

Media Release

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Leader of the Government in the Legislative Council

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LANDMARK REFORMS TO MANAGE POLICE INFORMANTS

Victoria will lead the country with reforms to strengthen the way police manage informants and establish clear independent oversight to ensure public confidence in the justice system and the protection of informants.

The *Human Source Management Bill 2023*, to be introduced to Parliament today, will deliver on 25 of the recommendations from the Royal Commission into the Management of Police Informants.

The Bill sets out the process for the registration, use and management of Victoria Police's human sources and establishes an external oversight model to ensure that police informants are used in an ethical and justifiable manner.

The Commission emphasised that the use of police informants plays an important role in policing and community safety and should continue, but that considerable risks exist due to the covert nature of human sources.

This includes the Commission's recommendation to allow for exceptional and compelling circumstances where it is appropriate to register a lawyer as a police informant, such as a need to respond to a significant threat to community safety.

The framework established by the Bill ensures that Victoria Police's use of human sources remains appropriate and justified, and that stringent protections are put in place to manage risks, particularly those relating to higher risk informants.

Victoria Police will have to apply to a senior officer to register a person as a human source, with applications to register higher risk sources requiring approval by an officer at the rank of Assistant Commissioner or higher.

The Bill ensures significant protections are put in place where the risks are greatest – where a person has access to privileged information, is under the age of 18 or has a serious physical or mental health condition.

As recommended by the Commission, the Bill establishes an external oversight model with tiered levels of oversight by the Public Interest Monitor and the Independent Broad-based Anti-Corruption Commission.

The proposed legislation will make it an offence to disclose information that would reveal a person is or was a human source unless the disclosure is for a permitted purpose, with a maximum penalty of two years' imprisonment.

The Bill continues the significant work undertaken by the Andrews Labor Government to deliver the Commission's recommendations, including reforms to Victoria's disclosure regime in criminal proceedings and the establishment of the Office of the Special Investigator. Work to deliver the remaining recommendations is on track.

The Bill was introduced to Parliament on 16 August 2022 but lapsed prior to the 2022 State Election. It will be reintroduced without any substantive changes.

Quotes attributable to Attorney-General Jaclyn Symes

"Victoria Police will have a clear framework to help it manage highly sensitive information and ensure the welfare of police informants."

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“Key to the operation of these laws will be multiple levels of robust oversight, bolstering the public’s confidence in our criminal justice system.”

Quote attributable to Minister for Police Anthony Carbines

“A clear case was made for change to improve the system and that’s what this legislation delivers. It means Victoria Police will have added certainty in its efforts to combat serious crime.”