QUEENSLAND POLICE SERVICE

STATEMENT OF WITNESS

QP 0125A
05/22
Δ1

Occurrence #: _____

Statement no.: _____ Date: **11/07/2022**

Statement of

Name of witness: **DWYER, MELISSA KYM**

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

Police officer taking statement

Name: **DWYER, Melissa Kym**

Rank: **Acting Inspector** Reg. no.: **8901**

Region/Command/Division: **Domestic Family Violence and Vulnerable Persons Command** Station: _____

Statement:

1. I am an Acting Inspector of Police attached to the Domestic, Family Violence and Vulnerable Persons training portfolio, Domestic Family Violence and Vulnerable Persons Command (DFVVPC).
2. I commenced in this role on 21 May 2022 in a temporary capacity. I am currently seconded until May 2023 with the mandate to develop DFV training to enhance policing responses to domestic and family violence (DFV), increase victim/survivor safety and hold perpetrators to account.
3. I commenced employment with the Queensland Police Service (QPS) as a recruit in January 1991 and was sworn in on 12 December 1991. I have performed various roles and responsibilities within the QPS including general duties, criminal investigation, prosecutions, and senior strategy officer. I was the first female appointed to the Redcliffe, Deception Bay and Caboolture Criminal Investigation Branches and was primarily assigned as the lead investigator of many sexual offence investigations including rape, including rape committed in marriage. I was also the primary investigator of several domestic and family violence homicides and homicide/suicide. I have also performed the role of primary domestic and family violence prosecutor over a significant period of time as well as performing the role of Officer in Charge Redcliffe Police Prosecutions Corp.
4. I have performed significant and continuous periods of relieving as an Acting Inspector since 2017. From 27 February 2017 I performed duty as the Acting Inspector in various Prosecution Services roles – Operational Legal Advice (27/2/17 – 30/9/17), District Prosecutions (1/10/17 – 11/2/18), Specialist Courts and Diversion Program Co-ordinator (12/2/18 – 9/8/19).

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(Witness's signature) (Justice of the Peace (Qual.)/ Commissioner for Declarations' signature) (Signature of police officer preparing statement)

CONTINUED STATEMENT OF: **DWYER, MELISSA KYM**

5. During that time, I was broadly responsible for the implementation of various initiatives aimed at enhancing prosecution practices, DFV victim/survivor outcomes and perpetrator accountability through the timely disposition of justice outcomes. I was the QPS responsible officer for the development and implementation of the Domestic and Family Violence Specialist Courts in five locations (Gold Coast, Beenleigh/Logan, Townsville, Palm Island, and Mt Isa), and the Queensland Drug and Alcohol Court in Brisbane. This responsibility included the identification of the operating model to give effect to enhanced victim/survivor outcomes through the criminal justice system, identifying the resourcing requirements, funding submissions to government, implementation of systems, practices and processes for Prosecutors and assisting in the evaluation process from a QPS perspective.

6. The development of the DFV Specialist Courts was externally evaluated and found to enhance victim/survivor and perpetrator outcomes in comparison to traditional court systems, practices, and processes. The collaborative development and implementation of the non-traditional and bespoke DFV specialist courts resulted in myself and other agency members being awarded the 2017 Prime Ministers' Award for Excellence in Public Sector Management – Silver and Collaboration award acknowledging sustainable excellence in significant collaboration between agencies in a high-performing initiative.

7. Upon completing duties in Prosecution Services, I commenced relieving as the Manager, Inspector, State Domestic Family Violence & Vulnerable Persons Unit, DFVVPC from 12 August 2019 to 31 January 2020. I returned to the unit on 6 March 2021 and relieved as Manager, Inspector until 27 March 2022.

8. I am substantively attached to Strategic Policy Branch, Policy and Performance Division performing duties as a Senior Strategy officer. I commenced in that role in 2015 and assisted in the development and implementation of QPS policies and policing practices, and governance processes regarding the Not Now, Not Ever: Putting an End to Domestic and Family Violence in Queensland Report (the report).

