Independent Commission of Inquiry into Queensland
Police Service responses to domestic and family violence
Attn: Judge Richards
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Expert report – Queensland Police Service responses to domestic and family violence

Dear Judge Richards,

Thank you for the opportunity to provide an expert report to the independent Commission of Inquiry into Queensland Police Service responses to domestic and family violence (hereafter 'the Commission'), with a specific focus on the following aspects:

1. Cultural issues that negatively affect police investigations of domestic and family violence;
2. Cultural issues contributing to the overrepresentation of First Nations people in the criminal justice system; and
3. Recommendations to improve police responses to domestic and family violence (DFV).

Academic background and expertise relevant to this inquiry

I have been conducting research on DFV in Queensland since 2009 in my role as an academic in criminology and social work. Specifically, this research has included:

- female victim survivors' help-seeking decisions and experiences with different service system responses, in particular experiences with and **responses by police**, courts, and child protection;
- Female victim survivors' experiences of coercive control and related **police reporting and outcomes**;
- practitioner experiences of responding to victim survivors, alleged perpetrators and/or families and communities affected by DFV more broadly, **including police officer and prosecutor experiences of policing DFV and related protection order breaches**, court responses to civil and criminal DFV matters, child protection practitioner experiences of working with families affected by DFV, corrections, mental health and alcohol and other drug service providers' experiences of screening for DFV perpetration and assessing related risk and men's behaviour change interventions;
- **evaluations of police responses to DFV**, including the 2011 and 2021 evaluation of PRADO (Partnership Responses At Domestic Violence Occurrences);

- research on alleged perpetrators of DFV, including their **experiences with police**, court, child protection and community service provider responses; and
- research specific to the experiences of Aboriginal and Torres Strait Islander individuals, communities and stakeholders in regional Queensland, including service system responses to DFV and the **policing of DFV affecting First Nations communities, households and individuals**.

I have further conducted numerous DFV-related death reviews in my former role as a non-government member of the inaugural Qld Domestic and Family Violence Death Review and Advisory Board (DFVRAB) from 2016 – 2019 and my ongoing role as an independent expert to the Qld Coroner's Office. In particular, these have focused on identifying systemic issues and gaps in current service responses to DFV, including police responses.

While my research is largely Queensland based, I spent three years (2019 – 2021) at Monash University (Melbourne), including as the Deputy Director of the Monash Gender and Family Violence Prevention Centre. During this time I had the opportunity to collaborate with Monash-based colleagues on research examining service responses to victim survivors and alleged perpetrators in the Victorian and national context. This has given me the opportunity to gain further insights into the policing of DFV, including victim survivors and stakeholder experiences, across jurisdictions.

Throughout this report, I am drawing on my experience in the context of conducting research with police and/ or on victim survivors' experiences when reporting DFV to police along with my experience gained through conducting death reviews while on the DFVDRAB or as an independent expert. Where relevant, I discuss my own research evidence and observations in the context of wider research evidence and implications. I provide publicly available resources and links to specific research publications for further information, where available. However, not all observations discussed in this report have been published in evaluation reports or academic publications. I will be able to speak to these in further detail during the public hearing.

1. *Cultural issues that negatively affect police investigations of DFV*

Throughout my research and death review experience, I have observed a number of cultural issues that seem to persist in the policing of DFV in Queensland. These include:

- Perceptions of non-physical DFV as not being serious enough to take action (reference to those breaches as 'technical breaches')
- A reluctance to investigate the reporting of breaches where these involve allegations of non-physical abuse, including coercive control
- Perceptions that Domestic Violence Orders (DVO) are granted frequently based on false allegations
- Perceptions that parents, in particular mothers, misuse the DVO system as a mechanism to prevent fathers from having access to their children post separation
- A reluctance of police to recognise breaches reported around withholding children in the context of shared parenting arrangements as a form of coercive control and viewing this as a Family Law matter only
- A lack of consistent responses to DFV across as well as within police divisions

- An attitude that policing DFV takes up too much time due to the administrative workload associated with each occurrence coupled with an avoidance of DFV callouts
- DFV specialist officers reporting a culture that continues to question the credibility of victim survivors and perpetuates male entitlement and gender stereotypes

It is noteworthy here that a number of the issues listed above are not unique to Queensland Police Service response to DFV. However, for the purpose of this report I focus on my Qld specific experience and observations.

