

**IN THE MATTER OF THE ROYAL COMMISSION  
INTO FAMILY VIOLENCE**

**ATTACHMENT AS-9 TO STATEMENT OF ANGELA MAREE SINGH**

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This is the attachment marked '**AS-9**' produced and shown to **ANGELA MAREE SINGH** at the time of signing her Statement on 16 July 2015.

Before me: ...

**An Australian Legal Practitioner within  
the meaning of the Legal Profession Uniform Law (Victoria)**

Attachment AS-9

# Evaluation of the Koori Family Violence Police Protocols: Ballarat, Darebin and Mildura

Prepared for Victoria Police

24 March 2015



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## Document review and authorisation

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## Disclaimer

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## Acronyms

ACLO	Aboriginal Community Liaison Officer
AFM	Affected family member
AFVPLS	Aboriginal Family Violence Prevention Legal Service
ATSI	Aboriginal and Torres Strait Islander
DHHS	Department of Health and Human Services (Victoria)
DJR	Department of Justice and Regulation (Victoria)
IFVRAG	Indigenous Family Violence Regional Action Group
KFVPP	Koori Family Violence Police Protocol(s)
LAJAC	Local Aboriginal Justice Advisory Committee
LEAP	Law Enforcement Assistance Program
OAAV	Office of Aboriginal Affairs Victoria, Department of Premier and Cabinet
PALO	Police Aboriginal Liaison Officer
RAJAC	Regional Aboriginal Justice Advisory Committee
AJA	Aboriginal Justice Agreement

## Terminology

Throughout this document the term "Aboriginal" is used to refer to both Aboriginal and Torres Strait Islander people. Use of the term "Koori" and "Indigenous" are retained in the names of programs and initiatives, and unless otherwise noted, are inclusive of both Aboriginal and Torres Strait Islander peoples.



## Executive Summary

### **The Koori Family Violence Police Protocols**

The Koori Family Violence Police Protocols are an agreement between local Aboriginal communities and Victoria Police that document the local Police response to Aboriginal family violence.

The aim of the protocols is to strengthen the police response to incidents of family violence in Aboriginal communities with the longer term goal of reducing both the number of family violence incidents, and the rates of families experiencing repeated incidents of family violence. The protocols are aimed at a holistic, improved response to all parties including victims, children and perpetrators.

Locally developed protocols guide police, at the time of a family violence incident, to identify whether the affected family member(s) or perpetrator identify as Aboriginal and, if so, to offer them the choice of referral to Aboriginal support services or non-Aboriginal support services according to their preference.

To support this process, the protocols specify that police members should receive cultural awareness training delivered by members of the local Aboriginal community and that local communities, police and support services should develop and sustain strong local partnerships.

### **The evaluation**

The evaluation aimed to assess the effectiveness of the pilot Koori Family Violence Protocols, launched between 2011 and 2013, in three police areas - Mildura, Ballarat and Darebin. It is intended that the evaluation findings will guide the development of protocols in other areas.

Consultations were conducted in January and early February 2015 with 35 key stakeholders through telephone interviews and forums in Ballarat, Darebin and Mildura. The Koori Justice Unit (Department of Justice and Regulation) supplied statistical profiles of family violence related data sourced from Victoria Police/Crime Statistics Agency.

Data limitations include the lack of locally available monitoring information and, in the police database (LEAP), the large number of affected family members and perpetrators whose Aboriginal status is recorded as unknown. Further, the protocols complement other strategies aiming to improve police/Aboriginal community relationships and responses to family violence: evaluation of the unique contribution of the protocols is therefore challenging and relies in this evaluation on the perspectives of key stakeholders.

### **Findings**

Police and community organisations agree the protocols are an effective and useful contribution to Improving Aboriginal family violence responses. The stakeholders consulted offered experience-based advice on the need for improved local governance and ongoing review, along with continued cultural awareness training for police members. Both areas for improvement have resource implications.

The implementation of the protocols varied across the three sites. The following activities were reported to have taken place in the last few years:



- Police members have received additional training in cultural awareness and the detail of the police protocols, since the protocols were launched. Family Violence Advisors have followed up the training by supporting protocol use. Referral processes have been incorporated in the police electronic reporting and referral system.
- Communities have been informed, through public launches and printed pamphlets and help cards.
- Local reference groups were formed to develop and launch the protocols.
- Police attend local meetings that are relevant to family violence and the Aboriginal community.

All three areas reported barriers to putting the protocols into practice. The adequacy of local resources to meet police cultural awareness training needs is a concern. There is potentially a greater need for an Aboriginal Community Liaison Officer role. Ongoing protocol-specific steering committees have not been sustained at the local level.

Intended short-to-medium-term outcomes have been achieved, with police reportedly more aware of Aboriginal culture and community, and improved police/agency relationships. There are stronger relationships between police and community support services and better understanding of the communication pathways in the partnership. Referrals (L17s) are, with some variation across sites, reaching Aboriginal organisations, indicating an understanding of agreed processes. Stakeholders expressed a strong commitment to ensuring that the protocols are maintained and activities monitored and evaluated.

Police data shows that, at both the state level and at the pilot sites, the reporting of family violence by Aboriginal family members is increasing and more charges are being laid. This data cannot, however, be used as evidence of the effectiveness of the protocols. Possible other factors include not only an increase in actual family violence but greater confidence in identifying as Aboriginal, and greater confidence in the police response when incidents are reported.

#### **Implications for future protocol development and use**

These findings confirm that the protocols are useful in prompting an improved approach to Aboriginal family violence. Stakeholders confirmed that the protocols were still a necessary tool for improving and sustaining the relationship between the police and Aboriginal communities and an essential complement to standard practice guidelines.

To ensure maximum effect, protocols require consistent support beyond their development and initial launch. Implementation and ongoing review require leadership, management, planning, and resourcing. Combined advice from the three pilot areas consulted covers key practicalities in the areas of community engagement, governance, police training, central and local linkages, and the mechanics of referral. Recommendations based on this evaluation are that:

1. the learning offered by stakeholders (as above in 2.4) is shared state-wide in the further roll-out of Koori Family Violence Police Protocols, and that the learning is actioned (for instance incorporated into the development of current and future guidelines)
2. Victoria Police considers a collaborative process to revisit the KFVPP program logic model and monitoring and evaluation framework developed in 2008-2009. The purpose would be (a) to clarify activities and outcomes and (b) advise local partners on ways to monitor and evaluate success.
3. Victoria Police and project partners further explore ways of resourcing cultural awareness training and ongoing development for police members. training and ongoing development for police members.

# 1. Introduction

## 1.1. Family violence

Aboriginal people experience violence, both as victims and perpetrators, at a much higher rate than the non-Aboriginal population of Australia<sup>1</sup>. The violent and disempowering history imposed upon Aboriginal people by colonisation has seen the development of an internalised response to the historical and ongoing impacts of oppression within these communities, which contributes to the high level of family violence experienced by Aboriginal people<sup>2</sup>.

Family violence is defined as follows:

Family and domestic violence is any violent, threatening, coercive or controlling behaviour that occurs in current or past family, domestic or intimate relationships. This includes not only physical injury but direct or indirect threats, sexual assault, emotional and psychological torment, economic control, damage to property, social isolation and any behaviour which causes a person to live in fear.

The term "family violence" encompasses violence that might occur between family members, such as violence between siblings or across generations, in addition to violence between partners. Use of the term family violence also reflects indigenous communities' preference for the term because it more accurately reflects extended kinship ties and how the impact of violence affects all members of a family.

While child abuse and family violence are generally considered separately, it is important to acknowledge the inter-relationship between family violence and child abuse. These forms of violence often coexist, with violence being directed towards both women and children. It is also a form of psychological child abuse, if a child hears or witnesses violence directed towards their mother or a sibling, even if that child is not a primary victim.

Family violence is predominantly, but not exclusively, perpetrated by men against women and children. Violence can occur in any kind of relationship including, lesbian relationships and against people who are elderly or disabled. Family violence perpetrated against older people is often called elder abuse, although this term can also include abuse by professional carers.<sup>3</sup>

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<sup>1</sup> Memmott, P., Stacy, R., Chambers, C. & Keys, C. 2001, Violence in Indigenous Communities: Full Report, Crime Prevention Branch, Attorney-General's Department, Canberra, January.

<sup>2</sup> Australian Human Rights Commission (2011), Social Justice Report, Chapter 2.

<sup>3</sup> <http://www.dhs.vic.gov.au/for-individuals/children-families-and-young-people/family-violence/what-is-family-violence> Accessed 10 March 2015.

## 1.2. The protocols project

### Background of the Koori Family Violence Police Protocols

The need for improvements to the police response to Aboriginal family violence has been identified in a number of community forums and detailed in a range of Victorian Government policy frameworks such as:

- Victorian Aboriginal Affairs Framework
- Indigenous Family Violence 10 Year Plan – Strong Culture Strong Peoples, Strong Families: Towards a safer future for Indigenous families and communities - 10 Year Plan
- Aboriginal Justice Agreement

In 2003, the Victorian Indigenous Family Violence Task Force commissioned a project between Aboriginal family violence networks and Victoria Police to explore and identify issues in the Loddon Mallee region and make recommendations on the development of local protocols and enhance interagency understanding between Police and service providers involved in family violence.

