

Victoria Police Manual

The Victoria Police Manual is issued under the authority of the Chief Commissioner in section 60, *Victoria Police Act 2013*. Non-compliance with or a departure from the Victoria Police Manual may be subject to management or disciplinary action. Employees must use the Code of Conduct – Professional and Ethical Standards to inform the decisions they make to support compliance.

Human sources

Context

For the purposes of investigating crimes, police use a number of means to obtain information and intelligence. One is the use of confidential human intelligence sources, referred to by Victoria Police as human sources. This policy has been developed to:

- Support the use of human sources in investigations and intelligence gathering
- Protect Victoria Police’s reputation
- Protect Victoria Police’s methodology
- Protect the integrity and safety of members and human sources
- To ensure the management of human sources is within legal and ethical boundaries
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- ensure the management of human sources is within legal and ethical boundaries
- protect Victoria Police’s reputation
- protect Victoria Police’s methodology
- support the use of human sources in investigations and intelligence gathering.

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Scope and Application

These policy rules apply to all Victoria Police employees with the following exceptions:

- this policy does not apply to human source management procedures within Crime Stoppers, or to internal sources who are employees of Victoria Police providing information alleging corruption, criminality or serious misconduct. For further guidance on this, see VPMG Complaints management and investigations and VPMG Protected disclosures
- PII [REDACTED]

Responsibilities and Procedures

1. Glossary and definitions

1.1 Human Source

A human source is an identified person who provides information to Victoria Police (or another law enforcement agency) with an expectation that their identity will be protected, and specifically where:

- they actively seek out further intelligence or information on the direction, request or tasking of police
- they develop or maintain a relationship with other person/s for the purpose of providing that information
- they are seeking or may be eligible for rewards or other benefits
- there exists a threat or potential for danger or harm to a person as a result of the active relationship between the Human Source and Victoria Police

PII [REDACTED]

1.2 Community source

A community source is an individual who has volunteered information to the police with an expectation that their anonymity will be preserved. Typically the role of a community source will be confined to providing eyes and ears intelligence.

- A community source is a person who:
 - may provide information on a single occasion or on numerous occasions
 - must not be requested or tasked to actively gather intelligence other than reporting on events they see and hear in the context of their everyday habits and routines
 - may apply and can be considered for a reward
 - must have the relevant risk assessment completed prior to their registration (further information about risk assessments can be found at section 4).
- The primary reason for registering a community source is to preserve their anonymity and ultimately the safety of those persons who assist the police.

1.3 *Juvenile source*

A juvenile source is any person registered as either a human or community source who has not yet reached 18 years of age.

- The following applies for a juvenile source:
 - risk assessments must always address their vulnerability specific to their age and maturity
 - authorisation for juvenile sources is limited to one month with all subsequent renewals restricted to one month unless the source has reached their 18th birthday
 - the Local Source Registrar must review the initial registration application to register and use the juvenile source within 72 hours of the registration process commencing
 - a parent and/or legal guardian (includes persons who are under State care) must give consent unless exceptional circumstances exist. If consent is not obtained, the grounds for not doing so must be properly established and approved by the Local Central Source Registrar
 - they should only be used to supply information about members of their immediate family in exceptional circumstances and only where approved by the Central Source Registrar.

NOTE: Where policy is applicable to all categories of source, they are collectively referred to as 'sources' or a 'source'.

1.4 *Handling team*

- A handling team must contain a minimum structure as follows:
 - Local Source Registrar
 - Officer in Charge
 - Controller
 - Handler
 - Co-Handler (may be multiple co-handlers).
- All members must have completed the Level 1 Human Source Management Course as a minimum (information about human source management training can be found at section 1.17). The Central Source Registrar may determine that some or all handling team members require higher training levels. This decision will be made according to factors including:
 - the level of overall risk involved in the management of a particular source, and/or
 - the work group/team managing the source, and/or
 - any other relevant factors considered necessary in determining if higher training is required.

1.5 *Handler*

- A sworn member who has the primary responsibility for contact with the source and for the initial evaluation of information supplied by that source.
- No member can be assigned as a Handler (or to any other handling team role) unless they have completed the Level 1 Human Source Management Course as a minimum.
- The functions of a handler include:

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- initial evaluation of the source as to suitability in a face to face meeting
- creation of the registration on Interpose as soon as it is known that the source has information that cannot be openly linked to them
- preparation of appropriate risk assessments in consultation with the controller
- ongoing review of risks
- operational management of the source
- effective management of the source relationship
- regular face to face meetings with the source; PII [REDACTED]
- preparation of Source Contact Reports and sanitised information reports, as per Section 7
- briefing of controller prior and post contact
- ensuring compliance with Acknowledgement of Responsibilities (AOR) Form requirements
- notification to the controller, OIC, Local Source Registrar (LSR) and Human Source Management Unit (HSMU) if a source is harmed or killed
- debriefing and deactivation of the source.

1.6 Co-Handler

- A sworn member who assists the handler or assumes management of a source where the Handler is unavailable.
- There may be multiple co-handlers on teams and these may include other line managers. In considering multiple handlers due weight must be given to the principle of "need to know" in order to maintain security of the source.

1.7 Controller

- A PII [REDACTED] or above who has direct supervision of a Handler. They must oversee the source's Interpose file which includes: and ensure the following are completed and maintained as required:
 - the full personal details of the source
 - all management comments and directives
 - copies of risk assessments
 - copies of all Source Contact Reports and activities, which are to be reviewed as per Section 7
 - copies of the Acknowledgement of Responsibilities Forms AORs
 - PII [REDACTED]
 - copies of reward applications
 - deactivation requests
 - other documents determined to be relevant to the management of the source.
- Prior to a source registration being approved the controller must ensure the following takes place:
 - the acknowledgement of responsibilities PII [REDACTED]
 - PII [REDACTED]
 - PII [REDACTED]
 - the risk assessment is evaluated for potential and identified risks and ensures sufficient mitigation strategies are in place
 - the risk assessment process is completed and reviewed as per Section 4.

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- Once registration has been approved (for further information about registration of sources see section 3) and a source code registration number allocated, HSMU will monitor compliance of the following requirements where the controller is to:
 - monitor and review all activities within the source's Interpose file
 - review the contact reports as per Section 7
 - review both the risk assessment and revisit the Acknowledgement of Responsibilities Form AOR requirements on a monthly basis to ensure they are still appropriate

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1.8 Officer in Charge's (OIC) responsibilities

- A member in charge of a PSA, Squad, Unit etc. with line control over the human source handling team (referred collectively throughout the document as 'OIC'). They will form part of the team and support the controller with advice, analysis of risk and oversight.
- The OIC, in consultation with the controller, is required to provide written advice to the Local Source Registrar and record that advice in the source's Interpose file under the source management section.
- Upon the commencement of an Interpose source registration/~~reactivation~~, the OIC will:
 - assess the suitability of the source and allocated handling team
 - evaluate any risks identified in the initial preliminary risk assessment and consider risk management strategies
 - consider operational priorities and duty of care issues
 - update their recommendations on the Interpose human source file for review by the Local Source Registrar.

