

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

**STATEMENT OF ASSISTANT COMMISSIONER DEAN ANTHONY MCWHIRTER**

Date of Document: 27 July 2015  
Filed on behalf of: State of Victoria  
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Level 33  
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I, DEAN ANTHONY MCWHIRTER, Assistant Commissioner, Victoria Police, SAY AS FOLLOWS:

1. I am an Assistant Commissioner of Victoria Police.
2. On 16 March 2015, I was appointed to lead Victoria Police's new Family Violence Command. I have been an Assistant Commissioner since my appointment to the Family Violence Command.
3. As Assistant Commissioner of the Family Violence Command, I am responsible for leading Victoria Police's organisational response to family violence. It is in this capacity that I make this statement.
4. I have been a police officer since 23 October 1981. During my 34 years as a member of Victoria Police, I have had extensive policing experience, performing a variety of investigative and management roles at a number of work locations including the Intelligence and Covert Support Department, Transit Safety Division and the Ethical Standards Department.
5. In 2007, I was appointed as the Inspector of the Yarra Police Service Area comprising the Richmond, Collingwood and Fitzroy Police Stations. In 2010, I was appointed as the Superintendent of the Road Policing Enforcement Division responsible for the Road Safety Camera Program. In 2014, I was appointed as the Superintendent, Foundation Training for police recruits and protective security officers.



## SCOPE OF STATEMENT


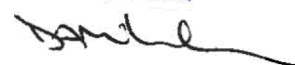
6. I have received a notice from the Royal Commission into Family Violence pursuant to s 17(1)(d) of the *Inquiries Act 2014* (Vic.) requiring me to attend to give evidence at the Royal Commission and to provide a written witness statement.
7. I make this statement in response to a request by the Royal Commission to provide information regarding the matters outlined in Module 11: Initial Police Response to Family Violence.
8. I understand the Royal Commission is interested in:
  - 8.1 an overview of the nature of the police response to family violence;
  - 8.2 Victoria Police policies, practices and procedures around family violence, including in relation to recidivist offenders, risk assessments, risk management and referrals;
  - 8.3 the nature of any training available for members around family violence and risk assessments;
  - 8.4 the way Victoria Police integrates practice with other agencies and the courts in responding to family violence; and
  - 8.5 the future direction of the Family Violence Command.

## FAMILY VIOLENCE AND THE POLICE RESPONSE

9. On behalf of Victoria Police I would like to firstly acknowledge and pay my respects to all victims and survivors of family violence and pass on my deepest sympathy to those who have been affected and impacted by family violence. I would also like to acknowledge the hard work and commitment of those who work in this field on a daily basis in support of those affected by family violence.

### ***Family violence incidents reported to the police***

10. The introduction of the Victoria Police *Code of Practice for the Investigation of Family Violence (Code of Practice, Attachment DM-1)* in 2004 has been the key driver of reform to the organisational practices within Victoria Police concerning family violence. Since the introduction of the Code of Practice, reports of family

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violence have increased dramatically. Between 2003/04 and 2013/14, there has been a:

- 10.1 136% increase in family incidents recorded by police; and
  - 10.2 551% increase in intervention orders applied for by the police (which includes the issuing of family violence safety notices (**Safety Notices**) since December 2008).<sup>1</sup>
11. In 2013/14, Victoria Police attended a total of 65,393 family violence incidents. This is an increase of almost 5,000 (4843) from 2012/13, which is an increase of 8% in one year.
12. During 2013/2014, the family violence incidents reported to Victoria Police involved family violence arising from:
- 12.1 current or former partners - representing 64% of all reports;
  - 12.2 children / parents - representing 23% of all reports; and
  - 12.3 other family relationship types - representing 13% of all reports.
13. During 2013/2014:
- 13.1 81% of all family violence arising from current or former partners involved male perpetrators and female victims;
  - 13.2 17% of all family violence arising from current or former partners involved female perpetrators and male victims; and
  - 13.3 2% of all family violence arising from current or former partners involved same sex-sex partners.

***Proportion of work for police***

14. The proportion of police resources that are utilised to respond to family violence is reflective of the size of the family violence problem occurring within the Victorian community. From our datasets, it is difficult to measure the exact proportion of police

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<sup>1</sup> Crime statistics referred to in my statement are sourced from the Victoria Police Crime Statistics Official Release 2013/14, apart from the statistics given in paragraphs 18, 21 and 31. These statistics were released on 27 August 2014.