In 2008, the (former) Department of Justice provided funding to Victoria Police, who contracted the Aboriginal Family Violence Prevention and Legal Service Victoria (AFVPLS) to undertake the project as a pilot initiative to strengthen the police response to Aboriginal family violence across six agreed priority areas – Mildura, Bairnsdale, Darebin, Ballarat, Shepparton and Dandenong.

Protocols were developed locally by representatives of key agencies in a process supported by the Aboriginal Family Violence Prevention and Legal Service (AFVPLS), the Department of Justice and Regulation (DJR), Department of Health and Human Services, Victoria Police and the Victorian Aboriginal Community.

Today, progress with the Protocols is overseen by a Steering Committee comprising Victoria Police (chair), the Office of Aboriginal Affairs Victoria, DJR and the Department of Health and Human Services officers, and an IFVRAG and RAJAC chair. This committee met three times in 2014. Updates are provided to the Indigenous Family Violence Partnership Forum, the Aboriginal Justice Forum and other internal government mechanisms.

### Objectives of the Koori Family Violence Police Protocols

A prompt and positive police and community response is critical for Aboriginal people affected by family violence. The longer-term goal of the protocols is to reduce both the number of family violence incidents, and number of families experiencing repeated incidents of family violence.

The protocols are aimed at a holistic, improved response to all parties including affected adult and child family members (AFMs), and respondents/perpetrators. The protocols make police aware of local Aboriginal support services and enable them, at the time of a family violence incident, to identify whether the affected family member(s) or perpetrator identify as Aboriginal and, if so, to offer them the choice of referral to Aboriginal support services or non-Aboriginal support services according to their preference.. To support this process, the protocols also specify that police members should receive cultural awareness training delivered by members of the local Koori community and that local communities and services should develop and sustain strong local partnerships. The protocols were launched at various times between 2011 and 2013, and in Mildura were amended to include direct referrals to an Aboriginal organisation.

Intended short-, medium- and long-term outcomes were identified.<sup>4</sup> In the short term the protocols were expected to increase police and Aboriginal community awareness and understanding of family violence and the responses available. There would be more calls to police from Aboriginal community members and an increased police response. The Aboriginal community would have a better understanding of police roles and responsibilities in responding to family violence and be more aware of police options to take criminal, civil and/or referral action. They would be more likely to use community support services. Police would be more aware of Aboriginal culture and community and of community expectations about the police response to family violence. They would attend more family violence incidents where the AFM or alleged perpetrator identified as Aboriginal and their increased response would include enforcement of related issues. All organisations involved would increasingly follow agreed processes, would understand shared services and potential linkages and would improve data collection on the extent of Aboriginal family violence.

As a result of the above, it was expected that the police would provide a more culturally appropriate response, would increase their response rate to incidents of Aboriginal family violence, would more often record Aboriginal status on referral forms (L17s) and more often make formal referrals to support services. The Aboriginal community would be more confident in the police response and more likely to call the police for assistance. Partnerships and relationships between services would improve and there would be increased follow-up and delivery of support services after family violence incidents.

#### **Implementation of the Koori Family Violence Police Protocols**

Protocols were developed and agreed locally in selected police areas. In 2008 six sites were selected, based on levels of reported family violence incidents, to pilot the protocols. These sites were Mildura, Ballarat, Darebin, Bairnsdale, Dandenong and Shepparton. The KFVPP have been launched in three of the pilot sites – Mildura (2009), Darebin (2013) and Ballarat (2013).

Each site developed its own protocol document in consultation with local stakeholders and with the support of the AFVPLS project team. It was expected that a local stakeholder team monitor the operation of the protocols and address problems as far as possible at the local level, referring other issues to the project's State-wide Steering Committee. In 2014 the State-wide Steering Committee agreed that at the local level representatives from Victoria Police, DHHS, IFVRAG and the RAJAC be included as a minimum to monitor progress with the protocols.

### **1.3. Other developments in the response to family violence**

Major developments in the government approach to family violence have occurred concurrently with the Koori Family Violence Police Protocol project.

#### **Relevant government policies**

**Integrated Family Violence Reform Strategy:** A whole of government family violence strategy. A key objective is to better integrate police, courts and support services to reduce the incidence of revictimisation.

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<sup>4</sup> See Appendix Two: Program logic extracted from the KFVPP Monitoring and Evaluation Framework submitted to KFVPP Steering Committee (no date) and appended to the protocols.

**Victorian Aboriginal Affairs Framework (2013-2018)** : Victoria's overarching Aboriginal Affairs reform agenda, which gives priority to safe families and communities and equitable Justice outcomes. The VAAF specifically aims to reduce the incidence of Aboriginal family violence, and as part of this includes measures regarding the reporting of Aboriginal family violence to police. The VAAF seeks stronger performance reporting on family violence and a separate evaluation has been established to provide for this.

**Strong Culture, Strong Peoples, Strong Families: towards a safer future for Indigenous families and communities 10 year plan (2008)**. A partnership between the State Government and Aboriginal community representatives to provide for the prevention of and responses to Aboriginal family violence, while enabling community-led responses. The 10 Year Plan is overseen by the Indigenous Family Partnership Forum established in 2005 and supported by Indigenous Family Violence Regional Action Groups located in 11 regions across the states.. The 10 Year Plan is overseen by OAAV, with DHHS and Victoria Police as key implementation partners.

#### **Aboriginal Justice Agreement (2000, 2006 and 2013):**

A partnership agreement between Victoria's Indigenous leaders and the Victorian Government, led by the Department of Justice to improve the safety of families and communities and in particular reduce over-representation of Aboriginal people in the youth justice and criminal justice system. The AJA is overseen by the DJR.

#### **Victoria Police focus**

Victoria Police Code of Practice for the Investigation of Family Violence (Edition 3 V2 2014) gives four directions for ensuring the safety of Aboriginal AFMs and children through a culturally appropriate response: asking about Aboriginal identity, acknowledging diversity within and between Aboriginal communities, offering the support of an ACLO if available, and being 'guided by Koori Family Violence Police Protocols if they are in place' (p11).

Victoria Police is appointing its first Assistant Commissioner for Family Violence and there are at least 30 police teams specialising in family violence.

### **1.4. The evaluation**

Victoria Police commissioned this evaluation of the effectiveness of pilot Koori Family Violence Police Protocols in the Ballarat, Darebin and Mildura Police Areas. The evaluation will guide the roll-out of the protocol project at other sites, with potential audiences including Victoria Police, Aboriginal community partners and organisations, referral organisations and local KVVPP steering groups/advisory committees, the KVVPP Steering Committee and departmental Secretaries.

The evaluation, conducted in late 2014 and early 2015, identified strengths and potential improvements at each site. It asked how effectively the protocols met expected short term outcomes, whether there were significant unexpected outcomes, and what had been learned from the process that could be shared with other areas.

- Consultations with a total of 35 local stakeholders were the main data collection method. The evaluation team identified participants by (i) asking the Superintendent in each police area to nominate a contact person in his or her team and to suggest police and community participants,

(ii) asking the nominated police contact for further advice on participants and (iii) forming a shortlist for one to one interviews (up to four at each site) that included key Aboriginal community and police representatives. The evaluation team then invited the shortlisted participants to take part in an interview and a subsequent group forum. Invitations to take part in a forum were sent to the wider list.

Final participants were from the following groups:

- Victoria Police (n=16) stationed in Ballarat, Darebin, Mildura, ranging in rank from Superintendent to Constable and including Family Violence specialists, Police Aboriginal Liaison Officers (PALOs) and one Aboriginal Community Liaison Officer.
- Local Aboriginal and non-Aboriginal community organisations providing family violence prevention, support and legal services ("referral organisations") (n=13)
- RAJAC, IFVRAG and DHHS representatives (n=3).

Participants included six who were directly involved in the development and launch of the local protocols and were on the original local reference group.

Semi-structured interviews with ten key informants were conducted by telephone or face to face and took between 25 and 45 minutes. The interview guide is attached at Appendix 3.

A two-hour forum at each site involved 9 to 16 stakeholders (total attendance 36). This method enabled participants to share their perspectives on the value of the pilot and to contribute to recommendations for the future. It also had the potential to increase protocol partners' collective awareness of and commitment to the goals of the KFVPP.

The table below shows the number and type of consultation at each site.

**Table 1: stakeholders consulted**

Region	Formal interviewees	Informal interviewees	Forum attendances
Ballarat	3		9
Darebin	3	2	16
Mildura	4		10
Total participants	10	2	36

A limitation of the sample, that the non-Aboriginal family violence services were under-represented, emerged late in the process. It is also worth noting that several potential participants were unavailable owing to annual leave.