9. Upon successful completion of the recruit training course, I was awarded an Advanced Certificate of Policing in 1991 from the Queensland University of Technology (with Distinction). Since that time, I have undertaken further studies to enhance my capabilities and was appointed as a Detective in 2001 having completed all relevant assessments in 1998 and awarded an Advanced Diploma of Investigative Practices in 2001; completed the QPS Police Prosecutors Course in 2007 with a High Distinction; and completed the Graduate Certificate in Domestic and Family Violence in 2018 from the Queensland University of Technology with GPA 7/7 – post-graduate studies.

10. I have attended inter- and intra-state domestic and family violence conferences, have provided a keynote speech for Australia's National Research Organisation for Women's Safety on the dynamics, prevalence and reporting of domestic and family violence during the COVID-19 pandemic, and completed relevant courses to enhance my knowledge and application of domestic and family violence practices in Queensland – for example, Foundations for Building Trauma Awareness with the Blue Knot Foundation, National Centre of Excellence for Complex Trauma.

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(Witness's signature) | (Justice of the Peace (Qual.)/ Commissioner for Declarations' signature) | (Signature of police officer preparing statement)

I am also a Board member of the Red Rose Foundation since 2022.

11. Noting my area of competency in investigative and prosecutorial practices, combined with relevant post-graduate studies, I have reviewed policing practices and responses to various DFV incidents. In 2022 I was personally selected by the Commissioner of Police to review a particular matter and consider the policing responses and practices. These proactive reviews have resulted in enhanced QPS DFV policy and practices.

GRADUATE CERTIFICATE IN DOMESTIC AND FAMILY VIOLENCE

12. The Report identified the need for QPS members to undertake specialist DFV training to increase knowledge and skills in DFV. The narrative in the report, particularly in relation to recommendation 138 was the catalyst in supporting QPS members participation in the Graduate Certificate in Domestic and Family Violence.

13. The prosecution of DFV civil applications and criminal offences remains the responsibility of QPS prosecutors in the Magistrates Court jurisdiction in Queensland. Similar to that of a Magistrate and legal representative, the knowledge and skills of a prosecutor can impact court outcomes. Other senior members of Legal Division and I considered the completion of the Graduate Certificate in Domestic and Family Violence would enhance prosecutorial skills and capabilities leading to an increase of victim/survivor safety and hold perpetrators to account.

14. Whilst working at Prosecution Services I distributed an email to all QPS Prosecution Services members comprising sworn and civilian members on 8 January 2018, identifying an opportunity for members to undertake tertiary studies relative to DFV. Members were requested to express their interest in undertaking the Graduate Certificate in Domestic and Family Violence through the School of Justice, Faculty of Law, Queensland University of Technology (QUT). The email identified QPS would fund the course fees for those members deemed successful through an internal application process and deemed suitable by QUT subject to relative academic qualification or demonstrated industry experience. The course fee, at that time was $9 800 per student for the 12 month online course.

15. The Graduate Certificate in Domestic and Family Violence course addressed the following topics:
    - JSN201: Dynamics of Domestic and Family Violence;
    - JSN202: Children and Family Violence;
    - JSN203: Reducing Lethal Risk; and
    - JSN204: Working with Domestic Violence Victims.

16. The course provided the participants with the following:
    - An insight into the dynamics of DFV by learning about the latest research on different types of abuse, the characteristics, distribution, and contributing factors;

[redacted]

- The ability to critically assess DFV research and review developments in DFV policy, and discussion on the law and policy encompassing DFV and how violence is shaped by social and cultural values; and

- Apply risk assessment tools in actual cases, craft a safety plan based on case facts and research on lethal risk. The course work included the presentation and implementation of a risk mitigation plan.

17. The course detailed DFV services, tools for screening victims and identified the needs and issues in diverse communities. This included victims, people living with disability, rural/regional and remote families, LGBTI+ people and the cultural contexts of Aboriginal peoples and Torres Strait Islander peoples.

18. The internal application process required members to complete the expression of interest and Application for Financial Assistance outlined the nature of the course, the learning objectives, how the course would support the members duties.

