

# Contact OPA



Office of the Public Advocate

## What will an ITP do?

The ITP will facilitate communication by:

- providing assistance to contact a lawyer, relative or friend, if requested
- helping the person understand their rights and any legal advice given
- ensuring the person understands the questions asked by police
- asking the police to rephrase a question if they believe the person may have difficulty understanding what is being asked
- requesting a break during an interview if the person is becoming distressed, or unable to concentrate.

ITPs will inform police if they observe that the person does not fully understand their rights or circumstances at any stage of the interview process.

## How to access an ITP

Victoria Police members are responsible for contacting the ITP call centre to arrange an ITP to attend an interview. All police stations across the state have the phone number for the ITP call centre.

The person with the cognitive impairment or mental illness being interviewed, or someone close to them, can also ask a police member to arrange for an ITP to attend the interview.



Office of the  
Public Advocate

### Office of the Public Advocate

Level 1, 204 Lygon Street Carlton,  
Victoria 3053

**Phone:** 1300 309 337

**TTY:** 1300 305 612

**National Relay Service:** 133 677

**Fax:** 1300 787 510

[www.publicadvocate.vic.gov.au](http://www.publicadvocate.vic.gov.au)

For questions and more information about the ITP Program, call OPA on 1300 309 337 during business hours and ask to speak to the ITP Program Coordinator.

## Independent Third Person Program

Helping people with a  
cognitive impairment or  
mental illness in interviews  
with Victoria Police.



# About Independent Third Persons



Public Advocate  
Colleen Pearce

Independent Third Persons (ITPs) play an invaluable role supporting people with a disability when they are at their most vulnerable, by helping enable more effective communication with Victoria Police members.

ITPs are volunteers trained by, and registered with, the Office of the Public Advocate (OPA).

They assist people with a cognitive disability\* or mental illness during police interviews, or when making formal statements to the police.

The role of the ITP is to:

- facilitate communication
- assist the person to understand their rights
- support the person through the process.

All ITPs are trained, have an understanding of police procedures, and are aware of the difficulties the person being interviewed by the police may experience.

ITPs are independent of police and the investigation.

## When is an ITP required?

The Victoria Police Manual states that an ITP must be present when interviewing an alleged offender, victim or witness with a cognitive impairment, or mental illness to help ensure the person is not disadvantaged when communicating with police.

### How will police recognise that the person may have a cognitive disability or mental illness?

Police rely on their experience and knowledge, observations of the person, and general questioning to determine whether a person may have a cognitive disability or mental illness. For example, they may ask questions about where a person lives, works or attends school, and about their contact with services.

## Why is an ITP required?

A person with a cognitive disability or mental illness may have difficulty:

- comprehending complex issues
- processing information quickly
- understanding legal rights
- maintaining concentration for extended periods of time
- responding to suggestive questioning
- communicating with people in positions of authority.

**\* Cognitive disability includes intellectual disability, acquired brain injury, autism spectrum disorder and dementia. Mental illness is also covered.**

## What will an ITP do?

The ITP will talk to the person privately before the police interview to explain their role and establish rapport.

During this time, while they will not provide legal advice, they will help the person understand their legal rights.

If the person is an alleged offender in a criminal matter, these rights include:

- the right to silence, ensuring that the person understands that they can choose whether or not to answer questions
- the right to legal advice
- the right to contact a friend or relative.

For a victim or witness who is making a statement to police, these rights include:

- demonstrating their understanding of the difference between truth and lies
- the right to decide not to proceed with the complaint at any time.

An ITP cannot instruct the person on how to deal with the issue they are facing, and cannot provide legal advice. However, an ITP will help the person contact a legal service if the person would like legal advice.