



VICTORIA POLICE

**Office of the Chief Commissioner**

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Our ref: LEXD 21819

Judge John Cain, State Coroner  
Coroners Court of Victoria  
65 Kavanagh Street  
SOUTHBANK VIC 3006

**Subject:** Noeline Dalzell - Finding into death following Inquest  
**Court Reference:** COR 2020 000670  
**Date of Recommendations:** 13 November 2024

Dear Judge Cain,

**Victoria Police response to recommendations arising from the Inquest into the passing of Noeline Dalzell**

This letter provides the response to the recommendations directed to the Chief Commissioner of Police arising from the Inquest into the passing of Noeline Dalzell, delivered on 13 November 2024.

**Recommendation 3**

*Victoria Police (in conjunction with DJCS) develop a policy to ensure that any victim of family violence or an AFM in an active FVIO case is notified of a court outcome. It is desirable for Victoria Police to notify all victims and AFMs in an active FVIO, however I consider it essential that in cases where an offender is considered high risk, that this notification occur within 48 hours.*

**This recommendation is not accepted.**

Victoria Police commits to working with the Department of Justice and Community Safety (DJCS) on the development of a policy that ensures victims of family violence and affected family members involved in active family violence intervention order cases are notified of relevant court outcomes. However, Victoria Police believes it would be inappropriate for it to assume sole responsibility for notifications in every family violence related case within the Victorian court system. A considerable number of cases fall outside the direct involvement of Victoria Police, as the organisation is not a party to all proceedings and has minimal, if any, engagement in certain matters. Placing this responsibility onto Victoria Police may therefore lead to incorrect assumptions being drawn

regarding police involvement in cases (including civil cases as an example<sup>1</sup>) and would have significant and likely unattainable resourcing implications across the organisation.

A more trauma-informed approach may be achieved by assigning this notification role to an entity independent of Victoria Police. This approach aligns with Victoria Police's primary function as a law enforcement agency and recognises the rights of victims – enshrined in the *Victims' Charter Act 2006 (Vic) (Victims' Charter)*<sup>2</sup> – to decide whether they wish to be contacted and to specify their preferred method of communication.

As this recommendation focuses on 'court outcomes' Victoria Police respectfully suggests that the courts may be better placed to develop an automated system by which all parties are provided with timely notifications of court outcomes.

We note that the primary issue in this matter was the fact that Ms Dalzell was not informed of Mr Fairhall's release from prison. We respectfully submit that this is a separate matter from her not being informed of 'court outcomes', which we understand is the focus of this recommendation. If a victim of family violence wishes to be notified of information regarding an offender who is sentenced to prison – including but not limited to their release<sup>3</sup> – they can apply to the Victorian Victims Register. In recognition of victim agency, the Victims Register is voluntary and requires a victim to submit an application in order to receive subsequent notifications. Victoria Police considers this to be the appropriate mechanism that can be leveraged and built upon to allow for victim notification regarding release of an offender who is on remand from custody.

In addition, from Victoria Police's perspective, it is not always practically feasible for notification of court outcomes to occur within 48 hours. The Victims' Charter has not specified a timeframe for victim notification, likely for this very reason. Staffing and resourcing for police members is always subject to competing emergency law enforcement priorities. Additionally, it is not uncommon for victims to choose to screen their calls, turn off their phones, change their phone numbers, refuse to answer the door to police, relocate or stay with friends or in secure housing, or otherwise avoid engagement with police.

Given current resourcing and capacity, Victoria Police is unable to commit to providing victim notification outside of the legislated requirements within the Victims' Charter. This is particularly so in light of an increase in family violence reports of almost 40% over the past decade.<sup>4</sup>

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<sup>1</sup> Section 9(e) of the Victims' Charter only requires updating a victim as to the outcome of a criminal proceeding not civil proceedings.

<sup>2</sup> Section 7B of the Victims' Charter states that: Investigatory agencies, prosecuting agencies and victims' services agencies are to take into account, and be responsive to, the following matters when communicating with a victim (amongst others) – (a) Whether the victim wishes to be contacted; and (b) The victim's preferred method of contact (which may vary at different stages throughout the proceeding for a criminal offence and according to the topic of communication).

