QUEENSLAND POLICE SERVICE

STATEMENT OF WITNESS

QP 0125
01/06
A16

Occurrence #:

Statement no.: **ONE** Date: **06/07/2022**

Statement of

Name of witness: **GARDNER, Neil John**

Date of birth: Age: [redacted] Occupation: **Police Officer**

Police officer taking statement

Name:

Rank: **Sgt.** Reg. no.: **4025536**

Region/Command/Division: **Brisbane** Station: **DFV&VPU South Brisbane**

Statement:

Neil John GARDNER states:

1. I am the substantive Sergeant Domestic, Family Violence Coordinator (DFVC) in the South Brisbane District Vulnerable Persons Unit (VPU) based at the Camp Hill Police Station.

2. I held the position of Sergeant, DFVC (formally known Domestic Violence Liaison Officer) since 2010.

3. I have worked in the VPU since its creation in 2016.

4. I was the Acting Senior Sergeant Officer in Charge (OIC) who operationalised and created the South Brisbane District VPU processes and procedures that are in place today. I performed that role for 3 years.

5. Assisted in creation of Brisbane High Risk Teams. Since reverting to my Sgt. DFVC position, I have also relieved as an Acting Senior Sergeant as the State Mental Health Coordinator, based at Police HQ between July 2019and January 2020, and as a cultural affairs officer in the QPS Multicultural Affairs Unit

Domestic & Family Violence (DFV) Training

6. I had no specialist training in DFV before my promotion to Sergeant DVLO/DFVC in 2010.

7. In 2017 I completed a Graduate Certificate in Domestic Violence from the Queensland University of Technology. This training was funded by the QPS. I also have a TAE40110 Certificate IV in Training and Assessment from 2011.

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CONTINUED STATEMENT OF: **GARDNER. Neil John**

8. I am currently completing a Psychology Degree at the University of Southern Queensland. This study is supported by the QPS.

9. I have done no training on DFV, external to the QPS since 2010 other than my Graduate Certificate.

Domestic, Family Violence and Vulnerable Persons Unit (DFVVPU)

Different districts have different VPU structures/resourcing

South Brisbane District Vulnerable Persons Unit

10. The South Brisbane District VPU, in which I am stationed, consists of the following permanent staff:
    - 1 x Senior Sergeant – Officer in Charge;
    - 3 x Sergeants – DFVC;
    - 2 x Senior Constables – DFVC;
    - 2 x Detective Senior Constables; and
    - 1 x AO3 Administration Officer.

11. The following rotational staff also work in the South Brisbane District VPU
    - 8 x Senior Constable/Constables; and
    - 2 x Detective Senior Constables/Constables.

12. Individual districts have differing VPU structures and resourcing.

13. I am on a flexible work agreement for full time hours. This involves 3 x 10 hour shifts and a 1 x 8 hour shift a week on a combination of morning and afternoon shifts. I predominantly starting at 6am for morning shifts and 2pm for afternoon shifts.

14. I am on Operational Shift Allowance (OSA) and usually work two weekends a month.

15. When I work a weekend shift, I am usually the only Sergeant on duty. I am generally rostered on with two (2) to four (4) police officers who would spend most of their shift away from the station to perform their role. During the week I would have the OIC, admin officer, and at least one other police officer at the station to support me.

16. On a weekend I may be the only officer working if there are staffing shortages, or if there is only one crew working in the afternoon, and I am rostered on in the morning. This is rare and has only happened to me once this year.

Workload

17. On a normal day my usual role as the Shift Supervisor involves checking every DFV occurrence that has occurred in the previous 24-hour period for the South Brisbane District (SBD), which is roughly 40 occurrences a day.

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18. I assess the police response, send appropriate tasks to reporting stations to rectify any identified issues, assess the risk using the Protection Assessment Framework

(PAF) document completed by the reporting officer, and decide whether follow up is required by the VPU to obtain additional information or to provide additional support to the parties involved in high-risk matters.