The Koori Justice Unit (KJU) provided a de-identified analysis of Victoria Police data on Aboriginal family violence reporting and responses, with offender, offence and victim data extracted from the Victoria Police LEAP database in July 2014. The limitations of this data include the large number of affected family members and perpetrators whose Aboriginal status is recorded as unknown. With this caution in mind, the data provides some context for the evaluation but does not provide evidence of the effectiveness of the protocols. Assessment of the unique contribution of the protocols therefore relies in this evaluation on the perspectives of key stakeholders.



Findings emerged from exploring themes in the qualitative data, using the evaluation questions as a framework and also noting unexpected outcomes or issues.

The evaluation plan was approved by the Department of Justice Human Research Ethics Committee (ref: CF/14/24310)

## 2. Findings

The protocols are making a positive contribution to improving the police response to Aboriginal family violence. The stakeholders consulted offer experience-based advice on the need for clear local governance and ongoing review, along with continued cultural awareness training for police members. The advice has resource implications both locally and for state agencies.

Overall, it was clear that the protocol project had engaged leaders at the local level. It benefited from senior commitment on the part of Victoria Police: for example, superintendents at each site took an active part in the evaluation by allocating their own and their station's time to the evaluation, which augers well for their ongoing support for the protocols. Aboriginal community leaders also dedicated time to providing feedback to the police and working to help police improve protocol implementation.

Informants did not place a heavy emphasis on the need for further resources for police and community support services. The evaluation however found a distinct theme suggesting that future protocols will be more effective more quickly if there is greater local capacity.

Initial funding for protocol development should be in part extended to assist local police to sustain dialogue, prompt full implementation and conduct local monitoring and review. Additional support at the state level, in particular to support cultural awareness training design and delivery and to strengthen the ACL0 program, would facilitate local action.

Another resourcing question raised in the evaluation (but beyond its scope) is the capacity of family violence support services (both Aboriginal and non-Aboriginal) to respond to the rising number of family violence referrals. The logic of the protocols is that in the long term family violence incidents will be less frequent and less severe. In the medium term, however, it is expected that if the protocols are effective there will be an increase in referrals and an expectation of a prompt response.

The rest of this section summarises evidence from consultations and the available and relevant quantitative data that contributes to answering the key evaluation questions. First we address observed strengths of the protocols and identified areas for potential improvement. Second, we consider outcomes.

### 2.1. Protocol strengths and areas for improvement

Expected activities needed to put the protocols into practice have been undertaken. Across the three areas the following achievements were reported:

- **Communities have been informed**, through public launches and media reports in each area and through circulation of a pamphlet.
- Police members have received **additional training in cultural awareness and the detail of the police protocols**, since the protocols were launched. Family Violence Advisors have supported protocol use by including reminders in police training days.
- The referral process has been incorporated in the **police electronic reporting and referral system**.
- **Local reference groups** were formed which actively steered development of the protocols and their launch. In one area, Mildura, protocol partners reconvened to negotiate an agreement to add an Aboriginal service provider (Meminar Ngangg Gimba) as a referral destination for a trial period.
- **Police attend local meetings that are relevant to family violence and the Aboriginal community**.

All three areas reported barriers to putting the protocols into practice. The adequacy of local resources to meet the need for police cultural awareness training is a concern. Regular/refresher training has taken some time to organise and there is some concern in each area about local resources for training (Including local Elders and trainers, FV Advisors, PALOs and ACLOs.)

There is potentially a greater need for input from the Aboriginal Community Liaison Officer role. Ongoing protocol-specific steering committees have not been sustained.

## 2.2. Outcomes

As a result of the above activities, stakeholders in private interviews and in area forums agreed that two major intended outcomes were emerging:

- **Police are reportedly more aware of Aboriginal culture and community**. There are stronger relationships between police and Aboriginal community support services and better understanding of the communication pathways in the partnership.
- **Referrals (L17s) are reaching Aboriginal organisations**, indicating an understanding of agreed processes.

A further outcome is that, although implementing the protocols is taking longer than might have been expected, there is commitment to sustaining the work. Stakeholders in the pilot areas who took part in the evaluation expressed a strong interest in understanding how far the protocols were being used and closing any gaps in the processes specified.

As noted in Section 1.4 above, the intended effect on Aboriginal family violence statistics cannot be reliably evaluated at this stage. Police data can, however, be interpreted with caution to provide some context. It shows that the reporting of family violence by Aboriginal family members is increasing and more charges are being laid (more detail for each site is shown in Appendix One). Possible factors include not only an unwelcome increase in actual family violence but a welcome increase in the confidence to identify as Aboriginal, and greater confidence in the police response when incidents are reported. If the rise in reporting is assumed to be for positive reasons, then it might be possible to interpret higher rises in the protocol sites as some evidence of the effectiveness of the protocols - at this stage, however, local changes are similar to state-wide increases. Further, changes in the statistics may be affected concurrently both by the



protocols and by other strategies aiming to improve police/Aboriginal community relationships and responses to family violence.

### 2.3. Challenges in implementation

A large proportion of LEAP family violence records show Aboriginal status as unknown. The extent to which police ask about Aboriginal identity at family violence incidents is unclear. Reasons for not asking the question include a lack of confidence, and the pressures of a crisis situation. Another factor in the lack of identification of Aboriginal status is the fact that many Aboriginal people fear any contact with police and agencies owing to the history of their role in child removal.

There are reports of referrals to Aboriginal organisations being lost in the system or delayed. No evidence was found to indicate the extent of such delays but it was suggested they may arise from support services becoming overstretched around public holidays and other peak periods. In the case of Mildura, police reported there was potential for a referral to fail if it was directed to the Aboriginal support service outside its operating hours.

All informants expressed a need for ways of monitoring the referral process locally, and a degree of frustration about lack of access to local data. This is in part an issue of resourcing relevant police members. The ACLO also has a significant role under the protocols (in Darebin and Mildura) in evaluating incident histories and the ways in which AFMs and perpetrators have been engaged and supported.

Local reference groups/steering committees were not strongly-enough established to maintain momentum and guide progress beyond the launch of the protocols.

### 2.4. Sharing the learning with other areas

The following represents the combined learning from the three pilot sites, expressed as advice for future protocol areas. It covers key practicalities in the areas of engagement and governance, police training, central and local linkages/support, and the mechanics of referral and community engagement.

#### **Project engagement and governance**

- Form a local reference group/local steering committee with a clear governance structure and multi-year action plan. As recommended in the original protocol documents, the membership should include Victoria Police, the RAJAC Chair and Executive Officer (Department of Justice), the chair of the Indigenous Family Violence Regional Action Group and the Indigenous Family Violence Regional Coordinator (Department of Human Services), but need not be limited to these members.
- Value and promote open communication among all stakeholders at a local level including Aboriginal Elders and representatives (at all levels) of Victoria Police, funded family violence support providers and all relevant Aboriginal organisations.
- Police need time to develop relationships at all levels, both formally and personally. The police Family Violence Advisor and his or her connection to the Aboriginal community via IFVRAG is crucial.

- **Effective protocols require resourcing:** explore central and local support and resourcing for project development and coordination, the planning and delivery of cultural awareness training in the short and longer term, and the provision of Aboriginal Community Liaison Officers.
- **Revisit and re-evaluate the protocols regularly** (e.g. annually).

#### **Police training**

- **Cultural awareness is crucial.** Plan an ongoing program of cultural awareness training and support for police members that is specific to the local Aboriginal community or communities, family violence, and the protocols.

#### **Linkages**

- **Engage with local developments in responses to Aboriginal family violence:** an example is investigating and securing the role of Aboriginal services in multi-agency case management for high risk families.

#### **Indicators of success**

- **Develop and monitor indicators that demonstrate the successful implementation of the protocols, for example:**
  - The extent to which police follow the processes for referrals of AFMs and perpetrators (for instance, as measured by the number of referrals to services – Aboriginal and non Aboriginal).
  - The time from referral being made to receipt and action at the support service
  - A reduction in the proportion of missing/not stated/unknown status in response to the Aboriginal identifier question by victim and perpetrator

### **3. Conclusion and recommendations**

Most informants to the evaluation confirmed that the protocols are an effective, useful and necessary tool for improving the relationship between the police and Aboriginal communities and that they are an essential complement to standard practice guidelines. They complemented and were not superseded by recent improvements in the police response to family violence, such as the creation of the Victoria Police Family Violence Command, release of a revised Family Violence Code of Practice that incorporates legislative changes and the roll-out of multi-agency case conferencing for high-risk families; and a nationally higher profile for improving responses to family violence.

Reflections on the protocols highlight that they have two main functions: most obviously they set out and explain the importance of the actions expected of police at the scene of family violence in the Aboriginal community. They also outline what needs to happen to make it normal for all front-line police to ask about Aboriginal identity in a culturally sensitive way and to respond appropriately to the answer. In other words, the protocols commit local police, local Aboriginal communities, and family violence networks and services to mutual engagement, steps towards better understanding, and strong, multifaceted working partnerships.

To ensure maximum effect, there is potential for improvement. Protocols require consistent support beyond their development and initial launch. Implementation and ongoing review require leadership, management, planning, and resourcing. Combined advice from the three pilot areas consulted covers key practicalities in the areas of community engagement, governance, police training, central and local linkages, and the mechanics of referral.