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resources that are utilised responding to family violence. A starting point is the number of offences detected by police that are family violence related. However, data on the number of offences does not categorically demonstrate the overall proportion of police work that is family violence related.

15. The nature of the police response to family violence can vary depending on the nature of the incident. Whilst many police responses to family violence consist of an initial response by two frontline officers at a private premises, there are many other incidents that are significantly high risk and complex requiring a very different response. I discuss this later in the context of family violence kidnaps/abductions. Counting and measuring the scale of police resources that can be linked back to family violence related incidents across the range of possible responses is not possible with our current data sets.
16. Most family violence related offences fall under either the classification of crimes against the person or 'justice procedures', which are most commonly contraventions of family violence intervention orders (IVOs). Victoria Police Crime Statistics show that in 2013/14 the number of crime against the person offences arising from family incidents has increased at a significantly faster rate than non-family incident crime against the person offences. Increases in crimes against the person offences can be attributed to increases in the number of family violence related offences detected.
17. Since 2004/05, the rate of family incident-related crime against the person per 100,000 people in the Victorian population has increased by 211.0%, while the rate of such crime from non-family incidents has decreased by 6.8%. Offences arising from family incidents accounted for over a third (41.7%) of all crime against the person offences in 2013/14. This is demonstrated in the following table and graph:

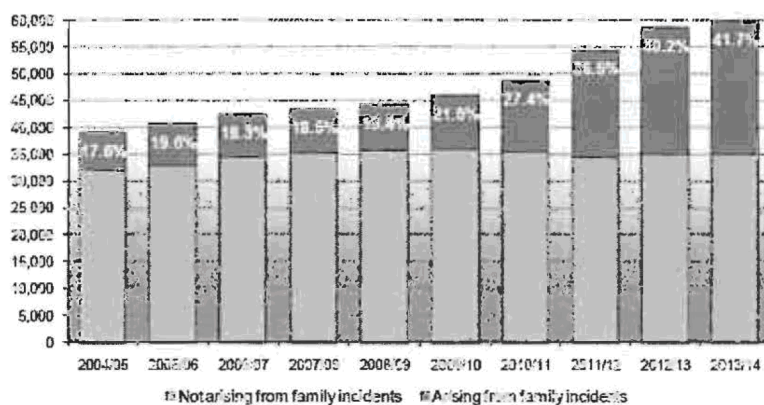
  


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**Figure 29: Crime against the person offences, by whether arising from family incidents, 2012/13 and 2013/14**

	No. of offences recorded		% change from	Rate per 100,000 Population		% change from
	2012/13	2013/14		2012/13	2013/14	
Arising from family incidents	27,813	34,907	12.7%	115.6	141.0	21.7%
Not arising from family incidents	35,320	34,047	-3.6%	117.4	113.8	-3.1%
<b>Total Crimes Against the Person offences</b>	<b>63,133</b>	<b>68,954</b>	<b>9.2%</b>	<b>116.5</b>	<b>127.4</b>	<b>10.9%</b>
% of Crimes against the person arising from family incidents	44.2%	41.7%				

**Figure 30: Crime against the person, by whether arising from family incidents, 2004/05 to 2013/14**



18. Part of the police response in responding to family violence includes executing personal service of IVOs. Police are responsible for personally serving all IVOs that cannot be served on respondents in Court. This includes IVOs that are not initiated by the police, but by a private person. In 2013/14, the Magistrates' Court finalised a total of 20,526 privately initiated IVOs. All of these applications required personal service by the police and many of the IVOs initiated by police also required personal service by the police.
19. This requirement to personally serve IVOs on respondents creates a significant resourcing issue for Victoria Police. Many hours of police time is currently used attempting to locate respondents and serve IVO documents on them personally.

#### ***The rank of police officers responding to family violence incidents***

20. All Victoria Police members share the responsibility of responding to family violence incidents. The rank of members responding to family violence incidents varies depending on the nature of the incident involved.
21. Family violence incidents can take a wide variety of forms and can require different responses from a wide range of specialist units within Victoria Police. As an example, in the 2014 calendar year the Dog Squad was called to assist in over 450 family violence related incidents, which is more than one incident per day. The Dog Squad is most often used in high risk or volatile operations where the presence of a dog may assist in the detection, prevention or resolution of the incident.