Stereotypical beliefs around 'genuine' victims worthy of support and protection

In 2018, I interviewed police officers and prosecutors about the role of procedural justice in responding to DFV. In this context, myself and two research assistants observed over 300 DVO proceedings and spent around 26 days at two different Qld court locations. This included observations of magistrate, police and court user interactions in the court room as well as the recruitment of court users in the court waiting areas for participation in subsequent survey and interview data collection.

During this time, I observed a number of police attitudes informally. These attitudes were not communicated in the context of a formal research interview but during informal conversations with different officers attending court who were aware of my role as a researcher and engaged in conversations about the research. Observed attitudes and statements included that:

- 'courts hand out DVOs like lollipops';
- 'women misuse DVO proceedings as an alternative to Family Law Orders' to limit the other parent's contact with mutual children post separation; and
- a perception that female victims take out a DVO but then reconcile until the relationship no longer suits them and then use the DVO against the respondent and breach him for initiating or maintaining contact.

The latter in particular suggests a persistent lack of understanding among some officers why an aggrieved may 'reconcile' (e.g. to avoid housing instability, debt, retaliatory violence, harm to her children, etc) and that relationship contexts and DFV-related risk are dynamic and may change over time. More broadly, these attitudes suggest a perception by some police officers that the court system is being clogged up with what police frequently refer to as 'technical breaches' and applications for a DVO by women who are not seen as a genuine aggrieved by police. These broader attitudes create experiences among survivors of not being taken seriously and can have significant deterrent effects on their subsequent engagement with police and courts in the future. Similar attitudes and impacts were reported by victim survivors in the Qld component of our 2021 Monash-led research project, examining victim survivors experiences of coercive control, related police reporting and police responses to victim survivors' experiences.

The role of specialist DFV officers

It is important to note here that while the above attitudes highlight the persistent nature of stereotypical beliefs among some officers that women lie about experiences of violence against women (VAW) and misuse legislations and service responses designed to protect 'genuine' victim survivors, positive police attitudes and an understandings of the complexities associated with DFV, separation, order compliance, housing stability, etc. have also been observed in Qld

based research. In particular, specialist DFV officers/ officers associated with a specialist DFV or vulnerable persons unit (VPU) have clearly articulated such an understanding during formal research participation (see Meyer & Stambe, 2021). Such findings highlight the benefits of specialist DFV units/ VPUs as officers attached to such units tend to provide more DFV-informed and holistic responses to both victim survivors and alleged perpetrators of DFV (Meyer, 2011; Meyer & Reeves, 2021; Meyer & Stambe, 2021).

The critical role of specialist officers and police units have emerged across different policing focused projects, including the evaluation of PRADO (2011 and 2021), my PhD research on victims' help-seeking decisions and experiences (2009), the victim survivor focused component of the above-mentioned court based project (2018) and the recent research conducted in collaboration with Monash colleagues on coercive control (2021). Numerous victim survivors who participated in these different research projects described multiple negative police responses and interactions with general duty officers for any positive interaction with a specialist DFV officer.

Attitudes and beliefs around parenting in the context of DFV

Attitudes around parenting in the context of DFV, including a lack of understanding of coercive control and its impact in the context of parenting, are partly covered in a paper that is expected to be published shortly (Stambe & Meyer, under re-review). Findings presented in this paper show that some QPS officers continued to share perceptions that DVO proceedings are misused by some parents (primarily mothers) to withhold children or find an 'easier' alternative to usually lengthy and costly family law proceedings that regulate shared parenting. Similar attitudes were also observed in the Qld component of our 2021 coercive control study, with female victim survivors describing police officers who believed their experiences of DFV were 'family matters' or 'family disputes' and that if women would grant an abusive ex-partner greater access to children this ex-partner would have less reason to be abusive.

