
TRANSCRIPT OF PROCEEDINGS

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

COMMISSIONER: HER HONOUR JUDGE DEBORAH RICHARDS

COUNSEL ASSISTING: RUTH O'GORMAN QC
ANNA CAPPELLANO

Mount Isa Court House, 7A Isa Street, Mount Isa.

Tuesday, 9 August 2022

1 MS CAPPELLANO: Good morning, Commissioner. We have four
2 witnesses scheduled to give evidence today. There may be a
3 fifth witness, which we'll confirm and advise later in the
4 day. All witnesses have provided statements, and they have
5 been distributed to the parties. Can I begin by tendering
6 the material which is a statement of Katrina Rapson,
7 statement of Aimee Sewell, a statement of Michael Festing,
8 a statement of Keri Tamwoy, and finally the QPS district
9 intelligence assessment from Far North district, Far North
10 region regarding domestic and family violence in the Torres
11 Strait area in its redacted form, which had been agreed
12 between the parties.

13
14 COMMISSIONER: Yes, okay. So exhibit 36, that is tender
15 bundle T.

16
17 **EXHIBIT #36 TENDER BUNDLE T**

18
19 MS CAPPELLANO: Thank you. I call Michael Festing.

20
21 **<MICHAEL FESTING, affirmed:**

22
23 **<EXAMINATION BY MS CAPPELLANO:**

24
25 Q. Senior Constable Festing, you've provided a statement
26 to the Commission; is that correct?

27 A. Yes.

28
29 Q. And you have a copy of your statement there with you?

30 A. Yes, I do.

31
32 Q. You can refer to that as needed throughout your
33 evidence.

34 A. Thank you.

35
36 Q. Is it the case that you've been a sworn police officer
37 since September 2015, so that's coming up about seven
38 years?

39 A. Yes, correct.

40
41 Q. Prior to joining the police you indicated that you'd
42 graduated from high school and then had worked short
43 periods of time in retail and customer service jobs. How
44 long after graduating high school did you become recruited
45 by the police?

46 A. Two-and-a-half years.

47

1 Q. You indicate that you were posted to Mt Isa for your
2 first-year constable training and then you've been working
3 in Mt Isa in general duties since that period of time.
4 Have you worked anywhere else, or has it always been in
5 Mt Isa?

6 A. I've worked elsewhere in the Mt Isa district, in
7 Normanton, and relieved at other outstations. But my
8 permanent posting has always been Mt Isa.

9
10 COMMISSIONER: So are you from the country?

11 A. My family, yes, when I was young. From Bundaberg.

12
13 COMMISSIONER: Bundaberg, okay. I'm just curious as to
14 you've been in Mt Isa for a while, so --

15 A. Yes.

16
17 MS CAPPELLANO: I noted that you did your training in
18 Oxley in South East Queensland. Did you choose to be
19 posted to Mt Isa?

20 A. Yes, I did.

21
22 Q. And it's been your choice to stay for that longer
23 period of time?

24 A. Yes.

25
26 COMMISSIONER: So what attracted you to Mt Isa?

27 A. The country policing, the laid-back style, and from
28 what I heard you could learn much more out here than the
29 big city life, I guess.

30
31 MS CAPPELLANO: Are you able to indicate - sorry, if
32 I just ask you about your first-year constable program.
33 That was all within the Mt Isa Police Station rather than a
34 district --

35 A. Yes, it was.

36
37 Q. Rather than further remote places throughout the
38 district?

39 A. Yes, just the Mt Isa Police Station.

40
41 Q. Did you have one trainer, first-year constable
42 trainer, the whole time, or supervisor, or did you have a
43 couple of different supervisors?

44 A. The way it works, the first two months I had one
45 officer for one month, another officer for the second
46 month, and then after the first two months you work with
47 different people on your shift but it always is a senior

1 officer to the first-year.

2

3 Q. Are you able to give any indication of how senior
4 those officers that were your supervising officer were, or
5 was it just too varied?

6 A. For my first month my senior officer had four years
7 service, and my second month my senior officer had about
8 14, 15 years service.

9

10 Q. And then was it very variable from that period of time
11 as to whoever was at the station rostered on with you?

12 A. And then it was just - it's varied, yes, correct.

13

14 Q. How important did you find that supervisor position
15 when you were doing your first-year constable training?

16 A. Very important. You would work with the same person
17 for a month straight, so they keep an eye on you as you
18 progress and teach you something every day. Some shifts
19 carry over into the next day, and some jobs carry over, so
20 having the stability is very vital for learning.

21

22 Q. In terms of the domestic and family violence work that
23 you do in the Mt Isa district, are you able to indicate how
24 many domestic and family violence callouts or occurrences
25 you would deal with per shift or per week, whatever's
26 easiest in terms of --

27 A. I would say on average maybe two or three a shift.
28 Some days none; some days five or six a shift. So on
29 average across the board every shift you'd attend a few.
30 Not always are you the investigating officer or the crew
31 dealing with the job, but you at least attend multiple
32 instances and assist other crews with those jobs.

33

34 Q. Are you able to give any indication - it might be that
35 you can't - of how long those jobs would take on average,
36 or is it really case by case?

37 A. Case by case depending on if it is criminal charges in
38 nature or a civil matter, being an application. Some take
39 a few hours at least, the quickest probably an hour maybe
40 from - or an hour of paperwork maybe, but including
41 attending the scene and the job, probably an hour and a
42 half is as quick as you can do a job.

43

44 Q. Do you ever feel pressures in terms of time to get a
45 job done time wise so that then if there's other matters
46 which you need to attend to?

47 A. Yes, absolutely. Yes. Just knowing that other jobs

1 pop up and there might be no other crews available or
2 knowing that once I finish that there may be another job
3 waiting. So, yes, at times you do feel rushed to get to
4 another job, absolutely, and then you can hear the radio
5 all the time where they're asking for another crew to
6 attend a job and you know that that's just waiting for you
7 once you finish the current one. So, yes.

8
9 Q. That's a real pressure that you're feeling?

10 A. Yes, absolutely.

11
12 Q. Do you have any observations about whether the
13 domestic and family violence matters that you're attending
14 to in the Mt Isa district involve controlling type
15 behaviours, involve physical behaviour or a mix of both?

16 A. I would say more so physical than controlling. The
17 majority of incidents we do attend are physical assaults
18 and actual violence as opposed to controlling behaviours.

19
20 Q. Are controlling behaviours something that you see or
21 that you're aware of when you're going to incidents
22 involving domestic and family violence?

23 A. Yes, absolutely.

24
25 Q. In terms of your training at the police --

26
27 COMMISSIONER: So how do you find out about that
28 controlling behaviour? What approach do you take?

29 A. By speaking with the aggrieveds and understanding how
30 they feel and I guess just prompting those questions,
31 asking if they can make choices on their own or if they get
32 to go where they want to be or hang out with people they
33 want to hang out with, just asking them, and they often let
34 us know that they can't do certain things or they'll say
35 they're told that they can't be with this person or can't
36 be with that person.

37
38 MS CAPPELLANO: In terms of your training at the academy,
39 you indicated that you did your training at Oxley and that
40 it involved both scenario-based training and theoretical
41 training; is that right?

42 A. Yes.

43
44 Q. And you indicate that you felt that the academy
45 prepared you for responding to and investigating domestic
46 and family violence incidents. In hindsight, is there
47 anything further that you can say now that you've been out

1 in the field for close to seven years would have helped to
2 have training about in the academy?

3 A. Looking back now, I feel like the scenarios you do in
4 the academy are role players, they're told what to say,
5 when to say it and how to react to what we say; so once we
6 say the right things their behaviour changes. I think it
7 would be beneficial in academy to show recruits, which
8 I was at the time, real-life body-worn footage of how
9 incidents don't always work out the training shows.

10

11 COMMISSIONER: How they don't necessarily react like you
12 think they would?

13 A. Yes. So we get taught in the academy to say this and
14 they'll respond - if you do this, then the role player will
15 calm down, whereas in the real world you try all those
16 things and sometimes someone just doesn't calm down or
17 sometimes they won't - you say "tell me about this" and
18 sometimes they just won't tell you, whereas if you say that
19 in the recruit format you've ticked a box and it's the
20 right thing.

21

22 COMMISSIONER: Yes, and then you'll get the reaction that
23 you expect?

24 A. Yes, Your Honour.

25

26 MS CAPPELLANO: So that watching incidents on body-worn
27 camera footage and a variety of incidents would be
28 something that would have been useful, you think, at the
29 academy level?

30 A. Yes, I believe so, to show a real-world scenario
31 without them being out there. There is a station duty
32 where you do see it but you're not the one talking to them.
33 You're just standing back watching. But watching the
34 body-worn would show them how a person reacts to police.

35

36 Q. Did you ever while you were at the academy or
37 afterwards hear from victim survivors in real life or even
38 on video giving their accounts of occurrences or police
39 responses; was that part of your training?

40 A. Yes.

41

42 Q. At the academy or since?

43 A. At the academy.

44

45 Q. So did somebody come in in person, or how did that
46 work?

47 A. Yes, someone attended in person. I don't recall who

1 they were. It was a while ago.

2

3 Q. No, of course.

4

5 A. But someone did attend and speak with our intake and
6 advise - they told us the backstory of their life, their
7 domestic violence - the domestic violence they were exposed
8 to and their interactions with police. I guess they were
9 more of a motivational speaker now where they were telling
10 their story of survival, but, yes, that happened.

11

12 COMMISSIONER: Did you find that useful?

13

14 A. Yes, absolutely, yes. It was at the time probably
15 confronting because you got to see the aftermath of what -
16 or the result of police interaction, which was good. But,
17 yes, very useful to understand that we did make a
18 difference - or the police that dealt with her made a
19 difference.

20

21 COMMISSIONER: Yes.

22

23 MS CAPPELLANO: In terms of your station duty, you
24 indicate that you spent a week at Bundaberg Police Station
25 observing them during their shift. In that period of time
26 did you observe domestic and family violence matters in
27 callouts?

28

29 A. Yes, I did.

30

31 Q. Did you find that a week was long enough for that
32 station duty?

33

34 A. I guess long enough to see how it worked, yes.

35

36 Q. Did you find station duty helpful and useful?

37

38 A. Yes, absolutely.

39

40 Q. Do you have any view on whether it would be useful to
41 have more time being able to observe at the station or less
42 or one week's adequate; what's your view?

43

44 A. I think longer would be better, yes.

45

46 Q. Did you do that at the start or the end or the middle
47 of your training?

48

49 A. From memory, it was about through the four-month mark
50 out of the six months. So past halfway, but yes.

51

52 Q. Do you have any view on whether that was a good
53 timeframe in that you'd learnt something or whether it
54 would have been useful to do it later, earlier or --

55

1 A. I think it was a good time because we had learnt
2 enough about domestic violence and other first response -
3 there's legislation and incidents that we can respond to,
4 and then we went and saw them, then we went back and
5 finished the rest of our training before going on the road.

6

7 Q. In terms of the amount - you indicated you do probably
8 two to three on average domestic and family violence
9 callouts per week in the real world when you're working as
10 a police officer in Mount Isa. Did you have any sense or
11 were you told before joining the academy how much of your
12 work would be domestic and family violence related?

13 A. More so just word of mouth about how much you'll do,
14 yes. Nothing official from the QPS saying that, "This is
15 what you'll be doing," but, yes, just word of mouth and
16 people saying that that's a large part of the job, yes.

17

18 Q. And that was before the academy or while you were in
19 the academy?

20 A. While we were in the academy.

21

22 Q. Before you joined the academy did you have any sense
23 of how much domestic and family violence work there would
24 be?

25 A. No. No, I didn't.

26

27 Q. In terms of finding that out through the academy, that
28 was through other recruits or more informally?

29 A. Yes, other recruits and facilitators, sergeants at the
30 academy who have that real-world experience.

31

32 Q. In terms of cultural awareness training, did you do
33 any of that at the academy?

34 A. Yes.

35

36 Q. How was that delivered? Was it by police - just by
37 police facilitators, or did people come in and talk to you
38 as well, people from different cultural backgrounds or
39 First Nations community leaders?

40 A. I cannot recall if someone came in and spoke to us,
41 sorry, but I do know facilitators spoke about it and we
42 touched on First Nations, the legislation and the cultural
43 differences, and we also did online learning products,
44 being online training.

45

46 Q. Through the academy?

47 A. Yes.

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Q. Those online learning products, did that occur during the course or after? Did you do them at night as homework, or is that something you can't remember?

A. I can't recall, sorry.

Q. Since leaving the academy you outline in your statement some of the post-academy training that you've done and you indicate that you haven't received any DFV-specific training other than completing some mandatory training and online learning products?

A. Yes, correct.

Q. You also indicate that during your first-year constable program there was a DFV component to that?

A. Yes.

Q. But aside from - if we take that first year out, the products that you've completed or the training that you've done in the around seven years or probably six years since finishing your first-year constable training is an OLP, the first one that you talk about there, and if it's useful - this is at paragraph 10 of your statement, the dot points?

A. Yes.

Q. You talk about having done two OLPs in 2017?

A. Yes.

Q. Being the Domestic and Family Violence Protection and Other Legislation Amendment Act OLP and the domestic violence and related matters OLP, or is that an assignment?

A. That's an assignment, that one.

Q. Does that stem from the OLP?

A. No, that was the constable development program to become a senior constable. You had to get - you had to complete eight assignments, and that was one of them.

Q. Okay. So that was part of your promotion training?

A. Yes, correct.

Q. Then there's nothing further in the next five years until you get to some training that's been completed relatively recently. Both OLPs indicate that they were completed on 31 May of this year, that being the domestic and family violence policing enhancement training OLP and

1 the coercive control OLP. Did you do them at the same time
2 back to back?

3 A. Yes.

4

5 Q. How long did those OLPs take to complete?

6 A. Maybe an hour.

7

8 Q. Each or together?

9 A. Combined.

10

11 Q. An hour combined. Were you given time on shift to
12 complete those OLPs, or were you fitting it in amongst
13 other jobs?

14 A. Fitting in amongst other jobs.

15

16 Q. Were you able to do - that hour that you indicate for
17 both of those OLPs, was that an hour uninterrupted amongst
18 other jobs or a snatch of time here and a snatch of time
19 there throughout that day?

20 A. From memory, I believe it was uninterrupted. But,
21 yes.

22

23 Q. Have you done any - I assume from what you've said in
24 your statement, but just to be sure - face-to-face training
25 or what's been referred to as blended training where
26 there's online and face-to-face learning since leaving the
27 academy?

28 A. No, I have not, no face-to-face training.

29

30 Q. Is that in relation to any topic, not just domestic
31 and family violence?

32 A. Sorry, I've done other face-to-face training on other
33 topics, but none for domestic violence.

34

35 Q. You indicate that you haven't done any - these are the
36 mandatory trainings and there hasn't been any additional
37 voluntary training in relation to domestic and family
38 violence, but you have done some self-learning in terms of
39 looking up legislation and working out how certain
40 things - parts of legislation apply. Would that be a
41 correct I guess summary of the evidence you've given in
42 your statement?

43 A. Yes, correct.

44

45 Q. You also indicate that from your perspective you don't
46 see that there are gaps in terms of the domestic and family
47 violence training?

1 A. Correct.

2

3 Q. Can I ask you whether you prefer in terms of a
4 learning style online learning products as opposed to
5 face-to-face learning; do you have a preference to how you
6 learn better?

7 A. I prefer online, being able to read and being able to,
8 I guess, take your time going through things. That's just
9 how I work. I like to read about the legislation. So,
10 yes.

11

12 Q. That's your preference?

13 A. That's my preference, yes.

14

15 Q. Do you have any view on whether a preference for that
16 blended type training where there's some face-to-face but
17 there's also the online learning so that you can get
18 across, I guess, content - do you have any view on that?

19 A. The face-to-face learning would be good to ask
20 clarifying questions, yes, and be able to pose scenarios to
21 the trainer and ask them to clarify things. So, yes, I can
22 see that would be beneficial.

23

24 Q. You make a comment that you prefer theoretical
25 training as opposed to practical scenario based training.
26 Is that what you're talking about the OLP versus
27 face-to-face scenario, or is that something different?

28 A. No, I'd say something different. Scenario is more so
29 like - the scenario training you do at academy, that
30 wouldn't be beneficial to us now because we're already
31 doing those jobs on the road. Scenarios wouldn't be
32 beneficial to us, whereas face-to-face discussing the topic
33 and discussing the legislation, yes, that would be
34 beneficial.

35

36 Q. So that's what you're talking about when you're
37 referring to theoretical training?

38 A. Yes, correct.

39

40 Q. When asked to outline some training improvement
41 opportunities, at paragraph 14 you talk about a training
42 package with uncommon or complex examples of domestic and
43 family violence scenarios and how to resolve or act upon
44 them would be useful for new officers and serving officers
45 to refer to/draw upon when faced with a challenging
46 domestic and family violence situation. How do you see
47 that looking?

1 A. That paragraph indicates to where - I explain where
2 for a scenario, say, there's a protection order in place
3 one way and we need to do a PPN the other way, just
4 outlining the requirements of what to do when and where.
5 I guess an easy checkbox of the scenario you have to what
6 is the required outcome and what you need to do.
7 I can't - I'm not sure on how to write that training, but
8 that's something easy to check back on, compare the
9 scenario that we have to a written scenario on a document,
10 I guess, and analyse where this matches that so that that
11 means we have to do this, this is the action we have to
12 take.

13
14 Q. In terms of that, the type of thing that you're
15 talking about there, is it also understanding what sort of
16 questions you need to be asking to determine what an
17 appropriate outcome is, or is it more just have a case
18 study that might be similar to something you come up
19 against in real life?

20 A. More so having a case study of outlining a scenario
21 that has happened or can happen and this is what you're
22 required to do and comparing that to the scenario that
23 we're facing and being able to understand that that's what
24 we need to do in the scenario.

25
26 Q. In terms of what you refer to as further training in
27 the civil jurisdiction in which domestic and family
28 violence applications are made would be useful, have you
29 had any training either in the academy or otherwise about
30 constructing domestic and family violence affidavits?

31 A. I don't believe so.

32
33 Q. Have you - and is that something - is that the type of
34 thing you're referring to when you talk about having
35 further training in the civil jurisdiction?

36 A. Yes, absolutely. We understand the criminal bit. We
37 all know how to do criminal charges and court briefs, and
38 then there's I don't believe any training in relation to DV
39 applications or contested DV applications, which are much
40 more complex than just a standard criminal court brief or a
41 criminal court brief of evidence.

42
43 COMMISSIONER: In what way? What makes them more complex?
44 Is it just that you've had no training or?

45 A. Just having to do affidavits as opposed to statements,
46 what we can raise in affidavits instead of statements,
47 being able to introduce hearsay in affidavits, and the

1 completion of them instead of - so, yes, the training on
2 how to compile a full brief of evidence for a contested
3 application as opposed to a contested criminal charge.
4

5 COMMISSIONER: Okay. Because the actual form of the
6 affidavit's not that much different?

7 A. Yes.
8

9 COMMISSIONER: It's just that we were talking about this
10 the other day. So you're sort of not given any real
11 training in what extra things can go into an affidavit as
12 opposed to the strict evidence of a police brief?

13 A. Yes, correct.
14

15 COMMISSIONER: Okay.

16 A. Yes, Your Honour.
17

18 MS CAPPELLANO: So the content rather than the form?

19 A. Yes.
20

21 Q. In terms of the form, I guess, do you have an
22 affidavit template that you're able to use at the station
23 if you're having to compile affidavits for briefs of
24 evidence?

25 A. I don't believe so, no.
26

27 Q. So what do you do?

28 A. Advice from police prosecutions, advice from shift
29 supervisors on how to compile it. To be honest, I haven't
30 done a contested application for a while. But I do know
31 and just from experience and seeing other officers the
32 struggle with compiling them and the more information that
33 is required to put in them. It may be that they have
34 investigated a criminal matter but now they have to put all
35 those criminal statements back into an affidavit and have
36 them signed and JPed again. That sort of process is a bit
37 long and drawn out, I believe.
38

39 Q. And it's not that there's - "here are the templates
40 that you use", or there's not those sort of ready reckoners
41 to be able to get that in terms of the form of that brief.
42 Is that what you're talking about?

43 A. Yes, correct. Yes.
44

45 Q. In terms of this difference between civil jurisdiction
46 and the criminal jurisdiction, do you receive training on
47 differences in terms of standards of proof?

- 1 A. Yes.
2
3 Q. What does that talk about? Sorry, that was a very
4 poorly asked question. What's the difference between the
5 civil and criminal standard of proof?
6 A. It's beyond reasonable doubt, is it?
7
8 Q. And that's in relation to?
9 A. Criminal.
10
11 Q. Yes.
12 A. And balance of probabilities in relation to civil.
13
14 Q. What do you understand the balance of probabilities to
15 mean?
16 A. Not having a clearcut beyond reasonable doubt. So
17 I guess a couple of statements leading one way compared to
18 one statement leading the other way, that being the balance
19 of probabilities, it's more probable that this has
20 happened, whereas criminal being that there's no doubt that
21 it has happened.
22
23 Q. In terms of learnings in relation to domestic and
24 family violence matters, did you learn at the academy or
25 otherwise about using the PAF?
26 A. Yes, at the academy and as well in our first year.
27
28 Q. Is that something that you still use?
29 A. Yes, in every single domestic violence incident.
30
31 Q. Do you find the PAF useful?
32 A. Yes.
33
34 Q. In terms of domestic and family violence training, do
35 you use the new version of the Qlite programs?
36 A. The new Qlite NextGen --
37
38 Q. NextGen perhaps, yes.
39 A. To be honest, I try not to use it because it's
40 extremely - I believe it's extremely clunky. But I have
41 used it, yes.
42
43 Q. But you prefer --
44 A. I prefer the old one, absolutely.
45
46 Q. I don't know what - OldGen, I was going to say, the
47 classic?

1 A. That was - sorry, the Qlite classic. It's, yes, much
2 easier to use, much more straightforward, whereas the
3 NextGen I believe they have tried to - previously you could
4 only complete the civil matters on the Qlite and you
5 couldn't complete a domestic violence contravention. But
6 now you can complete it on NextGen. I just believe it's
7 too clunky.

8
9 Q. So why is it - are you able - it might be that that's
10 something you can't articulate, but --

11 A. The way the app is designed, it doesn't work very
12 well. The required information is on the face value of the
13 person and it outlines who has an order and who they have
14 an order with, all previous domestic violence incidents
15 with certain people, but just bouncing between information
16 trying to complete the occurrence, it's very messy.

17
18 Q. Okay. So you prefer the classic?

19 A. Absolutely.

20
21 Q. In terms of your domestic and family violence
22 training, are you taught about terminology such as a
23 gendered issue, that domestic and family violence is a
24 gendered issue; is that something that you learn about?

25 A. Yes.

26
27 Q. Where did you learn that?