Recommendations based on this evaluation are that

4. the learning offered by stakeholders (as above in 2.4) is shared state-wide in the further roll-out of Koori Family Violence Police Protocols, and that the learning is actioned (for instance incorporated into the development of current and future guidelines)
5. Victoria Police considers a collaborative process to revisit the KFVPP program logic model and monitoring and evaluation framework developed in 2008-2009. The purpose would be (a) to clarify activities and outcomes and (b) advise local partners on ways to monitor and evaluate success.
6. Victoria Police and project partners further explore ways of resourcing cultural awareness training and ongoing development for police members.

## Appendix One: Site reports

### Ballarat

#### Summary report from the consultations

New and improved relationships have developed in the Ballarat area, encouraged by RAJAC and in the context of other family violence initiatives such as the creation by Victoria Police of family violence units and the Family Violence Command and the planned Royal Commission into Family Violence. Cultural awareness training for police members has been delivered. Police have attended Aboriginal community meetings and events. Ballarat and District Aboriginal Cooperative (BADAC) and WRISC Family Violence Support have developed a relationship with the Family Violence Unit.

There are concerns about the effectiveness of the L17 referral process. In the first place, police attending family violence incidents were known to be omitting the standard question about Aboriginal status. One officer explained that this was a crucial first step but not a priority in all incidents:

*If we identify the AFM early as Aboriginal then the referrals will be appropriate. We ask the question well in interviews with offenders, but in violent crises at night, safety is our concern before whether or not someone is Aboriginal or Torres Strait Islander. We probably ask half the women and hardly any of the children (KS 14).*

LEAP data shows that the proportion of AFMs whose Aboriginal status was recorded as 'unknown' is indeed large. Ranging from 31%-46% since 2005/2006, it was highest (43%-46%) in the years since 2010/2011.

The second concern is lack of knowledge about the extent to which referrals for AFMs are lost in the system or delayed. Referrals are directed to Berry St (Grampians) and forwarded as appropriate to WRISC Family Violence Support Indigenous Program and to BADAC Integrated Family Services. It is not known to what extent Berry St ask about Aboriginal status.

Third, there was concern about the lack of an Aboriginal Community Liaison Officer for Ballarat. The protocols do not mention an ACLO but do highlight the role of a Police Aboriginal Liaison Officer (PALO), who should have management support to attend cultural awareness training, engage with the Aboriginal community and potentially offer further support to the AFMs.

For the future, it was hoped that police awareness of the protocols could be improved and that referrals, once made, could reach their destination more quickly. There was a need to involve Berry St in monitoring progress.

It was noted that the roll-out of case management meetings for high risk families was a potential opportunity for Aboriginal services to be involved as associate members. The process may highlight strengths and weaknesses in the Koori Family Violence Police Protocols and their use.

Participants in the forum made arrangements to reconvene a local reference/steering group for the protocols. The group would include Victoria Police, RAJAC and IFVRAG chairs and ensure that all community support services were involved.

Priority actions were identified as

1. Planning ongoing family violence-specific cultural awareness training for all members, and more specific or frequent refresher input for the Family Violence Unit. The training plan would be linked with the RAJAC five-year plan and the IFVRAG plan.
2. Exploring the possibility of police following up referrals, building on the existing commitment to follow up AFMs within 48 hours.
3. Explore ways of monitoring protocol effectiveness at the local level.

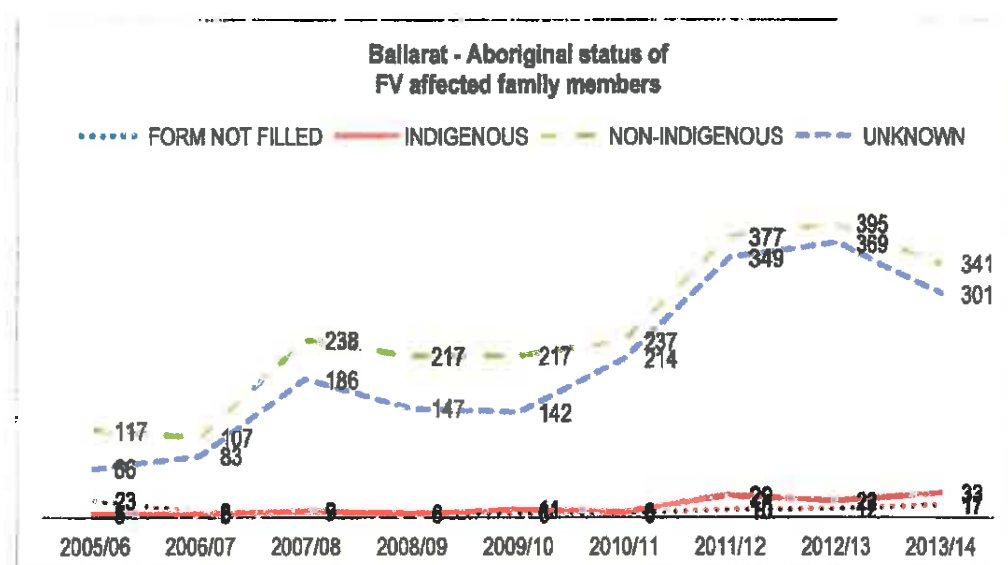
## Family Violence Police Data

### Overview

The three years to June 2014 have seen increased reporting of family violence by Aboriginal family members, an increase in intervention orders taken out by Aboriginal family members and also in family violence-related charges where the alleged offender was Aboriginal. These figures provide a context for the perspectives of the stakeholders who took part in the evaluation. Further research would be needed to explore the impact of the Koori Family Violence Police Protocols, as increases have also been recorded at the State level.

### *Is the question about Aboriginal status being asked and answered?*

The proportion of AFMs whose Aboriginal identity was recorded as 'unknown' has ranged from 31% to 46% since 2005/2006 (66/211 to 369/798). It was highest (43%-46%) in the years since 2010/2011. A small proportion (less than 2% in the last three years) is recorded as 'form not filled?'



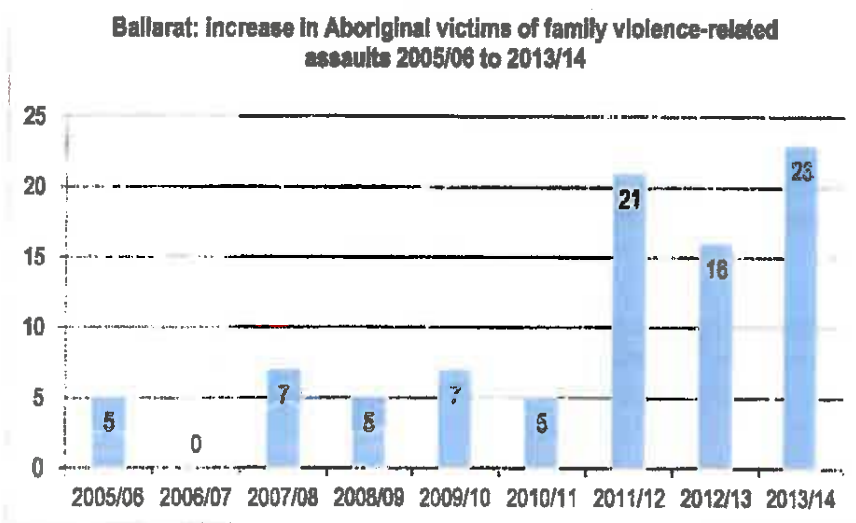
**Figure 1: Ballarat - trends in identification of Aboriginal status of AFMs**

This means that the following figures should be interpreted with caution, and the Aboriginal data treated as a minimum, given that for nearly half the victims of family violence related offences the response to the Standard Indigenous Question was unknown or the form not filled.

***Affected family members and alleged offenders***

In the three years 2011/12 to 2013/2014 there was an increase in the number of occasions when Aboriginal people were recorded as victims of family violence related offences (Figure 2).. In the previous six years five to seven per year were recorded, while the average per year for 2011/12 to 2013/2014 was 28

In the last three years 60 victims of family violence related assaults were recorded (16-23 per year), a marked increase on the total of 17 in the previous three years.



**Figure 2: Ballarat - Aboriginal victims of family violence-related assaults 2005/06 - 2013/14**

The number of family incident reports (FIRs) made by Aboriginal affected family members in Ballarat has increased annually since 2008-2009 from 22 to 56, with a 16.7% increase (8 FIRs) in 2013-2014. This is in line with a statewide trend. These increases are widely believed to be due to increased confidence in reporting to police, and better responses by police, rather than an increase in the actual prevalence of family violence

The proportion of charges being laid as a result of a family incident report by an Aboriginal AFM in Ballarat (Figure 3) has fluctuated somewhat but, at 55.4% in 2013/14, was higher than the Victorian average of 49%.