Similar experiences have been shared by female participants in my other Qld based research projects up until most recently, with victim survivors reporting that police are reluctant to respond to reported DVO breaches, which involve shared parenting arrangements and instead advise the aggrieved that the withholding of children, coercive control in the context of strategically delayed handovers, etc. are family law matters. While such behaviour may constitute a breach of a parenting order (where such an order is in place), it is a breach of a DVO – where in place – and should be recognised as such. The attitudes experienced by victim survivors who are separated mothers suggest that at times officers continue to lack the ability to recognise patterns and impact of ongoing coercive control post separation. It is also likely a reflection of persistent social attitudes, predominantly held by some men – including male police officers – and fuelled by men's rights activists through the provision of misinformation, that mothers make up false allegations of DFV and/ or child abuse to disadvantage fathers in shared care arrangements (see for example Birchall & Choudhry, 2022).

Attitudes and beliefs around risk identification

Police attitudes around risk identification and decision making identified in a 2018 Qld based research project have been discussed in a recently published paper (see Meyer & Reeves, 2021). The findings showed that some senior police officers questioned how serious some of their officers are taking their responses to DFV. However, these participants noted that given

the increased focus on DFV-related deaths reviews, officers were increasingly taking DFV serious and have become more proactive in taking protective measures (e.g. in form of police initiated DVOs). There appeared to be a perception that while some officers may continue to underestimate the risk associated with DFV for some victim survivors or dismiss the protective needs of women in socially marginalised settings (see also Coroners Court, 2022; DFVDRAB 2017, 2020), the fear of having to justify their lack of action in a coronial inquiry would encourage them to take protective and preventative measures that minimise the risk of potentially fatal outcomes for adult and child victim survivors. While at times driven by the wrong incentives, these findings suggest that police can be convinced to take adequate protective measures when responding to households affected by DFV.

Victim survivors having to navigate police stations to maximise their chance of a protective response

In 2011, I led the first evaluation of project PRADO (Partnership Responses At Domestic Violence Occurrences) in Caboolture (Meyer, 2011a). At the time, victim survivors reported inconsistent police responses when reporting DFV and/or subsequent DVO breaches to police. Victim survivors described having to navigate a system where they would receive a positive police response (including being treated with respect, being taken seriously) if reporting DFV while the DVLO (terminology used at the time) was on duty. Victim survivors reporting after hours or on weekends often reported negative experiences during interactions with officers on duty at the time, along with front desk staff. Such experiences included attitudes of not being taken seriously, non-physical types of DFV not being recognised as serious or impactful and victim-blaming attitudes). Victim survivors described avoiding certain police stations within a district and driving further distances to report to a station where they expected to receive a better, more protective police response. Some of these findings were also observed in the second evaluation of project PRADO ten years later (Lovatt, McDermott, Pieterse & Meyer, 2021).

Inconsistent police responses to DFV are not limited to findings observed in the PRADO evaluation. Our recent project on victim survivors' experiences of coercive control also showed that police responses vary across and within jurisdictions, including across and within police districts in Qld. Some Qld survey participants described having to navigate a system that is inconsistent in its response and having to work out which police stations were more or less reliable in their response to DFV. Some victim survivors relied on community based DFV specialist services to direct them towards a police station that was likely to respond in a DFV informed manner to their experiences of non-physical forms of DFV.

This research further sheds some light on victim survivors' experiences with police help-seeking and why victim survivors may be reluctant to engage with the police. Our survey results showed that the most common reasons for not reporting experiences of coercive control to police was a perception that police will not take action in the absence of physical violence and related evidence. For many women in this study this perception was based on past negative experiences with police help-seeking. These included victim survivors reporting experiences of physical and non-physical types of DFV, suggesting that police attitudes and responses were also inadequate at times where women reported more 'tangible' forms of abuse. Some of this points towards a mismatch between officer understanding of DFV and relevant investigative skills that allow officers to identify perpetrator behaviour and system manipulation. Training

therefore needs to focus on awareness as well as skill building around DFV and investigative approaches.

