

Criminal conduct inside your organisation

Information for Victorian not-for-profit organisations

This information sheet aims to provide Victorian not-for-profit community organisations with a step by step process to follow if you suspect that criminal conduct is occurring within your organisation.

Criminal conduct is very serious - if this is an emergency, call 000. Otherwise, these are the steps we recommend.

1. Check your facts

First, try to make sure that your suspicions are correct.

Tips:

- ▶ Avoid making accusations or putting anyone at risk. Go straight to the police if you think this is a risk.
- ▶ Document your concerns. Make file notes of conversations or incidents. Write down in your own words what has happened and what you think that means.
- ▶ Do the organisation's records support your suspicions? For example, do the financial statements indicate that there are funds missing without authorisation?
- ▶ If you saw what you thought was someone being harassed or threatened, has that person confirmed that's what happened and that they want to take it further?

2. Call the police

If this is an emergency, call 000. Otherwise, call Victoria Police Switchboard from Monday to Friday, 7am to 7pm on: (03) 9247 6666.

You can go to www.police.vic.gov.au any time (under "contact us", then follow the links to your local police station).

3. Call your insurer

Your organisation may have fidelity or fraud insurance, or a directors and officers policy which covers your organisation in this situation.

If this is the case, read the policy carefully and notify your insurer immediately if you think it applies.

If try to make a claim later and didn't notify the insurer when the incident occurred, you may not be covered.

Often, insurance companies have a panel of lawyers to assist with specific legal issues and you will be referred to one of these.

4. Seek legal advice

Making sure your organisation approaches serious situations in the right way is fairer to everyone involved.

If your insurer is unable to offer legal advice or you don't have insurance, you can [contact us](#) at PILCHConnect for assistance, subject to our eligibility criteria.

5. Make sure the right people know - but be careful who you tell

Your board or committee of management should be informed, depending on the expert advice you receive.

Warning!

There may be reasons that you should **not** inform all staff or volunteers, eg:

- ▶ you could open yourself to a defamation claim, or
- ▶ you might be in breach of your legal obligations with respect to privacy.

Check this with your lawyer.