28 A. At academy and in our first year.

29
30 COMMISSIONER: Do you find that that is the case, it is a
31 gendered issue?

32 A. Yes.

33
34 COMMISSIONER: Why is it a gender issue?

35 A. I believe - I feel like it's the culture. When we
36 discuss domestic violence incidents it's always - we say
37 "he did this to her". On face value, that's how we always
38 talk about it. I'll admit that that's how we talk about
39 it, we say "he punched her" or "he did this to her". So
40 I believe, yes, it is a gendered issue. We believe it's
41 more so male over female.

42
43 COMMISSIONER: All right.

44 A. That's how police speak. That's how we talk about it,
45 it's how we discuss it. It kind of flows and comes out
46 like that, and that's how any scenario is discussed. It
47 often is a "he did this to her".

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COMMISSIONER: Was there any discussion in any of the training about why it's a gendered issue?

A. No, I can't recall, sorry, Your Honour.

COMMISSIONER: Okay.

MS CAPPELLANO: In practice, do you find that the training or the theoretical concept of domestic and family violence being a gendered issue also translates to what you see in practice in terms of how many women are aggrieved or respondents as opposed to men?

A. Sorry, can you --

Q. Sorry. You're talking about a gendered issue and you've been taught that domestic and family violence is a gendered issue?

A. Yes.

Q. In practice when you're policing do you find that it is a gendered issue, that there are more women who are aggrieved as opposed to respondents?

A. Yes.

Q. Are you able to give any sense of how many - I guess the levels of which there are females who are aggrieved as opposed to being respondents?

A. Look, if I was to guess I would probably say 70 per cent male to 30 per cent female, I guess, as respondents, as a guess of how often I see males as respondents as opposed to female as respondents.

Q. Have you heard of the term "trauma informed practice" in your training?

A. No, I can't recall that, sorry.

Q. Have you been taught that you need to get versions off both the aggrieved and the respondent before taking out an order? Is that something that you're taught about?

A. Yes.

Q. What are you taught in that regard?

A. We are to speak to all parties involved to try to clarify the truth or what has occurred. We don't just take one person's version as gospel. We speak to all parties, as many witnesses as possible, to see if they can corroborate either the aggrieved or - both sides' versions

1 until we can decide who is the aggrieved and who is the
2 respondent. But, yes, we do speak to all parties.

3
4 Q. What happens if you can't speak to all parties? What
5 do you do in that situation?

6 A. At times we've had to just go off what the - the one
7 version we have, the one side, we have had to put that
8 before the court before where we cannot locate the other
9 person, and the version we have is believed to be - from
10 that we believe that that person is the aggrieved. We
11 attempt to speak with all parties, but at times we have put
12 applications before a court without speaking with the
13 alleged respondent.

14
15 Q. When you attend a callout, how do you make decisions
16 about who to talk to first?

17 A. Just normally they make themselves known to you, but
18 you often just ask - or on our job system we have the name
19 of the informant. We normally ask to speak with Bob or Tom
20 or someone and speak with them and ask why they called, and
21 they will normally point out and say, "I've called because
22 they have asked me to call," or, "This is what happened,"
23 or they're - the person that's calling, you go speak to
24 them and they'll say, "Yes, I called the police. This is
25 why," and so you work out who to speak to. If there are
26 other people present, you will ask around to see if anyone
27 witnessed it.

28
29 Q. So will it depend on - so do you make those enquiries
30 to work out who has in fact called the police as opposed to
31 whoever answers the door first, or is there a difference
32 there or it's just case-by-case basis?

33 A. I would say case by case, but more often than not we
34 do try and find the informant. If it is on the job card,
35 it will have their name and number. Sometimes jobs come
36 through as anonymous, but we will try and speak to the
37 named person as the informant, yes.

38
39 Q. Do you encounter any practical difficulties in terms
40 of taking versions from the different people who might be
41 at a callout when not in the presence of the other person,
42 or does it just have to happen that it's in the presence if
43 you're maintaining line of sight with your partner? Is
44 that a difficulty for you that you experience?

45 A. Yes, it is. There's times where I've spoken to a
46 person and they've been hesitant to tell their full story
47 because the other party is a few metres away talking to my

1 partner. We do as best to separate them as far as we can,
2 obviously maintaining safety, but to speak to them
3 separately. We would never sit them side by side and let
4 each other hear each other's version. So, yes, they are
5 separate. They do have the chance to provide their version
6 without the other party hearing it. It's not so often that
7 we can take them to a completely different place, take them
8 back to the station to get that version. It's often at the
9 scene where they're separated by five or six metres kind of
10 thing where they can talk to us in private. But, yes, we
11 do separate people to speak to them.

12
13 Q. But from the evidence that you've given is it the case
14 that sometimes people actually have to - in order to
15 maintain line of sight with your partner and safety from
16 that police point of view, you are talking to the aggrieved
17 in the same room that your partner might be talking to the
18 respondent?

19 A. Yes.

20
21 Q. Are you taught about whether or not to lay additional
22 criminal charges if there's a breach of domestic and family
23 violence situation? So, for example, if you're called to a
24 callout and the allegation is that there is an assault
25 which breaches the domestic and family violence order, are
26 you taught anything about whether you proceed solely with
27 the breach charge, whether you make an additional - also
28 charge an additional criminal charge of an assault? Are
29 you taught what to do in that situation, or is that a
30 case-by-case basis?

31 A. No, we're taught, yes.

32
33 Q. What are you taught in that regard?

34 A. If there are extra criminal charges and if evidence
35 exists for those criminal charges, to place them on as well
36 if there's --

37
38 COMMISSIONER: So how often do you charge, because you
39 said the majority of matters are physical?

40 A. We are taught to charge on the basis of a
41 contravention as well as an assault, and if we can separate
42 the breach of good behaviour as opposed to the assault we
43 do so and separate that in the facts.

44
45 COMMISSIONER: How often do you charge, was the question?

46 A. Sorry, Your Honour?

47

1 COMMISSIONER: How often do you charge - when you go to a
2 domestic violence offence, how often do you charge a
3 criminal offence?

4 A. Fairly regularly we have breach of domestic violence.
5 Are you asking, sorry, if we charge extra --

6
7 COMMISSIONER: Yes.

8 A. -- charges or just the contravention?

9
10 COMMISSIONER: So when you have a callout you said most of
11 them are physical disturbances. So that might lead to an
12 application?

13 A. Yes.

14
15 COMMISSIONER: It might lead to nothing. It might be a
16 breach. Yes?

17 A. Yes.

18
19 COMMISSIONER: So with the applications and the breaches
20 how often are they accompanied by criminal charges?

21 A. If I was to guess, maybe one in 10 or 15 incidents
22 where people will actually want to prefer and want to
23 provide a statement which assists us in preferring charges.
24 Quite often they will tell us what happened and won't want
25 to make a complaint of any assault or won't provide a
26 statement at all. They'll just tell us a version, and we
27 can't put that before the court. So I'm unsure of the
28 statistics, but I would say probably one in 15 jobs I go to
29 where a charge is laid in relation to any physical assault.

30
31 COMMISSIONER: Okay. Is that simply because they say they
32 don't want to proceed?

33 A. Correct, and they will refuse to sign a notebook
34 statement or provide us with enough evidence to put on a
35 statement. So, yes.

36
37 COMMISSIONER: Have you ever proceeded without the
38 complainant on the evidence of other witnesses?

39 A. No.

40
41 COMMISSIONER: Okay. Why's that, or you've never had that
42 scenario?

43 A. No, I have had that scenario. Unfortunately, quite
44 often there is - we believe something has happened. It's
45 further in my statement, but there's often times where we
46 believe an incident has occurred, no-one wants to tell us,
47 and we've been unable to charge because of fear of failed

1 prosecution or scrutiny for putting someone before the
2 court and having insufficient evidence.

3
4 COMMISSIONER: Do you ever go back the next day when
5 things are perhaps a bit calmer to see if they're still
6 interested?

7 A. Yes, and quite often here is that no-one's interested
8 or they have forgotten about it and moved on.

9
10 MS CAPPELLANO: In terms of you talk about
11 the complexities of domestic and family violence situations
12 and callouts --

13 A. Yes.

14
15 Q. -- do you ever find it difficult to assess a person
16 who might be in most need of protection?

17 A. Yes.

18
19 Q. Are you able to talk the Commission through what
20 thought process you have in terms of trying to make those
21 determinations, what you do or you've been taught to do to
22 assess who is the person in most need of protection?

23 A. Yes, so if, say, both people - each party has
24 assaulted each other, we speak with both people separate
25 and understand, one, how they felt, we look at injuries and
26 the level of injuries, we compare parity/disparity, that
27 sort of thing, and understanding who felt what. Sometimes
28 people generally aren't that upset that they have been
29 assaulted and then they might not worry, whereas we might
30 have someone who's very fearful they have been assaulted
31 and you can see emotion on their face, or the way they
32 speak you can clearly see that, one, they are fearful, they
33 do care about it, and we believe that that person is in
34 most need of protection.

35
36 Q. Do you ever look at the history of the relationship or
37 history of other DV occurrences in that process?

38 A. Yes, we do. Yes, absolutely. Yes.

39
40 Q. How do you do that?

41 A. Through our Qlite you can see - this is the one good
42 thing about the Qlite NextGen, is that it outlines all
43 domestic violence incidents between that aggrieved as a
44 person. So it will say that they have had a few incidents
45 previously where they have been finalised as a DV other
46 action or a DV no DV, and then we can understand how many
47 times that's happened, we can read back through the

1 occurrences, looking through our QPRIME, which is our
2 police system, and seeing what's happened previously. We
3 compare that and say, "This incident is an assault, and
4 there's been two or three others that were assaults," and
5 we can see that that's happened over time and build a bit
6 of an extended case and understand that that person - that
7 wasn't the first time it happened and that person has been
8 assaulted a few times over the course of their
9 relationship, and then we'll deem that it's required to
10 make an application.

11

12 Q. That happens at the scene with your Qlite?

13 A. Yes.

14

15 Q. Are cross-orders common at those type of incidents?

16 A. Cross-applications or just --

17

18 Q. Cross-applications, sorry, yes.

19 A. No. I've --

20

21 Q. You try to identify the single person most in need of
22 protection?

23 A. Yes.

24

25 Q. You talk in your statement about interactions with the
26 domestic and family violence and vulnerable persons unit,
27 or lack of interactions perhaps?

28 A. Yes.

29

30 Q. Do you know how long the unit's been in Mt Isa, there
31 has been a DFVVPU?

32 A. To guess, maybe 18 months.

33

34 Q. You talk about having not contacted them at all?

35 A. Correct.

36

37 Q. But that you have contacted an after-hours DFV
38 coordinator at the Brisbane communications centre on one
39 occasion for assistance?

40 A. Yes.

41

42 Q. What led you to contact the DFV coordinator at that
43 point in time?

44 A. That incident - my recollection was it was a
45 discussion based on what someone felt and assumed a threat
46 was. It was text messages in relation to a threat, but
47 they took it as being - they were threatening them. There

1 was nothing named and it wasn't a directed threat. So
2 I clarified with the DFVC centre in Brisbane and spoke to
3 them and just discussed the level of evidence and if it did
4 constitute domestic violence and was sufficient for a
5 domestic violence application.

6

7 Q. What advice were you given?

8 A. That it was not sufficient for a domestic violence
9 application, yes.

10

11 Q. Did you find it useful to be able to make that call?

12 A. Yes, absolutely.

13

14 Q. That's the only time you've contacted the call
15 centre --

16 A. Yes.

17

18 Q. -- coordinators? Is there any reason why you haven't
19 contacted - and this isn't a criticism, but in terms of the
20 VPU unit, is it because you haven't felt you needed to or
21 is there - you felt at the time that you've needed to there
22 might not be people on roster at that point in time? Is
23 there any reason why or barrier to contacting to the VPU to
24 ask for advice in those complex matters?

25 A. Yes, most of our DFV incidents would happen after
26 hours, afternoon and night time.

27

28 Q. Yes.

29 A. It's a Monday-to-Friday 8-to-4 unit.

30

31 Q. Yes.

32 A. So often not available to talk to. But I believe
33 quite often just liaising with our shift supervisor and
34 discussing the incident we have does - I guess it covers
35 off what we do need to do. There's not been many times we
36 have needed to contact them, where the incident is that
37 blurry that we need to clear things up with them.

38

39 Q. Is it something that you think would be useful, to
40 have a DFVPU officer able to be contacted no matter what
41 time of day or night you're responding to a domestic and
42 family violence order if you needed them?

43 A. Yes, I believe so.

44

45 Q. You also talk about not having had any contact with
46 the HRT team and that you're not really aware of the role
47 that the HRT team plays; is that right?

1 A. Yes, correct. Sorry, that HRT team, what you
2 mentioned, is what you've called our VPU team in Mt Isa.
3 We don't actually have a VPU in Mt Isa.

4

5 Q. Okay.

6 A. So DFVC office.

7

8 Q. The DFVC office is the high-risk team?

9 A. Here, yes.

10

11 Q. And that's what you're also referring to as the VPU
12 unit?

13 A. Yes, correct, yes.

14

15 Q. In other jurisdictions, Townsville or Brisbane, there
16 might be a different organisation that is the specific VPU
17 team?

18 A. Yes.

19

20 Q. In terms of the DV support services in and around
21 Mt Isa, if we're looking externally to the police, we've
22 talked about VPUs or high-risk teams that you might be able
23 to call on for your help while you're attending a callout
24 within the police. If I ask you now about DV support
25 services external to the police. Are you aware of what
26 services are available in and around the Mt Isa area to
27 support aggrieveds or respondents to domestic and family
28 violence matters?

29 A. Yes. We have Save the Children, which is an
30 organisation which assists aggrieveds in domestic violence
31 incidents. I'm aware they work out of our station
32 regularly afternoon shifts and finishing after 10 o'clock
33 or midnight, where, if we need to, they can come to an
34 incident, they can help talk to an aggrieved.

35

36 COMMISSIONER: So they're actually in the station?

37 A. Yes, they work out of one of the offices in our
38 station.

39

40 COMMISSIONER: Every day - sorry, what --

41 A. Most days. I would say four or five days a week
42 they're actually in the station.

43

44 COMMISSIONER: And afternoons into evening, are they?

45 A. Yes, they normally do either 2 pm to 10 pm shifts or
46 4 pm to midnight. So they can attend an incident with us
47 to assist. We can call them if they're working at the

1 time. There's been times where an aggrieved won't speak to
2 us or is hesitant to speak to us. So the Save the Children
3 team has been able to take them back to the station or take
4 them to a safe place and speak to them and they have opened
5 up much more, and from that they have been able to convince
6 them to speak to us and give us the version or evidence we
7 need. They have also been able to assist with emergency
8 accommodation, being able to remove aggrieveds and children
9 or family of the aggrieved to a safe location, and find
10 them accommodation and food and supplies they need to get
11 them out of there.

12

13 COMMISSIONER: Do you find that a good service?

14 A. Yes, absolutely.

15

16 COMMISSIONER: How long have they been there?

17 A. Maybe two years, from memory. It's a guess.

18

19 COMMISSIONER: Has that made a difference to --

20 A. Yes, it has. There has been incidents that were - we
21 wouldn't have been able to help the aggrieved as much as
22 they could have. So it absolutely did help. It helped us
23 get the evidence we needed from the aggrieved, otherwise we
24 wouldn't have had really anything to go on. They have been
25 able to speak with people or get them to open up to us as
26 well.

27

28 COMMISSIONER: Do you ever have chats with them just
29 generally about the dynamics of domestic violence?

30 A. Sorry, with the Save the Children workers?

31

32 COMMISSIONER: Yes.

33 A. Yes, yes.

34

35 COMMISSIONER: And is that helpful, like just generally
36 talking about it to someone with perhaps a different focus?

37 A. Yes. Yes, absolutely. They look at I guess more of a
38 long-term view and are able to get more of a story out of
39 them, and they can tell us why certain things happened or
40 why they're feeling that way or --

41

42 COMMISSIONER: Or why they go back?

43 A. Yes, absolutely.

44

45 MS CAPPELLANO: That's something you advised

46 the Commissioner is a useful service. Do you feel

47 comfortable calling upon the embedded workers from Save the

1 Children to attend a callout, you personally?

2 A. Yes, I do.

3

4 Q. Is it something you do regularly?

5 A. Not too regularly. Most times we can help the
6 aggrieved find other accommodation. In Mt Isa most people
7 have extended family that if we say, "Where can we take
8 you," and they say, "This person's house," or, "That
9 person's house," we can transport them there. There have
10 been times where someone has had no family, no support
11 network, in Mt Isa and we've been able to lean on the Save
12 the Children for them to find them accommodation.
13 I can't - probably once every month or once every two
14 months we use them for those situations which are a bit
15 tricky - accommodation and food, a safe place where the
16 respondent doesn't know where the aggrieved is going to be.

17

18 Q. Or a particularly reluctant aggrieved; is that another
19 context in which you'd use Save the Children?

20 A. Yes.

21

22 Q. In terms of referring aggrieveds that you're dealing
23 with primarily, so the Save the Children haven't come to
24 the callout, do you as a practice refer aggrieveds to a
25 support service such as Save the Children?

26 A. Yes, we do.

27

28 Q. So how does that - does that happen every time or --

29 A. We put on referrals every time we attend an incident,
30 whether they accept them or decline them, and if they do
31 accept them the referral gets sent through to the Save the
32 Children. Those are a bit tricky where a lot of the time
33 the aggrieveds don't have phone numbers or a permanent
34 address for Save the Children to attend or to call them.
35 So often an accepted referral by the aggrieved I guess then
36 fails because the response back from Save the Children is,
37 "We couldn't contact them or couldn't find them."

38

39 Q. Is that through the Redbourne system?

40 A. Sorry, the what system?

41

42 Q. The Commission has heard about the Redbourne referral
43 system, but you might not know the name of the specific --

44 A. I don't actually know. Ours is - the referral
45 services is what comes through the occurrence.

46

47 Q. In terms of that referral, is there any process to

1 follow them up? You talk about the Save the Children
2 perhaps saying, "I did try to do something, but it wasn't
3 able to be because I couldn't contact by the phone or the
4 address." Is there a process within the Mt Isa police
5 district to follow up referrals that you're aware of?

6 A. No, I'm not aware of a follow-up after the referral,
7 no.

8
9 Q. Is that something as an individual officer that you
10 do?

11 A. No, sorry. No.

12
13 Q. In terms of referrals, are there any referral services
14 available for respondents to the orders for behaviour
15 change programs or perpetrator intervention or support
16 programs that you're aware of?

17 A. I'm aware of the ability to refer them for that. I'm
18 not aware of any organisation in Mt Isa that can assist
19 with respondents on that.

20
21 Q. So who do you refer respondents to?

22 A. So we submit the referral for domestic violence
23 respondents. I believe it often comes through the help of
24 Centacare, I believe.

25
26 Q. So you put that on a computer system?

27 A. Yes.

28
29 Q. What about talking to a respondent or an aggrieved?
30 Do you also talk to them and say - you know, give them
31 details of the referral agency, or is it more that you put
32 their details into the referral computer system and then
33 it's up to the agency to contact the respondent and the
34 aggrieved?

35 A. We put the details in the referral and then the agency
36 contacts them.

37
38 Q. So you're not aware of what the specific respondent
39 type support services are?

40 A. No, I'm not, sorry. I believe Save the Children only
41 deal with aggrieveds.

42
43 Q. You don't have any sense of how often those referrals
44 are taken up when it comes to respondents?

45 A. No, no.

46
47 Q. In terms of some of the challenges that you identify

1 in investigating domestic and family violence matters, you
2 indicate one of the challenges is where there's an
3 aggrieved and a respondent and a person's not willing to
4 speak to the police - this is at paragraph 20 - and you
5 want to do something to protect but you fear scrutiny for
6 inaction when there's no evidence other than your
7 observations. That's one of the challenges that you
8 recognise; is that right?

9 A. Yes, absolutely.

10
11 Q. I've summarised that correctly?

12 A. Yes.

13
14 Q. I know I paraphrased. Do I understand your evidence
15 correctly that one of the issues - one of the things that
16 might be able to overcome this sort of challenge is the use
17 of body-worn camera footage?

18 A. Yes, absolutely.

19
20 Q. You also state in your statement in terms of the
21 challenges of investigating domestic and family violence
22 that police fear scrutiny for putting a respondent before
23 the court with no statement and the only evidence being
24 photos of property damage, describing the scene or similar,
25 and that there's no clearcut requirement for putting a
26 breach before the court and it differs between the varying
27 supervisors for what will and will not be sufficient
28 evidence for court. Can you articulate for the Commission
29 in a bit more detail what are the - particularly with those
30 breaches, what are the concerns there and what are the
31 different messages you get in terms of what you need to get
32 a breach before the court?

33 A. Yes. So I would say it's the current view that we do
34 need a statement from the aggrieved to support a
35 domestic violence contravention charge, because that is our
36 evidence before the court. We do see - at incidents we do
37 see property damage or injuries where we can take photos of
38 them. It's - we're hesitant to take a photo to court of
39 damage and injury and not be able to explain how it
40 happened or why it happened because they genuinely won't
41 tell us or they won't advise in a statement. So, yes, we
42 are hesitant to put something before the court.

43
44 The varying I guess level of evidence required is some
45 supervisors may say, "No, that will be enough to prefer a
46 charge in court because we can see that there was only two
47 people there and someone's got a black eye." We can put

1 that before the court, and some will say, "No, it's not
2 enough. We need an aggrieved's statement." So, yes.

3

4 Q. They're the differing --

5 A. Yes.

6

7 Q. The differing advice that you get in relation to the
8 breach issue?

9 A. Yes.

10

11 Q. In terms of some specific challenges that you talk
12 about in terms of when you're policing domestic and family
13 violence matters involving First Nations people, I want to
14 ask you a little bit about that now. You talked earlier in
15 your evidence about having some broad cultural training
16 when you were back in the academy, which would have been
17 over seven years ago. Did you receive any specific
18 cultural awareness training when you came to Mt Isa about
19 the specific different cultural groups in Mt Isa,
20 particularly in regards to First Nations people in Mt Isa?

21 A. Yes.

22

23 Q. When did you receive that?

24 A. It was something I believe was started by the officer
25 in charge of Mt Isa Police Station. It's called cultural
26 training, and it's a one-day I guess training package where
27 she presents the differing I guess cultural backgrounds in
28 Mt Isa and the history of Mt Isa and I guess how we
29 work with them and the - like, yes, the different
30 Indigenous persons in Mt Isa. That's something that I know
31 is delivered to all new officers that do attend or do
32 transfer to Mt Isa. So I did that possibly five years ago.

33

34 Q. So not when you were brand new to Mt Isa; when the
35 package started perhaps?

36 A. Correct.

37

38 Q. You said it's a day package. Is it all delivered by
39 police or is it all PowerPoints or that sort of thing, or
40 what does the training look like?