1.9 Local Source Registrar (LSR)

- The LSR is the PII [REDACTED] having line control of personnel who register sources in that division. The function may also be shared in work groups where multiple superintendents have operational functions, such as Crime Command.
- LSR access to source files may be granted to Operations Support Superintendents and Inspectors who have a support function relating to source management, crime management and intelligence in accordance with divisional or regional needs. The delegation of LSR functions to these members does not remove overall responsibility from the Divisional Superintendent.
- On receipt of the Registration/~~Reactivation Application Form~~, the LSR will:
 - assess the suitability of the source
 - review the risk assessment, evaluate potential and identified risks and ensure sufficient mitigation strategies are in place
 - ensure that the allocated handling team are appropriate
 - ensure that the completed Acknowledgement of Responsibilities AOR is uploaded to Interpose PII [REDACTED]
 - ensure that a comprehensive risk assessment is uploaded to Interpose PII [REDACTED]
 - make a recommendation regarding approval on the PII [REDACTED] recommend approval or reject the application within the Interpose file.

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- The Central Source Registrar (CSR) will not approve the registration until the LSR has endorsed PII [REDACTED] within Interpose to indicate their satisfaction that all perceivable risks have been identified within the risk assessment document, that the risk controls are sufficient and that any change to risk profile must trigger a new risk assessment process.
- If the LSR does not recommend rejects the application they must:
 - advise the Human Source Management Unit, and
 - record the reason for the recommendation rejection and action taken by the Handler, Controller and OIC on the deactivation page in the LSR recommendation field of the PII [REDACTED] of the Interpose human source file.
- If an application is recommended for approval, the LSR will:
 - Recommend to the CSR that the source registration/reactivation be approved.

1.10 Central Source Registrar (CSR)

- The Detective Superintendent of the Covert Services Division (CSD), Intelligence and Covert Support Command (ICSC) shall assume the role of CSR (PSC has an independent CSR and structure).
- The CSR has oversight of all registrations and source activity. The CSR authorises all source disclosures and will make final decisions where disputes arise between parties over the management of sources.
- In cases of Sources assessed as Low to Medium risk the role of CSR may be delegated and performed by the HSMU, however the CSR maintains overall authority on all HS human source governance functions.
- The CSR has final determination and oversight over all sources identified as high risk.
- The CSR function may be delegated to an alternate Superintendent where the CSR is also the LSR for the source concerned.

1.11 Human Source Management Unit (HSMU)

- Responsible for the governance of the source register. It oversees all source management PII [REDACTED] and ensures compliance with policy.
- Will make recommendations on behalf of the CSR on all aspects of source registration management and compliance and is the coordinator and provider of organisational source management training.
- Provides specialist advice and support to operational members and senior managers where required. The HSMU is also responsible for the coordination of the source reward payment system.
- In consultation with the CSR, undertake frequent, comprehensive and accountable reviews of all high risk human source files and records.
- In the case of Sources assessed as Low to Medium risk, the HSMU will authorise the approval of the registration on behalf of the CSR. The CSR will, however, make the final determination for all high risk sources.

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- When a request for registration/reactivation is processed **recommended** by the LSR, the HSMU ensures there is no duplication of registration. If duplication is detected and confirmed HSMU will:
 - advise the LSR responsible for the first registration ~~and provide the contact details of the LSR attempting the secondary registration~~
 - advise the LSR attempting to register ~~regarding any previous assessments of the source~~
 - record details of **that** the registration attempt in the Interpose source file ~~generates a code and records it along with the name of the source in the Central Source Database: will not be approved.~~

1.12 Human Source Rewards Committee (HSRC)

- The payment of cash or provision of any benefit to a source as reward for information given, must be approved by the HSRC. This includes **human source** letters of assistance to courts and tribunals and other formal references to statutory bodies.
- This does not include reimbursement of a source's expenses incurred as a result of interaction with police. **PII**
- Any reward payment to sources will be in accordance with the instructions of the HSRC and documented within the human source or community source Interpose file.

The composition of the HSRC is as follows:

Core Group

- Assistant Commissioner Intelligence and Covert Support Command (Chairperson) or delegate
- Assistant Commissioner (Departmental **command** or regional rotating monthly)
- Superintendent **from outside ICSC** (Crime Command rotating monthly)

Advisory Group **PII**

- Superintendent (CSD – in an advisory capacity as CSR when required)
- Inspector HSMU
- Senior Sergeant (HSMU)
- Sergeant (HSMU as secretariat).

When a reward is authorised the **HSMU will arrange for the funding to be delivered to the relevant LSR for payment.** committee will nominate the source of the funds and the payment method, and will then refer authorised requests to the relevant LSR for funding and payment. If a reward is not authorised the committee will provide written explanation to the requesting LSR. See **VPMG Rewards** for further information.

1.13 Human Source Governance Committee (HSGC)

- Comprises representatives of the Regions and specialist Commands involved in source management.

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- The HSGC will be chaired by the Assistant Commissioner ICSC **Central Source Registrar** (or a delegate) and will receive LSR audits via the HSMU and assess the outcomes of each.
- The HSGC may make recommendations to the Assistant Commissioner, ICSC on the status of such audits for further action or for policy or professional development.
- The HSGC operates under a Terms of Reference document approved by the Assistant Commissioner, ICSC.

1.14 Intrusive supervision

Supervisors, particularly source controllers, but also the OIC and LSR must practice intrusive supervision. Intrusive supervision includes:

- understanding the organisation's expectations when it comes to managing the inherent risks in source relationships
- PII [REDACTED]
- knowing how, where and when handlers are meeting with sources
- verbally briefing and debriefing handling teams following face-to-face contacts and other contacts (e.g. phone contact) where significant intelligence is obtained or changes to risk are identified
- PII [REDACTED]
- reviewing all Source Contact Reports and source documentation and directing activity to produce value and re-assess risk
- PII [REDACTED]
- ensuring the Acknowledgement of Responsibilities AOR has been delivered, is appropriate, and is being reinforced and compliance is monitored.