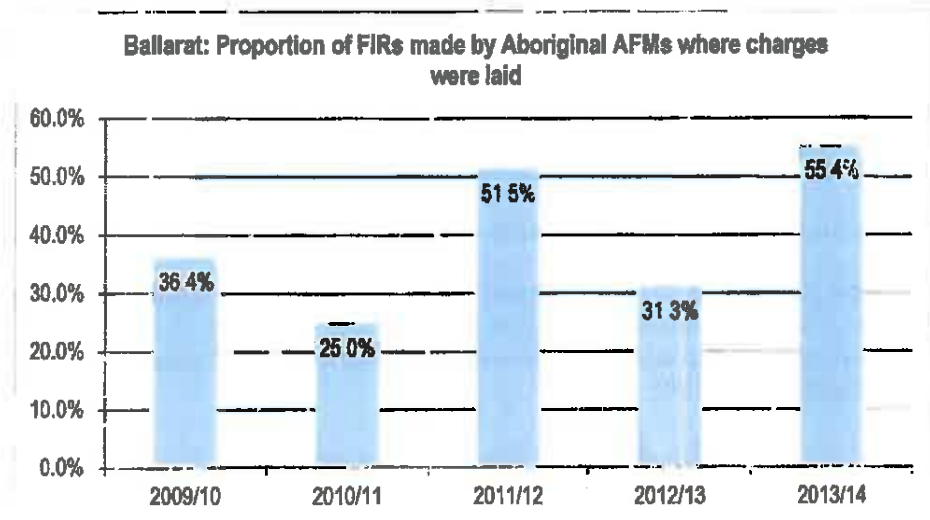


Figure 3: Ballarat - Family Incident Reports made by Aboriginal AFMs where charges were laid

For both Aboriginal and non-Aboriginal alleged offenders, the proportion of offences that were related to family violence has increased in the years 2011/12 to 2013/2014 (Figure 4). For identified Aboriginal offenders up to one in four offences (24.6%, 59/274) were family violence related in those years, compared with about one in twenty (11/226) in previous years.

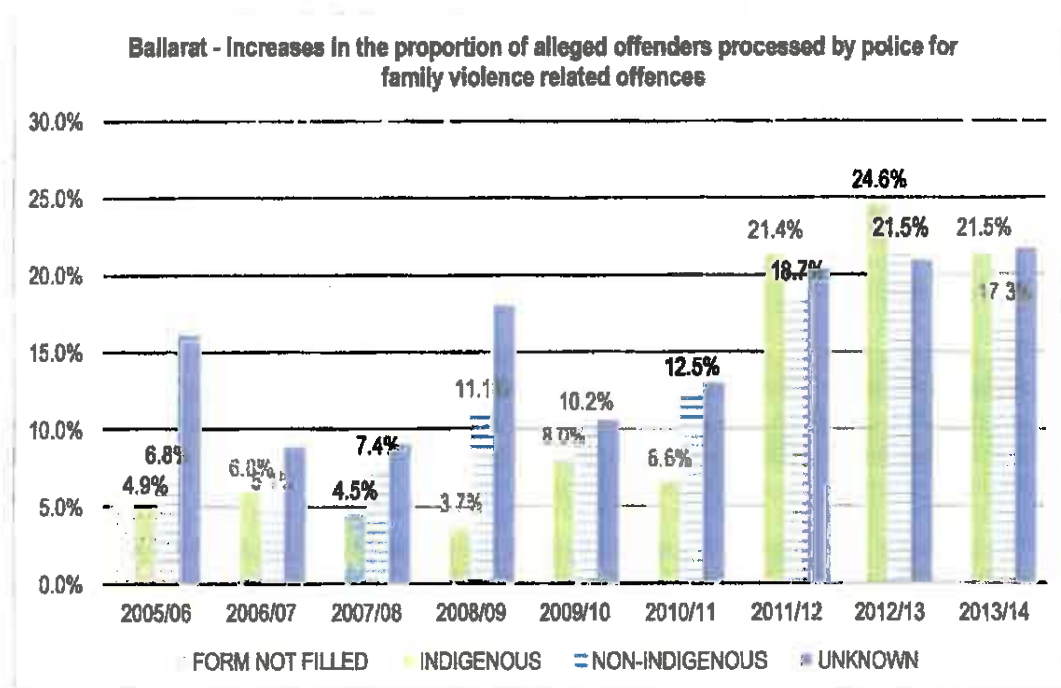


Figure 4: Ballarat - Family Violence related alleged offences as a proportion of all offences

The three years to 2013/14 saw a consistently high number of final Intervention orders made where the complainant was Aboriginal (Figure 5)- a total of 71 compared with 37 in the previous three years.

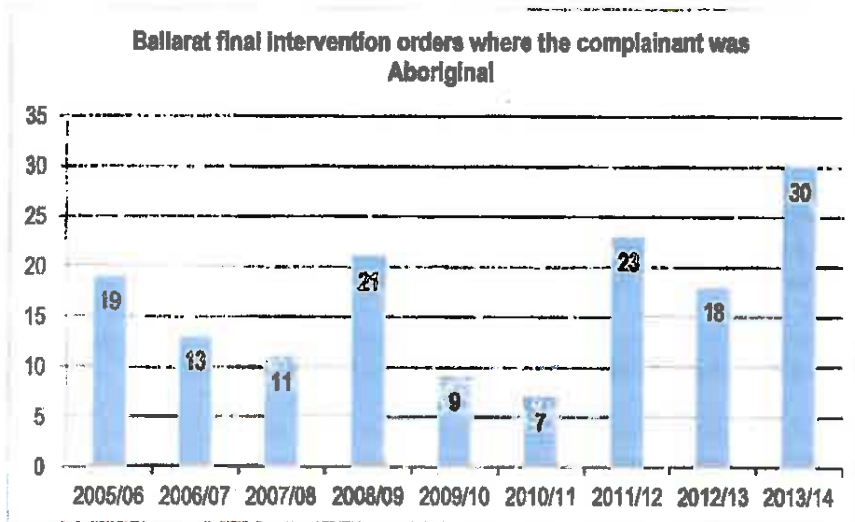


Figure 5: Ballarat - final intervention orders where the complainant was Aboriginal

There has been a marked increase in recorded breaches of family intervention orders by Aboriginal alleged offenders, with an increase of 38% (13-18) in 2013/2014 (Figure 6).

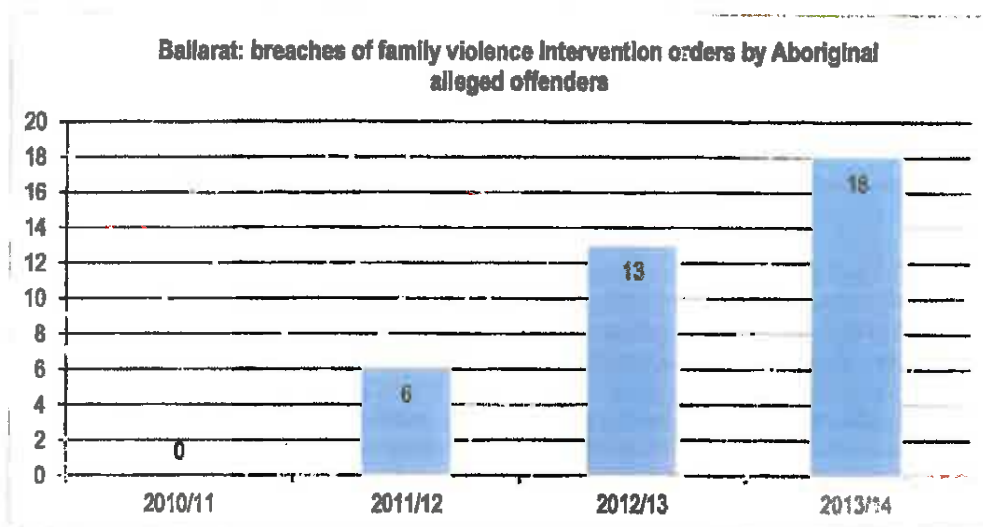


Figure 6: Ballarat - breaches of family violence orders by Aboriginal alleged offenders



## Darebin

### Summary report from the consultations

Stakeholders endorsed the value of the protocols in improving communication among police and community support services. There was goodwill and improved understanding of the value of taking action to prevent recurring violence. It was agreed that use and refinement of the protocols needed ongoing attention, including ongoing police cultural awareness training, improvement in identification of Aboriginal AFMs and perpetrators, and an active local reference group/steering committee.

*The protocols have opened a dialogue that was not there before - especially with the focus on family violence. They can be a wonderful tool but have no legs at present. (KS 1)*

After three years in development, the Darebin protocols were launched in 2013 with high profile attendees including the Police Commissioner. Cultural awareness training was delivered in 2013 by Kellawan and VACSAL will provide further sessions in the coming weeks.

Cultural awareness training plans have been developed within Darebin in a process that was experienced as long and frustrating and which was hampered by limited resources. Police and VACSAL were however keen to see it delivered, revised as necessary, and the learning shared with other areas. There was also a view that aspects of the training should be designed externally as a statewide resource, and support provided for local delivery by police and Aboriginal community trainers.

A major concern in the consultations was the need to improve identification of Aboriginal AFMs and perpetrators.