Many women further reported that abuse and control had increased after previous help-seeking from police. In the absence of protective police responses, victim survivors often report feeling even less safe after reporting their experiences to police. This highlights the critical nature of initial police responses. Inadequate, dismissive and/ or victim blaming police responses can leave help-seeking victim survivors at greater risk of harm after disclosing their experiences of DFV than they may have already been at pre-police help-seeking.

Police attitudes that create barriers to further help-seeking

Some women further reported experiences of being told that because it is not physical violence it is a family matter and does not warrant a police intervention. While these findings are most recent, they align with earlier findings generated by Queensland-based research, which highlights the critical nature of adequate initial police responses in victim survivors' subsequent help-seeking and thus safety (see Meyer, 2011a; Meyer, 2011b; Meyer, 2014). On the flipside, these findings highlight the deterrent effect of inadequate police responses on future help-seeking. Experiences of not being taken seriously, being dismissed by police and/ or being alleged to have contributed to experiences of DFV can all have significant deterrent effects on victim-survivors future help-seeking for and disclosures of DFV.

Interestingly, a small number of adult victim survivors across different research projects have further commented on the impact of dismissive, belittling or victim-blaming attitudes among attending police on children residing in affected households. Here, victim survivors have noted that children equally lose confidence in police responses over time if repeatedly experiencing DFV and observing a police response that blames the primary aggrieved while not holding the perpetrator to account and/ or not listening to the voices of children.

Our Monash-led national consultation project to inform the next *National Plan to End Violence Against Women and Children* further reiterated findings around cultural attitudes among police that hinder DFV and trauma informed responses to victim survivors and the ability to identify the person most in need of protection. While not Qld specific, Qld based participants raised these issues along with participants from other jurisdictions (Fitz-Gibbon et al, 2021). Further, this consultation project identified ongoing barriers for victim survivors of officer involved DFV due to negative past experiences when reporting such victimisation. Officer involved DFV has been identified as a substantial issue of concern, including in Queensland, and requires a separate investigative branch to increase victim survivor's confidence in reporting their experiences to a specialist unit rather than their abusers' immediate colleagues.

Police behaviours that create barriers to future help-seeking

One thing that has stood out to me in particular over the years of conducting research on victim survivor's help-seeking is that some police allegedly turn DFV callouts into a 'laughing matter'. Victim survivors across projects have described officers who are joking with each when arriving at or departing from a household affected by DFV. Others have described officers walking out of the residence, joking with the primary aggressor and referring to him as 'mate' when seeking the alleged perpetrator's version of events. While officers may not consider the impact of such behaviour at the time, or may try to engage an alleged perpetrator in an investigation through the choice of certain language (i.e. mate), joking about an

aggrieved's experiences and/ or engaging an alleged perpetrator in 'banter' is insensitive, inappropriate and can be highly retraumatising and stigmatising for victim survivors. Similarly, joking or laughing about other matters when attending a DFV callout is highly insensitive and can be traumatising to the victim-survivor – even if unrelated to the specific victim-survivor or attended 'incident'[1].

Supporting DFV informed policing through organisational change and leadership

Through my extensive engagement with QPS officers over the past 10 years across different research projects, I have made connections with different officers who have identified cultural attitudes within the organisation that hinder DFV informed police responses, contribute to inaction, victim-blaming attitudes and misidentification of the person most in need of protection. While this information may be considered anecdotal evidence, it suggests that there are a number of police officers within QPS that are committed to providing high quality, trauma-informed responses to victims and alleged perpetrators of DFV and would like to see their organisation do better.