1.15 Sterile corridor

- The purpose of a sterile corridor is to ensure that the safety of the source is not compromised to achieve investigative outcomes.
- Refers to a situation where a handling team has responsibility for the management of a source but not for the management of the investigation/s.
- A full sterile corridor refers to a situation where investigators are unaware of the identity of the source of the information.
- A partial sterile corridor is the situation where investigators are aware of the identity of the source of the information but the safety and risks to the source are handled by staff not involved in the investigation.
- Whilst sterile corridors can be advantageous for the management of sources, it is understood that there are limitations to universally manage sources in this manner.
- A sterile corridor must be employed in the management of all high risk sources.

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1.17 Acknowledgement of Responsibilities (AOR)

- The AOR is a formal acceptance by the source that there are accountabilities in place that must be abided by. PII [REDACTED]. The AOR must be reiterated reinforced by all handling team members with direct or indirect management for the duration of the source relationship.
- The AOR must be delivered in a face to face meeting.
- The AOR must be the subject of constant evaluation regarding its sufficiency. At a minimum, the AOR must be reviewed by the controller on a monthly basis by the controller against all intelligence holdings, including the contact reports, as part of the risk assessment review process. The outcome of that review must be endorsed on Interpose by the controller. Where the template AOR proves to be insufficient then additional instructions must be documented in the blank field provision of the AOR and reinforced with the source, PII [REDACTED].
- Where a specific risk exists in relation to a source then that risk should be articulated as an instruction on the AOR; for example, an instruction not to drive whilst suspended for a source with priors for doing so.
- PII [REDACTED]
- The source should be invited to sign the AOR; however, if the AOR is not signed, a source contact report number must be entered PII [REDACTED] with the date the AOR was delivered.

1.18 Human source management training

- PII [REDACTED]

1.19 Tasking

- Tasking is any approved-assignment or instruction given to the human source by the handlers. This includes asking the human source to obtain information, to provide access to information or to otherwise act, incidentally, for the benefit of the relevant agency. See 2.1 – Use of human sources for further information.
- Community sources must not be tasked.

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1.20 *Intelligence and Covert Support Command Ethics Committee*

- ICSC have established an Ethics Committee which is chaired by the Assistant Commissioner ICSC. Part of the role of that committee is to provide advice on and make decisions relative to human source management which has strategic implications, involves or positive obligations, involving complex ethical, legal or medical issues, or likely significant community interest.
- The committee will determine, or review the decision made by the CSR, to ensure the registration is proportionate and necessary to utilise a human source in cases where there is a positive obligation concerning complex legal, ethical or medical issues.
- The definition of positive obligation is "where information is provided by a source who is bound by legislation or rules of their profession (i.e. legal/professional privilege, medical Hippocratic oath) or provided in circumstances where Victoria Police would not normally accept the information but which is of such high community impact that it is proportionate and necessary to be utilised'.
- Any source that falls into the positive obligation category would by default be high risk and CSR approval is required. (This approval cannot be delegated to members of the HSMU). Any matter of positive obligation must be referred to the Ethics Committee who will review the approval.
- As part of this approval process the CSR must consult the Executive Director Legal Services Department.
- The positive obligation reliance must be for a specific purpose only and approval must lapse upon fulfilment of this purpose.
- The Ethics Committee may also approve on-going non-compliance with policy time frames where justifiable circumstances exist. Any such approval is to be on a case by case basis, may be subject to conditions and subject to a six monthly review. Details of any such approval and conditions must be recorded in the Interpose file.
- The committee will sit at the discretion of the Assistant Commissioner ICSC and members may apply through HSMU to raise issues or have strategies assessed by the committee.
- The composition of the Ethics committee is:
 - Assistant Commissioner ICSC (Chair)

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2. Use of human sources

2.1 *Human sources*

- Human sources must only be used for the purposes of intelligence collection and investigative support in a manner in which the integrity of human sources, the community, police members, information and Victoria Police is protected.

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• PII



- The term human source can only refer to a person who is registered.
- Any interaction with a human source whether active or deactivated must be documented on a Source Contact Report as per Section 7.
- Where incidental or planned contact with a deactivated human source occurs, incidental or planned, and there is no a requirement to reactivate update the human source file with that contact, the HSMU will assist the handling team to upload any Source Contact Report and link any Information Report. If that contact leads to a new relationship, then a new registration is to commence.

PII



- Human sources must be properly supervised and understand the legal and ethical boundaries of their activity. An HSMU approved risk assessment is required to gain formal approval for any human source registration.

2.2 Human sources as witnesses

- There will be occasions where human sources are utilised as prosecution witnesses. The decision to register a witness as transition a human source to a witness must be made in consultation with the HSMU at the time of registration. Any dispute over the status of the person being registered will be determined by the CSR.
- Where an active or If the handling team becomes aware that investigators are seeking to obtain a witness statement from a registered and approved source, HSMU must be consulted and CSR approval obtained prior to the statement being made. the CSR advised in order to provide appropriate advice
- Where an active source (other than a high risk source) is to transfer to a prosecution witness, with respect to information they have provided during the source relationship, a management plan is to be developed between the handling team and the investigation team. It will document who manages the risk to the source/witness if they are still being deployed to gather information/evidence to ensure the best outcome for the source/witness. This management plan is to be endorsed by the CSR.
- The management plan must include full risk assessments and briefing notes, including:
 - comprehensive legal advice and the involvement of the Executive Director Legal Services Department
 - full risk assessments and briefing notes (both from source managers and from the particular investigators)

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- Witness Protection program suitability PII

PII

PII

- Where a member becomes aware that a deactivated human source has becomes a prosecution witness following their registration, the HSMU must be advised before any documents are provided to external entities, such as legal practitioners. This is to ensure the integrity of police methodologies and document security are not diminished.
- The HSMU must advise the handling team how to prepare an active human source as a prosecution witness for matters other than which they are providing information on. The human source must be advised not to divulge information provided to police outside the matters for which the source is giving.
- Where the transfer of a high risk source to a witness may occur, the CSR is to be notified and a referral made to the Human Source Ethics Committee.
- The Human Source Ethics Committee may determine that the use of a human source as a witness is not in the best interests of the human source, the organisation, an investigation, the community or any combination of these.

• PII

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2.3 Human Sources before compulsory hearings

- Members must not question an active or deactivated human source as to whether they have been the subject of a compulsory hearing before an agency such as IBAC, ACIC or the OCE.
- If a member becomes aware that an active or deactivated human source is to be or has been the subject of a compulsory hearing, before an authorised examiner at the OCE, ACIC or IBAC, they must be mindful that the human source is likely to be subject of a confidentiality notice in respect of that examination.
- If an active or deactivated human source volunteers to a member that they are or have been the subject of a compulsory hearing the human source must be advised not to further discuss the matter as they are likely to be breaching the confidentiality provisions. The member must not record this fact in the human source file or anywhere else, nor must the member pass that information on to anyone else.

