



Domestic and Family Violence

Ensuring an Effective Policing Response

February 2020

RESPONDING TO OUR ENVIRONMENT

Not Now, Not Ever
“champion best practice
DFV prevention”

DV Death Review
refine investigative
practices and target
resources appropriately

COAG and ANZPAA

Focus on integrated and
coordinated policing
response

**Queensland Social
Survey: Domestic &
Family Violence Survey
Report** Re-affirms public
confidence in police:
reflected in increased
demand for service

Third Action Plan:

Embedding the
QPS’ Cultural
Change that
promotes best
practice policing
strategies

Promoting the
build-measure-
learn approach that
fosters an agile
work environment
and improves the
policing response
to domestic and
family violence

External

Internal

QPS Strategic Review

Focussed on QPS’
strategic challenges,
with a view to building
capability into the
future

QPS Demand Management

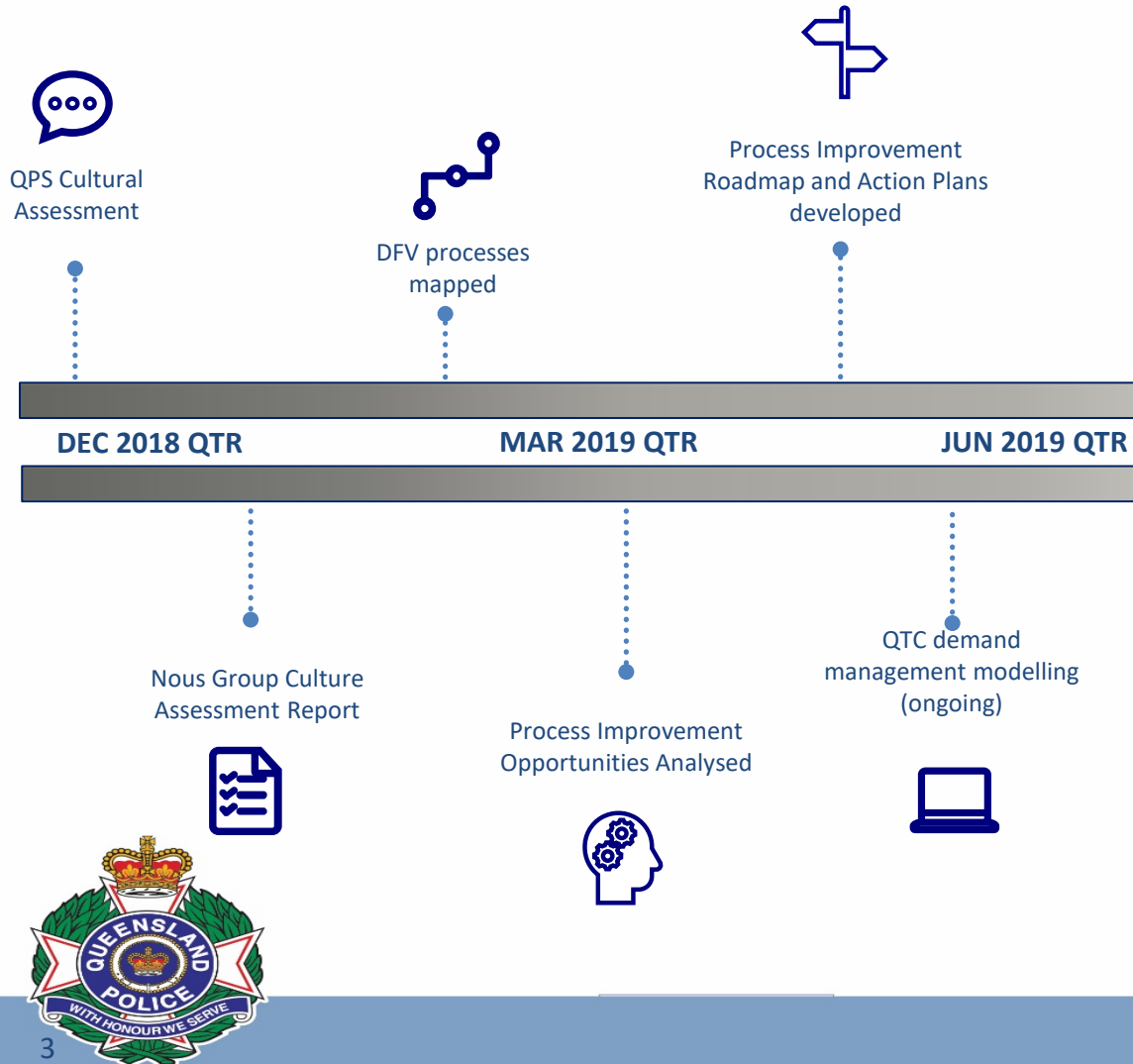
QPS unable to meet
demand for services.
Proportion of calls for
service not attended