41 A. It is a PowerPoint and verbally delivered by the
42 senior sergeant of the Mt Isa station, where
43 she - I believe it's changed over time, but she has brought
44 other persons in to assist in the training. Yes. So it's
45 all new people that transfer here. I was here before that
46 time, before the package was around. So I didn't get it
47 when I first moved to Mt Isa. It was after some time when

1 the new officer in charge started.

2

3 Q. Does that PowerPoint take all day?

4 A. Yes, from memory, yes.

5

6 Q. Do you go on country, do you meet Elders as part of
7 that package or talk to community leaders, or is it all
8 delivered internally by the police?

9 A. All internally by police.

10

11 Q. Does the police liaison officer play a role in the
12 delivering of the package?

13 A. Honestly, I can't recall, sorry. I believe it has
14 changed over time where that may happen, but not from
15 memory.

16

17 Q. Are you aware of the names of the main family groups -
18 First Nations family groups within Mt Isa?

19 A. As in their cultural background or their actual
20 families' names?

21

22 Q. Yes, who the main groups are within Mt Isa, the
23 different cultural backgrounds?

24 A. Some of them, yes.

25

26 COMMISSIONER: What are they?

27 A. I know there's the - Mt Isa is predominantly Kalkadoon
28 peoples. I don't recall the other families' names, sorry.

29

30 MS CAPPELLANO: Are you aware of the traditional owners of
31 Mt Isa?

32 A. Yes.

33

34 Q. Who are they?

35 A. The Kalkadoon people, yes.

36

37 Q. In your statement you indicate that one of the issues
38 that you note is the anti-police sentiment within the
39 First Nations community at times when you're policing?

40 A. Yes.

41

42 Q. Are you aware of the historical or cultural reasons
43 behind that anti-police sentiment?

44 A. Yes.

45

46 Q. Is that something you've been taught?

47 A. I don't recall if it was taught in a formal setting at

1 work, but I just - I know from discussion and I guess
2 research --

3

4 COMMISSIONER: Can you explain to us what you think that
5 is?

6 A. From our learnings, it's in relation to an incident
7 many years ago, I can't recall the year or anything, but
8 between the Kalkadoon tribe and police, and I believe that
9 that is still prevalent to this day where they will talk
10 about it, where there was I guess a battle between police
11 and Indigenous persons.

12

13 MS CAPPELLANO: When you talk about some years ago - I'm
14 not asking you for a specific date, but are we talking
15 10 years, five years --

16 A. Hundred.

17

18 Q. Hundred years --

19 A. I believe early 1900s or late 1800s, I believe, from
20 memory, sorry.

21

22 Q. So your understanding about the anti-police sentiment
23 really is in relation to that one specific incident?

24 A. I believe so, yes, and over time it's I guess festered
25 and grown from that, but yes.

26

27 Q. You said that you haven't been taught about that
28 specifically by the police. How have you got those
29 learnings? Is it from other police officers --

30 A. Yes, other police, discussions, research. Yes.

31

32 Q. In terms of those discussions where you found out
33 about that particular incident, that's all internally
34 within the police rather than your discussions with people
35 in community, or is it both?

36 A. More so police. I have spoken with persons in the
37 community about it. Indigenous persons that I've I guess
38 had contact with through work have explained it, through
39 jobs. But the majority through police.

40

41 COMMISSIONER: So what's done in Mt Isa to try and bridge
42 that divide?

43 A. We do have our cross-cultural liaison officer. We
44 have a lot of - I think we have five, from memory, police
45 liaison officers. They're all people from Mt Isa. They're
46 First Nations persons from Mt Isa. They're actively in the
47 community liaising with the First Nations people. They

1 will come to jobs with us and help us if need be to try and
2 bridge that gap. Often people won't want to talk to us
3 just because of our skin colour and they will want to speak
4 to a PLO instead, and we can help utilise PLOs to bridge
5 the gap between us and a First Nations person.

6
7 COMMISSIONER: Is there anything outside policing that the
8 police do here to try and restore relations?

9 A. Yes.

10
11 COMMISSIONER: Is there like football games or?

12 A. Yes, absolutely. There's quite often community
13 events. I recall some years ago there was a community
14 touch competition where it was police verse pretty much
15 anyone who wanted to turn up, and we all had shirts with
16 Indigenous print and stuff on it. At the end there was
17 games, food, they swapped the jerseys, that sort of thing.
18 I'm aware there's often Chilling in the Park, events
19 through PCYC and that where police turn up, police liaison
20 officer there, liaising with kids in the community, trying
21 to build that relationship. Yes, there's actively quite
22 often events where you'll either play football or play
23 touch against persons in the community and liaise with
24 them, yes.

25
26 MS CAPPELLANO: How often do you utilise the PLOs
27 personally?

28 A. Quite regularly. I have a good relationship with all
29 the PLOs. I'll often ask them - they have got a very good
30 knowledge of the town, they have got very good local
31 knowledge of families, who's related to who, where people
32 live. Often I'll need to find someone to speak to them
33 about a DV incident and they'll know where they are or
34 they'll go around and make some enquiries and speak with
35 people, and they'll be able to open up and tell them where
36 they are for us to deal with them. Often there's times
37 where we've utilised them where we're looking for someone,
38 the person - it's rumoured that they're in trouble but
39 they're not, and we can ask the PLO to go find them for us
40 and explain that they're not in trouble, the police do just
41 want to speak to them to get their story, and then they can
42 assist with bridging that. They'll let us know where they
43 are or they can bring them to the station to meet with
44 them. We've often used them to transport people or to -
45 I guess there's been times we've used them to calm people
46 down. Just our communication alone won't calm them down;
47 we've been able to get the PLOs in. They've been able to

1 talk to people, calm them down, explain the situation
2 I guess in a way that they can understand it a bit better
3 and help us respond to those incidents.
4

5 Q. One of the challenges that you talk about is the
6 complexity of family relationships within some
7 First Nations communities?

8 A. Yes.
9

10 Q. Is that something that you utilise the PLO for in
11 terms of explaining those similar complex family
12 relationships?

13 A. Yes, at times I have. Basically they have a good
14 understanding of who is related to who and what families
15 are connected and how they're connected. So I have used
16 them, yes.
17

18 Q. What do you tell people when you - if you're serving
19 DV paperwork or if you're issuing a PPN to a person,
20 whether it be an aggrieved or a respondent, what do you say
21 to them if they ask you, "Do I have to turn up to court"?

22 A. I tell them yes.
23

24 Q. You say yes?

25 A. Yes.
26

27 Q. Are you aware of what other officers say?

28 A. I believe some will say it 's not - "You're not
29 required to attend court. An order will be made in your
30 absence." I believe more often than not now they make a
31 temporary protection order and adjourn it until the
32 respondent will attend. I'll explain to the respondent
33 that or the aggrieved that they don't have to but it is
34 best to. They'll say, "I don't want this order." Like,
35 the respondent may say, "I don't want that," and I'll say,
36 "Well, we've made application for it. It's us, not the
37 aggrieved. If you would like to attend court you can and
38 you can tell your story." But I will try and convince them
39 that it's in their best interests to attend court.
40

41 Q. Is it your evidence that that's the approach that you
42 take?

43 A. Yes.
44

45 Q. That you go that step further, I guess, in saying -
46 technically people wouldn't have to attend court, but you
47 go the step further to try to explain that it's in

1 somebody's best interest. But is it your evidence that
2 other police officers might have a different approach, more
3 the minimum of, "You don't need to attend. An order might
4 be made," or --

5 A. Yes.

6

7 Q. In terms of non-contact conditions, and this is
8 particularly when we're looking at domestic and family
9 violence orders with First Nations people in and around
10 Mt Isa, are no contact conditions common on domestic and
11 family violence orders?

12 A. Yes, they are.

13

14 Q. In terms of - I don't know if I have asked you this.
15 Have you heard the terminology "technical breach"?

16 A. Yes.

17

18 Q. What do you understand that to mean?

19 A. I know it doesn't technically - it is not a formal
20 term but a technical breach will - police will say that the
21 main condition on a domestic violence order is to be of
22 good behaviour and not commit domestic violence against the
23 aggrieved, and then extra conditions being no contact or
24 not to attend the aggrieved's place of residence. The term
25 "technical breach" is thrown around in relation to those
26 extra conditions where it's not the main condition of good
27 behaviour, so whether it be a text message or a phone call
28 when they have got no contact, or just being with them,
29 police will refer to that as a technical breach.

30

31 Q. Do you notice any differing attitudes about proceeding
32 with breaches when they might be in relation to a technical
33 breach?

34 A. No, I believe they're still proceeded with. It comes
35 into consideration when they're discussing custody options,
36 being bailed or bail refused.

37

38 Q. In terms of when we're looking at breaches and
39 specifically no contact conditions, is that a common form
40 of breaches of domestic and family violence orders
41 particularly when we're looking at that in the
42 First Nations community in and around Mt Isa?

43 A. Yes, quite often.

44

45 Q. The Commission has received evidence in another form
46 that about 50 per cent of breaches involving First Nations
47 people of domestic and family violence orders would be for

1 a no contact or non-approach order. Would that be
2 consistent with your observations --

3 A. Yes.

4

5 Q. That figure?

6 A. Yes, fairly accurate.

7

8 Q. Is it common for those sort of charges to come about
9 for people who are living in what's referred to as the
10 riverbed or the dinner camp in Mt Isa?

11 A. Yes.

12

13 Q. And it's in that context that police might attend the
14 riverbed and there be people who are in contact with each
15 other or within the prohibited distance?

16 A. Yes.

17

18 Q. And those people then get charged with no contact
19 orders?

20 A. Yes, correct.

21

22 Q. How does it come about the police attendance in
23 circumstances where that occurs - and I think it's your
24 evidence that that might occur in - 50 per cent of the
25 breaches before the court are those non-contact order
26 breaches. In that context, how do police come about to
27 attend at the riverbed in relation to that? Is that a
28 regular patrol that occurs to check on things?

29 A. Yes, it's a regular patrol in relation to I guess
30 public order offences and liquor offences, and it's a
31 public place, it's where a lot of our calls for service
32 attend to. So we patrol it quite frequently to try and
33 I guess fly the flag, speak to people as much as we can,
34 preventing offences of public order and liquor offences.
35 It's a fairly transient location, so we're often looking
36 for wanted persons in and around the riverbed, and as a
37 result of that we do speak to people, we do conduct name
38 checks and discover that, yes, they're in contact with a
39 person they shouldn't be in contact with.

40

41 Q. So that would occur in the context of what you're
42 referring to as this regular patrol. How often is regular?
43 Are you able to give a bit more --

44 A. Really, that's - we - if we're not tied up with
45 another call for service we're attending there to patrol
46 the location, yes, every day.

47

1 Q. Every shift you --

2 A. Every shift we have the chance to, yes, absolutely.

3

4 Q. Then as part of that regular patrol on shift you
5 would, even if there is not a disturbance or a specific
6 call for service on that patrol, check and, if people are
7 in contact when they're named on a domestic and family
8 violence order or within the prohibited distance, would
9 then charge a breach in that context?

10 A. Yes, correct. We're not down there to look for
11 domestic violence breaches or anything, but we speak to
12 everyone and conduct name checks on them, and as a result
13 we often find one, yes.

14

15 Q. And breaches would be charged in that context?

16 A. Yes.

17

18 Q. In terms of this regular patrol of the riverbed area,
19 does that regular patrol also occur in some of the social
20 housing in and around Mt Isa which are predominantly
21 First Nations social housing?

22 A. As in the suburb in particular or - like, the
23 locations where they do live or?

24

25 Q. Yes, just in terms of Housing Commission type
26 locations?

27 A. Yes.

28

29 Q. Is that another regular patrol that would occur every
30 shift?

31 A. Yes.

32

33 Q. Do the same dynamics in terms of charging breaches
34 occur in that context?

35 A. Yes, if we were to find people that were in a suburb
36 that we do patrol regularly, yes, we would.

37

38 MS CAPPELLANO: Thank you. They are the questions that
39 I have, Commissioner.

40

41 COMMISSIONER: Have you spent any time in the remote
42 communities, Mornington?

43 A. Yes. Oh, not - I guess not technically. Just
44 community. But Normanton, I was there for eight months.
45 I've relieved at - I've been deployed to Doomadgee for
46 short stints. But, no, not Mornington Island.

47

1 COMMISSIONER: So was that relieving at Doomadgee?
2 A. A deployment for a short period of time for a warrant
3 operation.
4
5 COMMISSIONER: For a sorry?
6 A. For a warrant operation.
7
8 COMMISSIONER: Okay. So that was just to clear up
9 outstanding warrants?
10 A. Yes, yes, and files, yes.
11
12 COMMISSIONER: Okay. And in Normanton did you get
13 cultural training?
14 A. Yes.
15
16 COMMISSIONER: What form did that take?
17 A. Face-to-face with the OIC at the time and the
18 PLOs - or PLO, sorry.
19
20 COMMISSIONER: Did you get introduced to the community
21 there?
22 A. Yes. Yes, I did.
23
24 COMMISSIONER: By the PLOs, by the officer in charge?
25 A. Yes, by Katrina Rapson, who took me around town.
26 I met all the Elders in the community or anyone important,
27 I guess. Yes, I did meet a lot of people and people in the
28 community, yes.
29
30 COMMISSIONER: Okay. Can you tell me there seems to be an
31 increasing number of children in relationships with
32 domestic violence orders, particularly I'd say in Mt Isa
33 and Townsville and places like that. Have you taken out
34 domestic violence orders against children up here?
35 A. Yes.
36
37 COMMISSIONER: Can you give me a rough idea of ages?
38 A. The youngest being I believe 11 and 12 in a
39 relationship, but more commonly 16-, 17-year-old.
40
41 COMMISSIONER: Okay. How do you go about explaining those
42 orders to people that age?
43 A. It is tricky. We obviously have to have the parents
44 around to explain the order to them and serve the order on
45 them. Yes, it - we try our hardest to make it I guess
46 understandable to them, to explain it to them, as opposed
47 to very technical terms. We'll explain it in the format we

1 are required to to comply with serving the document, and
2 then we'll try and sit down and have a discussion with them
3 and explain what it is and what domestic violence actually
4 is in ways they'll understand, obviously being of a young
5 age, and what they can and can't do, and what is
6 domestic violence to them, yes.

7
8 COMMISSIONER: Okay. How do you satisfy yourself they
9 have got the capacity to understand that sort of thing?

10 A. Basically ask them to repeat to us, like, clarify,
11 like, "What can you do? Can you do this?" "No." "Can you
12 do that?" "No." We'll tell them what they can and can't
13 do and what is domestic violence, and then ask them
14 questions to prompt a response to see if they do understand
15 what we have explained.

16
17 COMMISSIONER: Is there any help for children that age in
18 terms of services here?

19 A. I don't think so. No, sorry, Your Honour.

20
21 COMMISSIONER: Do you refer them to anyone?

22 A. They do - absolutely they do get referred, the same
23 with any other aggrieved. I believe Youth - I think
24 Youth Justice maybe assist them, I believe.

25
26 COMMISSIONER: Do they?

27 A. I'm not sure. I believe so.

28
29 COMMISSIONER: Okay. Generally speaking, when you explain
30 the conditions of an order to a respondent, do you just do
31 it in the terms of the order?

32 A. No, I will always I guess serve the order and read
33 them out word for word to comply with the serving of the
34 document. I will then explain to them in layman's terms
35 what this means is you can't see this person, you cannot go
36 near them, or if it is a condition that says you can only
37 contact them in relation to the children I'll say, "If you
38 send them a text message asking about 'do you want to hang
39 out on the weekend', that's a breach, whereas if you send
40 them a text message saying 'can I see the kids', that's
41 not,' and I'll explain to them in layman's terms and
42 I guess explain a scenario back to them of what can and
43 can't be done.

44
45 COMMISSIONER: Just talking about custody of kids, do
46 you - how does that influence you if there's a Family Court
47 proceeding in place when someone speaks to you about

1 domestic violence?

2 A. As in a family law court order?

3

4 COMMISSIONER: Yes, or proceedings. So are you more
5 suspicious about whether it's a genuine complaint or?

6 A. Yes, absolutely.

7

8 COMMISSIONER: Why is that?

9 A. I've had - I've dealt with instances where it appears
10 to be where they'll make a complaint in an attempt to -
11 what appears vexatious in an attempt to make the other
12 party seem worse for their family law court order, or where
13 they'll tell one part of the story and leave out certain
14 things that they have done to make the other party seem
15 worse to --

16

17 COMMISSIONER: Okay. How often would you say that
18 happens?

19 A. Not very often, sorry.

20

21 COMMISSIONER: What about repeat calls for service? Do
22 you find that frustrating?

23 A. Yes.

24

25 COMMISSIONER: Does it happen often?

26 A. Yes, quite a bit.

27

28 COMMISSIONER: Okay. How do you deal with that?

29 A. We try and separate the parties, try and, if we can,
30 move someone to another area, and if no-one is required to
31 go into custody, if we can just move them to a different
32 location so they have I guess a cooling off.

33

34 COMMISSIONER: Yes.

35 A. We'll try and transport them to - far enough away
36 where it's not easy enough to get back there. But quite
37 often it's very close. We try and transport them to a
38 relative's address to spend the night there to separate.
39 Often times we'll transport them and then half an hour
40 later they're back there again. But, yes, we try and
41 separate them as much as we can.

42

43 COMMISSIONER: Are there many people up here with English
44 as a second language?

45 A. No, I don't believe, no.

46

47 COMMISSIONER: Most people speak English up here?

1 A. Yes.

2

3 COMMISSIONER: Ms Hillard?

4

5 <EXAMINATION BY MS HILLARD:

6

7 Q. Just in relation to the repeat calls for service and
8 you said that you try to move them into different areas,
9 different suburbs, is one of the things that you try also
10 having non-contact conditions on a domestic and family
11 violence order or a protection notice?

12 A. Yes, we do. If need be, yes.

13

14 Q. When you do the non-contact conditions, do you talk to
15 the person who is identified as the aggrieved and whether
16 they want the contact condition?

17 A. Yes, absolutely.

18

19 Q. What happens there? How do you talk to them and then
20 decide that you're going to make a non-contact condition?

21 A. We'll ask them if the relation - say, it's an intimate
22 person relationship, we'll ask them if the relationship is
23 going to continue. At times they have said absolutely not
24 and they're certain they don't want to, then we'll ask them
25 if they think they will need to contact them anymore or if
26 they do want to contact them anymore, and we'll I guess
27 propose the condition to them and ask if they're supportive
28 of it, and then if they give us a clear indication that
29 they are supportive we'll go with that. If they say, "I'm
30 not sure if I want to continue the relationship," we'll be
31 hesitant to put it on. If they say, "I think we can work
32 it out. We might be fine tomorrow," we'll leave it off and
33 we'll say that it can be done at a later time if need be, a
34 private application can be made to change the condition if
35 they need to do so. But just explain to them that - if
36 someone said to me that they want to continue a
37 relationship I would never put on a no contact condition.

38

39 Q. You're really talking about what you do, and I suppose
40 you can't control what other officers do?

41 A. No.

42

43 Q. Can you say - that's your practice, but do you know if
44 you have observed other matters where contact conditions in
45 this area have been put in without the permission of the
46 aggrieved?

47 A. No, I don't think so, no.

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Q. No, you don't think you've seen it happen, or you can't say?

A. I haven't seen it happen, and I don't think people would do it, no.

Q. In respect of the riverbed dinner camp patrols, can I just ask a question about that. They're daily patrols that are tasked, are they --

A. Yes.

Q. -- from the officer in charge of the station?

A. Yes, or the shift supervisor.

Q. Or the shift supervisor. When you go down you are asking everybody for their ID?

A. Not everybody. There's a lot of people down there. To be honest, we know quite a lot of people down there as regulars. There would be people down there that I know their name, I know their first and last and middle name from dealing with them so much. If we see a new face we don't know certainly we'll ask them who they are. Mt Isa has a lot of First Nations persons from Northern Territory that frequent Mt Isa for a bit. They might pop over for a week or a month, and if we don't know them then we'll ask them their name. To be honest, there's quite a few people in this town where I know their name and I'm aware of the order and conditions. So there's times where I've seen two people together and I just know from previous dealings with them that they have no contact. But, yes, not everyone's ID will be checked or name will be checked. But the ones that we don't know or the new faces in town we will speak to them and ask them their name.

Q. If you see them together down at the riverbed or the dinner camp and they're not meant to be together because you know there is a non-contact provision, they're clearly wanting to continue their relationship, have you done anything or is there any ability for you to do anything to vary those orders for contact or the relationship to continue?

A. Yes, we can complete an application to vary, but also providing advice to the aggrieved that if they do want to continue a relationship that they can have that order removed, that condition removed.

Q. It is mostly left to the aggrieved, isn't it, to bring

1 the necessary application?

2 A. I would say so, yes.

3

4 Q. In relation to some of the follow-up questions that
5 you were asked about the referrals taking place, the
6 telephone calls and the centre not being able to make
7 contact and the follow-ups and the like, do you think that
8 it would be helpful if you had rostered days where you had
9 allocated time to follow up on some of those matters?

10 A. Absolutely, yes.

11

12 Q. And perhaps based on what you've said about the
13 benefit of the Save the Children and their involvement, the
14 follow-up, turning up at the door with the Save the
15 Children expert worker to assist?

16 A. Yes, absolutely.

17

18 Q. In relation to the Save the Children - and you said
19 that they come out if they're needed - am I understanding
20 your evidence correctly that they don't go for every single
21 callout but someone at a callout might see a need and then
22 they might turn up if they're available?

23 A. Yes, correct.

24

25 Q. One of the things that the Commission has heard about
26 has been that there's what's referred to as a co-responder
27 model, the helpful mode for that social worker or that
28 expert domestic violence worker to go out with police at
29 that point of contact to talk to the aggrieved and to be
30 able to assist with who's in most need of risk protection
31 and the like. I'm gathering that you would think that that
32 would be very helpful based on what you've already said?

33 A. Yes.

34

35 Q. You also mentioned that you had some understanding
36 from your training that domestic and family violence is
37 gendered and that it's spoken in terms of he committing
38 offences against her, and then you spoke about about
39 30 per cent of the respondents, just anecdotally, would be
40 females. Can you explain why it is in your experience that
41 about 30 per cent of the respondents are females?

42 A. About why they're respondents or?

43

44 Q. Yes.

45 A. From dealings with domestic violence incidents it's
46 often the physical violence is portrayed by the male, and
47 I guess I would say females are less violent than males,

1 just generally speaking. So I would say that that would
2 result in more orders being - outlining the male as the
3 respondent.
4

5 Q. So when you're talking about the 30 per cent women who
6 are identified as female respondents, does that sort of
7 arise from an incident callout where they have been violent
8 and that they come about as being named as a respondent
9 because of that incident that you're responding to?

