Victoria Police.</p> <p>IBAC may conduct a preliminary inquiry to determine whether to dismiss, refer or investigate the complaint.</p> <p>If your complaint progresses to investigation, IBAC may use its powers to investigate your complaint. You may be called as a witness to an examination. If this occurs, you should contact VALS or another legal service for legal advice.</p> <p>IBAC should inform you whether it decides to dismiss the complaint, investigate the complaint itself, or refer the complaint to Victoria Police.</p>	<p>Ways to make a complaint:</p> <ul style="list-style-type: none">• In-person at any police station,• By mail or email,• By phone to the Police Conduct Unit (PCU),• Online complaint form. You can also fill out a complaint form on the Victoria Police website. <p>The PCU will determine how to handle your complaint depending on how serious they think it is. Most complaints are investigated by local police officers. Serious complaints are referred to the police Professional Standards Command.</p> <p>You can ask PCU to allocate your complaint to Professional Standards Command, rather than officers at a local police station who might be connected to the officers involved in the incident. You can ask to speak with a Police Aboriginal Liaison Officer in the PCU.</p>



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What information should I include in my complaint?

When you make a complaint to IBAC or Victoria Police it's important that you include certain information. This is where your record of the incident is helpful.

It is important that the information you include in your complaint is an accurate representation of what occurred.

Where possible, your complaint should include:

- The date and time the incident occurred.
- Where the incident occurred.
- Who was involved in the incident. It's important to include the name, rank and station of police officers involved. It's also good to note names of anyone who witnessed the incident.
- As much detail as possible about what happened, and what was said.
- How the incident made you feel.
- Any injuries or issues you have had as a result.
- What the police did wrong.
- What you want to happen or the outcome you want.

What happens after I make a complaint?

After you have submitted your complaint to IBAC or Victoria Police, they will investigate the complaint. If you have submitted your complaint to IBAC they may refer the complaint to Victoria Police to investigate, unless it is a very serious complaint.

Most complaints must be formally investigated. Police do have discretion to not investigate less-serious complaints such as customer service complaints.

If your complaint is investigated, you may be contacted by the investigating officer. They may ask you to provide an interview or statement about the incident. You don't have to provide a statement, but if you don't it may mean that the investigator might not have enough information to follow-up the complaint. If you do make a statement about the incident police will write this statement in a letter for you to sign. It is important that you check the statement is accurate before you sign it. **You should speak with a lawyer before you sign the statement. Call the Wirraway team on 1800 064 865 before you sign a statement.**



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It can take several months for IBAC or police to complete an investigation. Once the investigation is complete you will receive a letter with the outcome of your complaint.

If you do not agree or are not happy with the outcome of the investigation there are limited steps you can take. This includes:

- Contacting the investigating officer to request more information about the investigation,
- Lodge a Freedom of Information request to get documents and information about how the complaint was investigated,
- Ask IBAC for a review of the complaint.

If you are not satisfied with the outcome of your complaint, you can call VALS Wirraway team on 1800 064 865.

Where can I get help?

If you'd like more information, or to speak to our legal teams, you can call VALS on 1800 064 865.

You can find out more information about our legal teams and the types of issues they can help with via [our website](#).

Disclaimer

This document contains general information only and does not constitute legal advice or services.

This fact sheet was published in October 2025. All information is accurate as of date of publication. For further information please head to our VALS website.



For more information or to speak to our legal teams,
call VALS on 1800 064 865.