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22. In 2013/14, 41.7% of all kidnap / abduction offences arose from family violence incidents (263 of 630 kidnap / abduction incidents). These incidents often require a heightened response from specialist units involving large numbers of police personnel, including large-scale response from the Critical Incident Response Team or the Special Operations Group.

#### **MEASURING POLICE RESPONSES**

23. The initial police response to family violence is explained in the Code of Practice. The Code of Practice establishes the 'Options Model' for guiding police decision making in responding to family violence.
24. The Options Model sets out three main options for responding to family violence:
- 24.1 referring the affected family member (AFM) or perpetrator to support services;
  - 24.2 issuing a Safety Notice or applying for an IVO; and
  - 24.3 charging the perpetrator with criminal offences.
25. The Options Model guides police officers to take either one, or a combination, of these options based on the officer's risk assessment of the likelihood of future family violence and the evidence that is available to support civil or criminal action.

#### ***The number of Safety Notices and IVOs issued by police***


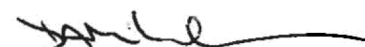
26. In responding to family violence, police may issue a Safety Notice under the *Family Violence Protection Act 2008 (Vic.) (Family Violence Protection Act)*. A Safety Notice is used where immediate civil protection for the victim is required. A Safety Notice is similar in effect to an IVO as it restrains or prohibits specified conduct of an alleged perpetrator of family violence, whilst it is in effect. A Safety Notice is also deemed to be an application and summons for an IVO (see s 31 of the Family Violence Protection Act).
27. In addition to the Safety Notice procedure, police can also respond to incidents of family violence by making an application for an IVO on behalf of victims.

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28. In 2013/14, police responded to 26.1% of all family violence incidents attended by issuing a Safety Notice or by separately applying for an IVO. Broken down by region, police issued a Safety Notice or applied for an IVO:
- 28.1 In relation to 24.5% of family violence incidents attended in the Western Region;
  - 28.2 In relation to 25.9% of family violence incidents attended in the Eastern Region;
  - 28.3 In relation to 28.1% of family violence incidents attended in the North West Metro Region; and
  - 28.4 In relation to 25.1% of family violence incidents attended in the Southern Metro Region.
29. As outlined above, the rate at which police apply for Safety Notices or IVOs in connection with a family violence incident is largely consistent across the four Victoria Police regions.
30. Across Victoria, a total of 5,961 Safety Notices were issued in 2013/2014. During the same period, police applied for an IVO in 11,140 family incidents. This amounts to 17,101 interventions by police in the form of a Safety Notice or an IVO application. This represents an increase of 1,599, or 10% from the previous year.
31. IVO applications may be initiated by police on behalf of a victim of family violence or by the victim themselves. In 2013/14, police made 66% of all IVO applications in Victoria.

***The number of charges laid by police arising out of family violence incidents and the type of family violence offending***

32. In addition to utilising Safety Notices and applying for IVOs, police also take criminal enforcement action in responding to family violence by laying charges. In 2013/14, police responded to 45% of all family violence incidents reported by charging the respondent with a criminal offence. Police laid charges in respect of 29,403 family violence incidents attended. This amounts to an increase of 15% compared with 2012/13 where 25,574 family violence incidents resulted in charges being laid.

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33. In 2013/14, the increase in general crimes against the person (which I refer to above) was driven primarily by a rise in family violence related crime. The number of crime against the person offences arising from family violence increased by 5.7% between 2012/13 and 2013/14. In contrast, crimes against the person offences not arising from family violence related incidents decreased by 0.4%.
34. During 2013/2014:
- 34.1 as I refer to above, offences arising out of family violence incidents accounted for 41.7% of all crimes against the person;
  - 34.2 family violence related assaults accounted for 45.7% of all assaults, an increase from 43.8% of all assaults in 2012/13 and 40.3% in 2011/12 (the proportion of assaults arising from family violence incidents has been steadily increasing over the last 10 years);
  - 34.3 there was an increase of 15.6% for rape offences arising from family violence incidents from 2012/13 (34% of all rape offences now arise from family violence offences); and
  - 34.4 abduction/kidnap offences arising from family violence incidents accounted for 41.7% of all abduction/kidnaps compared to 44.3% in 2012/13 and 14% in 2004/05.