QPS DFV Strategy

Best practice policing
prevention and
response services to
improve victim safety
and hold perpetrators
to account



EXTERNAL ASSESSMENT UNDERTAKEN OF HOW QPS CULTURE AND PROCESSES SUPPORT DFV OBJECTIVES

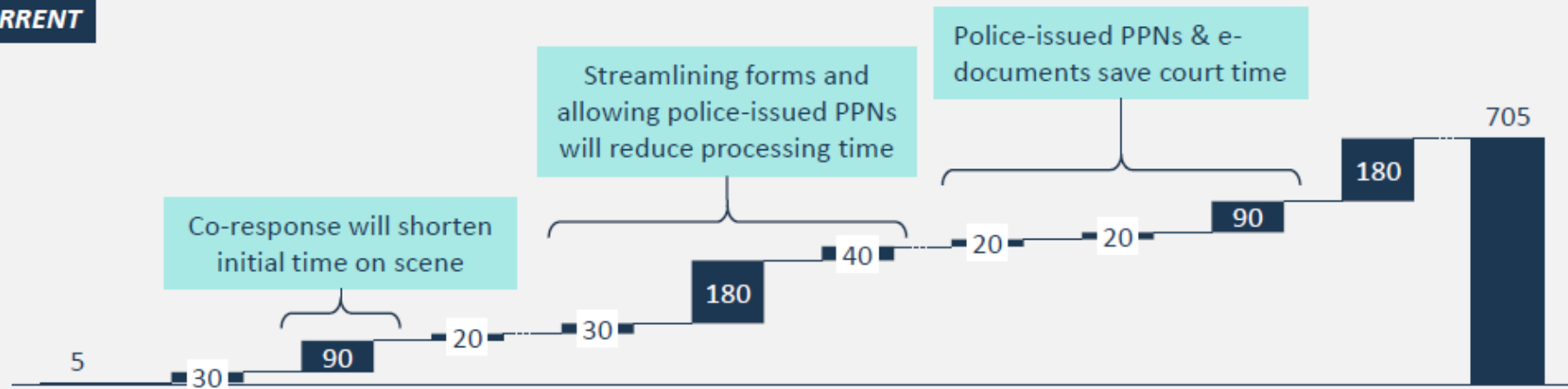


- ❑ QTC highlighted unsustainability of QPS' current operating model
- ❑ Process complexity is an inhibitor to improved victim support and effective investigation
- ❑ Overwhelming theme of Nous Group culture assessment related to the negative impact of complex domestic violence processes
- ❑ QPS domestic violence process effectiveness identified by incoming Commissioner as key priority

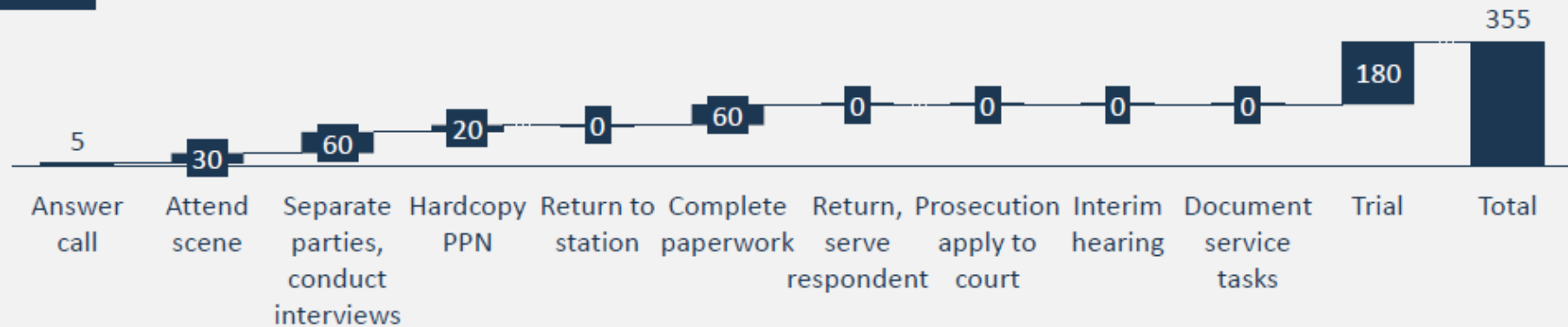
QPS resources consumed by DV application process

