

# A CALL FOR CHANGE

Commission of Inquiry into Queensland Police  
Service responses to domestic and family violence

**REPORT**

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## A note to the members of the Queensland Police Service

In preparing this report, I have heard during hearings and read in submissions that you feel undervalued and at times, under siege. I have been told that you feel that you are all being unfairly targeted by the revelations uncovered during this Inquiry.

I have heard that many of you carry the weight of protecting the community over a long period of time, often in difficult circumstances and often without thanks. Many of you feel unappreciated in this work.

This Commission is aware of the work that you do. I am aware that there are many police officers who work without expectation of praise because they sincerely believe that their work is important and that they help the community. That belief is well founded. When you perform your job well, you save lives, you make a difference.

The Commission has never lost sight of that fact.

Do not under-estimate the effect you have on our community. When you turn up to a domestic and family violence situation, you create the possibility of change for the family. Be proud when you act with skill and compassion in that moment. You may not see an immediate change, but it is likely you have played an instrumental role in changing things for the better. You have given someone hope that help is possible, that they will be believed if they reach out. You have given a perpetrator notice that their behaviour will not be ignored. In the course of this Inquiry, I have heard from many members of the public whose lives were changed for the better because of your efforts. I have heard from community groups who have told me that they have noticed and appreciated when you go the extra mile to help them or their clients. They are grateful for the role you play in keeping us all safe.

I hope this report leads to change in the Queensland Police Service. A change that helps you all and supports a change in the culture of the organisation so that all members feel respected and valued. I hope, in turn, that the recommendations assist the organisation to be able to respond to domestic and family violence in a way which provides consistency and sympathy for all persons impacted by domestic and family violence.

**JUDGE DEBORAH RICHARDS**  
**NOVEMBER 2022**

## ABOUT THIS REPORT

The *Commission of Inquiry into Queensland Police Service responses to domestic and family violence* (the Commission) was established on 30 May 2022 by Order in Council (No. 2) of 2022. The Commission's full terms of reference are outlined at Appendix A.

This is a report of the Commission's findings and recommendations. It is intended to be read alongside *Behind the call for change* (2022), a compilation of case studies, perspectives and experiences shared with the Commission by victim-survivors, police and other persons.

Pseudonyms have been used in case studies and other identifying details have been removed to ensure the anonymity of the people involved. Any individuals or organisations named in this report have given their consent to be identified. Many of the extracts in this report come from submissions that were provided to the Commission on a confidential basis. In each case consent has been obtained from the author.

To the extent possible, the Commission has sought to accurately represent the diverse views and experiences that have been shared. The Commission does not necessarily endorse or support the views outlined within this report.

## CONTENT WARNING

Please be advised this report contains language and descriptions that are offensive, disrespectful and demonstrate racism, sexism and misogyny.

Aboriginal and Torres Strait Islander people are advised this report contains references to deceased persons, and examples of experiences of First Nations peoples and language that is disrespectful and offensive to their culture, history, people and communities that may cause distress. The content is sometimes confronting and disturbing.

The examples are included to illustrate the cultural issues that the Commission has discovered in the Queensland Police Service (QPS) during its inquiry and to demonstrate the findings that have been made. The Commission in no way condones or supports the behaviours that are demonstrated.

This report includes details of many forms of violence, and attitudes towards violence and victim-survivors, which may be confronting for readers. Reader discretion is advised.

Throughout this report, case studies are used to reference police actions, activity or instances of domestic violence. All names of individuals and officers referred to in these case studies have been changed to protect the identities of those involved.



## CULTURAL ACKNOWLEDGEMENT

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We pay our respects to the Aboriginal and Torres Strait Islander ancestors of this land, their spirits and their legacy. The foundations laid by these ancestors— the First Nations peoples—give strength, inspiration and courage to current and future generations towards creating a better Queensland.

We pay our deepest respects to Elders past, present and emerging, and their continuing connection to lands, waters and communities, and acknowledge that sovereignty was never ceded.

We walk together on a shared journey of reconciliation where all Queenslanders will be equal and the diversity of Aboriginal cultures and Torres Strait Islander cultures and communities across Queensland are fully recognised, respected and valued by all.

We also give special acknowledgement and thanks to all the Aboriginal and Torres Strait Islander peoples, from all walks of life, who provided their insights, experiences and expertise to the Commission in any way. We thank you for your generosity and courage.



**If you, or someone you know, need support please contact a relevant support service:**

- **1800Respect** is a national 24/7 domestic, family and sexual violence counselling, information and support line – 1800 737 732, <https://www.180orespect.org.au>
- **DVConnect** is a Queensland-wide 24/7 crisis response line for women affected by domestic and family violence – 1800 811 811, [www.dvconnect.org.au](http://www.dvconnect.org.au)
- **DVConnect Mensline** is a support, advice and referral service for men who are seeking support around their experiences or use of domestic and family violence – 1800 600 636 (9am – midnight, 7 days)
- **Mensline Australia** is a national 24/7 counselling support service for men across a range of relationship and wellbeing issues – 1300 789 978, [www.mensline.org.au](http://www.mensline.org.au)
- **Lifeline** is a 24/7 telephone counselling and referral service across a range of support areas – 13 11 14, [www.lifeline.org.au](http://www.lifeline.org.au)
- **Kids Helpline** is a 24/7 counselling service for young people between 5 and 25 – 1800 55 1800, [www.kidshelpline.com.au](http://www.kidshelpline.com.au)
- **Suicide Call Back Service** is a 24/7 crisis and counselling line for anyone who is feeling suicidal or worried about someone's suicide risk – 1300 659 469, [www.suicidecallbackservice.org.au](http://www.suicidecallbackservice.org.au)
- **Queensland Indigenous Family Violence Legal Service (QIFVLS)** is a community legal service that provides free support for Aboriginal and Torres Strait Islander people affected by family violence or sexual assault, established to deliver culturally appropriate services across Queensland – 1800 887 700, [www.qifvls.com.au](http://www.qifvls.com.au)
- **Women's Legal Service Queensland (WLSQ)** is a community legal centre that provides free state-wide legal and social work help to Queensland women. WLSQ provides assistance in domestic violence, family law and sexual violence matters. State-wide Legal Advice Helpline 1800 WLS WLS (1800 957 957), [www.wlsq.org.au](http://www.wlsq.org.au)

The Queensland Police Service also offers wellbeing and support services for members and families throughout their career and beyond – visit [www.ourpeoplematter.com.au](http://www.ourpeoplematter.com.au) or call 1800 Assist (1800 277 478) for confidential counselling provided by an independent employee assistance provider.

The Domestic and Family Violence Media Guide provides information for journalists about responsible reporting of domestic and family violence – [www.justice.qld.gov.au/initiatives/end-domestic-family-violence/resources](http://www.justice.qld.gov.au/initiatives/end-domestic-family-violence/resources)

Guidelines for journalists regarding safe reporting in relation to suicide and mental illness can be found at [www.mindframe.org.au](http://www.mindframe.org.au)

## ACKNOWLEDGEMENTS

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The Commission would like to thank the brave women, men, family, and friends, including members of the Queensland Police Service, past and present, who shared their experiences through submissions, statements, surveys and as witnesses in public hearings.

Although the Commission was established for a short time, the impact for the QPS and the broader Queensland community has been significant. The public conversation has changed rapidly since hearings first commenced.

While the evidence heard by the Commission has at times been confronting and distressing, with every hearing more people came forward to share their perspectives and experiences.

The Commission acknowledges the strength and courage of those who have shared their experiences and extends its gratitude to the multitude of voices that have joined together to make a collective and compelling call for change.

The Commission has been supported by a number of people and organisations in the conduct of its inquiry. Sincere thanks go to the following for their assistance:

- Magistrate Jane Bentley, former Deputy State Coroner of Queensland
- Professor Peter Coaldrake AO
- The Honourable Gerald Edward (Tony) Fitzgerald AC KC
- Scott McDougall, Commissioner, Queensland Human Rights Commission
- Professor Janet Ransley, Director, Griffith Criminology Institute
- Magistrate Terry Ryan, State Coroner of Queensland and Chair of the Domestic and Family Violence Death Review and Advisory Board
- Adam Taylor and Meredith Wilson, The People Game
- The Honourable Alan Wilson KC
- Queensland Government Statistician's Office
- QPS First Nations Reference Group members
- University of Queensland Student Services.

The Commission extends its thanks to the Queensland Magistrates Court and Queensland Land Court for facilitating the Commission's public hearings.



# Commission of Inquiry into Queensland Police Service responses to domestic and family violence

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14 November 2022

The Honourable Anastacia Palaszcuk MP  
Premier and Minister for the Olympics  
1 William Street  
BRISBANE QLD 4000

The Honourable Shannon Fentiman MP  
Attorney-General and Minister for Justice, Minister for Women and Minister for the Prevention of  
Domestic and Family Violence  
1 William Street  
BRISBANE QLD 4000

The Honourable Mark Ryan MP  
Minister for Police and Corrective Services and Minister for Fire and Emergency Services  
1 William Street  
BRISBANE QLD 4000

Dear Premier, Attorney-General and Minister for Police and Corrective Services,

In accordance with *Commissions of Inquiry Order (No. 2) 2022*, I have made full and careful inquiry into:

- whether, and the extent to which, any cultural issues within the Queensland Police Service (QPS) exist which affect the investigation of domestic and family violence
- whether those issues have contributed to overrepresentation of First Nations peoples in the criminal justice system
- the capability, capacity and structure of the QPS to respond to domestic and family violence
- the adequacy of the current conduct and complaints handling process.

I present to you the Commission's report including our recommendations.

Yours sincerely



Judge Deborah Richards  
**Commissioner**  
**Commission of Inquiry into Queensland Police Service responses to domestic and family violence**



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## FOREWORD

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In 1988 a taskforce was formed in Queensland to examine the issue of domestic and family violence. A key recommendation was the introduction of stand-alone domestic violence legislation. Much has changed since then. The *Domestic Violence (Family Protection) Act 1989* came into effect in August of that year and since then a myriad of reviews, taskforces, reports, and research papers that have followed have examined this issue.

However, a consistent and reliable approach to policing the problem remains elusive.

Police are trained to investigate criminal offending and to arrest those who commit offences. They are trained to protect the community. The evidence of the effect of domestic and family violence on the community abounds. Domestic and family violence is responsible for homicide, suicide and permanent, disabling injury. Victims are left traumatised, homeless, destitute and broken. Children are scarred and grow up with lifelong mental health issues which can manifest in drug use and criminal offending. Our jails are home to many victims of this scourge. Yet this Commission has heard of officers who avoid attending call outs for domestic and family violence, who remark “not another domestic”, who rate the victims on their looks and who joke about their circumstances.

It is true that the policing of domestic and family violence can be complex, but complexity does not seem to inhibit policing of fraud or drug offences. It is true that allegations can be made without other supporting evidence and in the face of a perpetrator’s denials, yet the same issue does not inhibit the arrest of those who commit offences against children.

What is it then that inhibits, that paralyses, some officers when dealing with this issue? Why is it that criminal offending in a domestic setting is, at times, seen as less serious than that same act in other circumstances?

This Commission has found ample evidence that there are cultural issues within the Queensland Police Service which inhibit the policing of domestic and family violence. There is evidence that there is a lack of understanding of the dynamics of, and power imbalance within, domestically violent relationships. There is evidence that there is significant under-resourcing which leads to reactive and at times short-lived reform and, in the frontline, confusion over expectations of performance.

When this Commission began, we expected to receive evidence that there was under-resourcing and gaps in training in the area of domestic and family violence policing, and we did find that evidence initially. However, as submissions were received and evidence gathered, we began to learn that some of the issues were more fundamental than that. The public hearings have caused a light to be shone on the broader culture of the QPS. After the Police Commissioner first gave evidence, the Commission was flooded with submissions from members of the Queensland Police Service with disturbing information about bad behaviour towards colleagues and the community. More evidence was gathered which confirmed what we were being told. Many of the submissions we received expressed gratitude that the culture within the organisation, too long denied, was being exposed. The act of public exposure has, in itself, been a valuable first step towards change in the QPS.

Despite the initial protestations of the Commissioner of Police and the President of the Police Union of Employees, the Commission has found clear evidence of a culture where attitudes of misogyny, sexism and racism are allowed to be expressed, and at times acted upon, largely unchecked. Where complaints in relation to such treatment are brushed aside or dealt with in the most minor of ways and those who complain are the ones who are shunned and punished. It is hardly surprising that these attitudes are reflected then in the way that those police who hold them respond to victim-survivors. It is a failure of the leadership of the organisation that this situation has been allowed to continue over many years unchecked.

It is not the case that all officers fail to understand and respond appropriately to domestic and family violence calls for service. The Commission has heard of many cases of police officers who are dedicated and caring, who act to protect victim-survivors of domestic and family violence as best they can and who respond in innovative ways to improve their lives and hold perpetrators to account. Those officers should be proud of their efforts and deserve to be recognised for the work that they do.

The Commission has been honoured to receive so many submissions and responses to surveys from a wide section of the community and a large number of dedicated members of the police service who have been instrumental in shedding light on the issues raised in this report and who express hope that the leadership of the QPS will accept that change is necessary to create a modern, inclusive and responsive police service.

As Commissioner, I feel very privileged to have worked during this Inquiry with a dedicated team of professionals who, in a short time, have managed to gather and analyse an enormous amount of evidence in our task to uncover the factors inhibiting the police response to domestic and family violence. Without their expertise, care and hard work, this report would not have been possible.

**This report is a call for change.**

**A hope for a different future for the police who serve us and for the community that they serve.**

**A path forward to a consistent response to policing domestic and family violence.**

# THE TRAGEDY OF DOMESTIC AND FAMILY VIOLENCE

THE DESTRUCTIVE EFFECTS OF DOMESTIC AND FAMILY VIOLENCE ARE FELT THROUGHOUT OUR COMMUNITY – FAMILIES ARE DESTROYED, CHILDREN DAMAGED AND LIVES LOST. THE PUBLIC KNOWS WELL THE STORIES OF HANNAH CLARKE AND HER CHILDREN, DOREEN LANGHAM, KELLY WILKINSON, FABIANA PALHARES AND TARA BROWN – LIVES TRAGICALLY CUT SHORT BY THIS SCOURGE.

THEY ARE THE PUBLIC FACES OF A FAR WIDER LOSS. THE INFORMATION BELOW SHOWS A SAMPLE OF SOME OF THE OTHER LESS PUBLIC LIVES LOST. IT DEMONSTRATES THAT WE SHOULD NEVER UNDERESTIMATE THE HUMAN TOLL OF THIS CONDUCT.

**A baby, not yet six months old** died in 2017 after being shaken by his father. His mother, who was his primary carer, had left the home the day before, leaving the boy in his father's care. The family had extensive service system contact around domestic and family violence however there had been limited attempts by services to address the father's abusive behaviour towards the mother and to assess his ability to safely parent.

**A woman in her 60s** died in 2017 after a prolonged assault following her husband's release on police bail for perpetrating domestic and family violence against her. They had been married for 30 years. When he returned to their home he brutally assaulted her over a number of hours, taunting her, slapping her, strangling her, raping her and threatening to kill her. She died some time later as a result of the injuries he had inflicted on her.

**A woman in her late 40s** was killed in 2017 by her male partner of over 30 years within the context of an intended relationship separation, before he took his own life. She had attempted to separate from him on multiple occasions prior to her death, because of the abuse he had subjected her to throughout their relationship. This violence was never reported to formal services however was known to family and friends.

**A man in his 20s** was killed by his female partner in 2018. She was later found guilty of manslaughter. The available information shows that he was the primary perpetrator in the relationship. In the days prior to the homicide, she had attempted suicide after disclosing to others that he had raped her. The couple had had only one previous contact with police in relation to domestic and family violence within this relationship, although she had a previous history, known to police, of victimisation by other persons.

**A young girl in her teens** died by suicide in 2018. In the year prior to her death, she had extensive contact with services to assist her because of child protection and mental health concerns. She was exposed to domestic and family violence in her home, witnessing violence between her parents and being subjected to abuse herself. At one stage, when she was staying with her friend's family, she told child safety officers that she would take her own life if her parents came to collect her.

**A man in his 40s** died by suicide in 2018 after attempting to kill his female partner of over 10 years in a prolonged episode of violence. She had significant injuries when she was found by paramedics. He had subjected her to serious abuse throughout their relationship which was known to services including police. The service response was largely incident based. As a result, the escalating pattern of violence was missed.

**A woman in her 20s** was stabbed and killed by her male partner in 2019. Her child was also injured in the assault that killed her. They had been in a relationship for most of their adult lives and he had perpetrated domestic and family violence towards her during this time. She had previous contacts with services, including police, and had disclosed the abuse she was experiencing to them.

**A woman in her 30s** took her, and her children's, lives in an apparent murder-suicide in 2019. She and her family had extensive contact with services for domestic and family violence and other matters. In the lead up to her death her allegations of domestic, family and sexual violence against her partner were assessed by police and child safety services as being false and vexatious although there was a Protection Order in place listing her as the aggrieved.

**A man in his 40s** died by suicide in 2019 after a confrontation with the mother of his children which resulted in her and the children leaving the home. His death occurred following a long history of escalating domestic and family violence against his female intimate partner. He was supervised by services at the time of his death and was wanted by police, although actions had not been taken to locate him.

**A woman in her 40s** died by suicide in 2019. She was in a relationship with a man who was highly controlling of her and had subjected her to serious violence and emotional abuse throughout their six year relationship. They had limited contact with services in the years prior to her death, however records indicate that she had previously called police for assistance. Her allegations of domestic violence were not investigated. Police thought her allegations were “false and made in an attempt to get back at him.”

**A man in his 20s** died in 2019 because of injuries inflicted by his female partner of 18 months. His death occurred in the context of a verbal argument that led to physical violence between them. She was charged with his murder and later convicted of manslaughter. Their relationship was characterised by violence, which was primarily perpetrated by him against her, and they had contact with services around domestic and family violence and other issues. She had previously attempted to leave the relationship after an episode of physical violence.

**A man in his 30s** died in 2019 within the context of an act of associated domestic and family violence against his father’s former partner. The father had repeatedly breached the Protection Order established within that relationship, which had been reported to police. Officers spoke to him in the hours preceding his son’s death however he was not charged with any of the offending that had been committed against her and reported to them that morning.

**A woman in her 30s** died by suicide in 2020 after a verbal argument with her male partner of five years. During their relationship he had exposed her to a high level of coercive control and abuse which escalated in the year prior to her death. He was extremely jealous, isolated her from her family and friends, and used their young child to control her. They had only limited contact with services.

**A woman in her 40s** was killed in 2020 by her male partner before he took his own life in the presence of their young child. They had been in a relationship for several years which was characterised by domestic and family violence. They did not have contact with services prior to the death however his use of violence in the relationship was known to her friends and family.

**A woman in her 20s** was being violently assaulted in 2020 by her partner when police were called. He confronted attending police and was shot and killed. His death occurred in the context of escalating domestic and family violence by him towards her. She had reported an episode of violence to police the day prior to his death. This was the only contact the couple had with police for domestic and family violence. Records indicate her risk was assessed as “moderate” and she was provided with a referral.

**A woman in her 40s** died by suicide in 2021 at her former male partner’s property. During their short relationship he had subjected her to verbal, physical and emotional abuse. She was engaged with services but had limited contact in relation to the violence she was experiencing.

## EXECUTIVE SUMMARY

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The Commission of Inquiry into Queensland Police Service (QPS) responses to domestic and family violence was established as part of the Queensland Government's response to the recommendations of the Women's Safety and Justice Taskforce in *Hear her voice: Report One* (2021).

The Commission's terms of reference tasked it to inquire into any cultural issues within the QPS that influence the investigation of domestic and family violence, and how those cultural issues contribute to the overrepresentation of First Nations peoples in the criminal justice system. The terms of reference also required the Commission to inquire into the capability, capacity and structure of the QPS to respond to domestic and family violence, and the adequacy of the processes for dealing with complaints about police officers to ensure the community confidence in the QPS.

To assist it with those inquiries, the Commission gathered information from victim-survivors, the community organisations that support them and police officers. It did this using a variety of methods including by calling for submissions, conducting surveys of victim-survivors and police officers, conducting meetings and interviews, holding public hearings and using its powers to require the production of relevant information and records, including from the QPS. The Commission also examined previous reports and reviews of QPS responses to domestic and family violence and engaged experts to inform its understanding of matters relevant to the terms of reference.

The Commission was greatly assisted by the information and perspectives provided by victim-survivors and community organisations. However, what makes the work of this Commission different to previous reviews of QPS responses to domestic and family violence is the extent to which police officers provided information and views about what is working well and what needs improvement.

Police officers have a lived experience of the culture of the organisation. Through the input of police officers, the Commission learned of cultural issues of sexism, misogyny and racism which impact on QPS responses to domestic and family violence. By sharing their experiences and views, police officers also informed the Commission about the impact that resourcing issues, structural limitations, and burnout and fatigue has on the QPS response. Police officers told the Commission that, although most police officers conduct themselves admirably towards their colleagues and victim-survivors, the cultural and structural issues in the organisation mean there is need for improvement in the organisation's response.

Through the information and views shared with the Commission, victim-survivors, community organisations

and police officers all made a call for change and expressed a hope for improvement.

### WHY CHANGE IS NEEDED

Many previous reviews and reports have examined QPS responses to domestic and family violence. The QPS has also undertaken internal reviews and evaluations as part of its delivery of previous initiatives, including as a result of changes made to implement recommendations arising from external reviews.

The most recent review was that undertaken by the Women's Safety and Justice Taskforce (2021). Others have included the review by the Special Taskforce on Domestic and Family Violence (2015), as well as annual reviews by the Domestic and Family Violence Death Review and Advisory Board and various coroners' findings in respect of domestic and family violence homicides.

The previous reviews and reports repeatedly identified a number of issues with QPS responses to domestic and family violence. Those issues include failures by police to act in accordance with legislation and procedures, appropriately assess risk, pursue criminal charges and accurately identify the person most in need of protection. They also identified positive aspects of the QPS response.

Despite repeated findings of similar failures over time, the Commission heard that those failures continue to be experienced by victim-survivors who seek help from police. Not all victim-survivors have a negative experience of police responses to domestic and family violence but, for those that do, the impact can be significant. Negative experiences can leave victim-survivors and their children unprotected and unlikely to seek police assistance again in the future, and perpetrators emboldened. The difficulty is that many do experience a negative response from police and that, overall, police responses continue to be inconsistent and, at times, inadequate.

Victim-survivors and the community organisations that support them said that the inconsistency and, at times, inadequacy of police responses can occur at all stages of the QPS response: when responding to an initial report of domestic and family violence, during an investigation and when taking action, including during court proceedings and when partnering with other agencies.

On the other hand, the Commission heard examples of effective, timely and professional action taken by officers and the significant difference this made for the safety of victim-survivors and their children, and their willingness to continue to engage with police. Additionally, the QPS has introduced changes which have enhanced the policing



of domestic and family violence, particularly where those changes have involved collaboration with other agencies.

The continued inconsistency and, at times, inadequacy of the QPS response to domestic and family violence underscores the critical importance of leadership to improvement in this area. It is clear that there will need to be a sustained and dedicated commitment from a strong leadership to make the improvements that are necessary.

This will, in itself, require change. The Commission heard from police officers that the QPS membership has been abandoned in its efforts to respond to domestic and family violence by a leadership which has failed to match its stated commitment to domestic and family violence with the resources necessary to allow them to do their job well.

The Commission also learned that there is a strong perception among the QPS membership that its senior leadership lacks integrity. This has contributed to low morale in the organisation, including in relation to domestic and family violence responses. In addition, the Commission learned that there is a pervasive culture of fear and silence in the organisation, for which the leadership is ultimately responsible, which prevents officers from speaking up about cultural issues and the changes that need to be made to improve QPS responses to domestic and family violence. If the QPS is to improve, it will be important for the senior leadership to hear and acknowledge the voices of its people who feel abandoned, disillusioned and silenced.

It is unlikely that present and future commitments by the leadership to improving police responses to domestic and family violence will be effective unless it does so.

## THE STRUCTURAL CHANGES NEEDED

Domestic and family violence related calls for service are complex, high volume and stressful. The Commission was told that officers are inadequately trained, insufficiently resourced and face competing time pressures and responsibilities which impact their ability to respond effectively.

The Commission identified a number of issues with the strategic and operational prioritisation of the QPS response to domestic and family violence, including that it lacks the ability to effectively measure the demand for domestic and family violence on the organisation. Without accurate and comprehensive data, the QPS is unable to easily identify and allocate appropriate resources to deliver its services.

While the QPS established the Domestic, Family Violence and Vulnerable Persons Command (the Command) in early 2021 to improve its responses to domestic and family violence, the Command is inadequately resourced to deliver on its stated intent. Because of this, it tends to have a reactive approach, with a limited ability to effectively plan and implement its initiatives. It also struggles to balance its multiple competing priorities as domestic and family violence is just one of its portfolio responsibilities.

Positively, the QPS has also established a Domestic and Family Violence Advisory Group, which includes a range of relevant external stakeholders to support ongoing improvements to QPS responses, but it is important for this Group to be sufficiently empowered to support QPS senior leadership to deliver the changes needed.

Importantly, the QPS has specialist domestic and family violence positions and teams in each district, although they vary in scope and function depending on local resourcing needs and pressures. These roles and teams are intended to:

- coordinate the QPS response to domestic and family violence at station, district and regional levels
- improve the operational support provided to general duties officers
- provide quality assurance and oversight
- act as a point of liaison for external agencies and
- help support local level initiatives.

While submissions from victim-survivors and community organisations generally suggested that specialist police had a better understanding of domestic and family violence than other officers, police submissions and surveys suggest that the roles are inadequately resourced, poorly promoted and do not have the capacity to effectively support general duties officers. Additional issues are encountered when the positions are filled by officers with no specialist training, no capacity to fulfill the requirements of the role or no interest in being in the role.

The variable capacity of specialist units across the state also contributes to dissatisfaction with those units within the organisation.

Domestic and family violence is a complex issue that requires a targeted and specialised response delivered in partnership with other agencies. Significant benefits can be achieved by the QPS when police and specialist services are located together or respond jointly to a domestic and family violence related occurrence. Interagency teams, embedded workers and co-location and co-responder trials in some places have improved the QPS response to domestic and family violence. They can help alleviate some of the resourcing pressures police face, support shared learnings and improve outcomes for victim-survivors and their children.

There is merit in the QPS continuing to trial these types of initiatives and to secure sustainable funding where they are proven to be effective.

While specialist positions and units in the QPS are key to a strong response to domestic and family violence, all police have a statutory responsibility to act when a report of domestic and family violence is made to them.

To do this well, officers must be appropriately trained in the dynamics of domestic and family violence and the actions they are required to take when responding to such violence.



Guidelines and systems, aimed at making the role of the police as simple as possible, need to be in place to support effective responses.

While police officers report that they have a desire and readiness to improve their response to domestic and family violence, they feel that they lack the capacity and resources to meet this challenge. Officers also reported that they are under pressure because of the increased scrutiny of domestic and family violence, and that responding to domestic and family violence is contributing to burnout.

Recent internal surveys by the QPS show that officers feel ill-equipped to respond to domestic and family violence even at the very start of their career. When they reported feeling more confident, this was attributed to junior officers' own personal and professional experiences and not the training provided by the QPS.

The QPS needs a workforce that reflects the diversity of Queensland, who are appropriately trained and supported to do their job. The current recruitment strategy of the QPS needs to be strengthened to ensure it attracts applicants who will be best placed to respond effectively to domestic and family violence. There is also a need to ensure that officers who are responsible for First Year Constable training have the requisite skills, motivation and experience to provide effective mentoring and supervision.

Despite previous reviews and reports highlighting the need for police to be adequately trained, officers told the Commission that they do not feel they are equipped to respond to domestic and family violence related calls for service to the best of their ability. While police do receive training, much of this occurs at an early stage in their career, is not mandatory or is delivered in response to legislative or procedural changes.

Some officers reported that it had been a long time since they had received face-to-face training and that online training was not effective. The evidence received by the Commission showed that where training was being delivered online, officers were not given the additional time needed to complete that training.

The QPS is currently rolling out additional face-to-face domestic and family violence training for officers. It is important that this training addresses the cultural inhibitors to consistent police responses, that the training is delivered to all specialist and frontline officers and that refresher training is delivered regularly.

Many police told the Commission that while training is critical to improve their understanding of domestic and family violence, this needs to be supported by clear guidance and easy to use systems. The Operational Procedures Manual which provides guidance to officers about their legislative and procedural obligations is not clear, accessible or fit for purpose. This makes it difficult for officers to quickly source the information they need to do their job effectively.

While the QPS reported that they were taking steps to address this issue through the development of a stand-alone manual for domestic and family violence, the manual, and other mechanisms to streamline police responses and ease the burden of paperwork associated with responding to domestic and family violence, need improvement.

The development by the QPS of a mechanism for measuring domestic and family violence demand will be a foundational step towards better resources and stronger structures for delivering QPS responses to domestic and family violence.

## THE CULTURAL CHANGE NEEDED

The Commission found evidence that sexism and misogyny is a significant problem in the QPS. For many women this starts at the Academy. So much so that a female trainer at the Academy has, for the last ten years, been speaking to female recruits about how to maintain their reputation and credibility in the organisation. Female recruits are warned that while most male officers are respectful, some are occasionally predatory.

Police officers told the Commission about incidents of sexist language and behaviours, sexual harassment, assaults and even, in a small number of cases, rape by male officers against their female colleagues. In addition, there is a strong perception among police officers that women are not treated fairly when it comes to job opportunities and promotions within the QPS.

The Commission identified that there is under-reporting of conduct which stems from sexism and misogyny because of the culture of fear and silence in the organisation. That culture of fear silences officers who experience the negative conduct as well as those who witness it. Where complaints of such conduct have been made and substantiated, the Commission found that, often, such conduct results in minimal action for the police officer who engaged in the conduct. On occasion, there has also been significant adverse consequences for the officer who made the complaint. Officers who make complaints are often bullied and shunned or unsupported by the organisation and, in that way, the culture of silence continues.

The Commission identified multiple cases where reports of sexual harassment and sexist conduct were finalised by way of Local Management Resolution by the QPS. Local Management Resolution usually involves a conversation between the officer complained about and their supervisor, with or without additional requirements for training, supervision or other remedial action. This is an inadequate response which is meant to be used only in the case of minor errors that are unlikely to be repeated and are not indicative of a course of conduct. Not only does the use of Local Management Resolution for sexist and misogynistic conduct have the effect of confirming the perception by QPS members that there is little point in making a report, it also sends a message that the organisation does not consider such conduct to be serious. Use of Local Management Resolution for such conduct thereby creates the conditions in which sexism and misogyny can continue and flourish.

While there have been some efforts towards improvement by the QPS including by the establishment of Project Juniper, which found and aimed to address evidence of protracted bullying and sexual harassment in the organisation, they have not achieved the improvements required. An evaluation of Project Juniper found that there were high levels of dissatisfaction with it, including because of the use of Local Management Resolution to deal with poor conduct. In short, it was seen as a toothless tiger. The current replacement for Project Juniper is also encountering problems with its operational capacity.

QPS members told the Commission about the ways in which sexist and misogynistic attitudes impact negatively on QPS responses to domestic and family violence, which include the use of sexist language and dismissive behaviours by police officers. The Commission also heard that recent failures by the QPS leadership to address sexist comments by senior leaders compounds the issues of sexism and

misogyny by failing to set a tone for the organisation which clearly signals that such conduct is unacceptable.

