

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

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

STATEMENT OF

Name of Witness:	Rosemary O'Malley
Date of birth:	[REDACTED]
Current address:	[REDACTED]
Occupation:	CEO
Contact details (phone/email):	[REDACTED]
Statement taken by:	

I Rosemary O'Malley make an oath and state as follows:

1. I am the CEO of Gold Coast Domestic Violence Prevention Centre (DVPC) and have held this position since 2016. From 2009-2016 I was the Men's Domestic Violence Education and Intervention Program (MDVEIP) Manager at DVPC and had previously been a facilitator on this program since 2005 while working for Queensland Corrective Services (QCS).
2. DVPC was established in 1992 and currently has 45 staff (including 12 MDVEIP casual facilitators) providing services from Beenleigh to the NSW Border.
3. Since 1996 DVPC has coordinated the Gold Coast Domestic Violence Integrated Response (DVIR). Member agencies of the DVIR include:
 - QPS (DFV/VPU)
 - QCS (Community Corrections South Coast Regional Manager)
 - DJAG (Southport DFV Specialist Court Coordinator)
 - DJAG Office for Women and Violence Prevention (Integrations Manager)
 - QLD Health (DFV Coordinator)
 - Department of Housing (Area Manager) Department of Education (Senior Manager, Guidance and Coaching)
 - Department of Child Safety (Regional Practice Leader)
 - Legal Aid Queensland (Senior Principal Lawyer)
 - Multicultural Families Organisation (SARA DV Program Manager)
 - Four Women's Refuges

[REDACTED]

[REDACTED]

The DVIR meets on a monthly basis to discuss emerging trends and gaps in responses to DV on the Gold Coast, and to work together to collectively address these, as well as trialling innovative approaches based on feedback from Focus Groups from women experiencing or trying to leave abusive relationships.

At an operational level DVPC is a member of:

- The weekly Triage meetings convened by QPS from the DFV/VPU to discuss with other key partners identified high and imminent risk cases we are collectively working on, and to raise emerging concerning cases.
- The fortnightly Operational Working Group of the Southport Specialist DFV Court convened by DJAG, who work together in a 'Continuous Improvement Framework' to refine processes, and improve experiences for parties attending matters, and for practitioners working in this jurisdiction.

Additionally, DVPC Coordinates the Domestic Violence Interagency Group (DVIG) which has 45 member organisations and 130 individuals participating to share and increase their knowledge around DFV.

Since 2000 DVPC has partnered with QCS to deliver the MDVEIP and this has recently expanded to include participants who are not supervised by QCS.

4. DVPC provides the following services to women, children, young people, and men:
 - Crisis and longer-term case management and support for women who have experienced domestic violence
 - Groups for women as aggrieved and for those identified as respondents
 - Counselling and groups for children and young people aged 4-18 years (both genders) who have witnessed domestic violence, who are experiencing domestic violence in their dating relationships, or who are perpetrating family violence in their homes
 - A Safety Upgrades Program to improve the security of women who are able to remain in their homes, this includes improving the physical safety such as alarms, locks, lighting etc, and assistance with legal costs, travel, and emergency accommodation.
 - A Court Advocacy Program for women attending the Southport DFV Specialist Court, and at Coolangatta Magistrates Court.
 - Male Court Workers at the Southport Specialist DFV Court for case management of respondents during the Court process.

DVPC also delivers extensive interagency training including: training for police (First Year Constables, detectives, police prosecutors, DV Liaison Officers etc); Corrective Services; Dept of Child Safety; hospitals (social workers and emergency room staff); corporations, and numerous other stakeholders.

5. From 1 July 2021 to 30 June 2022 DVPC engaged with 6027 women, including short-term contact with 4983 from this number, and 1764 who engaged for a lengthy period of time due to their level of risk.

4983 referrals were received from stakeholders including 3407 from QPS.
71% of women who engaged with DVPC during this time period did so post separation and 8% advised there was an imminent or pending separation occurring.

512 children and young people (aged 4-18 female and male) were provided with counselling and support.

3967 women were referred to external stakeholders (while remaining engaged with DVPC).

1433 women received practical support in the form of: financial assistance, personal care, mobile telephones, alarms, security devices and motel accommodation.

Sustained Advocacy was undertaken on behalf of 1381 women with QPS, Housing, Court, DVConnect, and other services.