#### VICTORIA POLICE FAMILY VIOLENCE ORGANISATIONAL STRUCTURE

35. The key functions of Victoria Police in responding to and addressing family violence are threefold:
- 35.1 maximising the safety of and support to those involved;
  - 35.2 identifying and investigating incidents of family violence and prosecuting persons accused of criminal offences arising from family violence; and
  - 35.3 assisting in the prevention and deterrence of family violence in the community by responding to family violence appropriately.
36. As an organisation, we strive to perform these functions using the following governance structure.

  
*Smile*



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***Monitoring and Accountability***

37. As I have stated above, in March 2015, Victoria Police established the Family Violence Command, which I lead. I discuss the direction of the Family Violence Command in more detail towards the end of my statement under the heading "The Future Direction of the Family Violence Command".
38. Organisationally, the Family Violence Command reports directly to the Deputy Commissioner of Regional Operations. Its key role is to monitor Victoria Police's organisational response to family violence, maintain organisational accountability and improve police responses to family violence, sexual assault and child abuse. The Family Violence Command builds upon the role of the former Sexual and Family Violence Unit within Crime Command (**SFV Unit**).
39. The priorities for the Family Violence Command are:
- 39.1 researching, developing and proposing family violence, sexual assault and child abuse policies and strategies;
  - 39.2 facilitating the implementation of family violence, sexual assault and child abuse policies and strategies;
  - 39.3 maintaining networks with Victoria Police's family violence, sexual assault and child abuse partner agencies;
  - 39.4 providing information to members; and
  - 39.5 providing support services to the Victoria Police Executive Command on issues relating to family violence, sexual assault and child abuse.
40. The Family Violence Command is still in its infancy but I am continuing to build its capacity and capability. I intend to appoint a number of new staff over the next 12 months. Family Violence Command is currently staffed by the 23 existing members of the SFV Unit. In time, the Family Violence Command will consist of analysts, advisors, investigators and police specialising in family violence matters.

  
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***Family violence specialist resources and services***

41. As Assistant Commissioner Wendy Steendam has described in her witness statement, there are several specialist family violence roles within Victoria Police that are specifically tasked to address the issues associated with family violence.
42. Members who come across a situation involving family violence are encouraged to consult with, seek assistance from and (where relevant) refer the matter to the following specialist units and/or persons within Victoria Police:
- 42.1 Family Violence Teams, whose role is set out in the Family Violence Teams Standard Operating Procedures (**Attachment DM-2**);
- 42.2 Family Violence Advisors, whose role is set out in the Family Violence Advisors Standard Operating Procedures (**Attachment DM-3**);
- 42.3 Family Violence Liaison Officers, whose role is set out in the Family Violence Liaison Officer Standard Operating Procedures (**Attachment DM-4**); and
- 42.4 Family Violence Court Liaison Officers, whose role is set out in the Family Violence Court Liaison Officer Standard Operating Procedures (**Attachment DM-5**); and
- 42.5 supervising members.
43. Victoria Police has an induction package entitled Induction Information for Family Violence Specialist Roles (**Attachment DM-6**) for members commencing a specialist family violence role.
44. Victoria Police currently has:
- 44.1 32 Family Violence Teams;
- 44.2 17 Family Violence Advisors;
- 44.3 a Family Violence Liaison Officer at each 24 hour police station; and
- 44.4 15 Family Violence Court Liaison Officers.

  
*Wendy Steendam*

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45. It is expected that Family Violence Teams, Family Violence Advisors, Family Violence Liaison Officers, and Family Violence Court Liaison Officers work collaboratively and in coordination with each other to respond to family violence.
46. I refer the Royal Commission to Assistant Commissioner Steendam's witness statement for further information about each of these specialist roles.

***Supervising members***

47. Aside from the specialist roles, attending officers ranked Leading Senior Constable or below are supervised in their response to family violence incidents by their supervisor, who will be ranked Sergeant or above.
48. Supervisors have a quality assurance role, which involves ensuring that:
- 48.1 a thorough investigation has been or is being conducted;
  - 48.2 a risk assessment, including a Risk Assessment and Risk Management Report (VP Form L17) (Form L17), has been completed thoroughly and accurately;
  - 48.3 the action taken or proposed is commensurate with the level of risk identified;
  - 48.4 appropriate action has been or is being taken;
  - 48.5 briefs of evidence are submitted in a timely fashion;
  - 48.6 victims are updated on the progress of the case concerning them; and
  - 48.7 appropriate consideration has been or is being given to circumstances involving children and other vulnerable groups.