The QPS leadership is responsible for setting the ethical tone for the organisation. In addition to the requirement that its leaders lead by example, there is also an obligation that senior leaders create a culture where employees are prepared to report misconduct and are supported when they do. Failures by the QPS leadership on both fronts make the issues of sexism and misogyny difficult to overcome.

The Commission also identified that, in some cases, officers' values, attitudes and biases impact the QPS response to domestic and family violence. Submissions, statements and survey responses from police officers confirmed that the inconsistent and, at times, inadequate police responses sometimes stem from negative attitudes towards women or a belief in various myths about domestic and family violence.

These include a general distrust of women and a corresponding failure to undertake appropriate investigations or take protective action. Police officers identified that there is a perception among some officers that false or frivolous complaints are often made by female victim-survivors to gain advantage or for revenge when a relationship ends, despite there being no evidence of this occurring to the extent necessary to support such a belief.

Many officers also feel frustrated at the emphasis on the impact of domestic and family violence on women, even though the gendered nature of such violence is now uncontroversial. The Commission heard that police often do not understand the power dynamic in domestically violent relationships that drives the gendered nature of the violence. Accepting that there are distinct gendered patterns in the perpetration and impact of this type of behaviour does not negate the impact on those people whose experiences are not reflective of this pattern.

At times, officers have a dismissive attitude towards women who do not fit the stereotype of the 'ideal victim'. This can manifest in situations where the victim-survivor does not cooperate with police, returns to the relationship or refuses to leave the relationship, or uses resistive violence. Such attitudes can leave victim-survivors unprotected or result in them being misidentified as the perpetrator in the relationship. Further, police officers can, at times, be dismissive when victim-survivors try to make a report of violence at a police station, a situation which is further complicated by a lack of privacy for victim-survivors when they are required to disclose their experiences at the front counter.

QPS members who are victim-survivors of domestic and family violence told the Commission about their experiences of poor responses by their colleagues. In addition to the distress of not being believed or receiving a poor response to their complaint, female QPS members in this situation must also consider if speaking up will lead to career disadvantage and bullying.

This problematic organisational culture towards officers who experience domestic and family violence was confirmed in various QPS case files that show a number of instances in which female QPS members, and other victim-survivors, who had experienced domestic and family violence at the hands of male QPS members were not properly supported and their perpetrators not adequately held to account.

It is not only negative attitudes towards women that contribute to poor QPS responses to domestic and family violence. There are often shortfalls in its response to

domestic and family violence when one or both of the parties identify as First Nations, LGBTIQ+, have a culturally or linguistically diverse background, are young or elderly, have a cognitive, intellectual, or physical disability, are experiencing mental health issues or have other complex needs. Submissions received by the Commission highlighted the importance of recognising how a person's identity, experiences and vulnerabilities may intersect to elevate their risk of domestic and family violence, compound existing harms and impact the way they engage with, or seek support from, services including the police. Further training to ensure police are aware of the differing needs of the community and how to address those needs in a sensitive and responsive manner is needed.

Police officers also identified that a cultural aversion towards responding to domestic and family violence itself, irrespective of any attitudes or beliefs about the people involved, can also be a driver for poor responses.

There can be various causes for this. Some police officers believe that members of the public do not understand or appreciate the work police do in responding to domestic and family violence. They may resent attending domestic and family violence calls for service when they believe it is a thankless task or that it is not 'real' police business.

Other police officers feel a sense of futility about their response to domestic and family violence because they believe that their actions do not make a difference. Still other police officers are sensitive to criticism of their efforts, both from within the organisation and from the media, and at times operate from a place of fear as a result. They also reported that they rarely receive positive feedback when they respond well to domestic and family violence.

A substantial proportion of police officers report a sense of fatigue and burnout in relation to domestic and family violence matters, either because of these attitudes and beliefs, the sheer workload, or a combination of both. The result is that police officers can be reluctant to respond to domestic and family violence related calls for service or requests for help at station front counters.

The QPS leadership has known for some time that there are areas of cultural aversion in relation to domestic and family violence within the organisation. While adequate resourcing and improved training and systems may assist in addressing officers' attitudes towards domestic and family violence, it is also important that the QPS acknowledges those officers who respond well, in order to help in reducing officer burnout.

## A FIRST NATIONS FOCUS ON CHANGE

Queensland's colonial history and the associated violence inflicted upon First Nations peoples, communities and culture, continues to have a profound ongoing impact on First Nations peoples and their relationships with the police.

The QPS has not sufficiently prioritised developing cultural capability within the organisation, with a recent survey showing that its members lack the foundational knowledge to understand the impacts of colonisation, racism and other historical and contemporary issues that shape how First Nations peoples experience police. As a result, QPS responses, at times, lack cultural awareness which leads to responses that do not always meet community expectations.

The intergenerational distrust and fear of police that is experienced by First Nations peoples and communities is compounded by their contemporary experiences of negative interactions with police.

Inherent distrust and fear of police means that First Nations peoples face additional barriers to reporting domestic and family violence to the QPS. This results in interactions between police and First Nations peoples often taking place at crisis point. First Nations victim-survivors may also be more likely to use resistive violence to protect themselves when they do not feel that it is culturally safe to make a report to police.

Beyond this initial crisis point, there are limited alternate options available to make a report outside of a police station. For First Nations victim-survivors a police station is not a culturally safe place for them to seek assistance or safety.

In addition to these identified barriers to reporting, the Commission found that racism is a significant problem within the QPS. It manifests in unfair and discriminatory behaviours directed toward First Nations QPS members, Police Liaison Officers, officers from other cultural backgrounds and members of the community. The culture of fear and silence in the QPS operates to inhibit the making of complaints which means that racism is likely to be under-reported.

The QPS has not always dealt with racist conduct in an appropriate manner. The Commission has seen cases where reports of racist conduct were finalised by way of Local Management Resolution. The use of Local Management Resolution for racist conduct has the effect of confirming the perception of QPS members that there is little point in making a complaint. When the QPS response does not send a clear message that racism will not be tolerated, it fails the members who suffered as a result of the conduct and it fails the membership as a whole.

In addition to the issue of overt racism, the Commission found that the QPS has not always managed to provide a culturally safe workplace for First Nations members. The QPS has very few officers who identify as First Nations at senior levels. The cultural capability of the organisation can be enhanced by workplace diversity and it is vital that First Nations peoples are employed at the QPS, including at a senior level.

The QPS has taken some steps to build the cultural capability of the organisation, including through the development of a First Nations Reference Group and a First Nations and Multicultural Affairs Unit. However, both these groups have been under utilised by the QPS.

The First Nations Reference Group has the potential to perform an important function in providing community and expert advice to the QPS to assist in improving its cultural capability and its relationships with First Nations peoples and communities. Its role should be strengthened, and there should be a mechanism by which the Executive Leadership Team receives timely information about the Group's advice to the QPS.

The First Nations and Multicultural Affairs Unit also has the potential to play an important role in enhancing the cultural capability of the QPS. While the staff of the Unit are hard-working, dedicated and passionate, the Unit's effectiveness is constrained by limitations in its structure and resourcing, including the largely temporary nature of its staffing arrangements. The First Nations Unit has not been staffed with many First Nations employees, which is another barrier to ensuring the responses by the QPS are culturally safe. Placing the First Nations and Multicultural Affairs portfolios together in the one unit does not properly prioritise the needs and interests of either group.

The current limitations faced by the Unit means that it has been unable to provide the strategic direction necessary to drive improvements in cultural capability and other initiatives to improve relationships between the QPS and First Nations peoples and communities.

The Commission obtained data from the QPS, the Department of Justice and Attorney-General and Corrective Services which demonstrated that First Nations peoples are overrepresented, both in the civil system in which Protection Orders are made, and in the criminal justice system where breaches and domestic and family violence related offences are dealt with.

In considering how cultural issues impacting the QPS investigation of domestic and family violence contribute to the overrepresentation of First Nations peoples the Commission identified that First Nations peoples are both over-policed and under-policed. This practice, combined with an increased focus on policing domestic and family violence and other cultural issues within the QPS, has contributed to the overrepresentation of First Nations peoples in the criminal justice system.

Common police practices, attitudes and beliefs particularly disadvantage First Nations women, who may be misidentified as the perpetrator of domestic and family violence and/or may not be identified or properly supported as a victim-survivor of domestic and family violence.

Protection Orders that are not tailored to the relationship can become counter-productive. This is especially the case in smaller communities where there are impractical or unnecessarily onerous conditions, or the conditions are not properly understood by the parties. Community Justice Groups can potentially play an important role in advising on appropriate conditions for a Protection Order and in ensuring the parties understand its impacts where either party identifies as First Nations.

Inadequate access to legal representation and assistance is prevalent in regional and remote communities which compounds the systemic disadvantages faced by First Nations peoples who live in these communities. In these areas access to services generally remains a significant issue for the community and the police who service that community.

It is essential that the QPS works collaboratively with community-based organisations and other relevant persons to respond to domestic and family violence, particularly in rural and remote areas, where communities may be more tight-knit and lacking in local resources and support services. For First Nations peoples, community-led models have the potential to produce culturally intelligent, and therefore more effective, domestic and family violence responses.

For QPS members to work effectively with and in a community, they must have an understanding of the community's culture, history, relationship with police and unique needs. This is true of all communities, but particularly essential for discrete First Nations communities or areas where there is a high First Nations population. Any cultural induction should be tailored and specific to that community and should be delivered by a person with cultural authority.

Police Liaison Officers play a critical role in service delivery, community relationships and the provision of expert cultural advice to the QPS. Their responsibilities vary considerably from region to region; however, they do not receive adequate training, particularly in relation to domestic and family violence.

In some areas of Queensland, Police Liaison Officers represent the only permanent QPS presence in a community. This means that at times they are required to respond to crisis situations where it may be some time before other police can arrive. The roles are inadequately resourced, and arguably inadequately protected and empowered, to be able to fulfill this function.

The Commission identified a number of positive community-led projects and community-centric policing initiatives that have been built and are carried out in partnership with First Nations community-controlled organisations and communities. These appear to be working well, and while the specific approach differs dependent on each particular community, there are opportunities to learn from them to deliver improvements to other areas of Queensland.

## **BARRIERS TO CHANGE**

The problems of sexism, misogyny and racism in the QPS cannot be meaningfully addressed without a robust conduct and complaints system. Police officers need to feel confident that they can make a complaint about conduct which stems from those, or any, cultural issues in the organisation without fear of retribution. A robust system is also necessary to ensure that all complaints made by, or against, individual police officers will be independently and fairly investigated.

To ensure community confidence in the QPS, community members also need to be confident that when they make a report about police conduct, it is independently and effectively investigated and dealt with.

Queensland currently has a civilian review model for assessing complaints about police. The QPS investigates most complaints against police officers but with oversight from an independent body, namely the Crime and Corruption Commission (CCC). While the CCC is independent, in practice the vast majority of complaints are referred to the QPS for investigation with limited or no further oversight by the CCC.

The Commission found evidence of a lack of independence in the internal QPS conduct and complaints system, including because of insufficient safeguards to manage conflicts of interest and ensure the independence of investigations. Investigating officers and entities in the QPS are not siloed from cultural issues in the QPS more broadly, and this can also compromise the independence and effectiveness of the internal conduct and complaints system.

Amendments to the conduct and complaints system in 2019 were made to enable new management practices to identify and address behaviour and improve performance in a timely manner. Local Management Resolution was entrenched in the legislation. It was intended to be a mechanism to deal with minor, isolated behaviour and performance issues.

While the resolution of complaints by Local Management Resolution appears to have improved the timeliness with which complaints are resolved, Local Management Resolution is over-used. In fact, in respect of matters which are not dismissed without further action being taken, Local Management Resolution is used to deal with 83% of complaints. It is often used to deal with serious conduct stemming from sexism, misogyny and racism or systemic bullying.

Drawbacks with the use of Local Management Resolution in such circumstances include that they amount to missed opportunities to improve the organisation's culture, often

fail to bring about behavioural change and fail to provide support to the victim. The Police Commissioner accepts that the Local Management Resolution system is broken.

Moreover, the conduct and complaints system is ineffective in bringing about thorough and robust investigations. The use of standard investigative assessment tools do not seem to be applied to complaints against police members. The Police Commissioner accepts that it appears that, when complaints are based on 'word against word', they are almost inevitably written off as unsubstantiated. In this way, the conduct and complaints system is unfairly biased towards the officer facing investigation. A disciplinary system where police investigate police, who are sometimes friends and workmates, simply does not result in a fair system.

The conduct and complaints system is not sufficiently accessible, responsive or transparent to ensure community confidence in the QPS or, for that matter, to ensure that police officers maintain confidence in their own organisation.

The failings of the current conduct and complaints system are so great, and the risk that the system will fail to protect against serious misconduct is so significant, that a different approach is needed. The current system should be replaced with an independent Police Integrity Unit which sits within the CCC and independently investigates complaints against police officers. Such a system will benefit the QPS, its police officers, and the members of the community who deserve to have full confidence in the police who serve them.

## **MONITORING THE CHANGES**

One of the recommendations made by the Women's Safety and Justice Taskforce was that an independent implementation supervisor be established to monitor the implementation of the recommendations that it made.

The Commission supports the establishment of an independent implementation supervisor and considers that the supervisor should be tasked with monitoring the recommendations made by the Commission to ensure that they are implemented in a timely way, and in a way that is most likely to achieve long-term and sustainable change.

This will ensure that there is appropriate alignment between other recommendations made to the QPS by the Taskforce and that recommendations in this Report are delivered as intended.

In its second report, the Taskforce concluded that the establishment of a victims' commissioner as an independent statutory officer was necessary to fill a significant gap in the protection and promotion of victims' rights in Queensland.

While its mandate was intended to include all victims of crime, the Taskforce recommended that the victims' commissioner have a specific and dedicated focus on victims of domestic, family, and sexual violence and First Nations victim-survivors.

In light of the evidence heard by the Commission about victim-survivors who have had negative experiences of police responses to domestic and family violence, and negative experiences of making complaints about those poor responses, the Commission supports that recommendation. In particular, the Commission considers that a deputy commissioner role should be dedicated to victims of domestic and family violence. The deputy commissioner will be able to assist individual victim-survivors, and also monitor systemic issues and trends in relation to police responses to domestic and family violence.



## RECOMMENDATIONS

The Commission was established at a time of great change for Queensland. Recommendations from the Women's Safety and Justice Taskforce *Hear her voice: Report One* (2021), including in relation to the introduction of a criminal offence of coercive control, are intended to ensure the justice system shifts from being incident-focused to recognising and responding to domestic and family violence as a pattern of behaviour over time.

It is critical that this is done well. Police are the gatekeepers to the justice system, and their response can reduce or prevent future violence for victim-survivors and their children, hold perpetrators to account and, at times, save lives. If their response is performed poorly, it can embolden the perpetrator and drive the victim-survivor further away from help.

It is essential that organisational structures are in place so officers can respond effectively to domestic and family violence, and that strong, independent systems are established to address any harmful cultural issues in the Queensland Police Service.

The QPS cannot do this alone. The Queensland Government has accepted, or accepted in principle, all 89 recommendations made in the Women's Safety and Justice Taskforce *Hear her voice: Report One* (2021). These recommendations were designed to increase community awareness, improve primary prevention, improve system responses and establish governance, reporting and accountability mechanisms.

The Commission was required to have regard to these in the making of its recommendations. In *Report One* (2021), the Taskforce made eleven recommendations of direct relevance to the QPS which included that police should:

- develop and implement a transformational plan to support officers to address widespread culture, values, and beliefs within the QPS in relation to domestic and family violence<sup>1</sup>
- continue to develop and deliver ongoing, evidence-based and trauma-informed training at all levels, aligned with broader whole of system training and education<sup>2</sup>
- further build specialist expertise to ensure state-wide capacity and capability to respond to domestic and family violence,<sup>3</sup> including in remote regions of Queensland<sup>4</sup> and by providing Police Liaison Officers with the capability and authority to serve relevant documentation<sup>5</sup>
- review and update all relevant operational policies and procedures to ensure they support the identification of, and response to, domestic and family violence over time within the context of a relationship<sup>6</sup>
- support the trial and evaluation of an appropriately resourced co-responder model, which includes a focus on meeting the needs of First Nations victim-survivors and perpetrators<sup>7</sup>
- review its risk assessment processes in consultation with First Nations stakeholders and people with a lived experience to ensure that they are fit for purpose<sup>8</sup>
- develop and implement a victim-focused and trauma-informed complaints process that allows victims to make a complaint against QPS personnel safely and confidentially.<sup>9</sup>

While the Queensland Government is yet to respond to the Taskforce's *Hear her voice: Report Two* (2022), which considered the experience of women and girls in contact with the criminal justice system, *Report Two* (2022) included additional recommendations for the QPS which are relevant to the scope of this Inquiry.

These include the development and implementation of training for staff working in communication centres and on the front-counter,<sup>10</sup> reviews of relevant policies and procedures,<sup>11</sup> and the appointment of a victims' commissioner to uphold and protect the rights of victims.<sup>12</sup>

The Commission acknowledges and supports all the recommendations made by *Report One* (2021) and *Report Two* (2022) that have been directed to, or made about, the QPS.

In considering further recommendations to improve the QPS response to domestic and family violence, the Commission recognises the need for both immediate and longer-term change. While much could be done, previous implementation efforts by the QPS have been hampered by a lack of resourcing and reactive, short-term processes.

Often the simplest changes can have the biggest impact. The QPS needs to listen to its members and be accountable to them and to the broader community.

Accordingly, recommendations made by the Commission in this Report are intended to achieve direct, timely and measurable changes to improve QPS responses to domestic and family violence.

The Commission has nominated timeframes for the implementation of its recommendations in recognition that some will require additional planning and further funding. Collectively they are intended to support the structural and cultural changes required in the QPS to ensure that its members are best positioned to respond to domestic and family violence.

The Commission's terms of reference also required it to identify which recommendations should receive the highest priority. The four highest priority recommendations include those that seek to:

- build the capacity of the QPS to measure and respond to demand for domestic and family violence (Recommendation 1)
- strengthen the understanding and skills of QPS members through robust and regular training (Recommendations 14, 16, 17, 28, 32, 41, 42, 49, 55, 56, 59)
- embed partnerships with the Domestic and Family Violence Advisory Group and First Nations Reference Group (Recommendations 5 and 45 respectively)

- establish an independent Police Integrity Unit to create the necessary cultural shift within the QPS (Recommendations 68 to 74).

Importantly, within its broad mandate, the QPS will continue to face a range of organisational pressures and shifting priorities. For genuine change to occur the QPS must be able to move beyond symbolic gestures and withstand its propensity to be reactive to internal and external pressures. It must be able to engage meaningfully with its own members about the findings and recommendations of this Report, and to respond to this clear and compelling call for change from police, victim-survivors, and the organisations that support them.

## RECOMMENDATIONS

### Recommendation 1

Within six months, the Queensland Police Service develop and implement a mechanism for measuring domestic and family violence demand and the effectiveness of police responses to domestic and family violence.

### Recommendation 2

Within 12 months, the Queensland Police Service identify, using the mechanism for measuring domestic and family violence demand, the further additional funding and Full Time Equivalent positions needed to meet that demand.

### Recommendation 3

Within 18 months, the Queensland Government allocate the funding and Full Time Equivalent positions identified by the Queensland Police Service as being required to meet the demand of responding to domestic and family violence.

### Recommendation 4

Within six months, the Queensland Police Service strengthen the resource model of the Domestic, Family Violence and Vulnerable Persons Command to enhance its strategic capacity by:

- determining and allocating adequate funding to the Command
- transitioning all allocated positions to permanent positions
- building the Command's capacity and capability for undertaking research and intelligence activities
- building the Command's capacity and capability for undertaking advocacy and cultivating partnerships.

**Recommendation 5**

Within three months, the Queensland Police Service elevate the role of the Domestic and Family Violence Advisory Group by ensuring that:

- the Advisory Group is co-chaired by the Assistant Commissioner, Domestic, Family Violence and Vulnerable Persons Command and one community organisation member
- the meeting agenda contains a standing agenda item for members to report any issues about police responses to domestic and family violence to the Command
- the Advisory Group makes recommendations about those issues for the Command to consider to enhance police responses to domestic and family violence
- the Command report on those issues and recommendations, and any actions taken by the Command, to the Executive Leadership Team after every meeting.

**Recommendation 6**

Within six months, the Queensland Police Service establish permanent, full-time positions with designated position descriptions detailing the functional responsibilities for:

- Domestic Violence Liaison Officers where demand requires it
- Domestic and Family Violence Coordinators.

**Recommendation 7**

Within 18 months, the Queensland Police Service establish a Domestic and Family Violence Vulnerable Persons Unit in each district, which, at a minimum, maintains a 24 hours per day, seven day on call response capability and includes High Risk Team members, Domestic and Family Violence Coordinators, detectives to investigate domestic and family violence occurrences, and, where practicable, domestic and family violence support workers from community organisations.

**Recommendation 8**

Within six months, the Queensland Police Service evaluate the application of the approved sector-wide common risk assessment framework for internal use.

**Recommendation 9**

Within 12 months, the Queensland Police Service formalise a trial of repeat calls for service partnerships across at least three districts based on the approach and learnings of the Logan model and at the conclusion of the trial, arrange an independent evaluation of the model to determine whether it is suitable for implementation in other districts across the state.

**Recommendation 10**

Within 12 months, the Queensland Government support integrated approaches to domestic and family violence at a local level by:

- providing sufficient recurrent funding to establish embedded domestic and family violence support workers in police stations wherever domestic and family violence services are available
- requiring that this arrangement is formalised through written agreement between the Queensland Police Service and the domestic and family violence service provider/s.

**Recommendation 11**

Within 12 months, the Queensland Police Service review its recruitment strategy to ensure that it:

- values applicants who have an interest in domestic and family violence policing
- attracts applicants from a diverse range of backgrounds and experiences, particularly from rural and remote locations
- attracts applicants from diverse cultural and linguistic backgrounds, particularly First Nations peoples
- targets applicants with an interest in criminology, social work, counselling, or other relevant human services
- accurately reflects the role of police in responding to domestic and family violence.



#### **Recommendation 12**

Within six months, the Queensland Police Service engage the Queensland Human Rights Commission to:

- review the Queensland Police Service practices and procedures for recruitment of its members, including to identify any drivers of inequality within Queensland Police Service members
- provide consultation and advice to the Queensland Police Service to develop revised strategic and operational plans to increase diversity and inclusion of Queensland Police Service members, including to increase the recruitment and retention of women, culturally and linguistically diverse, and First Nations members. The strategic and operational plans be finalised within 12 months of the commencement of the engagement of the Queensland Human Rights Commission and be published on the Queensland Police Service website
- conduct an evaluation to measure the extent to which the objectives of the revised strategic and operational plans have been met within 24 months of the finalisation of the plan. The outcomes of the evaluation be published on the Queensland Police Service and Queensland Human Rights Commission websites.

#### **Recommendation 13**

Within six months, the Queensland Police Service develop and implement a requirement that Officers in Charge must appoint Field Training Officers who possess appropriate skills and experience and standards of integrity, including having:

- at least two years of operational experience
- no pending, current or previous domestic and family violence order history
- no complaints history of concern
- a demonstrated capacity to respond effectively to domestic and family violence
- a proven ability to develop suitable training skills.

#### **Recommendation 14**

Within 12 months, the Queensland Police Service engage people with lived experience and specialist domestic and family violence advocacy groups or services to deliver face to face training in relation to domestic and family violence at the Academy and for ongoing training.

#### **Recommendation 15**

Within three months, the Queensland Police Service develop and implement a procedure which requires Officers in Charge to ensure that all frontline officers who attend domestic and family violence occurrences meet with a designated senior officer to receive feedback in relation to a sample of their body worn camera footage at least every six months.

#### **Recommendation 16**

Within 12 months, the Queensland Police Service improve its training in relation to domestic and family violence by ensuring all relevant programs address:

- legal and evidentiary thresholds for the making of Protection Order applications and the laying of associated criminal charges
- required information that must be included in Protection Order applications, including how to address the question of why the order is necessary or desirable
- the differences between the evidence required for criminal proceedings and domestic and family violence civil applications
- the inherent seriousness of proven breaches of Protection Orders and the significance of breaches in proving a course of conduct
- the information that should be included in objection to bail affidavits when criminal charges are commenced and bail is opposed
- the considerations relevant to whether to commence criminal charges when considering what action to take in response to domestic and family violence
- the dynamics of power and control, and the need to view domestic and family violence as a pattern over time, when responding to, and investigating, domestic and family violence
- victim-centric, trauma-informed, approaches to responding to and investigating domestic and family violence (including clear definitions and explanations of such terminology)
- when to use, and how to access, interpreters when responding to and investigating domestic and family violence.

#### **Recommendation 17**

Within three months, the Queensland Police Service develop and implement a procedure which requires members in the following designated roles to undertake the specialist five-day domestic and family violence training:

- High Risk Teams
- Police Communications Centre
- District Duty Officers
- Officers in Charge
- Shift Supervisors
- Domestic and Family Violence Coordinators and Officers
- Domestic Violence Liaison Officers
- Members of the Domestic, Family Violence and Vulnerable Persons Command.

The procedure should stipulate that persons already in those roles (in a permanent or acting capacity) complete the training within 24 months and persons appointed to those roles after the procedure is operational complete the training within six months of appointment.

#### **Recommendation 18**

Within 12 months, the Queensland Police Service review the adequacy of the Operational Procedures Manual to direct and guide police responses to and investigation of domestic and family violence. The review is to include the involvement of a representative group of frontline officers, including a sample of Sergeants and Senior Constables who lead in the field.

#### **Recommendation 19**

Within six months, the Queensland Police Service develop a pocket-sized checklist for use by officers responding to domestic and family violence which outlines the steps that must be undertaken when attending to a domestic and family violence occurrence.

#### **Recommendation 20**

Within 12 months, the Department of Justice and Attorney-General amend the *Domestic and Family Violence Protection Act 2012* by repealing section 113(3)(c) of the Act.

#### **Recommendation 21**

Within 12 months, the Queensland Government provide, by necessary legislative amendment, that the video recorded evidence trial be expanded across the state, pending a positive evaluation of the trial.

#### **Recommendation 22**

Within 12 months, the Department of Justice and Attorney-General investigate the feasibility of amending the *Domestic and Family Violence Protection Act 2012* to allow for electronic service of Police Protection Notices and Temporary Protection Orders in appropriate circumstances.

#### **Recommendation 23**

Within 12 months, the Queensland Police Service establish a dedicated district level Victim Liaison Officer scheme to support people named as aggrieved persons in Protection Order applications or related summary prosecutions by the Police Prosecution Corps by providing them with information about Protection Order proceedings, any summary prosecutions by the Police Prosecutions Corps, and facilitating access to support services.

The established scheme must include appropriate guidelines outlining functions; the induction, and ongoing training commitment; formalised partnership arrangements with victim advocacy and support services; and a 12-month post-establishment evaluation.

#### **Recommendation 24**

Within six months, the Queensland Police Service engage an external expert to advise on the development and implementation of procedures designed to raise awareness of sexual harassment, including how to identify it and how to report it, and its adverse consequences for all Queensland Police Service members.

### **Recommendation 25**

Within six months, the Queensland Police Service develop a scheme whereby any Queensland Police Service member who makes a complaint about conduct arising from sexism, misogyny or racism is allocated a Peer Support Officer with the concerned party's consent, and of a more senior rank than the concerned party and the subject member, to support the concerned party through the complaint process.

### **Recommendation 26**

Within six months, the Queensland Police Service establish a validated Ethical Health Scorecard aligned with that originally recommended by the Report by the Independent Expert Panel (2011), *Safe, Effective, Transparent, Strong: An independent review of the Queensland complaints, discipline and misconduct system*, including at a minimum:

- prioritisation of valid measures for 'culture of fear' to support monitoring, prevention, and remedial efforts to reduce its influence within the organisation
- integration of the Scorecard into quarterly strategic reporting and analysis to the Executive Leadership, including interpretation of the implications for leadership action
- inclusion of the Scorecard and its utility into management and leadership programs in recognition of their role in reducing the culture of fear and building ethical health
- establishment of annual reporting of the Ethical Health Scorecard and the de-identified outcomes of disciplinary processes commenced within the reporting period, including those still under consideration and those resolved using Local Management Resolution
- engagement of an independent external evaluator to assess after 12 months:
  - the validity, utility and impact of the Scorecard
  - the Scorecard's implications, including capacity to reduce the culture of fear and build management's awareness of their role in building ethical health
  - the Scorecard's success in informing leadership action
  - the integration of the Scorecard into the broader organisational integrity framework.

### **Recommendation 27**

Within 12 months, the Queensland Police Service ensure that all documents, policies and procedures relating to domestic and family violence prominently and clearly acknowledge that domestic and family violence is a gendered issue which is grounded in structural issues and power imbalance.

### **Recommendation 28**

Within 12 months, the Queensland Police Service improve its training in relation to domestic and family violence by ensuring all relevant programs contain clear messaging that:

- dispels myths that women frequently make up allegations of sexual assaults and domestic and family violence
- dispels myths that domestic and family violence is not a gendered issue
- dispels myths that an ideal victim exists
- explains the dynamics of power and control in relationships characterised by domestic and family violence
- reinforces the need to investigate domestic and family violence as a pattern of behaviour over time
- reinforces the need to consider the individual personal characteristics of the people in the relationship under investigation and account for those particular characteristics in investigations.

### **Recommendation 29**

Within six months, the Queensland Police Service improve the processes for reporting domestic and family violence at police stations by:

- requiring all stations to designate a private, safe and secure area for all persons presenting for domestic and family violence matters
- amending the Operational Procedures Manual to mandate that designated areas are used for all enquiries, discussions, reports and interviews with persons presenting for domestic and family violence matters
- requiring a professionally designed A3 notice advertising the availability of that private area produced by the Domestic, Family Violence and Vulnerable Persons Command, be prominently displayed at the front of all police stations.

### **Recommendation 30**

Within 12 months, the Queensland Police Service develop and implement a requirement that members who are respondents to a Domestic Violence Order complete a mandatory domestic and family violence informed assessment and, if considered desirable by the assessor, counselling, prior to their return to normal duties.

### **Recommendation 31**

Within 12 months, the Queensland Government amend section 6.1 of the *Police Service Administration Act 1990* to require the Police Commissioner to suspend, on full pay, a member who is charged with breaching a Protection Order at least until the matter is resolved, unless the member is able to prove, on the balance of probabilities, that exceptional circumstances exist such that the suspension should not occur.

### **Recommendation 32**

Within 12 months, the Queensland Police Service improve its training in relation to domestic and family violence by ensuring all relevant programs explain:

- the history of the relationship between police and the LGBTIQ+ community, and the way in which the nature of that relationship impacts on reluctance in the LGBTIQ+ community to report domestic and family violence to police
- the behaviours which amount to elder abuse, and the steps that should be taken to protect older people when they report harm from a family member
- how to recognise young people with complex needs and how to:
  - account for those needs in dealing with young people in the context of domestic and family violence
  - recognise domestic and family violence between young people and their parents and the importance of explaining that behaviour to the young person and offering referrals to the family
  - explain the conditions of applications and orders to young people in a language they can easily understand
- how to recognise or inquire about the barriers that may impact a person from a culturally and linguistically diverse background reporting domestic and family violence, and how to account for those barriers in order to appropriately progress a response or investigation
- how to recognise or inquire about whether a person has a cognitive or intellectual disability, and how to:
  - assess whether it would be appropriate to take a statement from a person with a cognitive or intellectual disability by way of a statement pursuant to section 93A of the *Evidence Act 1977*
  - determine whether it would be appropriate to provide a support person for any interactions with the person
- how to approach assessing whether a person with a cognitive, intellectual or physical disability is in need of protection and which factors to consider when the person who is using violence may also be the carer of the victim-survivor
- how to recognise the presence of multiple, intersecting complex needs, including for people with a mental illness, and the steps that should be taken when responding to, or investigating, reports of domestic and family violence in those circumstances.