• PII

- Members must familiarise themselves with their lawful obligations to the relevant legislation under which a subpoena has been issued, especially disclosure provisions. Where a member feels obliged to contact the HSMU on a duty-of-care

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issue relevant to a subpoena, the liaison officer at of the body agency issuing the subpoena should will be contacted by HSMU for advice.

2.4 Use of interpreters

- When an interpreter is required to establish and maintain a relationship with a human source, the handling team must contact the HSMU for advice prior to engaging the interpreter.
- The HSMU, after receiving advice from the handling team, will provide guidance on the appropriateness of interpreters external to the organisation.

2.5 Transfer of human sources

- Where the transfer of a human source from one handling team to another team outside of the originating workgroup is being contemplated, the HSMU must be consulted. In any such instance an appropriate management plan must be formulated.
- The management plan must clearly articulate roles, responsibilities and management arrangements. A new risk assessment must be undertaken.
- A New Interpose registration process must be initiated by the receiving workgroup with an updated AOR and new risk assessment undertaken, unless a member of the previous handling team is transitioning with the human source.
- Where the transfer of a high risk human source from one handling team to another handling team inside the originating workgroup is being contemplated, a documented hand over process with a new AOR, risk assessment, management plan and controller meet must be conducted. The LSR must approve the transfer prior to it occurring.

3. The registration process

3.1 Community sources registration

- Where a member believes it is necessary to protect the identity of a community source they may commence the registration of the contact on Interpose. It is not necessary to complete an AOR; however a risk assessment is required as detailed at section 4.2.
- When a community source is registered/reactivated on Interpose, the OIC will:
 - assess and approve recommend or reject non-recommend the application. If the status meets the definition of a Human Source, ensure the proper registration process is initiated
 - update the Interpose human source file with recommendations for review by the LSR
 - allocate a suitable H handler and Co-H handler
 - ensure a Confidential Code is allocated
 - ensure all future documentation refers to the person by the code registration number

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- ensure no Information Reports are to be created, disseminated or actioned until the registration has been approved. If immediate actioning of the information is required contact HSMU or after hours - see 3.3 After Hours Urgent Registration.
- monitor the relationship and ensure the status of the Community Source does not change to a human source.
- The source registration number is not to be used in any manner until the registration has been approved by the CSR, including warrant applications. For urgent applications the HSMU can be contacted by phone – see section 3.3.
- Risk assessments for community sources must be updated every three months at a minimum. The review must be conducted by the OIC in consultation with the controller (and other handling team members if desired). The reviewed and updated risk assessment is to be uploaded into the community source file.

3.2 Human sources registration

- Upon identifying a person to be registered as a human source, the handling team must submit a registration application via the human source module on Interpose to their listed OIC for assessment.
- The generation by Interpose of a human source registration number only indicates that the details of the proposed human source have been registered on the system the creation of a human source file as the beginning of the registration process. The registration is not approved until such time as the CSR provides that approval.
- The human source is not to be tasked until the registration has been approved.
- No Information Reports are to be created or information verbally shared, disseminated or actioned until the registration has been approved.
- PII [REDACTED]
- If immediate actioning of the information is required contact HSMU or after hours - see 3.3 After Hours Urgent Registration.
- The source registration number is not to be used in any manner until the registration has been approved by the CSR, including warrant applications. For urgent applications the HSMU can be contacted by phone – see section 3.3.
- PII [REDACTED]
- Upon initiating the registration process, the HSMU will receive a notification via Interpose. The HSMU will immediately contact a handling team if the registration cannot be proceeded with at that time. This notification can be made on a 24 hour basis.
- The LSR must make a recommendation of approval for all source registrations.
- Immediate notification will prevent relationships being formed with unsuitable human sources, human sources already registered and human sources that fall into a high risk category due to factors unknown to the prospective handling team.
- Registration approval may be provided verbally by the HSMU upon an urgent request. Such approval will only be given where a detailed risk assessment (verbal or documented) is provided by the handling team. The LSR must approve such a

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request either verbally or in writing to the HSMU. If the nominal divisional LSR is unavailable to approve such urgent request, the nominated after hours Duty Superintendent for that division/region can be utilised.

- Human sources must be provided with and accept simple guidelines for their behaviour whilst engaged with Victoria Police. The AOR must be understood and consented to by a human source, either verbally PII or written, before formal approval is granted. PII PII
- A documented risk assessment must be completed PII commencing by the Handler or Controller in accordance with the Human Source risk assessment manual. If a risk assessment identifies a human source as high risk, the HSMU must be contacted for operational advice and assistance.
- A risk assessment must be completed for all human sources.
 - Risk assessments for human sources must be updated every three months at a minimum.
 - The review must be conducted by the OIC in consultation with the controller (and other handling team members if desired).
 - The reviewed and updated risk assessment is to be uploaded into the human source file. The previous Risk Assessment is not to be deleted.
- Where the risk assessment is rated as low or medium the HSMU may approve the registration of behalf of the CSR.
- Where the risk assessment is rated as high and this is endorsed by HSMU, only the CSR can approve the registration. This cannot be delegated to members of the HSMU.

3.3 **After hours urgent registration**

- In cases where members receive information outside normal business hours which necessitates the commencement of a human source registration and the immediate actioning of the information, contact must be made with the on call HSMU sub officer for approval to action the intelligence.
- This approval process is in addition to any approval sought under **VPMP Searches of properties**.
- HSMU will conduct a thorough assessment in respect of the appropriateness of the proposed registration as well as the intended use of the information.
- In the absence of the relevant LSR, the Duty Superintendent of the Region will be contacted and briefed in relation to the registration, intelligence received and intended action by the handling team or controller.
- If approval is granted HSMU will record this fact in the PII of the subject Interpose shell and forward an Interpose link to the responsible Local Source Registrar or Duty Superintendent for their information and further consideration.

4. **Risk assessment**

Risk assessment is the process of identifying risk, taking steps to reduce risk to an acceptable level and monitoring the level of risk. The HSMU will review all low to

medium source risk assessments on behalf of the CSR and comment where necessary. The CSR will make final recommendations for all source registrations identified as high risk.

All of the available fields within the risk assessment tool must be addressed as well as any source specific risks. The registration of the source must indicate the reason and purpose at the time of registration.

4.1 **Human sources**

- A full risk assessment must be undertaken and uploaded to the Interpose human source file for review by CSR, LSR and HSMU PII [REDACTED]
- Controllers must review the risk assessment monthly.
- OICs must review the risk assessment every three months
- Where it is decided that a source will not be used after the 14 day period, the Interpose deactivation page must be completed outlining the reasons.

4.2 **Community source**

Persons falling within the definition of community source must have the relevant risk assessment completed at the time of the commencement of the registration process.