To support this, organisational change is required, including leadership around improving attitudes towards violence against women. In this context I see two issues. Leadership is required to promote DFV-informed attitudes, DFV as core policing business given the proportion of police work it makes up and support uptake of regular professional development among all police staff – regardless of rank and regardless of sworn or unsworn status. Further, leadership is required to support DFV as a 'desirable' area of policing. In my experience working with DVLOs and DFV Coordinators over the years, these roles do not appear to lend themselves to career progression. They are less likely to be seen as a pathway to promotion and are thus filled by officers who are passionate about improving the lives of those affected by DFV rather than officers seeking career progression. As a result, those most committed to DFV reforms and improved police responses to DFV are less likely to progress into leadership positions that can promote and support organisational change.

2. *Cultural issues contributing to the overrepresentation of First Nations people in the criminal justice system*

Some of the wider problems identified in police responses to and attitudes around DFV outlined above similarly apply to Aboriginal and Torres Strait Islander victims and alleged perpetrators of DFV. In addition, some of the research and death reviews I have conducted, have identified additional issues affecting the policing of DFV involving Aboriginal and Torres Strait Islander aggrieveds and/ or respondents.

Limited recognition of First Nations women as primary victim-survivors

In particular, there seems to be a persistent attitude that First Nations women are just as violent as First Nations men, leading to the disproportionate misidentification of First Nations women as alleged perpetrators. This suggests an ongoing lack of understanding of women's use of force, particularly in the context of prolonged victimisation experiences. Further, where DFV

[1] I use incident here as I recognise this is police terminology but would like to note that the ongoing use of such language in policing is part of the problem why police continue to respond to DFV as an incident rather than patter-based model.

occurrences involve the intoxication of the female victim (whether in addition to the alleged perpetrator's intoxication or in isolation), the vulnerability of female aggrieveds seems to be underestimated by police. This is further complicated by a lack of culturally safe and sensitive police responses to the experiences of First Nations individuals and families affected by DFV. An expert report examining police (and other service responses) to Aboriginal and Torres Strait Islander women who allegedly killed an intimate partner highlights these issues (Meyer & McGowan, 2020 – unpublished but findings have been integrated into the 2019-2020 annual DFVDRAB report [DFVDRAB, 2020] and non-inquest findings have recently been released for one of the reviewed cases [Coroners Court, 2022]). Finally, a lack of a culturally sensitive understanding of the intersection of DFV, social and cultural marginalisation and institutional racism and its role in victim-survivor willingness and ability to engage with neo-colonial mainstream service responses among some officers creates ongoing barriers to the policing of DFV. Here, community-led responses are critical in ensuring police responses implement a predominant aggressor framework and recognise First Nations women's protective needs.

Marginalised women and perceptions of the 'ideal victim'

The policing of DFV among Aboriginal and Torres Strait Islander people often appears to be marked by stereotypical police perceptions of who is an 'ideal victim' and how such a victim would or should present during police interaction (see Meyer, 2016). This concept has been explored by myself and other colleagues (see for example Reeves & Meyer, 2021) more broadly. Marginalised women, including socially and culturally marginalised women and women presenting with issues that are socially stigmatised (e.g. mental health problems, problematic drug and/ or alcohol use, homelessness) do not fit the 'ideal victim' paradigm. As a result, they are disproportionately misidentified as the alleged perpetrator of DFV (see for example Coroners Court, 2022; DFVDRAB 2017; 2020; Reeves & Meyer, 2021; Meyer & McGowan, 2020). This suggests that police responses to the experiences of marginalised women, including Aboriginal and Torres Strait Islander women continue to be marked by a lack of ability to identify the person most in need of protection once women do not present as vulnerable, articulate and compliant. It further suggests that police attitudes are shaped by persistent misconceptions that women using force 'give as good as they get' and do not require the same level of protection as women who present as vunerable during police interaction. Finally, it highlights the lack of holistic and trauma informed police responses to victim survivors who present with complex needs and have often previously been failed by different service responses, including police, child protection, health (including mental health) and other service responses (see for example Coroners Court, 2022; DFVDRAB, 2017; 2020; Meyer & McGowan, 2020).