### **Recommendation 33**

Within three months, the Queensland Police Service review the list of support services that are accessible by police to provide to people impacted by domestic and family violence to include, at a minimum, services which can provide support to:

- people who identify as LGBTIQ+
- men
- older people
- young people
- people from a culturally and linguistically diverse background
- people with a cognitive or intellectual impairment or disability
- people with additional complex needs.

**Recommendation 34**

Within 12 months, the Queensland Police Service establish permanent, full-time LGBTIQ+ Liaison Officer positions in each district whose role involves being able to provide specialist advice to police officers about their interactions with people from the LGBTIQ+ community.

**Recommendation 35**

Within six months, the Queensland Police Service update the Operational Procedures Manual to assist police officers to easily understand their powers and responsibilities when called to assist with the removal of an adult child from an older person's home.

**Recommendation 36**

Within six months, the Queensland Police Service update the Operational Procedures Manual to assist police officers to easily understand when it is appropriate to take a statement from an adult with a cognitive or intellectual impairment or disability pursuant to section 93A of the *Evidence Act 1977*.

**Recommendation 37**

Within 12 months, the Queensland Police Service establish a joint committee to address burnout and build the organisation's psychological health and wellbeing based on evidence. This joint committee should comprise, at a minimum:

- Queensland Police Service (Chair)
- Queensland Police Union of Employees
- Queensland Police Commissioned Officers Union
- Queensland Public Service Commission
- External experts/academics
- Nominated representatives from the Queensland Police Service.

The committee is to be tasked with assessing and building on research about levels of burnout and psychological stress within the Queensland Police Service; designing and driving relevant strategies to address burnout and psychological stress; supporting periodic evaluation of the effectiveness of those strategies and recommending action to the Executive Leadership Team.

**Recommendation 38**

Within 12 months, the Queensland Police Service develop a scheme to allow frontline officers and those commonly exposed to traumatic subject matter to be able to choose to be periodically placed in less stressful environments for a period of time sufficient to allow them a proper break from the work they were doing. Such placement should not include a Domestic and Family Violence and Vulnerable Persons Unit.

**Recommendation 39**

Within six months, the Queensland Police Service incorporate the following as a criterion for promotions to operational and frontline Senior Sergeant positions including Officer in Charge vacancies: *'a demonstrated capacity to deliver and lead effective domestic and family violence responses'*.

**Recommendation 40**

Within six months, the Queensland Police Service establish and/or expand an excellence in policing service delivery award scheme to acknowledge distinction in police responses to domestic and family violence.

**Recommendation 41**

Within 12 months, the Queensland Police Service strengthen its cultural capability training by introducing Academy and ongoing training which is:

- co-designed in consultation with First Nations peoples and communities
- co-delivered by First Nations peoples and communities.

**Recommendation 42**

Within 12 months, the Queensland Police Service establish a First Nations panel incorporating representative community members to assess and advise on its cultural capability training and report to the Assistant Commissioner, People Capability Command.

**Recommendation 43**

Within 12 months, the Queensland Police Service consult with First Nations peoples and communities in every police district to obtain permission to use an alternative space to interview witnesses.

**Recommendation 44**

Within six months, the Queensland Police Service establish an additional complaint code to explicitly capture complaints involving allegations of racism.

**Recommendation 45**

Within three months, the Queensland Police Service elevate the role of the First Nations Reference Group by requiring that:

- the Group be co-chaired by a member of the Queensland Police Service and one of the community members of the Group and meet regularly but no less than every three months
- members of the Group report any issues identified by or reported to them to the Group at each meeting
- the Group discuss those issues and make recommendations about matters the Queensland Police Service should consider in order to enhance police responses to First Nations peoples and communities, including in relation to domestic and family violence in Queensland
- the Queensland Police Service member report on those recommendations and any actions taken to the Executive Leadership Team after each meeting
- the Queensland Police Service member advise the group at the next meeting any decisions of the Executive Leadership Team made supporting their recommendations and actions
- the terms of reference for the Group be confirmed
- an initial action plan be developed.

**Recommendation 46**

Within 12 months, the Queensland Police Service separate the First Nations and Multicultural Affairs Unit into two distinct and standalone units.

**Recommendation 47**

Within 12 months, the Queensland Police Service establish the First Nations Unit as a permanent organisational unit with current staffing positions transitioned to permanent, including designating First Nations identified positions, and resourcing levels reflective of its current and future role.

**Recommendation 48**

Within 12 months, the Queensland Police Service make explicit its commitment to culturally safe policing by:

- developing a Reconciliation Action Plan with input from the First Nations Reference Group, and the Queensland Police Service First Nations Unit
- ensuring a direct link is made within the Queensland Police Service strategic and operational plans to the Reconciliation Action Plan commitments.

**Recommendation 49**

Within 12 months, the Queensland Police Service improve its training in relation to domestic and family violence by strengthening programs to address the need for police to take into account the unique experiences of First Nations peoples and communities when responding to domestic and family violence, including considerations relevant to misidentification of victims and how to communicate with First Nations peoples and communities to ensure that the conditions of Protection Orders are both appropriate to the circumstances and clearly understood by the parties.

**Recommendation 50**

Within 12 months, the Queensland Government amend section 97 of the *Domestic and Family Violence Protection Act 2012* to clarify the Court's discretion to make orders of less than five years duration where circumstances require it.

**Recommendation 51**

Within 12 months, the Queensland Government provide recurrent dedicated funding to provide legal representation at court for respondents in rural and remote communities.

**Recommendation 52**

Within 12 months, the Department of Justice and the Attorney-General increase the support of, and funding for, Community Justice Groups, including by expanding the membership where appropriate.

**Recommendation 53**

Within three months, the Queensland Police Service update their Operational Procedures Manual to require that police prosecutors consult with Community Justice Groups about the cultural appropriateness of the proposed length and conditions of domestic and family violence orders, where available and where appropriate.

**Recommendation 54**

Within 12 months, the Queensland Police Service use its best endeavours to always provide two prosecutors for circuit court attendances in rural and remote Queensland to enhance their capacity to negotiate in respect of domestic and family violence matters.

**Recommendation 55**

Within 12 months, the Queensland Police Service develop community awareness and preparedness inductions for members posted to remote locations which, at a minimum:

- are developed in consultation with the relevant community
- contain community specific information
- involve face-to-face introductions to community leaders and support and justice service providers.

**Recommendation 56**

Within 12 months, the Queensland Police Service establish funded, non-operational periods of at least three days for members newly appointed to rural and remote communities to enable the community preparedness inductions to occur prior to the commencement of operational duties.

**Recommendation 57**

Within 12 months, the Queensland Police Service develop and implement a procedure which provides for police officers who have completed two years of rural or remote service in designated communities:

- explicit recognition of the importance of remote and rural service in promotional criteria
- funded access to professional assistance for resume writing and interview skills.

**Recommendation 58**

Within 12 months, the Queensland Police Service explore the feasibility of inter-departmental arrangements for partners of police officers posted to rural and remote communities who work in the public sector and wish to serve in the same community.

**Recommendation 59**

Within 12 months, the Queensland Police Service, in consultation with the First Nations panel, assess the needs of, then design and deliver additional and ongoing training for Police Liaison Officers including in relation to domestic and family violence, trauma informed practice, conflict resolution and suicide prevention.

**Recommendation 60**

Within six months, the Queensland Police Service review the Operational Procedures Manual to more accurately reflect the diverse roles undertaken by Police Liaison Officers within the Queensland Police Service.

**Recommendation 61**

Within 12 months, the Queensland Police Service take the following actions in relation to Police Liaison Officers who are stationed in areas in which they are the only permanent Queensland Police Service presence, including in the Torres Strait:

- develop and deliver a training package in relation to QPRIME and QLITE and
- allow Police Liaison Officers access to QPRIME and the use of QLITE devices.



**Recommendation 62**

Within 12 months, the Queensland Police Service consult with relevant First Nations communities and Police Liaison Officers in areas in which Police Liaison Officers are the only permanent Queensland Police Service presence, including in the Torres Strait to explore the most suitable option for servicing the community through either installing sworn officers in those communities or the expansion of powers to Police Liaison Officers in those communities.

**Recommendation 63**

Within 12 months, the Queensland Police Service examine how airfields within the Torres Strait can be upgraded to enable Queensland Police Service planes to land at night.

**Recommendation 64**

Within six months, the Queensland Police Service establish and/or expand an excellence in policing service delivery award scheme to acknowledge distinction in policing responses to First Nations peoples and communities.

**Recommendation 65**

Within three months, the Queensland Government establish domestic and family violence as a key priority area of the First Nations Justice Office, Department of Justice and Attorney-General.

**Recommendation 66**

Within three months, the Queensland Government add additional funded position(s) to the existing First Nations Justice Office structure as additional full-time equivalent and allocated specifically to the domestic and family violence priority area.

**Recommendation 67**

Within six months, the First Nations Justice Office allocate resources to adequately support current models of existing partnerships between the Queensland Police Service and First Nations peoples and communities which address domestic and family violence, including through partnerships with other government and non-government agencies.

**Recommendation 68**

Within 18 months, the Queensland Government establish the Police Integrity Unit as an independent and separate unit of the Crime and Corruption Commission to deal with all complaints in relation to police. The Police Integrity Unit must, at a minimum:

- be led by a Senior Executive Officer who is a civilian
- provide for whistleblower protections
- include a victim advocate
- include identified positions for First Nations staff in the intake and victim advocacy teams
- include civilian investigators, and transition to a predominately civilianised model as soon as possible
- implement an adequate complaints management system, including fit for purpose data collection and reporting, including providing for aggregate trends analysis
- publicly report annually on activities and outcomes.

**Recommendation 69**

Within three months of acceptance of Recommendation 67, the Queensland Government create and publish an implementation plan which clearly identifies timeframes for key implementation activities, with a view to the Police Integrity Unit being fully operational within 12 months of acceptance.

**Recommendation 70**

The Crime and Corruption Commission engage external experts in, or those with experience of, civilian control models to assist in the development and implementation of the Police Integrity Unit up until it becomes operational.

**Recommendation 71**

The Crime and Corruption Commission, in consultation with the Queensland Police Service, report to the Parliamentary Crime and Corruption Committee, and the Premier, or the Attorney-General in support of the Premier, on the implementation plan milestones every three months until the Police Integrity Unit is fully operational.

#### **Recommendation 72**

The Parliamentary Crime and Corruption Committee conduct and publish a review of the Police Integrity Unit three years after commencement of operations. The review should consider the efficacy of the Police Integrity Unit and any deficiencies in its resourcing or legislative powers, as well as the appropriateness of its use of seconded police officers.

#### **Recommendation 73**

Thereafter the Parliamentary Crime and Corruption Committee conduct a further evaluation of the Police Integrity Unit every five years. These reviews should be independent and distinct from the review cycle of the Crime and Corruption Commission.

#### **Recommendation 74**

Within six months, the Queensland Government partner with and fund tertiary institutions to develop and deliver tertiary courses which provide training in investigative skills.

#### **Recommendation 75**

Within six months, the Queensland Police Service implement the following mechanisms to enhance the ethical health of the Service:

- employing data and strategic intelligence analysts to design robust reporting which supports organisational decision-making
- engaging an external evaluator to assess the Queensland Police Service's capacity to adopt and integrate early warning systems that incorporate discipline and HR information into decision-making
- undertaking annual public reporting of de-identified sanctions and outcomes of disciplinary hearings to uphold transparency and community confidence.

#### **Recommendation 76**

Within three months, the Queensland Government establish and appoint an independent implementation supervisor to oversee the implementation of the recommendations made in this Report.

The independent implementation supervisor appointed to oversee the recommendations made in this Report be the same entity as the implementation supervisor recommended in Recommendation 88 of the Women's Safety and Justice Taskforce *Hear her voice: Report One* (2021). The implementation supervisor report directly to the Attorney-General and Minister for Justice, Minister for Women and Minister for the Prevention of Domestic and Family Violence biannually, from mid-2023 until implementation is complete.

#### **Recommendation 77**

The Attorney-General and Minister for Justice, Minister for Women and Minister for the Prevention of Domestic and Family Violence report annually to the Queensland Parliament on the progress of the implementation of the Commission's recommendations and table the biannual reports of the independent implementation supervisor in the Queensland Parliament within 14 days of receipt, until implementation is complete.

#### **Recommendation 78**

The Queensland Government establish a victims' commissioner as an independent statutory officer in the terms of Recommendation 18 of the Women's Safety and Justice Taskforce *Hear her voice: Report Two* (2022). The victims' commissioner have, at a minimum, a function of:

- assisting individual victim-survivors of domestic and family violence, including in relation to complaints about poor police responses to domestic and family violence and
- identifying systemic trends and issues relating to police responses to domestic and family violence.

The victims' commissioner have a deputy commissioner to lead this capability.

# THE COMMISSION'S WORK

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The Commission of Inquiry into Queensland Police Service responses to domestic and family violence was established as part of the Queensland Government's response to the recommendations of the Women's Safety and Justice Taskforce in *Hear her voice: Report One* (2021).

## WHY THE COMMISSION WAS ESTABLISHED

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In *Hear her voice: Report One*, the Taskforce examined coercive control and whether a specific offence of 'commit domestic violence' should be introduced. During its review, the Taskforce received a significant number of submissions describing inconsistent and at times inadequate police responses to domestic and family violence.

The Taskforce heard of many instances when the QPS did not meet the safety and justice needs of victim-survivors of domestic and family violence, and failed to hold perpetrators to account. It also found there was a consistent failure by police to identify the tactics used by perpetrators to gain and maintain control in relationships characterised by domestic and family violence.

In short, the Taskforce found there were "*widespread cultural issues within the QPS that are getting in the way of achieving desired outcomes for victims and perpetrators*".<sup>13</sup>

While acknowledging the need for whole of system improvement and cultural change in identifying and responding to coercive control, the Taskforce found that QPS responses to domestic and family violence warranted deeper examination.

The Taskforce was limited in its capacity to undertake such an investigation as it did not have the power to summon witnesses to provide evidence or require the production of documents. Accordingly, and with one dissenting member, QPS Deputy Police Commissioner Tracy Linford APM, the Taskforce recommended the establishment of an inquiry pursuant to the *Commissions of Inquiry Act 1950* (Qld).

The Queensland Government accepted the Taskforce's recommendation, announcing that the Commission would examine QPS responses to domestic and family violence "*to ensure full public confidence in the ability of our police to protect victims and hold perpetrators to account*".<sup>14</sup>

## THE TERMS OF REFERENCE

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The Commission was established under the *Commissions of Inquiry Act 1950* (Qld) and commenced on 30 May 2022. Her Honour Judge Deborah Richards was appointed Commissioner, with Ruth O'Gorman KC and Anna Cappellano appointed as counsel assisting. The Commission was supported by a secretariat of 18 staff, including an Executive Director and legal, policy, research and administrative staff (Appendix B).

The Commission's terms of reference tasked it to inquire into any cultural issues within the QPS that influence the investigation of domestic and family violence, and how those cultural issues contribute to the overrepresentation of First Nations peoples in the criminal justice system. It also required the Commission to examine the capability, capacity and structure of the QPS to respond to domestic and family violence, and the adequacy of the processes for handling complaints against QPS members. The full terms of reference can be found at Appendix A.

The terms of reference required the Commission to make findings and recommendations that specify how to effectively address any issues and identify those strategies that should be given the highest priority. The Commission's recommendations are at page 20.

## THE CONDUCT OF THE INQUIRY

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The terms of reference directed the Commission to focus on systemic issues. This means that while it examined individual submissions and cases to gain a better understanding of systemic issues within the QPS, the Commission was not established to investigate or make findings about individual cases.

The Commission adopted an independent, transparent and balanced approach to fulfilling its terms of reference, as shown in Figure 1.

What follows is a brief description of the various ways in which the Commission informed its understanding of matters relevant to the terms of reference.

### INFORMATION CONTAINED IN PREVIOUS REPORTS, INCLUDING THE WOMEN'S SAFETY AND JUSTICE TASKFORCE REPORTS

The Commission commenced its work by reviewing the findings and recommendations of the Women's Safety and Justice Taskforce reports and the *Not Now, Not Ever: Putting an end to Domestic and Family Violence in Queensland* (2015) Report.

The Commission also reviewed many other reports relevant to QPS responses to domestic and family violence, including reports by the Domestic and Family Violence Death Review and Advisory Board and coronial findings.

A review of the significant findings from these reports is contained in Chapter 1 as they provide context to the present review of QPS responses to domestic and family violence, and the persistence of the issues over time.

### INFORMATION FROM VICTIM-SURVIVORS AND THE COMMUNITY ORGANISATIONS THAT SUPPORT THEM

More than 400 victim-survivors, as well as family members who had lost a loved one as a result of a domestic and family violence related death, answered the call for written submissions. These submissions gave the Commission a very real insight into their experiences of police responses to domestic and family violence.

## THE INQUIRY: INDEPENDENT, TRANSPARENT AND BALANCED




SUBMISSIONS	 <p><b>409</b></p> <p>submissions from victim-survivors or other people impacted by domestic and family violence</p>	 <p><b>50</b></p> <p>submissions from community organisations or other agencies</p>	 <p><b>365</b></p> <p>submissions from current or former QPS members</p>
	 <p><b>17</b></p> <p>QPS training sessions attended by the Commissioner, counsel or staff</p>	 <p><b>53</b></p> <p>in-depth interviews with current or former QPS members by Mr Mark Ainsworth</p>	 <p><b>148</b></p> <p>meetings &amp; private interviews with police, service providers or other agencies</p>
	 <p><b>848</b></p> <p>responses to the victim-survivor survey</p>	 <p><b>2,733</b></p> <p>responses by QPS members to the QPS DFV-Q survey 2022</p>	 <p><b>11,029</b></p> <p>responses by QPS members to the Working for Queensland Survey 2021, including 6,200 free-text responses</p>
	 <p><b>573</b></p> <p>requests for items made in 120 Notices to Produce, resulting in the compelled production of over 27,700 documents</p>	 <p>more than <b>300</b></p> <p>reports and papers reviewed, and 11 experts engaged</p>	 <p><b>964</b></p> <p>full or partial complaint files from the QPS reviewed</p>
	 <p><b>23</b></p> <p>public hearing days</p>	 <p><b>78</b></p> <p>witnesses in public hearings &amp; <b>238</b> exhibits</p>	 <p><b>2,404</b></p> <p>pages of hearing transcripts</p>

Figure 1: Summary of key actions taken by the Commission to fulfill its terms of reference

The Commission also considered the victim-survivors' submissions which had been provided to the Women's Safety and Justice Taskforce. This meant that people who had previously told their story to the Taskforce did not need to tell it again.

The Commission conducted a confidential, voluntary survey of victim-survivors to inform its understanding of their experiences of reporting domestic and family violence to the QPS. The survey was conducted using an online platform designed to protect participants' identities. It was circulated to community organisations across Queensland that support victim-survivors, who then shared it with their contacts. The Commission received completed survey responses from 848 individuals.

The submissions from victim-survivors, and the responses to the victim-survivor survey, provided the Commission with a solid foundational understanding of QPS responses to domestic and family violence.

In addition, community, government and frontline support organisations provided written submissions, as did academics, legal organisations and individual lawyers. The Commission also held meetings with representatives of many community organisations, a list of which is contained in Appendix E.

A significant number of organisations, academics and individuals consented to the publication of their submissions on the Commission's website, with information redacted where it was required to protect the privacy of the submitter or a person named in the submission. Unsurprisingly, the sensitive and confidential nature of many submissions from victim-survivors meant they were unsuitable for publication. In all cases, the Commission respected the requests for confidentiality made by victim-survivors, but has sought to reflect their experiences throughout this report, and the Commission's companion report, *Behind the call for change*.

## **INFORMATION FROM QPS MEMBERS**

One of the aspects of this Commission that sets it apart from previous reviews of QPS responses to domestic and family violence is the extent to which QPS members themselves have participated in the review. In conducting its inquiry, the Commission sought to hear from, and consider the voices of, QPS members in a number of ways.

More than 360 QPS members, and former members provided submissions to the Commission about their knowledge of relevant cultural issues within the QPS, as well as the capability, capacity and structure of the QPS to respond to domestic and family violence.

In many cases, the QPS members who provided information requested confidentiality out of fear of reprisal from the organisation. Those requests for confidentiality have been respected. Accordingly, very few of the QPS members' submissions have been published by the Commission. In some cases, extracts from submissions received from QPS members are included in this report and the companion report with the consent of the submitter.

The Commission engaged Mr Mark Ainsworth, a retired Detective Superintendent, to conduct interviews with QPS members about the culture, capability, capacity and structure of the QPS to respond to domestic and family violence. Mr Ainsworth conducted 53 in-depth interviews.

The Commission itself met with a further 21 QPS members or former members. These interviews and meetings added to the body of information provided by QPS members through their submissions and survey responses.

In addition, the Commission engaged the Nous Group, an external consultant firm, with the support of the QPS and the Queensland Police Union of Employees, to conduct a survey of QPS members' experiences of what works well and what could be improved in relation to QPS responses to domestic and family violence. The survey (DFV-Q Survey 2022) largely replicated one conducted by the QPS in 2018 (DFV-Q Survey 2018), which allowed the Commission to compare the data and look at changes over time. Survey responses were provided by 2,733 QPS members.

Further, the Commission had regard to the results of the 2021 Working for Queensland survey which was completed by 11,029 QPS members. The Commission also required the QPS to provide the free text responses from that survey. There were approximately 6,200 written responses which were reviewed and considered by the Commission.

Finally, the Commission had regard to a number of recent studies and reports of consultants engaged by the QPS to analyse various aspects of the organisation, from the First Year Constable program to the membership's mental health. Many of these studies contained quotes from QPS members which provided insight into cultural and structural matters relevant to domestic and family violence.

The information provided by QPS members through submissions, interviews, meetings and in response to the DFV-Q Survey gave the Commission a valuable insight into the views of the QPS membership. The results of the 2021 Working for Queensland survey, and other recent studies and reports conducted by the QPS, provided further evidence to inform the Commission's work.

## **INFORMATION FROM ACADEMICS AND EXPERTS**

The Commission met with and sought advice from academics and experts in a range of areas including domestic and family violence, specific issues impacting First Nations peoples, policing, complaints and organisational capability. A number of these experts appeared in public hearings and their reports were tendered in evidence. The reports are available on the Commission's website at [www.qpsdfvinquiry.qld.gov.au](http://www.qpsdfvinquiry.qld.gov.au).

## INFORMATION FROM THE QPS AND OTHER ENTITIES

The Commission had regard to extensive data about police responses to domestic and family violence, and the management of conduct and complaints, largely provided by the QPS and the Department of Justice and the Attorney-General. The Commission was assisted in analysing and interpreting this data by the Queensland Government Statistician's Office and experts from Queensland Courts.

Importantly, the Commission compelled the production of information, documents and data from a number of organisations and individuals using its power under the *Commissions of Inquiry Act 1950* to require the production of such documents and information.

The Commission issued 120 notices to produce documents to 15 organisations and two notices to individuals. Responses to these notices to produce documents resulted in a significant body of material which informed the Commission's work.

A list of the entities to which the notices to produce were issued is set out below.

ORGANISATION	NUMBER OF NTPs ISSUED
Queensland Police Service	78
Crime and Corruption Commission	11
Coroner's Court of Queensland	6
Department of Justice and Attorney-General	6
Department of Seniors, Disability Services, and Aboriginal and Torres Strait Islander Partnerships	3
Queensland Corrective Services	2
Queensland Human Rights Commission	2
The Department of the Premier and Cabinet	2
Work Cover Queensland	2
Queensland Audit Office	1
Queensland Civil and Administrative Tribunal	1
Queensland Government Statistician's Office	1
Queensland Ombudsman	1
Queensland Police Union of Employees	1
YFS Ltd.	1
	<b>118</b>
<b>INDIVIDUALS</b>	<b>2</b>
<b>TOTAL</b>	<b>120</b>

Figure 2: Notices to produce (NTPs) issued by the Commission

The largest number of notices to produce were issued to the QPS. Using this mechanism, the Commission received many documents about matters relevant to the culture, capability, capacity and structure of the QPS, including documents the Commission was alerted to by QPS members themselves.

The Commission also met with a number of senior QPS personnel to learn about the capability, capacity and structure of the QPS. A list of QPS personnel the Commission met with is contained in Appendix E.

## OTHER SOURCES OF INFORMATION

In June 2022 the Commissioner, Counsel Assisting and commission staff spent a number of days at the QPS Academy in Brisbane to gain a firsthand understanding about how police recruits are trained to respond to domestic and family violence and to observe the pilot of the new three day domestic and family violence training program that will be available to all relevant QPS members by July 2023.

Counsel Assisting and commission staff also attended the QPS First Nations Mayors Summit in Cairns on 14 July 2022. This was an opportunity to learn about QPS initiatives relating to service delivery in First Nations communities, and to hear the voices of community Elders, leaders and Traditional Owners and their experiences of the successes and the challenges of the relationships between police and community members. It also allowed the Commission to build relationships with First Nations stakeholders and ensure their perspectives contributed to the Commission's work.

## PUBLIC HEARINGS

Public hearings were held in Brisbane, Cairns, Townsville and Mt Isa. Seventy-eight witnesses gave evidence over 24 days of public hearings. Three witnesses, Police Commissioner Katarina Carroll, Assistant Commissioner Brian Codd and Acting Assistant Commissioner Mark Kelly, were called twice. The Commission also held directions hearings on Friday 10 June 2022 and Monday 22 August 2022.



Hearings were conducted within a legal framework, and certain individuals and organisations were granted leave to appear. This allowed them to participate by questioning witnesses at hearings. Leave to appear was restricted to those individuals or organisations who were able to question witnesses about systemic matters impacting QPS responses to domestic and family violence, or who might be directly or immediately affected by the Commission's findings. The following parties were granted leave to appear:

- Queensland Police Service
- Queensland Police Union of Employees
- Women's Legal Service Queensland
- Queensland Crime and Corruption Commission (grant of leave limited to matters relating to conduct and complaints handling processes).

The Australian Brotherhood of Fathers made two applications for leave to appear but elected not to proceed before each application was decided.

Applications for leave to appear were also received from some members of the public. While leave was not granted to these applicants because of the Commission's systemic focus, they were encouraged to participate in the Commission's work by providing submissions.

Hearings were livestreamed on the Commission's website so that evidence was accessible to the wider community. Given its significant public interest, the evidence of Police Commissioner Katarina Carroll was recorded and published on the Commission's website so that it could be later viewed by those who could not watch it live.

Transcripts of each day of hearings and exhibits tendered in hearings were also published on the website, along with the name of each witness and the topics they gave evidence about. In total, 2,404 pages of transcripts and 238 exhibits are available on the Commission's website, with witness names and topics included at Appendix D.

## SUBMISSIONS RECEIVED FROM THE PARTIES TO THE HEARINGS

At the end of the hearings, the parties provided the Commission with written submissions.<sup>3</sup> In addition to those submissions, the Commission provided copies of the draft report to the parties and invited their further submissions and comment. The Commission had regard to those submissions and, where it considered it was appropriate, made amendments to the draft report. The Commission is grateful for the feedback provided by the parties.

In relation to the confidential submissions the Commission received from members of the public and from QPS members, the QPS and the Women's Legal Service Queensland both submitted that they were unable to comment on the accuracy of the assertions made in them. Those submissions are noted, and the Commission recognises that that is so. However, such is the concern evident of those making the submissions and the gravity and consistency of the conduct alleged, that the Commission is satisfied that the concerns raised in the requests for confidentiality are legitimate and outweigh any complaint about transparency by the parties. The Commission was diligent in requesting supporting material where such material might be available, and in many cases the submissions were supported by records the Commission subsequently received from the QPS.

The nature of a Commission of Inquiry is such that the receipt of confidential material and the protection of sources to allow full and faithful reporting is necessary at times. The Commission has provided as much of the material before it to the parties as possible but inevitably, with an investigation into domestic and family violence and police culture, much of the material received will be, and in this case has been, confidential. Confidentiality allows for voices which have been silenced to finally be heard.

## HUMAN RIGHTS CONSIDERATIONS

On 1 January 2020 the *Human Rights Act 2019* (Qld) (the HRA) commenced in Queensland, identifying and protecting 23 human rights in law. The Act requires the Queensland public sector, including the QPS, to act and make decisions which are compatible with the rights it protects.

Policing necessarily involves restricting human rights through lawful investigations and arrests. The HRA recognises the need to balance competing tensions by providing that human rights can be limited to the extent that is reasonable and justifiable in the circumstances.

The QPS has an important role in ensuring that victim-survivors' human rights are protected. Police must interact with victim-survivors and investigate domestic and family violence reports in a way that protects victim-survivors' human rights and in a way that reflects the principles of dignity, equality and mutual respect.

Obligations of the QPS to protect human rights are set out in its Operational Procedures Manual (OPM), which identifies that the HRA requires the QPS to consider human rights in all decision-making processes and interactions with its members and the community.

### OPM 1.2.3 HUMAN RIGHTS OBLIGATION

The HRA requires the Service and its members:

- Act or make decisions in a way that is compatible with human rights; and
- In making a decision, properly consider any human rights relevant to the decision.<sup>16</sup>

The OPM states that the HRA does not fundamentally change operational policing in Queensland, as members are already accustomed to respecting, protecting and promoting common law human rights, such as the right to liberty and security of the person, the right to a fair trial and freedom of expression.<sup>17</sup> However, the Commission heard experiences of victim-survivors that demonstrate that QPS officers do not always protect or promote the human rights of victim-survivors.

Where the Commission has identified failings or shortcomings by police in the investigation of domestic and family violence, those same shortcomings often also amount to a failure to act or make decisions in accordance with the human rights of victim-survivors.



Caxton Legal Centre submitted to the Commission that the QPS must fully embrace its obligations under the HRA and work to reframe the decision-making of all police officers using a rights-based framework, which would provide the basis for better policing of domestic and family violence.<sup>18</sup>

Mr Scott McDougall, Queensland Human Rights Commissioner, assisted the Commission in identifying the human rights considerations for victims of domestic and family violence and First Nations peoples that are relevant to the terms of reference.<sup>19</sup>

The relevant human rights are set out below, along with examples of their application in interactions between victim-survivors and police.<sup>20</sup> The Commission heard stories involving these examples, which are discussed throughout this report.

Where the Commission has identified police failures to meet their human rights obligations, these are included in the relevant findings. Human rights considerations are also addressed where relevant in the Commission's recommendations.

## **RECOGNITION AND EQUALITY BEFORE THE LAW (SECTION 15 HRA)**

At all times, and particularly in their interactions with police, victim-survivors have a right to:

- enjoy their human rights without discrimination regardless of their sex, age, sexuality, race, social class or disability
- equal and effective protection against discrimination. Police have a positive duty to ensure that some groups or classes of people do not receive inferior services or treatment
- free assistance from an interpreter if they do not understand or speak English. If they have a disability, they should be offered free assistance or specialised communication technology, trauma-informed approaches, and any other accommodations.

## **THE RIGHT TO LIFE (SECTION 16 HRA)**

The right to life is the most fundamental human right and public entities, including the police, have an obligation to take steps to protect the lives of individuals, as well as controlling and limiting the circumstances which may result in the loss of life.

