



**Her Honour Judge Deborah Richards,
Commissioner for the independent Commission of Inquiry
into Policing Domestic and Family Violence.**

**From: IFYS Ltd
Date: 20 June 2022**

Submission Title: *Police Must Keep Eyes on the Perpetrator*

Terms of Reference

In summary, the Commission will examine:

- whether there are any cultural issues within the Queensland Police Service that negatively affect police investigations of DFV
- if there are any cultural issues, whether they have contributed to the overrepresentation of First Nations people in the criminal justice system
- the capability, capacity and structure of the Queensland Police Service to respond to DFV, and
- the adequacy of the current conduct and complaints handling processes against police officers.

The IFYS Submission

IFYS is a multi-service community agency operating services across Queensland. We welcome the opportunity to lodge a submission to this inquiry as:

1. We lead the Multi-Agency Triage and Case Lead Allocation (MATCLA) co-ordinated response to DFV. Our 2 P/T staff are co-located with QPS officers at the Vulnerable Person's Unit, Maroochydore. MATCLA began operating in December 2020 to deal with the cases of DFV that pose significant risk of harm, yet do not reach the imminent high-risk threshold. MATCLA is not funded as a High Risk Team (HRT). It is more a process for collaborative information sharing among multi-sector agencies (n=20); risk assessment (perpetrator mapping), and case planning and referral.
2. Our staff respond to the impacts of DFV in all support programs we offer, including family support, child protection, foster care, residential care, youth support and more.

In this submission we focus on both the very positive co-location work we undertake with QPS officers in MATCLA, and areas for ongoing improvement in police responses to DFV, perpetrator accountability, police culture and training. Our submission is largely based on evidence gathered in the external review of MATCLA. The MATCLA review covered the period 1 December 2020—31 December 2021. In this period:

- 72 high-risk families were referred into MATCLA. Of those 72 families, there were 158 children identified as family members and primary victims of domestic violence.

- In 12.5% of families one or both adults identified as Aboriginal. Six out of 72 perpetrators identify as Aboriginal.
- In the MATCLA review, 7 of 72 of the referred perpetrators were female (almost 10%). In 6 of 7 circumstances, it was determined by the MATCLA core group that the female was the person most in need of protection and in need of AOD and/or mental health support. In the remaining case, it was determined that the children, grandparent and estranged husband had been impacted by the female's abuse and violence, however it could not be determined if the "aggrieved" (estranged husband) was fearful of the perpetrator.

The structure of our submission incorporates our experience and evidence of DFV policing in the Sunshine Coast region within the following headings:

- Co-location and Collaboration
- Coercive Control
- Cultural Capability
- Children and Young People
- Critical Reflection and Evaluation

Summary of 5 Issues for the Inquiry to Consider

1. Increase co-location and collaborative models with QPS and external agencies.

Collaborative, co-location work with QPS builds bridges. It builds good relationships; improves information sharing and helps to break down the us and them culture that commonly exists between QPS and external agencies. DFV models such as co-location, co-responder and high-risk teams must be expanded across Queensland.

2. Prioritise and intensify training for police in coercive control, gender and race relations and equity.

When police understand that DFV commonly arises as a pattern of gender-based coercive control, rather than an incident-based occurrence, police practices improve. Women —especially Aboriginal and Torres Strait Islander women — are too often mis-identified as perpetrators of violence. The result is excessive use of cross-applications and failure to protect the women who are at risk of harm. Criminalising coercive control may well have unintended consequences of unjustly criminalising women, if police fail to understand the gender-based, patterns of intimidation and abuse that underpin coercive control, and the chaotic, conflict-based violence that can be a product of dislocation and oppression of First Nations' peoples.

3. Keep eyes on the perpetrator. Policing practice and collaborative work with external agencies must focus on risk assessment, perpetrator mapping and every possible effort to increase perpetrator accountability and responsibility for their violence.