Average minutes per task, tasks in chronological order

CURRENT



FUTURE



SAVINGS

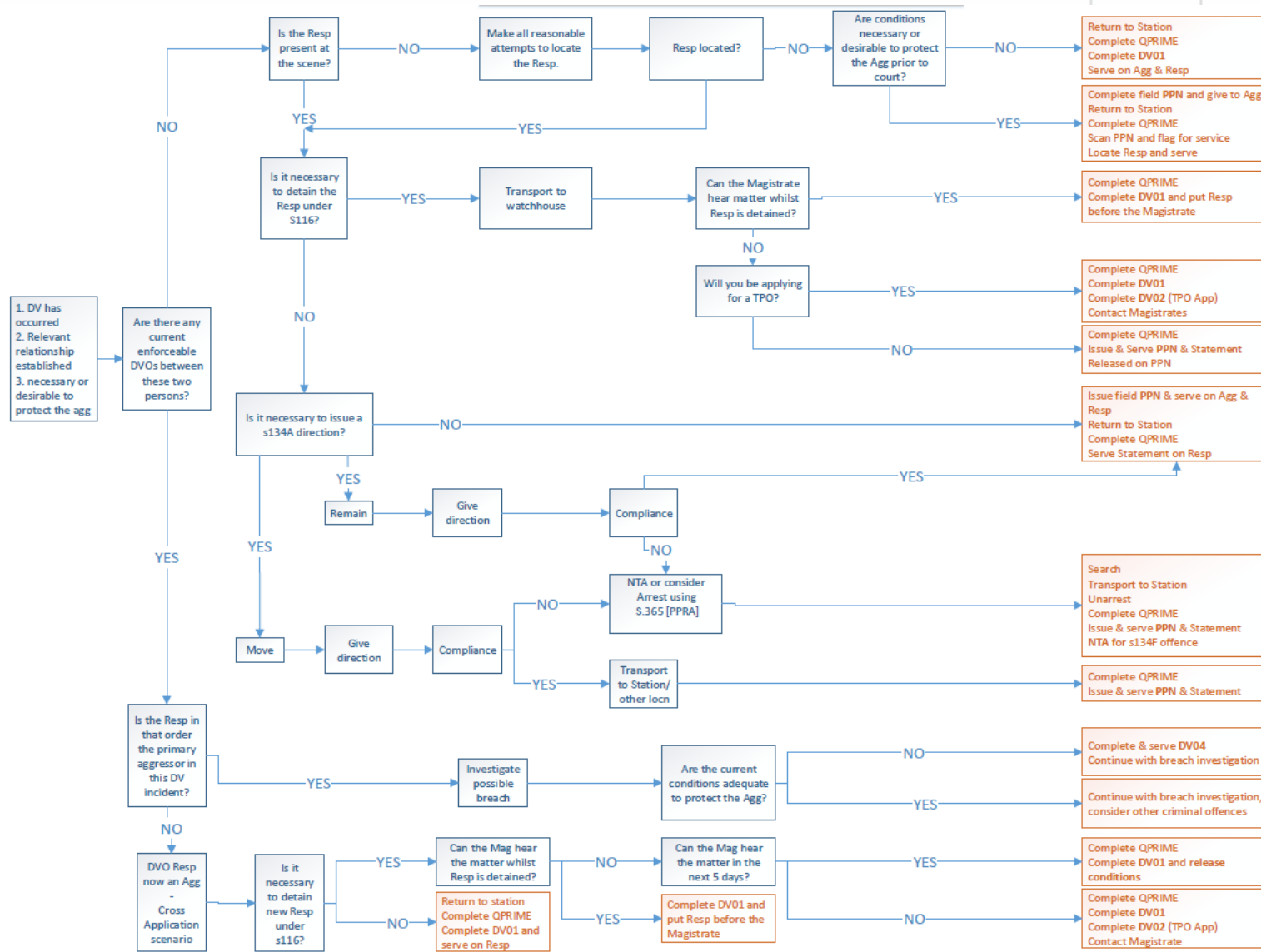
Task	Current (min)	Future (min)	Savings (min)	Savings (%)
Answer call	5	5	-	-
Attend scene	30	30	-	-
Separate parties, conduct interviews	90	60	30	(33%)
Hardcopy PPN	20	20	-	-
Return to station	30	0	30	(100%)
Complete paperwork	180	60	120	(66%)
Return, serve respondent	40	0	40	(100%)
Prosecution apply to court	20	0	20	(100%)
Interim hearing	20	0	20	(100%)
Document service tasks	90	0	90	(100%)
Trial	180	180	-	-
Total	705	355	350	(50%)