19. I refer appropriate cases to High-Risk Team representatives for the District for interagency management where appropriate.

20. I check the previous 24-hour occurrences of Mental Health Emergency Examination Authorities, Missing Persons, and Suicides that may require VPU follow up.

21. I check 'tasks' that have been sent to the various VPU email 'inboxes'. The VPU has a number of 'inboxes' for the various functions of the unit, for example general notifications, mental health notifications, or Detectives have an inbox and we allocate tasks for follow up into another inbox. This demarcation enables appropriate officers to quickly check the status and volume of the various functions of the unit. These include requests from prosecution services for further action that has been requested by magistrates, allocation of files for further action for example case officer tasks where officers have initiated proceedings, notifications from intelligence units both internal and external, other notifications such as impending expiry of existing orders, and general information tasks.

22. The workload as shift supervisor is consistent. The volume of work to be completed during the shift means that I am almost at breaking point every single day.

23. On the weekends there is no administrative officer to answer to phone so this falls to me. This can take away from the ability to complete the occurrence checks. This is particularly so if an aggrieved or respondent calls and I am required to spend substantial time assisting them. I am often overloaded with work, particularly on the weekends, however during the week I may have a suitably experienced officer working in the afternoon who could complete any unfinished 'checks'.

Calls for Assistance

24. The VPU phone number is not a response line and thus is not available to the public.

25. The VPU telephone number may be provided to an aggrieved or respondent involved in a DFV incident that VPU have attended in a follow up capacity. Other external calls to the VPU are generally requests for assistance (primarily information requests) from other government agencies and DFV specialist services. The VPU is a point of contact for other QPS staff for advice and information in relation to DFV.

26. Calls for assistance to the VPU are received consistently during business hours. There is not usually a Sgt. working as a shift supervisor during the evenings.

27. The VPU phone is generally answered by our administration officer during business hours 8am to 4pm. The administration officer or other police officers will attend to most calls unless the shift supervisor is required to assist. As shift supervisor, I am generally asked to assist with enquiries 2 to 3 times per shift.

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CONTINUED STATEMENT OF: **GARDNER, Neil John**

28. The calls that I have received from police or other agencies are generally short in duration, lasting a few minutes. Calls from a respondent or aggrieved can sometimes last over an hour.

29. To ensure compliance with release of information legislation, and simplify the recording of information that we release we implemented 'request for information' procedure. This involves completion and emailing of a form requesting information from the VPU. On average, the VPU receives 20 of these requests per day.

30. When the VPU receives calls from police, it is, in my experience, for advice on a complicated DFV occurrence or situation where the officer is uncertain of, or wants confirmation of the reporting pathway to follow.

31. In relation to external agencies, requests generally relate to providing updated information about existing DFV matters, this disclosure of information to external agencies is subject to sharing of information guidelines, or advice on Police DFV policy and procedure.

32. During the week, I believe that it is unlikely that a call to the South Brisbane District VPU would be missed. However, it is possible that calls go unanswered if all staff at the VPU are busy. The VPU has a voicemail system which is regularly checked .

33. In my experience, we do not generally receive a large amount of phone calls to the VPU.

34. I once received feedback from a Sergeant at a station stating that they loved the VPU as it reduced the Station's repeat calls for service, this was in the early days of the VPU.

35. Anecdotally, officers report that they are appreciative of the guidance we provide in relation to the reporting of DV incidents and their classification.

Challenges

36. VPUs were initially created to assess the police response to DFV, to make sure police had complied with policy, procedure and made appropriate decisions, and to increase the number of referrals to support agencies (which at the time were about 7% for the State and 21% for the South Brisbane District).

37. VPU was a new strategy that recognised that traditional policing methods of arresting and charging respondents for DFV offences did not reduce DFV. It was thought that by following up with the parties involved and finding out what their issues were and referring them to appropriate support agencies that the issues that were causing DFV could be addressed - thereby reducing DFV.

38. It was suggested that Detectives could be utilised to investigate criminal matters associated with DFV to ensure that serious criminal offences were identified and investigated in the DFV environment.