4. Avoid criminalising young people whose own violence may be a product of inter-generational cycles of violence and trauma. From our work and contemporary research on adolescent violence in the home ([AVITH](#)) ([Campbell et al., 2022](#)), we know that young people can cause significant harm to themselves and family members through their use of violence in the home. The evidence shows that commonly these

young people have been subject to trauma and violence in the home themselves, and many have mental health challenges and disabilities. There is a risk that applying domestic violence orders or the criminal law to these young people may unjustly criminalise them. The evidence suggests wrap around, whole of family supports are more appropriate than policing and criminal justice responses in most cases.

5. **Continuously evaluate and monitor police practices and collaborative QPS and external agency models of DFV practice.** We need to know what works and what doesn't in DFV policing practice. More research is emerging that is supported by QPS, ANROWS, Queensland Government, academic researchers, NGOs and more. Findings from this growing body of research have a positive impact on practice. Too much research is never enough — resourcing for research capability and projects that involve external organisations exploring policing of DFV need to be expanded.

The IFYS and MATCLA experience — Issues for policing domestic and family violence (DFV)

We provide the following experiences and issues for consideration by the Inquiry.

Co-location of MATCLA with the VPU helps to build bridges, collaboration and confidence to share information between NGOs and police.

The MATCLA review acknowledged that the collaborative processes in MATCLA enable much more comprehensive information to be shared among police, government and NGOs — especially on the patterns of perpetrator behaviour. The DFV skills development and cross-sector relationships are very positive and enhanced with the co-location of the VPU and MATCLA.

MATCLA is facilitating DFV skills development and shared frameworks with QPS and across sectors to guide actions. The Safe&Together foundations that underpin MATCLA, and the increasing awareness of the coercive control patterns of perpetrator behaviour, are building a common framework for the analysis of DFV risks and action required across disciplines. The participation with QPS of health, housing, education, corrections and DFV specialist and non-DFV specialist service providers in risk assessments and planning was recognised as a very positive feature of MATCLA by participating agencies. Comments from agency participants included:

“Yes through MATCLA victim/survivors are supported better by police. They're not on their own any more...I can email QPS to open up communication...We are all in it together. MATCLA has created pathways of conversation between Police and others that didn't exist before.”

“MATCLA allows IFYS to pull together information collection on perpetrators and patterns of behaviour. Police use that in assessment and triage. Also for example, when QPS attend court to pursue an objection to bail on a perpetrator...police can inform the court better than before MATCLA existed.”

“There are good working relationships in MATCLA. We worked as individuals previously. MATCLA provides a collaborative forum—an information sharing forum and brought a unified focus on how to talk about risk. The Safe & Together approach and the – MATCLA focus on perpetrator mapping. These are a positive shift. “

The DFV awareness and responses among the wider population of general duties police was viewed as inconsistent and not always effective in enhancing the safety of victims/survivors. Improving police awareness of DFV and responses remains a priority.

It was noted that having a closer connection to QPS officers through MATCLA is helpful in giving context to the actions of perpetrators and in raising awareness that DFV occurs in patterns of coercive, controlling and intimidating behaviours.

“Having QPS at the table when these discussions are occurring can contextualise the responses. This gives a much richer understanding.

“VPU who attend MATCLA have a better DFV informed position, yet general police don’t have the same training. They are not looking and screening for a primary aggressor. MATCLA supports QPS DFV specific roles but not generals.”

Future DFV service models could benefit from more integrated DFV teams, co-location of DFV specialists in regional police stations, co-responder and high risk teams.

Coercive Control — police must recognise and investigate the pattern of abuse, not simply an incident.

Participating agencies in MATCLA noted that the perpetrator mapping tool and the Safe & Together framework can help the Police to understand perpetrator accountability and DFV as a pattern of coercive and controlling behaviour, rather than incident based. They recognised, however, apart from police who work in the VPU, very few police in the region are well equipped to understand DFV power dynamics and the importance of perpetrator accountability.

“General duties Police just don’t see the pattern of accumulated harm children experience”.