19. In 2018 twenty-nine (29) Prosecution Services members successfully completed the post-graduate course by both sworn and civilian Prosecutors, Commissioned and non-commissioned officers. Two members completed two subjects in 2018 and deferred the remaining subjects to the following year for completion. Members who completed the training performed prosecutorial duties in the following locations:

    Brisbane Police Prosecutions, Police Prosecution Training Office Brisbane, Operational Legal Advice Unit Brisbane, Queensland Drug and Alcohol Court, Photographic Detection Device Prosecutions, Caboolture Police Prosecutions, Pine Rivers Police Prosecutions, Sunshine Coast Police Prosecutions, Rockhampton Police Prosecutions, Longreach Police Prosecutions, Ipswich Police Prosecutions, Logan Police Prosecutions, Gold Coast Police Prosecutions, DFV Specialist Court Gold Coast, DFV Specialist Court Logan, DFV Specialist Court Townsville.

20. The knowledge and skills gained by prosecutors from this course enhanced frontline and prosecutorial DFV service delivery in the members respective areas by guiding and shaping recognition, response, and decision-making to DFV, including risk assessments.

21. In 2019 the course was again offered to police and civilian prosecutors with 12 members undertaking the course. The course was amended by QUT between 2018 and 2019 with the course reduced from 12 to 6 months, reduced duration of each of the four modules, different teaching methodology, and increase in course costs to $9 554 per student. Whilst I left Prosecutions prior to these members completing the course, I understand 10 members successfully completed same with 1 member deferring their studies and another member withdrawing.

[redacted]

22. As was the case in 2018 the QPS funded the course fees for these 11 members (noting the withdrawal occurred prior to the enrolment closure date). The successful members were from the following locations: Director QPS Legal Unit, Caboolture Police Prosecutions, Ipswich Police Prosecutions, Toowoomba Police Prosecutions, Mackay Police Prosecutions, Murgon Police Prosecutions, Cairns Police Prosecutions, Brisbane Police Prosecutions, DFV Specialist Court Mt Isa, DFV Specialist Court Gold Coast, DFV Specialist Court Townsville.

23. I am aware that between 2016 and 2019 17 Domestic and Family Violence Co-ordinators/Domestic and Family Violence Liaison Officers completed the Graduate Certificate of Domestic and Family Violence. I am aware the members were reimbursed the cost of the course fees upon successful completion.

    The members were undertaking domestic and family violence specialist duties in the following locations:

    2016
    Domestic and Family Violence Co-ordinator Wide Bay Burnett District
    Domestic and Family Violence Co-ordinator Gold Coast District
    State Domestic and Family Violence & Vulnerable Persons Unit (Brisbane)

    2017
    Domestic and Family Violence Co-ordinator North Brisbane
    Domestic and Family Violence Co-ordinator South Brisbane
    Domestic and Family Violence Co-ordinator Gympie

    2018
    Domestic and Family Violence Co-ordinator Moreton
    Domestic Family Violence & Vulnerable Persons Unit, Logan
    Domestic and Family Violence Co-ordinator North Brisbane
    Domestic Family Violence & Vulnerable Persons Unit, South Brisbane
    Domestic and Family Violence Co-ordinator Darling Downs
    State Domestic and Family Violence & Vulnerable Persons Unit (Brisbane)

    2019
    State Domestic and Family Violence & Vulnerable Persons Unit (Brisbane) x 2
    Domestic and Family Violence Co-ordinator South West District
    Domestic Family Violence & Vulnerable Persons Unit, Logan
    Domestic Family Violence & Vulnerable Persons Unit, Wide Bay

    DFV: THE HOLISTIC APPROACH

24. In April 2022 myself and members of People Capability Command (PCAP) commenced development of a 3 day face-to-face DFV training course titled 'DFV: The Holistic Approach'. This course will be delivered to District train-the-trainers by six (6) super trainers who have relative experience and expertise in domestic and family violence.

[redacted]

25. The delivery of the train the trainer program will commence on 19 July 2022 and continue until 1 September 2022. Twelve train the trainer courses will occur during this timeframe, with each course hosting 30 participants (360 train-the-trainers). The train-the-trainers will then deliver the course to members in their respective Regions, Commands or Divisions. The course is to be completed by all police officers up to and including the rank of Superintendent, and relative civilian employees who have contact with members of the public, for example Policelink operators, Police Communications Centre members, Assistant Watchhouse officers.