10 A. Yes.
11

12 Q. In relation to the PAFs you were asked a couple of
13 questions about that. Can I ask you just to revisit that.
14 So now there's that little brochure or that little pamphlet
15 that you have been given that you can take out. When you
16 did your PAF training at the academy did they tell you to
17 actually ask the questions, or how did they tell you to use
18 those questions?

19 A. They told us to ask the questions about how frequent
20 this has happened, why it happens, how severe this is on
21 the scale of previous incidents, which are some of the tick
22 boxes in the PAF - severity, frequency, alcohol or drug
23 misuse. So we do ask those questions, yes.
24

25 Q. They tell you to do that at the beginning?

26 A. Yes.
27

28 Q. Did you continue doing that by asking --

29 A. Yes.
30

31 Q. Do you ask the questions as they're designed on the
32 PAF or do you ask perhaps different triggering questions to
33 elicit answers?

34 A. I'd say different questions, not I guess triggering
35 questions, but to the incident - if we are at the incident
36 and they are intoxicated we'll ask them, "Does this only
37 happen when they're intoxicated or is it all the time," and
38 they can say only when they're intoxicated is when they're
39 violent. We ask them how often it happens, if this is the
40 first time, or how long have they been together and how
41 often it's happened over the time, if it started at the
42 start of the relationship or recently started. We
43 understand that there are cultural considerations. We'll
44 ask them that, in relation to the severity, when and why it
45 has happened, and ask them to clarify that for us, which
46 helps complete the PAF but helps understand the
47 relationship.

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Q. You spoke about how sometimes you can see that someone is in fear and you can perceive that they're in fear. But obviously sometimes people wouldn't appear as though they're in fear. Do you ask them about that?

A. Yes, absolutely. We ask them if they are scared or if they are fearful.

Q. One of the questions on the PAF relates to strangulation, "Have you ever been choked or strangled?" Do you ask that one routinely or less often? Based on what you've said, it doesn't sound like it's frequently asked.

A. Less often. Less often. If we were at an incident of strangulation or choking, we would ask them if that's happened before. But if we're not at an incident relating to that we probably wouldn't think to ask if they have previously been strangled or choked.

Q. Just in respect of the youth issue and the youth question, the non-contact provisions are very common, would you say, imposing a non-contact condition where there is a youth respondent?

A. Yes.

Q. In your experience, because often youths who are respondents can sometimes be homeless and then they end up having contact because they're homeless can result in them being breached more regularly; is that something that you've seen?

A. Not so much more homeless here. It's more the kids in care. They're out in the street all hours of the day and night, and they do hang out in big groups, so that would happen more often because I guess they're in care, they're not supervised, they do hang out with each other again. They don't understand the consequences as much of just hanging out together which would breach the no contact.

Q. When we are talking about some of the kids who might be as respondents on the domestic and family violence orders, is there any pathway that you're aware of to allow for them to be assessed to know if they have even got capacity to understand the orders?

A. As in requisite capacity?

Q. Talking about legal capacity and I suppose a mental health capacity and a cognitive capacity?

A. I don't think there's - I don't recall. No, I don't

1 know that there's an area we can assess that, no.

2

3 MS HILLARD: Thank you, Commissioner. Those are my
4 questions.

5

6 COMMISSIONER: Thank you. Mr McCafferty?

7

8 MR McCAFFERTY: No questions, Commissioner.

9

10 COMMISSIONER: Ms Williams?

11

12 **<EXAMINATION BY MS WILLIAMS:**

13

14 Q. Senior Constable, I just want to ask you about the
15 cultural training you spoke about in Mt Isa. You spoke
16 about your OIC. Do I take it that to be Renee Hanrahan?

17 A. Yes, correct.

18

19 Q. And is it the case that officer Hanrahan commenced as
20 the officer in charge of Mt Isa in 2016?

21 A. Yes.

22

23 Q. And from that time to the best of your memory did she
24 begin to introduce cultural awareness training?

25 A. Yes, correct.

26

27 Q. And that was to staff who were present at the time?

28 A. Yes. So everyone that was present at the time got the
29 training, and then since then anyone new to the station
30 would be rostered to the training.

31

32 Q. Now, I want to ask you about some of that training.
33 If you can remember it let us know, if you can't please say
34 so. So does the training include the OIC giving an opening
35 address?

36 A. Yes.

37

38 Q. And then explaining the - and I'll just have to check
39 this acronym - Look to the Stars program?

40 A. I would say now, yes; not at the time when I did my
41 training because only it was introduced after that.

42

43 Q. And the Commission has heard evidence about that Look
44 to the Stars recent initiative. Does the cultural training
45 explain the history of Mt Isa, particularly in relation to
46 cultural groups?

47 A. Yes.

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Q. And the fact that that history is an ongoing history due to intergenerational trauma; do you recall that being part of the training?

A. Yes.

Q. And do you remember whether the training was delivered or is delivered in partnership with other departments?

A. I don't recall mine being with other departments, but I do believe it is now.

Q. And does that include to what you know now disability services, for example?

A. Yes.

Q. And what about Aboriginal and Torres Strait Islander partnership services?

A. Yes.

Q. And does that partnership and the training that occurs include DSDSATSIP, the acronym?

A. Yes.

Q. Presenting about living under the Act?

A. Yes.

Q. And does the cultural training also - is it also delivered with community seniors or Elders attending?

A. Yes.

Q. And is it also delivered with PLOs attending?

A. Yes.

Q. You've said that there's a PowerPoint in that presentation?

A. Yes.

MS WILLIAMS: Thank you, Your Honour. Those are my questions.

COMMISSIONER: There was something I meant to ask you and I just thought of it. When you were a first year constable you didn't have a field training officer for the year, by the sound of it?

A. No, Your Honour. So the first two months you have a permanent field training officer, and then every shift after a minimum of 50 per cent a qualified field training

1 officer, always being a senior officer to you, and the
2 rest are always --

3

4 COMMISSIONER: It's just a rotational field training
5 officer?

6 A. Yes.

7

8 COMMISSIONER: And have you ever been a field training
9 officer?

10 A. Yes, many times. Yes.

11

12 COMMISSIONER: And what do you have to do to become a
13 field training officer?

14 A. I guess - so there's a one-day course that they put
15 you on close to the completion of - shortly after you
16 complete your first year program if suitable and if deemed
17 suitable by the OIC and the education and training office,
18 which is in charge of the first year constables, they deem
19 you suitable to mentor and train first years.

20

21 COMMISSIONER: And do you remember what the one-day course
22 was about?

23 A. Yes, and it was in relation to how to train first
24 years, the completion of the workplace activities that
25 they're required to complete, their competencies, I guess,
26 throughout the year.

27

28 COMMISSIONER: Okay. So a rundown on what they have to
29 basically be able to tick?

30 A. Yes, essentially. And just I guess how to work with
31 new people, people who have only got academy knowledge and
32 training.

33

34 COMMISSIONER: Who don't know what they're doing.

35 A. Essentially, yes.

36

37 COMMISSIONER: They're not going to come out of the
38 academy knowing everything.

39 A. Yes.

40

41 COMMISSIONER: And when you've been a field training
42 officer has it been the same thing, that you won't
43 necessarily just have a recruit, you'll be - if you're on
44 the shift and you're a field training officer --

45 A. So in relation to that I've had what they call a
46 mentor period. So the first two months the first year is
47 under a mentor period, but they have one permanent partner

1 for a month and then they go to a different permanent
2 partner for a month. And then after the mentor period
3 there's sort of a general phase where they work with just
4 anyone, different officers to their seniority. I've been a
5 mentor eight times now, with eight different first years,
6 and then I would say the majority of the shifts after they
7 have finished their mentor that I work with, I'm working
8 with first years out of their mentor period in their
9 general phase.

10
11 COMMISSIONER: Okay.

12 A. So still, yes, being the FTO of them but not the
13 mentor.

14
15 COMMISSIONER: Yes. So those first years always have a
16 field training officer with them, but it's rotation for the
17 first year?

18 A. Yes, always someone senior to them. Not everyone
19 is --

20
21 COMMISSIONER: I was going to say always someone senior
22 doesn't mean it's a field training officer.

23 A. Not every person is a field training officer. Most in
24 Mt Isa are. But, yes, they have always got someone senior
25 to them, but only 50 per cent of the shifts outside of
26 their mentor period are required to be with a field
27 training officer.

28
29 COMMISSIONER: Okay. All right.

30
31 MS CAPPELLANO: I have no further questions. Thank you,
32 Commissioner.

33
34 COMMISSIONER: Okay. Thank you. Thanks very much for
35 coming in.

36
37 <THE WITNESS WITHDREW

38
39 MS CAPPELLANO: Commissioner, I call Katrina Rapson.

40
41 <KATRINA RAPSON, affirmed:

42
43 <EXAMINATION BY MS CAPPELLANO:

44
45 Q. Thank you. Ms Rapson, you've provided a statement to
46 the Commission of Inquiry; is that correct?

47 A. Yes.

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Q. And you have a copy of that statement with you?

A. Yes, I do, yes.

Q. You can refer to that statement if needed throughout the evidence. I understand from your statement that you were born in Normanton; is that right, Ms Rapson?

A. That's correct.

Q. Would you like to outline for the Commission your cultural heritage?

A. So I've got two ties. So I'm a Kurtijar descendant, that's in the Normanton country, and also got ties to Croydon from my dad's side, which is Tagalaka. I've also got South Sea Islander ties as well.

Q. And are you a traditional owner in the Normanton area?

A. That's correct.

Q. And do I understand your evidence correctly that you currently work for the Queensland Police Service as a senior police liaison officer out of Normanton Police Station?

A. That's correct.

Q. And you've been in this current role as a senior police liaison officer for approximately three and a half years?

A. That's correct.

Q. But prior to that you were a PLO for about four years?

A. Yes, that's correct

Q. And your role prior to joining the Police Service involved - include working as an Indigenous sports and recreational officer with the Normanton PCYC?

A. That's correct.

Q. In terms of your qualifications do I understand your evidence correctly that you have a certificate II in community engagement?

A. Yes, that's correct.

Q. And you also have a certificate III in police liaison?

A. Yes, that's correct.

Q. In your evidence you talk about the qualifications and

1 the additional training that you've done in your role as a
2 police liaison officer, and if I could begin by asking you
3 about this. I understand from your evidence that you've
4 completed a number of online training products in order to
5 progress from a PL0, or a police liaison officer, to a
6 senior police liaison officer?

7 A. Yes, that's correct.

8

9 Q. And that you also have done some training on your own
10 initiative in relation to the mental health field?

11 A. That's correct, yes.

12

13 Q. And do I understand your evidence correctly in this
14 regard that you have indicated that you had a particular
15 interest in doing that mental health course and then you
16 approached your officer in charge and then they have
17 assisted you with that, but it was your own initiative in
18 terms of that training?

19 A. Yes, that's correct.

20

21 Q. Is it the case that all the training that you've done
22 since being a police liaison officer is in terms of online
23 training rather than face-to-face training?

24 A. Probably both. Online and also face-to-face.

25

26 Q. You have had some face-to-face since becoming a police
27 liaison officer, because I understand you did the two weeks
28 right at the start?

29 A. Yes.

30

31 Q. That training where you have to travel. Did you go to
32 Townsville or --

33 A. No, to Brisbane for two weeks.

34

35 Q. And then since that time have you had any additional
36 face-to-face training?

37 A. No.

38

39 Q. Is that something that you think you would find useful
40 or other police liaison officers might find useful?

41 A. I reckon it would be great to have more training so we
42 could get exposed to domestic and family violence. When we
43 have members coming up to me at least I could address some
44 information, not all but information that she requests to
45 members of the community.

46

47 Q. And what sort of --

1 A. So supporting my colleagues from Queensland Police
2 Service.

3

4 Q. And what would you like to learn about in terms of
5 domestic and family violence? Is it just generally to have
6 more knowledge on --

7 A. Yes, that's correct, more knowledge in that area.

8

9 Q. In terms of your observations and experiences as a
10 police liaison officer can I ask you, first, is domestic
11 and family violence a common occurrence or police call-out
12 in the Normanton region?

13 A. There is a lot of it. The main one is jealousy, which
14 is our culture.

15

16 Q. Can you explain a little bit about that and what you
17 mean by that?

18 A. So an incident happens with partners, and it may be a
19 past relationship that someone came back into community and
20 then that can affect that relationship and jealousy does
21 happen a lot. It doesn't just happen with that particular
22 relationship. It can involve other family members as well.

23

24 Q. And so that's a part of the types of domestic and
25 family violence that you see in Normanton?

26 A. That's correct.

27

28 Q. Is there also physical violence?

29 A. There can be that as well, yes.

30

31 Q. And in terms of the community's levels of
32 understanding about what amounts to domestic and family
33 violence do you have any observations about that?

34 A. No.

35

36 Q. So do you have any sense of - I did ask quite a
37 confusing question there, I'm sorry, Ms Rapson, but in
38 terms of do you have any sense of how well what is domestic
39 and family violence is understood by the community? So
40 does community understand that domestic and family violence
41 can be more than a physical assault; jealousy can be part
42 of domestic and family violence?

43 A. Yes, that's correct. I think with some of my members
44 in community, if they're not too sure on the information
45 that they're given then the officers normally get me to
46 liaise with members and just to break it down so they
47 understand, yes, what domestic violence - sorry, domestic

1 and family violence in community.

2

3 Q. So it's through you talking to the members of the
4 community and explaining it that they're able to get that
5 understanding of what domestic and family violence is?

6 A. Yes, that's correct.

7

8 Q. And what about individual members of communities
9 understanding of their own orders or the conditions of
10 their orders? Do people understand what they are or aren't
11 allowed to do?

12 A. Some do and some don't, and then that's where the
13 police officers at my station, they say, "Katrina, can you
14 liaise with that member," just to let them know as well,
15 because sometimes just coming from a poor education and
16 that some do understand and some don't.

17

18 Q. And is your role particularly important in being able
19 to explain those orders?

20 A. Yes.

21

22 Q. Do you have any understanding of whether or not people
23 attend court or is that something that you're not aware of?
24 Do you have any role in the court process or making sure
25 that people get to court, or is that not part of your role?

26 A. No.

27

28 Q. In terms of challenges, one of the challenges that you
29 talk about is being seen as a police officer by community
30 and that that can be a challenge. Are you able to explain
31 on that?

32 A. That's correct. Just with an incident that happened
33 probably a couple of months ago, seeing it first-hand in
34 the street that I grew up in as a child, with the brother
35 and sister, and that's when I rang the police. I was
36 worried about the brother's safety. And then when the
37 police came I went to just liaise with my officer in charge
38 and then what happened, I was told, "You think you're
39 white. You're black like me," which was sad. But, you
40 know, I was just worried for the safety of the brother and
41 giving my officer support as well.

42

43 Q. And is that one of the challenges that you as a police
44 liaison officer in terms of walking the line between being
45 part of the Police Service but also part of community, it
46 can create difficulties?

47 A. That's correct, yes. It can create because I'm

1 related to everyone in Normanton. We've got three tribal
2 groups, and from where I come from the tribe is 70 family
3 groups, but we're all connected.
4

5 Q. And are you able to outline for the Commission what
6 your role is as a police liaison officer in Normanton,
7 because the Commission has heard that different police
8 liaison officer in different areas might have very
9 differing roles. Can you talk to the Commission about what
10 sort of things you do on a day-to-day basis?

11 A. So if any new officers come to Normanton what I do, do
12 a bit of an induction, go out, show them a bit of my
13 country but also the other TOs country, and then go out and
14 do a meet and greet because our Elders are very important
15 people in our community. Then I take the officers to
16 different agencies just so they get to meet them and build
17 up relationship. And then we go to the schools, build up
18 relationship, the officers with the local kids.
19

20 Q. In Normanton, if you're talking about introducing new
21 officers, are there any issues with a high level of
22 turnover of new officers or do people stay in Normanton for
23 steady periods of time?

24 A. We do have some that come six months. But if they
25 love working in Normanton they'll stay longer, probably one
26 to two years or more. It can be an issue, like, if they
27 only stay for a short period, because I do have community
28 say, "Hey, we need officers to stay a bit longer so we get
29 to know them." I think six months is not enough.
30

31 Q. And are you able to indicate how often people are
32 staying for six months as opposed to how often people are
33 there on that two-year tenure?

34 A. Just with the relationship in community, once they get
35 exposed to different family and build up relationship,
36 that's where members get a bit sad because they're leaving
37 and moving on and it's hard to build that next relationship
38 because they may not have their - you know, you have to
39 have trust, which a lot of officers do, you know, come out
40 to our community. But once they leave, yes, then it has to
41 take community a bit longer then to get to know the next
42 officer.
43

44 But one thing I do, I take officers out to events or
45 to any agencies just so they get to meet and build up
46 relationship, which a lot of officers who did come out to
47 Normanton and work, and I was told by community it would be

1 good to get them back, but unfortunately they have to move
2 on.

3

4 Q. In terms of the time that you work, you work nine to
5 five - sorry, eight to four hours during the week; is that
6 your normal hours of working?

7 A. Yes. It's only if we're having any community events,
8 such as cluster or rodeos, I'll talk to the officer in
9 charge and say, "Hey, do you need my support," because we
10 get a lot of people come from all different areas and I've
11 got connection not just in Normanton but the gulf and the
12 cape.

13

14 Q. And your role, you don't attend call-outs with police?
15 You have a more liaising role; is that correct?

16 A. That's correct, yes.

17

18 Q. And can you outline for the Commission - you've talked
19 about the role that you have with new officers and taking
20 them around and introducing them to community. Can you
21 talk to the Commission now about what you do on a
22 day-to-day basis not involving new officers, just how you
23 help the police?

24 A. So what I do, I go to the schools. So just with
25 myself, you know, the PLO, I go to both schools but I try
26 and do mornings at state school and then afternoons at our
27 Gulf Christian College. But also there may be times where
28 different agencies may need my assistance. So I'm a very
29 pretty busy lady going from one agency to another.

30

31 Q. Has there always only been one PLO at Normanton or are
32 there supposed to be more?

33 A. Before I started - it's going to be eight years on
34 29 September, but we had I think five back then, going back
35 probably close to 10 years ago. But a couple of years ago
36 I had another PLO. It's in the process for another one,
37 which may be in the next couple of months or month's time
38 that she will join me.

39

40 Q. And how do you help the police when it comes to - and
41 community specifically in relation to domestic and family
42 violence matters?

43 A. Because I've got local knowledge, I'm able to let the
44 police know the family connection. Just with new police
45 officers or police officers there, they're not aware of the
46 family connections. So I'm able to let them know. They
47 may have a different surname but they're all connected, and

1 that's where I'm able to assist the police with that
2 information.

3
4 Q. Do you ever assist in terms of helping people who
5 might be aggrieved to domestic and family violence orders
6 to feel comfortable to make a statement to the police? Do
7 you assist in that role at all?

8 A. Well, there was one time where we had to - the police
9 went and looked for the aggrieved and she weren't sure to
10 give statements. So they called me. Because she was my
11 niece, she was able to provide that information to the
12 police. The only part then was getting her transported to
13 the Normanton hospital. But because I've got my niece,
14 she's a paramedic, so we were able to give her, my niece,
15 that support and say, "Hey, you need to go. This is very
16 important for the police." So, yes, she came on board,
17 went to the hospital and I was able to assist the police
18 with any more information that they needed in regards to
19 that incident.

20
21 Q. And one of the challenges that you talk about is sort
22 of the lack of support or lack of understanding with the
23 support agencies in Normanton. What you say in your
24 statement is sometimes, although there are agencies and
25 support services in town, it's not really clear what their
26 different roles are and what help. Can you tell
27 the Commission about how that's a challenge?

28 A. Yes, just in regards to that, there may be times that
29 we need support from that agency but just go from one
30 agency to another just to get the right support. But I see
31 that the agencies in Normanton, they're competing against
32 each other. Instead of supporting - you know, we need to
33 come together and support each other instead of competing.

34
35 Q. And are you aware of who aggrieveds - you can tell an
36 aggrieved or a respondent who they can go to for help or
37 support when it comes to domestic and family violence
38 matters or is it a bit unclear?

39 A. A bit unclear, yes.

40
41 Q. And are you able to make any observations about
42 whether agencies - those support agencies in Normanton are
43 based in community and people live and work in community or
44 is it more of a call in service or a fly-in fly-out
45 service?

46 A. We do have both. We've got local agencies and also
47 the ones that fly in and fly out, which can be difficult,

1 you know, if they need their support on the ground.
2

3 Q. Do non-contact conditions on domestic and family
4 violence order create problems in community?

5 A. It can and it may not. Just with the understanding of
6 that person. If they know they can't, but some do ignore
7 it, and then that's where my officers might say, "Hey, are
8 you able to have a talk," and that's where I can break it
9 down and let them know, "Hey, you know, you're unable to do
10 that, you know, otherwise you can be in trouble." But,
11 being related to everyone, that's where it's good to give
12 them that information. At least then they're not just
13 getting it from someone - another agency. It's myself
14 working for QPS.
15

16 Q. Are there ever instances where there might be a
17 non-contact condition on a domestic and family violence
18 order but there's a need due to health or due to family
19 relationships for there to be contact between those two
20 people?

21 A. Just yesterday before I left I did have a family
22 member approach me and said, "Hey, how can this person have
23 her domestic violence order varied," just to help her
24 husband because he's not well. And, like, just a bit of
25 knowledge going out with officers and getting more from
26 what they deal with and do, and I can just say, "Hey, you
27 know, I can't really give you that information. I could go
28 to my officer or officer in charge and ask the question,"
29 and if they're able to give that information then I can go
30 back and let them know, "This is what you can do." But
31 there's procedures in that as well.
32

33 Q. And in that case were you able to liaise about getting
34 the order varied or is that something that's continuing?

35 A. That's probably something continuous, what they need
36 to do.
37

38 Q. In terms of your relationship with the police you talk
39 about - and the police response to issues in community, you
40 talk about in your statement having been through a number
41 of OICs during your time now you've been there for eight
42 years. You're probably a constant at the police station as
43 people come and go. What you say in your statement is that
44 you've had good experiences with police and also some poor
45 examples of policing. If I could ask you first about the
46 good examples. Is it the case and do I understand your
47 evidence correctly that in those good examples you say that

1 the officer in charge is involved with community and wants
2 to assist not only with those strict policing and crime
3 issues but also help more broadly with schooling and other
4 issues? Is that what you see when there's a good
5 relationship?

6 A. That's correct.

7
8 Q. And what has assisted in your view police in forming
9 that good relationship between community and the police?

10 A. Is that just with the policing side still with the --

11

12 Q. Yes, if you're talking about police and community, how
13 do police form that positive relationship? In your
14 statement you talk about police being proactive with
15 community and participating in social events. Can you
16 outline some of those things that police do to help form
17 that positive relationship?

18 A. Yes, just with - so last week I organised a community
19 touch. So that is going around approaching different
20 agencies. And we got a fair - about 30-something youths
21 and close to 20 adults. So just, like, hockey, which
22 I delivered with another PLO, she delivered but with my
23 support, we were able to do that. It's just breaking that
24 barrier down, you know, building good relationship with
25 community, having sports and even events, going to events
26 as well.