MATCLA participant

“I entered the Police Station on the 24th of January, and I requested to speak to someone, I had a folder full of evidence of coercive control, harassment, and intimidation to show the Police, I was ready to finally tell my story.

I started to explain the harassment (30+ phone calls a day), the physical assaults, the intimidation, the threats to kill my dogs, the threats to bash me until I couldn’t crawl. I expected them to take my statement, but they did not. They gave me a sympathetic look, thanked me for sharing and referred me to Centacare Scope. At that moment, I saw how domestic violence was not taken seriously; the Officer was not at all interested in seeing the evidence. We wasted each other’s time. I realised the only way to survive was to file for a private DVO. My husband was served with a temporary DVO, and we have the final hearing on the 3rd of June at the Magistrate Courthouse”

Victim/survivor – MATCLA participant

The following highlights that the mis-identification of women as the aggressors and respondents to domestic violence orders occurs when there is a lack of DFV informed policing practices.

“QPS attended, issued an order against the female. The MATCLA meeting called for more information. In that example it was clear the way the perpetrator used a pattern against the survivor – the woman was a primary victim not a perpetrator.” MATCLA participant.

Participants described cases where women primarily are wrongly identified as perpetrators of violence under the legislation. In some cases with VPU and MATCLA assessment and action, more fulsome assessments are undertaken and DV orders on women were withdrawn.

Participants described how police attend DFV occurrences when violence, risk and emotions are high. If police do not have the skill or take time to investigate, to identify patterns of control and violence and who is most in need of protection, cross-orders and unfair “criminalising” of women can, and does, occur.

It is increasingly evident that risk assessment and co-ordination networks like MATCLA, need to be cognisant of that way criminal justice and DFV support service providers can mis-identify women victim as perpetrators of DFV. ANROWS research (Nancarrow., Thomas., Ringland, & Modini, 2020) found that there is a lack of explicit guidance in relevant legislation, policy, and guidelines to assist police and courts to identify patterns of coercive control to distinguish between the primary perpetrator and victim of violence.

To achieve continuous improvement in DFV responses and shift awareness from DFV as an incident to DFV as pattern of harmful behaviour/s, the MATCLA review reported that QPS must continue to provide skills development in DFV. The implementation of more co-location models, in which support workers are embedded in police stations in the region, is a useful strategy to foster cross-discipline learning and collaboration.

The MATCLA review also reported that to avoid women being mis-identified as perpetrators of DFV by police, more training in patterns of coercive control; the person most in need of protection and ‘victim-resistance’ is required.

The MATCLA framework and mapping tool is applied across member agencies and disciplines to inform their risk assessment processes and to ensure that the person most in need of protection is identified and supported.

Comments for participating agencies included:

“The mapping tool helps us to know and share information on the risk posed by the perpetrator...”

“The information sharing tool helps to know who’s in most need of protection...Knowing perpetrator behaviours makes it easier to predict risk. We could use this approach more in our own agency to help staff, for example to understand that if a woman is saying is this paranoia or is it perpetrator behaviour, staff can respond better.”

Selected comments in support of information sharing included:

“...In one example Police provided information on pending parole of a perpetrator. We could work better with the woman to plan for her safety. We would have hit a road block before...We get more context of the survivor, and have more information, we can evaluate risk better”

“By sharing responsibilities and putting together supports to be offered to the client MATCLA has provided an opportunity for the potential supports to gather enough information to better support the clients and act on potential

risks...There have been a number of times within MATCLA meetings where individuals have brainstormed in creative ways to engage hard to reach at risk clients. “

On three occasions we could shoot information out quickly to police and the DV perpetrator was apprehended...In one case, a high risk perpetrator knew police and agencies were “on to him.” He came to [name of service] and handed himself in...”

MATCLA members expressed significant concern about the inconsistent and often ineffective way the criminal justice and support systems respond to male perpetrators of violence. They described the importance of: (1) police and judicial officers understanding and taking full account of the dynamics and risks of DFV —the patterns of coercive control — in determining consequences for perpetrators, and (2) the support system building a much greater capacity to engage men in help-seeking and provide a range of counselling, accountability and behaviour change options. Through the process of police and external providers meeting routinely to assess risks and map perpetrator behaviours, the full context of the victim and perpetrators dynamics can be more fully assessed, as well as making any children identified visible to the service system.