*So much hinges on officers making an identification and getting them to the right services. Without doing this, referrals are not ending up where they need to be. (Forum participant)*

Ongoing police training would include a focus on increasing officers' confidence in having open conversations and recognising that community members may be uncomfortable in identifying as Aboriginal because, for example, of the history of police enforcing government policy on child removal and concerns about the involvement of Child Protection and its potentially negative consequences. There was some discussion about the way the questions are framed and whether they should be revised. Primarily, however, the officers needed to be able to explain in a culturally sensitive way the reason for asking this question, and consistently offer all the services available. They also needed to make it clear that referral to an Aboriginal service was optional.

It was recognised that the 24-hour support services workers (at Safe Steps - WDVCS) may also benefit from training and awareness-raising around asking the question about Aboriginal status.

Community information on the protocols began with publicity for their launch in 2013 and is sustained through printed pamphlets and information cards, available at police stations and to a limited extent in patrol cars.

Referrals (L17s) were reported to be successfully arriving at Berry St, who have a partnership with VACCA which ensures that Aboriginal workers are available. Male perpetrators are referred to the Aboriginal Centre for Males ( a VACSAL program).

Delays to referrals were understood to be occurring on occasion, with a two to four-day gap between the incident and a response from the support agency. Reasons were unclear but it was suggested that there were peaks in the number of referrals.

The next steps in Darebin were discussed. The immediate need was to finalise details of the cultural awareness training scheduled for February. From that point it was agreed that a local reference group would meet in March to review the protocols and keep them current, and to assess the first round of training.

The Darebin stakeholders wished to share the following advice with other areas considering their own KFVPP:

- Set up a local Reference Group with a clear governance structure that will continue after protocol development and support implementation and review.
- Involve IFVRAG and RAJAC.
- Maintain a link with the statewide KFVPP Steering Committee.
- Employ a project officer.
- Support the crucial role of the police Family Violence Advisor and his or her connection to community through IFVRAG, as well as the role of the FV Unit and the ACLO.
- Ensure police at all levels have time to develop relationships and bring the right people to the table.
- Monitor the mechanics of referrals.
- Advocate for a complete ACLO program.

## Family violence police data

### Overview

The three years to June 2014 have seen increased reporting of family violence by Aboriginal family members, an increase in intervention orders taken out by Aboriginal family members and also in family violence-related charges where the alleged offender was Aboriginal. These figures provide a context for the perspectives of the stakeholders who took part in the evaluation. Further research would be needed to explore the impact of the Koori Family Violence Police Protocols, as increases have also been recorded at the State level.

### *Is the question about Aboriginal status being asked and answered?*

In records of the number of victims of family violence offences, the proportion of AFMs whose Aboriginal identity was recorded as 'unknown' has ranged from 24% to 38% since 2005/2006. It was 24% in 2013/2014 (n=185/757). A small proportion, 3% in 2013/2014, is recorded as 'form not filled'

This means that the following figures should be interpreted with caution, and the Aboriginal data treated as a minimum, given that for nearly half the victims of family violence related offences the response to the Standard Indigenous Question was unknown or the form not filled.

### *Affected family members and alleged offenders*

In the two years 2012/13 to 2013/2014 there was an increase in the number of occasions when Aboriginal people were recorded as victims of family violence related assaults Figure 7 in the previous six years less than half the number per year were recorded (n=6-15), while 30 were recorded in 2013/14.

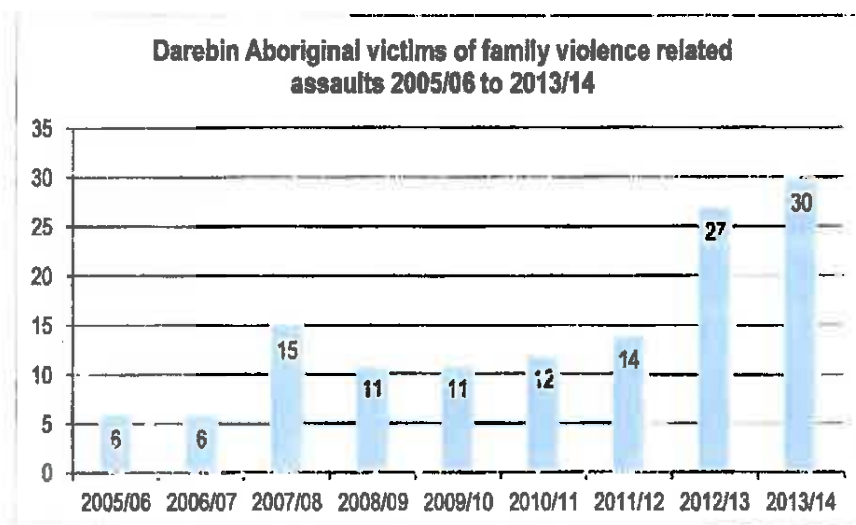


Figure 7: Darebin - family violence-related assaults where the AFM was Aboriginal

In Darebin the annual number of family violence incident reports has increased since 2009/10, (from 74 to 108). The change from 2012/13 to 2013/14 was 2.9% (105 to 108). Charges were laid in an increasing proportion of these reports, rising to 41.7% in 2013/14 (Figure 8).

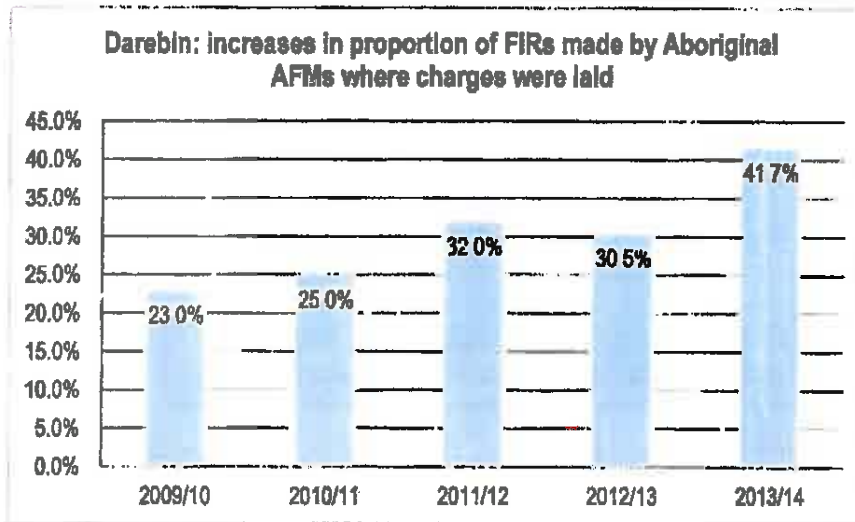


Figure 8: Darebin - proportion of FIRs made by Aboriginal AFMs where charges were laid

Figure 9 shows the increase across the board in the proportion of offenders processed by police that were family violence related. In 2013/14 of offences were processed where the offender was identified as Aboriginal, at least 22.4% (126/563) were related to family violence.

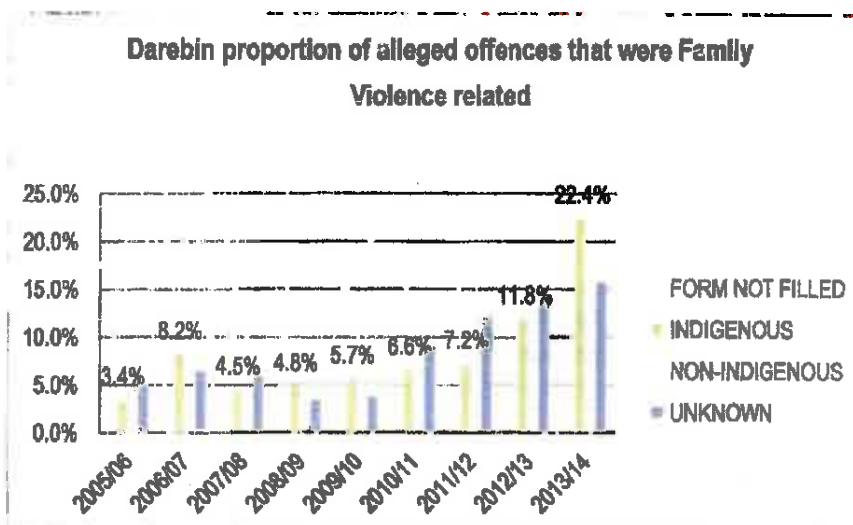


Figure 9: Darebin - proportion of alleged offences that were Family Violence related

The number of final intervention orders on behalf of Aboriginal family members has fluctuated:

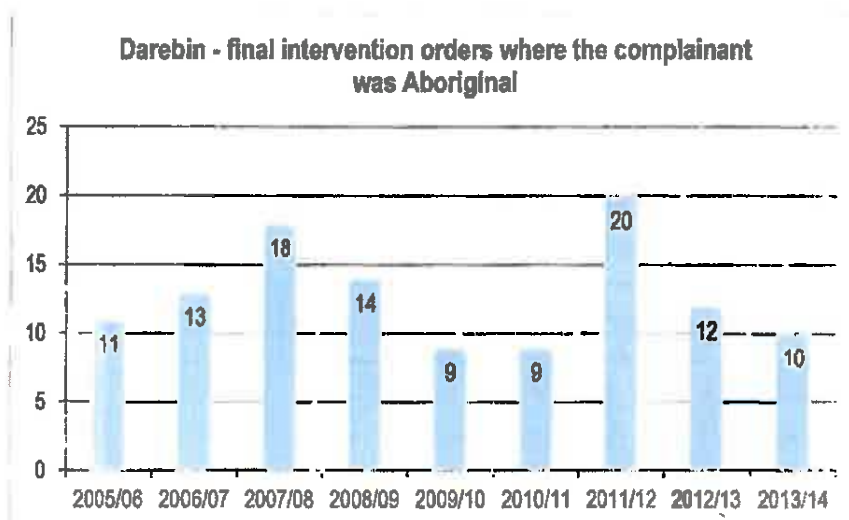


Figure 10: Darebin: number of final intervention orders where the complainant was Aboriginal

## Mildura

### Summary report of consultations

According to Mildura stakeholders, the protocols have led to better police treatment of women and children affected by family violence. The Family Violence Unit has members who are passionate about taking action on family violence. Police now accept feedback from support and legal services.