27

28 Q. What are the sort of events?

29 A. Rodeo, NAIDOC, also involving Anzac Day ceremonies.
30 We have a few more but --

31

32 Q. And they're the things that you've outlined in a fair
33 bit of detail in your statement about some of those events,
34 like NAIDOC week and street parades and things like that
35 that police are involved in?

36 A. Yes.

37

38 Q. Is it also correct that the Normanton police will then
39 also sponsor community events, whether it be fishing
40 competitions, golf raffles and perhaps sponsorship and
41 prizes for the community?

42 A. That's correct, yes. We've done that in the past and
43 it's something there at present. So we support agencies in
44 town with any events that they assist, wanting police
45 support.

46

47 Q. You talk about police support for the Elders program.

1 What's that?

2 A. So with the Elders program we had the local justice
3 coordinator dealing with that, but I also came on board.
4 But it can get a bit fiery at time.

5

6 Q. What is the Elders program?

7 A. So what happened, they didn't want to do any other
8 program but bingo. So they don't win money. They just win
9 prizes. So the Elders are happy to win prizes such as
10 towels, rice cooker, you name it. And when I come they
11 said to me, "Oh, you might be the caller." So I done that
12 for a few times just so then it builds great relationship
13 with the police and with the Elders, and being related to
14 all Elders, but they know if they're going to create any
15 dramas I'm right there to say, "No, we don't do it here.
16 We have to all come together and support each other."

17

18 So it's been a great couple of years doing it. And
19 then also myself just with support from the police
20 organising our Elders dinner, which I also liaise with
21 different agencies. But at that time it was a very busy
22 month. So I thought, no, I'll come on board and, you know,
23 our Elders, they are very important in our community and
24 get them recognised as well is very important.

25

26 Q. So they're some of the initiatives that police have
27 been involved in and critically you as the senior police
28 liaison officer?

29 A. Yes.

30

31 Q. In order to build that positive relationship with
32 community and with the QPS in Normanton?

33 A. That's correct, and with the community consultative
34 committee, that was formed back I think 2019 or 18.

35

36 Q. Yes?

37 A. And that's where Elders - we meet up with Elders, the
38 justice and the mayor, so we all come together. If any
39 Elder has got any issue in regards to the community they
40 can address it to the police.

41

42 Q. And how often does that committee meet?

43 A. We normally have it every month, but been very busy,
44 but I can see that happening again soon.

45

46 Q. And in terms of what you outline in your statement is
47 that you've also had in your time at Normanton witnessed

1 some very poor police responses and police - sorry, poor
2 police responses to community and poor police practices.
3 Now, I understand or you outline in your statement that
4 some of that is subject to civil litigation. So I'm not
5 going to ask you about the specifics of those poor
6 practices that you have witnessed. But just in a general
7 sense is it the case that that involved workplace bullying
8 and racism?

9 A. That's correct. But I'm happy to - just for my
10 safety, but I'm happy to present my document to
11 the Commissioner.

12
13 Q. Certainly. So you can provide the court document
14 which outlines all those issues to the Commission of
15 Inquiry?

16 A. That's correct.

17
18 Q. But not talk about the specifics of that in court?

19 A. Yes.

20
21 Q. I just wanted to ask you a few brief questions at a
22 very general level about that. Was it you personally who
23 was subjected to bullying and racism?

24 A. That's correct, me and another First Nations police
25 officer.

26
27 Q. And the other person was a sworn officer as opposed to
28 a PLO or --

29 A. No, a First Nations sworn officer.

30
31 Q. And the poor practices and the bullying and racism
32 involved a sworn police officer? I won't ask you any
33 further details.

34 A. That's correct.

35
36 Q. And in terms of addressing those issues did you feel
37 comfortable making a complaint internally to the police
38 about that bullying and racism?

39 A. No. Just protecting my safety, but the other party
40 having connection with different agencies, there was - yes,
41 I didn't want to go, yes, just to protect myself.

42
43 Q. You didn't feel safe making an internal complaint?

44 A. That's correct.

45
46 Q. Did you make a complaint or feel safe to make a
47 complaint to the union about those practices?

1 A. No. Just with connection from that party I thought,
2 yes, it wasn't safe to do that, and just to protect myself
3 as well.

4

5 MS CAPPELLANO: Thank you. I have no further questions,
6 thank you, Commissioner.

7

8 COMMISSIONER: Ms Hillard?

9

10 <EXAMINATION BY MS HILLARD:

11

12 Q. Can I just ask you about the non-contact conditions.
13 When you are talking to the women in community who are the
14 aggrieved on a domestic violence order do they understand
15 about the non-contact conditions and what that means, do
16 you think?

17 A. No, just with - if my officers, they need my
18 assistance to speak to the aggrieved, you know, just to
19 break it down, I will support my officer. But otherwise,
20 yes.

21

22 Q. Because there's been some evidence this morning and
23 there was some others to come that the police try to get
24 the consent or agreement of the aggrieved for non-contact,
25 but if they don't understand it or what it means is that a
26 problem that you see later on when there are breaches?

27 A. Yes, that's correct.

28

29 Q. And when you were talking about the community work and
30 the elder work that you were speaking about and people can
31 raise issues with the police, does that also involve women
32 who are experiencing domestic and family violence? Does
33 that provide a conduit for them to communicate with the
34 police or not?

35 A. I'm not too sure but, you know, there may be some of
36 my members who don't feel up to speaking to the officer but
37 they'll speak to me. So I can go and relate the message or
38 the information to the police, and then what happens then
39 if they need my assistance with, you know, family
40 connection I'm always there to give them that support.

41

42 Q. Do you think that the women who experience domestic
43 and family violence feel more comfortable talking to you
44 because you're also a woman?

45 A. Yes, that would be correct and being a family member
46 as well, yes. You get some who will talk to the police and
47 some who won't. But when they come to me I say, "Hey, you

1 know, what information you give me doesn't go any further
2 to anyone else because I can get in trouble. The only
3 information goes to the police."
4

5 Q. One of the areas that the Commission's heard evidence
6 from other people in other First Nations communities is
7 that women who have domestic and family violence against
8 them, they're often isolated, their phones are taken off
9 them, their money might be kept from them, so it makes it
10 very hard for them to be able to communicate or to get
11 help?

12 A. Yes.
13

14 Q. What do you think, aside from your PLO work, can also
15 be done to try and reach those women?

16 A. I reckon just by having a - I know we talked about
17 having a women's group, you know, educating them and just
18 saying, "Hey, you know what's happening, it shouldn't be
19 happening." I did have one of my officers go out to the
20 Women's International Day and spoke to the Elders and other
21 members in regards to domestic violence and about elder
22 abuse and that. So just trying to educate them. But if we
23 had a women's group, which is happening but I haven't
24 attended one just due to me going away on, like, army
25 training, I'm with the army as well, and it's a bit hard,
26 but I have to go so I can support my community members in
27 Normanton.
28

29 Q. And do you think that those women's group events, if
30 it is able to be pulled together, have to take place on
31 country?

32 A. We did talk about that and they may feel comfortable
33 going out on country or, you know, just talking to the
34 right person.
35

36 Q. I notice from your statement that at paragraph 15 you
37 said that you don't attend any domestic and family violence
38 matters as the call-out happens, but you might be called on
39 to assist later. Is that something that might assist more
40 if you're there to be able to help at the time?

41 A. Probably not, just for my safety. But I'm happy
42 always to give my officer or officer in charge the support
43 because we do get a lot of members from out of town, like
44 the cape or the gulf, Mornington and that. If they're not
45 aware of their family connection, I'm able to let them
46 know.
47

1 MS HILLARD: Thank you, Commissioner. Those are my
2 questions.
3
4 COMMISSIONER: Mr McCafferty, do you have any questions?
5
6 MR McCAFFERTY: Commissioner, something has come out from
7 Counsel Assisting which isn't in this statement
8 (indistinct).
9
10 COMMISSIONER: Sorry, you're dropping out.
11
12 MR McCAFFERTY: Sorry, can you hear me, Commissioner?
13
14 COMMISSIONER: I can now, yes.
15
16 MR McCAFFERTY: Sorry, I apologise. A question was asked
17 by Counsel Assisting which I must say (indistinct).
18
19 COMMISSIONER: No, you're dropping out again,
20 Mr McCafferty.
21
22 MR McCAFFERTY: Is that any better?
23
24 COMMISSIONER: Momentarily, yes.
25
26 MR McCAFFERTY: I'll speak very slowly. Commissioner, a
27 question was asked by Counsel Assisting pertaining to my
28 client. I'm just trying to get some instructions about
29 that matter. Of course we didn't have any prior notice of
30 it and it's not in this witness's statement. So at the
31 moment I have to say I have no questions for this witness
32 but there might be a need to revisit that, I'm sorry.
33
34 COMMISSIONER: All right. Well, I'll see if Ms Williams
35 has any questions.
36
37 MS WILLIAMS: No thank you, Your Honour.
38
39 COMMISSIONER: All right. Do you have any questions?
40
41 MS CAPPELLANO: No, thank you, Your Honour.
42
43 COMMISSIONER: Okay. You're talking about just this
44 comment that she didn't feel safe complaining to the union?
45
46 MR McCAFFERTY: Yes, because I know for a fact that the
47 union has helped her in other respects before. Had I known

1 the question was coming I would have been able to deal with
2 it of course.

3

4 MS WILLIAMS: Would Your Honour just stand down
5 momentarily and perhaps Mr McCafferty, myself and
6 Counsel Assisting could have a discussion about this
7 evidence and why it was led in a particular way and then he
8 can take some further instructions. Perhaps we can just go
9 from there.

10

11 COMMISSIONER: Okay.

12

13 MR McCAFFERTY: That's a sound course. Thank you,
14 Commissioner.

15

16 COMMISSIONER: Okay. I'll just stand down. We might just
17 take an early-ish lunch. Actually, no, I'll stand down
18 because this witness might be able to go wherever she's got
19 to go. All right. Let me know when you're ready.

20

21 **SHORT ADJOURNMENT**

22

23 MS CAPPELLANO: Thank you, Commissioner. I'm sorry for
24 the delay. I just have two further questions for
25 Ms Rapson.

26

27 **<EXAMINATION BY MS CAPPELLANO:**

28

29 Q. Ms Rapson, just in relation to your evidence about not
30 feeling safe to approach the union for assistance, can
31 I just clarify that that was because you knew that the
32 police officer who the allegation was about had a personal
33 connection to the union representative; is that the case?

34 A. That's correct.

35

36 Q. And the concerns about not feeling safe were
37 specifically in relation to that particular union
38 representative rather than the union more broadly?

39 A. That's correct.

40

41 MS CAPPELLANO: Thank you. I have no further questions.

42

43 COMMISSIONER: Mr McCafferty?

44

45 MR McCAFFERTY: No questions, thank you, Commissioner.

46

47 COMMISSIONER: Ms Williams?

1
2 MS WILLIAMS: No questions.

3
4 COMMISSIONER: Ms Hillard?

5
6 MS HILLARD: No questions.

7
8 COMMISSIONER: Thank you very much. You're excused. And
9 we'll just adjourn until two.

10
11 MS CAPPELLANO: Two. Thank you.

12
13 <THE WITNESS WITHDREW

14
15 LUNCHEON ADJOURNMENT

16
17 MS CAPPELLANO: Commissioner, I call Mayor Tamwoy. There
18 have been some issues with the connection.

19
20 COMMISSIONER: I can't actually see her.

21
22 MS CAPPELLANO: She was connected earlier but I think
23 she's just reconnecting now.

24
25 COMMISSIONER: There she is. Mayor Tamwoy, I'm
26 Judge Richards. How are you

27
28 MAYOR TAMWOY: I'm good, thank you.

29
30 COMMISSIONER: You can hear me okay?

31
32 MAYOR TAMWOY: Yes, I can.

33
34 <KERI TAMWOY, affirmed:

35
36 <EXAMINATION BY MS CAPPELLANO:

37
38 Q. Mayor Tamwoy, you've provided a statement to this
39 Commission of Inquiry; is that the case?

40 A. Yes, I have.

41
42 Q. If at any stage you can't hear or see, because I know
43 there have been some issues with the connection, please let
44 us know.

45 A. Yes.

46
47 Q. You're currently the mayor of Aurukun and you've been

1 the mayor since 2020; is that right?

2 A. Yes, that's correct.

3

4 Q. And before that you were the mediator at Aurukun for a
5 period of around five years?

6 A. Yes, I was. Yes.

7

8 Q. What does the role of mediator involve?

9 A. The role of mediator involves facilitating a mediation
10 where two parties come together to resolve a dispute.

11

12 Q. And does that involve two parties who are in the
13 community or could it be police and community?

14 A. Yes, it could be that. Yes.

15

16 Q. Did any of the mediations that you were involved in
17 involve domestic and family violence matters?

18 A. Yes, there were some, yes, but only under instruction
19 of solicitors that we could do a mediation because, you
20 know, there would be some non-contact conditions applied to
21 some DVOs.

22

23 Q. Is that the sort of thing that was able to be
24 successfully mediated, if somebody had a non-contact
25 condition and wanted to have that varied?

26 A. Yes. As long as the victim - if the victim wanted to
27 do a mediation with their partner, that was allowed.

28

29 Q. And in your role as mayor you've provided a statement
30 and in that statement you say that domestic and family
31 violence is a problem everywhere and Aurukun is no
32 exception; is that right?

33 A. Yes, that's correct. Yes.

34

35 Q. You talk about both men and women being victims of
36 domestic and family violence. Is that something that you
37 see in your community?

38 A. Yes, I do see that, not only are the women victims but
39 men are victims too, but they don't come forward and report
40 that they have been abused by their partners.

41

42 Q. Is it the case that domestic and family violence
43 matters are quite common in Aurukun?

44 A. Yes, that would be the case, yes.

45

46 Q. Something that you talk about in your statement is
47 that there's a limited - in your view there's a limited

1 understanding of what is domestic and family violence
2 within the community. Is that right and can you explain
3 what you mean by that?

4 A. Yes, I believe that's correct. Domestic and family
5 violence is not just about the physical violence, because
6 there is a lot more abuse that's happening, you know,
7 psychological abuse and also when it comes to, you know,
8 finances, the partner may be withholding money from their
9 partner. It could be controlling people - partners
10 controlling their partners who they can talk to, where they
11 are, checking up.

12
13 Q. Mayor Tamwoy, can you hear me okay? You've just
14 frozen on our video screen.

15
16 The connection has dropped out. Mr Operator, are you
17 able to make some enquiries to re-establish the connection?

18
19 OPERATOR: Yes, we'll do that.

20
21 MS CAPPELLANO: Commissioner, if the connection continues
22 to be problematic, I'm not sure if there is an option to
23 phone into the court. Would you like us to make some
24 enquiries in relation to that?

25
26 COMMISSIONER: It might be a good idea.

27
28 OPERATOR: The mayor is reconnecting now.

29
30 MS CAPPELLANO: Thank you, Mr Operator. Mayor Tamwoy, can
31 you hear me okay again?

32 A. Yes, I can hear you. Sorry about that. We're just
33 having technical issues on our end.

34
35 Q. If the connection continues to be problematic we might
36 be able to have you phone in instead, if that works easier.
37 So please let us know if it's not working.

38 A. Yes.

39
40 Q. I think you were just explaining before the screen
41 closed about a limited understanding of controlling
42 behaviours being part of domestic and family violence. Was
43 there anything else you wanted to say about that?
44 Mayor Tamwoy, can you hear me?

45
46 It appears there might be a stall in the connection
47 again. Commissioner, perhaps if we stand down Mayor Tamwoy

1 and if Madam Associate can make some enquiries with her,
2 perhaps we can interpose another witness in the meantime
3 while we work out the phone number and how we could arrange
4 that; would that be suitable?

5
6 COMMISSIONER: Yes.

7
8 MS CAPPELLANO: Mr Longhurst is here and available to give
9 evidence presently. I call Sergeant David Longhurst.

10
11 <DAVID LONGHURST, sworn:

12
13 <EXAMINATION BY MS CAPPELLANO:

14
15 Q. Sergeant Longhurst, you are the sergeant of police and
16 the officer in charge of Mt Isa Police Prosecutions; is
17 that correct?

18 A. Yes, that's correct.

19
20 Q. And you've provided a statement to this Commission of
21 Inquiry?

22 A. Yes, I have.

23
24 Q. And you have a copy of the statement with you?

25 A. Yes, I do.

26
27 Q. And in your statement you cover a number of different
28 aspects of your observations and experiences as a police
29 prosecutor in Mt Isa, particularly in relation to domestic
30 and family violence matters. Now, I don't intend to take
31 you through all those matters that have been raised in your
32 statement in oral evidence today, but I want to ask you
33 about two discrete matters which aren't mentioned in your
34 statement.

35 A. Yes.

36
37 Q. The first is the Commission has heard evidence earlier
38 today about the prevalence of very young people being in
39 relationships which involve domestic and family violence in
40 the Mt Isa district. Is that something that you encounter?

41 A. Yes. I don't know - I wouldn't know the statistics to
42 say it's prevalent here as opposed to other places, but it
43 has become more common in the three years that I've been
44 here, I've noticed it increase in juveniles being subject
45 to applications and orders in a relationship, yes.

46
47 Q. And how old would these children be?

1 A. I reckon the youngest we've had is probably 12 or 13
2 and all the way up to 18, to an adult.

3
4 Q. Are you aware of whether respondents who are subject
5 to domestic and family violence orders would be engaging
6 with Youth Justice? Is that something you're aware of? It
7 might not be, given that it's a civil application as
8 opposed to criminal.

9 A. I'm not aware of. I would suggest, no, at a civil
10 time. Unfortunately in this jurisdiction, though, breaches
11 are common for juvenile respondents and after a while,
12 depending on the seriousness of the breaches, they more
13 than likely come to the attention of Youth Justice and be
14 under programs with Youth Justice.

15
16 Q. Is it your evidence that they would only engage with
17 Youth Justice once there have been contraventions which
18 then went up to orders such as probation or --

19 A. That would be my belief, without actually knowing for
20 sure that they don't, without working for Youth Justice,
21 but that would be my belief, that they wouldn't engage
22 until they have actually had criminal matters and be
23 sentenced to be subject to Youth Justice.

24
25 Q. Again this is something you might not have personal
26 knowledge of and if that's the case please say so, but are
27 you aware of any other services that are available for
28 respondents when it comes to children who are respondents
29 to domestic and family violence orders?

30 A. No, not that I'm aware of. For civil applications,
31 no.

32
33 COMMISSIONER: So do they turn up to the applications, the
34 children?

35 A. At times, yes. Normally how they come is through
36 criminal charges, so through common assaults and
37 occasioning bodily harm, and then the application is
38 attached to that. So they're in court when the
39 applications are heard. That's normally how they come.
40 I don't think there's too many where the initial
41 application doesn't involve a criminal charge attached to
42 it.

43
44 COMMISSIONER: Okay. So Youth Justice would be involved
45 then?

46 A. Yes, well, depending on what they get in the criminal
47 charge. Obviously if you're talking 12, 13-year olds with

1 no history --

2

3 COMMISSIONER: Probably just a reprimand.

4 A. Yes, they're not getting probation yet. So it might
5 take a couple of times, unfortunately.

6

7 COMMISSIONER: Okay. So do you explain the orders to
8 them? Does someone explain the orders to them?

9 A. The magistrate explains to them to the best of his
10 ability. My understanding is that his or her practitioner
11 would explain to them. But Prosecutions don't sit down and
12 explain the order to them. If they weren't in court,
13 police would have to explain the order to them.

14

15 COMMISSIONER: So are they represented?

16 A. Yes.

17

18 MS CAPPELLANO: And that's what I wanted to ask you about,
19 the young people in relation to domestic and family
20 violence orders.

21

22 The other topic I wanted to ask you about is the
23 operation of the Murri Court in this jurisdiction and how
24 that applies in relation to domestic and family violence
25 matters. Are you able to outline that for the Commission?

26 A. Yes. I really like our Murri Court program here.
27 I think it does wonders. It is only on the criminal side
28 of things. So how our Murri Court works here --

29

30 COMMISSIONER: Just before you go one step further, how
31 long have you been here?

32 A. Three years, Your Honour.

33

34 COMMISSIONER: And where were you before that?

35 A. Just at Rockhampton.

36

37 COMMISSIONER: So were you involved in the Murri Court in
38 Rocky?

39 A. Only for one or two sittings.

40

41 COMMISSIONER: Okay. I just wanted to get some context.

42 A. And then we sit once a month. A part of the program,
43 part of the bail - part of their program is they have to
44 attend a men's or women's group each week, and each month
45 we sit with the Elders and Brother Marty with the Catholic
46 Church, and they talk about how they're going, how they're
47 engaging, and they also say if they're not engaging and if

1 they need to put in more work. It's only once they have
2 fully engaged and are developing to what the Elders
3 appreciate is them understanding their behaviours and
4 talking about it do they come to sentence, and sentence is
5 normally six to eight months down the track. So it's quite
6 an extensive program.

7
8 MS CAPPELLANO: So are those meetings once a week and then
9 there's a sitting once a month?

10 A. Yes, so their men's or women's group is once a week,
11 and then Murri Court sits once a month.

12
13 Q. Is there any police involvement in the men's and
14 women's group or is it run by the Elders entirely?

15 A. Run by the Elders and the Catholic Church, is my
16 understanding. There is no police involvement.

17
18 Q. And then police get updates at the monthly --

19 A. Yes, Prosecutions gets updated. They have to plead
20 guilty. That's one of the - there's no contest in charges
21 in Murri Court. Sometimes if they have eight charges and
22 they plead to six we'll put them in Murri Court and
23 negotiate the other two. But that's how it works. It's
24 very difficult to - I find it very difficult with bail
25 applications, that those who want to go on Murri Court,
26 it's a very hard bail application for me to resist because
27 I've seen the success of it and how hard people work in it.
28 So it is very hard.

29
30 COMMISSIONER: So it seems to work well?

31 A. Yes. I have a lot of time for it. I think it works
32 well.

33
34 COMMISSIONER: Do you think that people generally
35 understand domestic violence, particularly ones who come
36 before the court on breaches?

37 A. Everyone or the Indigenous or --

38
39 COMMISSIONER: Let's start with Murri Court.

40 A. I certainly think that everyone understands the
41 physical violence side of things. I think everyone
42 understands that. I think that there is a misunderstanding
43 or perhaps it isn't acknowledged the other types. The
44 common ones out here is the arguments and the accusations
45 of infidelity, that they happen a lot.

46
47 COMMISSIONER: Jealousing?