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QPS PROCESS RESPONSE MAP



DOMESTIC AND FAMILY VIOLENCE ENSURING AN EFFECTIVE POLICING RESPONSE

67,606 DV
calls for
service



29,751 police
and private
applications



31,710
breaches and
other DFV
offences



82,845
individual DFV
documents
served



2018-19 data



INEFFECTIVE AND
CUMBERSOME PROCESS

TRAUMA INVOLVED IN VICTIM
ENGAGEMENT

IMMEDIATE VICTIM SUPPORT AT INCIDENT

VICTIM-CENTRED RESPONSE

PERPETRATOR ACCOUNTABILITY

EFFICIENT POLICE ACTION POST INCIDENT

BEHAVIOURAL CHANGE AND PREVENTION



Enhanced
safety
response



Better
victim
experience



Up to 50%
less time on
police admin

(QTC analysis 2019)



QPS
demand
management



Antonia's story

Antonia reports an offence to police alleging her ex partner Nick has contravened his domestic violence order by stalking her.

Police commence investigating the offences and complete an application to vary a Protection Order resulting in additional conditions and an extension of the order which was nearing expiration. Nick refuses to provide a version to police.

The court makes a temporary varied order with extra conditions. Antonia reports that Nick continues to attend her workplace.

Police are unable to prevent Nick from attending her work until they can locate him 3 days later and serve the order.

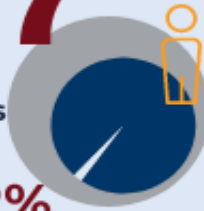
Police protection notices provide immediate protection. They can be broadened to enable application to the court for variations to an order.

IMMEDIATE SUPPORT AT INCIDENT

21,207

police applications for
Domestic Violence Orders

Less than **2%**
dismissed by the Court



3 out of 4 relate
to mandatory
conditions
alone

7,998

police applications
to vary a Domestic
Violence Order

Victims have reduced protection
between application submission
and consideration by court

*2018-19 data



IMMEDIATE SUPPORT AT SCENE

Police Protection Notice remain enforceable without need for court order, unless matter contested ^{3d}

Rationale for change

- ☐ Nous recommendations
- ☐ Prolonged process often traumatic for victims
- ☐ Time expended whether the matter is contested or not
 - Only 5% are contested by either party
 - 2% of police applications dismissed by court
- ☐ Applicable only to 75% orders with mandatory conditions
- ☐ Tasmania operate similar model
 - Of 1,845 Tasmanian Police Family Violence Orders issued in 18/19 only 3.5% resulted in parties applying to court to revoke

Impact and benefit

- ☐ Victim has continued protection through police response
- ☐ Removes need for victim to attend court unless the matter is contested or variation required
- ☐ Court case list reduced for mandatory condition cases
- ☐ Greater opportunity to focus on prevention and engagement with parties and specialist providers
- ☐ Streamlines entire administrative police protection notice process
- ☐ Safeguards remain: parties can elect to contest in court



IMMEDIATE SUPPORT AT SCENE

Issue a Police Protection Notice to add new conditions to an existing order ^{3b}