Where a person is a victim-survivor of domestic and family violence, and it becomes clear that their life is in danger, the police must take adequate steps to protect their life. A failure to protect that person may be an unjustifiable limitation on the right to life.

## **THE RIGHT TO BE PROTECTED FROM TORTURE AND CRUEL, INHUMAN AND DEGRADING TREATMENT (SECTION 17 HRA)**

Cruel, inhuman, or degrading treatment or torture involves severe mental or physical pain or suffering that is either intentionally or unintentionally inflicted, or treatment that degrades by virtue of the humiliation caused. A breach of this right may occur in circumstances where an individual has a domestic violence order that is repeatedly breached by a perpetrator, but no action is taken by police when this violence is reported.

## **FREEDOM OF EXPRESSION (SECTION 21 HRA)**

Freedom of expression includes the right to hold and express an opinion, as well as the right to seek out and receive information. A victim of crime should be kept informed about:

- the progress of a police investigation
- decisions about the prosecution of the accused person
- warrants that have been issued
- court processes and hearing dates
- details of the sentence
- outcomes of bail applications
- arrangements for release of the accused person.

## **THE RIGHT TO PRIVACY (SECTION 25 HRA)**

A victim-survivor has the right to have their privacy protected and their reputation should not be unlawfully attacked. If a police officer shares information taken from an internal database about the whereabouts of a victim-survivor with a member of the public, that officer is in breach of that victim-survivor's right to privacy. This breach may also violate the victim's right to liberty and security.

## **THE PROTECTION OF FAMILIES AND CHILDREN (SECTION 26 HRA)**

Families are the fundamental group unit of society and are entitled to be protected by society and the state. The law recognises the diversity of families. What constitutes a family should take account of the cultural context and kinship arrangements, especially for First Nations peoples.

Every child has the right to protection that is in their best interests. Children are also entitled to special protection, given their additional vulnerabilities because of their age. For this reason, the Queensland Government is required to adopt special measures of protection.

Where a child's safety cannot be maintained with the family unit together, it may be necessary to apply provisions which exclude the perpetrator from the home or from contact with victim-survivors.

Police responses should also consider the sufficiency of protections provided to children to ensure their safety and wellbeing, with minimal disruption to their lives.

## **CULTURAL RIGHTS (GENERALLY) (SECTION 27 HRA)**

Whatever a victim-survivor's cultural, religious, racial or linguistic background, they have the right to practise their culture and religion and use their language with others in their community.

Police prosecutors must recognise the cultural and linguistic backgrounds of witnesses and should consider the type of, and way that, questions are asked. In some cases, it may be appropriate to limit the people present in the courtroom when a witness is giving evidence.

## **CULTURAL RIGHTS (ABORIGINAL AND TORRES STRAIT ISLANDER PEOPLES) (SECTION 28 HRA)**

First Nations peoples hold distinct cultural rights. A First Nations person must not be denied the right to maintain, control, protect and develop their identity and cultural heritage, including traditional knowledge, spiritual practices and beliefs, culture and cultural practices, connection to land and country, development and use of language and the protection and development of kinship.

Public entities, including QPS, must consider these rights when providing services to First Nations peoples, and give special consideration to cultural safety, cultural sensitivities, and appropriate ways of working with First Nations peoples and communities.

The Commission notes that targeted, meaningful and ongoing training, delivered by First Nations experts, will be required to build cultural capability and cultural sensitivity to ensure the rights of First Nations peoples are protected during interactions with police.

The Commission notes that meaningful engagement with First Nations peoples and communities is also critical to ensuring the cultural rights of First Nations peoples are protected.

## **THE RIGHT TO LIBERTY AND SECURITY OF A PERSON (SECTION 29 HRA)**

All Queenslanders have a right to be free and safe and to be arrested or detained only in accordance with the law. Public entities, including the police, need to take adequate steps to ensure people who are exposed to domestic and family violence are safe.

For example, if an individual contacts the police because someone has threatened them with violence, the police must take adequate steps to ensure that the threat is not carried out.

## **RIGHTS IN CRIMINAL PROCEEDINGS (SECTION 32 HRA)**

All Queenslanders have a number of minimum guarantees when charged with a criminal offence. These include the right to be told the charges against them in a language they understand, the right to an interpreter if needed, the right to be told about the availability of Legal Aid if they do not have a lawyer, and the right to a fair hearing.

## ENDNOTES

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- 1 Exhibit 1.9, Women's Safety and Justice Taskforce, Hear Her Voice: Report 1, Addressing coercive control and domestic and family violence in Queensland (2021), Tender Bundle A, tendered 11 July 2022, [recommendation 31].
- 2 Exhibit 1.9, Women's Safety and Justice Taskforce, Hear Her Voice: Report 1, Addressing coercive control and domestic and family violence in Queensland (2021), Tender Bundle A, tendered 11 July 2022, [recommendation 34, 41].
- 3 Exhibit 1.9, Women's Safety and Justice Taskforce, Hear Her Voice: Report 1, Addressing coercive control and domestic and family violence in Queensland (2021), Tender Bundle A, tendered 11 July 2022, [recommendation 32].
- 4 Exhibit 1.9, Women's Safety and Justice Taskforce, Hear Her Voice: Report 1, Addressing coercive control and domestic and family violence in Queensland (2021), Tender Bundle A, tendered 11 July 2022, [Recommendation 9]
- 5 Exhibit 1.9, Women's Safety and Justice Taskforce, Hear Her Voice: Report 1, Addressing coercive control and domestic and family violence in Queensland (2021), Tender Bundle A, tendered 11 July 2022, [Recommendations 60 and 61]
- 6 Exhibit 1.9, Women's Safety and Justice Taskforce, Hear Her Voice: Report 1, Addressing coercive control and domestic and family violence in Queensland (2021), Tender Bundle A, tendered 11 July 2022, [Recommendation 33]
- 7 Exhibit 1.9, Women's Safety and Justice Taskforce, Hear Her Voice: Report 1, Addressing coercive control and domestic and family violence in Queensland (2021), Tender Bundle A, tendered 11 July 2022, [Recommendation 37]
- 8 Exhibit 1.9, Women's Safety and Justice Taskforce, Hear Her Voice: Report 1, Addressing coercive control and domestic and family violence in Queensland (2021), Tender Bundle A, tendered 11 July 2022, [Recommendation 35]
- 9 Exhibit 1.9, Women's Safety and Justice Taskforce, Hear Her Voice: Report 1, Addressing coercive control and domestic and family violence in Queensland (2021), Tender Bundle A, tendered 11 July 2022, [Recommendation 26]
- 10 Exhibit 1.9, Women's Safety and Justice Taskforce, Hear Her Voice: Report 1, Addressing coercive control and domestic and family violence in Queensland (2021), Tender Bundle A, tendered 11 July 2022, [Recommendation 96]
- 11 Exhibit 1.9, Women's Safety and Justice Taskforce, Hear Her Voice: Report 1, Addressing coercive control and domestic and family violence in Queensland (2021), Tender Bundle A, tendered 11 July 2022 [Recommendation 95]
- 12 Women's Safety and Justice Taskforce, Hear Her Voice: Report 2, Women and girls' experiences across the criminal justice system (2022) [Recommendation 18]



## **PART 1**

# **WHY CHANGE IS NEEDED**

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# 1 A problem that persists

The Women's Safety and Justice Taskforce *Hear her voice: Report One* (2021). found that the QPS response to domestic and family violence was inconsistent and at times inadequate, and recommended that it be further examined by a Commission of Inquiry.

It is important to note, however, that while that recommendation led to the establishment of the Commission, *Hear her voice: Report One* (2021). was far from the first review to find that there were issues with the QPS response to domestic and family violence.

Indeed, the inconsistency and at times inadequacies of the QPS response has long been known to be a problem.

Many previous reviews and reports, conducted internally and externally to the QPS, have examined its responses to domestic and family violence. Those reviews and reports have repeatedly identified multiple shortcomings with the QPS response.

This chapter considers some of the more significant of them. In this way, it demonstrates the persistence of the problem of inconsistent and at times inadequate QPS responses over time.

The fact that the problem has persisted for so long brings a number of important truths into sharp focus. First, the call for change is not a new one. It is a tired, but determined, one.

Further, while the QPS has made multiple attempts to improve the problem, those efforts are still evolving. Many attempts at improvement have been reactive and short-sighted. Even apparently well-considered efforts have failed to fundamentally shift the problem.

The next chapter considers what the Commission was told about the way the QPS response to domestic and family violence continues to fall short of community expectations despite the many reviews and attempts at change that have been made to date.

## HOW HAS THE PROBLEM CHANGED OVER TIME?

Shortcomings in the QPS response to domestic and family violence have been identified for many years. In its 2005 report *Policing domestic violence in Queensland*, the Crime and Misconduct Commission found that police face challenges in effectively responding to domestic and family violence because of:

- an overreliance on civil Protection Orders, with a concurrent failure by police to pursue criminal investigations and charges
- incident-based responses that do not adequately consider the broader patterns of violence within a relevant relationship
- inefficient administrative procedures and processes alongside increased demand pressures.<sup>21</sup>

Since then, many reports have made similar findings including, more recently, the Special Taskforce on Domestic and Family Violence report *Not Now, Not Ever* (2015),<sup>22</sup> Domestic and Family Violence Death Review and Advisory Board reports,<sup>23</sup> coronial findings and the Women's Safety and Justice Taskforce *Hear her voice: Report One* (2021). and *Hear her voice: Report Two* (2022).<sup>24</sup>

In reviewing these reports, the Commission identified remarkable consistency in the recommendations that have been previously made to the QPS.

Broadly speaking, the previous recommendations sought to:

- improve investigations and criminal prosecutions, through legislative, policy and procedural changes and by ensuring that information is easily accessible in QPS systems
- strengthen leadership and promote good practice, by establishing senior leadership positions, and ensuring managers and supervisors are adequately equipped to model effective responses, enact behavioural change, and promote good practice
- build knowledge and understanding to improve officer understanding of the nature and dynamics of domestic and family violence and how to effectively respond through ongoing training



- improve specialist responses through the expansion of existing roles commensurate with demand (including domestic and family violence coordinators), as well as supporting succession-planning and developing promotional opportunities for specialist officers
- build cultural capability, through training and improved access to interpreters for people from non-English speaking backgrounds
- improve communication and engagement, including with victim-survivors and advocates, to enhance referral processes and better understand the impact of domestic and family violence
- enhance partnerships and planning through the trial of co-responder models or the development of local level solutions.

The current statutory framework for responding to domestic and family violence came into effect on 17 September 2012 with the commencement of the *Domestic and Family Violence Protection Act 2012* (DFVPA). The DFVPA included:

- a contemporary definition of domestic and family violence, to better clarify the broad spectrum of behaviours that may constitute this type of violence and explicitly outline a requirement that consideration be given to the person most in need of protection
- new powers for police to increase their capacity to respond quickly and effectively to victim-survivors of domestic and family violence
- improved grounds for courts to make Protection Orders, and to include additional conditions on orders, as well as to allow for the inclusion of children in orders.

As part of the introduction of the new legislation, the QPS also delivered operational improvements such as the development of the Domestic Violence Protective Assessment Framework (DV-PAF). This decision-making framework was intended to assist officers to identify the presence of key risk factors when responding to domestic and family violence related calls for service, assess the level of fear of a person experiencing domestic and family violence, and determine the appropriate police response.

The DFVPA requires that all police officers must investigate, or cause to be investigated, a complaint, report or circumstance of domestic and family violence, if they hold a reasonable suspicion that it has occurred. While a similar provision also existed in the earlier *Domestic and Family Violence Protection Act 1989* (Qld), a cross-jurisdictional comparison undertaken in 2009 explained the provision was necessary because “*the perception is that in some instances police officers are reluctant to seek Protection Orders where there has been a domestic disturbance but no direct evidence of violence (such as injury)*”.<sup>25</sup>

The cross-jurisdictional comparison further acknowledged that this obligation to investigate was intended to provide clear guidance to officers about their roles and responsibilities, and to provide comfort to victim-survivors that police will assist in crisis situations when a victim-survivor is unable to seek an order themselves.<sup>26</sup>

Further amendments to the DFVPA in 2015 and 2016 sought to:

- provide victims of domestic and family violence with access to earlier and more tailored protection by police and courts and ensure victim safety was at the forefront of the justice response to domestic and family violence<sup>27</sup>
- require police to consider what immediate and effective protection can be provided to victim-survivors pending a court’s consideration of a Protection Order application<sup>28</sup>
- ensure that where there are conflicting allegations of domestic and family violence in civil proceedings, courts identify and protect the person most in need of protection<sup>29</sup>
- clarify that it is lawful for police to use body-worn cameras in the performance of their duties, to assist in fulfilling the recommended enhanced investigative and evidence-gathering methodologies.<sup>30</sup>

A summary of the various shortcomings and positive responses that have been identified in earlier reviews commencing in 2015 is set out in Figure 3. Those reviews are then briefly considered in turn.

## IDENTIFIED SHORTCOMINGS

- The Women's Safety and Justice Taskforce, the Special Taskforce on Domestic and Family Violence, the Domestic and Family Violence Death Review and Advisory Board (the Board) and coroners have consistently identified problems with the way police respond to domestic and family violence in Queensland.
- A failure by police to take action in accordance with existing legislation and procedures, appropriately assess risk or pursue criminal charges has been identified.
- Inconsistency in the approach taken by different officers has also been noted including the triaging, prioritisation, investigation and recording of domestic and family violence related calls for service, as well as ongoing concerns about the misidentification of the person most in need of protection.

## POSITIVE RESPONSES

- The Board and coroners have highlighted instances where police have appropriately responded to domestic and family violence related calls for service.
- This includes responding to immediate threats to safety, making referrals, seeking collateral information and working collaboratively with other agencies to keep victim-survivors safe.
- Police have also appropriately identified acts of systems abuse and coercive control, pursued criminal charges, sought to proactively manage high-risk cases, followed up with victim-survivors after the immediate crisis resolved, and requested additional conditions on orders (or sought to vary orders) to strengthen protections.
- Challenges faced by police in responding to domestic and family violence have also been noted, particularly where victims are reluctant to engage, do not wish to provide evidence or pursue criminal charges or minimise the abuse they are experiencing.

Figure 3: Summary of shortcomings and positive responses identified in previous reviews and reports

## SPECIAL TASKFORCE ON DOMESTIC AND FAMILY VIOLENCE (2015)

The Special Taskforce on Domestic and Family Violence (2015) identified a number of shortcomings in the QPS response to domestic and family violence.

Recommendations in that report were aimed at wide-spread reform which sought to shift community attitudes, enhance services, strengthen legislation and improve police responses to domestic and family violence.<sup>31</sup>

The Special Taskforce found that the justice system further victimised or marginalised victim-survivors of domestic and family violence and that *“police responses need to be swifter, more empathetic and focus more on victim safety”*.<sup>32</sup> The Special Taskforce also heard many examples of shortcomings in police responses to domestic and family violence and found that:

- these shortcomings could be attributed to processes and procedures that may inhibit a police response, but could also result from a culture among some police that does not give sufficient weight to responding to domestic and family violence related calls for service because they are seen as *“just a domestic”*
- domestic and family violence related calls for service consume significant police resources and can place police officers at personal risk of harm
- police responses could be improved through increased criminal prosecution of perpetrators, enhanced investigative and evidence gathering, and by providing more support for victim-survivors during court proceedings.<sup>33</sup>

The Special Taskforce made eight recommendations to improve police responses to domestic and family violence with the view that:

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**Implementing a pro-active investigation and protection policing policy will enhance victim safety and investment in cultural change and strong leadership will remove any last vestiges of a culture that does not value women nor understand the costs to us all of allowing domestic and family violence to continue.<sup>34</sup>**

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The Special Taskforce's recommendations for the QPS focused on improving state-wide leadership, improving coordination and resourcing,<sup>35</sup> enhancing investigations<sup>36</sup> and strengthening criminal prosecutions.<sup>37</sup> Procedural changes<sup>38</sup> and an independent audit of police training packages were also recommended.<sup>39</sup>

On 24 October 2019, the Queensland Government announced that it had delivered all 140 recommendations of the Special Taskforce and reported that specialist police officers had delivered training to operational police and collaborated with other government and non-government agencies to address domestic and family violence related issues.<sup>40</sup>

The QPS also committed to taking continued action through:

- enhancing its investigative and evidence-gathering methodologies to increase criminal prosecutions of domestic and family violence perpetrators
- progressing the implementation of proactive investigation and protection policies and activities that prioritise victim safety and hold perpetrators to account
- increasing the capacity of the QPS Domestic and Family Violence Coordinator network through additional positions to meet current and projected future demand across the state and continue to develop Domestic and Family Violence Coordinators into specialist practitioners by offering access to professional development
- developing collaborative partnerships with the community and other agencies through the State Domestic and Family Violence Coordinator to create a platform where diverse experiences could be shared and used to shape new ideas to improve the collective response to domestic and family violence
- reviewing its domestic and family violence related training packages to ensure they reflect current and emerging approaches for supporting people affected by domestic and family violence
- progressing a significant body of work to effect cultural and attitudinal change related to domestic and family violence in the QPS
- affirming the QPS as a reform leader in the criminal justice sector and as a domestic and family violence service delivery agency.

## DOMESTIC AND FAMILY VIOLENCE DEATH REVIEW AND ADVISORY BOARD REPORTS

Domestic and family violence has devastating and long-term consequences for individuals, families and communities in Queensland. Recent high-profile homicides and homicide-suicides have highlighted that domestic and family violence can, at times, be fatal.

Since its establishment in 2016, the Domestic and Family Violence Death Review and Advisory Board (the Board) has consistently identified issues with the responses by police, courts, health and child safety services in the lead up to domestic and family violence-related homicides and suicides.

Across its six previous annual reports, the Board found that, on various occasions, police:

- delayed responding<sup>41</sup> or did not investigate reports of domestic and family violence (despite having a legislative obligation to do so)<sup>42</sup>
- demonstrated a lack of awareness or knowledge of domestic and family violence (including non-physical abuse and other forms of coercive control) and key risk indicators<sup>43</sup>
- placed disproportionate weight on a perpetrator's version of abuse compared to a victim-survivor's, despite a lack of corroborating evidence or independent third-party assessments to justify this view<sup>44</sup>

- did not have regard to a reported history of domestic and family violence to inform their decision-making<sup>45</sup> and/or responded to domestic and family violence related calls for service as singular incidents rather than as a pattern over time<sup>46</sup>
- did not use the DV-PAF as intended (including not using it, or not completing it correctly)<sup>47</sup> or otherwise failed to identify escalating patterns of harm<sup>48</sup>
- misidentified the person most in need of protection<sup>49</sup> and/or did not identify system abuse by the perpetrator<sup>50</sup>
- did not record<sup>51</sup> or mis-recorded apparent domestic and family violence related calls for service within police systems as 'street checks,' 'welfare checks,' 'child harm reports' and/or 'community assists'<sup>52</sup>
- did not apply for a Protection Order where there may have been sufficient information to make an application,<sup>53</sup> or conversely 'heavily relied' on Protection Orders, despite high risk and extreme violence being reported<sup>54</sup>
- did not action, or delayed the service of, Protection Orders which affected the capacity of other officers to appropriately respond to further reports of violence<sup>55</sup>
- did not communicate with a victim-survivor about a high-risk perpetrator being released from custody<sup>56</sup>
- did not investigate or pursue criminal charges (including breaches) where there was sufficient information to indicate a criminal offence may have occurred.<sup>57</sup>

The Board noted that these issues occurred despite oversight and quality assurance mechanisms within QPS<sup>58</sup> and that they disproportionately impacted First Nations peoples.<sup>59</sup>

The Board also identified the existence of attitudes that affected the provision of police support to victim-survivors in some of the cases reviewed across multiple reports.

This included instances of:

- labelling a victim-survivor as a 'hostile aggrieved' when she demonstrated a reluctance to make a written statement about her experiences of abuse<sup>60</sup>
- recording a victim-survivor as 'vexatious' when she made repeated attempts to seek assistance from police, noting that *"any further requests for welfare checks of children were vexatious and should be referred to child safety services"*<sup>61</sup>
- advising a victim-survivor that *"she smelled and should shower"* after she defecated on herself following an episode of non-lethal strangulation where she had lost consciousness<sup>62</sup>
- identifying an older victim-survivor as *"very erratic and confused"* when seeking assistance from police with no apparent attempts to adjust the response to take into account the potential for a cognitive impairment<sup>63</sup>
- assessing a separate victim as having a cognitive disability when she tried to report a threat of violence by a family member although there was no apparent confirmation of this assessment in available records<sup>64</sup>

- in a case where both parties were intoxicated, deciding that the victim-survivor was “*more intoxicated*” and therefore “*the person causing trouble*” despite a Protection Order listing her as the aggrieved in previous calls for service involving the couple<sup>65</sup>
- recording threats to assault and kill a victim-survivor as a “*communication issue*” by police. No further action was taken by officers on that occasion, even though the perpetrator had admitted to being verbally abusive towards the victim and a Police Protection Notice was established listing her as the aggrieved.<sup>66</sup>

The Board also identified challenges faced by police in responding to violence where victim-survivors did not wish to disclose their experiences of abuse,<sup>67</sup> minimised the abuse they experienced,<sup>68</sup> did not want further action to be taken by officers outside of the initial crisis response<sup>69</sup> and/or where the victim-survivor considered that a response by police may elevate their risk of future harm.<sup>70</sup>

Across its various reports, the Board also noted positive examples of proactive enforcement in the cases it reviewed, including where police:

- recognised suicide threats and other behaviours as acts of coercive control by the perpetrator,<sup>71</sup> and correctly identified a perpetrator’s use of image management as an act of systems abuse<sup>72</sup>
- pursued criminal charges<sup>73</sup> or refused to withdraw charges where a victim-survivor may have requested it<sup>74</sup>
- sought to manage high-risk cases<sup>75</sup> by issuing a station-wide alert,<sup>76</sup> attempting to address underlying issues as part of a proactive policing strategy<sup>77</sup> and taking steps to assess the safety of victims and their children outside of the immediate crisis point<sup>78</sup>
- followed up with victim-survivors or perpetrators when they may have initially been too intoxicated to make a statement<sup>79</sup> or because the victim had been too fearful to do so<sup>80</sup>
- requested additional conditions on Protection Orders or release conditions<sup>81</sup> and/or sought variations on existing conditions in response to further episodes of domestic and family violence.<sup>82</sup>

Since its establishment, the Board has continually noted that the QPS has sought to improve its responses to domestic and family violence through:

- continuing to encourage officers to make third party referrals for people experiencing domestic and family violence<sup>83</sup>
- trialing local level responses and strategies in partnership with other agencies<sup>84</sup>
- delivering specialist training,<sup>85</sup> introducing body-worn cameras<sup>86</sup> or developing focused responses to high-risk perpetrators<sup>87</sup>
- continuing to expand specialist supports and assistance to frontline officers<sup>88</sup>
- establishing a dedicated Domestic and Vulnerable Person’s Command to strengthen the capability of the QPS to respond to domestic and family violence.<sup>89</sup>

Previous recommendations made by the Board to the QPS have focused on the need for continued development of operational communiques and training,<sup>90</sup> improving the accessibility of information for QPS officers,<sup>91</sup> and improving responses to missing persons who have a history of domestic and family violence.<sup>92</sup>

## RECENT CORONIAL FINDINGS

Recent published coronial findings have highlighted the problem of inconsistent and at times inadequate QPS responses to domestic and family violence, including non-compliance by officers with relevant legislative or procedural requirements, across multiple cases. This has included cases which involved police:

- demonstrating a lack of understanding of domestic and family violence<sup>93</sup>
- failing to accurately assess and triage domestic and family violence related calls for service<sup>94</sup>
- not undertaking risk assessments<sup>95</sup> and/or failing to assess the significant risk of escalation within the relationship<sup>96</sup>
- identifying the risk as high, but officers’ “*actions did not align with that assessment*”<sup>97</sup>
- not considering the prior history of domestic and family violence to inform decision-making<sup>98</sup>
- responding to each report of domestic and family violence as a singular incident as opposed to an escalating pattern of abuse<sup>99</sup>
- not treating threats made by a perpetrator with ‘sufficient seriousness’<sup>100</sup>
- not appropriately documenting domestic and family violence related occurrences within QPS systems<sup>101</sup>
- not seeking extra conditions on Protection Orders to secure additional safety,<sup>102</sup> or delaying the service of orders<sup>103</sup>
- not investigating reports of domestic and family violence (including interviewing the perpetrator) or pursuing relevant criminal charges where there may have been sufficient evidence to do so.<sup>104</sup>

Coronial findings have also identified instances of victim-blaming and a lack of identification of systems abuse by the perpetrator<sup>105</sup> as well as delays by police in responding to calls for service on the night of the homicide.<sup>106</sup>

The adequacy of QPS internal oversight processes, including where outcomes of domestic and family violence related investigations are reviewed by more senior officers, and a lack of clear guidance with respect to the management of repeat calls for service within existing operational procedures have also been discussed in coronial findings.<sup>107</sup>

In a number of cases, coroners also noted that officers had not undertaken checks on QPS systems about any past history of violence for relevant persons, with some police subsequently disclosing that they did not know how to check past QPRIME records to identify this history.<sup>108</sup>

In other cases, coroners found that attending officers “*lacked a comprehensive understanding of applicable legislation and policies*,”<sup>109</sup> and that inadequate training had been provided by the QPS to support police (including specialist officers) to effectively respond.<sup>110</sup>



Resourcing limitations<sup>111</sup> and an increased demand for services were also noted to have impacted the police response, along with the impact of the recent COVID-19 pandemic.<sup>112</sup>

While there has been much attention on the shortcomings identified in domestic and family violence-related deaths, in some cases coroners positively noted that officers:

- responded commendably to an immediate threat to safety, including by undertaking a protective assessment, making referrals and seeking collateral information<sup>113</sup>
- worked collaboratively with other agencies to secure a victim-survivor's protection<sup>114</sup>
- opposed bail in circumstances where they identified a continued risk of violence occurring<sup>115</sup>
- faced challenges when responding to domestic and family violence<sup>116</sup> including where victim-survivors were reluctant to engage, did not wish to provide evidence or denied or minimised the abuse they experienced.<sup>117</sup>

Coroners have consistently identified the stated commitments of the QPS to improving its responses to domestic and family violence. In fact, many cited this as a reason not to hold an inquest into the death/s under investigation. For those matters that did not proceed to inquest, coroners:

- noted that current reforms associated with the Special Taskforce and recent coronial recommendations meant that it was unlikely that any useful recommendations to improve police responses could be made over and above those already made<sup>118</sup>
- acknowledged the commitment of the QPS to identify new ways of responding to domestic and family violence, including improving the training and support provided to less experienced officers<sup>119</sup>
- found that there had been significant improvements in the approach of the QPS to identifying and preventing domestic and family violence<sup>120</sup>
- were satisfied that an inquest was not required as they could not identify any recommendations for preventing similar deaths that had not been or were not continuing to be implemented<sup>121</sup>
- noted that the Women's Safety and Justice Taskforce made a suite of recommendations to build upon current activities already underway to improve police responses to domestic and family violence.<sup>122</sup>

In recent findings following the inquest into the deaths of Doreen Langham and Gary Hely, the former Deputy State Coroner Jane Bentley also acknowledged the recommendations previously made by the Special Taskforce but found that the circumstances of that homicide-suicide *"indicate that the QPS has been unable to date, to implement those recommendations"*.<sup>123</sup>

Following that inquest and the inquest into the deaths of Hannah Clarke, Aaliyah Baxter, Laianah Baxter, Trey Baxter and Rowan Baxter the former Deputy State Coroner made several recommendations to strengthen police responses to domestic and family violence, including training improvements,<sup>124</sup> procedural amendments<sup>125</sup> and trials of specialist multidisciplinary responses.<sup>126</sup>

## THE WOMEN'S SAFETY AND JUSTICE TASKFORCE *HEAR HER VOICE: REPORT ONE (2021)*

The Women's Safety and Justice Taskforce conducted the most recent whole of government review of the QPS response, and that of other agencies, to domestic and family violence.<sup>127</sup>

The Taskforce was established in 2021 to examine coercive control and the need for a specific offence of 'commit domestic violence', as well as women's experiences across the criminal justice system as both victims and offenders.

While the Taskforce acknowledged the need for whole of system improvement, and made 89 recommendations to police, courts, and other agencies to achieve this, it was clear in *Hear her voice: Report One (2021)*, that the approach of the QPS to domestic and family violence needed deeper examination.

A significant proportion of submissions to the Taskforce reported poor QPS responses to domestic and family violence. While others also outlined exceptional practice by officers, the Taskforce found that police needed to improve their investigations of domestic and family violence. This was because the Taskforce heard:

- policing responses were inconsistent and at times inadequate, with the Taskforce receiving information about many instances where officers failed to investigate domestic and family violence related calls for service, failed to pursue criminal charges in relation to domestic and family violence, blamed women for the abuse they had experienced, and sided with the perpetrator
- victim-survivors' safety and justice needs were not being met, with police failing to identify the tactics used by perpetrators to gain and maintain control or to hold perpetrators to account
- victim-survivors reported that there was a lack of communication, and generally poor attitudes towards them, by police including judgmental and dismissive responses and a lack of understanding of non-physical acts of domestic and family violence.

The Taskforce also identified that the complexity of paperwork, the time required to respond to domestic and family violence and recurrent calls for service can result in increased frustration by police with the process. They also found that perceptions by some police were influenced by:

- negative attitudes and beliefs about women and domestic and family violence
- stereotypes about the 'ideal' victim
- a lack of cultural capability
- limited understanding of the dynamics of coercive control.

*Hear her voice: Report One (2021)*, made eleven recommendations of direct relevance to the QPS which included the development of a transformational plan and enhancements to QPS training, specialist responses and internal procedures.

## CONCLUSION

These past reviews and reports demonstrate that shortcomings in the QPS response to domestic and family violence have been known for a long time and have persisted despite many recommendations aimed at creating improvement.

The next chapter considers the extent to which, despite those known shortcomings and multiple attempts at improvement, the problem of inconsistent and at times inadequate police responses to domestic and family violence continues to persist.

### FINDINGS

- While positive practice has been identified, multiple previous reviews and reports have examined Queensland Police Service responses to domestic and family violence, found them wanting and made recommendations for change.
- Despite past recommendations aimed at improvement and ongoing efforts at change, previous reviews and reports have concluded that Queensland Police Service responses to domestic and family violence continue to be inconsistent and, at times, inadequate.





## 2 Where QPS responses fall short

Many of the previous reviews and reports which considered QPS responses to domestic and family violence have identified shortcomings. Many of those shortcomings have persisted over time despite recommendations made over the years aimed at improvements.

This chapter considers the ways in which QPS responses to domestic and family violence continue to fall short of community expectations in the present day. Although this chapter considers the ways in which QPS responses fall short of meeting community expectations, the Commission recognises that, in many cases, police officers do respond well to domestic and family violence and act to protect

victim-survivors and keep them safe.

The Commission's understanding of this issue was informed by input from victim-survivors, their families and the community organisations that support them.

The Commission received submissions from 409 victim-survivors. Further to those submissions, the Commission conducted a survey of victim-survivors' experiences of reporting domestic and family violence to police and received 848 responses to the survey.

The following table provides an overview of the victim-survivor survey responses:

### OVERVIEW OF VICTIM-SURVIVOR SURVEY FINDINGS



#### BARRIERS TO REPORTING TO POLICE

Of the small proportion of victim-survivors who responded to a question about experiencing barriers when contacting police, two-thirds confirmed they had experienced barriers. They listed three main barriers:

- Fear of how the other party would react (selected in 20.62% of responses)
- They did not think police would believe them (selected in 15.46% of responses)
- They did not think police would care (selected in 12.47% of responses).