1 A. Yes, jealousing. Also the ones that I find a little
2 bit concerning is say they're going to call police and they
3 take the phone away and smash it or take the phone away and
4 don't give it to the aggrieved, back to the aggrieved.
5 I think that kind of controlling coercive kind of behaviour
6 is I think something that's not fully appreciated by the
7 general public, really, that type of offending. I think
8 that that's a serious nature that can lead to physical
9 violence or other types of emotional harm that no-one can
10 see, police can't see when they turn up. We can see
11 bruises, we can see cuts, we can see property thrown on the
12 ground. But what we can't see is what's happened inside.
13 And I think we generally, police and the public, need to
14 appreciate the different types of domestic violence.

15
16 COMMISSIONER: And do you think that this Murri Court
17 program by the end, that there's a better understanding of
18 all types of domestic violence by the participants?

19 A. I think that there's a better understanding of most
20 types of domestic violence. Yes, I think - I certainly
21 think there's an understanding of the way that their
22 behaviour, even if it's not violent, affects the person
23 they're in relationships with. I think there's a great
24 understanding.

25
26 MS CAPPELLANO: And in terms of just general understanding
27 do you have any sense or observations about how well people
28 who come before the court understand the conditions of
29 their own orders, having gone through the court process?

30 A. I think the way that it's explained - sorry, the
31 conditions of - say if there's conditions of no contact or
32 not to approach, I think they're well explained in court.
33 In my statement I've talked about we're heading away from
34 absolute no contact and absolute no approach conditions
35 towards allowing contact and approach if it's with the
36 express written consent of the aggrieved, and I think that
37 has a little bit of a more complicated layer to it to
38 explaining and understanding. But as for - if it's
39 absolute conditions I think they're pretty well explained
40 and I think people have a good understanding, and even in
41 the criminal context when they plead or we're looking at
42 what they told police, "I know I wasn't allowed to have
43 contact," so I think people understand it.

44
45 Q. And this is a specialist court in this jurisdiction.
46 Is that explained generally by the magistrate or there's
47 also legal representatives, for both the accused and the

1 aggrieved, in this jurisdiction who can also explain?
2 A. Yes, so the magistrate will explain. I would think
3 that the practitioners would explain, although I'm not
4 privy to those conversations.

5
6 Q. Of course. But everyone in your experience is
7 generally represented in this jurisdiction?

8 A. Yes.

9
10 Q. Both the aggrieved and the respondent?

11 A. Very rarely are there self-represented people here.

12
13 Q. And in terms of the non-contact you talk about the
14 variation of the moving away from non-contact conditions
15 being absolute. Was there a concern there? What's led to
16 that I guess change in stance from Prosecution's point of
17 view?

18 A. Well, I think the overwhelming amount of criminal
19 breaches we had in respect of breaches of no contact that
20 didn't involve breaches of good behaviour, and I think
21 there is a distinct difference in respect of those, that
22 type of offending, and it was often at the consent of the
23 aggrieved being there. We either went through a cycle of
24 just continually breaching someone or - so then we would
25 say - and the magistrate would give not advice but indicate
26 there are avenues to amend this order, and they'd talk to
27 the legal representative and we had a lot of applications
28 to vary to allow those to get away from those absolute no
29 contacts or not approaches to allowing with consent of the
30 aggrieved in writing. It can be withdrawn. It was all
31 about shifting power imbalance, and that's the idea of it.
32 That's our idea of it.

33
34 Q. And was that an initiative of the Police Prosecutions
35 department, where you saw --

36 A. We have been very open to it. I can't remember
37 exactly who actually pushed this. I just know that it's
38 become more prevalent and we've accepted it and, as the
39 OIC, I certainly accept and I think it's in the best
40 interest - depending of course on - normally application to
41 vary is filed by the aggrieved. So we normally understand
42 their side of the story. I do like to talk to them. But
43 they are often represented as well. But normally it's
44 about that.

45
46 It also depends on the seriousness of what was the
47 initial application; has there been any offending since.

1 It may be a point where we - and this happens as well,
2 where we keep an absolute not go to the aggrieved's
3 residence, especially if they're not in a relationship, if
4 they're not together, not living together, not going to the
5 aggrieved's residence because that allows for a place of
6 safety for the aggrieved. But if there are children
7 involved and they want to have contact or they want to do
8 custody drop-offs or go out to social things together with
9 the kids, that still allows for that in respect of that.
10 So that's how I look at it.

11
12 I think personally, not that it gets involved in my
13 decision making, but I think personally it's very difficult
14 to keep state-imposed sanction of no contact with two
15 people that want to be together, especially the person it's
16 meant to protect who wants to push for their own contact
17 and for their open welfare, and I guess that's where the
18 principles of the Act kind of - there's a little bit of a
19 weight difference there in respect of it says we have to as
20 most reasonably possible allow for the aggrieved's insight
21 into that and then also making sure we are protecting the
22 aggrieved and perhaps protecting people who can't protect
23 themselves. It's always a finely balanced decision-making
24 process, depending on a multitude of factors.

25
26 MS CAPPELLANO: Thank you. They're the questions that
27 I have for the sergeant. Thank you.

28
29 COMMISSIONER: Ms Hillard?

30
31 **<EXAMINATION BY MS HILLARD:**

32
33 Q. Just one question about the consent, the variations
34 that you were just giving some evidence about just now. In
35 terms of that, there's no power under legislation for when
36 somebody who is being sentenced to vary a domestic and
37 family violence order but there is a power to make a
38 domestic and family violence order on a criminal sentence.
39 Have you ever had occasions where there have been
40 variations on the sentence?

41 A. Yes, I disagree with that interpretation of
42 section 42.

43
44 Q. And have you had occasions where you're talking about
45 breaches of domestic and family violence orders where the
46 magistrate has varied the domestic and family violence
47 order to relax those contact provisions?

1 A. There has been - I know there have been occasions, not
2 when I have been prosecuting. I have opposed it before
3 when prosecuting. I don't think it's within the spirit of
4 the Act that someone who is before the court for
5 contravening an order, that the court should vary to take
6 away conditions.

7
8 Q. Unless of course there's some consultation with
9 the victim or there's a statement from the victim saying
10 that they want that to happen?

11 A. I haven't encountered that example.

12
13 Q. And in respect of the Murri Court, you canvass that it
14 only relates to criminal matters at the present point in
15 time?

16 A. Yes.

17
18 Q. There's no formal men's behaviour change program
19 connected to the Murri Court. Do you have a view about how
20 helpful that would be?

21 A. I think any behavioural change program would be
22 beneficial out here. I think it would need to be tailored
23 for Indigenous. I think there's certainly different things
24 that need to be addressed with Indigenous domestic violence
25 in that respect. But, yes, I think any behavioural change
26 program would be beneficial out here.

27
28 Q. Do you think that there's some scope in the civil
29 sphere for a domestic and family violence application for a
30 community justice group representative or a First Nations
31 representative to assist the court in those cases that
32 relate to First Nations people?

33 A. I think so on certain topics. I think that there
34 would have to be - there are some cultural sensitivities in
35 respect of what mob or clan people are from in respect of
36 that. I think understanding someone who is able to
37 articulate to the court Indigenous lore in respect of
38 I often hear and I don't understand it, but I often hear of
39 people being promised to other people and stuff like that.
40 That I think would be beneficial to explain to the court
41 for a full appreciation of the relationship itself.

42
43 Q. One of the things the Commissioner asked you was about
44 youth in domestic and family violence matters and where
45 they're respondents and you said they're represented. Are
46 they represented at a contested hearing or only represented
47 on the mentions or reviews?

1 A. I don't think I've ever had a contested youth one.
2 I know we've had - I know there have been consents
3 to - we've had arguments, not arguments, submissions in
4 respect of consent to whether it should be 12 months or
5 24 months or the five years that is in the Act, not
6 mandatory, but unless there's other circumstances. I know
7 there's been submissions on that, where the person has been
8 represented. But I don't think I've ever had a contested
9 application.

10
11 Q. And do you have a view or any comment that you want to
12 make about the value of rostering time for officers to
13 allow follow-ups to make your work easier and specialist
14 court work easier and Murri Court work easier?

15 A. I think any ability for officers to have more time to
16 follow up with complainants, whether it be after a serious
17 incident or an incident, being able to go back later and
18 spend - I think that we - unfortunately officers go to a
19 disturbance or a job, they're dealing with people in
20 heightened situations. Often the aggrieved is the one most
21 heightened in the situation. I think we would get a better
22 appreciation for what's gone on if we come back later.
23 Absolutely. And I think being able to follow up and taking
24 a bit of ownership of what you've done and the people that
25 you've gone to and work with, I think that would be good.
26 But it would create big staffing issues. But I think it
27 would be - before here I was in a little town called Nowra
28 where there were four officers and because we weren't
29 stifled by time we took responsibility and everyone - you
30 were able to go back day after day and see how people
31 progressed. I think that would be great for everyone.
32 I don't know how realistic it is.

33
34 Q. It perhaps makes it easier if there is an allocated
35 social worker or I believe up here you have the Save the
36 Children person that sometimes goes out to be helpful?

37 A. Yes, although I haven't worked on a (indistinct).

38
39 MS HILLARD: Thank you, Commissioner. Those are the
40 questions.

41
42 COMMISSIONER: Mr McCafferty?

43
44 MR McCAFFERTY: No questions.

45
46 MS WILLIAMS: Nothing from me, thank you, Your Honour.
47

1 MS CAPPELLANO: Thank you. They're the only questions for
2 the sergeant. May he be excused?

3
4 COMMISSIONER: Thanks very much, Sergeant. Thanks for
5 coming in.

6
7 <THE WITNESS WITHDREW

8
9 COMMISSIONER: Yes.

10
11 MS CAPPELLANO: Perhaps if we could stand down for a brief
12 period of time to arrange the telephone link.

13
14 COMMISSIONER: Yes.

15
16 **SHORT ADJOURNMENT**

17
18 MS CAPPELLANO: Thank you, Commissioner. We have
19 Mayor Tamwoy on the telephone line?

20
21 COMMISSIONER: Right.

22
23 <KERI TAMWOY, recalled:

24
25 <EXAMINATION BY MS CAPPELLANO:

26
27 Q. Mayor Tamwoy, when the phone cut out previously you
28 were talking about the example about there being a limited
29 understanding of what amounts to domestic and family
30 violence within members of the community. Was there
31 anything else you wished to say in relation to that?

32 A. No, I think I've said what I needed to say.

33
34 Q. And is it the case - this is something that you talk
35 about in your statement - that even you personally only in
36 recent years had a full appreciation of what the variety of
37 things that can amount to domestic and family violence;
38 would that be fair to say?

39 A. Yes, yes, that would be correct, yes.

40
41 Q. And that's despite the fact that your mother was
42 actually a person who worked in the field of supporting
43 aggrieveds when it came to domestic and family violence?

44 A. Yes, that's correct. Yes.

45
46 Q. What do you think is required in the community to
47 assist in this regard?

1 A. When it comes to domestic and family violence?
2

3 Q. Yes, increasing understanding, I guess.

4 A. Yes. I believe that, you know, we need to educate,
5 and by that I mean, you know, educational material that we
6 need to have, like, made available to the general public.
7 I don't see much in community, I don't see much awareness
8 being raised in this way, you know, what is
9 domestic violence, you know, and I believe it all comes
10 down to just the education of the community.
11

12 Q. You indicate in your statement that domestic and
13 family violence orders and police protection notices are
14 common. Are you able to make any comment on how often no
15 contact conditions are placed on orders and whether that
16 can become problematic?

17 A. I don't have the numbers of how many orders, no
18 contact orders, are put in place. But I do know just
19 hearing from the general public, you know, when someone
20 flies away, goes away to, say, Lotus Glen prison people
21 will say, "Oh, they breached their DVO. That's why they
22 have gone away." That's how I know.
23

24 Q. And something that you say in relation to the
25 non-contact conditions is that sometimes the orders don't
26 work because the aggrieved and respondent don't really
27 understand the impact and the purpose of those types of
28 conditions on the order; is that correct?

29 A. Sorry, could you repeat that question again?
30

31 Q. Are you able to make any comment on how well people
32 who are the aggrieved or the respondent on a domestic and
33 family violence order understand the order itself, what
34 they are allowed to do, what they're not allowed to do? Do
35 you have any view on that?

36 A. Yes. I believe persons don't fully understand it. It
37 needs to be explained properly to them because you would
38 still have, you know, the - what do you call it - partner
39 trying to make contact with the aggrieved. Even though
40 it's been explained to them they find - they would find it
41 very hard to understand the concept of, "You're not allowed
42 to call, text. You're not allowed to make any form of
43 contact with them through family members and relatives."
44 I find that people struggle with that.
45

46 Q. And another aspect that you raise in your statement is
47 that there is at times a reluctance for community members

1 to engage with police. Is that something that you see and,
2 if so, how regularly?

3 A. Sorry, can you repeat that again? You sort of are
4 like a bit staticy on my end.

5

6 Q. Of course. Is there a reluctance in the community for
7 victims to contact the police?

8 A. With women I think some - not I think - some would
9 find it easy to make contact with the police; others not so
10 much because they don't want their partner getting into
11 trouble. With men it's very - very rarely men come forward
12 and say, "This is what's happening to me."

13

14 Q. And is there anything that you're aware of which would
15 help people in community to have more confidence in terms
16 of contacting the police?

17 A. No. Myself, I would try to encourage victims to come
18 forward. But at the end of the day the victim has to come
19 forward. I was involved in a situation, it was a young
20 male, a young male person, who got into all sorts of
21 trouble. But he did not want to tell the police about the
22 abuse that he suffered.

23

24 Q. In terms of the relationship with police and in
25 particular in relation to cultural protocols you say in
26 your statement that police could do better with cultural
27 protocols and that particularly new police can cause
28 offence, even if they don't know what they're doing wrong.
29 Can you explain or give an example of how that can occur in
30 the community?

31 A. Yes. Thank you. Whenever new police come in they're
32 not quite aware of the cultural elements of the community.
33 Say, for example, if people are - this is an example. If
34 people are having a dispute or are fighting with each
35 other, and when police try to step in the police are always
36 being told, "No, this is how we sort things out through our
37 way, through our culture. This is how we do it. We fight
38 it out," when in reality it's not the way we do things. So
39 new police officers tend to fall into that - be misled into
40 that without knowing better. But, you know, we always try
41 to assist the police the best possible way and advise them,
42 "No, no, what they have told you is not true."

43

44 Q. We've heard some evidence from the current officer in
45 charge at Aurukun and you say in relation to that that
46 things are going well but it is also early days. Does the
47 current OIC engage well and have a positive relationship

1 with community, and particularly Elders in community?

2 A. Yes, he does. He engages very well. He's starting to
3 gain traction, yes. So he's really good. He goes out of
4 his way to connect with people and Elders.

5

6 Q. Do you as the mayor work closely with the QPS at the
7 moment in Aurukun?

8 A. Yes, I do, and I've worked well with them in the past
9 being a mediator.

10

11 Q. And are you able to give any examples of the sorts of
12 things that you as a mayor do in collaboration with police
13 to help with that relationship?

14 A. Yes, with that relationship, a very fresh one and new
15 one, and it's not related to domestic and family violence,
16 but we had a community member missing - went missing for
17 three days. So myself as the mayor instructed staff,
18 council staff, to stand down from their work and assist
19 with the search. So in that way we collaborated closely
20 with QPS to have some of our staff stationed at the police
21 station and the rest participate in the search. That was a
22 good partnership.

23

24 Q. And was it the police who were leading the search in
25 that instance?

26 A. Yes, the police were leading the search, and the
27 feedback I got from the OIC, Amit, was, "You know, mayor,
28 thank you very much. If it were not for your staff being
29 based at the police station we would have struggled."

30

31 Q. And that's just from last weekend, is that right, or
32 two weeks ago?

33 A. Yes. Yes, that's just from last weekend, yes.

34

35 Q. An issue that you talk about in your statement is
36 engagement with service providers in community. You give
37 the example of the PCYC as an example of engagement that's
38 done well. What do they do that really works?

39 A. The PCYC, you know, they don't stay just within the
40 four walls of the PCYC building. They actually go out into
41 community and do little exercises everywhere, and that way
42 they're engaging the young people and in turn that leads to
43 engaging with the parents of those young people.

44

45 Q. Do the people who run the PCYC live in community?

46 A. Yes.

47

1 Q. You also talk about an issue, I guess the flip side of
2 where engagement's not done well, and in this context you
3 talk about there being limited support and engagement from
4 outside service providers and the problems that you have
5 with limited operating hours. Can you outline those issues
6 for the Commission?

7 A. Yes, I can. In Aurukun the days leading up to the
8 weekend, Thursday and Friday, would be our most busiest
9 days. This is where we have an issue with sly grog coming
10 into community. Aurukun is a dry community with an AMP in
11 place. So during these days we have alcohol coming into
12 community, which then leads to a lot of issues, like
13 domestic violence and people disputing with each other. So
14 if we don't have services open on the weekend, you know,
15 where people could go to, like, for example if someone
16 needed to have a very confidential talk to someone at the
17 wellbeing centre, for example, no-one's available. In
18 Aurukun people like to engage face-to-face and not so much
19 rely on technology, but face-to-face.

20
21 Q. What sort of hours do the outside service providers
22 operate?

23 A. We're looking at - because it's mainly people fly-in
24 fly-out, we're looking at on a Monday we would have a
25 building open up at about 10, 10.30, they go on their lunch
26 break, so that's from 10 to 4. Then on a Tuesday you're
27 looking at 8.30 to 4.30. On a Friday would be 8.30 to
28 3 pm, but sometimes that could be 8.30 to 12 because then
29 people are getting ready to leave because they fly out on
30 the Friday. So they basically go out, go on lunch, but
31 don't return because they need to, you know, sort out their
32 accommodation and pack.

33
34 Q. Is it the case that there's just no external service
35 providers over the weekend?

36 A. Yes, that would be the case.

37
38 Q. Are there any organisations where the people who are
39 working in them are living and working in community, or is
40 it really all fly-in fly-out?

41 A. We have Queensland Health; we have the primary health
42 care clinic. So the director of nursing and a handful of
43 nurses live in Aurukun. So when something goes wrong
44 that's the main place that people would go to on a weekend.
45 But if there were major issues they would rely on the Royal
46 Flying Doctor Service to support them.

47

1 Q. Are you aware of any domestic and family violence
2 support agencies that are available that live and work in
3 community?

4 A. No.

5

6 Q. Are you aware of what domestic and family violence
7 support services there are in Aurukun?

8 A. No, I'm not aware of them.

9

10 Q. We've also heard evidence in the Commission from
11 Brendon McMahon, who I understand was a former OIC at
12 Aurukun and then also the former government coordinator at
13 Aurukun. Do you know who I'm talking about?

14 A. Yes, I know Brendon, yes.

15

16 Q. And I understand that while he was working at Aurukun
17 you were the mediator?

18 A. Yes, I was the mediator at the time Brendon was
19 working in Aurukun.

20

21 Q. And how would you describe your relationship as a town
22 mediator with Brendon, who was either the OIC or the senior
23 government coordinator?

24 A. He was the senior government coordinator when I had
25 experience working with him. I believe for me I had a good
26 working relationship with him. He was always supportive,
27 always transparent, and we worked well together in the
28 times that I had worked with him.

29

30 Q. From your observations as the mediator for the town
31 did you feel that Brendon also had a positive relationship
32 with the rest of the community?

33 A. Yes, he did. Brendon would walk around everywhere,
34 around town, and everyone knew him and everyone had a good
35 relationship with him.

36

37 Q. Are you able to identify what he did that allowed him
38 to form those positive relationships?

39 A. It had more to do with him just being on the same
40 level as people and being able to communicate well with
41 them and always being honest and transparent. You know,
42 plus, he was the officer in charge here in Aurukun
43 previously before he came in that role, came into Aurukun
44 in that role. So he already had, like, some kind of
45 connection to community, and people trusted him.

46

47 Q. You say in your statement that what Brendon did as

1 government coordinator made a difference. Are you able to
2 explain how it made a difference, how things - if things
3 did improve in community during that time?

4 A. I believe there was some improvement in community
5 during that time. Brendon made a difference because he
6 reported directly to the Director-Generals and he was
7 always pushing for, you know, things to be done in the
8 appropriate way for Aurukun.

9
10 Q. What was the difference - what were the improvements
11 that you saw in community during that period of time?

12 A. There would be - people in Aurukun during that time
13 were more activated, like, you would see people turning up
14 to their activities that they needed to do, you would see
15 people commit to the - stakeholders commit to meetings that
16 they had to attend. Yes, those are a few.

17
18 Q. In your statement you say that what was built should
19 have evolved with the community. What happened after
20 Brendon left?

21 A. After Brendon left it left a big gap in community that
22 couldn't be filled. There was no forward planning to
23 capture what Brendon had done in community.

24
25 Q. And do I understand your evidence correctly that
26 ultimately government funding for that government
27 coordinator role was pulled out?

28 A. Yes.

29
30 Q. And that there's not an ongoing government coordinator
31 plan in Aurukun?

32 A. No, not currently.

33
34 MS CAPPELLANO: Thank you. They're the questions that
35 I have for Mayor Tamwoy.

36
37 COMMISSIONER: Ms Hillard?

38
39 MS HILLARD: Thank you.

40
41 <EXAMINATION BY MS HILLARD:

42
43 Q. Mayor Tamwoy, can I just ask about coercive control.
44 The Commission has heard evidence from different people in
45 different First Nations communities that coercive control
46 is prevalent, women having phones taken off them, being
47 isolated, being unable to access the police or other

1 services for help. Do you have a view or comment about
2 that, about the Aurukun community?

3 A. Sorry, can you repeat that question again?
4

5 Q. Yes. Do the women in your community at Aurukun, do
6 they experience coercive control, being isolated, have
7 their phones taken off them, trying to prevent them from
8 contacting police, not allowed to go out to activities; is
9 that something you've seen?

10 A. Yes, I have seen that happen, yes, and it's not only
11 the woman but it's men too, you know.
12

13 Q. So for the person who is experiencing domestic and
14 family violence, male or female, and they are isolated like
15 that how do you think it can be best overcome for them to
16 get help?