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CONTINUED STATEMENT OF: **GARDNER, Neil John**

39. Despite the VPU's inception in 2016, which incorporated the 3 permanent DFVCs already in existence, it was not until 2019 that the OIC position was created. It was only in 2022 that 2 permanent DFVC Senior Constable positions and 2 Detective positions were created for the South Brisbane District VPU.

40. This lack of 'investment' in permanency of the positions in the VPU has led to a constant rotation of staff and no development in the specialist knowledge of VPU staff. There is an ongoing requirement to train staff who are temporarily relieving at the VPU.

41. In my experience, the South Brisbane District VPU has sometimes been staffed by officers on rotation who either did not want to be at the VPU but it was their 'turn'; they had no interest in DFV, or they were not suited to the role because of their lack of commitment to ethos of the VPU, that is to say they were more interested in arresting and prosecuting offenders and obtaining evidence to do so rather than finding out the history of the situation and looking a pathways to resolve or minimise DFV.

42. Staffing the VPU with ill-suited staff can lead to frustration at, and inconsistency in, the VPU's response. In my opinion we are no more expert in DFV now than we were when we started, just more experienced.

43. I feel that the initial success of the VPU (a reduction in DFV) was because targeted support was being offered to people whose issues had been identified by VPU officers in follow up visits and referred to external agencies appropriately.

44. Unfortunately, I feel that the success of the VPU and subsequent increases in referrals has led to support agencies becoming overwhelmed and being unable to support parties involved in DFV and, ultimately, assist in the prevention of DFV and the protection of victims.

45. I ardently support VPUs as a concept. However, I believe that VPUs are there to provide appropriate information and referral to support agencies so that specialist DFV services can mitigate or resolve DFV issues within relationships. I presently believe that VPUs are becoming ineffective as they are being overwhelmed, and do not have enough permanent staff to develop expertise in DFV and other vulnerable areas. I believe that there is an inappropriate emphasis placed on the police responsibility within a DFV setting. Further training in the complexities of DFV to front line police (who are not social workers or DV specialists) who are expected to assess, identify and resolve DFV in a crisis situation is unrealistic. Expecting VPUs to provide specialist support in a follow up capacity, when VPU officers are not permanent and have not received any specialist training, is setting the service up for failure.

Opportunities for Improvement

46. I believe there are two options to improve the VPU.

47. Firstly, that VPUs are disbanded and DFVCs remain in patrol groups performing their current functions without the option of face to face follow up by officers. That is, police perform their function of protecting life and property and investigating DFV in accordance with legislation at the time of response to a call for service and,

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if appropriate, protective measures such as PPN, application and referral etc. should be completed. However, all follow up and support should be referred to an appropriate support agency for completion of a DFV assessment that can be provided to the Magistrate to support (or otherwise) the application for a DFV order. In my opinion, DFV specialist agencies are best placed to properly support victims and perpetrators of DFV in the efforts to reduce DFV in the community.

48. Secondly, if VPUs are to stay they should be adequately staffed and trained to assess the police response, provide external agencies with the best information on which to act, and to serve as a specialist point of reference for police responding to DFV.

49. I think the following could be included:
    a. More permanent positions;
    b. Specialist training such as Graduate Certificates for VPU officers; and
    c. Psychological testing for VPU officers to mitigate compassion fatigue, vicarious trauma, and burnout.

[redacted]

Neil John Gardner

Justices Act 1886

I acknowledge by virtue of section 110A(6C)(c) of the *Justices Act 1886* that:

(1) This written statement by me dated 8th July 2022 and contained in the pages numbered 1 to 6 is true to the best of my knowledge and belief; and

(2) I make this statement knowing that I may be liable to prosecution for stating in it anything that I know is false.

[redacted]

.....Signature

Signed at Brisbane this 8th day of July 2022.

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(Justice of the Peace (Qual.)/ Commissioner for Declarations's signature)

(Signature of police officer preparing statement)