- All of the available fields within the risk assessment tool must be addressed as well as any source specific risks.
- The registration of the community source must indicate the reason and purpose at the time of registration.

4.3 **Risk categories**

- All sources must be the subject of a risk assessment which will identify risks in following five categories:
 - risk to the source of compromise
 - risk to the handling team
 - risk to the information/investigation
 - risk to Victoria Police
 - risk to the public.
- Risks are to be identified, analysed and a rating provided. Mitigation strategies are then to be listed and a residual rating applied. A source's overall risk rating will be at the same level as the highest risk remaining once mitigation strategies are in place.
- Risk cannot be assessed against one category alone and cannot be outweighed by the imperative of an operational objective. Risk is to be calculated against what is known, what is unknown, what is planned and what may occur in the future.
- The risk assessment process is not designed to prevent human source relationships but to provide the necessary framework for safe, effective management.
- The risk assessment must clearly articulate the purpose for engagement of the source and if there is any change in that purpose, or any movement from the original intent, then a full new risk assessment must be undertaken.

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- Risk assessments will be in the format approved by the HSMU and uploaded to the Interpose file PII

4.4 **High risk and extreme risk sources**

- A source identified as high or extreme risk following a risk assessment must be managed by sufficient personnel with PII
- Whenever a source is assessed as being high or extreme risk the HSMU must be notified for advice. The HSMU, on behalf of the CSR, will assist work units in determining their suitability to manage high risk sources.

- PII

- In cases of high risk source the LSR, as a component of the monthly inspection process, must endorse current risk assessments to reflect that no new risks have arisen that would require a revised risk assessment being conducted and that the current risk assessment remains fit for the purpose. The LSR must also document the checks and inquiries undertaken in order to make such a determination.

- PII

4.5 **Legal, ethical, medical Medical or psychological considerations**

- Where complex legal, ethical or medical considerations are evident with a human source, such as the human source being occupationally bound by other duties, or there is the presence of medical or mental health issues, advice must be sought from the HSMU. Examples of persons falling into this category include but are not limited to; lawyers, doctors, members of parliament and religious officials.
- Where complex legal or ethical considerations are present with a potential human source, HSMU must seek advice from Legal Services Division prior to the completion of the risk assessment process. Such advice must be brought to the attention of both the LSR and CSR for consideration prior to registration being approved.
- Where significant or complex psychological or medical issues are apparent or are perceived to exist at any stage of the human source registration or management process HSMU must seek advice from Psychology Services, a Forensic Medical Officer at VIFM or a qualified psychologist and provide that advice both to the LSR and CSR for consideration and proper regard.
- All registrations involving significant mental health issues must be personally approved by the CSR. This cannot be delegated to members of the HSMU.

4.6 **Professional privilege and other circumstances considerations**

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Sensitive: Legal

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- Members must be mindful that some sources as result of their occupations, or being occupationally bound by other duties, may have confidentiality or ethical obligations or professional obligations regarding confidentiality, e.g. lawyers, doctors, and clergy parliamentarians, court officials, journalists and priests etc.
- Prior to considering receiving information or considering approaching a person to whom professional privilege applies the HSMU must be contacted who will refer the matter directly to the CSR. The CSR will then refer the matter to the Ethics Committee for a decision before the proposed registration is to be further considered.
- Handlers must consider the legal and ethical implications for the management of these sources and the information or intelligence they transmit in compiling their registration applications.
- Members must obtain advice from HSMU management as to the method of handling and recording of any such information or intelligence that may conflict with the professional obligations of the source.
- The source Interpose file is to accurately reflect the planning and methodology to be followed in managing such a source. HSMU advice is binding and may include the quarantine of information transmitted that may breach such an obligation or relationship.
- All registrations involving legal or professional privilege issues must be personally approved by the CSR. This cannot be delegated to members of the HSMU.
- Where a human source, who is in a position to which confidentiality obligations or professional privilege applies, voluntarily offers information that is or appears to be in breach of that privilege then the following is to occur at the earliest opportunity:
 - the Interpose record is to be updated with a notation that the information appears to be in breach of professional privilege
 - the information is not be acted upon or disseminated further
 - the HSMU must be advised at the earliest opportunity
 - the HSMU must obtain legal advice from Legal Services Division Department regarding the use of information or intelligence obtained which may breach a professional obligation
 - the HSMU will advise the CSR who in turn will advise the Human Source Management Ethics Committee
 - if there is a potential for a breach of legal professional privilege then the matter is to be referred to the Human Source Ethics Committee by the CSR
 - the Human Source Management Ethics Committee will review the information provided and make a recommendation as to how the information and the source will be treated. Such considerations may include positive obligation – see section 1.20.
- Handlers must not actively seek information from human sources to whom a professional obligation may apply if such information would cause the human source to breach such a duty knowingly.
- The strict adherence of this policy is not intended to discourage the use of high risk sources in such circumstances but to effectively manage the relationship and information obtained in accordance with acceptable legal and community standards.

4.7 Requirements for deactivation

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- A source is to be de-activated if:
 - there is no current operational need for the source
 - the source moves out of the jurisdiction
 - the source has not provided operationally reliable information for a period of at least three months.
- Any member involved in the operational management of a source may recommend the de-activation of a source to the LSR.

Members of handling team requesting de-activation

Members are to:

- consult with the controller and OIC

PII

Responsibilities of controller

Once deactivation is approved the controller must:

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- ensure all contact reports are uploaded and reviewed, including the deactivation debrief.

LSR responsibilities

On receipt of the Interpose source management file with the completed De-activation field, the LSR is to:

- review the source file and add comments PII
- PII
-
- Forward Interpose source management file link to the HSMU PBEA for CSR consideration.

5. Status of sources registration

Sources will be designated with the following statuses:

5.1 Draft

The source file is under assessment and awaiting the allocation of a handling team and local management approvals. Tasks must not be issued to a human source under assessment without approval by the OIC, documented in the human source's Interpose file

The registration is considered a draft throughout the following stages:

Action	Responsibility
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VICTORIA POLICE MANUAL – Human sources

PII

During the draft stage the following must be observed:

- no tasking is to occur
- no Information Reports are to be created
- no information is to be verbally disseminated without HSMU approval
- PII [REDACTED]
- no use of the source registration number is to occur.

The source file is under assessment and awaiting the allocation of a handling team and local management approvals. Tasks must not be issued to a human source under assessment. No Information Reports can be created, disseminated or actioned until the registration is approved,

The source registration number is not to be used in any manner until the registration has been approved by the CSR, including warrant applications. For urgent applications the HSMU can be contacted by phone — see section 3.3.

5.2 **Assign team**

Personnel have been added to the handling team and local management comments have been added. The source file is ready to be forwarded to the LSR for approval.