38% of women reported their partners/ex-partners had been charged with Breaching DVOs; and 42% had used violence in their previous relationships.

6. With regards to questions posed by the Commission Of Inquiry Into Queensland Police Service Responses To Domestic And Family Violence, I provide the following responses:

- The pilot of the embedded DVPC Advocates in the Southport and Coomera Police Stations:

This pilot was initiated in 2021 following an earlier eight-week trial which commenced in August 2019 at the Coomera Police Station. The Inspector from this station had called me to advise that women were "experiencing poor responses at the front desk" despite training and internal attempts at addressing. He asked if DVPC could assist in improving these responses. A decision was made to co-locate a DVPC Advocate at the station one day per week. At the conclusion of the eight-week trial the following benefits were noted:

- Timely and trauma-informed support at first contact with QPS and the Service System.
- A reduction in the number of people exiting the station before progressing with a complaint, or an application for a PPN. Prior to this trial it was observed if that if women were queued for lengthy periods they would walk away without reporting the DV.
- Improved access to, and visibility of specialized DFV Advocacy and links to DVPC.
- The ability to provide specialized DFV information and referral options for men attending QPS seeking PPNs.
- Improvement in addressing of risk and safety planning with women engaging with Advocate at this station. Themes identified in risk assessments conducted with women at this Police Station during the trial included: physical assaults, strangulation, sexual violence, threats to kill (including children), and impending separation.
- Women being provided with information, referrals, and services that police could not assist with.
- Recommended improvements from this trial included: better sound barriers for women reporting DV – women were observed talking to officers at the front counter and the

details of their stories echoed loudly and bystanders could hear most of what they were disclosing; clear signage that the Advocate is available to speak to women as front desk officers kept forgetting to inform women that the Advocate was onsite.

- A nine-month Co-location Pilot was funded in 2021 for the Southport and Coomera Police Stations. These stations were selected firstly because of the previous (unfunded) trial at Coomera in 2019, and secondly because the Inspector at the Southport Station had contacted DVPC to raise the same concerns that his Coomera counterpart had raised in 2019; namely that women were receiving poor responses at the Front Desk.

There were significant differences in the number of women (and officers) engaging between Southport and Coomera stations due to the following factors:

- At the Coomera Station the DVPC Advocate was put into a separate room on her own at the side of the reception area, whereas at the Southport Station the DVPC Advocate was co-located in an open area with numerous police officers and she would see women in a room set aside particularly for this purpose.
- At the Coomera Station due to workforce issues there were three changes in the Advocate during the nine-month pilot, whereas the Southport Station had one Advocate for the duration of the pilot.

Both Pilot Sites had a Co-located DVPC Advocate onsite two days per week each.

The pilot was evaluated by Griffith University and the Final Report is attached with this Statement. The Key Finding from the report is that "there was overwhelmingly positive support for the co-location program. Participants recommended continuing the co-location program after the conclusion of the pilot. They also requested that it be expanded to cover more days of the week and more locations."

The research questions this evaluation asked were:

1. Did the pilot enhance collaboration between DVPC and QPS to maximise opportunities to support victims of domestic and family violence and enhance community safety?
2. What are victims' experiences approaching the police station for assistance with domestic violence matters with assistance of an advocate? (e.g. satisfaction with interaction, safety)?
3. What are DVPC advocates and QPS staff perceptions about the effectiveness/benefits of the co-located service and necessary improvements going forward?

Benefits of the Pilot noted in the report included:

- *Improved victim experiences*

The evaluation investigated victims' experiences approaching the police stations for assistance with domestic violence matters with and without the aid of an advocate during the pilot. Victims who met with only an advocate, or an advocate and QPS staff, reported more positive experiences than those who only met with police.

Participants from all three cohorts reported multiple benefits from the co-location program:

- enhanced feelings of safety for victims who met with the advocate or the advocate and police;
- reduced wait times;
- more support for victims;
- reduced fear and anxiety talking to police;
- faster connection and referral to services;
- increased likelihood of police taking the incident seriously or taking action for victims who met with the advocate or the advocate and police;
- more options available to victims for whom police action was not an option.

• ***Enhanced collaboration between DVPC and QPS***

All but one QPS participant and all DVPC victim advocate participants reported that the co-location program enhanced collaboration between the organisations. This collaboration contributed to many of the benefits for victims listed above.