#### HOW THE REPORT WAS MADE TO THE QPS

Most victim-survivors reported to police by calling them during or after the episode of domestic and family violence (41.63%) closely followed by attending a police station to report or discuss their experiences of domestic and family violence (34.62%).

Police were also called by third parties (10.86%) or were called by the other person involved in the domestic and family violence during or after the episode of violence (5.43%).



#### FREQUENCY OF CONTACT WITH POLICE

Over the past three years, victim-survivors reported calling police:

- 2-3 times (32.07%)
- 4-7 times (29.60%)
- 11+ times (14.61%)
- 1 time (12.71%)
- 8-10 times (11.00%)

Of these, the majority reported that their most memorable contact with police happened within the last two years (71.51%).



#### PROVIDING INFORMATION ABOUT SUPPORTS

This happened infrequently in most cases, although 44.25% of victim-survivors reported being referred to support services by police. Over half of these respondents reported that referral occurred infrequently (56.30%). Only 1.72% of respondents to this question indicated they declined the police referral.



#### QPS RESPONSE TO THE REPORT

Victim-survivors reported that police had applied for a Protection Order listing them as an aggrieved (17.02%) or advised them to make a private application for an order (14.31%).

Police did not act in another 25.3% of cases, or they took action that was not related to domestic and family violence (3.61%). Police charged the other party with a domestic and family violence offence in 9.33% of cases. Victim-survivors also reported being listed as a respondent on an application for a Protection Order in 8.13% cases or being charged with a domestic and family violence related offence (2.56%).



#### VICTIM SATISFACTION AND SENSE OF SAFETY

Most victim-survivors reported that they were unsatisfied with the police response (60.79%) or only partially satisfied (22.74%). Reasons for being unsatisfied with the response included not feeling believed (14.49%) or respected (9.51%), being made to feel like they were wasting police time (15.57%) or police not properly investigating the report (19.24%).

Most victim-survivors felt that their safety and well-being had been negatively impacted by the actions taken by police (57.82%) or they were unsure about how their safety and well-being was impacted (21.32%).

Figure 4: Overview of victim-survivor responses to the Commission's survey

In addition, the Commission received submissions from 50 community organisations, and met with, or heard evidence from, representatives of 59 organisations.

The information from victim-survivors and the community organisations that support them inform the discussion in this chapter and the findings made at the end of it. The Commission's companion report, *Behind the call for change*, contains further perspectives and experiences of victim-survivors and community organisations.

As will be seen in this chapter, the shortcomings of the QPS response to domestic and family violence identified in previous reviews and reports continue to the present day. Moreover, the inconsistency in QPS responses to domestic and family violence occurs at all stages of the police response.

## THE STAGES OF THE POLICE RESPONSE TO DOMESTIC AND FAMILY VIOLENCE

The QPS has a critical role in the response to, and prevention, disruption and investigation of domestic and family violence by:

- investigating reports of domestic and family violence to identify, protect and support the person most in need of protection

- holding users of violence accountable for their behaviour by commencing criminal charges where appropriate
- partnering with other agencies to develop strategies to reduce the incidence of domestic and family violence and promote coordinated service delivery.

The obligations of the QPS to respond to domestic and family violence are set out in the *Domestic and Family Violence Protection Act 2012* (Qld) (DFVPA), the QPS Operational Procedures Manual (OPM) and a range of other legislative instruments and procedural documents. In addition, the *Human Rights Act 2019* (Qld) (HRA) protects the rights of victim-survivors by imposing obligations on the police in their investigation of domestic and family violence.

The responsibilities that arise at the various stages of the police response to domestic and family violence are set out in Figure 5.

There are many stages in the police response to, and investigation of, domestic and family violence. Victim-survivors and individual police officers told the Commission about failings by the QPS at all stages of its response to people experiencing domestic and family violence, including when victim-survivors make an initial report, throughout an investigation, and during court proceedings.

RESPOND	DISRUPT	INVESTIGATE	PREVENT
The QPS is the primary responder to domestic and family violence. Police have a responsibility to listen, inquire, assess and ensure they respond appropriately to a report of domestic and family violence.	Police have a role in engaging with and disrupting the behaviour of high risk perpetrators of violence, and case managing at-risk couples. This includes working with partner agencies, participating in High Risk Teams, and implementing targeted initiatives to address ongoing perpetration of domestic and family violence.	Where police form a reasonable suspicion that domestic and family violence has occurred, they have a statutory obligation to ensure the matter is investigated. A thorough and complete investigation is to be conducted to ensure police are making sound decisions about the actions that need to be taken.  This can include providing advice, making a referral, issuing a Police Protection Notice, applying for a Protection Order and pursuing criminal charges to hold perpetrators to account. All reports of domestic and family violence must be appropriately recorded in QPS systems to inform both current and future responses.	By their actions, police prevent future domestic and family violence. Police are required to collaborate with other agencies as part of a broader whole of system response to domestic and family violence. This can be achieved by sharing information across agencies, participating in a range of service support and prevention initiatives (including co-responder and co-location trials), and engaging with agencies locally to trial different prevention approaches.

Figure 5: Responsibilities of police in the investigation of domestic and family violence

## INITIAL REPORT

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Police are often the first agency that victim-survivors contact for help, and they are frequently required to respond to domestic and family violence during periods of crisis or heightened risk. It is well established in research that by the time a victim-survivor seeks assistance from police, they are likely to have experienced multiple previous episodes of domestic and family violence.<sup>128</sup> For many, the abuse has escalated to a point that they no longer feel able to manage it themselves.

The initial response by police is crucial in addressing any immediate safety concerns and encouraging future reporting. The way police engage with a victim-survivor when they first meet them is critical to building trust.<sup>129</sup> If a victim-survivor has a negative experience with police, they will be less likely to call them for help a second time.<sup>130</sup>

The initial report can be made by victim-survivors, perpetrators or other persons (such as a neighbour or a family member). It can occur through an urgent call for service via Triple Zero directed to a Police Communications Centre, a non-urgent report to Policelink by phone or online, or at a police station.

Irrespective of who makes the report or how it is made, the QPS has a responsibility to listen, inquire, assess, and ensure that the report is dealt with appropriately. At times, police officers do not seem to be aware of how significant their role is.

The Queensland Auditor-General recently found that between 2015-16 and 2021-22 the percentage of domestic and family violence calls for service classified by the QPS as not requiring a direct response has more than doubled. The Auditor-General also found that the QPS has not responded to urgent calls for service in their target timeframes.<sup>131</sup>

Consistent with previous coronial findings, reviews and reports, the Commission heard many examples of shortcomings in police responses at this stage. These include:

- call takers not obtaining or communicating adequate or accurate information when receiving a report of domestic and family violence<sup>132</sup>
- substantial delays in responding by police<sup>133</sup>
- first response officers actively avoiding calls for service<sup>134</sup> or failing to take a victim-survivor's report of domestic and family violence<sup>135</sup>
- police discouraging victim-survivors from making a report<sup>136</sup>
- police aligning themselves with the perpetrator,<sup>137</sup> or not believing victim-survivors' reports (despite unmistakable evidence of injuries)<sup>138</sup>
- officers or staff turning people away from police stations and/or making no official record of the contact.<sup>139</sup>

One victim-survivor who responded to the Commission's survey told the Commission she experienced a number of these shortcomings. She said:

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**It was a big step to go to a police station. I would physically have to sit in the car, stop shaking and build up the strength just to walk into the station, it was petrifying.**

**Then to be told by officers just need to log the information on police link.**

**If there was an issue, I needed help with it then, not to be lost in an online database. Would often turn up at police and ask for specialist DV officer but none on duty. Felt police didn't respect what I would tell them sometimes, because it was coercive control rather than physical violence.**

**The perpetrator in our case was caught installing tracking device on children's watch, when our location was protected. I reported this as breach. Never heard back from police after I spoke to them. Was told years later this could have been a criminal offence.<sup>140</sup>**

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In particular, the Commission identified a concerning practice by some officers of recording victim-survivors on body-worn camera footage stating that they did not want to proceed with any criminal charges at the point of crisis and prior to the commencement of an investigation.<sup>141</sup> This has serious implications for the sufficiency of evidence later gathered by the police and reduces the likelihood of victim-survivors being able to pursue criminal charges at a later date.

Further, the Commission found that many victim-survivors are not believed when they try to make a report of domestic and family violence to police<sup>142</sup> and/or that they are blamed by officers for the violence they report.<sup>143</sup> Victim-survivors reported that a poor response by police made them reluctant to call the QPS for assistance in the future.<sup>144</sup>

One victim-survivor who responded to the Commission's survey explained her experience in the following way:

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**I was physically assaulted by my partner and I called 000. It took them an hour to get there and I was standing outside as I was afraid. Two male police attended and one of them was so rude and condescending and clearly didn't care or want to be there. He said things like "we attend heaps of these per night."**

**He told me there was nothing they could do as my partner was on the lease and essentially it was pointless to press charges due to the nature of the incident. He seemed he couldn't be bothered to assist.**

**When you are afraid and ask for help and that is the response you get it's very heart crushing and doesn't make you feel like you can rely on the police to help you keep safe.<sup>145</sup>**

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The Commission also received submissions describing instances of police providing a cursory response and minimising or misrepresenting victim-survivors' experiences of abuse.<sup>146</sup>

These issues were compounded for those who did not present as an 'ideal' victim, particularly where alcohol and other drug use and mental health issues were present, or a victim-survivor may have used resistive violence.<sup>147</sup>

Brisbane Youth Service provided the following example to the Commission:

## CASE STUDY: LIBBY'S EXPERIENCE

Libby was a young woman in a relationship characterised by coercive control. This included being regularly injected with illicit substances by her partner as part of the abuse he perpetrated against her.

Libby's partner used her drug dependence to prevent her from leaving him, including by controlling her supply. When police responded to a domestic and family violence related call for service, which was a regular occurrence within their relationship, the partner would present her to the QPS as an addict under the influence and discredit her version of events.<sup>148</sup>

Failing to properly recognise perpetrator tactics makes it more difficult for police to accurately identify the person most at risk. Dr Brian Sullivan, academic, practitioner and educator in men's domestic violence intervention programs told the Commission that perpetrators who participate in his programs typically admit that they have pretended that they are 'the good guy' when engaging with police, and that their partner is 'the crazy one'. This can lead to misidentification by police of the victim as the respondent.<sup>149</sup>

Ms Nadia Bromley, Chief Executive Officer, Women's Legal Service Queensland told the Commission that many victim-survivors who tried to report domestic violence felt they were either discouraged from reporting, felt pressured to not report, or were not believed, which was a significant barrier for women.<sup>150</sup> In its submission, Women's Legal Service Queensland provided further examples, where victim-survivors felt that they had been:

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**... disregarded, disbelieved and dismissed especially if there are no signs of physical violence, and/or there are family orders in place, or they are not the ideal victim and might have mental health issues, drug and alcohol issues or they are attempting to report a breach.<sup>151</sup>**

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Many community organisations raised concerns about police officers' understanding and response to trauma,<sup>152</sup> and to people or groups who are more vulnerable to domestic and family violence.<sup>153</sup> In addition to demonstrating a poor understanding of domestic and family violence, this included concerns about:

- a lack of understanding of the cultural and historical barriers that exist for some marginalised people or groups which may impact their willingness to report to, or engage with, police<sup>154</sup>
- the impact of stigma and discrimination on when, and how victim-survivors may report their experiences of violence to police, particularly for people who use drugs, people with complex histories of trauma, and people with previous poor experiences of police or other statutory services (such as child safety)<sup>155</sup>
- the impact of biases and ignorance on police responses to First Nations peoples,<sup>156</sup> people from culturally and linguistically diverse backgrounds, sex workers,<sup>157</sup> people with language barriers or disability,<sup>158</sup> people who identify as LGBTIQ+<sup>159</sup> as well as the elderly and young people.<sup>160</sup>

Community organisations identified the importance of addressing barriers to reporting for these groups,<sup>161</sup> particularly where such experiences may impact a victim-survivor's perceived credibility,<sup>162</sup> and to building cultural capability among police.<sup>163</sup>

Mr Ben Bjarnesen, the Managing Director of the LGBTQ Domestic Violence Awareness Foundation, gave evidence about the barriers experienced by the LGBTIQ+ community. As an example, he described instances where police officers had made assumptions about a victim-survivor and their role in the relationship based on their stature or other features, and how these types of biases can stop people from reporting.<sup>164</sup> Ms Ellie Hansson, a solicitor with the LGBTI Legal Service, confirmed those barriers in her evidence. She had observed instances where police displayed an open disregard or active mistreatment of LGBTIQ+ people and their matters were not taken seriously.<sup>165</sup>

Older people reporting domestic and family violence at the hands of adult family members or their partners have also experienced their complaints being dismissed by police as a family matter. Ms Cybele Koning, Chief Executive Officer of Caxton Legal Service, told the Commission that there had been a significant increase in the number of older people reporting domestic and family violence but that police often decline to make Protection Order applications because they do not understand that elder abuse can be a form of domestic and family violence (where a relevant relationship exists).<sup>166</sup>

The Commission heard that First Nations women are often dealt with differently by police because of their race,<sup>167</sup> and that they face a range of additional barriers to reporting abuse.<sup>168</sup> This means that by the time First Nations victim-survivors do seek assistance from police it is highly likely they have endured abuse for an extended period and the violence has significantly escalated.<sup>169</sup> Acts of resistive violence, in protection of self or others, are not always recognised as such by police and First Nations women, in particular, were not identified as the person most in need of protection as a result.

The Commission also heard that police sometimes refuse to act when there are concurrent family law proceedings or child custody issues,<sup>170</sup> telling victim-survivors that they believed they were making reports as leverage for family law matters,<sup>171</sup> or to limit men's access to their children. Significantly, and despite research clearly showing that false reports of domestic and family violence are statistically rare,<sup>172</sup> this was confirmed by police officers who responded to a survey undertaken by the Commission,<sup>173</sup> in evidence at hearings<sup>174</sup> and in interviews conducted by an external consultant engaged by the Commission.<sup>175</sup>



## DURING AN INVESTIGATION

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Where police officers form a reasonable suspicion that domestic and family violence has occurred, they have a statutory obligation to ensure the matter is investigated.<sup>176</sup>

Officer decision-making and protective outcomes for victim-survivors are improved by appropriate and thorough investigations where police interview both parties and any witnesses, gather independent evidence, consider any prior history of domestic and family violence, undertake a protective assessment, and enter an accurate record in QPRIME.

Importantly, some victim-survivors may not feel safe or be willing to disclose their full experiences of violence to police for a variety of reasons.<sup>177</sup> While this can limit the ability of police officers to effectively respond or assess any potential risks, it also highlights the critical need for police to have a strong understanding of domestic and family violence, respond in an informed way and to ensure that they accurately and fully record their interactions.

An effective response by police can not only lead to better protective outcomes for victim-survivors at this point but may also improve their willingness to seek help again.

Ms Betty Taylor, Chief Executive Officer of Red Rose Foundation, acknowledged that many current serving officers do a very good job, but also told the Commission of inconsistent responses by police across the state, particularly in relation to women who have been non-lethally strangled by their partners. She spoke of the importance of training police to recognise high risk behaviours and lethality indicators as a critical element in the prevention of domestic homicides.<sup>178</sup>

When police officers fail to make inquiries or gather sufficient evidence to inform their response, victim-survivors and their children may be left unprotected, and perpetrators are not held to account for their actions. This also increases the likelihood of police misidentifying the person most in need of protection.

Ms Di Mahoney, Acting Chief Executive, Brisbane Youth Service, told the Commission about the importance of police investigations in the context of misidentification. She provided an example of a young woman who had been identified as being at such significant risk that she was being managed by the High Risk Team. Police were called to an episode of domestic and family violence involving the young woman and the perpetrator, who had an extensive criminal and domestic and family violence history of high risk violence against multiple other victims. Police failed to access the perpetrator's history and misidentified the young woman as the respondent when she was the person most in need of protection.<sup>179</sup> At the time of the Commission's hearings, the police application naming the young woman as the respondent had not yet been withdrawn.<sup>180</sup>

The misidentification of domestic and family violence victims as perpetrators compromises the integrity of the police response and significantly heightens the risk to the primary victim. It restricts access to support and protection for those experiencing violence and can embolden the perpetrator, who may use a Protection Order to silence or control the primary victim.

The application for a Protection Order in such circumstances may also lead to victim-survivors being subjected to criminal proceedings and further adverse outcomes.

The Commission heard of a number of cases where this had occurred. Ms Debbie Hewitt, a solicitor with Women's Legal Service Queensland, told the Commission that the organisation had established its own program to offer legal assistance to female respondents, as it had identified through its own clients and other information that women victim-survivors were at risk of misidentification as perpetrators of domestic and family violence.<sup>181</sup> Findings from the Domestic and Family Violence Death Review and Advisory Board<sup>182</sup> and recent research by Australia's National Research Organisation for Women's Safety confirms the prevalence of this issue.<sup>183</sup>

One victim-survivor who responded to the Commission's survey explained her experience in the following way:

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**...it would have been much better if they didn't show up. They just made my ex more bold, he just laughed at me for calling the police.**

**I am surprised I am not dead as calling the police made my ex so angry, there was blood in his eyes, and the Queensland police made sure he knew they would not lift a finger if he killed me.**

**The police were the ones who made sure the report from the incident was framed so that I was made to look like the angry violent one when he was the one who regularly strangled me and beat my head.**<sup>184</sup>

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Police also misidentify victim-survivors as perpetrators when they fail to recognise parties with vulnerabilities that limit their ability to fully engage in an investigation, and to make reasonable adjustments to support their involvement.

The Commission identified instances where police failed to engage independent interpreters when responding to victim-survivors from non-English speaking backgrounds. Instead, police relied on other family members or the perpetrator to inform their assessment of the situation and their decisions about appropriate responses, which can result in comprised investigations.<sup>185</sup>

In the experience of Legal Aid Queensland practitioners, where a person from a non-English speaking background is experiencing violence and is able to provide police with their name and answer questions with 'yes' or 'no', police often make no further inquiry about their ability to adequately speak or understand English. Legal Aid Queensland also provided details of an instance where police used Google Translate to communicate with a person experiencing violence.<sup>186</sup> In evidence at the hearings, one police officer implied that where English was not the victim-survivor's first language, the officer "just managed" without an interpreter.<sup>187</sup>

Micah Projects provided the Commission with the following example:



## CASE STUDY: JUDY'S EXPERIENCE

Judy had been working with domestic violence services around her experience of abuse and violence, which included high risk factors of escalating stalking behaviour, physical and sexual assault. On one occasion she sought assistance from police when the perpetrator went to her home and waited outside her door for an extended period.

Judy, who is from a culturally diverse background, called Triple Zero for an immediate crisis response and the police reported they could not understand her accent when she tried to speak English. In addition, they refused access to an interpreter to assist her to explain why she was fearful and needed police support.

The police officer attending to her call insisted Judy would need to present the next day with someone who could interpret for her. When Judy presented the following day to a police station she was dismissed as not having enough evidence for them to take any action.<sup>188</sup>

The Commission heard that women with disabilities were also often not appropriately supported when reporting domestic and family violence to police. Ms Jacelyn Parsons, social worker with the WWILD Sexual Violence Prevention Association, gave evidence that as she supported clients with intellectual disabilities who may have problems with comprehension, reading and writing, she would advocate for police to take video-recorded statements pursuant to section 93A of the *Evidence Act 1977*, instead of a written statement. Despite that measure being allowed specifically for those with an impairment of mind,<sup>189</sup> she said police often resisted taking video-recorded statements, incorrectly claiming the procedure was only allowed for children. Where she had been successful in advocating for its use and that measure had been adopted by police, it resulted in her clients giving better evidence.<sup>190</sup>

Victims' families told the Commission of their concerns that police did not adequately investigate the history and context of domestic and family violence surrounding the death of their family member. In the words of one family member, this failure has consequences for coronial investigations because "*coroners can only make findings based on the information they have*" and initial police reports are "*not at all informative...And omits important detail that might have prompted very different decisions from the Coroner*".<sup>191</sup>

Multiple stakeholders raised similar concerns. They told the Commission these problems more commonly occurred in cases where a deceased victim had used drugs, had a criminal history, or if the cause of death was ambiguous and responding police had determined the cause of death was accidental.

These cases frequently involved limited investigations, a lack of critical thinking, analysis or evidence gathering and, in some cases, no acknowledgement of, or a lack of understanding of, the domestic and family violence context.

It was not uncommon for these deaths to have occurred in the context of serious domestic and family violence, and in some cases, police had responded to a domestic and family violence related call for service in the hours preceding the death.<sup>192</sup> In a confidential submission, stakeholders told the Commission that:

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**We sincerely believe that the deaths of women (in particular) are under-investigated or not investigated properly due to the pre-conceived attitudes of responding police. While we do not suggest that all under-investigated or poorly investigated deaths are homicides, the true injustice is that we cannot know with confidence. These women deserve to have their deaths fully and comprehensively investigated on the evidence, and through a DFV informed lens.**<sup>193</sup>

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## TAKING ACTION

Investigating officers can instigate a range of actions depending on the report made to them and the available evidence.<sup>194</sup> However, their decision-making priority must be the safety, protection and wellbeing of persons who fear or are experiencing domestic and family violence and holding perpetrators responsible for their use of violence and its impact on others.<sup>195</sup>

Many victim-survivors told the Commission about apparent failures by police to commence investigations or gather evidence,<sup>196</sup> apply for Protection Orders,<sup>197</sup> or pursue criminal charges.<sup>198</sup>

Community organisations also told the Commission that police officers did not always adequately support victim-survivors, including instances where officers:

- discouraged victim-survivors from making an application for an order or from reporting breaches<sup>199</sup>
- avoided providing support to victims to make statements,<sup>200</sup> or left important information out of written statements<sup>201</sup>
- lost evidence.<sup>202</sup>

When it occurs, police reluctance to apply for Protection Orders appears to be driven by several factors, including poor understanding of the law and the dynamics of domestic and family violence, along with cultural issues within the QPS. These cultural issues are discussed in further detail in Part 3 of this report.

Victim-survivors told the Commission that police demonstrated limited awareness of coercive control and failed to recognise the various nuanced tactics used by perpetrators.<sup>203</sup> As a result, responding officers did not take protective action or took insufficient action to address risk and safety concerns.

One respondent to the Commission's survey explained:

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**I perceived that Police were dismissive of the threat as it was not of a physical nature and because this had been a prolonged case of non-physical DV. As with all previous interactions regarding the DFV matters, I found Police often made excuses for the perpetrators actions including commenting to the fact that 'it was just words'.**

**I often found, they were annoyed with having to deal with the ongoing situation. Breaches were referred to as 'technical' and 'not worth pursuing' and that I should just 'ignore the behavior'.**

**In general, the perception was that I should just accept and try to ignore the constant harassment, stalking behaviour and abuse because it was not of significant enough threat.<sup>204</sup>**

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Ms Toni Bell, Director of Family Law and Civil Justice Services at Legal Aid Queensland, provided similar examples obtained from her own clients where police failed to take action where there were no allegations of physical violence or threats.<sup>205</sup> She said:

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**It's a common theme that our clients complain that where there's no physical abuse that police are sometimes reluctant to attend at their homes to assist in helping them to get safe by applying for an order.<sup>206</sup>**

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Some police officers have a poor understanding of the operation and intent of the DFVPA, which differentiates between acts of violence that are intended to create fear, and those that are defensive or reactive in nature.<sup>207</sup> This lack of understanding increases the risk that victim-survivors who use violence to defend or protect themselves or others will be misidentified as perpetrators.<sup>208</sup>

The way victim-survivors reported violence also influenced the likelihood that police would apply for a Protection Order. Organisations and victim-survivors described a general reluctance by officers to undertake an investigation or apply for Protection Orders when a victim-survivor attended a police station to report their experience of violence, compared to when police attended a domestic and family violence related call for service.<sup>209</sup>

The Integrated Family and Youth Service informed the Commission of the following example:

## **CASE STUDY: HOLLY'S EXPERIENCE**

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Holly attended a police station in January 2022 with a folder filled with evidence of the violence and abuse she had experienced from her ex-partner. Holly explained she had been physically assaulted multiple times, she had been receiving over thirty phone calls a day from him, and that he had made specific threats to harm her *"until I couldn't crawl"* and to kill her pets.

Holly expected the police would take a statement from her, but they did not. Holly was provided with the contact details for her local domestic and family violence support service and with their assistance, Holly obtained a private Domestic Violence Protection Order.<sup>210</sup>

Caxton Legal Centre provided the following example:

## **CASE STUDY: RALPH'S EXPERIENCE**

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Ralph, aged in his 90s, drove his mobility scooter to a police station at 4am to report abuse he had experienced from his adult son who was living with him. The son had been physically, verbally and financially abusive towards his father. The police officer he spoke to told him it was a civil matter and he ought to go home. Ralph was not given any supports or referrals. He subsequently sought assistance from a Community Legal Centre to obtain a private Domestic Violence Protection Order.<sup>211</sup>

A recent Ethical Standards Command report on *Bail, Street Checks and Front Counter Reporting* (2021) confirmed that the incidence of police officers failing to apply for a Protection Order when a victim-survivor attended a police station is a regular occurrence.

It identified that during the reporting period 1 April 2020 to 31 March 2021, where a victim-survivor who did not already have a Protection Order in place attended the front counter of a police station to report a domestic and family violence matter, almost half of the occurrences (49%) were finalised without the officer making an application for a Protection Order. Further, within the one month period following the victim-survivor's attendance at the front counter, 319 victim-survivors had made a private application for an order at a courthouse, 200 of which were granted.<sup>212</sup>

Following the release of this report, the QPS issued an operational advisory note<sup>213</sup> to members about their obligations around domestic and family violence complaints, including:

- bail considerations
- the need to treat victims who report at front counters with sensitivity and take them to a separate and private room

- how a matter is recorded
- the need to review a matter holistically.

A requirement to activate body-worn cameras when someone reports to be a victim of domestic and family violence was also issued.<sup>214</sup> Assistant Commissioner Brian Codd told the Commission that the intention of this requirement is to audit sections of the footage to ensure that police are giving the right quality of service delivery.<sup>215</sup>

A reluctance by officers to apply for a Protection Order does not recognise the barriers faced by many victim-survivors who then must seek their own order, including poor literacy, an inability to represent themselves and care-giving responsibilities that impact the capacity of some victim-survivors to navigate the complex processes required to make a private application.<sup>216</sup>

It is also evident that some police do not understand the standard of proof required for civil proceedings, and apply the higher threshold required for criminal prosecution when considering whether to make an application for a Police Protection Notice or a Protection Order. This is consistent with victim-survivor and advocates' accounts of being told by officers that there was insufficient evidence for police to make an application for a Protection Order.<sup>217</sup>

Moreover, the Commission heard that police often do not investigate offending behaviour perpetrated in the context of domestic and family violence as a criminal offence. Submissions by victim-survivors outlined instances where officers encouraged victims not to pursue charges,<sup>218</sup> or subsequently discontinued charges.<sup>219</sup> Reasons for the discontinued charges provided to victim-survivors by police included that there was insufficient evidence,<sup>220</sup> evidence had been lost<sup>221</sup> or there were concerns about the credibility of the victim-survivor's evidence.<sup>222</sup> One victim-survivor said:

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**In a decade actually charge the perpetrator for even One. Single. Breach. I, and my child, have lost the last decade of our lives trying to stand up for ourselves now not just against our mutual perpetrator, but also against the Police amongst other institutions that claim to help but often use many similar tactics in their interactions with aggrieved as the perpetrators do.**

**The biggest joke is that a 9yo child chose to stand up to his 6ft 4+, 120kg+, 45+yo perpetrator father because police had chosen not to so many times that the child had lost count and would report "the police don't care about me".**

**A solution needs to be found to where aggrieved and their children are not left to bare the consequences of escalated and emboldened perpetrators resulting from Police failing to ensure accountability due to inexperience, error, and/or inefficiencies. If Police fail to charge or fail to do so within the statute of limitations, when there is an order and a breach has occurred, then aggrieved should not be told "tough-luck" and that they "simply have to wait until the next offence" by the perpetrator and then the Police might look into perhaps doing something.**

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**A system is also required to review cases and back prosecute to provide accountability and closure for aggrieved, and to give historical context to ongoing DV - how else can patterns of coercive control be identified and actioned for accountability?**<sup>223</sup>

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Failing to investigate associated criminal offending fails to recognise that criminal charges can be made, and can succeed even if contested in court proceedings, when the only evidence comes from a complainant's account of the offending. When police officers fail to bring criminal charges, which would otherwise be appropriate in the circumstances of the case, because of a lack of corroborating evidence, or because a perpetrator denies the offending or gives an alternate version of events, they fail those victim-survivors who seek to obtain justice.

The Commission also heard examples, including from serving officers,<sup>224</sup> where police did not act on complaints of breaches of Protection Orders because they considered the offending to be 'technical,'<sup>225</sup> or 'administrative'<sup>226</sup> breaches. Victim-survivors were also reportedly told by officers not to report breaches of Protection Orders each time they occurred, but to save them up in batches,<sup>227</sup> or until they had a few.<sup>228</sup> Adopting this approach fails to recognise:

- the episodic patterns of abuse that underpin relationships characterised by domestic and family violence
- the danger it represents to victim-survivors and the potential for any escalation in abuse to be missed
- the need for swift action by police to prevent further acts of violence and ensure that perpetrators are held to account when a breach occurs.

In a confidential submission, the following example was provided:

## **CASE STUDY: GABRIELLE'S EXPERIENCE**

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In February 2022, Gabrielle fled from Queensland and was in hiding from her ex-partner in New South Wales. She had been subjected to numerous physical assaults including non-lethal strangulation. Gabrielle sought assistance from the New South Wales Police who applied for an interim Apprehended Violence Order (AVO), which was served on her ex-partner by the QPS. The QPS did not take any action regarding criminal charges for the non-lethal strangulation as they said they did not have enough evidence.

Four months later Gabrielle spoke with the New South Wales Police regarding small amounts of money her ex-partner was transferring to her account. The transfer descriptions included requests she contact him and referred to Gabrielle's sister's address where she was staying. NSW Police reported this breach of the AVO to the QPS Domestic and Family Violence and Vulnerable Persons Command, including a statement from Gabrielle, and a report was generated.

Gabrielle reported further transfers to the NSW Police five days later, who again provided this information to the QPS DFVVP Command.

The NSW Police directly contacted the investigating QPS officers, providing the additional screen shots of the bank transactions and transfer descriptions and the further statement made by Gabrielle.

A QPS Senior Constable told the NSW Police that they would not arrest Gabrielle's ex-partner as they did not have concrete evidence, and until they issued a warrant for the bank statements they could not prove the offending, despite receiving the screen shots from Gabrielle's bank account. NSW Police expressed their concern regarding the offending and that action should be taken immediately, especially considering Gabrielle's fear and the steps she had taken to evade her ex-partner, including changing phone numbers, cars, and making alterations to her appearance. The Senior Constable reiterated they would not take action and advised NSW Police that if they had any issues they should 'take it up the chain of command'.