3. *Recommendations to improve police responses to DFV*

The above observations and findings inform the following recommendations:

3.1 Police upskilling in DFV informed practice is critical and should be supported through initial, regular and ongoing professional development.
Specifically, upskilling to better understand the nature and impact of non-physical forms of DFV, including coercive control and its common manifestation of systems abuse, is critical in recognising and responding to adult and child victim survivors of

DFV pre and post family separation. Further, upskilling with regards to investigative competencies around DFV is critical. Creating awareness and understanding of DFV among sworn and unsworn officers is an important first step. However, this must be accompanied by training that supports skill development to investigate DFV matters, including an ability to identify and investigate perpetrator behaviours. Finally, ongoing training, including education and skill building around a predominant aggressor framework identifying the person most in need of protection is critical to move beyond stereotypical beliefs around how a 'real', 'genuine' or 'ideal' victim should present during police contact or subsequent engagement with police.

Overall, QPS must ensure access to and completion of training for all staff, regardless of rank, sworn or unsworn status and region.

3.2 Police attitudes that undermine DFV informed police responses need to be identified, called out and addressed.

Training of QPS officers has improved in the aftermath of the *Not Now Not Ever* report and different coronial inquiries but has failed to fully address the current gaps and issues. Training therefore needs to be supplemented with support for attitudinal change among officers. This requires a whole of organisation approach to shifting attitudes towards women more broadly and violence against women specifically.

3.3 Discriminatory and stereotypical beliefs about DFV in Aboriginal and Torres Strat Islander communities must be identified, called out and addressed.

Culturally sensitive and safe responses are required here and can only be achieved through community-led and community-owned responses to DFV. One way to achieve this would be to attract more Aboriginal and Torres Strait Islander people into the police force. Another is to fund and trial culturally sensitive co-responder models to DFV. This may be particularly crucial in regional and remote communities where police are limited in referral options to culturally safe support services and victim survivors and alleged perpetrators may be reluctant to engage with police due to institutional racism, poor past and repeat police responses to Aboriginal and Torres Strait Islander households and families, misidentification of the primary aggressor and an overall overrepresentation of Aboriginal and Torres Strait Islander people in the criminal justice system.

3.4 Ensuring consistent police responses regardless of district, division or business hours.

Victim survivors should be able to expect a consistent response across police divisions and districts. Victim survivors should not have to navigate the policing system to avoid stations or officers known to have victim blaming or dismissive attitudes towards DFV to find officers who will provide an adequate, DFV informed police response. Consistent, victim-centric police responses must be supported through performance indicators, including complaints lodged against police officers/ stations/ divisions. This requires a state-wide monitoring system to ensure the consistent implementation of policy and procedural guidelines around DFV going forward. Annual auditing of police responses to DFV may be a useful in monitoring police performance here (see also Fitz-Gibbon, Meyer, Gelb, et al., 2022). Further, I wonder if there are learnings from other service industries (e.g. health), which increasingly rely on client feedback on individual practitioner and overall service responses. Attitudinal and behaviour change may be encouraged through victim-survivor feedback related to specific police interactions and performance related to DFV.

3.5 Wider implementation of co-responder models to DFV that facilitate more holistic access to support for victim survivors, alleged perpetrators and affected children.
The evidence that police responses have improved somewhat under recent reforms but significant gaps in DFV-informed policing remain, raises the question whether frontline police can be better supported by partnering with DFV specialist workers. This may be in form of co-responder models supporting police when responding to DFV callouts where this is safe to do so but at the very minimum through co-location of a DFV specialist worker across police stations. Some examples already exist (e.g. Logan, Caboolture, Brisbane) and are supported by anecdotal and research evidence. However, the implementation of such models needs to be supported by organisational leadership to ensure they translate into whole of station and division attitudinal and behavioural change around DFV/ DFV callouts. Otherwise, these models rely too heavily on individuals operating in specialist positions and the success is dependent on personalities and victim-survivors having contact with the 'right officers' or the co-responder to have a positive experience with police help-seeking.

3.6 The above recommendations require the development/ revision of policy and procedural guidelines that assist police in delivering DFV, trauma-informed and victim-centric policing practices and promote DFV as core policing business.

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