17 A. I don't have an answer to that, but I would just like
18 to say through education and just letting people know, you
19 know, "This is what you can do. This is who you can call,"
20 and if it's not - if they're not comfortable with calling,
21 like, getting in touch with the police themselves, you
22 know, maybe a family member or their neighbour.
23

24 Q. When Brendon McMahon was running his program and doing
25 the government coordinator were those problems better?

26 A. I can't comment on that.
27

28 Q. When I say "problems were better", was it easier for
29 people to get help?

30 A. I think it would be, yes.
31

32 MS HILLARD: Thank you, Commissioner. That's my only set
33 of questions.
34

35 COMMISSIONER: Mr McCafferty?
36

37 MR McCAFFERTY: No questions, thank you.
38

39 COMMISSIONER: Ms Williams?
40

41 MS WILLIAMS: No, thank you.
42

43 MS CAPPELLANO: I have no further questions for
44 Mayor Tamwoy. May she be excused?
45

46 COMMISSIONER: Thanks so much, Mayor Tamwoy. Thank you
47 for persevering and you can hang up. Thank you very much.

1 A. Thank you.

2

3 <THE WITNESS WITHDREW

4

5 MS CAPPELLANO: I call Aimee Sewell.

6

7 <AIMEE SEWELL, affirmed:

8

9 <EXAMINATION BY MS CAPPELLANO:

10

11 Q. Sergeant Sewell, you provided a statement to this
12 Commission of Inquiry; is that right?

13 A. Yes, that's correct.

14

15 Q. And you've got a copy of your statement there in case
16 you need to refer to it?

17 A. Yes, I do, thank you.

18

19 Q. You're currently the youth club manager at the Mt Isa
20 Police Citizens Youth Club?

21 A. Yes, that's correct.

22

23 Q. Also known as PCYC. And you've had this position only
24 relatively recently, since June of this year; is that
25 right?

26 A. Yes, that's correct.

27

28 Q. But prior to that for the last two years you've worked
29 as a youth officer at the PCYC?

30 A. Also correct.

31

32 Q. As part of your duties you're responsible for the
33 delivery of specific programs, including crime prevention
34 programs and intervention programs, particularly for
35 disengaged youth or disadvantaged youth in the Mt Isa
36 district and, as well as having been a member of the
37 Queensland Police Service, you also have teaching
38 qualifications?

39 A. Yes, I do, yes.

40

41 Q. So you have a bachelor of secondary education?

42 A. M'hmm.

43

44 Q. And you're also currently a registered teacher?

45 A. Yes, that's correct.

46

47 Q. How has the ability - I guess the qualifications and

1 the skills you learn as a teacher important in terms of
2 delivery programs?

3 A. Invaluable. I think my education and experience has
4 enabled me to probably have a little bit more success than
5 perhaps other officers may have had just due to the
6 educational background and understanding the complexities
7 of the learning environment as well as the young people and
8 also in content delivery.

9
10 Q. Just before I ask you about some of the specific
11 programs that you run currently, I just wanted to ask you
12 about any observations you have about the prevalence of
13 young people, as in people under 18, who are in
14 domestically violent relationships or subject to domestic
15 and family violence orders. Do you have any observations
16 about that?

17 A. My only observations are from the young people that
18 I directly engage with. I do obviously check our QPRIME
19 results on a daily occurrence to see which young people are
20 engaging in what type of behaviours, and they can direct my
21 response in terms of programming to support the district.
22 A lot of the young people that I'm currently working with,
23 most of them are subject to domestic and family violence
24 orders or have had at risk behaviours that would put them
25 at risk of being placed on an order.

26
27 Q. Do you have any awareness of whether there are other
28 programs that cater for young people or support young
29 people who are at risk of or are in domestic and family
30 violence relationships?

31 A. Look, I'm not familiar with any in our district
32 specifically. I am aware that there are men's groups, but
33 a lot of the young people that I speak to, which
34 predominantly are male, don't feel comfortable entering
35 those settings. So at the moment there is nothing that
36 targets anyone under the age of 18 specifically.

37
38 Q. And do you have any awareness - it might be something
39 outside your scope - but do you have any awareness of what
40 engagement Youth Justice have to people who are involved in
41 domestic and family violence orders prior to leading to
42 breaches and criminal proceedings?

43 A. Not prior, but I definitely know that we've partnered
44 with Youth Justice in a number of programs, including
45 Transition to Success. We've been directly responsible for
46 the facilitation of the Love Bites program to the T to S
47 young people. So that was done on a weekly basis on a

1 Tuesday.

2

3 Q. And T to S?

4 A. Transition to Success. It is an alternative program
5 for Youth Justice, basically engages with the young people
6 that are engaging with Youth Justice, and that may be on
7 orders, and assist them with employment opportunities,
8 behavioural change. It's a holistic program.

9

10 Q. And could you tell the Commission a little bit about
11 the Love Bites under-21s respondents program, and to begin
12 with you can outline when it first began?

13 A. So we've now completed two programs. We commenced in
14 the month of May 2022. The reason for the program was
15 I had a number of young people that would come to me
16 through different programs, and this is separate to the
17 T to S program, just for clarification. T to S, I run the
18 10-week program. So each week I'll facilitate an hour and
19 a half session with Transition to Success Youth Justice.

20

21 The under-21 respondent program is an intensive
22 three-day program which has one to three participants per
23 program essentially, and we run it once per month and
24 purely just because of staffing issues and requirements.
25 As this program is quite labour intensive, it does require
26 a lot of support for the young people. But it came about
27 in response to a number of the young people that I was
28 working with directly lacking understanding and awareness
29 of their behaviours, and in particular their at risk
30 behaviours when it came to domestic and family violence.
31 So then they lacked a lot of understanding about why they
32 were obviously getting in trouble for stealing cars or
33 breaking into houses and were perhaps not dealt with with
34 the severity that they were receiving in response to
35 breaches of domestic violence. So they really lacked
36 understanding about why they were getting in essentially
37 more trouble for domestic violence than they were for other
38 offences. So I basically came to the need that we needed
39 to provide another outlet to educate and empower our young
40 people with a little bit more information and start to
41 challenge the attitudes and beliefs that they were
42 currently holding.

43

44 Q. So has it been an initiative of you personally or the
45 PCYC more generally? Is that where the program has grown
46 from?

47 A. Essentially it was something that I've commenced. I'm

1 also at university studying a postgraduate in DV response.
2 So I'm very passionate about domestic and family violence
3 in our community. I've witnessed it first hand in the
4 seven years that I've been in the district. I've been
5 severely affected by it in regards to witnessing it but
6 especially the exposure and the trauma that's caused to our
7 young people, and that's the reason why I commenced this
8 program.

9
10 Q. And so the program lasts for three very intensive days
11 by the sounds of things and you've done one in May and one
12 other program?

13 A. Yes, so our second one we completed in July.

14
15 Q. And I understand from what you've outlined in your
16 statement that it's one to three children per program. How
17 many staff would you have to staff that program?

18 A. Currently I have myself and my social impact officer.
19 However, we have chosen to partner with other agencies. We
20 are just ironing out a few of our - I guess our program
21 kinks, and then we're going to be formally inviting some of
22 those agencies to co-facilitate as well as to join in.

23
24 Q. And so ideally would you see a program run with one to
25 three participants with two staff?

26 A. Yes, definitely.

27
28 Q. And those numbers work well?

29 A. They do work well. Obviously some of our young people
30 have literacy and numeracy difficulties which makes
31 traditional programs quite challenging for them because
32 they are based in knowledge content and being able to
33 document what they're learning, whereas our program is
34 definitely focused through learning through activities,
35 conversations and feedback.

36
37 Q. And one of the critical parts of this program is the
38 Love Bites Respectful Relationships Program, which is
39 I guess a nationally recognised program which looks at
40 healthy relationships and problematic behaviours. You've
41 attached the training manual for that program which is
42 quite detailed to your statement. The Commission has that.
43 Are you able to just in a brief way summarise what the
44 Love Bites program I guess in its original form covers and
45 then I'll ask you about the modifications?

46 A. Yes, definitely. So the program itself is from a
47 standby perspective. So it basically just asks, "What

1 would you do if you observed these type of risky behaviours
2 in the community with your friends, at home," that type of
3 thing. It also identifies clearly content around consent
4 and abuse. It provides definitions around what is domestic
5 and family violence and the multi-layered aspects of that
6 as well as the cycle of domestic and family violence; but
7 more importantly where they seek support and advice in
8 regards to those. It does complete the program with an art
9 project that's focused on the learnings and the outcomes of
10 the program.

11

12 Q. And I understand you've taken that broad program
13 that's recommended nationally and tried to modify it so
14 it's suitable for the young people that you're dealing with
15 in the Mt Isa district and make it more holistic. Can you
16 outline what sort of changes you've made?

17 A. So we've haven't made any changes to the actual
18 program because it is fantastic. But what we have done is
19 we have added to the program. In direct response to your
20 question, the Love Bites program is a standby perspective
21 as in if you were to observe the behaviour what would you
22 do. With our young people, because they are participating
23 in these at risk domestic and family violence behaviours,
24 they will naturally convert the conversation to identify
25 their own behaviours. So then it becomes more about a kind
26 of victim-centric approach. So we modify that.

27

28 Our program also supports with transport and catering,
29 which is something that the NAPCAN program doesn't take
30 into consideration. Without transport our young people
31 will not attend these programs due to accessibility. We
32 have no public transport here. But it also provides a
33 really great networking opportunity for us with community
34 but also to speak to the young people and gauge how they're
35 feeling before we commence the program. We also provide
36 heavy catering, so breakfast, lunch and we encourage our
37 young people to take dinner home to the parents so there is
38 conversation around their learnings for that day around a
39 meal.

40

41 Q. And so in terms of the standby perspective as opposed
42 to the victim-centric perspective, is that putting
43 them - is that something you said people do it naturally
44 but also the focus of the program that you run is to run it
45 from a, "How can I change, how does that - how am I making
46 other people feel"; is that the type of thing you're
47 talking about?

1 A. Yes, exactly. So one of the videos that is NAPCAN
2 approved is the Angela Barker story, "Loves me, loves me
3 not", and it's about a young girl who is a domestic and
4 family violence relationship who experiences a significant
5 amount of physical trauma and violence against her. In
6 that you are to identify - one of the activities is to
7 identify the red flags in that relationship. Now, we do
8 that.

9
10 But then we can also identify with our young people,
11 "Can you tell us your red flags for your relationship?"
12 And probably the most important outcome that I've
13 experienced from that thus far is that they actually
14 identify that they may be under the influence of an
15 intoxicating substance, so it might be alcohol or drugs,
16 and then they can see the escalation from that point or
17 perhaps there might be some fighting or property damage,
18 and then it leads to a major incident, and then we can
19 revert that back to the DV cycle as well. And they can
20 identify in that cycle where their behaviours are sitting.
21 Generally they can identify themselves sitting in that
22 cycle quite frequently, especially once they're having an
23 incident or explosion, then leading into the honeymoon
24 phase and then the escalation phase again. So if they can
25 view that then we can identify some of those key points of
26 at risk and possibly provide some strategies for
27 intervention.

28
29 Q. And in terms of some of the other modifications that
30 you've made to the program to assist the specific people
31 that you're dealing with you talk about not relying heavily
32 on the use of PowerPoints but instead focusing on activity
33 based content. What does that look like?

34 A. So one of the activities, for example, is defining the
35 definitions of domestic and family violence; for example,
36 the physical, emotional, coercive, financial, sexual abuse
37 type elements. So we use that exact same program except
38 I've made some of the wording more culturally appropriate,
39 and through all the activities we get our young people to
40 match examples of, for example, financial control, so
41 controlling money and making sure that through a big map we
42 basically identify key behaviours that would fall under
43 those definitions.

44
45 Q. You also talk about the creation of a specific
46 resource book, another sort of modification. Can you
47 explain that?

1 A. Definitely. So NAPCAN does have an initial - sorry,
2 it's a completion survey for their program. For us it was
3 important to capture the information and knowledge of the
4 young person prior to the program and after the program to
5 view if we have had any success in their attitude change
6 towards domestic and family violence. So we've introduced
7 a pre-program survey which is very quick, there's probably
8 about 20 questions on that, and the same questions are
9 asked at the end of the program as well.

10
11 So that document that you're describing is some of the
12 NAPCAN content, but it's more the content that is less
13 reliant on filling out a lot of information. So the
14 example that I would like to use is the ideal partner
15 worksheet. For that document we can identify the young
16 people will tell us what their ideal type of partner is and
17 we can either help scribe or we get them to draw the
18 elements that they're talking about. But not only do we
19 get them to document it on the paper; we also ask them to
20 verbally explain and justify those choices as well.

21
22 Q. And so there's a bigger focus on oral communication?

23 A. Yes.

24
25 Q. Rather than the written, heavily literacy based --

26 A. And the benefit of that is that as a group you start
27 to find there's some level of self-regulation between them.
28 So previously if you were talking to a group of young men
29 in community they may be all talking each other up and
30 might be encouraging the level of violence. But in this
31 setting after receiving some of the content they actually
32 commence, I guess, regulating themselves but regulating
33 each other, and that's probably the most powerful part of
34 that element.

35
36 Q. So it's important from your view that it is a group
37 setting rather than one-on-one?

38 A. Absolutely.

39
40 Q. Is it important that it's a small enough group so that
41 you can provide one-on-one support if needed?

42 A. And that's my second point. Obviously with the
43 literacy and numeracy that's very difficult because if a
44 young person isn't engaged in the program they're going to
45 start misbehaving or they're going to refuse to
46 participate. So to increase the level of engagement we
47 must have a high enough ratio. Ideally I would love to

1 have three adults with three young people learning
2 together, but unfortunately our current model doesn't allow
3 us that.

4
5 Q. In terms of another initiative within the program that
6 you and your team have implemented, you talk about having a
7 daily check-in and reboot situation. Can you explain what
8 that is?

9 A. Yes, I think it was approximately three years ago
10 I completed the reboot training, and the purpose of the
11 check-ins is basically we want to gauge where that young
12 person is sitting for the day, especially if they have
13 engaged in anything over the evening that may affect their
14 learning outcomes. For example, they may have consumed
15 quite a bit of alcohol or dangerous drugs. In order to
16 understand or be able to deliver the program the most
17 effectively I can basically tailor how they're feeling for
18 the day. So if they're grog sick, for example, I won't do
19 any high-intensity activities. I can modify it that way to
20 ensure that we get the maximum amount of participation and
21 outcomes.

22
23 Q. Is that something that was also taken directly from
24 your education learnings in terms of modes of learning in
25 the education setting?

26 A. Yes, probably. I think the grog sickness is something
27 that I've learnt from being out in this community. I don't
28 think they ever taught that to you in university, or the
29 young people that we would have to be working with. But
30 I definitely think my education background has made a
31 significant impact.

32
33 Q. In terms of the end of the program you talk about
34 there being this important session where you have - sit
35 down one to one with the consent of the young person and go
36 through the order then and explaining the order.

37 A. Yes.

38
39 Q. Can you tell us about that and that part of the
40 program and why that's important?

41 A. So that part of the program is also with the consent
42 of the young person and the parent, just for clarification,
43 and it is away from other participants. So it is in a
44 private setting so there is no further disclosures. But as
45 per the NAPCAN program we do have an agreement of
46 confidentiality between all our participants. So that
47 whatever is said in our space doesn't go back out into

1 community. But we are very separate. So I manage one
2 young person and my staff member will be engaging with
3 the other two, usually during the art project.
4

5 So I sit down with the young person and we go through
6 the domestic and family violence order in detail, and the
7 reason for this is because a lot of young people that I was
8 engaging with were explaining they didn't understand the
9 order because at the time of service they were very anxious
10 and when the wording was coming across it's very formal
11 and, although police officers do their absolute best to
12 break down the orders, they're even quite difficult for me
13 to understand sometimes. So I have a bit of empathy for
14 our young people.
15

16 So basically we take the learnings and the examples
17 that we have gained throughout the program, we take it back
18 to our domestic and family violence order and I get the
19 young people to write examples that are contextualised for
20 them. So I ensure that with their feedback that they have
21 got a greater understanding, because at the time obviously
22 we've got a strong background in trauma-informed practice
23 as well. So if we can sit back and provide that safe
24 environment where the young person is participating by
25 choice they're going to talk to us a little bit - I guess
26 we're going to have a more productive conversation with
27 them and I'm going to be able to understand whether they
28 have that deep understanding of their order and the impacts
29 as well, which is probably more important; so what are the
30 outcomes if they continue or if they do A, B, C or D.
31

32 Q. And I guess I have two questions stemming from that.
33 The first one I think you have answered in your previous
34 answer, but is it the case that you found there was a
35 limited understanding of young people of the conditions of
36 the order, what they can and can't do?

37 A. Yes, 100 per cent.
38

39 Q. And is it the case that from going through the program
40 and particularly that last session that understanding is
41 enhanced?

42 A. Yes.
43

44 Q. Is it the case that - from what you say in your
45 statement it's critical that that occurs at the end of the
46 program, so that the learnings of the program can be
47 incorporated into that explanation. Do you think you would

1 have a greater success in terms of increasing an
2 understanding if that explanation occurred at the start or
3 is it important to be at the end?

4 A. It's important at the end because I can also gauge
5 where that young person is sitting and through their
6 examples that are provided through the program I can then
7 reiterate that back through the order. So if a young
8 person, for example, made a disclosure of a certain type of
9 offence, then I can say during the program, "You told us
10 about this. This is where it would fit in and this is a
11 strategy we could implement" et cetera. So it is very
12 important that it is done at the completion of the program,
13 and that way I also understand that they have a greater
14 understanding of what's going on as well.

15
16 Q. You talked earlier about the entry and exit surveys.
17 Have you received any learnings from what those differing
18 results are from the entry and exit surveys?

19 A. Look, to be truthful, we have had five participants.
20 Four have completed the program. I haven't completely
21 reviewed the data in regards to the surveys, the post and
22 pre. I guess I have read over them and definitely you can
23 see at the start of the program they have some really
24 negative views about domestic and family violence in
25 regards to, for example, "It's my right to hit my partner,"
26 those types of attitudes. At the end, although we may not
27 have 100 per cent been able to change their attitude, they
28 do understand how wrong it is and they can see it from a
29 more victim-centric approach, which is something they have
30 never probably viewed their behaviour before.

31
32 Q. In terms of some of the additional aspects, I guess,
33 outside the program but that are part of it you have
34 already mentioned the catering aspect in terms of providing
35 breakfast and lunch and then catering dinner for the whole
36 family on those nights as well?

37 A. Yes.

38
39 Q. And does somebody come out to the house, give that to
40 the young person; how does that work?

41 A. We don't go directly into the houses, purely just time
42 based. Our program probably lasts five hours and it takes
43 a lot of energy out of the staff and myself. But what we
44 do is at the end of - when we're dropping a young person
45 home I always ensure that I exit the vehicle and I'll
46 actually have a conversation with the parent or caregiver
47 and I'm always focusing on the positive things that the

1 young person has learnt.
2

3 So for me if I can go back to the parents or guardians
4 and say, "Your young person participated fantastic in this
5 program," ask them about what they have learnt, but with
6 that positive reinforcement it actually encourages the
7 parents to have the conversation because, as you would
8 imagine, unfortunately a lot of the young people that we
9 work with, if police go to their door it may be for a
10 negative reason, and a lot of the time the parents feel
11 responsible for the behaviour.
12

13 So when I go and I encourage them saying, you know,
14 "Look, he's done a great job today," and provide positive
15 feedback, they're more willing to support the young person
16 to attend the next day and the following day, especially if
17 they know that there's going to be a meal prepared for the
18 family. But everyone's actually quite proud of that young
19 person for their participation. So we start to change the
20 attitudes and behaviours towards the young person from an
21 internal perspective from the parents outward as well.
22

23 Q. In terms of the flexible structure, that's something
24 that you talk about as being important to the running of
25 the program, so it's not really regimented hours; is that
26 an important aspect to it?

27 A. 150 per cent. So obviously our young people,
28 sometimes it can be very difficult to get them up.
29 Sometimes I have to go to houses three or four times before
30 they'll officially be awake. But that's where the funding
31 comes in, be able to say, "Would you like McDonald's this
32 morning," which is something that they may not get. So
33 that may be a motivator to get them up.
34

35 But, yes, we definitely need to be flexible depending
36 on what's happening in the community at the time as well,
37 if there's been a significant event. Perhaps we won't run
38 the program because of sorry business or perhaps if there's
39 been something directly with the family. So we definitely
40 need to take that into consideration in our approach. So
41 we may need to change sections of our content to support
42 the best outcome for that young person.
43

44 Q. An example that you give of the flexible learning is
45 to encourage conversations, although it might not fit
46 strictly within the curriculum at that point in time, if
47 people are interacting well then you'll encourage that

1 conversation. Is that another example of the flexible
2 approach that you take?

3 A. Yes, definitely. So we wouldn't necessarily follow
4 the program design if I felt that conversation were
5 progressing in a manner that was conducive to a greater
6 outcome. So I will let those conversations kind of flow in
7 a direction that the young people are working together
8 with, and then draw them back to the content when
9 appropriate.

10
11 Q. You've already talked about the importance of offering
12 transport, and do I understand your evidence correctly in
13 this regard there are two reasons why it's particularly
14 important. Firstly, without transport it's a barrier that
15 would not allow participation because young people simply
16 can't get to the program?

17 A. Yes, that's correct. I think not only would they not
18 be able to but they may not be willing. So a lot of the
19 young people that I work with, unless transport is
20 provided, they refuse to engage. It's very rare that the
21 young people that we work with will find their own way to
22 PCYC. Obviously if they do I'm overjoyed and very excited,
23 and I will keep reinforcing that behaviour. But
24 unfortunately probably 99 per cent, unless they are
25 provided transport, will not participate.

26
27 Q. And was it also your earlier evidence that there are
28 limited public transport options available?

29 A. So there is no public transport available in Mt Isa.
30 We have taxi service, and a lot of our young people if
31 necessary would use a process through Transition Hub, who
32 do offer a little bit of transport. But as you can imagine
33 financial constraints with taxis make it very limited.

34
35 Q. The other aspect that you refer to as being important
36 from the transport point of view is that it gives you an
37 opportunity to build rapport; you've sort of got a captive
38 audience for that car ride?

39 A. Definitely. I'm sure parents will agree with me. But
40 generally young people are more willing to communicate when
41 they're not being faced eye to eye. Especially with our
42 Indigenous communities, a lot of young people won't look
43 people in the eye. It's not a sign of disrespect; it's
44 just a cultural mannerism. So being in a vehicle where
45 I don't have to directly look at them is actually, yes,
46 very productive and you get a lot of information from the
47 young people when we're in vehicles waiting in

1 drive-through lines or, you know, even just between the
2 pick up and drop off. So if there's someone that I need to
3 talk to about a specific issue I'll drop them off last,
4 obviously I have my PCYC staff member in the car with me,
5 but that just allows me to build on something that I may
6 have picked up in the program.

7
8 Q. You talk and you give information about some reviews
9 that have taken place in relation to the assistance in the
10 program, and you acknowledge that it is very early days and
11 there's been two programs run. Are you able to outline
12 some of those, and it starts at paragraph 37, what the
13 reviews - sorry, 33, what the reviews that you've
14 undertaken have demonstrated for the participants?

15 A. Yes, definitely. So probably the most impactful
16 example that I have at the moment is we have a 13-year-old
17 male participate in our program in May. Prior to
18 participation he had approximately eight domestic and
19 family violence occurrences, including six breaches of
20 serious violence. Since participation there was only
21 actually one occurrence that has happened since our May
22 program and that one was him as an aggrieved. During that
23 incident he actually sought advice or support from police.
24 So he ran from the incident, came to police and requested
25 assistance for protection because his partner was
26 physically assaulting him, which traditionally would lead
27 to him responding with a higher level of serious violence
28 towards her and generally leading to further breaches
29 against him.

