



QUEENSLAND POLICE SERVICE

STATEMENT OF WITNESS



Occurrence #: _____

Statement no.: 1Date: 08/07/2022

Statement of

Name of witness: GERSEKOWSKI, KateDate of birth: Age: Occupation: Police Officer

Police officer taking statement

Name: GERSEKOWSKI, KateRank: ConstableReg. no.: 41555Region/Command/Division: Central/ CapricorniaStation North
: Rockhampton

Statement:

Kate Louise Gersekowski states:

Career Experience

1. I am a Constable within the Queensland Police Service.
2. I graduated from the Townsville Police Academy on 17 November 2021. I was posted to Rockhampton for my first year and commenced as a General Duties Officer on 11 December 2021.
3. I spent my first 6 months at the Rockhampton Police Station. Since June 2022, I have rotated to the North Rockhampton Police Station. I have currently 7 months on-road experience.
4. Prior to joining the Police Academy, I completed a tertiary business qualification and was employed as a human resources advisor.

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CONTINUED STATEMENT OF: **GERSEKOWSKI, Kate**

Domestic & Family Violence (DFV) Training

Police Academy

5. When I was at the Police Academy ('the Academy'), we had two full days of classroom training about DFV.

6. Within this training we learned about:
 - Thorough theoretical approach to 'picking' apart the DFVP Act (DFVPA) and understanding the major sections.
 - All other relevant legislations that are associated with DFV (CC, PPRA, OPMs)
 - Understanding of what constitutes a relevant relationship, the 3 different types of relevant relationships as per DFVPA s.13
 - The definition of DFV and all the different behaviours of one person towards another in a relevant relationship which constitute Domestic Violence. We were made aware of the Power and Control wheel which was referenced and used heavily during this training.
 - Detailed learning of each condition that can be imposed on a PPN and Domestic Violence Order.
 - Grounds for when police can take out an application to vary a Domestic Violence Order and provided with some examples of when this may be necessary.
 - Police obligations with Children who are involved in DFV, for example, naming the children on the PPN/ DVO, taking an aggrieved and child/ren to a place of safety, and where appropriate include a multi-class DV occurrence with a Child Harm Report.
 - Covered concurrent criminal proceedings in relation to relevant case law (double jeopardy)
 - The importance of offering referrals to each person involved in a DV incident and the many types of referrals available Police can offer these people.
 - How to fill out a PPN. We were then given further opportunities to practice filling the PPN paperwork out with an associated classroom 'mock' activity. This created a great classroom discussion and interaction.
 - The different types of authorisations that are required for different conditions of a PPN.

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CONTINUED STATEMENT OF: GERSEKOWSKI, Kate

- Police response to when an offender/RESP has prior DV convictions within the last 5 years
 - We also had a separate training session on the QPRIME system in which we were shown a step-by-step process of how to put on a DV occurrence onto the QPRIME system.
7. In addition, we had one full day of training which compromised of 'scenario-based' assessments where we were given a DFV scenario and had to role play as a police officer. We were assessed on the following:
- Use of appropriate powers (power to enter to investigate DV)
 - separating parties and obtaining versions
 - location search
 - discussion with partner
 - call S/SGT or SGT for authorisation (if the action taken required this)
 - complete all the necessary paperwork (including QPRIME occurrence) in relation to the scenario.

Post Academy Training

8. Since leaving the Academy I have been provided with further training within my First Year Constable Program. That training has included a theoretical classroom training day on the DVF Protection Act and Police roles and responsibilities when responding to DFV. This training delivered as face-to-face training in Rockhampton.
9. The theoretical classroom training day on DFV focused on the legislation and case law in relation to DFV. There was a lot of classroom discussion during this training day with our experiences so far at domestic violence jobs out on the road which was a great way to learn and discuss each other's experiences and learn from them.
10. I have also received one day of a face-to-face training in Rockhampton on strangulation offences. During that training we were taught the relationship between strangulation offences and DFV incidents and the associated statistics between DFV and strangulation offending. We were shown the common signs and symptoms a person may suffer if they have been the victim of strangulation.

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11. The following was covered during the classroom training received as part of the FYC program:

- Session 1
 - PowerPoint Presentation and video about Noelene Beutel, which involved a discussion about the Inquest into her death and information provided in relation to the findings of The Coroner.
 - Review of the power and control wheel
 - DFV statistics – economic cost, number of DFV incidents reported in QLD
 - Discussed the importance to investigate the history of abuse and to be aware of ‘a pattern of abuse’ – Important message here is that it is important to keep intervening as DFV is more than just the immediate incident, instead it is a pattern of coercive behaviours.
 - The importance of DFV investigators not only having an appreciation of their own values and beliefs but also a good understanding of the issue from a victim’s perspective (feeling ashamed of their situation, isolated, believed that violence was normal and acceptable part of a relationship, were demoralised when first reaching out for help etc).
 - Reviewed the Behavioural Influence Stairway Model (BISM)
 - Reviewed Elements of Active Listening
- Session 2
 - Reviewed the Protective Assessments Process (DV Risk Factors) – Category 1 factors + Category 2 factors + Fear = Risk Level
 - The power of observation – importance for police to look out for injuries, property damage, suspects demeanour, apparent living arrangements
 - Reviewed new 2020 case law R v HBZ [2020] – broader definition as to what is considered choking
 - Protecting children
 - Review of police response to Culturally and Linguistically Diverse (CALD) communities
 - Review of the referral systems
- Session 3
 - Review of the law surrounding DFV
- Session 4