The Aboriginal family violence support service, Meminar Ngangg Gimba, was added to the protocols in 2013 as an additional service able to accept referrals of Aboriginal AFMs. After some delay in adding the service to the electronic reporting system, the change came into effect in June 2013. It was a strength of the protocols that this negotiated change was possible.

There are concerns about the resourcing of cultural awareness training. Currently it relies on the Elders, who are at risk of being over-burdened. Significant resources are needed to engage specialist external trainers. Ongoing training is needed to ensure all police understand and follow the protocols.

Room for improvement exists in assessing whether the protocols, and specifically the referral system, are working so that Affected Family Members are protected. There is no certainty about the extent of gaps or significant delays in the system, although most informants are confident that they are occasional or rare.

There is ongoing discussion about the local referral system. Some police have the view that there should be a single referral destination (Mallee Domestic Violence Service) which would forward relevant referrals to Meminar Ngangg Gimba. This would eliminate the risk of police sending

referrals to Meminar Ngangg Gimba outside their working hours, as well as simplifying the process for police.

The inadequacy of funding for the ACLO role limits the effectiveness of the protocols, as the ACLO has responsibilities to support AFMs and perpetrators and take part in monitoring high risk cases. According to the Mildura protocols, the ACLO should receive referral details when any person involved in a family violence incident identifies as Aboriginal, can visit respondents in custody, should review repeat police attendances each month and should be notified of Family Violence Action Plan meetings when an Aboriginal person is involved.

The Mildura stakeholders agreed on a course of action to revitalise the protocol project. They planned to reconvene a local steering committee, focussing initially on identifying and meeting police training needs in terms of cultural awareness. The steering committee would open communication between services and ongoing review of the protocols.

They wished to share the following advice with other areas considering their own KFVPP:

- Get your protocols up and running because they have greatly improved the police response to family violence in the Aboriginal community
- Make sure that local services have a good personal relationship with local police, especially the FVU
- Revisit and reassess the protocols and the processes more regularly – ideally every year. In particular, define the process for follow up with victims and perpetrators; clearly document the capability of the support service providers
- Talk with all stakeholders at a local level, including local Aboriginal Elders
- Cultural awareness is crucial. Focus on tailor-made cultural training
- Consider or build on the cooperation available through a Multi Disciplinary Centre (MDC) shared by police, Victims Support, Police/Court Liaison, family violence support, the Family Violence Unit and the ACLO
- Advocate for an increase in ACLOs, specifically for family violence
- Finally: ensure you seek funding and obtain prior to promising ensure you have resources commensurate to your promises; don't promise what you will have a problem delivering.

## Family violence police data

### Overview

The three years to June 2014 have seen increased reporting of family violence by Aboriginal family members, an increase in intervention orders taken out by Aboriginal family members and also in family violence-related charges where the alleged offender was Aboriginal. These figures provide a context for the perspectives of the stakeholders who took part in the evaluation. Further research would be needed to explore the impact of the Koori Family Violence Police Protocols, as increases have also been recorded at the State level.

### *Is the question about Aboriginal status being asked and answered?*

In records of the number of victims of family violence offences, the proportion of AFMs whose Aboriginal identity was recorded as 'unknown' has fluctuated between 19% and 25% since 2005/2006. A smaller number (up to 15%) are recorded as 'form not filled'.

This means that the following figures should be interpreted with caution, and the Aboriginal data treated as a minimum, given that for nearly half the victims of family violence related offences the response to the Standard Indigenous Question was unknown or the form not filled.

### *Affected family members and alleged offenders*

The number of occasions when Aboriginal people were recorded as victims of family violence related assaults has climbed since 2008/09 from 12 to more than 60. (Figure 11)

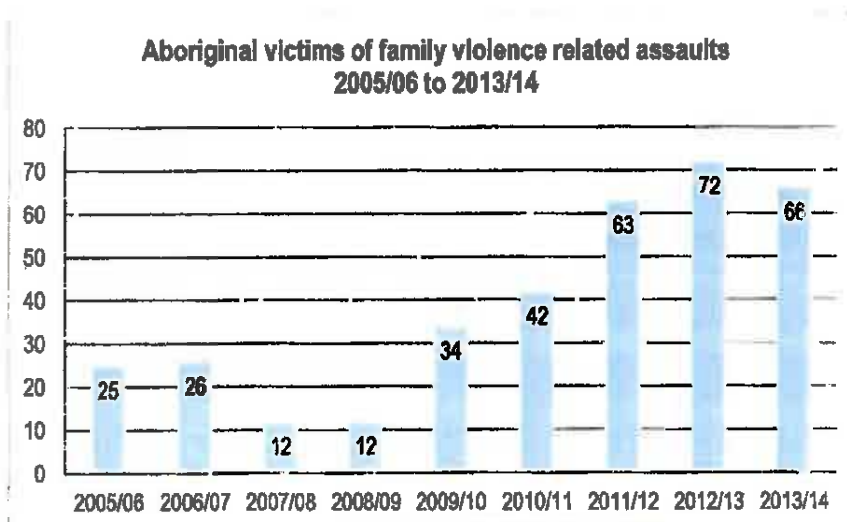


Figure 11: Mildura - Aboriginal victims of family violence-related assaults 2005/06 - 2013/14

In Mildura the number of family violence incident reports has increased since 2009/10, (from 191 to 269), with a peak of 286 in 2012/13. Charges were laid in 44.2% of these cases in 2013/14 - an increase from 27.7% in 2009/12 (Figure 12).

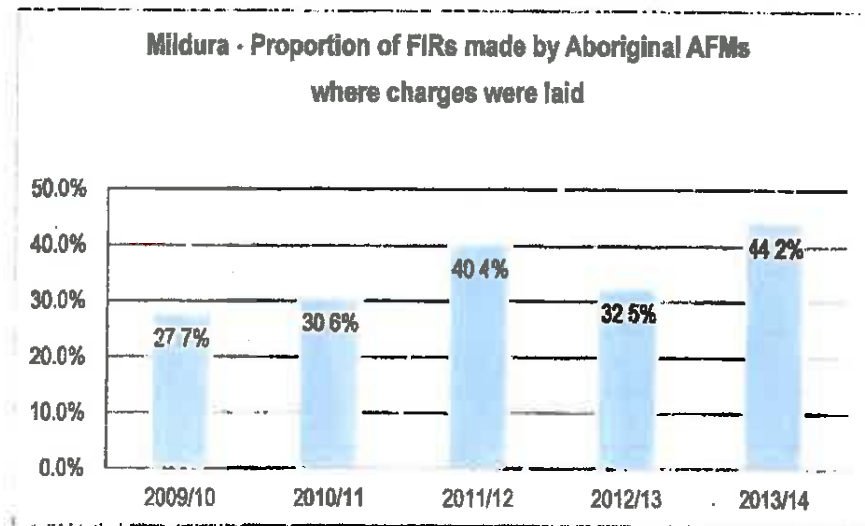


Figure 12: Mildura: proportion of family incident reports made by AFMs where charges were laid

Figure 13 shows an increase across the board in the proportion of offences processed by police that were family violence related. In 2013/14, of all offences that were processed where the offender was identified as Aboriginal, at least 17.7% (171/968) were related to family violence. The highest proportion (19.1%) was in 2012/13.