Rationale for change

- ☐ While application to court should remain for additional conditions, the mechanism can be improved
- ☐ A gap in existing processes exists:
 - no immediate protection provided to the aggrieved
 - an application to vary cannot be used to vary the conditions of a police protection notice (only an order)
- ☐ To add additional conditions immediately, currently an urgent application for a temporary order is required
- ☐ Proposal is merely changing the vehicle to apply to court

Impact and benefit

- ☐ Protection of aggrieved by new conditions being in effect immediately
- ☐ Police protection notice can be issued on the spot by police without need to take respondent into custody
- ☐ Reduction in urgent temporary protection orders being sought reduces impost on courts and Magistrates out of hours
- ☐ Centering administrative processes on police protection notices provides simplification for police and courts



IMMEDIATE SUPPORT AT SCENE

Issue a Police Protection Notice as a cross-order application where there is an existing order ^{4a}

Rationale for change

- ☐ Currently the police protection notice process is ineffective by not providing protection to the aggrieved in the case of a change in the person in need of protection
- ☐ A streamlined process is required to bring the matter before the court
- ☐ Variation of processes leads to potential errors and therefore greater risk to the aggrieved

Impact and benefit

- ☐ Enhances victim safety by providing immediate protection
- ☐ Removes the need to take the respondent (former aggrieved) into custody (unless required)
- ☐ Reduces revictimisation
- ☐ Reduces complexity of the domestic violence system
- ☐ Reduces administrative burden on courts and police having to complete an application for an urgent temporary protection order



Rachel has been with her partner George for eight years and they have a young child together. Police were called to their home after George assaulted Rachel.

George was issued a police protection notice with non-contact conditions. He returned to Rachel's home breaching the non-contact condition.

On the first court date the police protection notice was adjourned, and no temporary protection order was made.

Rachel was left without protection.

Police subsequently received reports of George at Rachel's home. Some days after, police were called again to Rachel's home, finding her with injuries inflicted by George.

Rachel could have been protected with the continued enforceability of a police protection notice. Instead, a new police protection notice had to be issued, and a subsequent application to the court.

VICTIM CENTRED RESPONSE

evidence Enable domestic violence
as a video recording reducing the **impact on victims**
and saving **first responders time** as video statements can
be taken at the scene
Reducing the time taken to obtain a victim statement by average
1 hour per victim by **22,000** incidents
= **22,000 hours or 2,750 police shifts**

Temporary Protection Orders
8,834 issued
following a police application
If a Police Protection Notice remained
enforceable, temporary orders would only be
required if the court varied conditions
**Reducing court and police time
without reducing victim protection**



VICTIM CENTRED RESPONSE

Enable Domestic Violence Evidence in Chief by way of a video recording ^{9a}

Rationale for change

- ☐ *Not Now Not Ever* recommendation not yet implemented
- ☐ Inter-jurisdictional initiatives have positive results
 - ☐ NZ: Pilot resulted in 44% early guilty pleas with video statements compared to 30% with written statements (based on a sample size in the period 1 July to 9 November 2017 of 745 DV incidents of which 240 had video statements)
 - ☐ NSW: 36,894 video statements were recorded, increasing the probability of a conviction by 6% (evaluation period 1 June 2015 to 31 August 2018)
 - ☐ Victoria: Pilot resulted in 117 video statements. To-date none of these matters have been contested (evaluation period 1 March to 21 July 2019)
- ☐ Video already utilised for statements made by children and persons with an impairment of the mind



Impact and benefit

- ☐ Reduction in recounting traumatic domestic violence incidents to courts and police without re-victimisation
- ☐ Improved evidence gathering at the time of the incident
- ☐ Provides greater confidence that perpetrators will be held accountable
- ☐ Improves likelihood of successful prosecution. Currently prosecuting offenders for domestic violence breaches has a lower success rate when compared with other criminal matters
- ☐ Reducing the time taken to obtain a victim statement, on average 1 hour per victim by 22,000 incidents. Equates to 2,750 police shifts
- ☐ Enabling a victim to make a video statement at the time of the incident ensures timely evidence collection

VICTIM CENTRED RESPONSE

Continued enforceability of a Police Protection Notice after first mention ^{1b}

Rationale for change

- ☐ A gap in existing processes exists:
 - no continued protection provided to the aggrieved in the case of adjournment without an order
- ☐ There should be no circumstances whereby an aggrieved does not have the benefit of protection during proceedings
- ☐ Police required to recommence police protection notice process if new incident occurs and original matter is adjourned and no order made
- ☐ Reduces the need for court to issue temporary protection orders

Impact and benefit

- ☐ Ongoing victim protection throughout application for domestic violence order proceedings
- ☐ Reduces workload for courts and the associated administrative process
- ☐ Temporary protection order only required when alternative conditions are required to police protection notice



Danielle, Leah & Cherryn – their story

Over the last ten years Karl has been in several relationships where he has been physically and psychologically abusive.