• ***Shared learning between DVPC and QPS***

QPS staff and DVPC advocates indicated that having an advocate at the police stations provided opportunities for shared learning about one another's roles, the options and services available to victims, how to interact with victims

Identified challenges in the report included:

- communication between DVPC and QPS about the advocates' roles, schedules, and the referral process;
- QPS staff turned victims away when the advocate was not at the station and asked them to return another day;
- disrespect for advocates from some QPS staff;
- limited days and times the advocates were at the stations.

Victims identified additional challenges with their experience seeking assistance at the police stations. None of the victims who only spoke to QPS reported increased safety after they visited the station. Four (66%) reported no change in safety. Two (33%) reported being less safe after speaking with police but not an advocate.

This evaluation found there are some recommendations for measures to strengthen co-location programs and police responses to domestic and family violence victims going forward. These measures would maximise the benefits of colocation and minimise the risks of predictable unintended outcomes:



1. Co-location is an expansion of victim services, so new programs should be resourced with additional funds rather than requiring DFV organisations to staff more programs using existing resources.
2. High-quality program evaluation includes before and after components and requires planning. Evaluation should be funded and built into the launch/relaunch of co-location programs and begin before the program to permit assessment of changes due to the program as well as individual participants' reflections on their experiences.
3. Establish written protocols for the referral process to advocates at the station. Protocols should include when and how to refer to victim advocates, the roles of each organisation, and what not to do. For example, police should be explicitly prohibited from referring women to the advocate at the station rather than investigating while out on calls or telling women to leave and come back another day or visit another police station if an advocate is not on site.
4. Repeat explanation of program and roles at the beginning of each shift to ensure awareness by all staff.
5. Implement weekly check-in meetings between police representatives and advocates to identify themes and problems in DFV responses and create solutions. These meetings could identify areas where targeted training is needed and ways to improve procedures.
6. Permit victims to speak to advocates first rather than waiting to be triaged by police staff if there is a wait at the station.
7. Position the victim advocate in a highly visible location to police to maximise interaction and opportunities for shared learning and collaboration.
8. Use a private space to ask victims questions rather than asking sensitive questions at the counter in full hearing of everyone waiting in the station.
9. Supplement informal learning with bi-directional training, so that victim support organisations and police better understand each other's roles and responsibilities. Training from police should include standard operating procedures and legal requirements for responses to DFV, such as requirements to record victim statements on body-worn cameras, the conditions in which victims can and can't be turned away, and the conditions in which domestic and family violence orders may be made. Training from the DFV organisations should target persistent misconceptions affecting police responses, such as that domestic and family violence is not gendered and that police should be sceptical of women reporting abuse as there may be family law issues. Training is needed to improve recognition of the ways trauma victims commonly present in interviews, the difference between offensive and defensive injuries, and common ways in which perpetrators manipulate and weaponise police as part of systems abuse. These measures could help to reduce the misidentification of victims as perpetrators and enhance evidence collection for investigation.

The importance of having Specialist DFV Advocates co-located at police stations cannot be overstated. Women who engage with DVPC report their worst responses from police occur at the front desk of police stations. Issues they have reported to Advocates include:

- Being told to not report Breaches of DVOs one at a time but to "save them up and bring them in batches" (thereby creating the opportunity for an escalation in risk to be missed).

- Being told a dating relationship of three weeks does not meet the criteria under the legislation for a PPN (no such criteria exists in the legislation). The DVPC Advocate who was onsite at the police station on this occasion asked the officer "how long would you like her to be abused before she can come back?". The woman was reporting stalking, physical assaults and attempted strangulation. On this occasion, due to the Advocate's intervention a PPN was issued.
 - Women continually told "police cannot assist, go to see the girls at Court" (meaning the DV Advocates located at the Southport Specialist Court).
 - Women feeling they are not believed when they are reporting DV at Police Stations. One woman recently advised that when she had finished telling the officer at the front desk about the abuse she was experiencing he said to her "you remind me of my ex-partner" and sent her up to the "girls at Court".
 - Even without a verbal comment such as this, women who live in domestic violence relationships are hypervigilant about whether they are being believed and are scanning non-verbal facial expressions (including micro-expressions), tone, sighs, or numerous other signs that will indicate to them that they are not being believed and that it is not safe to pursue making a complaint or asking for PPN. When this happens two things commonly ensue: her (and the children's risk) will remain unaddressed and may escalate; she loses faith in the system and decides this is not where safety lies for her.
7. Another element that may be contributing to women's poor responses at police stations is the number of Police Officers who are respondents in DVOs, charged with DV related offences, or who are not yet visible as perpetrators of DV.