NSW Police contacted the QPS DFVVP Command again about their concerns for Gabrielle's about safety, but QPS still did not act. The QPS failed to recognise the patterns of abuse experienced by Gabrielle, the escalation of risk to her and her sister, and the need to prevent further offending.<sup>229</sup>

Many community organisations echoed these inconsistencies in police responses to domestic and family violence, including the reluctance by police to seek Protection Orders and pursue criminal charges,<sup>230</sup> and an 'apathy' shown by police towards victim-survivors when they tried to report breaches.<sup>231</sup>

Limiting investigations in this way fails to hold perpetrators to account for their violent actions. This failure to pursue criminal charges by police has been consistently identified as an issue since at least 2005,<sup>232</sup> and was one of the main criticisms of the QPS by the Special Taskforce on Domestic and Family Violence in Queensland (2015) which made several recommendations to address this area of concern.<sup>233</sup>

Where police arrest a perpetrator for a domestic violence offence, section 16 of the *Bail Act 1980* (Qld) provides that a police officer must consider the risk of the perpetrator committing further domestic violence when making the determination to grant or refuse bail. As a further safeguard, when a perpetrator is in a show cause position and police grant bail, a police officer is required to provide a statement of reasons for the decision and record in QPRIME.

The QPS Ethical Standards Command report *Bail, Street Checks and Front Counter Reporting* (2021) assessed police bail decisions over the period 1 April 2020 to 31 March 2021. During the reporting period, less than 22% of police officers who granted bail to perpetrators in a show cause position provided an adequate statement of reasons.<sup>234</sup>

Poor communication by police with victim-survivors about the release of perpetrators from custody significantly increases the risk of harm. This is consistent with previous findings of the Domestic and Family Violence Death Review and Advisory Board and is exemplified in the following case:<sup>235</sup>

## CASE STUDY: MARY'S EXPERIENCE

Mary was an older woman who died in 2017 several days after a prolonged and vicious assault by John, her husband of over 30 years, during which he threatened to kill her, taunted, slapped, strangled and raped her. There was a significant history of domestic and family violence within their relationship, although much of it was not reported to services.

Several hours before her death Mary called police for the first time for assistance in relation to the abuse. She told them of verbal abuse and non-lethal strangulation that had occurred a week prior. Police asked her why she did not call them at the time, and she responded that she was too fearful.

They did not take any action at that time. Mary called police for a second time that night and made further allegations of abusive behaviour when they attended. John was intoxicated and uncooperative with police. Officers subsequently detained John and took him to a police watchhouse. He was issued with a Police Protection Notice which briefly described Mary's allegations and he was released from custody the same night.

Police did not tell Mary they had issued John with a Police Protection Notice. She was not told that the information she had provided to police had been communicated to him. Police did not contact Mary to tell her that he had been released from the watchhouse or that John might be returning to her home. John did return to the home and killed her in a prolonged attack. Audio of the assault that had been recorded by Mary, captured John telling her, as he attacked her "*...got a little read out of what you fucking told the fucking coppers out here, what a fucking load of fucking codswallop, and why I am doing this, cause I fucking read what you fucking told the fucking coppers...*"<sup>236</sup>

Irrespective of the action taken by police, the relevant details of a report of domestic and family violence must also be recorded in QPRIME in the required timeframes.<sup>237</sup> A failure to do so means that any future investigations are hampered by poor reporting practices.

The Commission obtained QPRIME records of all domestic and family violence related occurrences for May 2022. It is clear from those records there are vastly different reporting practices across the state ranging from a single line of information or no information at all to a detailed description of the officers' attendance at the call for service.<sup>238</sup>



In reviewing police processes and QPRIME data, the Commission identified issues with officers properly recording details of police occurrences in QPS systems, including instances of victim blaming and reports with scant detail.<sup>239</sup> Similar to concerns identified above, this is another issue which persists despite long-standing knowledge of the problem. The Domestic and Family Violence Death Review and Advisory Board<sup>240</sup> and coronial findings<sup>241</sup> have previously identified inadequate, incomplete and inconsistent QPRIME records as an issue which significantly limits the capacity of police to effectively respond to future calls for service.

## COURT PROCEEDINGS

Police have a responsibility to advise complainants and victim-survivors about what they can expect from court proceedings, to keep them informed of the progress of their matter, and to ensure adequate support is provided so they can take an active and meaningful part in the proceedings.<sup>242</sup> In their submissions to the Commission, the QPS recognised its obligations to victim-survivors and indicated it would welcome a recommendation for funding for Victim Liaison Officer positions within the QPS.<sup>243</sup>

The support provided to people experiencing domestic and family violence through civil and criminal proceedings can influence their willingness to continue to engage with court proceedings. A victim-survivor's willingness to engage with court proceedings helps to strengthen system responses to domestic and family violence and assists in holding perpetrators to account for their abuse.

Despite this, some police officers have a practice of telling both victim-survivors and perpetrators that they do not have to attend court.<sup>244</sup> This results in orders being made in their absence and removes the opportunity for a prosecutor to speak to the victim-survivor to determine suitable conditions for the order, and to negotiate a suitable outcome with the respondent in appropriate cases.<sup>245</sup> Where respondents are not present in court it is likely they will receive an order with conditions that do not suit the family or are not appropriate.<sup>246</sup> Further, a failure to explain the conditions of an order to a respondent increases the likelihood that the respondent will breach the order, even unintentionally, causing further distress to the persons the order is intended to protect.

Some victim-survivors reported a lack of contact from police following the initial investigation and response, even where criminal or civil proceedings were ongoing.

They also reported instances where police:

- minimised or misrepresented their experiences in court documents<sup>247</sup>
- discouraged them from pursuing criminal charges or failed to pursue charges<sup>248</sup>
- discontinued charges based on insufficient or lost evidence or concerns about the credibility of the victim's evidence.<sup>249</sup>

One participant to the Commission's survey explained her experiences in this way:

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**Being more informed about the progress of the breach – this should be done in writing where appropriate for the woman's safety.**

**Understanding where the investigation is at assists to safety plan. For example, I was not informed the police were taking up with the perpetrator until after the ROI (Record of Interview) – this meant that I was not prepared for the back lash as a result of that ROI.**

**Simply, I could have done without the negative projections of QPS towards me; it actually takes a lot of bravery to report breaches of DVO or report domestic violence.**

**I now refrain from reporting breaches to QPS because I find the interactions with them almost as triggering as experiencing the violence at the whim of my perpetrator.<sup>250</sup>**

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Police prosecutors have a responsibility to appear in police-initiated applications for Protection Orders and to assist victim-survivors make a private Protection Order application in some circumstances. However, the level of assistance offered to victim-survivors by police prosecutors is not consistent.

The contrasting evidence given to the Commission by two police prosecutors demonstrated this issue. Sergeant Michael Read, a senior police prosecutor, told the Commission that in Brisbane a prosecutor is specifically assigned to assist the court on days when private matters are heard. That prosecutor is responsible for reviewing the matters beforehand and informing the court of relevant information, including the existence of any other applications, the history and details of previous orders, and any relevant criminal convictions.<sup>251</sup> Conversely, Mr Jordan Theed, a civilian police prosecutor in northern Queensland, advised the Commission that there is no formal system in place in his area, and that when he attempted to assist the court in a private application he was told not to interject.<sup>252</sup>

The Commission also heard of poor brief preparation and inconsistent approaches to prosecutions and negotiations with parties. Mr Lewis Shillito, Director of Criminal Law for the Aboriginal and Torres Strait Islander Legal Service, told the Commission that negotiating with police prosecutions around domestic and family violence matters, specifically those involving breaches or related criminal offences, was particularly challenging. He gave evidence that negotiations would fluctuate and were dependent on the prosecutor assigned to the case, the station or office dealing with the matter and the relevant Officer in Charge, as their attitudes influenced their staff. Mr Shillito told the Commission of routine resistance to meaningful negotiations and a preference of some prosecutors to avoid making decisions but, rather, to proceed to hearing to allow the court to decide the matter.<sup>253</sup>

The Commission also heard of one police region that applied an unofficial policy of refusing to withdraw police applications for Protection Orders irrespective of the circumstances.<sup>254</sup>

Such an approach has significant implications for victim-survivors who have been misidentified as the perpetrator during an initial call for service and provides no recourse for officers to make a more informed decision if further relevant information is identified.

It is also inconsistent with the principles of the DFVPA which require that regard must be had to the person most in need of protection where there are competing allegations of violence, as well as section 9.69 of the Operational Procedures Manual.<sup>255</sup>

The Commission also heard of failings in the communication of court outcomes to parties.<sup>256</sup> Particularly concerning were instances where police were not willing or able to effectively explain the terms of orders made involving First Nations peoples, thereby increasing the risk of these orders being contravened.<sup>257</sup>

## COLLABORATIVE PARTNERSHIPS

Police are a part of a broader service system response to domestic and family violence and have a role in working collaboratively with other agencies to support and protect people impacted by violence. This may include:

- ensuring that referrals are made to appropriate support services for people experiencing domestic and family violence
- sharing information about high-risk persons with other services to develop appropriate case management responses
- participating in a range of partnership activities such as High Risk Teams, co-responder and co-location trials and local initiatives.

In their responses to the DVF-Q Survey (2022) (discussed in further detail in chapter 3), QPS members acknowledged the importance of working in partnership with other agencies and indicated they would value closer relationships with them.<sup>258</sup>

However, the Commission heard many examples of police failing to engage with available external specialist support services.<sup>259</sup> Community organisations identified a number of problems with police engagement with external services, including:

- a lack of awareness of, and respect for, the domestic and family violence support sector by the QPS<sup>260</sup>
- continued challenges with information-sharing, including insufficient information provided in referrals by police, and a lack of response to requests for additional information from services (including about potential risks to children)<sup>261</sup>
- significant concerns with the way victim-survivors were described by police in referrals, compared to perpetrators, and a lack of information in referrals,<sup>262</sup> including officers using language which justified or minimised the violence, such as *“they’re both as bad as each other.”*<sup>263</sup>

The Commission learned of language used by police in written referrals to support services which tended to justify or minimise violence which included the following examples provided by DV Connect and The Centre for Women & Co:

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**The Agg in this matter is not a suitable witness. She would not be able to provide a statement due to her dependence on alcohol and mental wellbeing.**

**Due to Sally’s self regulation inability as a result of ADAD and PTSD and relationship issues, there has been a number of heated verbal arguments recently.**

**Resp under pressure and stress as he is the only one working.**

**The incident involved a verbal argument which escalated when the male has pushed her outside the house and down the stairs. Sarah’s version of events is that he threw her down the stairs. (Police put a PPN [Police Protection Notice] in place with Sarah as the respondent and the male as the aggrieved).**

**Referrals including she wont stop complaining, just gearing up for family law court, just needs to learn about DV, doesn’t know whether to stay or leave relationship.**<sup>264</sup>

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The experiences of community organisations in working with specialist officers and collaborating as part of a broader coordinated response to domestic and family violence, such as through co-responder trials, are mixed. Some of the reflections shared with the Commission included:

- positive outcomes had been achieved such as improved reporting, communication, information-sharing and support, as well as enhanced police legitimacy<sup>265</sup>
- coordinated responses resulted in stronger relationships between police and domestic and family violence support services, leading to a better understanding of risk, as well as improved decision-making, safety planning and perpetrator accountability<sup>266</sup>
- partnerships can challenge the negative aspects of police culture, exposing officers to different ways of thinking and *“being less defensive and less prone to disrespect for women and victim-blaming.”*<sup>267</sup>



## IMPACTS FOR VICTIM-SURVIVORS

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While the Commission has received evidence that shows clear opportunities for improvement in the current police response, they also heard many examples of effective, timely and professional action taken by officers.

Ms Joanna Mason, an advocate and consultant for Resound, described a positive police response:

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**It was friendly. It was understanding. It was discrete and confidential. It was police working with me to try and find a way to reduce the duress of the situation through having conversations with me and the perpetrator. It was through police checking to see if I was okay and making me feel like my wellbeing was at the forefront of their concern, and safety. It was them not making me tell the story over and over again.**<sup>268</sup>

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This was echoed by some victim-survivors who expressed gratitude for the support offered to them by police officers and described the difference it made to be heard, believed and protected.<sup>269</sup> This included instances where officers took the time to listen,<sup>270</sup> responded promptly,<sup>271</sup> provided victims with information to keep themselves safe<sup>272</sup> and ensured that they were safe and understood what was going to happen next.<sup>273</sup> A victim-survivor who responded to the Commission survey said:

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**I didn't report it someone else did but i found the police very sympathetic, helpful, listened to my story and witnesses. Concerned for my wellbeing.**<sup>274</sup>

**They were incredible and they saved my life.**<sup>275</sup>

**But I was very grateful for the police help that I received. I was very happy by their whole attitude towards domestic violence.**<sup>276</sup>

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Victim-survivors also reported how powerful it was when officers held perpetrators to account by naming their behaviours<sup>277</sup> or by recognising coercive controlling behaviours.<sup>278</sup> One victim-survivor said:

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**Overall, I felt supported as I was in a situation I have never been in before and police helped me to realise the extent of concern for mine and my children's safety. I was then able to take steps to relocate my family to a safer place and have since dealt with numerous breaches from my perpetrator. On these occasions police have been 50/50 supportive and helpful. They have always been respectful and explained things mostly in detail with me.**<sup>279</sup>

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**...the domestic violence team have been amazing and very supportive through it all. I could not fault the officer currently helping me. He took the time to call me in regards to my questions and doesn't brush me off over things that may seem small to other people.**<sup>280</sup>

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Others highlighted elements that had worked well, including work done by specialist officers,<sup>281</sup> while also noting that there were substantial inconsistencies in responses across officers, stations, or districts.<sup>282</sup> This included that some police appeared to lack an understanding of domestic and family violence,<sup>283</sup> particularly non-physical abuse and other acts of coercive control.<sup>284</sup> One victim-survivor said:

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**Most of the police I had interaction with were professional and helpful. I did feel at times that they didn't specifically know how to help me in my situation and told me multiple times I needed to leave, disappear. I felt unsupported by regular officers who responded to my 000 call at my residence. I also was told multiple times to 'not poke the bear' referring to let some things go as to not aggravate my ex partner and the situation.**<sup>285</sup>

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Some victim-survivors also suggested improvements that recognised the difficulties police face in a system that is complex, unwieldy and often unable to provide the tailored responses so often required to respond effectively to domestic and family violence.<sup>286</sup> They also raised concerns about the mental health and well-being of officers, their treatment by senior officers and the difficulties of the job they are required to do.<sup>287</sup> One confidential submission said:

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**Having first hand knowledge of the treatment that some officers receive after voicing some doubt and disapproval of the way things are done, I would think the mental health of its staff would be top priority.**

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**It would appear that some career officers do not share the same concerns for their staff as these very same staff feel for the public – doing their duty every day, every shift. No one doubts that the job is a difficult one for police officers, in whatever capacity they serve, but the general public would be horrified to learn of the way some officers are treated (or have been treated) by senior member of the service.**<sup>288</sup>

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When discussing the shortcomings in police responses to their reports of domestic and family violence, victim-survivors described the consequences to them of a poor response by police including:

- emboldening the perpetrator<sup>289</sup> and exposing them and their children to further acts of violence<sup>290</sup>
- a loss of trust that police would be able to assist<sup>291</sup>
- stopping them from seeking further assistance from police<sup>292</sup> or making them reluctant to do so<sup>293</sup>
- being required to collect their own evidence of the violence they experienced<sup>294</sup>
- being misidentified as the perpetrator in the relationship even where there was evidence that they were the primary victim.<sup>295</sup>

Some victim-survivors described the impact on them as follows:

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**They dismissed, belittled and discounted me. They made the process impossible. They acted like the gatekeepers to whether or not my experience was even valid and worth their time. Not doing those things would be a good start.**<sup>296</sup>

**They could have taken me seriously, maybe then i would not have been electrocuted and raped by my ex and dumped by the side of the road.**<sup>297</sup>

**Listened and looked at the facts I'm 4'11 and 48 kilos my partner is 6'3 and 95 kilos. There is no way I could hurt him and he threw me around. They took me away and put me in custody.**<sup>298</sup>

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Community organisations further noted that poor experiences by victim-survivors when interacting with police can result in:

- a reluctance by victims to report their experiences of violence to the QPS, particularly on the part of First Nations women<sup>299</sup> when they are “*met with either a heavy-handed response or complete inaction and disbelief*” by officers<sup>300</sup>
- occasions which can “*further traumatise or re-traumatise*” victim-survivors, undermine their confidence and trust in police and courts and make them less willing to engage with police to pursue relevant criminal charges<sup>301</sup>
- heightened fear of retribution by a perpetrator because of a lack of a protective responses by police<sup>302</sup>
- victim-survivors being charged with offences such as drug possession, public nuisance, or property damage, after they have called police for assistance with domestic and family violence.<sup>303</sup>

## CONCLUSION

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The shortcomings in the QPS response to domestic and family violence, observed in many past reviews and reports, are still evident today. The QPS response to domestic and family violence continues to be inconsistent and at times inadequate.

However, despite the persistence of the problem, the hope for improvement is still strong. Among the accounts shared with the Commission about QPS responses to domestic and family violence was a prevailing optimism that change may yet result in better QPS responses in the future.

The Commission is in no doubt that a great many police officers respond well to domestic and family violence. It heard stories of diligence, competence and care that resulted in positive outcomes for victim-survivors.

However, the actions, and inactions, of police officers who do not respond well can have serious, long-lasting and, at times, fatal consequences. It is imperative that the QPS response improves so that it consistently meets the community's expectations that victim-survivors will be protected when they seek assistance from the QPS.

It is clear that change will require a sustained and dedicated commitment by the QPS leadership. The persistence of the problem of inconsistent and at times inadequate police responses over such a long time makes it plain that any reactive and quick fixes to the issues identified by the Commission will fail. Strong leadership, which provides the resources and cultural improvements necessary to facilitate positive police responses, will be essential.

One community organisation's submission expressed the need for strong leadership in this way:

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**Now is the time for them (victim-survivors) to be heard. Change needs to happen. It needs to be well considered, no more quick fixes, it needs to be sustainable, it needs to be transparent, and processes need to be put in place to enhance accountability.**<sup>304</sup>

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Acknowledging the fervent desire for change in the community, the next chapter considers the critical importance of the role of QPS leadership to this issue and some of the challenges it will face if it is to heed the call for change.

## FINDINGS

- Queensland Police Service responses to domestic and family violence do not consistently meet community expectations, and police officers do not always meet their human rights obligations to victim-survivors.
- The failure of the Queensland Police Service to meet community expectations when it responds to domestic and family violence persists despite multiple previous reviews and reports over many years identifying shortcomings in QPS responses and ongoing efforts to change.
- Where Queensland Police Service responses to domestic and family violence fall short of community expectations and its human rights obligations, they can do so at every stage of the interaction between police and people impacted by domestic and family violence, from the initial report to police, throughout an investigation, and during court proceedings.

# 3 The critical importance of leadership

Queensland Police Service (QPS) responses to domestic and family violence have been the subject of numerous reviews and attempts at improvement over many years. Various changes have occurred during this time. Some of those changes have fallen away quickly through inadequate funding or changing priorities within the QPS. Some have remained.

Despite this, as the previous chapter demonstrates, QPS responses to domestic and family violence continue to fail to consistently meet community expectations.

The fact that past reviews and recommendations and previous efforts to change, have not yet led to QPS responses which consistently meet community expectations demonstrates that future improvements will require a sustained and dedicated commitment from a strong and respected leadership.

This is likely to be a significant challenge for the QPS.

There are a number of reasons for this. First, responsibility for the organisation's continued inconsistent and at times inadequate responses lies at the feet of the leadership which has failed to implement effective long-term improvements. As a result, a large section of the membership feels let down by its leadership. Many police officers, and importantly those on the frontline, feel that the QPS leadership's public statements about improving police responses have not been matched by the resources necessary to allow the frontline to do their job well.

Further, wholesale improvements to police responses to domestic and family violence will not only require a demonstration by the leadership that it has heard the calls for more resources, it will require a cultural change in the way the QPS responds to domestic and family violence that will, in large measure, depend on the goodwill and motivation of its membership.

Inspiring this motivation will be difficult because a significant portion of the QPS membership is disillusioned with the leadership of the organisation. Police officers who joined the organisation with aspirations of making positive change in the community are tired and worn out because of their loss of faith in the current leaders and the impact of the leadership's decision-making on the way the membership does their job.

Moreover, improved police responses will require improvement to fundamental cultural issues of sexism, misogyny and racism, all of which impact negatively on QPS responses to domestic and family violence. Change in this regard will be difficult because of the culture of fear and silence which prevents the membership from speaking up about those issues and the changes that need to be made. The QPS leadership is responsible for that culture of fear and silence, but it is so ingrained that changing it will be hard to do.

Despite the challenges, if the QPS is to improve its responses to domestic and family violence, it will be important for the leadership to hear and acknowledge those among the QPS membership who feel abandoned, disillusioned and silenced. It is unlikely that present and future commitments by the leadership to improving police responses to domestic and family violence will be effective unless it does so.

## THE IMPORTANCE OF LEADERSHIP IN A HIERARCHICAL ORGANISATION

The importance of leadership in a hierarchical organisation such as the QPS is beyond doubt. First, it is the leadership that determines the resourcing and structures which will be directed to responding to domestic and family violence.

Second, the leadership influences the cultural issues that impact QPS responses to domestic and family violence. That is because culture starts at the top of a hierarchical organisation. The QPS itself recognises that the ethical tone of the organisation is set by its senior leaders.<sup>305</sup>

Codes of conduct, policies and procedures have less impact on the actions of an organisation's members than the words and actions of its senior leaders. The significant role of QPS leaders in shaping its members' conduct has previously been recognised by the organisation. In the QPS *Taskforce Bletchley* report, which reviewed allegations of excessive use of force by police on the Gold Coast in 2015, the authors observed:

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**Research has shown that the behaviour of supervisors, managers and leaders has more of an impact on staff behaviour than written codes of conduct or ethics policies. Leaders have direct influence on the behaviour of their followers and are responsible for shaping an organisation's climate by "providing meaning to policies and practices"... staff notice which behaviours are rewarded or punished by managers which in turn reinforces their own behaviour. Also, leaders who are seen to be non-compliant with company policies are more likely to find that staff follow their example. A leader's behaviour is seen as being a reflection on the "norms of the organisation", conveying "how things are really done".<sup>306</sup>**

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In this way, it is critically important that the QPS leadership not only ensures the right structures are in place to support its membership to respond well to domestic and family violence, but also that it creates a culture that promotes positive attitudes towards women, diversity and domestic and family violence.

The next section of this chapter considers the evidence before the Commission about perceptions of the membership that the QPS leadership has failed to support them by providing the resources necessary to ensure consistent responses to domestic and family violence.

## A SENSE OF ABANDONMENT OF THE FRONTLINE BY THE LEADERSHIP

There is a perception among the QPS membership that the leadership has not provided its members with enough resources to ensure the QPS is in a position to respond consistently well to domestic and family violence. The membership feels abandoned by its leadership, which is perceived by many as out of touch with the increasing pressures of responding to domestic and family violence.

Despite statements by the leadership that the demand on the QPS to respond to domestic and family violence is growing and that the organisation takes its role in meeting that demand seriously, members consider that QPS leaders have failed to provide the necessary resources to enable its membership to meet that demand. Members also consider that the leaders' rhetoric of support to its membership is not matched by actions that ease the burden of the QPS members at the coalface.

These views were conveyed to the Commission in mostly confidential submissions received from QPS members. They were accompanied by expressions of relief and gratitude at the opportunity to express their concerns and frustration with the inadequacy of the resources and support available to them.

### THE QPS DFV-Q SURVEY

The views of those who communicated directly with the Commission were consistent with views expressed in response to surveys of the QPS membership which were conducted in 2018 and 2022.

In 2018, the QPS engaged an external consultant, the Nous Group, to survey its members to assist the QPS to drive improvements in its responses to domestic and family violence. That survey, the QPS DFV-Q 2018, received 4,681 responses.<sup>307</sup>

In 2022, this Commission engaged the Nous Group to re-deliver the survey to inform the Commission's understanding of the membership's current views about the organisation's ability to respond. The QPS DFV-Q 2022 survey captured the views of a sizeable portion of the membership: 2,733 QPS members (15.7% of the workforce) responded.<sup>308</sup> Fifty-seven per cent of the respondents were general duties officers.<sup>309</sup> In addition to the responses to 33 questions designed to gauge levels of agreement, the survey generated 3,666 responses to free text questions about current strengths and areas for improvement.

The survey results reveal a membership disillusioned with the dissonance between the leadership's public statements about its investment in and commitment to policing domestic and family violence, and the reality.

The 2022 survey results demonstrate that QPS members are feeling pressure, from within the organisation and from the community, as a result of the increasing focus on domestic and family violence. More than 90% of the survey respondents indicated they consider the pressure is growing over time.<sup>310</sup> The full results in response to the proposition that "[t]he pressures on police officers who respond to DFV are increasing over time" were as follows:<sup>311</sup>

#### TOTAL 2022 QPS DFV-Q SURVEY RESPONSES

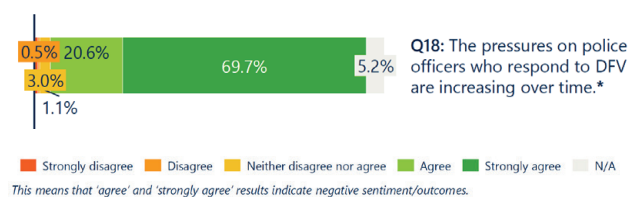


Figure 6: Response to the statement – The pressures on police officers who respond to DFV are increasing over time.

However, the survey respondents did not consider this growing pressure was matched by the organisation providing appropriate capacity or resources to meet the increasing demands for service.

There was a marked increase between the 2018 and 2022 survey in the percentage of respondents who think the organisation has not appropriately balanced the resources needed to respond to domestic and family violence.<sup>312</sup>



In relation to the resources made available by the organisation, the QPS DFV-Q 2022 survey analysis report stated:

**There is a strong sentiment that QPS members are not satisfied with the current structural arrangements supporting police responses to DFV. Close to 2 in 3 responses (61.0%) do not feel as though QPS has appropriately balanced its resources and personnel to respond to DFV matters. A further 18.4% responded unsure. Combining this with the negative responses suggests that 4 in 5 responses (79.4%) perceive that the balance of resources is not working well.<sup>313</sup>**

The dissatisfaction with the resources provided by the organisation is growing. The following graph shows the changes in the responses to the statement that the “QPS has appropriately balanced its resources and personnel to respond to DFV matters” between 2018 and 2022:<sup>314</sup>

#### TOTAL 2022 QPS DFV-Q SURVEY RESPONSES

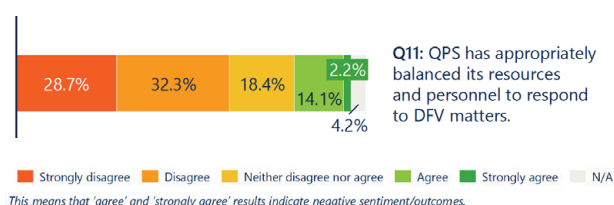


Figure 7: Response to statement – QPS has appropriately balanced its resources and personnel to respond to DFV matters

In addition to insufficient resources, survey responses show that many QPS members consider they are not given sufficient time to respond to domestic and family violence in a holistic way. In this regard, the survey analysis report noted:

**Less than 25% of officers, irrespective of rank, perceive that it is possible to respond effectively to DFV calls for service in the time available on their shift. This, combined with continued frustration in IT systems that support the DFV responses, and the time-consuming nature of DFV paperwork, led to officers feeling as though they are not able to dedicate the time required on their shift to complete their DFV-related work...**

**QPS members report feeling time pressured to move onto the next call for service without appropriately completing the matter at hand, which makes it more difficult to take the time to provide a holistic and considered response.<sup>315</sup>**

The results show that the perception that the membership is not given sufficient time to respond to domestic and family violence matters is a strong one. In response to the proposition that “[i]t is possible to respond effectively to

DFV calls for service in the time available to me on my shift”, the results were as follows:<sup>316</sup>

#### TOTAL 2022 QPS DFV-Q SURVEY RESPONSES

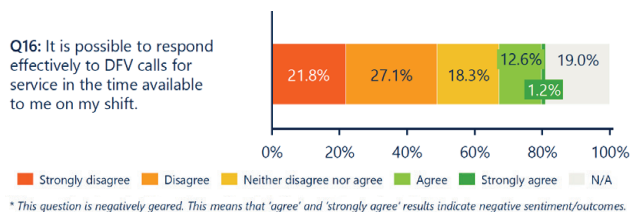


Figure 8: Response to statement – It is possible to respond effectively to DFV calls for service in the time available to me on my shift.

As can be seen from the above, only a relatively small percentage of respondents (13.8%) gave a positive answer to the question of whether it is possible to respond effectively to domestic and family violence calls for service in the time available to them on a shift. Close to 1 in 2 (48.9%) QPS members perceive that it is not possible to respond effectively to DFV calls for service in the time available to them on their shift.

The survey analysis suggests that, while QPS leaders aim to communicate the importance of responding to domestic and family violence, the lack of resources provided to its membership undermines that message. One survey respondent highlighted the inconsistency between the organisation’s stated commitment to domestic and family violence and the lack of resources in the following way:

**Upper management says take the time to do the job right. Middle management and Police Comms say ‘we’ve got more jobs lined up, can you hurry it up?’ Frontline officers are calling in sick... wonder why?<sup>317</sup>**

In relation to the disconnect between the leadership’s stated commitment to domestic and family violence and the resources made available to the frontline, the survey analysis noted that:

**QPS has committed to changes in approaches in recent years designed to support QPS members to appropriately manage DFV. While members appreciate the intention of change, the value of improvements have not always been realised by frontline officers or made a practical difference to their work. For example, while there has been some process improvement, members find systems and processes associated with the DFV response to be complex and cumbersome. Similarly, training has been welcomed, however the delivery through Online Learnings Products (OLPs) has not provided the optimum learning experience. In addition to this, while members appreciate the increased presence of Vulnerable Persons Units across the state, there is a sense that this support does not go far enough to support frontline officers manage the scale of DFV calls for service. This is contributing to a sense of cynicism around**



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**potential future changes and low buy in from members that changes will reap practical and impactful benefits to their role.<sup>318</sup>**

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As already noted above, the results to the questions were supplemented by 3,666 free text responses, which were also analysed by the Nous Group. The analysis of the free text answers revealed that QPS members are seeking greater investment of resources to appropriately respond to DFV. It also revealed the following theme when it comes to the membership's views of the commitment of the leadership:

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**Leadership commitment: There is a desire for leaders to more clearly support frontline officers and role model desired behaviours.<sup>319</sup>**

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Importantly, almost 80% of the membership who responded to the survey consider the organisation has not appropriately balanced its resources and personnel to respond to domestic and family violence, and the membership has a desire for leaders to more clearly support frontline workers.