<sup>3</sup> The information which may be provided to them includes (amongst other matters) release of an offender on parole, or decision not to release an offender on parole, the length of the offender's sentence, the date and circumstances in which an offender is likely to be released, if the offender is transferred interstate, if the offender escapes legal custody or absconds from parole or while on a supervision or detention order, if the offender dies.

<sup>4</sup> In 2015/2016, Victoria Police received approx. 70,902 reports of family violence; in 2023/2024 this number is 98,816: *Crime Statistics Agency, Victoria*.

In conclusion, Victoria Police is willing and able to consult with by an appropriate lead agency on the issue of this recommendation, however Victoria Police is unable to drive, deliver or otherwise resource this recommendation.

#### **Recommendation 5**

*Victoria Police and The Orange Door in two regions as a pilot collaborate to embed advanced family violence practitioners within each FVIU to assess, jointly respond to and manage repeat and/or high-risk family violence matters and improve proactive victim/AFM engagement. I note the complexity of placing a Family Violence Practitioner within the structure of a statutory organisation such as Victoria Police and acknowledge that this will need to be a senior worker with extensive experience and provided with supervision by a specialist family violence service. An independent evaluation of the pilot program should be completed within two years of commencing operation in each of the regions selected.*

#### **This recommendation is accepted in principle.**

Victoria Police has consulted with DFFH and will work to consider the options and to identify funding for such pilots external to Victoria Police. Victoria Police is unable to fund this recommendation and the implementation of any pilot such as that included in this recommendation would require Victorian Government funding decisions.

#### **Recommendation 6**

*Victoria Police engage an external independent suitably qualified person to conduct an evaluation of the effectiveness and skillset of the FVIUs. The review ideally should be conducted prior to the rollout of the CPRM to provide valuable benchmarking information to assist in the evaluation of the CPRM program which has been foreshadowed by the Chief Commissioner of Police in his submissions.*

#### **This recommendation is accepted in principle but is subject to timing and funding issues.**

This recommendation requires an evaluation of the effectiveness and capabilities of the FVIUs prior to the implementation of the Case Prioritisation and Response Model (CPRM). However, version 3 of the CPRM is already being rolled out, and pausing or halting this process is neither practical nor beneficial. In addition, as highlighted in Victoria Police's closing submissions, significant new training for FVIUs has been delivered over the past 12 months. This training now requires time to be effectively integrated into practice. The timing of any external evaluation is therefore critical and must be carefully planned to ensure optimal outcomes.

Moreover, engaging external evaluators will depend on available funding and resources, as well as the inevitable need to prioritise competing demands across Victoria Police.

#### **Recommendation 8**

*Victoria Police make PTMI and MRTs for high-risk family violence offenders accessible to uniform police members who respond to family violence incidents.*

#### **This recommendation is not accepted.**

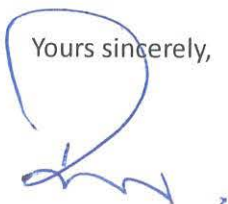
Providing frontline members with access to this system is not an appropriate step. It offers no added value for members responding to incidents, and indeed runs the risk of creating an overload of information that could distract from their immediate responsibilities.

We respectfully submit that this recommendation also misapprehends the purpose of PTMIs and MRTs. These documents are designed primarily for members of FVIUs who take a broad and ongoing risk management view of cases. We consider that LEAP provides appropriate relevant background and contextual information for frontline officers to respond to family violence incidents.

Accepting this recommendation would require extensive specialist resources and comprehensive training for frontline members, as Interpose is a complex system containing an enormous amount of information in different formats.

This recommendation would also be unfeasible from a technological view, as Interpose is not accessible on the IRIS device; thus members are unable to retrieve or view such information while *en route* or attending at the incident. Implementing this recommendation would require the rollout of an entirely new IT system, along with force-wide training to equip members to use Interpose effectively. Such an initiative would have a significant resourcing impact, and would, as stated above, not have a positive impact on those frontline members this recommendation is intended to support.

Yours sincerely,



Rick Nugent APM  
**Acting Chief Commissioner**

11/3/2025