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- Review of the investigation process of DFV: identify offences, witnesses, offenders, obtain all relevant information, safeguard evidence, gather evidence (types of evidence). This review of the law included a classroom scenario that we worked through together.
 - Session 5
 - Options for taking action – Application for protection order (DV1), App to Vary, PPN, detention and release conditions, apply to magistrate for TPO, no DV or DV Other Action
12. We received handouts of the power and control wheel, Prevalence (statistics) of DV, Current known risk factors, Elder Abuse Aide-Memoire, signs and symptoms of Strangulation and a flowchart of the Child Harm report process.
13. The Acting Inspector also attended briefly to give some insight into Domestic Violence.
14. My post Academy training has also included on-the-job training with a Field Training Officer (FTO) by attending Domestic Violence calls for service as a General Duties Officer. This on-the-job training has been invaluable.
15. I have also completed the following Online Learning Products (OLP's) offered by QPS:
- Coercive Control;
 - Domestic and Family Violence Training for First Year Constables; and
 - Police Powers and Responsibilities Legislation for FYCs.

Other DFV Training

16. To date, I have not undertaken additional DFV training. This is primarily due to the training already involved within the FYC program and my limited time in the QPS.
17. However, I am aware that QPS offer several training packages in relation to DFV which I am keen to undertake. These include the Domestic and Family Violence – Edition 7 Online Learning Product (OLP) and Recognise, Respond, Refer – Domestic and Family Violence OLP.
18. I would also be interested in completing a rotation through the Rockhampton DFV Taskforce Team after the completion of my FYC program.

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Training Improvement Opportunities


19. I believe I have been provided with adequate training within QPS in relation to responding to DFV.
20. In addition to the training I have received, the support within the station and between other officers has made a significant difference to my capability to respond to DFV. It has been my experience that everyone in my workplace is open to helping and providing assistance about DFV when asked.
21. One aspect of my on-the-job training which could be improved is the process for paperwork compilation when a PPN is issued and transferred. As a FYC I have found the process repetitive and somewhat confusing. Often the task is shared (due to operational necessity) however this can limit the opportunity to learn the complete process. I am confident that in time, with repetition and exposure, I will become familiar with the process.

Nature of the DFV Training

22. I believe it is essential to have a blended approach to training whereby there is a mixture of theoretical, practical, and 'on-the-job' training. I enjoy the confidence that comes with having a thorough base knowledge of the theoretical components of a subject, for example, what legislation is involved (*DVF Protection Act, Police Powers & Responsibilities Act, Criminal Code*) and how they operate in conjunction with each other.
23. On-the-job training is imperative as it teaches you the 'human' aspect of the job. It has helped me build upon my interpersonal skills, such as rapport building and empathy, how respond to different types of people and their associated emotions.
24. On-the-job training has exposed me to different environments which require a variety of methods of response from police officers.
25. On-the-job training has been of most value to me beginning my career as a general duties officer – particularly when responding to DFV. This is because, with assistance and mentoring from

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my FTO, I have learnt something new or different from each DFV call for service. For each DFV call for service, my FTO has instructed me to take my time; focus on one job at a time; to fully investigate each incident and to always consider the human aspect to dealing with DFV.

26. This guidance from my FTO has ultimately improved my knowledge and skills base as a Police officer.

Interaction with the Domestic Family Violence & Vulnerable Persons Unit (DFVVPU)

27. To date, I have not had any dealings with the DFVVPU unit.
28. It was in the preparation of this statement that I first became aware of the DFVVPU.
29. During my period of service I have utilised the Rockhampton DFV Taskforce for specialist advise when responding to and investigating DFV.

Challenges in responding to and investigating DFV

30. A challenge I have experienced when investigating DFV has occurred when obtaining formal written statements from an aggrieved. In my experience, written words don't necessarily capture the emotions experienced by the aggrieved. Therefore, it is challenging to provide evidence of how a specific incident has made the aggrieved feel or what effects it has had on the aggrieved.
31. Further, at times I have found it challenging to help an aggrieved understand the importance of providing a formal written statement in relation to breaches of a current domestic violence order and how a statement can assist police as a form of evidence.
32. I have experienced that there is some misunderstanding in the community about what powers police have regarding DFV – particularly when there is a challenge in collating sufficient evidence to seek a DFVPO or allege a breach of an Order.
33. To address some of these challenges, I believe a greater utilisation of support networks at the scene of a DFV incident would be helpful so that assistance can be accessed for both the aggrieved and for the Police investigation immediately. For example, a Domestic Violence co-

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responder' model (similar to current juvenile co-responders) would assist when responding to a DFV incident.


 Kate Louise Gersekowski

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 08/07/2022 and contained in the pages numbered 1 to 8 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.

.....Signature

Signed at North Rockhampton Police Station on this 8th day of July 2022.

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 preparing statement)