5.3 **LSR approval Review**

Prior to approval, the draft is to be reviewed as follows:

Action	Responsibility
PII [REDACTED]	

Sensitive: Legal

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The LSR is required to enter comments in the source management section, approving or not approving the registration, or seeking further advice from the handling team or CSR.

5.4 **Active-Approved**

Upon approval:

- HSMU is to update the file to show approval and advised the handling team
- Information reports can be created and disseminated
- Registration number can be used on documents such as affidavits
- PII
- Human sources may be tasked.

Appropriate recommendations have been made at all levels up to and including the CSR. The source registration has been approved and the source is being actively managed and deployed in line with recommendations and as per policy.

5.5 **Not Approved**

Where the registration is not approved:

- HSMU is to:
 - update the file to show non-approval
 - advise the handling team
 - commence the deactivation process
- no information reports can be created and disseminated
- no use of the registration number on documents such as affidavits
- no tasking can occur.

5.6 **Unsuitable**

The source will not be registered, re-registered or reactivated without HSMU approval. This will be influenced by the level of risk attached to that source. Upon being notified that a prospective source is unsuitable, handling teams should cease any tasking or deployment until the HSMU advises it is safe to do so. The HSMU may alter the unsuitable status after reviewing the application.

5.7 **Deactivated**

The source file is no longer in use and all material relating to the management of the source is either within the source's Interpose file or secured at the HSMU.

Requirements for deactivation

- A source is to be de-activated to the status of 'inactive' if:
 - there is no current operational need for the source
 - the source moves out of the jurisdiction
 - the source has not provided operationally reliable information for a period of at least three months.
- Any member involved in the operational management of a source may recommend the de-activation of a source to the LSR.

Members of handling team requesting de-activation

- Members are to:
 - consult with the Handler, Controller and OIC
 - complete the Interpose human source deactivation.

Responsibilities of Controller

- Once deactivation is approved the Controller must:
 - ensure that all recordings and/or documents are uploaded to the human source file within Interpose
 - attend the final meeting, to ensure the source is fully de-briefed. If the source is unavailable for a final meeting, make notation on the Interpose deactivation page.

LSR responsibilities

- On receipt of the source management file and human source De-activation Form the LSR is to:
 - review the source file and add comments in the source management page
 - ensure audio recordings and any other documents to the HSMU
 - ensure that no documents relating to the management of the source are retained outside HSMU.

5.8 **Inactive Source**

If the HSMU does not receive any Source Contact Reports from the handler/controller for a period of three months, a report will be forwarded to the LSR advising that the source status is not approved. Further use of this source may require a new registration.

5.9 **Deactivated**

The source file is no longer in use and all material relating to the management of the source is either within the source's Interpose file or secured at the HSMU (e.g. Letters of Assistance).

5.10 **Inactive Source**

If the HSMU does not receive any Source Contact Reports from the Handler/Controller for a period of six months, a report will be forwarded to the LSR advising that the source status is

'inactive'. Further use of the source will require a reactivation application.

6. Managing and protecting sources

6.1 *Requirements for managing (accountabilities)*

- Appropriate members must be appointed to manage sources. All members of a source handling team must have completed the Level 1 Human Source Management Course as a minimum requirement to be on a handling team. This includes the OIC, LSR and members delegated some functions of the LSR.
- Upon receipt of a new registration the HSMU will consider the various training competencies of the handling team and assess that against the source relationship. The CSR may direct that handling teams include members with higher training levels to manage identified risks.
- Source related operations include any tactical deployment of sources where controlled conduct is undertaken. It may also include activities which do not fall under controlled conduct but do include the involvement of specialist service units of Victoria Police or other agencies.
- It may also include investigations which have been generated from the intelligence of a source but since removed from any involvement. A determining fact will be the extent to which a source is providing intelligence that drives the operation.

6.2 *Reassigning handlers, controllers or OIC*

Circumstances may arise where it is necessary to re-assign the OIC, Controller, Handler or Co-Handler. This may include instances where:

- advice to re-assign the OIC, Controller, Handler or Co-Handler has been received from the CSR
- the member is:
 - on leave
 - no longer in the service of Victoria Police
 - assigned duties that preclude contact with the source
 - found to be unsuitable
 - transferred to another work location
 - upgraded within their own office (i.e. cannot become Controller if also Handler)
 - suspended from duty.

6.3 *Responsibilities of the LSR*

In deciding to re-assign a member or receiving advice from the CSR, the LSR is to:

- direct the responsibility for managing the source to a nominated new OIC, Controller, Handler or Co-Handler, where the member is to be re-assigned immediately
- personally inform both the existing Controller, Handler or Co-Handler and new Controller, Handler or Co-Handler of the re-assignment
- notify HSMU of the change.

Where the reason for the re-assignment relates to deficiencies in the member's skills, the LSR is to inform the HSMU, who may assist with remedial training to correct the

deficiencies.

6.4 Document security

- Documents identifying sources must not be stored outside of the Interpose human source module other than by the HSMU.

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6.5 Disclosure of information

- LSR's (or their delegate) must audit all human source activity quarterly (at 28 February, 31 May, 31 August and 30 November) to ensure that the information obtained from their sources is disseminated in a timely manner and to meet operational needs. Details of how information is disseminated must be recorded on the source's Interpose file.
- Human source intelligence should only ever be disseminated verbally in cases of where there is an operational imperative. All verbal disseminations must be recorded in the relevant source contact report and then reduced to an information report and disseminated expeditiously.
- Information Reports can only be created, disseminated or actioned upon approval of the source registration.
- The Handler and Controller must ensure that the identity of the source cannot be deduced from the information disseminated. Information Reports must be sanitised to avoid an objective reader being able to readily identify the source of information as a source.
- Human source intelligence should only ever be disseminated verbally in cases where there is an operational imperative. All verbal disseminations must be recorded in the relevant source contact report and then reduced to an information report and disseminated expeditiously.
- In instances where disclosure for the purposes of investigation may place the source at an elevated risk, a record of this must be made on the Source Contact Report

including a clear outline of the reasons for non-disclosure as a means of risk mitigation. Similarly, where it is determined that the information may be disseminated despite the risk, a record is to be made in the Source Contact Report.

