COMMISSION OF INQUIRY INTO QUEENSLAND POLICE SERVICE RESPONSES TO DOMESTIC AND FAMILY VIOLENCE

Commissions of Inquiry Act 1950
Section 5(1)(d)

STATEMENT OF FLORENCE ONUS

Name of Witness:	**Florence Onus**
Date of birth:	[redacted]
Current address:	[redacted]
Occupation:	**Community Development Worker, Townsville Aboriginal and Torres Strait Islander Women's Legal Service NQ Inc. (ATSIWLS NQ)**
Contact details (phone/email):	[redacted]
Statement taken by:	**Samantha Giunta**

I, **Florence Onus**, make oath and state as follows:

1. I am the Community Development Worker in Townsville for the Aboriginal and Torres Strait Islander Women's Legal Service NQ Inc (ATSIWLS NQ).

2. ATSIWLSNQ is a specialist First Nations women's legal service. ATSIWLSNQ's mission and objectives are centred on representation of and advocacy for First Nations women within the legal system, as well as broader community legal education and support. Clients primarily seek advice and representation in family, child protection and domestic violence matters.

3. ATSIWLSNQ is based in Townsville and operates in north Queensland. Clients are predominantly based in the Townsville region or on Palm Island, with outreach and some remote representation of clients in Ingham, Ayr, Charters Towers, Mount Isa and other regional, rural and remote sites as required.

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Witness signature Justice of the Peace/~~Commissioner for Declarations~~/Lawyer

Misidentification of First Nations women as Perpetrators

4. QPS often respond in Townsville and North Queensland with an incident-based response, rather than taking time to investigate who is most in need of protection. This leads to Aboriginal and Torres Strait Islander women being misidentified at the scene.

5. There is an unwillingness to investigate the pattern of behaviour which has lead to an incident where police have become involved. First Nations women often feel like they are not believed, not heard or wasting their time involving police who do not want to listen to their concerns or the way they think it needs to be addressed.

6. This attitudinal issue with police also leads to underreporting of domestic and family violence by First Nations women, and therefore the police are more likely to only become involved when the incident is so escalated that a 3rd party calls police.

7. Furthermore, there is a fear of police within the community in Townsville that is not being addressed by QPS. This means Aboriginal and/or Torres Strait Islander women may appear less compliant when police to attend the scene and not want to engage with them.

   (a) This is a two-fold response. She may have a fear of police and not want to engage.
   (b) She may also be putting on a front so that when police leave she is not subjected to further violence by the perpetrator if he is allowed to stay in the home or exposed to violence by the community for interacting with QPS.

Victim Blaming and the 'Perfect Victim'

8. QPS often do not consider the complexity of DFV, and become resentful when working with an Aboriginal or Torres Strait Islander woman who 'continually just goes back'.
   (a) This frustration often impacts how they investigate any further incidents when she is a victim/survivor
   (b) It does not recognise her wanting to keep her family together
   (c) It does not appreciate the complexity of situations which also involve child protection
   (d) It does not consider when the perpetrator uses threats of involving child protection if she continues a complaint or does not comply with his wishes

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Witness signature

~~Justice of the Peace/Commissioner~~ for Declarations/Lawyer

(e) It does not consider the impacts of homelessness on the family when either party has nowhere else to go

Victims feel unheard

9. Aboriginal and Torres strait Islander victims often want to attempt to keep the family together, at least in some way. This is important from a cultural perspective, for assistance raising their family, and a logistics perspective. These wishes are often not reflected in the orders taken out by police which often include conditions that are not wanted by the victim such as 'no contact'.
   (a) While this can be negotiated down to 'unless there is written consent', the experience of First Nations women is that they feel unheard when they raise this as an option.

10. QPS need to incorporate more case conferencing where orders are not appropriate or wanted by aggrieved to avoid splitting families who want to stay together and avoid men being breached after women ask them to come around.

11. When QPS attend a scene there are considerations around needing to maintain a line of sight, but this means often victims are spoken to in front of or within ear shot of the perpetrator. Alternatively, the victim is spoken to after the perpetrator has given their version of events.
   (a) A suggestion would be to speak with the women first, recognising this as a gendered issue, and women are predominantly victims. This could assist with the issue where police, intentionally or unintentionally, are coerced by perpetrators into believing a version of events not reflective of the patterns of the relationship.