“Through our shared responsibility in managing risk, we get a richer understanding of what’s happening for families, and who’s involved, and what is needed. Before MATCLA we only used to get part of the information. It is good to get the context of why DFV survivors are acting in ways that they are...We can make sense of people’s experiences...”

“Risk is a pattern “under the ice-berg.” The control is coming to the surface through MATCLA... Relying on women to report is not enough. The deliberate way we document avoids victim-blaming...We are effective in identifying patterns. We can better respond, because we are better informed of the risk posed by DFV perpetrator as they are ‘on the radar’. Our mapping allows a shift from incident to escalating behaviours of the perpetrator.”

MATCLA was praised for its value-add, co-ordinating role in the DFV support system, but the strong view was that it is ‘filling a gap’ in the absence of a funded high-risk team. To reduce the risk posed by high-risk perpetrators of DVF and enhance the safety of victim-survivors and children and young people who are victim/survivors impacted by DFV, the DFV support system on the Sunshine Coast could function more effectively as a combined high-risk team and integrated service system response, with increased QPS and NGO capacity.

We are encouraged by the increased public awareness of coercive control, and ongoing training that is required for QPS officers to understand and investigate DFV matters as a pattern of coercive control, rather than as ‘incidents.’ We remain concerned however about the disturbing rates of mis-identification of women as perpetrators of DFV. Ill-informed application of coercive control criminal laws may have the unintended consequence of unjustly criminalising women —especially Aboriginal women.

From case reviews, the Domestic and Family Violence Death Review Advisory Board, Queensland. Annual Report 20-21 (p.60) raised concern that too frequently women are being mis-identified as perpetrators of domestic violence —and become subject to police action and courts orders—when they have used violence to resist and protect themselves from perpetrators.



The Advisory Board reported that in just under half (44.4%) of all cases of female deaths subject to the review, the woman had been identified as a respondent to a domestic and family violence (DFV) protection order on at least one occasion.

The Death Review Advisory Board, Qld Report (2017) [analysis of 27 domestic homicides](#) in Queensland, for instance, found almost half the women who were killed had previously been identified by police as the perpetrator on a protection order. It is disturbing that most of the Aboriginal women killed had been recorded as both perpetrators and victims. We share the growing concern that systems set up to protect victims are being used against them; fail to keep them and their children safe, and fail to hold male perpetrators accountable for their violence.

Cultural Capability

The need to sustain and grow cultural capability and collaboration between community-controlled agencies, mainstream agencies and QPS was reported in the MATCLA review. MATCLA has representation from an Aboriginal and Torres Strait Islander community controlled agency, Refocus. The Refocus staff affirmed the importance of that community-controlled agencies participating in collaborative processes like MATCLA. They can provide culturally responsive support to families, but first the questions about cultural background and help-seeking must be asked and recorded by police and agencies.

Children and young people

“Children need to be viewed as victim/survivors in their own right and services need to respond to them better.”
MATCLA participant

This view was expressed by a number of MATCLA participants. There are difficulties for police in responding to the needs of children and young people effectively due to: (1)

difficulties in accessing children when parents act as gatekeepers; (2) a lack of services for children and young people living with and directly experiencing DFV, and a lack of understanding of trauma and impacts of DFV on children and young people. Some of the matters raised by MATCLA participants were:

“We need to provide evidence-based responses with adolescents who use violence. The aim is to respond to their trauma, their use of violence and avoid the risk that they will be criminalised.”

“We need more early education with young boys to encourage help-seeking and respectful relationships”.