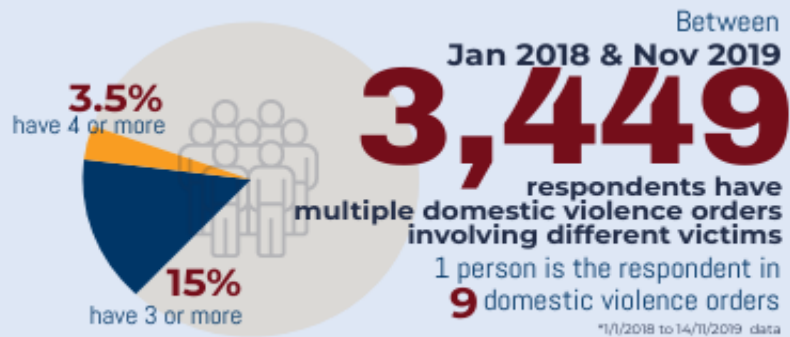
Karl often moves from one victim to another while under a current domestic violence order. He is known to police to have multiple victims at any one time.

Each time police have not been able to immediately locate Karl to serve him with an order.

In one case, a domestic violence order for one of his victims expired. The victim was then granted a private application with 11 named persons. However, it took three months before police could locate and serve Karl with multiple documents.

Broadening the applicability of domestic violence orders to require respondents to not commit domestic violence to any party would provide greater protection for respondents with multiple victims.

PERPETRATOR ACCOUNTABILITY



police resources diverted by the need to monitor expiry of orders and complete applications to vary **Automatic extension** of domestic violence orders following **13,670** convictions for contraventions would enhance **victim protection**

*2018-19 data



PERPETRATOR ACCOUNTABILITY

Automatically extend a Domestic Violence Order for five years upon a further incident ^{3c}

Rationale for change

- ☐ Deterrent and stronger perpetrator accountability
- ☐ Police time ineffectively diverted to monitor order expiry
- ☐ Risk of lapse of protection for the aggrieved if a breach has occurred close to expiration
- ☐ Higher number of convictions per annum than varied orders, suggesting that orders are not being extended as a matter of course

Impact and benefit

- ☐ Ensure the aggrieved remains appropriately protected
- ☐ Aggrieved safety is automatically extended when an order is breached near expiration of the existing order
- ☐ Reduces the volume of application to vary allowing police and courts to place greater emphasis on escalated matters
- ☐ Allows police to place criminal charges for a breach, that would otherwise not be possible if the order is expired
- ☐ Respondent can be made aware of the extension at time of charging or conviction, removing the need to locate for service



PERPETRATOR ACCOUNTABILITY

Domestic Violence Orders not to commit DV to any other party ^{8a}

Rationale for change

- ☐ It is known that domestic violence offenders are often in transient and/or multiple relationships
- ☐ In the period 1 January 2018 to 14 November 2019, of the 3,449 respondents with multiple orders
 - one offender has nine orders
 - 15% (517) have 3 or more orders
 - 3.5% (121) have 4 or more
- ☐ An unprotected aggrieved requires a new police protection notice, rather than commencing breach proceedings
- ☐ A respondent with multiple aggrieveds creates significant resourcing for police and the courts

Impact and benefit

- ☐ Immediate protection and safety provided to future aggrieved persons
- ☐ Acknowledges the diverse and changing nature of intimate personal relationships
- ☐ Holds the perpetrator to account by enabling police to commence breach proceedings from the first instance
- ☐ Reduced need for applications or variations to protection orders against multiple persons, or adding named persons
- ☐ Greater visibility and transparency to the court in relation to repeat respondents



PERPETRATOR ACCOUNTABILITY

Reverse onus on respondents for document service ^{2d}

- ☐ to attend police station (when requested) for service of documentation
- ☐ to advise QPS of change of contact details