12. When police are involved with a family and it has been identified that there is domestic and family violence in the relationship, there needs to be more wrap around support for families who want to address the behaviour and stay together. While ATSIWLS recognises this is not the responsibility of police in isolation, it is important they are involved in any kind of support, at the very least in an information sharing way.

13. There needs to be more open dialogue with community services and QPS for situations where the family want to negotiate the terms of the order, and adequate education around the process of negotiating the terms of the order.

(a) Some families are unaware that the order needs to go back through the court system to be varied, causing significant amounts of stress and potentially unnecessary frustration with the police and the system.

The need for cultural competency training and trauma training

14. Often in First Nations communities in particular junior Constables in the first 1-3 years are sent to do a mandatory 2 years with very little training and little to no experience in policing in any area, let alone a socially complex are with the need for highly sensitive approaches to assist with community cohesion and balancing victim safety and victim autonomy.
    (a) This needs to be changed so that only officers with sufficient experience and training are working in communities.
    (b) The community deserves better.

15. They are often sent with no specific localised cultural training, and little to no cultural training at all- with no experience working with First Nations people and communities.

16. There is a need for localised cultural competency training for QPS that is face-to-face, meaningful, ongoing, locally written, and locally delivered.

17. This is critical to understanding the history of the area, the dynamics between QPS and community, relationships with traditional owners, family dynamics, cultural protocols, restricted areas, and ways of working.

18. This cannot be developed in house by QPS. The Townsville training used to be delivered by the First Nations unit in James Cook University. This has not occurred for 15 years now, but used to be locally developed and locally run.

19. The need for training on trauma informed practice is particularly obvious in the Townville perspective, not just relating to domestic and family violence, but also sexual violence.

Co-responder options

20. A co-responder model may be a more culturally appropriate way of responding to DFV in First Nations families in the Townsville region.

PLO's

(a) While PLO's play a critical role in communities, they are not utilised to the full capacity. PLO's could be used to accompany a police officer to a call out where it ws identified by police as being appropriate and helpful. They hold a vast amount of localise community knowledge and cultural knowledge which can be helpful in providing context to police, de-escalating the situation and providing a culturally safe service to the victim and/or perpetrator.

(b) This presents its own challenges because of the restricted powers of PLO's, however this challenge is also an opportunity, as they can be perceived differently by community for this reason.

(c) PLO's need to be provided with specific cultural training, domestic and family violence response training and trauma informed response training.

21. It is also critical that the QPS supports PLO's in a meaningful way and should introduce cultural supervision provided external to the QPS with an Elder or, community leader or First Nations practitioner if they choose to take it up.

22. In addition to using PLO's in a more meaningful way, there also needs to be an increase in Aboriginal and/or Torres Strait Islander sworn police officers.

(a) Some of the structural barriers currently include not having a culturally safe workplace, having no cultural support, perception by community as a 'jackie jackie' and the toll it takes when they are called to work in a racist framework.

Improving police response

23. Too often, people in our community tell us of police responses that include family law. Responses such as 'there's nothing you can do, there's no court order' is often misinterpreted by community members and can lead to them not pursuing their options because they have been given advice.

24. Queensland police are not the only solution, however changes in practices to ensure there are more culturally appropriate responses, done in a holistic way, is critical to reducing overrepresentation within the justice system.

25. Too many Aboriginal and/or Torres Strait Islander men are breached on orders that don't reflect the needs of the family, too many Aboriginal and/or Torres Strait Islander women are misidentified as perpetrators when trying to keep themselves safe, and too many times a community response could have prevented the need for a carceral response.

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Witness signature

[redacted]

~~Justice of the Peace/Commissioner for Declarations~~/Lawyer

OATHS ACT 1867 (DECLARATION)

I, Florence Onus do solemnly and sincerely declare that:

(1) This written statement by me is true to the best of my knowledge and belief: and

(2) I make this statement knowing that if it were admitted as evidence, I may be liable to prosecution for stating in it anything I know to be false.

And I make this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the *Oaths Act 1867*.

[redacted]
.....Signature

Taken and declared before me at Townsville this 20th day of July 2015. 2022

[redacted]
Taken By .....

Justice ~~of the Peace / Commissioner for Declarations~~ / Lawyer

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Witness signature

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Justice of the Peace/Commissioner for Declarations/Lawyer