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- If there is any dispute over the dissemination of information from a source the CSR will make the final decision.
- The HSMU must be notified immediately if a court has made a request for source related documents or legal process is served to produce any record that may directly or indirectly identify a source. The HSMU may then co-ordinate the involvement of other bodies such as the VGSO and OPP. Costs for engaging counsel to represent Victoria Police will be met by the Region/Commands where the handling team resides.
- Employees who are requested to provide information in response to an FOI application or subpoena or any other legal or administrative proceeding and who become aware that such information may contain material tending to confirm or deny the existence or use of a source, must only release such documents with the approval of the CSR. This approval process will be facilitated by the HSMU.
- Members being asked or directed to confirm or deny the existence of a source in a court, irrespective of whether being directed to do so from the judge/magistrate or whether under oath, are not to disclose such information until they have sought legal advice. If directed to answer, an immediate adjournment is to be requested for the purpose of seeking independent legal advice and the HSMU contacted. The OPP is not responsible for this representation. It is Victoria Police policy to neither confirm nor deny if a person is a human source.
- Members must ensure any disclosure they make does not breach their obligations under ss.226-228 *Victoria Police Act 2013*.

6.6 Affidavits for warrants

- Where a member is applying for a warrant to search premises or obtain electronic surveillance based upon the information of a source, the affidavit must contain the registered number of that source. The source number can only be used once the source registration is approved by the CSR.
- If the source of information is not registered their identity must be documented and verified in the affidavit.

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- In all applications for search warrants, the authorising officer must be satisfied that the identity of the source providing such information is verifiable and the use of that source complies with this policy.
- If the involvement of a source is not to be divulged within an affidavit (e.g. "...intelligence holdings suggest..." as the only reference), the reason must be recorded in the source's Interpose file. This must only occur where the risk of identifying source involvement in an affidavit is too high to be safely mitigated.
- Where information derived from a source is to be used in an affidavit where the source is being handled in a 'sterile corridor', the handling team must be consulted prior to the sworn affidavit being provided to the court or relevant authorising entity.
- In any unresolved dispute between a handling team and investigators over the contents of an affidavit where a source is the subject of such dispute, the CSR will determine **determine** the outcome.

6.7 Interpose investigation shells

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7. Contact with sources**7.1 Operational security**

- Members responsible for handling any information from sources must ensure that the identity of the source is not compromised.

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7.2 Planned meetings**Approval**

The **C**ontroller must approve any planned meeting between a handler and a source. Where a **the** controller is unable to be contacted, a supervisor of equivalent

rank to the controller or the nominated OIC of the handling team is to provide that approval.

PII



7.3 Recording and reporting contact

- As soon as practicable following any contact with a source the Hhandler or Cco-Hhandler must complete a Source Contact Report. PII
- If a chance meeting with an active source occurs, on or off duty, the Hhandler or Cco-Hhandler must advise the Ccontroller as soon as practicable and submit a Source Contact Report.
- PII
- Following contact with a source and on completion of the Source Contact Report for that contact, the Hhandler or Cco-Hhandler must brief the Ccontroller. If the contact report contains significant information the controller is to be briefed immediately upon completion of the report.
- Controllers are to review the relevant Source Contact Reports on Interpose following any source contact briefing.
- Controllers must review any information report generated from a source contact to ensure that it is appropriately sanitised and does not contain any information that could identify the source.
- Information Reports can only be created, disseminated or actioned upon CSR approval of the source registration and must be reviewed by the controller before dissemination.

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- After reviewing any information report attached to the Source Contact Report the Controller is to circulate same, including providing a soft copy to the arrange circulation of the Information Report. HSMU will have visibility of this Information Report.

- PII

- Where a source provides information that relates to police corruption, handling team members should be conversant with their obligations under s.168, *Victoria Police Act*. Controllers should brief OICs and PII

- PII

7.4 Source Contact Report

- Will contain A source contact report must be completed with all relevant information about a source's contact with a handling team, whether by phone, fact face-to-face or other means. The report is to contain a comprehensive précis of the meeting and link all operational information obtained. [Click here](#) for a sample contact report.

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- Separate issues in the report are to be the subject of separate paragraphs and those paragraphs are to be sequentially numbered for purposes of cross referencing in other documents.

- Issues of significance within a report should must be highlighted and drawn to the attention of appropriate levels of management within the handling structure team as soon as possible.

- PII

- When advised there is information of significance within a contact report the controller must review the report immediately.

- PII

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- The report shell in Interpose and the sample report provides some pre-existing suggestions for the nature of matters to be recorded.

8. Rewards and expenses related to sources

8.1 Requirements

- Payments for expenses or rewards **Rewards** must only be given to a source that is registered and formally approved, and then only where they provide important information or assistance.
- The HSRC must approve all reward payments **rewards**.
- Members must not give any undertaking to a source about a proposed reward prior to HSRC approval.
- A reward payment is any cash, goods, judicial assistance (Letter of assistance) or other like benefit given to a source as reward for information provided to police. This includes letters of assistance which are documents informing a court about assistance provided to Victoria Police by a source. Other rewards may include retail vouchers, priority housing and contributions towards lawfully incurred debts.

• PII



- Where a source becomes a witness, payments to meet the costs associated with the witness appearing in court must be made in accordance with **VPMG Court Processes**.

8.2 Applications for payment

• PII



- The **R** Request for Human Source Reward form must be completed by the **H** handler and submitted to the **C** controller. The **C** controller is to update the source management file and forward the request to the OIC.
- The OIC is to assess the request, provide a written recommendation and forward all documentation to the LSR.
- The LSR is to review the request on Interpose and make appropriate recommendations to the HSMU for consideration by the HSRC.

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- The HSMU is responsible for coordinating all requests to the HSRC. All **Human Source** Letters of Assistance will be prepared by the HSMU from the information provided in the reward application **and in consultation with the handling team.**

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**8.4 Making reward payments**

- All reward payments must be made as directed by the HSRC.

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- A record of any reward payment or reimbursement or expense is to be made in the Source Contact Report.

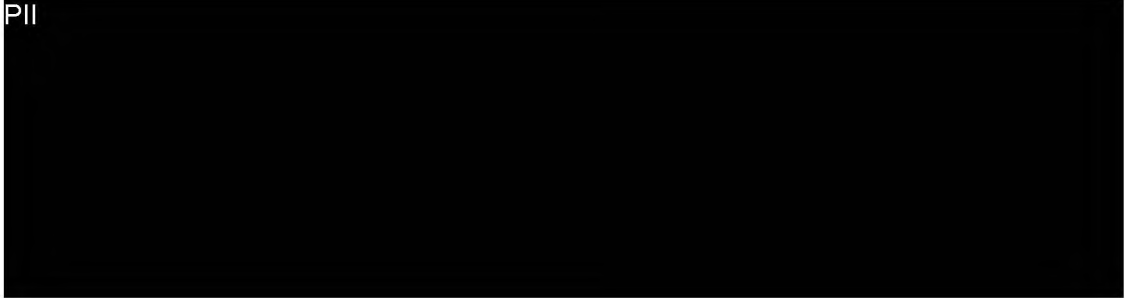
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**9.** PII

operations or investigations.