***Regional oversight***

49. Victoria Police monitors the response of regions through the release of monthly scorecards, which analyse how each region is trending against a set of performance measures for a range of themes, including family violence.
50. Regions are measured against performance measures that have been established in the *Living Free From Violence 2009-2014 – Violence Against Women and*

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*Children Strategy (Attachment DM-7)*. Many of the measures are focussed on increased reporting rates for family violence and sexual assault.

51. The scorecard process informs Tasking and Coordination processes across Victoria, which is the allocation of resources and prioritisation of tasks at a range of levels across the organisation.

## **VICTORIA POLICE'S COLLABORATION WITH OTHER GOVERNMENT AND NON-GOVERNMENT AGENCIES**

### ***Family Violence Statewide Advisory Committee***

52. The Family Violence Statewide Advisory Committee (formerly the Statewide Steering Committee to Reduce Family Violence) was established in 2002.
53. The Family Violence Statewide Advisory Committee was set up to advise on building an effective, integrated multi-agency response to family violence in Victoria.
54. The Family Violence Statewide Advisory Committee was co-chaired by Victoria Police and the Office of Women's Policy and included representatives from various government departments, family violence services, the courts, peak bodies for family violence, support organisations for sexual assault victims, the No to Violence Male Family Violence Prevention Association, legal services and the Victorian Health Promotion Foundation (amongst others).
55. Drawing on the accumulated knowledge and practical experience of its members, the Family Violence Statewide Advisory Committee developed an integrated Statewide model to address family violence. This integrated model was outlined in the report titled 'Reforming the Family Violence System in Victoria' released by the Family Violence Statewide Advisory Committee in 2005 (**Attachment DM-8**).
56. As a result of the work of the Family Violence Statewide Advisory Committee, the Victorian Integrated Family Violence System was launched in 2006.
57. Over the last several years, the Family Violence Statewide Advisory Committee has been renamed the Violence Against Women and Children Forum. The Forum continues to be co-chaired by Victoria Police.



***Common Risk Assessment Framework***

58. Since 2007, the Family Violence Risk Assessment and Risk Management Framework, commonly known as the Common Risk Assessment Framework (CRAF), has been a core element of the Integrated Family Violence System.
59. The CRAF was developed in consultation with over 500 stakeholders, including Victoria Police, the courts and mainstream and family violence service providers, and is based upon international research.
60. The CRAF is a three-tiered guide to assess and manage the risks to victims of family violence. Under the CRAF, the most comprehensive assessment and management is required to be undertaken by specialist family violence services.
61. The CRAF Manual is published by the Department of Health and Human Services (DHHS) and contains three practice guides tailored to meet the different requirements of professionals who deal with family violence. The current version of the CRAF Manual was published in April 2012. The relevant practice guide for Victoria Police is 'Practice Guide 2 – Preliminary Assessment' (Attachment DM-9).
62. Victoria Police's family violence risk assessment and management process, recorded on the Form L17, is consistent with conducting a 'Preliminary Assessment' under the CRAF. I explain the Form L17 process from paragraph 80 below.

***Interdepartmental Committee on Violence against Women and Children***

63. Victoria Police is also a co-chair of the Interdepartmental Committee on Violence against Women and Children (IDC). The IDC is made up of representatives from Victoria Police, the Department of Education and Early Childhood Development, the Department of Justice and Regulation, Corrections Victoria and the Office of Aboriginal Affairs Victoria.
64. The IDC is responsible for implementing the Action Plan to Address Violence Against Women and Children, which was launched by the Victorian Government on 9 October 2012.


## VICTORIA POLICE FAMILY VIOLENCE POLICIES AND PROTOCOLS

### *Victoria Police Manual*

65. Victoria Police policy is formalised through the Victoria Police Manual (VPM) and takes the form of 'Policy' (the mandated formal instructions) and 'Guidelines' (supporting guidance notes).
66. Victoria Police policy in relation to family violence is located primarily in the VPM Policy (VPMP) titled 'Family Violence' (**Attachment DM-10**). The VPMP Family Violence requires that:
- 66.1 action taken by police in response to family violence incidents is to maximise safety for children and adults who have experienced family violence, as defined in the Family Violence Protection Act, to the greatest extent possible and to promote accountability of perpetrators of family violence for their actions;
  - 66.2 the primary response of police in reports of family violence is the safety and welfare of the AFM and children;
  - 66.3 police must conduct an assessment of immediate and future risk on each occasion to ensure their action is appropriate in the circumstances to afford optimum protection to those involved; and
  - 66.4 police must investigate and pursue criminal charges, initiate civil interventions where appropriate and provide parties with referral to appropriate support agencies.
67. The VPMP is supported by the VPM Guidelines (VPMG) titled 'Family Violence', 'Family Violence Holding Powers' and 'Family Violence Safety Notices' (**Attachments DM-11 to DM-13**).