30
31 Due to strategies that we had discussed at our program
32 he actually implemented that on that day, ran from the
33 situation and sought support from police. So we were
34 really happy that he had tried that strategy, and police
35 were very impressed as well and he was encouraged and
36 congratulated for his behaviour as well. So he got a
37 little bit of positive feedback.

38
39 Young person B, 17, he had three domestic violence
40 incidents since January 2022. We identified a high risk
41 due to his 15-year-old partner being pregnant. Person B
42 had not committed or been involved in any domestic and
43 family violence occurrences since May, and PCYC have also
44 assisted that young person with employment opportunities,
45 assisted with housing requests, because their household
46 I think has about 15 people living in it at the moment. So
47 not really conducive to a young couple about to bring a

1 young person into the world either. We identified that as
2 an at risk for domestic and family violence occurrence as
3 well. And also being able to assist him with his driver's
4 licence through Breaking the Cycle program. So we've
5 completed a referral for him to commence.
6

7 Young person C, 17 years, so since 2021 he committed
8 seven domestic and family violence occurrences, including a
9 suffocation offence in 2020. So since the June program he
10 has not breached his bail or committed any domestic and
11 family violence occurrences. Person C, due to the program
12 and information we provided, especially around the
13 suffocation event and in relation to the precursor for the
14 homicide, since then he has a greater understanding of the
15 level of violence and the impact that his actions actually
16 had on his partner. So that was actually a really big
17 moment for me for him to have that understanding.
18

19 And then finally person D, 18 years, so he has a son
20 to his aggrieved. Young person D had displayed significant
21 controlling behaviours and very violent physical behaviours
22 towards his partner as well. So since the program, since
23 he completed in June, he has had two breaches of domestic
24 and family violence. However, they were breaches against
25 his contact conditions rather than serious levels of
26 controlling or physical violence. So from our perspective
27 that was an improvement to what we had been observing in
28 that young person.
29

30 Q. And how do people qualify? How did you pick those
31 participants? Is it because they were particularly high
32 risk?

33 A. To be truthful, I go through the occurrences daily.
34 I review the domestic and family violence occurrences in
35 relation to young people. From there I also take referrals
36 from our high-risk domestic and family violence team as
37 well as our DV yellow sergeant, Dean Hanrahan. They're
38 direct referrals that come through. I have, however, sent
39 referrals out to our agencies, our partner agencies, such
40 as Youth Justice, Corrections, Child Safety. But generally
41 it is on our own back at the moment in regards to seeking
42 out young people, and the information that I select them
43 from is from our QPRIME.
44

45 Q. And in terms of actions afterwards, continued
46 involvement after the program, do I understand your
47 evidence correctly that it's not once the program is

1 finished you'll just have no further contact but that you
2 continue to have ongoing contact with the young person,
3 their family, on their progress and whether there are
4 additional supports that are required?

5 A. Yes, that is correct. So we do attempt to put
6 referrals in aspects that we believe the young person and
7 family might need support with. To be truthful, that is
8 one of the limitations we have identified in our program.
9 Due to our current staffing model and other commitments to
10 youth programs in the district I don't have as much time as
11 I would like to dedicate to this program. But that is one
12 area for definite improvement and I think it would improve
13 our long-term outcomes.

14
15 Q. You talk about the need for contact with other
16 agencies such as Youth Justice and Community Corrections
17 and high-risk teams and also referring to services such as
18 headspace or mental health or perhaps substance abuse type
19 services. The other need that you identify in your
20 statement is need to help with goal setting on those more
21 concrete things such as driver's licences and creating
22 resumes, obtaining jobs; is that an accurate summary of the
23 different things that you would like to see continuing into
24 the future?

25 A. Yes, definitely. A more holistic approach to building
26 the young person's capacity will make a huge difference to
27 their long-term success. Most of the young people that I'm
28 engaging with in this space are not attending school,
29 they're not employed, they're having huge levels of boredom
30 which leads to excessive drug use and alcohol use, which is
31 obviously some of the precursors for our at risk behaviours
32 for domestic and family violence. So if we can address
33 those issues by getting them into employment or getting
34 them back into an educational setting we believe that we're
35 going to reduce the incidence of domestic and family
36 violence.

37
38 Q. And you gave evidence earlier that as far as you're
39 aware this is the first of its kind program that you're
40 aware of that helps young people who are under-21 who are
41 respondents to domestic and family violence. I guess it
42 can be assumed from the evidence you've given today that
43 there is a real gap there in terms of service provision;
44 would you agree with that?

45 A. I would agree. To the best of my knowledge I haven't
46 been able to find a program that is suitable. The senior
47 sergeant and I at PCYC are discussing about writing our own

1 program. But we wanted to get something on the ground
2 immediately due to the increasing levels of domestic and
3 family violence in our young people. So our objective is
4 to write our own program.

5
6 Q. You've obviously looked for other programs to see -
7 it's not just you're just not aware of it, that you haven't
8 made inquiries; you've actively looked --

9 A. Yes, so we've actively - I have spoken to other
10 agencies, I've spoken to people in the education field and
11 I haven't been able to find anything. It doesn't mean that
12 perhaps there isn't one; it's just that I've been unable to
13 locate at this time.

14
15 Q. You talk about having received funding to expand the
16 program to Doomadgee and Mornington Island.

17 A. Yes.

18
19 Q. When do you hope for that to get off the ground?

20 A. We're hoping to commence that in 2023, and the reason
21 for that is I believe that in Doomadgee and
22 Mornington Island going to have to have larger cohorts of
23 young people to - I guess just due to our timing
24 restrictions. So in order for that to happen I would like
25 the program to be as implemented as possible and being able
26 to have our internal reviews to ensure that we're
27 delivering the best program possible to those young people
28 in that community.

29
30 Q. Do you have the next program lined up for the Mt Isa
31 region?

32 A. We were hoping to commence next week, but there has
33 been an incident in community and due to some levels of
34 Sorry Business we've now had to go back to our referrals
35 and double-check who has been impacted by that. So it may
36 be affected for next week, but if that's the case we will
37 obviously try to follow it up with the following week.

38
39 Q. What would be required for this type of program to be
40 rolled out further?

41 A. I mean, obviously in order to facilitate the NAPCAN
42 program you must have NAPCAN training, which a number of
43 people in our district have been trained in. The program
44 requires transport, it requires catering and it requires
45 time. So technically I believe this program could probably
46 do with a full-time officer being able to support the
47 ongoing young people. Unfortunately, I don't have the

1 capacity to deliver that, and neither do the PCYC staff
2 that I have underneath me at the moment. But in an ideal
3 world it would be an individual program with a coordinator
4 who would be responsible for facilitation and management
5 and ongoing support.

6
7 Q. Do you see the PCYC as a useful - given often PCYCs do
8 have transport, do have catering needs, as a useful vehicle
9 for the program to be rolled out further throughout
10 Queensland, or do you think it needs to be independent
11 of --

12 A. I think it needs to be in partnership with PCYC
13 because PCYCs have a number of resources that are available
14 to assist young people. I do believe that it should be led
15 by QPS.

16
17 Q. Why is that important, from your point of view?

18 A. From my point of view, QPS are on the ground, we've
19 got the learning experiences of our community. I think
20 that we should be the lead with the support of other
21 agencies to support. But I do believe that this is an
22 issue that PCYC - sorry, that QPS has the ability to
23 address. I've worked with a number of agencies externally
24 delivering other programs and, whilst there has been some
25 success, I don't think there's as much ownership as QPS
26 have. We are always accountable for our programs, we have
27 to produce results, we have to stand by our results;
28 whereas some of the other agencies perhaps don't have as
29 much - I can't quite think of the word - maybe not -
30 perhaps not as much criticism placed on them.

31
32 Q. In terms of you talk about partnershiping with other
33 agencies, including Aboriginal and Torres Strait Islander
34 led organisations, do you see in again an ideal world that
35 this sort of program runs out of a PCYC being the lead
36 organisation but then facilitated by a program coming from
37 external support programs, including Aboriginal and Torres
38 Strait Islander led organisations?

39 A. Potentially, yes, if it was the right people.

40
41 Q. Is that what you mean by the facilitation with
42 other - what do you mean by the facilitation partnership
43 with other community groups? Is that --

44 A. So, for example, we have been in contact with a number
45 of agencies, including the Mona program, the Kalkadoon
46 community group. We would like to engage with those groups
47 and bring them in to perhaps do an introduction or a

1 welcome to country for our young people, because most of
2 them do identify with those Elders. But sometimes it can
3 be difficult due to the flexible nature of this program to
4 have a number of agencies link in.

5

6 MS CAPPELLANO: Thank you. They're the questions that
7 I had, Commissioner.

8

9 COMMISSIONER: So you've run two programs. How many
10 children --

11 A. So we've had five participants, Your Honour, four
12 complete and the fifth young person completed two days.

13

14 COMMISSIONER: How many were you hoping to start next week
15 before the Sorry Business?

16 A. So we have three referrals completed, ready to go for
17 next week.

18

19 COMMISSIONER: Is three to four sort of the best number?

20 A. I believe so, Your Honour. Any more than three or
21 four would affect individual outcomes.

22

23 COMMISSIONER: So when you talk about Mornington and
24 Doomadgee, you said they would be bigger groups. What are
25 you thinking would be the size?

26 A. Definitely under 10. The issue with your larger
27 groups is sometimes the attitudes and behaviours around
28 domestic and family violence in a larger group are harder
29 to control and, instead of encouraging behaviours or
30 conversations that would address the behaviours, I believe
31 that in larger groups it may reinforce and encourage the
32 behaviours in a negative way rather than a positive way.

33

34 COMMISSIONER: So you said you got funded by the
35 Police Service for this?

36 A. Yes, Your Honour.

37

38 COMMISSIONER: How long does that funding last for?

39 A. So I received \$30,000 to commence this program from
40 the CVACA funding. I'm not quite sure how that
41 abbreviation comes out, but it is a community policing
42 board. So each program approximately would cost me around
43 \$500, so quite a long time --

44

45 COMMISSIONER: Per participant or per program?

46 A. Per program.

47

1 COMMISSIONER: Oh, wow, okay. So that will last you a
2 long time?

3 A. Yes. I think in terms of case management support,
4 though, if a young person, for example, needed assistance
5 with, once they have completed a program, paying for a
6 drivers licence, then that's some of the funding that can
7 come out to support. So, even though we've just commenced
8 the program, I foresee that some of that expenditure may
9 increase due to I guess some of the things that the young
10 person might need for success.

11

12 COMMISSIONER: Fair enough. Ms Hillard?

13

14 <EXAMINATION BY MS HILLARD:

15

16 Q. Just in relation to the \$30,000, can I just ask about
17 the details about that and your wages. Obviously you're
18 employed by the Queensland Police Service. That doesn't
19 include what your wage would be in that, does it?

20 A. No, it doesn't.

21

22 Q. You said that you would ideally want to be full time
23 to be able to devote more time and you would have a support
24 worker also devoting full-time --

25 A. Yes.

26

27 Q. So there would be the two wages as well in addition to
28 whatever the per person costs would be?

29 A. Yes.

30

31 Q. Can I just turn to some of the pathways of the
32 process. My observation, and this is for you to comment
33 on, perhaps the youths when they start at the beginning
34 don't recognise that they even have a problem or that they
35 need to change, and as they progress their readiness and
36 recognition changes; do you want to say anything about
37 that?

38 A. Absolutely I would agree with that. Most of the young
39 people that I work with have extensive trauma or have been
40 exposed to domestic and family violence themselves. A lot
41 of their behaviours appear to me - and I'm not an expert,
42 but a lot of them appear to be learnt behaviours from the
43 environments in which they're coming from. So a lot of our
44 young people are perpetuating the violence that may have
45 been towards themselves or they have witnessed in some
46 capacity. So there's nearly an acceptance and a right for
47 the physical violence from the young person. That's the

1 impression that I get.

2

3 Q. So, if we're sitting around expecting this young
4 person to recognise that they're ready and they need help,
5 it's just not going to happen. It has to be participation
6 in some other form; is that right?

7 A. I would agree with that, yes.

8

9 Q. Do you have a view - and I notice that you identify at
10 risk because they have already come in contact with
11 the court. Do you have a view with this sort of program,
12 assuming you've got the resources and capacity, to be part
13 of a bail condition or a plan or a domestic and family
14 violence order or something like that?

15 A. Objectively, that's what we were hoping. We initially
16 connected with Youth Justice, Corrections, to see if we
17 could make it a formalised process or a process of
18 diversion, for example, for a young person. Unfortunately,
19 we haven't been successful in that option. So at the
20 moment it is still voluntary. I guess the hardest aspect
21 that I have with this program is that young people don't
22 recognise that they have an issue, so why would they
23 voluntarily sign up for a program. So when I'm discussing
24 the first introduction with parents and the young person or
25 caregivers I basically talk about how we can support the
26 young person, that we're going to provide catering, it's
27 going to be lots of engaging content. So I try and engage
28 them in that way, because if I told them the real reason
29 I could probably guarantee that I wouldn't get the level of
30 engagement that we're getting.

31

32 Q. Obviously, probably they come from families where the
33 conduct that you're teaching them about is normalised to
34 them as well; is that right?

35 A. Yes, definitely.

36

37 Q. In respect of the literacy and numeracy challenges,
38 you also were asked some questions about order conditions
39 and explaining things like that. Tell me about
40 the variations and if you assist them with variations of
41 domestic and family violence orders?

42 A. So one of the aspects of the program that we're
43 working towards is when a young person participates in the
44 program and if they identify that, for example, a no
45 contact order is one of the aspects probably most affecting
46 them in their offending - so let's say they're not having
47 any other physical or coercive control type behaviours, and

1 the only aspect that they're actually offending against is
2 the no contact - we are willing to provide a statement and
3 assist the young person with coming up to a DV service and
4 doing the variation orders. So we think it's really
5 important if a young person is attempting to make the
6 change that we support that young person, and we will do
7 that to the best of our capacity.
8

9 Q. And that involves no doubt the ability to have access
10 to a computer, to print things out and sometimes even to
11 help them write it?

12 A. I would say all of the above is necessary. Some of
13 our young people have no idea about how to type, wouldn't
14 even know how to turn on a computer, unfortunately - not
15 for this type of capacity; maybe for games - and hence the
16 reason why we would take them to a DV service. So in that
17 capacity I may go and support, but I would not be the
18 officer taking it out. My role in that capacity is pure
19 support for the young person and continuing to build that
20 rapport and trust with them.
21

22 Q. In respect of some of the other parts to domestic and
23 family violence the Commission heard evidence from a youth
24 advocate earlier on in the proceedings that the young women
25 don't recognise strangulation and choking often when it's
26 perpetrated upon them as sexual violence and it can be
27 domestic and family violence. Do you have any view or
28 comments about that from this program?

29 A. I've only had one young person that's been involved in
30 a strangulation offence that's been declared. That doesn't
31 mean that the others aren't engaging in it. But the
32 information I'm receiving from the young people is that,
33 due to exposure to pornography especially, that is actually
34 driving some of those behaviours, because primarily that's
35 what they're seeing in the pornography, those type of acts,
36 and in those videos as well that the girls aren't providing
37 consent, and they believe that that's normal. So I believe
38 that pornography has made a significant impact on our young
39 people and then that's then led to the young people talking
40 amongst themselves about these behaviours and perhaps
41 making them feel like it's more acceptable because
42 everyone's talking about it and it's on the internet.
43

44 Q. And it normalises it?

45 A. And it normalises the behaviour, yes.
46

47 Q. One of the things that you mention in your statement

1 at paragraph 4 is one of the programs, the RUBY program.
2 That involves women or girls, does it?

3 A. Yes, that's correct, yes.
4

5 Q. Can you just talk a little bit about that?

6 A. Yes. So RUBY is a PCYC led program. It's for women
7 and young people over the age of 16 years. So it's for
8 women that have likely to be or are experiencing domestic
9 and family violence. So for our program we're funded by
10 the Mt Isa City Council. Unfortunately, the program does
11 not come with automatic funding from PCYC, so you actually
12 have to seek funding to run it. We offer transport. So we
13 pick up our women from the DV, domestic violence, shelters.
14 We also pick up from safe locations as indicated by the
15 woman. We bring them back to PCYC. We engage in physical
16 activity, because we know that physical activity improves
17 self-esteem, confidence. Then we engage in like an
18 education or engagement session. So these are very lightly
19 wrapped around, you know, support services, where they can
20 seek help, definitions of domestic and family violence, any
21 questions that they may have, and we do that around food,
22 because we believe food and cups of tea connect people.
23 And from there we transport home to safe locations. So for
24 women that are really high risk we also offer sporting
25 equipment and clothing, shoes, et cetera, so if they're
26 leaving a house they don't necessarily look like they're
27 out to exercise, and we provide that service for them.
28

29 Q. It sounds like a very important service to be able to
30 provide a point of contact to educate the woman about the
31 coercive control, for example?

32 A. Yes. Yes, definitely. And there is always a female
33 police officer onsite, which is generally myself. So
34 I have the capacity to build rapport with the women,
35 similar to a PLO position. That may be as a bridging
36 between myself and perhaps the DVLO at the station just to
37 explain the extent of domestic and family violence that
38 woman may be experiencing at that time.
39

40 Q. When you do the work at the PCYC do you use your
41 uniform that you've got on now or is it a modified uniform?

42 A. So I always wear my operational uniform. I'm never in
43 normal clothes. I think it's really important especially
44 for our young people to see the uniform and see me
45 operating in that space. I don't wear accoutrements at
46 certain times because sometimes that can be a barrier to
47 engagement. But for me it is very, very important that

1 young people, first and foremost, I am a Queensland police
2 officer.

3
4 Q. You don't find that it interferes because you're
5 engaging with them properly?

6 A. Exactly. I think the most important thing for me is
7 that when I provide respect I require respect back, and
8 I think if we can demonstrate that to young people that we
9 are human and that we are people and we are willing here to
10 assist and improve their lives, then they're more willing
11 to engage.

12
13 Q. Just back to the half dozen or so young people that
14 you've assisted so far, they have all been males, as
15 I understand it?

16 A. Yes.

17
18 Q. One of the features of the men's adult behaviour
19 change programs is they have a women's advocate to be able
20 to cross-check with the woman if they're actually doing
21 what they're saying they're doing. Is that something that
22 you are able to do as part of your program?

23 A. Potentially. We are very open to feedback and
24 changes, anything that improves the outcomes for these
25 young people. So I have observed that technique or that
26 concept before in other domestic and family violence
27 programs. It isn't something that I had thought about, but
28 I would be definitely willing to include. I did study that
29 at university, which I found quite enlightening. So, yes,
30 it is definitely something we can include.

31
32 Q. And, again, would require resources and someone else
33 to be funded to do that?

34 A. Yes. Yes.

35
36 MS HILLARD: Thank you, Commissioner. Those are my
37 questions.

38
39 MR McCAFFERTY: No questions, Commissioner.

40
41 MS WILLIAMS: Yes, please, Your Honour.

42
43 **<EXAMINATION BY MS WILLIAMS:**

44
45 Q. Sergeant, you outline at paragraph 4 of your statement
46 some of the services offered by PCYC in Mt Isa?

47 A. Yes.

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Q. You might have been here earlier when Her Honour was asking Senior Constable Festing about community engagement initiatives more broadly in Mt Isa by the police?

A. M'hmm.

Q. Are you aware of any community engagement initiatives run by Queensland police other than those that you know about through the PCYC?

A. Yes, absolutely. So obviously we partner with QPS extensively. So we always have our NAIDOC celebrations, reconciliation weeks. Recently our domestic and family violence teams and crews have actually gone out to Avon Downs for a cricket match. So there are definitely --

COMMISSIONER: What's Avon Downs?

A. So Avon Downs is in the Northern Territory, Your Honour. There's a police station out there, but basically the police and other units from Northern Territory get together for cricket matches and they raise money for domestic and family violence response.

So there's other activities that we obviously host. So there's programs such as Catch Me If You Can, which is what Senior Constable Festing was referring to in regards to the touch competitions. So that, for example, isn't necessarily police versus our young people. There might be a collaboration where we join teams. But that's about breaking down those barriers between police, the young people and their families as well.

We also offer Chilling in the Park, which is an early intervention program, on a Thursday. So with that program we work with young people between the ages of two to 15 through physical activity, arts and crafts. We provide catering as well and transport to the event. So once again it's early intervention, identifying at risk young people, being able to put the referral services in early, and I also liaise with the schools to make sure that their behaviour at school is acceptable and that type of thing.

We also do our Thursday night diversion programs. So we target young people that may be displaying anti-social or criminal behaviour in the CBD. We divert them with partnerships with community to the skate park. We provide scooters and physical activity as well as catering, because we know if young people have exercised and that they have

1 full tummies they're more likely to stay at home rather
2 than walking the streets and engaging in things that
3 perhaps they shouldn't be. So there's plenty of different
4 programs, and we partner with other agencies for Child
5 Protection Week, Day for Daniel, just to name a few.

6
7 MS WILLIAMS: Thank you, Your Honour.

8
9 COMMISSIONER: Do you do anything down at the dinner camp?
10 A. No, unfortunately. So PCYC, our focus is making our
11 community a safer and healthier place through youth
12 development. So a lot of our focus is actually
13 facilitating youth programs and services.

14
15 COMMISSIONER: There would be youth down at the dinner
16 camp, though, wouldn't there?

17 A. So generally if there's youth in that environment our
18 child protection unit are involved in that space. So
19 generally it is predominantly adults. It's an unsafe
20 environment for our children, if you've witnessed anything
21 down there. Generally there would be child harm reports
22 done for any child that's down in that space, and to be
23 truthful, Your Honour, I wouldn't want to encourage
24 children to come to the riverbed to participate in my
25 programs or PCYC programs. So we'd prefer to divert them
26 away from that space.

27
28 COMMISSIONER: Okay. Fair enough.

29
30 MS WILLIAMS: Thank you, Your Honour.

31
32 MS CAPPELLANO: I had no further questions, thank you,
33 Commissioner.

34
35 COMMISSIONER: Thanks very much. Thanks. You've been
36 here all day, I notice, so thanks for being so patient.

37 A. No drama. My pleasure. Thank you.

38
39 COMMISSIONER: Thank you. You're excused.

40
41 **<THE WITNESS WITHDREW**

42
43 MS CAPPELLANO: That's the final witness for today.

44
45 COMMISSIONER: All right. In news, we may be sitting on
46 18 August. So if you can - in Brisbane, Mr McCafferty.

47

1 MR McCafferty: I've noted that. Thank you, Commissioner.

2

3 COMMISSIONER: Okay. Just watch this space. We'll let
4 you know. We'll let you know this week. Thank you. Just
5 adjourn.

6

7 **AT 4.12PM THE COMMISSION WAS ADJOURNED**

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