## **SUBMISSIONS RECEIVED FROM QPS MEMBERS**

The QPS DFV-Q Survey results were consistent with what the Commission heard directly from QPS members about a pervasive frustration with the limited resources provided by the organisation to the frontline. Members told the Commission they feel let down and abandoned by the leaders who, having expressed a commitment to respond to domestic and family violence, have failed to provide them with the resources necessary to do so. One QPS member said:

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**Having heard the evidence of the Commissioner it is ... so offensive to hear how they spruik resources being poured into domestic violence investigations. I would strongly encourage the commission to request the roster from the domestic violence unit in [location redacted] over the past 6 months and see how many staff they actually have rostered on compared to their rostered strength. What is happening is not only negligent but outright shameful. The senior executive organizes 'photo ops' where they roster a large amount of staff on and showcase, only to return to a situation the following day where there is virtually no one available to deal with or investigate domestic violence incidents in the district.<sup>320</sup>**

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QPS members told the Commission that it is the lack of resourcing provided by its leadership that is to blame for poor responses to domestic and family violence. For example, a lack of resources means many police officers feel compelled to rush when responding to domestic and family violence, which can result in an inadequate response. One QPS member explained how poor resourcing can result in poor responses in this way:

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**During my career as a police officer, including recently, I have observed a culture of 'tick-and-flick' when it comes to domestic violence related jobs. As police, we are trained to look for certain indicators of Domestic Family Violence in accordance with section 8 of the Domestic Violence and Family Protection Act.**

**As a result I would see officers rushing through the various questions they needed to ask a victim for the purpose of knowing what action needed to be taken without actually listening to them properly. They would frequently miss important information because they were focused on resolving the job and not on the protection of vulnerable people. Allegations of strangulation have been made by victims and not disclosed on Domestic Violence reports by police. Officers commonly have a negative response to any victim who does not take their advice to leave their spouse or accept supports and remark that they are 'making their own bed' or even deserve further violence for not accepting help.<sup>321</sup>**

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QPS members who engaged with the Commission directly also expressed cynicism about the leadership's statements about the importance of responding effectively to domestic and family violence. One QPS member expressed a consistent theme heard by the Commission in the following way:

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**I've been in the QPS for over 20 years and there has never been more pressure from the very senior ranks that they care only about statistics – not people. The SDRP is clear on that point, figures are the answer to the executive – not the impact on real people.**

**Then frustration builds within the ranks and frontline police get inundated and overworked with no time to actually do the required inquiries or provide an appropriate response.**

**I love being a police officer, but it is getting very hard to turn up and do the job when we have our own people bringing us down.<sup>322</sup>**

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## 2021 WORKING FOR QUEENSLAND SURVEY

The perception that the QPS leadership has let down its membership by failing to provide sufficient resources for responding to domestic and family violence, outlined clearly within the QPS DFV-Q Survey results and the submissions received by the Commission, was also evident in the 2021 Working for Queensland survey results.

The Commission obtained the free text responses to that survey from the QPS. Those responses answered the question, “A friend has decided to apply for a job in your organisation. They have asked you to tell them what it’s like to work there. What do you tell them?”.<sup>323</sup> Of the 6,280 free text responses reviewed by the Commission, 2,245 (or approximately 36%) mentioned poor leadership generally.<sup>324</sup> Some of those specifically mentioned poor leadership in the context of the QPS response to domestic and family violence. One of the survey respondents provided this feedback to the organisation:

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**The QPS executive regularly states that it is aware of the pressures on the frontline. This is all rhetoric, because they truly have no comprehension at all. The frontline is at breaking point, and it is a miracle that we don’t have more sick leave than the large numbers we already do. Every time there is a vacancy in a specialist unit, they backfill from the front line. Every time a new command or division is created (eg FNMAU or the DV Command) it is ultimately the front line that suffers a depletion in numbers. These units are supposed to address the issues that affect the front line, but they don’t.**<sup>325</sup>

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Another QPS member who responded to the 2021 Working for Queensland survey said the membership is drowning because of the lack of appropriate resources. That QPS member said the QPS is:

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**A rudderless naval ship, but only the high ranks know its rudderless, headed towards the rocks. The rest of the crew is working hard, day to day, trying their best to manage the ever increasing risk, workload and stress. No matter how hard they toil and struggle, things just seem to get worse and worse as the ship slowly drifts towards the rocks, with the captain nowhere to be seen. Analogies aside, the stress caused by the revolving door of juvenile justice, higher rates of population without increased police officers, over work and poor work/life balance makes life very difficult. I would not recommend working for the QPS until the restructure/SRP is completed and you know how the job will be done. If you’re a hallway lurking coffee drinking cake eating indoors police officer you’ll be fine though. We’re not waving, we’re drowning.**<sup>326</sup>

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Some members did point to improvements in some areas as a result of middle management leaders who eased the pressure on the frontline. One survey respondent said:

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**I feel the culture and work environment has dramatically increased since the return of the 3 substantive SSGTS (return to SSGT [name redacted]). This has allowed this line of management to be effective and create an environment of inclusiveness and productivity. I report to SSGT [name redacted] who has been a breath of fresh air. His unbiased decisions, effective HR management in line with policy and leading by example has been noted by many instructors who are very comfortable with him as a manager. He is holding people accountable to their tasks and duties with respect to rank and engages staff through genuine empathy, kindness and knowledge. The rapport he is building within this work unit is increasing significantly each week.**<sup>327</sup>

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Overall, however, the evidence considered by the Commission shows a strong perception by the QPS membership that the organisation’s leadership has failed them by providing inadequate resourcing to support an effective policing response to domestic and family violence.

The inadequacy of the resourcing, and the negative attitudes to responding to domestic and family violence it has caused in the QPS membership, is considered further in Parts 2 and 3 of the Report. For present purposes, it is sufficient to observe that the QPS membership feels a sense of abandonment by its leaders in this regard and that that sense of abandonment will be a challenge the leadership must overcome if it is to improve QPS responses to domestic and family violence.

## PERCEPTIONS OF A FAILURE OF LEADERSHIP, AND A DISILLUSIONED WORKFORCE

A significant theme evident in submissions received by the Commission, and the 2021 Working for Queensland survey results, is that morale in the QPS is low, and many QPS members are disillusioned and feel betrayed by their senior leaders.

It ought not be thought that all QPS members feel a sense of low morale: there are plainly many passionate and optimistic police officers in the organisation. However, there is a pervasive sense of dejection about the direction of the organisation and many QPS members do not consider the organisation operates fairly.

As one QPS member expressed the view heard many times by the Commission:

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**The current leadership in the QPS is very poor, they do not have the respect of frontline police and morale is the lowest I have seen in my career.**<sup>328</sup>

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While leaders at all levels of an organisation can affect an organisation's culture and values, the ultimate responsibility for the culture and values of the QPS lies with its senior leadership. QPS documentation demonstrates that that is so. The Queensland Police Service Integrity Framework provides as follows:<sup>329</sup>

Leadership is integral to maintaining the integrity of the Service. Leadership in the QPS is not limited to those members of higher ranks and grades. Maintaining the integrity of the organisation requires leadership from every member of the Service and the acceptance of that personal responsibility. The QPS expects members at all levels to demonstrate appropriate leadership behaviours:

#### SENIOR LEADERSHIP

- Strong senior leadership is central to maintaining the integrity of the organisation. The ethical tone of the organisation starts at the top.
- Senior leaders must lead by example, act with the utmost integrity and professionalism.
- Model and promote public sector and QPS values and standards and expect and encourage similar behaviours in others.
- Senior leaders must create a culture in which employees are prepared to report misconduct and are supported when they do.

Figure 9: Extract from Queensland Police Service Integrity Framework

Many QPS members said the senior leaders have impacted negatively on the organisation's culture. One QPS member told the Commission:

**32 years I have given to this organisation and, whilst there are always gripes and whinges about how things are done, like any organisation, I have never known the culture of the QPS to be as toxic as it now. It all stems from leadership – the fish rots from the head as they say – ethics, transparency, accountability are largely optional qualities at the senior level.<sup>330</sup>**

Another QPS member said:

**There is a systemic problem within the ranks of the QPS that comes predominantly from senior management. Those in positions of management fail to perform their duties with integrity in fear of losing face with senior management, therefore compromise their morals and values system to fall into line of the wider QPS agenda, whatever the political motivation be at the time. In other words, officers are doing what they think they need to do to get accepted and promoted, despite the affect their actions have on others...**

**Officers best suited for management, true leaders, are overlooked by a corrupt system and those officers are driven to find alternative employment. In other words, incompetent management is driving away the competent officers, leaving behind many unmotivated and uncommitted officers who are in it for the power and employment, not to serve their community. Don't get me wrong, there are still some very good officers within the ranks, however, generally speaking, the culture of QPS management is at an all time dangerous level.<sup>331</sup>**

Submissions received by the Commission from QPS members repeatedly said that the organisation lacks integrity and attributed responsibility for that to its leaders. When submissions referred to a lack of integrity, it appeared to the Commission they referred to a failure to uphold the stated values of the QPS, create a positive and inclusive culture for its members or meet community expectations.

The submissions reflected a perception that the leadership has failed to ensure the QPS meets the expectations of its own Integrity Framework:<sup>332</sup>

Integrity is often defined as *adherence to moral and ethical principles; soundness of moral character; honesty and the state of being whole, entire, or undiminished*. When translated into an organisational setting such as the QPS it means:

- a) Upholding our values
- b) Performing our duties in accordance with legislation and policy
- c) Meeting our public sector governance and compliance responsibilities
- d) Ensuring a corruption resistant culture that aspires to the highest ethical standards
- e) Carrying out our functions and exercising our powers in line with community and organisational expectations.

Integrity and ethics is central to everything we do as a policing organisation. We cannot separate integrity from our everyday operations and processes because it is critical to the legitimacy of policing. Maintaining personal and organisational integrity is a requirement in conducting all our functions, duties and responsibilities.

Utilising an integrity framework provides a systematic, comprehensive approach to bring together key elements required to maintain the integrity of the Service. A framework approach allows specific issues to be brought into focus more clearly by highlighting the principles that drive integrity management in the Service. The framework seeks to promote an actionable process of thinking about integrity and then integrating that thinking into all planning, implementing, monitoring and evaluating processes across the organisation.

It applies at strategic, tactical and operational levels. It ensures our plans and actions are consistent with our values and standards. This framework identifies the key instruments, processes and structures the QPS has in place to protect and maintain the integrity of the organisation, yet is neither exhaustive nor static. In fact, the framework encourages monitoring and assessment of the effectiveness of legislation, policy and processes in meeting our integrity objectives.

The integrity framework is based around three principles. These principles underpin our approach to integrity and provide three areas of knowledge that are central to how we think about integrity and ethics.

- Values
- Leadership
- Accountability

The framework then provides the key actions which ensure we maintain and build the integrity of the organisation. These processes apply to all levels of the organisation. They are:

**Know what is expected**

**Educate and guide others**

**Ensure we do the right thing**

**Protect our standards**

In undertaking these processes we **KEEP** the integrity of the Queensland Police Service intact and give meaning to our motto, “With honour we serve”.

Figure 10: Extract from Queensland Police Service Integrity Framework

In the submissions and survey free text responses, disappointment in leadership was mostly expressed as a disappointment in the senior leaders, rather than managers and supervisors. Moreover, QPS members expressed frustration and disappointment at what they perceive are leadership failings of the Police Commissioner herself.

In particular, a number of QPS members expressed disappointment at the Police Commissioner’s handling of sexist comments made by other leaders at senior QPS conferences in the first few months of 2022.

In March 2022, at a QPS Senior Leaders Conference, an acting Chief Superintendent called out to a male presenter with a cut on his face, asking “*did she shut her legs on you?*”, referring to a senior female QPS member who had been involved in the speaker’s recent promotion.<sup>333</sup>

Then, in April 2022, at another conference for senior QPS leaders, a Deputy Commissioner used the term ‘vagina whisperer’ while opening the formal part of the conference on behalf of the Police Commissioner.<sup>334</sup>

Regarding the fact that both men were dealt with by Local Management Resolution, and neither incident was publicly denounced by the Police Commissioner, one QPS member said:

**In regards to the CoP being proud that [senior QPS leaders who made sexist comments in professional settings earlier this year] were**

**dealt with swiftly, well that just sums up that there are rules for some and not for others.**

**The QPS discipline process is a joke. Good officers have to wait for years to find out the outcome of their investigations even for honest mistakes that they have admitted to and accepted the responsibility for, yet [those senior officers] get theirs wrapped up in a matter of days or weeks and still can’t admit fully to what they did, or justify it!**

**The CoP then gave their excuses a platform by repeating their justification – [the acting Chief Superintendent] disputed the words said and [the Deputy Commissioner] and his friends call his friend the vagina whisperer in their friend circle. Well who cares! They were wrong, stop making excuses for them. It’s the epitome of male privilege in that males can refer to their gynaecologist friend as the ‘vagina whisperer’. None of those males have ever had to be exposed and vulnerable whilst in stirrups, having people looking at your most private parts, having medical devices and fingers inserted into your body by a gynaecologist or a Dr. The CoP should have never given their excuses any air, and all it does is demonstrate how accepting the most senior female leader of the QPS is of bad behaviour. And what message does that send to the rest of us, we have no right to be offended?<sup>335</sup>**

In the Commission’s view, these incidents demonstrate a failure of leadership at a number of levels. First, it is unlikely that those leaders would have made the comments in such formal settings if they did not consider they would be acceptable to the senior QPS officers in the audience. The very fact the comments were made tends to suggest a tolerance of casual sexism in the organisation.

The comments were also a failure by two senior leaders to model the attitudes and behaviours of respect towards women which a well-led organisation should model to ensure that it responds appropriately to domestic and family violence.

Given the QPS has previously acknowledged that the words and actions of senior leaders can convey the “*norms of the organisation*” more effectively than “*written codes of conduct or ethics policies*”, these comments set an unfortunate standard for the rest of the organisation when it comes to the question of respect for women.

Perhaps the greatest failure by QPS leadership in respect of this issue, though, was the failure by the Police Commissioner or other senior leaders to call out or denounce the conduct in the days or weeks after the incidents. Neither officer was required to apologise for his comments, to the audience members or the QPS membership generally. In neither case did the senior leadership issue a statement, to the audience members or the membership generally, that such conduct was not acceptable.

Doing so would have gone a significant way to letting the organisation know, despite the officers’ comments,



that disrespect towards women is not tolerated by the organisation. The failure to do so had the effect that the conditions in which sexism and misogyny can flourish continue to prevail.

Rather than call out or denounce the conduct, the QPS leadership dealt with both officers by way of Local Management Resolution. In both cases, Local Management Resolution entailed a private discussion with a more senior officer. In the case of the Deputy Commissioner, the Local Management Resolution was given by the Police Commissioner. In the case of the acting Chief Superintendent, the Local Management Resolution was delivered by an Assistant Commissioner. The acting Chief Superintendent was subsequently promoted by the Police Commissioner in July 2022.

The organisation's lack of response to the comments is telling. It demonstrates a lack of willingness to stamp out the expression of negative attitudes towards women even at the highest levels of the organisation. It also reinforces the perception, prevalent in submissions received by the Commission, that the senior leadership is treated differently, and often more favourably, than the rest of the organisation.

The failure of the QPS leadership to respond appropriately in these instances damages any organisational efforts to improve the problems of sexism and misogyny. These are cultural issues which negatively impact the organisation in many ways, including its ability to consistently respond well to domestic and family violence. It is likely to have had the concerning effect of sending a message to those QPS members who hold negative attitudes towards women that such views, and the expression of them, are acceptable within the organisation.

Beyond these incidents, QPS members expressed disappointment to the Commission about what they perceive is the Police Commissioner's failure to acknowledge the extent of the cultural problems within the QPS generally. One QPS member said:

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**There is a lack of integrity, transparency, accountability and competence at senior levels of the organisation. This is largely due to the organisation having rewarded people who have done the "wrong thing", and penalised people who have done the "right thing", over a long length of time.**

**....As you have seen in your evidence to date, there are simply no consequences for poor conduct and outcomes by people in leadership positions, with Commissioner CARROLL covering up or diminishing serious issues within her organisation, using spin and deception.**

**....While Commissioner CARROLL clearly inherited a poor QPS culture and serious leadership failings when she took over on 8 July 2019, she has only made it worse. She refuses to acknowledge there is a bad culture and has completely failed in her obligation to address the problem. The rate of decline in the culture has accelerated under Ms CARROLL's leadership.**

**....QPS will never function appropriately, regardless of whether it is service delivery models, domestic and family violence, crime, the management of internal or external complaints, whatever the issue, while there are people without integrity in charge. It is well known that people without integrity pull other people without integrity around them.** <sup>336</sup>

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QPS members were disappointed with a lack of improvement in the organisation's culture under the present Police Commissioner. One QPS member made the following comment:

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**We all hoped a female commissioner would have changed the culture sadly this hasn't happened. It is commonly spoken about within the police that if we had someone ask about joining the police, we all admit we would advise against.** <sup>337</sup>

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QPS members told the Commission they consider that the Police Commissioner's minimisation of cultural issues might be a consequence of being removed from the membership as a result of her leadership position. One QPS member said:

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**I disagree with Commissioner Carroll's assertion where she told the inquiry she "can't accept" that sexism, misogyny and racism within the QPS were "widespread" issues. To be fair to Commissioner Carroll, maybe she no longer sees it in her everyday work experience.** <sup>338</sup>

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Many QPS members spoke of a lack of trust and faith in the Police Commissioner. Conversely, a small number of QPS members spoke in support of the Police Commissioner and her track record, particularly at the Queensland Fire and Rescue Service, of facilitating cultural change. One supporter, who is not a QPS member, said:

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**Katarina Carroll is the right leader to make widescale change in QPS culture, but this will take time and it would be foolish to change leadership at this juncture. The women of Queensland exposed to unacceptable domestic violence behaviour will benefit from her leadership and her cultural stewardship - she needs time to unravel the challenging culture that has developed on the watch of the male Commissioners who came before her.** <sup>339</sup>

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## 2021 WORKING FOR QUEENSLAND SURVEY RESULTS

The Commission is mindful that, although there was remarkable consistency in the strong views expressed in QPS submissions about a lack of integrity on the part of the QPS leadership, those views came from a small number of submissions relative to the size of the organisation. Taking those submissions alone, it would not be possible for the Commission to draw any conclusions about the prevalence of those views across the membership.

However, the membership's responses to the 2021 Working for Queensland survey demonstrate that a sizeable portion

of the QPS membership considers that its leadership is not of a high quality and does not operate with a high level of integrity. In this way, the survey results tend to suggest that the views expressed in QPS submissions are more widely held than just by those members who communicated directly with the Commission.

The 2021 Working for Queensland survey was completed by 11,029 QPS members (approximately 68%) of the organisation. The results revealed that less than half of the respondents considered the leadership is of a high quality or operates with a high level of integrity.<sup>340</sup>

In respect of the quality and integrity of the leadership, the 2021 Working for Queensland survey results were as follows:<sup>341</sup>

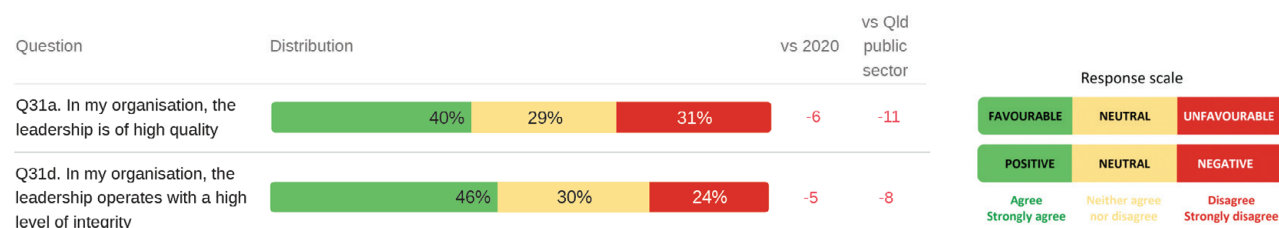


Figure 11: Responses to leadership questions in Working for Queensland survey 2021

As can be seen from the responses above, the 40% positive sentiment to Q31(a) *In my organisation, the leadership is of high quality* and the 46% positive sentiment to Q31(d) *In my organisation, the leadership operates with a high level of integrity* are significantly lower than the average results from across the public sector (11 points lower and 8 points lower respectively). Both questions also experienced reductions in positive sentiment from 2020 (6 points lower and 5 points lower respectively).<sup>342</sup>

The results demonstrate that the views of the QPS members who directly engaged with the Commission were broadly consistent with a significant cohort of the entire membership.

As noted above, the Commission obtained the free text Working for Queensland survey responses from the QPS and reviewed them. Of the 6,208 responses to the survey reviewed by the Commission, 2,582 (approximately 42%) responses spoke in negative terms about working for the organisation. Comparatively fewer spoke in positive terms: 1,176 (approximately 19%). The remainder spoke in mixed or neutral terms: 2,450 (approximately 39%).<sup>343</sup>

An analysis of those free text responses shows that many survey respondents were concerned with failures of leadership at the senior level. One respondent expressed that disillusionment in this way:

**At present, the QPS appears to be a directionless ship that is just floating around on the vast ocean hoping to avoid any dramas while the bosses sit back and collect their inflated pay checks and wait to retire with ridiculous pensions whilst the real workers are left to panic, not knowing what they can and cannot do and unsure as to whether their actions will cause them to lose their jobs.**

**They are forced to 2nd guess everything they do, for fear of reprisals and have settled on the conclusion that the safest course of action is to do nothing at all and bury their heads in the sand, thus avoiding the risk of losing their job because top management feel the need to throw them under the proverbial bus as a sacrifice so that they may keep their own jobs. There is no accountability within the QPS hierarchy and the values that they hold the rest of us to are as clear as mud. The whole organisation needs a complete clear out at senior level and in my honest opinion, the Fitzgerald enquiry [sic] isn't worth the paper it is printed on and there needs to be a new enquiry undertaken, and real changes implemented, ones that don't paper over the cracks and protect the pensions of the top brass.**<sup>344</sup>

More than a third of the total responses (2,245 out of 6,208) mentioned poor leadership. Given that the question did not seek a response in relation to leadership, this tends to highlight the strength and pervasiveness of the view about poor leadership.

Of those responses that spoke in positive terms about the organisation (which was less than 20% of the total responses), few specifically mentioned a positive view of the organisation's leadership. However, some did. One survey respondent said:

**I encourage you to join the Qld Police Service. It is a safe and secure workplace and the organisation has strong leaders who value the safety of their people and the community of Qld.**



The QPS has excellent values, purpose and vision and there are a wide range of opportunities available in a variety of different fields. The QPS works together with the community and other agencies to ensure that the community of Qld are kept safe. It is a challenging but very enjoyable and rewarding occupation. Sworn and unsworn staff are fantastic people.<sup>345</sup>

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Interestingly, the Commission's review of the 2021 Working for Queensland survey responses also revealed significant levels of dissatisfaction with the organisation's management of the Working for Queensland survey process itself and the veracity of the results, suggesting that some members consider the results are unduly favourable to the organisation. The survey responses included the following:

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**Management has specifically encouraged us the staff under them to fill out this Working for Queensland survey that shows them in a favourable light instead of being truthful and honest.**<sup>346</sup>

**Being told in a meeting that if the WFQ results come back overwhelmingly negative that teams may be micromanaged or scrutinised further and stating specific examples of where this has occurred elsewhere in the organization.**<sup>347</sup>

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Other responses expressed cynicism about the leadership's commitment to genuinely address concerns raised by the membership in the survey. The survey responses included the following observations:

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**I have no expectation that this survey will bring any change as previous years have proven.**<sup>348</sup>

**I feel each year the WFQ surveys are completed and results are not taken seriously or the results are manipulated to suit what the required outcome from the view of upper management.**<sup>349</sup>

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At a Commission hearing on 5 October 2022, Police Commissioner Katarina Carroll attributed the low scores in relation to leadership in the 2021 Working for Queensland survey to a variety of factors. She said:

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**The month that this survey took place was also the month that I gave a direction for the vaccine mandate, and when you look at the qualitative data there was a lot of people very angry about that mandate. The data also shows that the organisation was tired and overworked and angry, because we're into the second year of COVID, and they honestly believed that the senior executive could not appreciate that the pressure was – what they were under. And on top of that – ... – that they**

**couldn't meet demand already from two, three previous years, and here we were putting 12, 1,300 some days to COVID, and on top of that we were going through massive reform, and particularly also in areas like SDRP that had even more negative responses about leadership in that regard. So there was a lot of things that played into this. I knew the survey results were going to be very, very different this year, and it turned out exactly how I thought it would be. And if you look at – sorry, if you look at the survey results prior to that, '19 and '20, there was excellent increases in those previous years, and pleasingly, and then we hit this one and it's sobering; it's difficult to look at.**<sup>350</sup>

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The free text responses to the survey did show a significant portion of responses demonstrated dissatisfaction with the COVID-19 vaccine mandate, however, the negative responses to that issue and reforms such as the Service Delivery Redesign Project are not the only drivers for the membership's views of its leadership. Integrity is also plainly a factor.

QPS members told the Commission that the lack of integrity among its senior leaders had a negative impact not only on culture generally but also on the organisation's responses to domestic and family violence including, as outlined in the previous section, a perceived failure to provide appropriate resources to support an effective response.

## DISILLUSIONMENT AND CYNICISM

QPS members said that the lack of integrity of its leadership is causing the membership to become disillusioned, and even to leave the organisation. One QPS member said:

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**The information you have been presented with by the senior executive of the QPS is a facade, driven by an intent to deflect and minimise, and designed with the protection of personal agendas and reputations of its leaders, as its primary focus.**

Commissioned officers in particular, have completely failed in their duty to support anyone who raises concerns, or attempts to highlight and/or manage underperformance and poor culture. When they are faced with a decision between what is right, and what is easy, they choose the path of least resistance every single time. The organisation is infected and awash with a perfect blend of apathetic mediocrity mixed with a healthy dose of entitled laziness, and the members who genuinely care: about the community, about victims, about their personal values, about the organisational values, are broken, dwindling and resigning enmasse. They are being ostracised, bullied and conveniently ignored until things become untenable, and then written off as another 'mental health' related statistic, with the end point being a gagged sideways exit for the affected member.<sup>351</sup>

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The 2021 Working for Queensland survey results confirmed that less than half of the QPS membership feels motivated by the organisation to achieve its objectives or inspired to do the best in their job:<sup>352</sup>

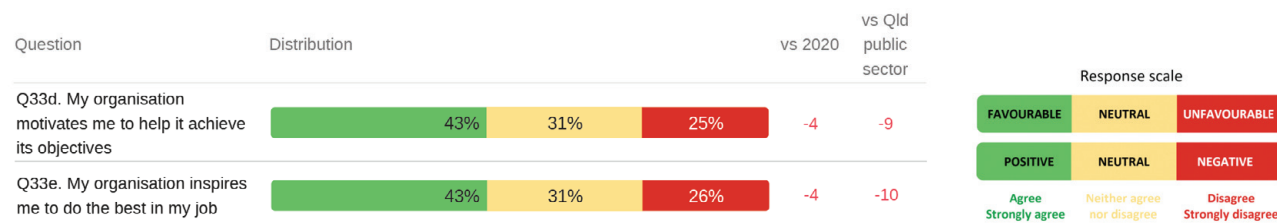


Figure 12: Responses to motivation questions in Working for Queensland survey 2021

As the above graph demonstrates, the 43% positive sentiment recorded in response to both questions is significantly lower (nine points and 10 points respectively) than those generated across the public sector generally. Both questions also recorded 4 point reductions in positive sentiment from 2020. Almost one third recorded neutral responses to both questions (31% each) and one quarter of respondents disagreed (25% to Q33[d] and 26% to Q33[e]).

It is perhaps trite to observe that a membership which is motivated to put the QPS's stated commitment to domestic and family violence into practice is essential. QPS submissions to the Commission linked the membership's perception of its leadership's lack of integrity with their low levels of motivation, or morale. In this way, the current perception by the membership that its leadership is lacking in integrity can be seen to be detrimental to the organisation's ability to motivate its membership, which, in turn, affects the ability of its membership to respond consistently well to domestic and family violence.

The 2021 Working for Queensland survey also shows that there is significant cynicism about organisational efforts to create change. Only one third (32%) of the respondents agreed with the following statement: *"I believe the changes being undertaken across the QPS will have positive benefits for my workplace"*.<sup>353</sup> The remaining two thirds of the respondents were equally divided between a neutral response and a negative response (34% each).<sup>354</sup> One survey respondent said:

[T]he QPS is going through a massive change at the moment and it has been handled poorly.<sup>355</sup>

Some QPS members consider that one of the problems with the senior leadership is that there is lack of diversity of thought at the top of the organisation. One QPS member said:

When the QPS Commissioner refers to 'Senior Leaders', we do not have leaders. We have senior ranking officers. Commissioned officers automatically refer to themselves as 'Leaders' due to rank. They are not leaders. They are more akin to managers.

To get promoted within the QPS to commissioned ranks, you must comply with the 'Group think' of the senior ranking officers.

No officer that thinks differently to them or with alternative ideas, will get promoted. The senior ranking officers do not want to be challenged with their decisions. They manage by bullying and abuse. I have been privy to online Teams meetings when Senior Ranking officers at Deputy level have abused officers for questioning a decision. Of course, you do not report this behaviour as it is a career destroying move.

If an officer does get promoted to Inspector, they must conform to the group think. If they don't, they will be referred to as not being a 'Good fit for the organisation'. This means they will go no further in rank and will not have the same opportunity as less competent commissioned officers who do conform.<sup>356</sup>

QPS member submissions show that many consider that cultural change would require a change in leadership. One QPS member expressed that view as follows:

I am not a scorned officer done wrong by the QPS. I have never been disadvantaged in a promotional sense, nor caught up in any major complaints/ investigations. I have no personal grievance, real or perceived, and am proud of my career. I am however, horrified by the decision-making I observe on a daily basis, which I'm confident occurs in police stations across QLD.

We need a comprehensive clean out of the top echelon of officers in our hierarchical structure, to be replaced by leaders who aren't afraid of reform and have the backbone to call out the apathy and laziness. There is no such thing as an organisation with a toxic culture that also has great senior management. Without this reform, we will continue our current downward spiral into the cultural abyss.

We also need to start from scratch with our DFV responses. If we are serious about delivering the kind of DFV service delivery the community deserves, we need 1000s more officers. Difficult to request in light of our current failings, but reality none the same.<sup>357</sup>

QPS members told the Commission they thought that an improvement in the calibre of senior leaders would improve the culture of the QPS, and its ability to respond well to domestic and family violence. One member expressed the matter this way:

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**A review of the appointment processes for senior management positions ensuring heavy focus on appropriate qualifications, experience and commitment to contemporary management practices, and encompassing civilian applications. It is perhaps not an overly long bow to draw to concede that if management culture issues are addressed, then this will positively spill over to promote better outcomes in the QPS response to DV, and dilute any misogynistic attitudes that may exist.**<sup>358</sup>

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Although QPS members spoke about a lack of integrity with the senior leadership generally, several recognised that many leaders, particularly at supervisor level, try to do the right thing by their people. One QPS member said:

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**I would also like to add that whilst there are some ignorant and quite frankly disgusting people in the QPS who should have never, ever have been allowed to be an officer, there are also dedicated, talented and driven individuals, both men and women, who's personal striving solves some of the most difficult crimes in the State.**

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**Some of the best, most supportive supervisors I've had have been men who have gone above and beyond to promote my work, give me incredible opportunities and support me in hard times. Honestly this is the norm. I am not going to pretend there isn't systemic misogyny, I think there is, but there are also incredible men who lead with integrity and should not be tarred by the actions of others.**<sup>359</sup>

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Many QPS members told the Commission that they consider that, mostly, their colleagues are good officers who would like to see improvement in the organisation's culture and its responses to domestic and family violence, but they are hampered by poor leadership at different levels of the organisation, starting at the top. One QPS member expressed it this way:

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**I will say that most of my male [redacted] colleagues are good men however we are let down by our hierarchy from the rank of Inspector and above who leave a lot to be desired and many have been promoted, or had their promotions endorsed, by our current female Commissioner. I find the actions of the Commissioner in the promotion of some of the most sexist, bullying and misogynistic males both surprising and disappointing...**

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**The majority of the male officers from recruit to Senior Sergeant are good and decent men however our current hierarchy from Inspector above are not of the same calibre. Unfortunately, we lost many senior women and upstanding senior men during the 2013 restructure, the culture of bullying and sexism now is worse than ever.**

**The behaviour of QPS management is extremely concerning, I'm sorry to say we do have a cultural problem.**<sup>360</sup>

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The perception of a biased and broken promotion system within the QPS, referred to in the above submission but echoed across many, is also borne out by the responses to the 2021 Working for Queensland survey. In answer to the question about recruitment and promotion, only 25% agreed that promotion decisions are fair (32% were neutral and 43% disagreed), a result 13 points lower than across the public sector as a whole).