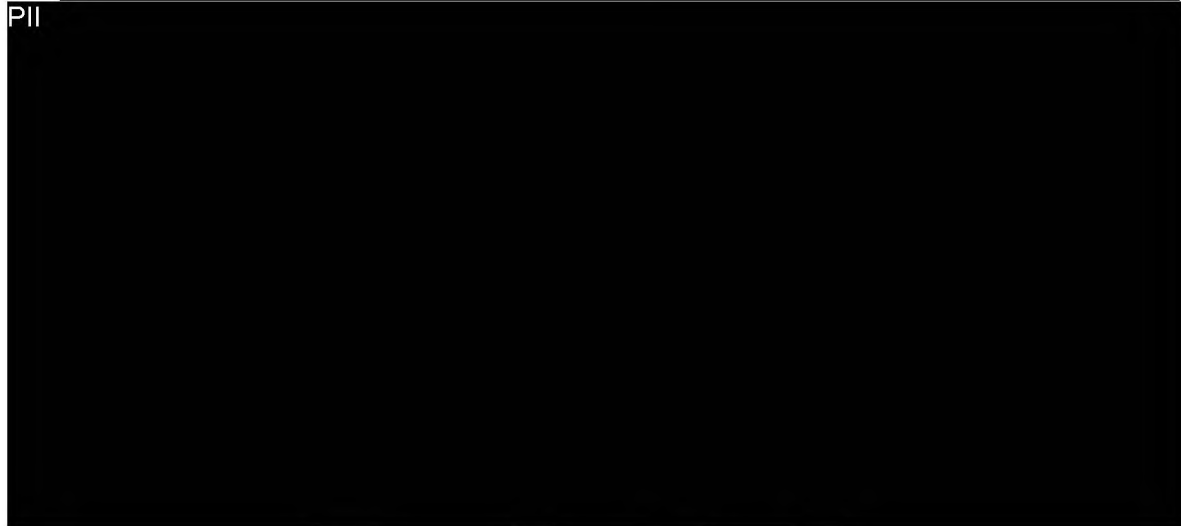
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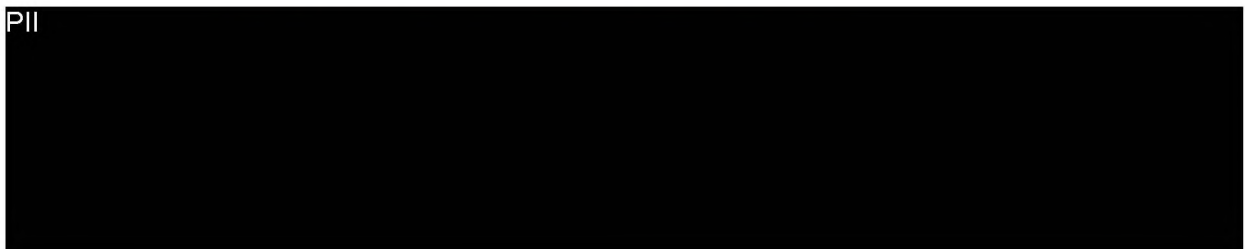
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10. Death of or serious harm caused to sources

- When a handling team becomes aware of the death of an active source the LSR and HSMU must be notified immediately and the circumstances of the death noted within the source's Interpose file.
- Where the circumstances surrounding the death of an inactive **a deactivated** source is the result of murder/manslaughter, suicide or other suspicious circumstances, the handling team upon becoming aware must inform the HSMU. The HSMU will advise on appropriate action including any information to be recorded on the source's Interpose file.
- Similarly, if a source is physically harmed through circumstances which could reasonably be linked to their relationship with Victoria Police, the HSMU must be advised as soon as practicable.
- Where it is reasonably believed the death of, or harm to, a source occurs as a result of an unauthorised or inadvertent disclosure, the LSR must ~~contact~~ **notify** PSC following the HSMU notification.
- **Where the HSMU becomes aware of the death of a source (active or deactivated) by means other than natural causes PSC must be notified.**

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**Sensitive: Legal**

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VICTORIA POLICE MANUAL – Human sources

PII



Sensitive: Legal

Sensitive: Legal

VICTORIA POLICE MANUAL – Human sources

PII

14. Disclosure of source identity

- Maintaining the confidentiality of a source is a duty of care that rests with members of the handling team. The identity of a source must never be divulged to a person outside the handling team, OIC and LSR without the approval of the CSR (via HSMU). When a member becomes aware that the confidentiality of a source's identity has been or may be compromised, the HSMU is to be notified immediately.

PII

15. Reporting inappropriate behaviour

- Where a member reasonably forms the view that another member involved in a handler-source relationship has, in the context of that relationship, acted in a manner that calls into question their professional integrity, the member must act in accordance with their obligations under the S.168, *Victoria Police Act*. Further guidance can be in the Victoria Police Code of Conduct.
- Where a source supplies information alleging inappropriate or unlawful conduct by a police member, that information must be dealt with according to **VPMP Complaints and discipline**.

16. Audit and compliance

- Controllers must complete a monthly review of the source relationship, risk assessment and information gained.
- Controllers and their OIC must record a summary of activity in the source's Interpose file PII
- OIC's must review active registrations every three months.
- Source Contact Reports must be controller reviewed PII
- In cases of high risk sources the LSR, as a component of the monthly inspection process, must endorse current risk assessments to reflect that no new risks have arisen that would require a revised risk assessment being conducted and that the current risk assessment remains fit for the purpose. The LSR must also document the checks and inquiries undertaken in order to make such a determination.

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- The LSR must conduct an audit of each source management file within their division at the time of deactivation. Each audit must cover procedural, ethical and value aspects of the registration.

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- The HSMU is to notify the LSR when of:
 - source files that are inactive for dormant longer than the review periods stipulated in the this policy
 - risk assessments or AORs that are not provided/updated
 - an incidents that occurs whereby a source is harmed as a result of their relationship with Victoria Police
 - any high risk sources that require monthly review and endorsement of the risk assessment
 - other management issues exist which should be brought to his/her attention.
- Refer to the Workplace Inspections Manual for further details about conducting inspections and audits generally.

Related documents

- Human Source Practice Guide
- Human Source risk assessment manual
- VPMP Investigation support
- VPMG Investigation support
- VPMG Rewards

PII

Further advice and information

For further advice and assistance regarding these Policy Rules, contact the HSMU.

Update history

DATE OF FIRST ISSUE	15/03/2016	FF-095772
DATE UPDATED	SUMMARY OF CHANGE	FORCE FILE NUMBER
/18	Amendments to reflect the advice from the Comrie & Kallam reviews and other process streamlining.	FF-124675

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