Rationale for change

- ☐ Time delays in police locating respondents can compromise victim safety
- ☐ Nous highlighted that police resources are repeatedly directed towards unproductive activity related to locating respondents, with limited accountability on the respondent
- ☐ Delays in serving of documents has consequential impacts on matter being heard at court
- ☐ Responsibility on respondent to maintain accurate contact details seeks to hold them accountable

Impact and benefit

- ☐ Victim safety is increased and victim experience is improved by timely resolution
- ☐ Reduction in taskings on police crews to facilitate document service
- ☐ Places onus on respondent to facilitate document service



Angela's story

Angela and Lorenzo have been together for 21 years. Lorenzo has a fly in, fly out interstate job and is away for 3 weeks and home for 1 week.

Police were called to an incident at their home, and as a result Lorenzo was served a police protection notice. He provided police with up to date contact details.

The next day, Lorenzo flew interstate for work thereby not attending court where a temporary protection order and a notice of adjournment were issued that required service due to varied conditions and further grounds.

Police contacted Lorenzo via email. He stated he would attend a police station upon return to collect court documents. Lorenzo did not attend a police station, and was unable to be located by police at any address he provided.

Immediacy of electronic service would have addressed incomplete document services protecting Angela and the children a lot sooner.

EFFICIENT RESPONSE POST INCIDENT



EFFICIENT RESPONSE POST INCIDENT

Enable electronic document service, subject to consent and the officer explaining the nature of the document ^{2c}

Rationale for change

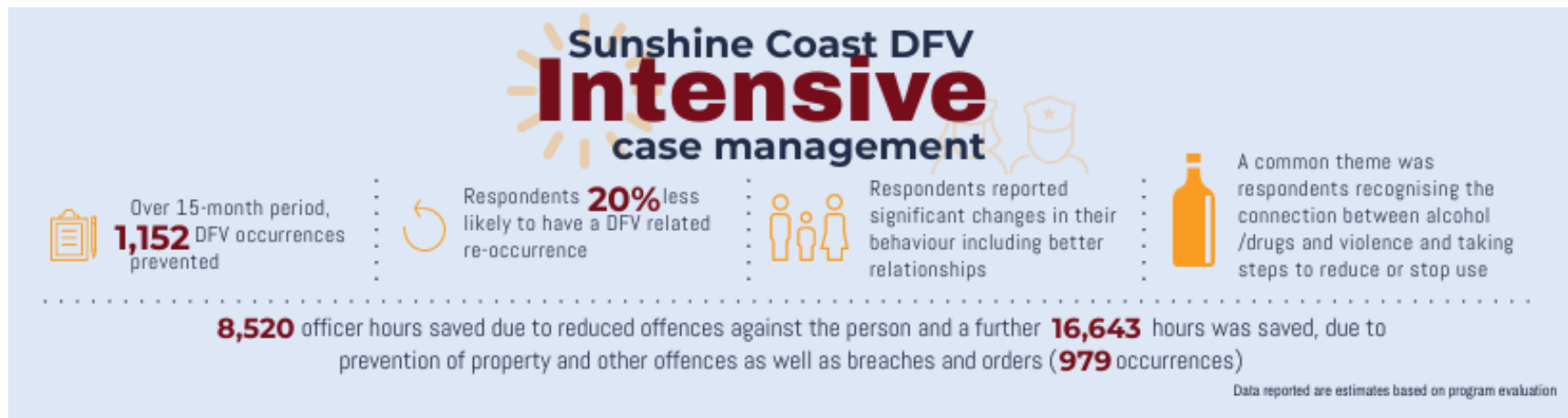
- ☐ Reflects modernisation in line with technological capability
- ☐ Ability to locate respondent often results in delays to court proceedings, having a consequential impact on victims
- ☐ Repeated service of documents for the same incident has significant impact on police resources
 - 47,654 document service tasks actioned by police
 - One incident response can result in 3 (or more) personal service events
 - Each task can take 5 attempts to locate respondent

Impact and benefit

- ☐ Victim protection is in place sooner by ability to electronically serve orders
- ☐ Reduction in court delays, including finalising proceedings
- ☐ Reduction in police time associated with document service, including returning to station with respondent to effect service
- ☐ Supports police model of mobile response
- ☐ Safeguards remain: consent based and notification to aggrieved upon service



PREVENTION AND BEHAVIOUR CHANGE



Jiro's story

Jiro is a young 22 year old man who is known to police to have a history of domestic and family violence. Jiro's family are often the target of his abuse.