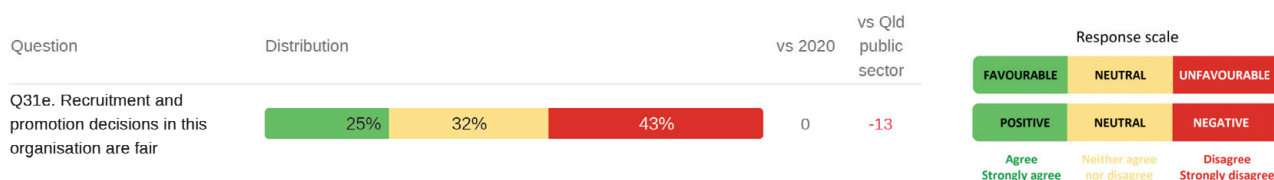


Figure 13: Response to a recruitment and promotion question in Working for Queensland survey 2021

Some QPS members told the Commission they consider that the promotion of the acting Chief Superintendent who was given Local Management Resolution for the sexist comment made at a conference is illustrative of the unfairness in the promotional processes in the QPS. In that instance, the officer's disciplinary complaint was overseen by the Assistant Commissioner who sat on the promotion selection panel (and declared this oversight),<sup>361</sup>

the Deputy Commissioner on the panel was listed on the Superintendent's job application as a referee (although did not in fact provide a reference once he was allocated to the panel) and was the same Deputy Commissioner who provided the Police Commissioner with a report on another matter in which it was clear that remarks made by this officer at a later conference demonstrated a lack of remorse for his earlier behaviour.<sup>362</sup>

The subsequent promotion selection report, authored by the same Deputy Commissioner, indicated that there were no integrity issues associated with the recommendation of the Superintendent for promotion.<sup>363</sup> When the Police Commissioner was asked at the Commission's public hearings about having promoted the Superintendent to Chief Superintendent, she said that she had not wanted to endorse the promotion but did it because she thought if she did not promote him and he appealed, he would have been successful.<sup>364</sup>

In the Commission's view, this demonstrates, at best, a promotion system that is flawed and one that demonstrates that poor behaviour is no barrier to promotion in the QPS. The Commissioner could have shown strong leadership on this matter by promoting the next person and publicly standing against the recommendation. Even if the person had appealed successfully at least the organisation would have had a clear understanding of the Police Commissioner's position on the matter.

## THE IMPACT OF COVID-19

When the Police Commissioner gave evidence, she said that the QPS had been placed under enormous pressure during the COVID-19 pandemic. In its written submissions, the QPS reiterated the impact that COVID-19 had on the organisation, describing the organisation being at the *"vanguard of the community's response."*<sup>365</sup> The Commission accepts without hesitation that the pandemic created enormous challenges for the community generally and the police in particular. It acknowledges that the QPS played a significant role in keeping the community safe through that period.

However, the Commission also notes that the safety risks to people affected by domestic and family violence did not cease during that time and, in many cases, those trapped in violent relationships faced increased risks.

The QPS leadership was aware that the pandemic created enormous risks for those who were in domestically violent relationships. On 16 April 2020, the Assistant Commissioner, Southern Region was provided with an intelligence assessment in relation to the likely impact of COVID-19 on regional Queensland domestic and family violence occurrences.

It was assessed that the likelihood of a catastrophic consequence was very high. The assessment identified that it was highly likely that cases previously assessed as no-DFV would escalate to domestic and family violence cases and that coercively controlling behaviour within families and between partners would increase. It was assessed as likely that there would be an increase in the high and very high risk cases with an increased risk of the use of firearms in regional Queensland domestic and family violence incidents.<sup>366</sup>

It was clearly not a time to be looking away from the need to properly police domestic and family violence. And despite the difficulties associated with responding to the COVID-19 impact, it remained imperative that the QPS continued to focus on improving its responses to domestic and family violence.

Based on the 2021 Working for Queensland survey results, and what QPS members told the Commission directly, it is apparent that there is a significant level of concern within the QPS membership that the leadership of the organisation is lacking, and that the failures of its leadership have negative impacts on the culture of the organisation generally, and the ability of the QPS membership to respond well to domestic and family violence more specifically.

This perception among the QPS membership ought to be of concern to its leadership. Many QPS members raised this issue in submissions to the Commission. It needs to be heard and addressed more widely in order to improve the culture of the organisation. If the leadership is not respected by its membership, it will be difficult for it to implement and embed meaningful improvements to its responses to domestic and family violence.

The next section examines what QPS members said about the leadership being responsible for a culture of fear and silence among the membership, and the chilling effect that has on the ability of the organisation to improve its culture and make other changes necessary to improve its responses to domestic and family violence.

## A CULTURE OF FEAR AND SILENCE

The QPS membership considers that the QPS leadership, at different levels across the organisation, is responsible for a culture of fear and silence within the organisation. One QPS member said:

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**The QPS is full of good people however the culture is such that good men and women do nothing when they see internal bullying and unfair decisions, for fear of being the next "fox on the fence". You learn very quickly in this organisation to look the other way when you see bad behaviour by management, and those who have the support of management.**

**There is a way of doing business in the QPS which I believe is the part of the culture which allows these behaviours to continue, and which sees many good and capable officers become disillusioned and leave the job. Management ignores these behaviours almost at all costs, leaving the victim to suffer in silence.**

**If it gets to the point where Management are unable to ignore it, they move one or more parties but in no way acknowledge the behaviours.**<sup>367</sup>

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The culture of fear and silence within the QPS was observed first-hand by the Commission. Most QPS members who provided information to the Commission after the Police Commissioner gave evidence on 18 August 2022 did so anonymously or with requests for confidentiality. The following graph shows the number of requests for confidentiality and a sample of the remarks attached to the requests received by the Commission:



Fear of being **further bullied and ostracized** or worse.

Figure 14: Requests by QPS members for confidentiality in submissions provided to the Commission after the Police Commissioner gave evidence on 18 August 2022



QPS members who provided information to the Commission expressed a fear that, if the organisation knew they had spoken to the Commission about cultural or other issues within the organisation, they would suffer career damage, by way of lost job opportunities, promotions or the opportunity to attend courses. Many said they had seen this happen to colleagues who had spoken out about issues in the past or that they had, themselves, been subject to such consequences when they had previously raised concerns.

One QPS member expressed the fear of speaking out as a fear of reprisal by way of being “blacklisted” by the organisation and being denied promotion and training opportunities:

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**I am an officer with in excess of 30 years operational policing experience. I have seen first hand significant sexism, racism, bullying and harassment by senior leaders in the QPS. If you do not do what they say your career is effectively blacklisted.**

**Junior officers will not come forward and report the above issues due to fear. This could be from a fear of serious bullying, harassment such as not being provided development/promotion/training opportunities. I have been subject to this personally and many of my colleagues have been as well but you just have to accept it.**<sup>368</sup>

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Others also spoke of a pervasive fear of being perceived as a ‘dog’ and the reputational damage that flows from being saddled with such a reputation. One QPS member expressed that fear this way:

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**I am very fearful in making this submission, and over my years of service I have never said a word against the things I observe internally in the organization. Speaking out will have a severe impact on my career. If anyone ever finds out my reputation as [role redacted] will be completely ruined. I will be labeled ‘a dog’ ‘a snitch’ and that reputation would follow me anywhere I go in the state effectively destroying my career, my opportunities for promotion, attending courses, getting secondments etc.**<sup>369</sup>

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Further evidence of the strong culture of fear can be seen in the interviews conducted by retired Detective Superintendent Mark Ainsworth. Mr Ainsworth was engaged by the Commission to conduct interviews with QPS members in order to inform the Commission’s inquiries. Of the 53 QPS members interviewed by Mr Ainsworth, only five were content for their identity to be known; 90% requested confidentiality and did not want the QPS to know they had provided information to the Commission.

The fact that these requests for confidentiality came even after the QPS publicly encouraged its membership to co-operate with the Commission demonstrates the membership’s perception of the lack of integrity in the leadership. Despite the public announcement, many members clearly did not consider the leadership’s encouragement to be genuine.

QPS members told the Commission that the culture of fear is worsened by cultural issues being swept under the carpet by those in senior management positions. One QPS member expressed their concerns this way:

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**The QPS is the biggest boys club and look after their own senior management by sweeping everything under the carpet. Misogyny is rife in the QPS. I could go on and on and provide evidence of my allegations. Obviously officers are afraid of coming forward as it’s common knowledge that you will be outed and punished by ways of not allowing you go on career progression and courses etc. We have managers of each individual station running their own rules and policies there is no consistency. There is favouritism especially in the male senior management.**<sup>370</sup>

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Other QPS members told the Commission that the culture of fear was not just initiated at the top of the organisation, but that some leaders in middle management positions contributed to it by making life miserable for individual officers. These leaders negatively impacted workplace culture when they did not create an environment that made it safe for members to speak up about cultural issues. One QPS member said:

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**When I disclosed with my OIC that I was struggling with my mental health, he suggested that perhaps Policing wasn’t the job for me and it’s probably time to look elsewhere. I was visibly upset and used about 5 tissues during my conversation with him about my feelings. I found him to be completely unsupportive and arrogant...**

**I am not proud to be a member of the Queensland Police Service. I would not recommend the job to anyone. I will discourage my family and friends from applying for the QPS. I am hopeful of cultural change. I want to love what I do and be proud of my uniform. There is so so much that needs to change.**<sup>371</sup>

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Some officers become too afraid to speak up to improve cultural issues within the QPS because of the ‘institutionalisation’ of the culture of fear and silence. One QPS member described the issue this way:

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**An organisation’s culture is lead from the values and actions of those in senior position – whether it’s those in the senior executive, an officer in charge or a team leader. Furthermore, I do believe there are officers who want to do the right thing, and abhor the culture of sexualisation, misogyny, racism and unprofessional behaviour, however I do believe that they suffer from bystander effect and lack the courage to address it as they don’t want to be ostracised, which is indicative of institutionalisation into a culture of silence.<sup>372</sup>**

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Another QPS member said that the culture of fear meant that some people sought to align themselves with the ‘right’ people to avoid being harassed, intimidated or targeted by management:

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**The current culture within the QPS is greatly, negatively affected by the inability of those in management positions to actually do their job with any level of competence. The promotion system is corrupt, with some officers being provided with interview questions prior to the interview to enable preparation others aren’t granted. There’s a favouritism to those in minority groups, with the entire promotion system being ridiculously subjective.**

**As a result of a corrupt promotion system, many officers in positions of management are not suitable which results in a flow down affect, affecting not only performance of those under their control, but morale, and in turn, job satisfaction and quality of commitment to jobs attended. The current incompetence of QPS management has led to a work force of officers who no longer are proud to be part of the Organisation and just show up to get paid. Management have killed the spirit of their work force and are currently operating on good will rather than motivation.**

**The QPS is a broken Organisation, filled with morally corrupt management who rule with a culture of fear. I have referred to working within the Organisation as ‘QPS Survivor’, where to get anywhere you need to align yourself with the ‘right’ people, and be willing to stab people in the back when necessary. To those of us that aren’t game players, but can’t sit back and just watch the internal injustices, QPS management makes sure to harass, intimidate and target you to the point of either resignation or medical retirement.<sup>373</sup>**

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Professor Andrea Phelps, Deputy Director of Phoenix Australia, the Centre for Post-Traumatic Mental Health, gave evidence in a public hearing about the importance of promoting an organisational culture in which people are encouraged to speak up when they need to. She said:

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**So we really want to promote environments where there are fair rules, where there are transparent rules, where people feel that they can safely speak up without negative consequences, where within the limits of what’s possible they can maintain a sense of control and agency.<sup>374</sup>**

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Unfortunately, there is a sense among the membership that those within the organisation who try to speak up about issues within the QPS are silenced, such that the senior leadership might not be able to hear what its membership really thinks about the organisation and how it is being managed. One QPS member explained the issue in this way:

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**I have no belief in the present executive leadership of the QPS and the organization is in disarray. Currently there is a total lack of leadership and poor management and I can honestly state that service delivery and morale is the worst it has ever been. Executive management are ‘tin-eared’ to the current organizational climate and the unyielding workload burden placed on rank-and-file officers.**

**Senior management display no genuine concern to the troops at the coal face and it would be a fair statement to make that a lot of senior officer’s at the rank of Senior Sergeant, Inspector and above are primarily concerned with where they can identify their next promotional opportunity to climb a higher rung up the corporate ladder and become further removed from the operational and first response officers.**

**The divide between the troops and management has never been greater and those that attempt to speak up get muted. The Commissioner and senior management all try to convince one another of what a great job they are doing when in reality they are just playing politics and promoting the Government’s agenda.<sup>375</sup>**

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The culture of fear and silence, and the chilling effect it has on complaints about sexism, misogyny and racism is considered further in Part 3 and Part 4 of the Report.

If the QPS is to make meaningful improvements to its responses to domestic and family violence, it is critical that it hears the concerns of its membership, identified in this and later Parts, and acts on them to erode this culture of fear and silence.

## CONCLUSION

The organisation has a long road ahead of it to create structural and cultural change that will improve its responses to domestic and family violence. Strong leadership will be critical. The leadership must be willing to frankly acknowledge the breadth and depth of the organisation's failings to date, and the concerns of its membership, so that real and sustainable improvements can be made.

The Commission accepts that it is difficult for a paramilitary organisation such as the QPS to overcome the membership's fear of speaking up. But it will be essential that it does, to improve its culture generally and to improve its responses to domestic and family violence in particular.

Part 5 of this Report considers the present complaints system and the changes to the system the Commission considers will be necessary to improve the culture of fear and silence in the QPS.

## FINDINGS

- There is a strong perception among the Queensland Police Service membership that the leadership has failed to meet its stated commitment to improving police responses to domestic and family violence and to equip them with the necessary resources to effectively respond. It will be difficult for the leadership to effect meaningful improvements to its domestic and family violence responses while this perception remains.
- There is a strong perception that the Queensland Police Service leadership lacks integrity. The perception of a failure of integrity at the leadership level has caused, or at least contributed to, low morale across significant sections of the membership. It will be difficult for the leadership to effect meaningful improvements to its domestic and family violence responses while morale is low.
- There is a culture of fear and silence within the Queensland Police Service membership which prevents members from speaking out about negative cultural issues within the organisation or other changes needed to improve police responses to domestic and family violence. The leadership is ultimately responsible for this culture of fear and silence. It will have to work hard to combat this culture within the organisation for there to be improvement to the culture generally and to police responses to domestic and family violence more specifically.

## ENDNOTES – PART 1

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170 Confidential, Commission of Inquiry Submission 33, 13 June 2022; Confidential, Commission of Inquiry Submission 411, 30 August 2022; Confidential, Commission of Inquiry Submission 689, 23 August 2022; Confidential, Commission of Inquiry Submission 246, 22 July 2022.

171 Confidential, Commission of Inquiry Submission 322, 22 August 2022.

172 Transcript of proceedings, Professor Silke Meyer, 28 July 2022, Brisbane [p 1186: line 43 – p 1187: line 39].

173 Queensland Police Service DFV-Q Survey 2022, conducted by Nous Group, July 2022.

174 Transcript of proceedings, Professor Silke Meyer, 28 July 2022, Brisbane [p 1186: line 43 – p 1187: line 39].

175 Exhibit 17.1, Mark Ainsworth, *Report into interviews conducted with police officers and civilian officers in relation to the Independent Commission of Inquiry into the Queensland Police Service responses to domestic and family violence* (21 July 2022), Tender Bundle K, tendered 27 July 2022. This document is subject to an Order for Non-Publication made on 27 July 2022 – see Exhibit C.

176 *Domestic and Family Violence Protection Act 2012* (Qld) s 100.

177 This includes a fear of retribution by the perpetrator, distrust in police, wanting to remain in the relationship, or fear of child safety intervention.

178 Transcript of proceedings, Betty Taylor, 26 July 2022 Brisbane [p 1053: line 14 – p 1055: line 13].

179 Transcript of proceedings, Di Mahoney, 25 July 2022, Brisbane [p 976: lines 23–42]; Exhibit 15.4, Statement of Louise Baker, Annexure A, Tender Bundle I, tendered 25 July 2022 [p 2].

180 Transcript of proceedings, Di Mahoney, 25 July 2022, Brisbane [p 977: line 1].

181 Exhibit 16.2, Affidavit of Debbie Hewitt, Tender Bundle J, tendered 26 July 2022, [pp 1–2: paras 4–5].

182 Domestic and Family Violence Death Review and Advisory Board, *2020–21 Annual Report (2021)*.

183 Australia's National Research Organisation for Women's Safety, *Accurately identifying the 'person most in need of protection' in domestic and family violence law* (Research Report, Issue 23, November 2020).

184 Domestic and family violence survivors' experiences of the QPS survey, conducted by the Commission of Inquiry via Qualtrics, July 2022, emphasis added.

185 For example: Legal Aid Queensland, Commission of Inquiry Submission 165, 28 June 2022 [p 5]; Micah Projects, Commission of Inquiry Submission 198, 8 July 2022.

186 Legal Aid Queensland, Commission of Inquiry Submission 165, 28 June 2022 [p 5].

187 Transcript of proceedings, Senior Constable Tammie Robinson, 12 July 2022, Brisbane [p 267: line 13 – p 268: line 7].

188 Micah Projects, Commission of Inquiry Submission 198, 8 July 2022 [p 17: case example 8].

189 *Evidence Act 1977* (Qld) s 93A.

190 Transcript of proceedings, Jacelyn Parsons, 25 July 2022, Brisbane [p 953: line 47 – p 956: line 47].

191 Confidential, Commission of Inquiry Submission 419, 31 August 2022.

192 Confidential, Commission of Inquiry Submission 602, 7 September 2022 [p 4–5].

193 Confidential, Commission of Inquiry Submission 602, 7 September 2022 [p 5], emphasis added.

194 As outlined in Figure 5, actions may include providing advice to involved parties and referring them on for support, applying for a Protection Order, (including by way of a Police Protection Notice), to ensure protections are put in place, and gathering evidence with a view to pursuing criminal charges.

195 *Domestic and Family Violence Protection Act 2012* (Qld) s 3.

196 Confidential, Commission of Inquiry Submission 375, 26 August 2022.

197 Confidential, Commission of Inquiry Submission 20, 10 June 2022.

198 Confidential, Commission of Inquiry Submission 59, 17 June 2022; Confidential, Commission of Inquiry Submission 63, 18 June 2022; Confidential, Commission of Inquiry Submission 336, 22 August 2022; Confidential, Commission of Inquiry Submission 411, 30 August 2022.

199 DV Connect, Commission of Inquiry Submission 205, 8 July 2022.

200 Women's Legal Service Queensland, Commission of Inquiry Submission 219, 15 July 2022.

201 Domestic Violence Action Centre, Commission of Inquiry Submission 201, 8 July 2022.

202 Women's House Shelta, Commission of Inquiry Submission 197, 8 July 2022.

203 Confidential, Commission of Inquiry Submission 275, 31 July 2022; See Domestic and family violence survivors' experiences of the QPS survey, conducted by the Commission of Inquiry via Qualtrics, July 2022.

204 Domestic and family violence survivors' experiences of the QPS survey, conducted by the Commission of Inquiry via Qualtrics, July 2022, emphasis added.

205 Exhibit 17.2, Statement of Toni Bell, Tender Bundle K, tendered 27 July 2022.

206 Transcript of proceedings, Toni Bell, 27 July 2022, Brisbane [p 1142: lines 9–12].

207 Aboriginal and Torres Strait Islander Women's Legal Services North Queensland, Commission of Inquiry Submission 199, 8 July 2022.

208 Transcript of proceedings, Dr Brian Sullivan, 27 July 2022, Brisbane [p 1123: lines 1–12].

209 Women's Legal Service Queensland, Commission of Inquiry Submission 219, 15 July 2022.

210 Integrated Family and Youth Service (IFYS), Commission of Inquiry Submission 70, 20 June 2022.

211 Caxton Legal Centre, Commission of Inquiry Submission 136, 24 June 2022.

212 Exhibit 33, Queensland Police Service Domestic Violence – Review of Bail, Street Checks and Front Counter Reporting, tendered 5 August 2022.

213 Operational Advisory Note, 30 April 2021, provided by Queensland Police Service in response to the Commission Requirement, NTP 2.038, Item 2.2, requested on 12 August 2022.

214 Operational Advisory Note, 30 April 2021, provided by Queensland Police Service in response to the Commission Requirement, NTP 2.038, Item 2.2, requested on 12 August 2022.

215 Transcript of proceedings, Assistant Commissioner Brian Codd, 11 July 2022, Brisbane [p 80: line 27 – p 81: line 7].

216 Women's Legal Service Queensland, Commission of Inquiry Submission 219, 15 July 2022.

217 Queensland Sexual Assault Network, Commission of Inquiry Submission 190, 7 July 2022; Confidential, Commission of Inquiry Submission 98, 23 July 2022 [p 4].

218 Confidential, Commission of Inquiry Submission 13, 9 June 2022; Confidential, Commission of Inquiry Submission 59, 17 June 2022; Confidential, Submission of Inquiry Submission 63, 18 June 2022.

219 Confidential, Submission of Inquiry Submission 62, 18 June 2022.

220 Confidential, Commission of Inquiry Submission 13, 9 June 2022; Confidential, Commission of Inquiry Submission 19, 10 June 2022.

221 Confidential, Commission of Inquiry Submission 63, 18 June 2022.

222 Confidential, Commission of Inquiry Submission 62, 18 June 2022.

223 Domestic and family violence survivors' experiences of the QPS survey, conducted by the Commission of Inquiry via Qualtrics, July 2022, emphasis added.

224 Transcript of proceedings, Sergeant Paul Trinder, 14 July 2022, Brisbane [p 319: lines 5–13].

225 Exhibit 7.3, Statement of Sergeant Danielle Hulin, Tender Bundle D, tendered 14 July 2022 [p 3: para 15 – p 4: para 17].

226 Exhibit 27.7, Statement of Rosie O'Malley, Tender Bundle Q, tendered 5 August 2022 [p 9].

227 Exhibit 27.7, Statement of Rosie O'Malley, Tender Bundle Q, tendered 5 August 2022 [p 6].

228 Deputy State Coroner Jane Bentley (Coroners Court of Queensland), *Findings of inquest into the deaths of Doreen Gail Langham and Gary Matthew Hely*, delivered on 27 June 2022.

229 Confidential, Commission of Inquiry Submission 25, 11 June 2022.

230 Aboriginal and Torres Strait Islander Women's Legal Services North Queensland, Commission of Inquiry Submission 199, 8 July 2022; Micah Projects, Commission of Inquiry Submission 198, 8 July 2022; DV Connect, Commission of Inquiry Submission 205, 8 July 2022; Women's Legal Service Queensland, Commission of Inquiry Submission 219, 15 July 2022.

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233 Special Taskforce on Domestic and Family Violence, *Not Now, Not Ever: Putting an End to Domestic and Family Violence in Queensland* (Report, 2015) [Recommendations 131, 134–138].

234 Exhibit 33, Queensland Police Service, Domestic Violence – Review of Bail, Street Checks and Front Counter Reporting, tendered 5 August 2022.

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236 Domestic and Family Violence Death Review Unit, *DFVDRU Review*, 22 October 2020, provided by the Coroners Court of Queensland in response to the Commission Requirement, NTP 4.004, requested on 9 September 2022 [p 8: para 50].

237 Queensland Police Service, *Operational Procedures Manual*, Chapter 9: Domestic Violence, 7 October 2022 [s 9.4.2].

238 DV – Other Action Reasons, May 2022, provided by the Queensland Police Service in response to Commission Requirement, NTP 2.013, Item 1.1, requested on 21 June 2022.

239 Caxton Legal Centre, Commission of Inquiry Submission 136, 24 June 2022 [p 4]; The Centre For Women & Co, Commission of Inquiry Submission 153, 25 June 2022 [p 3].

240 Domestic and Family Violence Death Review and Advisory Board, *2020-21 Annual Report* (2021) [pp 59, 68].

241 Deputy State Coroner Jane Bentley (Coroners Court of Queensland), *Non-inquest findings into the death of Tara Matekino Brown*, delivered on 27 January 2021 [pp 19–22].

242 *Victims of Crime Assistance Act 2009* (Qld) sch 1AA, div 1-2.

243 Queensland Police Service, Submissions in response to the draft report of the Commission of Inquiry – Part 1, Appendix A, 25 October 2022 [p 3].

244 Exhibit 13.4, Statement of Karl McKenzie, Tender Bundle H, tendered 22 July 2022 [p 2: para 8]; Transcript of proceedings, Karl McKenzie, 22 July 2022, Townsville, [p 821: lines 11–32].

245 Exhibit 13.4, Statement of Karl McKenzie, Tender Bundle H, tendered 22 July 2022 [p 2: para 8].

246 Exhibit 13.4, Statement of Karl McKenzie, Tender Bundle H, tendered 22 July 2022 [p 2: para 8].

247 The Centre For Women & Co, Commission of Inquiry Submission 153, 25 June 2022; Confidential, Commission of Inquiry Submission 275, 31 July 2022; Confidential, Commission of Inquiry Submission 710, 6 October 2022.

248 Confidential, Commission of Inquiry Submission 137, 24 June 2022; Confidential, Commission of Inquiry Submission 275, 31 July 2022; Confidential, Commission of Inquiry Submission 567, 5 September 2022.

249 Confidential, Commission of Inquiry Submission 564, 6 September 2022.

250 Domestic and family violence survivors' experiences of the QPS survey, conducted by the Commission of Inquiry via Qualtrics, July 2022, emphasis added.

251 Transcript of proceedings, Sergeant Michael Read, 14 July 2022, Brisbane [p 371: line 33 – p 372: line 25].

252 Transcript of proceedings, Jordan Theed, 21 July 2022, Townsville [p 811: lines 6–34].

253 Transcript of proceedings, Lewis Shillito, 29 July 2022, Brisbane [p 1222: lines 10–40].

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255 *Domestic and Family Violence Act 2012* (Qld) s 4(2)(e).

256 Aboriginal and Torres Strait Islander Women's Legal Services North Queensland, Commission of Inquiry Submission 199, 8 July 2022.

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258 Queensland Police Service DFV-Q Survey 2022, conducted by Nous Group, July 2022.

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260 Domestic Violence Action Centre, Commission of Inquiry Submission 201, 8 July 2022.

261 Domestic Violence Action Centre, Commission of Inquiry Submission 201, 8 July 2022.

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263 Micah Projects, Commission of Inquiry Submission 198, 8 July 2022; DV Connect, Commission of Inquiry Submission 205, 8 July 2022.

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265 Domestic Violence Action Centre, Commission of Inquiry Submission 201, 8 July 2022; Micah Projects, Commission of Inquiry Submission 198, 8 July 2022.

266 Micah Projects, Commission of Inquiry Submission 198, 8 July 2022.

267 Micah Projects, Commission of Inquiry Submission 198, 8 July 2022.

268 Transcript of proceedings, Joanna Mason, 26 July 2022, Brisbane [p 1061: lines 36–45], emphasis added.

269 Confidential, Commission of Inquiry Submission 24, 11 June 2022; Confidential, Commission of Inquiry Submission 33, 13 June 2022; Confidential, Commission of Inquiry Submission 62, 18 June 2022.

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272 Confidential, Commission of Inquiry Submission 54, 16 June 2022.

273 Confidential, Commission of Inquiry Submission 316, 22 August 2022.

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275 Domestic and family violence survivors' experiences of the QPS survey, conducted by the Commission of Inquiry via Qualtrics, July 2022.

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279 Domestic and family violence survivors' experiences of the QPS survey, conducted by the Commission of Inquiry via Qualtrics, July 2022.

280 Domestic and family violence survivors' experiences of the QPS survey, conducted by the Commission of Inquiry via Qualtrics, July 2022. (emphasis added)

281 Confidential, Commission of Inquiry Submission 33, 13 June 2022.

282 Confidential, Commission of Inquiry Submission 24, 11 June 2022; Confidential, Commission of Inquiry Submission 54, 16 June 2022; Confidential, Commission of Inquiry Submission 375, 26 August 2022; Confidential, Commission of Inquiry Submission 411, 30 August 2022.

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286 Confidential, Commission of Inquiry Submission 13, 9 June 2022.

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292 Confidential, Commission of Inquiry Submission 63, 18 June 2022.

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294 Confidential, Commission of Inquiry Submission 63, 18 June 2022.

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298 Domestic and family violence survivors' experiences of the QPS survey, conducted by the Commission of Inquiry via Qualtrics, July 2022.

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301 Micah Projects, Commission of Inquiry Submission 198, 8 July 2022; Aboriginal and Torres Strait Islander Women's Legal Services North Queensland, Commission of Inquiry Submission 199, 8 July 2022.

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305 Exhibit 39 (B21), Queensland Police Service Integrity Framework, December 2020, Tender Bundle W, tendered 5 October 2022.

306 Queensland Police Service, Task Force Bletchley (Report, 2015) [pp 21–22] (citations omitted).

307 Nous Group, *QPS DFV-Q findings report* (29 August 2022) [p 2].

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313 Nous Group, *QPS DFV-Q findings report* (29 August 2022) [p 26] (emphasis added).

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320 Anonymous, Commission of Inquiry Submission 657, 21 September 2022 (emphasis added).

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323 Working for Queensland Survey – Queensland Police Service, conducted by the Public Service Commission, 2021.

324 Exhibit 39 (B30), 2021 Working for Queensland survey results – summary of free text comments, Tender Bundle W, tendered on 5 October 2022.

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333 Exhibit 39 (B4), Commissioner Carroll's written account of Paul Taylor and Ray Rohweder's 2022 incidents, Tender Bundle W, tendered 5 October 2022.

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362 Exhibit 39 (B5), Paul Taylor complaint briefing note and Local Management Resolution outcome, Tender Bundle W, tendered 5 October 2022; Exhibit 39 (B7), Ray Rohweder promotion panel report, Tender Bundle W, tendered 5 October 2022; Transcript of proceedings, Commissioner Katarina Carroll, 5 October 2022, Brisbane [p 2099: line 45 – p 2100: line 13].

363 Transcript of proceedings, Commissioner Katarina Carroll, 5 October 2022, Brisbane [p 2108: lines 17–21].

364 Transcript of proceedings, Commissioner Katarina Carroll, 5 October 2022, Brisbane [p 2098: lines 14–18, p 2100: line 34 – p 2101: line 3].  
365 Queensland Police Service, Submissions in response to the draft report of the Commission of Inquiry – Part 1, 25 October 2022 [p 5].  
366 Exhibit 38-5, Intelligence Assessment – Likely impact of COVID-19 on regional QLD domestic and family violence occurrences, Tender Bundle V, tendered 18 August 2022 [p 1].  
367 Confidential, Commission of Inquiry Submission 589, 6 September 2022 (emphasis added).  
368 Confidential, Commission of Inquiry Submission 319, 22 August 2022 (emphasis added).  
369 Anonymous, Commission of Inquiry Submission 466, 2 September 2022 (emphasis added).  
370 Confidential, Commission of Inquiry Submission 702, 5 October 2022.  
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