The message from our IFYS work and the MATCLA review is that we must do everything possible to avoid criminalising young people whose own violence may be a product of inter-generational cycles of violence and trauma. From our work and contemporary research on adolescent violence in the home ([AVITH](#)) ([Campbell et al., 2022](#)), we know that young people can cause significant harm to themselves and family members through their use of violence in the home. The evidence shows that commonly these young people have been subject to trauma and violence in the home themselves, and many have mental health challenges and disabilities. There is a risk that applying domestic violence orders or the criminal law to these young people may unjustly criminalise them.



The evidence suggests wrap around, whole of family supports are more appropriate than policing and criminal justice responses in most cases. IFYS is having some success in supporting young people through our Youth Transitions work and REBECCA program — psycho-education group work to support young women who have experienced, or are at risk of experiencing DFV. This specialist early intervention program provides the tools to identify and respond to red flags and unhealthy relationship behaviours. This specialist work with young people and wrap around, whole of family work needs to be expanded to avoid criminalising young people whose challenging behaviour may well be a product of inter-generational DFV.

Final Comments

The complex needs of people experiencing domestic and family violence require collaborative responses from many support systems — police, corrections and justice, health, education, community services, community-controlled agencies, disability services, youth services, housing and more. These systems need to be responsive to Aboriginal and Torres Strait Island people and responsive to the diverse cultures, identities and backgrounds of community members (Blagg et al; 2018; Allimant & Ostapiej-Piatkowski, 2011; Frawley, Dyson and Robinson, 2017).

The challenges in perpetrator accountability have focused MATCLA efforts to have “eyes on the perpetrator.” That is, MATCLA has embedded the Safe&Together framework (Mandel, 2020) and a perpetrator risk mapping tool to understand, and focus on responding to the patterns of behaviour and risk posed by perpetrators of DFV.

There is growing evidence to show that multi-agency collaboration, information sharing and co-location with police can improve responses to domestic and family violence — particularly where these response systems strive to maintain high levels of perpetrator accountability (Breckenridge, J., Rees, S., kylie valentine., Murray, S. 2016; Humphreys & Healy, 2017).

Accountability of perpetrators operates at a system wide level and at the level of individual perpetrators of violence taking responsibility for their actions. The extent to which the police and multiple agencies can align and form a web of accountability for DFV perpetrators demands a high level of robust coordination at many levels, from legislation, policy, courts and police actions through to local practices of intervention and interagency working. (Chung et al., 2020, p.30). The more police and external agencies can co-locate, understand each other’s’ frameworks, organisational culture and discipline specific demands, the more effective responses to DFV are likely to be.

The widespread resistance by men to taking responsibility and their lack of help-seeking is recognised as one of the most significant barriers to reducing the risk and harm that results from DFV (Chung et al., 2020; Day et al., 2019). We must all strive to work together across disciplines to encourage men to seek help and to be accountable for their actions.