Jiro's sister and father took out a domestic violence protection order against him. He repeatedly breached the order and continued to harass and intimidate his family.

Police supported Jiro to take part in a Change Violent Behaviour program for drugs and violent behaviour.

Jiro attended eight one-on-one sessions and learned about triggers for his behaviour. Through the course Jiro realised that when he drinks his domestic violence escalates. Since completing the course he has not had a drink.

Early intervention is shown to reduce domestic violence behaviours.



PREVENTION AND BEHAVIOUR CHANGE

Introduce Diversionary Notice to support early intervention

10b

where it is the perpetrator's first offence, there is full admission, and the offence is non-(physically) violent

Rationale for change

- ❑ Consistent with whole-of-Government directions, Nous identified that many DV respondents could be redirected from courts to behavioural change programs
- ❑ Participation in diversion programs aimed at perpetrator behaviour may have greater impact on repeat offending
- ❑ Court penalty by way of a fine often further victimises the aggrieved and contributes to further financial stress
- ❑ Taking matters before the court is time and resource intensive, with limited penalty for lower level offending
 - approx. 40% of convictions result in fine, good behaviour, community service or conviction only

Impact and benefit

- ❑ Diversion can more meaningfully address the causes of offending, reducing re-victimisation and repeat calls for service
- ❑ Enables a tiered response rather than directing all matters to the court
- ❑ Triggers respondent to own their behavior in order to be eligible for diversion



PREVENTION AND BEHAVIOUR CHANGE

Performance monitoring of domestic violence service providers ^{11a}

Rationale for change

- ☐ An element not fully integrated in the referral model is performance monitoring as part of contract management of domestic violence service providers
 - Providers have a 2 business day response target under the QPS Police Referrals Program
 - Actual response is average of 4 – 5 business days
 - Of the 38,620 domestic violence referrals made, only 36% resulted in services being accepted (with a further 38% on-referred or sent information)
- ☐ Strengthened emphasis required on performance of referral program – both in terms of quality of referrals made by police and response of service providers

Impact and benefit

- ☐ Increased levels of support and assistance to victims
- ☐ Improved response to referrals sent by police to specialist domestic violence providers
- ☐ Reduced redundancy in effort of police and service providers



ADVANCING PROPOSED CHANGES

Proposed initiatives:

- ☐ Achieve better results for victims
- ☐ Support the next phase of Not Now, Not Ever implementation
- ☐ Highlight Government's resolve to maintain a strong stance on addressing domestic and family violence
- ☐ Improves the domestic violence system, providing greater opportunity for protection and proactive prevention

Legislative change required:

- ☐ *Domestic and Family Violence Protection Act 2012* and DV Regulations
 - ☐ Administration of Part 4 of the *DFVPA 2012* held with Police Minister
- ☐ *Evidence Act 1977*
- ☐ *Police Powers and Responsibilities Act 2000*



QPS PRIORITISATION OF LEGISLATIVE PROJECTS

1	Police Protection Notice with mandatory conditions remain enforceable without need for court to make an order ^{3d}	6	Issue a Police Protection Notice to add new conditions to an existing order ^{3b}
2	Enable Domestic Violence Evidence in Chief by way of a video recording ^{9a}	7	Issue a Police Protection Notice where there is an existing order where the current aggrieved is the respondent and the current respondent is the aggrieved ^{4a}
3	Automatically extend a Domestic Violence Order for five years upon a further incident ^{3c}	8	Continued enforceability of a Police Protection Notice after first mention ^{1b}
4	Domestic Violence Orders not to commit domestic violence to any other party ^{8a}	9	Introduce Diversionary Notice ^{10b}
5	Streamline document service ^{2c}	10	Reverse onus on respondents for document service ^{2d}

Note: Above prioritisation is in addition to proposals previously foreshadowed in inter-agency communications and proposal that the Minister for Police become the responsible Minister for the administration of Part 4 of the *DFVP Act 2012*, to improve the efficiency and effectiveness of policing responses to domestic violence.