On 9 June 2022 an ABC news article noted there were "52 applications for Domestic Violence Orders against Queensland police officer in 2020 and 2021 and eight officers charged with DV offences.

Our experience at DVPC is that we have worked with, and continue to work, with a number of women whose partners are currently or who have been previously, police officers. The majority of them will not report their experience of DV to QPS or engage with the system to address their risk, as they do not feel safe to do so for a number of reasons including:

- Presence of weapons in the home (baton, handcuffs, gun, taser, pepper spray).
 - Partner/Ex-partner is trained in choke holds and other physical restraints, and in interrogation methods.
 - Lack of privacy and protection – surveillance of phone, other devices, car, bank accounts. He will also know where the refuges are.
 - The partners/ex-partners knowledge of the law and the Court system, meaning he will present well in Court and know colleagues in the system and in the legal profession.
 - Her word against his as a police officer.
8. While women report to DVPC their poor experiences when reporting DV at police stations, they frequently report exceptional responses and outcomes when the DFV

Specialist Units/VPU become involved. DVPC could not do our daily work without the assistance of officers in the Gold Coast DFV/VPU.

The DNA of this unit was set up in February 2016 by Inspector Marc Hogan who created the foundations of a model that continues today to demonstrate what can happen when police responses are informed and guided by established Integrated Responses.

Some of these foundations included:

- Taking the time to find out as much as he could about the DVIR that had been operating on the Gold Coast since 1996. Going around each of the DVIR stakeholders and finding out how the new "DV Taskforce" could support their work and what they could do to support the work of the Taskforce. Continually seeking feedback from DVIR members on an ongoing basis.
- Setting up a pro-investigation model by ensuring the foundation members of the Taskforce were detectives from CIB. This means that Taskforce members were not spending most of the time deciding who to believe, but spent it gathering the evidence and being led by this. Including understanding the importance of patterns in DV perpetration, and executing pattern-based responses rather than incident-based responses.
- Using the police structure and Standard Operating Procedures (SOP) to hold officers and stations accountable for their DV responses. Every DV callout on the Gold Coast was audited by the Taskforce and stations and officers were tasked or questioned when these responses did not meet SOPs or pattern-based responses.
- Focus on high risk DV perpetrators with significant histories and keeping them in sight whether there were current charges/allegations on-foot or not.
- The case management model with different teams engaging with the aggrieved/victim-survivor, and the perpetrators.
- The police-led weekly Triage Meeting model (still current) for stakeholders to come together discuss new information, escalation, and who is doing what in each case being discussed.

9. Over the past 13 years at DVPC I have appreciated many opportunities to engage in training at many different levels in QPS. From this I provide the following observations:

- First Year Constables are often the most enthusiastic and receptive participants in DV training. They are interested in the content and interactive during discussions. Some of the comments received after training sessions have a similar theme of "I really get this, and want to do it right, but it's really hard when I know what the right thing to do is, and I'm partnered with a more experienced officer who says "don't bother, we'll be back here next week, there's no point".
- CIB detectives have also been willing training participants and appear to appreciate how the pattern-based approach to investigating DV aligns and supports their work.
- Presenting to DVLOs has been some of the most difficult and challenging training we have delivered. While appreciating that these roles are often additional on top

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Justice of the Peace/Commissioner for Declarations/Lawyer

of other 'normal' police work, selecting who is appointed to these roles should be done with care and caution. Officers in these roles should have demonstrated a strong interest in DV, have received adequate training, and possess the necessary skills and knowledge to do the role well.

- While SOPs, and a compliance approach to training and performance assessment may improve police responses to a certain point, without something that captures hearts and minds, and shifts culture, it is difficult to see how significant, consistent, and lasting improvement in police responses to DFV can occur.

OATHS ACT 1867 (DECLARATION)

I Rosemary O'Malley 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*.

 Signature

Taken and declared before me at SOUTHPORT this 28TH day of JULY 2022

Taken By KATHLEEN SIMPSON
Justice of the Peace / Commissioner for Declarations / Lawyer