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References

- Allimant, A., & Ostapiej-Piatkowski, B. (2011). *Supporting women from CALD backgrounds who are victim/survivors of sexual violence: Challenges and opportunities for practitioners* (ACSSA Wrap No. 9). Melbourne: Australian Centre for the Study of Sexual Assault, Australian Institute of Family Studies.
- Australia's National Research Organisation for Women's Safety. (2021). *Defining and responding to coercive control: Policy brief* (ANROWS Insights, 01/2021). ANROWS.
- Blagg, H. et al. (2018). Innovative models in addressing violence against Indigenous women: Key findings and future directions. Sydney: ANROWS.
- Breckenridge, J., Rees, S., Kylie Valentine., Murray, S (2016). Meta-evaluation of existing interagency partnerships, collaboration, coordination and/or integrated interventions and service responses to violence against women: Key findings and future directions. Sydney: ANROWS.
- Campbell, E., Richter, J., Howard, J., & Cockburn, H. (2020). The PIPA project: Positive Interventions for Perpetrators of Adolescent violence in the home (AVITH) (Research report, 04/2020). Sydney, NSW: ANROWS.
- Chung, D., Upton-Davis, K., Cordier, R., Campbell, E., Wong, T., Salter, M. ... Bissett, T. (2020). Improved accountability: The role of perpetrator intervention systems (Research report, 20/2020). Sydney: ANROWS
- Day, A., Vlasis, R., Chung, D., & Green, D. J. (2019). Evaluation readiness, program quality and outcomes in men's behaviour change programs (Research report, 01/2019). Sydney, NSW: ANROWS.
- Domestic and Family Violence Death Review and Advisory Board. Queensland. Annual report 2020-2021. Death Review Advisory Board, Queensland Annual Report. (2017).
- Frawley, P., Dyson, S., and Robinson, S. (2017) Whatever it takes? Access for women with disabilities to family/domestic violence services: Key findings and future directions. Sydney: ANROWS.
- Humphreys, C., & Healey, L. (2017). *PATHways and Research Into Collaborative Inter-Agency practice: Collaborative work across the child protection and specialist domestic and family violence interface: Final report* (ANROWS Horizons 03/2017). Sydney: ANROWS.
- Mandel, D. (2020) Safe & Together Institute. Safe and Together Model. <https://safeandtogetherinstitute.com/about-us/about-the-model>
- Nancarrow, H. (2016). Legal Responses to Intimate Partner Violence: Gendered Aspirations and Racialised Realities (PhD thesis). Griffith University, Brisbane.
- Nancarrow, H., Thomas, K., Ringland, V., & Modini, T. (2020). Accurately identifying the "person most in need of protection" in domestic and family violence law (Research report, 23/2020). Sydney: ANROWS

Attachment 1
List of Acronyms, Key Terms and Definitions
Acronyms

DFV	Domestic and family violence
DVCAM	The team of organisations who assess and manage cases of DFV on the Sunshine Coast where victims/survivors are at a very high risk of imminent danger. Centacare co-ordinates DVCAM.
MATCLA	Multi-Agency Triage and Case Lead Allocation
MBCP	Men’s behaviour change program
PRADO	High risk response to domestic violence victims/survivors in partnership with police on Sunshine Coast. Led by Centacare
QPS	Queensland Police Service
VPU	Vulnerable Person’s Unit, Queensland Police Service, Sunshine Coast —specialist responsibilities for domestic and family violence among a range of tasks. MATCLA staff co-locate with the VPU staff.

Domestic and family violence (DFV)

In Queensland, the preamble of the Domestic and Family Violence Protection Act 2012 (Qld) states that domestic violence “usually involves an ongoing pattern of abuse over a period of time”, while s 8 states:

Domestic violence is behaviour perpetrated by one person against another, where two people are in a relevant relationship, which is: physically or sexually abusive; emotionally or psychologically abusive; economically abusive; threatening; coercive, or in any other way controls or dominates the victim and causes the victim to fear for their own, or someone else’s, safety and wellbeing.

DFV can include coercive control (as defined above) that causes a family member to fear for their safety or wellbeing of themselves or another person, and the exposure of these behaviours, or the effects of them, to a child.

DFV can occur in many diverse relationships. These include between spouses or domestic partners and in other intimate personal relationships such as parent–child, child–parent, with elders, siblings and other relatives, and between extended families, kinship networks and in family-like or carer relationships (<https://www.vic.gov.au/orange-door-service-model/terminology>).



Men's behaviour change program (MBCP). The term MBCP is used in this report to refer to any planned intervention that has the aim of reducing violence towards women and children by known perpetrators, and includes programs offered to high-risk offenders who are managed by correctional services.

Perpetrator intervention systems (PI systems) DFV. PI systems are defined as those parts of the DFV service system of responses that pertain to identifying and responding to perpetrators of DFV (Chung et al, 2020, p.11)

Perpetrators. The offenders or respondents, responsible for the DFV. Consistent with evidence, this review recognises that in the majority of cases perpetrators are male.

Victim/survivor. A woman, child or other person who has experienced or is experiencing DFV.

Victim-centred. Victim-centred refers to practices that put the needs of the victim/survivor first. In the context of collaborative work, it means that agencies coordinate their responses so as to avoid jeopardising the safety and wellbeing of victims/survivors, for instance, through re-traumatisation.