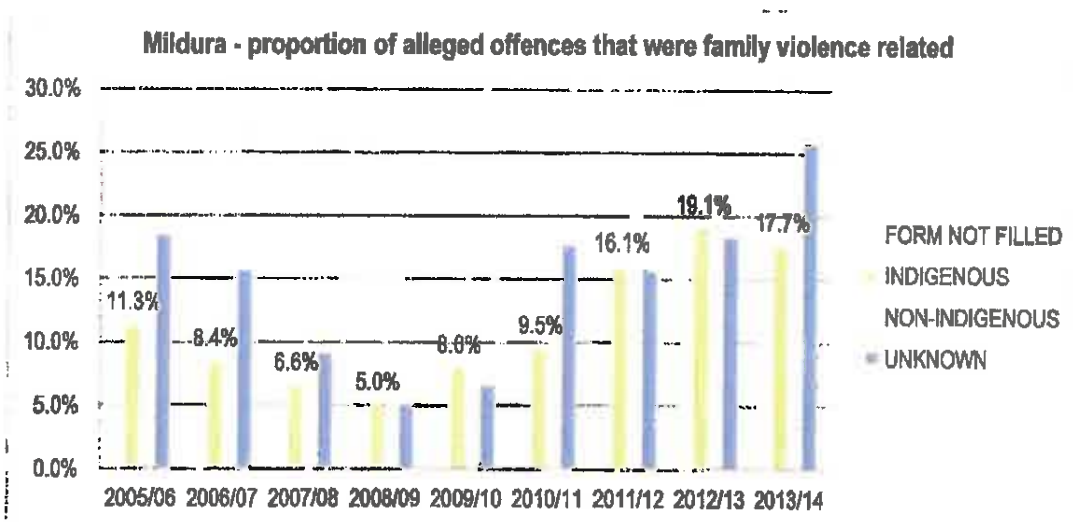


Figure 13: Mildura - proportion of alleged offences that were family violence related

Final intervention orders taken out each year by Aboriginal family members have increased steadily from 30 in 2005/06 to 112 in 2013/14 (Figure 14).



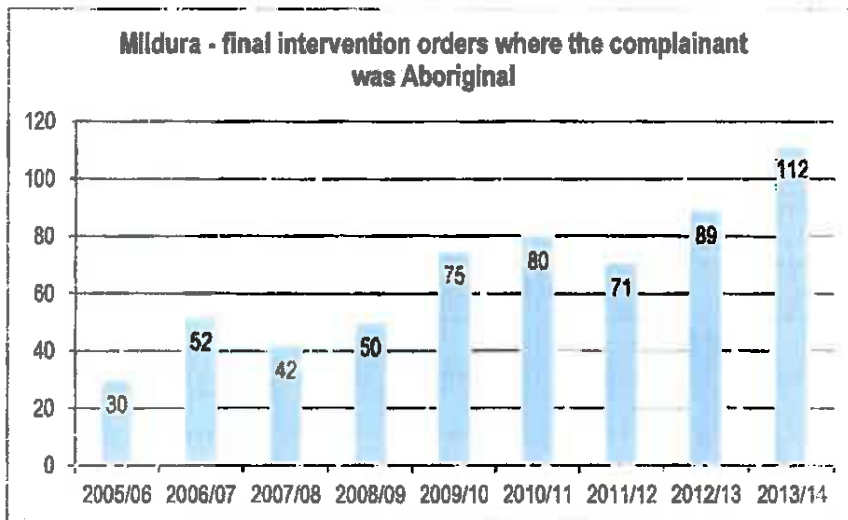
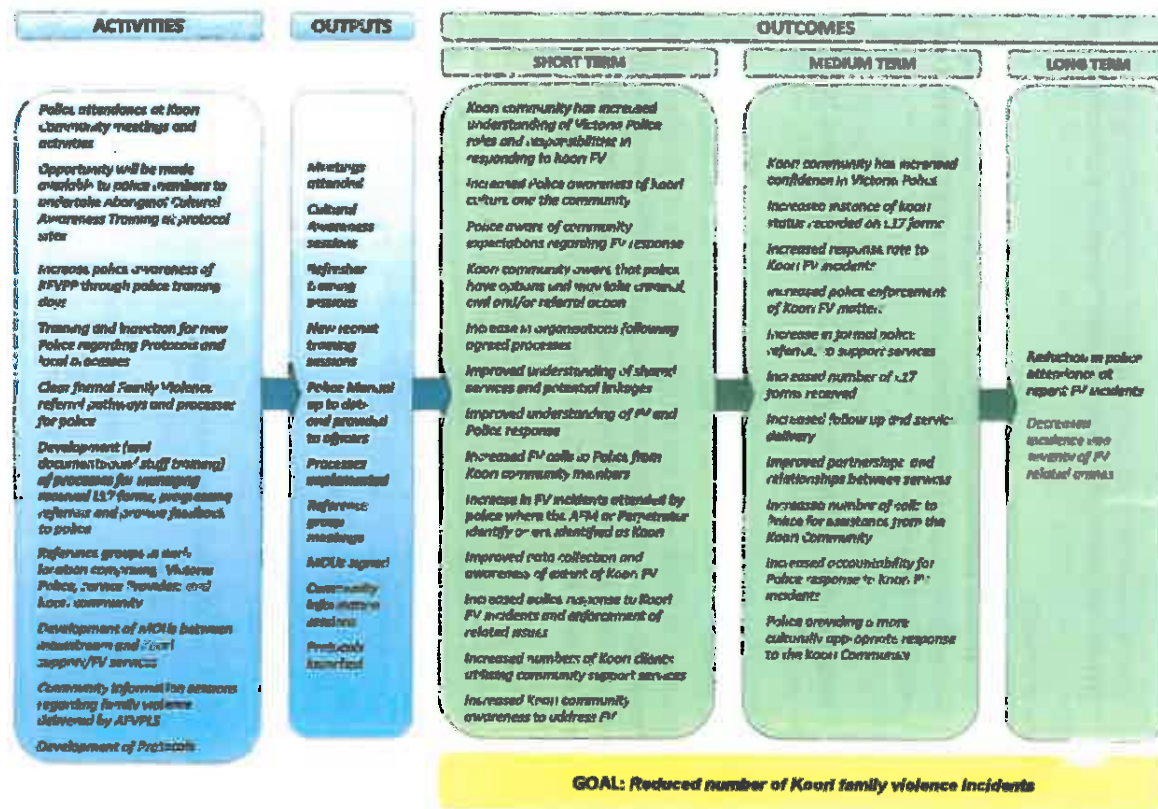


Figure 14: Mildura - final intervention orders where the complainant was Aboriginal

## Appendix Two: KFVPP program logic model, 2009

This program logic model formed part of a Monitoring and Evaluation Framework that was appended to the original Koori Family Violence Police Protocols.



## Appendix Three: Evaluation tools

### 1. Key informant interview guide

#### Introduction

- Repeat purpose of interview. Confirm informed consent to (a) interview, (b) being recording and (c) receiving copy of notes/transcript
- Outline the main questions
- Invite any questions or concerns

#### Involvement with the protocols

- What is your current role?
- In what ways have you been involved with developing and implementing the protocol? (When did you first become involved? What is your current involvement?)

#### Stories of change

- What have been some memorable or significant steps or changes you have seen since the protocol started to take shape in your area? Were there positive and negative effects/changes?)
- Of those changes you have mentioned, which do you think is the most significant? (What was the story of that change? - who, where, how, etc). Why is that story significant for you?)

#### Status of protocols

This question is about what has actually been done in your area, and that you haven't already mentioned, in terms of practical activities such as delivering training. After this I'll ask about outcomes, or the effects on the local response to FV. (Note: some of these points will have been covered adequately already and do not need to be repeated)

- How much has been put into practice in your area? For example:
  - Formal launch of the protocol
  - Cultural awareness sessions for police
  - Refresher training
  - New recruit training
  - Police manual updated and provided - clear formal referral pathways
  - Processes used
  - Reference group meetings
  - MOUs
  - Community information sessions

#### Outcomes against program logic areas (outputs and short term outcomes)

- Other than what you have already said about outcomes, what do you think the pilot protocol has achieved in terms of the immediate outcomes expected? (Note: some of these points will have been covered adequately already and do not need to be repeated)
- Prompts:
  - Police awareness of Aboriginal culture and the community?
  - Police awareness of community expectations regarding responses to Aboriginal family violence
  - Police and organisations following agreed processes?
  - Police and organisations understand shared services and potential linkages?
  - Aboriginal community understanding of Police roles and responsibilities, e.g that police have options and may take criminal, civil and/or referral action?
  - Aboriginal community members making more Family Violence calls to police?
  - More Aboriginal community members using community support services
  - Improving the Police response to FV incidents where the AFM or perpetrator is . or is identified as, Aboriginal? - response to calls, enforcement, referral
  - Improving Aboriginal access to support services?

### Directions for the future?

### Final comments? Thankyou!

#### 2. Area forums - agenda

Item	Time (maximum)
Registration Attendees will be asked to sign in to provide: - Name, organisation or group, and an email address - Confirmation they understand the purpose of the forum	Prior to start
1. Welcome Welcome or acknowledgement of country Introductions. General discussion of consent (led by Clear Horizon)	20 mins
2. Outline of the evaluation purpose and progress so far	10 mins
3. Strengths and improvements in the process of developing and using the protocols - what went well? What helped or hindered?	30 mins
<i>Break (refreshments available)</i>	15 mins
4. Since the protocols were launched, what changes have you seen in the local response to incidents of Aboriginal family violence? Which of these has been the most significant?	45 mins
5. What have you learned that will be useful for the future of the protocols in your area?	50 mins
6. What have you learned that you would like to share with other areas?	
7. Closing remarks	10 mins
Total	Up to 3 hours