26. The course content has been informed by internal and external reviews of DFV policing practices, policies, and procedures, with a focal point of cultural enhancement. The cultural enhancement content has been informed and developed by an external consultant, Nous Consultancy Group, who have been engaged with the QPS since 2018 baselining QPS culture through a survey instrument and developing content for delivery to enhance QPS members understanding of organisational and individual culture and its impact to DFV policing services. The topics include:

    DAY 1 – The need for DFV Leadership; Police perceptions of DFV; Workplace supports; Coercive Control; Perpetrator Image Management and Tactics; Victim/Survivor Centric Trauma Informed approaches; Patterned behaviour v Incident based approach.

    DAY 2 - Cultural Change; DV-PAF risk assessment tool; Cognitive Interviewing; Police Referrals.

    DAY 3 – DFV legislation; DFV Investigations; Intimate Partner Sexual Violence; Strangulation; Stalking; impact of DFV relevant offences on Bail Act 1980.

    The training product is supported by body worn camera incidents of DFV policing practices to support learning objectives and the lived experiences of victim/survivors and family members.

27. A pilot of the course was delivered to a group of QPS members of different roles, responsibilities, and experiences from 28 to 30 June 2022 at the Queensland Police Service Academy, Oxley. The purpose of the pilot was to test the utility of the draft training product in terms of its application to a broad range of policing roles and responsibilities, and the application of the content and activities to embed the learning objectives. Delivery of the cultural enhancement content was undertaken by Nous. An evaluation was conducted of the pilot course following feedback from members on each of the topics delivered over the 3 day face to face course which supported refinement of the content and delivery methodology.

28. Members of the independent Commission of Inquiry into Queensland Police Service responses to domestic and family violence attended each of the three days to view the pilot course and proposed training content to be delivered to QPS members, subject to refinement following feedback.

[redacted]

29. Australia's National Research Organisation for Women's Safety (ANROWS) has again partnered with the QPS and has reviewed the training content and has provided feedback to the QPS to enhance the product. ANROWS review has assessed the pedagogical style and content to ensure QPS has addressed the matters in an appropriate and credible manner, consistent with best-practice, and informed by relevant research.

30. Nous will deliver the cultural enhancement content to the train-the-trainers from 19 July to 1 September 2022. Facilitator guides will assist the train-the-trainers to deliver this product in their relevant Regions, Commands and Divisions.

31. The DFV: The Holistic Approach course learning outcomes are:

- What workplace culture is and the cultural factors that contribute to the policing of DFV;
- Policing behaviours and attitudes towards DFV matter and recongise how these impact outcomes for people experiencing or perpetrating DFV;
- How the workplace environment and personal stressors may impact the response to DFV;
- How biases and attitudes may impact on decision-making;
- The principles of victim-centric trauma informed policing approach and the application across policing responses;
- Cultural issues arising in their policing area around prevention, disruption, response to and investigation of DFV (local issues);
- Opportunities for continuously improving the policing response to DFV, including the roles, responsibilities and prevention strategies;
- The mindset of DFV perpetrators in committing DV against victim/survivors;
- How to recognise motivations and tactics utilised by DFV perpetrators to manage their image, and the impact these may have in the investigation of DFV;
- How to recognise coercive control behaviours as utilised by DFV perpetrators;
- How to identify a perpetrator's patterned approach and expose coercive controlling behaviours (particularly history of sexual assault) that can negatively impact victim/survivors and their ability to report DFV;
- What is required to conduct a thorough and objective investigation utilising victim-centric trauma informed practices and identify the person most in need of protection;
- How to gather quality evidence through an investigation that supports the prosecution within the DFV legislative framework;
- How to use the DV-PAF in compliance with QPS policy throughout the investigation, as a vital tool to identify risk factors and inform policing action, including referrals to all parties; and

[redacted]

CONTINUED STATEMENT OF: **DWYER, MELISSA KYM**

- How to identify relevant factors impacting the decision to grant bail for relevant offences and DFV offending broadly.

M.K. DWYER

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 **11/07/2022** 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 Brisbane this 11th day of July 2022.

(Witness's signature)	(Justice of the Peace (Qual.)/ Commissioner for Declarations' signature)	(Signature of police officer preparing statement)