### *Code of Practice for the Investigation of Family Violence*


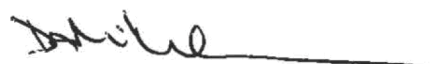
68. The Code of Practice complements the VPM. In the event of any inconsistency between the Code of Practice and the VPM, members are required to refer to the VPM.
69. The aim of the Code of Practice is to assist members to:



*Amie*

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- 69.1 increase the level of safety for all victims of family violence, particularly women and children;
  - 69.2 provide early intervention and disruption to break the cycle of family violence;
  - 69.3 hold perpetrators of family violence accountable for their behaviours by laying criminal charges where appropriate, including for contraventions of IVOs and Safety Notices and by increasing successful prosecutions;
  - 69.4 minimise trauma experienced by families during the process of police intervention;
  - 69.5 support AFMs to stay safely in their own homes where it is their wish to do so;
  - 69.6 encourage reporting of incidents of family violence;
  - 69.7 achieve good practice through an appropriate, consistent, transparent and accountable response to, and investigation of, family violence; and
  - 69.8 in partnership with other agencies, government and non-government, support an integrated response to family violence.
70. The Code of Practice provides comprehensive guidance to members on all stages of the family violence process, including guidance on how to:
- 70.1 identify family violence;
  - 70.2 respond initially to reports of family violence;
  - 70.3 undertake risk assessments;
  - 70.4 determine the most appropriate risk management strategy;
  - 70.5 implement the most appropriate risk management strategies, including:
    - (a) criminal options;
    - (b) civil options;
    - (c) referrals; and

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- 70.6 identify appropriate external support services and agencies to support those involved in family violence.
71. In December 2013, a number of academics from the University of Melbourne produced a review of the Code of Practice. The review formed a component of the SAFER research, a collaboration between the University of Melbourne, Monash University, Victoria Police, Department of Justice, and the Department of Human Services (**Attachment DM-14**).
72. Following the review of the Code of Practice, Victoria Police has:
- 72.1 published a revised edition of the Code of Practice;
  - 72.2 established the Family Violence Command;
  - 72.3 commenced the review of Victoria Police's Form L17 Risk Assessment and Risk Management Processes referred to in paragraph 172 below; and
  - 72.4 commissioned an external consultancy to conduct an internal audit of Victoria Police's family violence reporting and referral processes, as referred to from paragraph 168 below.

***Victoria Police Information Management Systems - LEAP, Interpose and LEDR MK2***

73. Victoria Police records crime and reported family violence events on the Law Enforcement Assistance Program database (**LEAP**). LEAP is the authoritative data source for recorded crime and specific events including family violence. Crime and certain events are recorded to LEAP centrally through an internal records services area (Central Data Entry Bureau) or directly through LEAP Electronic Data Recorder (**LEDR**). LEDR Mk 2 allows police to enter family violence incidents directly to LEAP. However, notwithstanding differences in record initiation, LEAP remains the sole records database. The specific details of some complex investigations of incidents of family violence is managed through a separate intelligence and case management application called Interpose.
74. LEAP was introduced in about 1993 as a crime and event reporting and case management tool. Since this time, the LEAP application has evolved to include information holdings on people, justice outcome history, location and vehicles aligned to police service delivery needs. LEAP's role and function includes police support of criminal justice administration. Police access to LEAP information



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extends to ongoing safety and risk assessment needs to inform an appropriate police and emergency service response to relevant incidents or calls for assistance. Risk assessment information includes information on defined risk indicators such as criminal history, propensity for violence, mental illness history and associations with relevant people, places or events.

75. Interpose was introduced in 2006 as an intelligence and case management application. It is designed to assist police, including specialist investigators, manage and oversee intelligence reports and particular investigations. Police access to the Interpose application remains subject to a security and user profile informed by role, need and responsibility. For example, all Victoria Police and selected Victoria Public Service employees may enter information (via Information Reports) into Interpose. However, broader Interpose application use, access and related information sharing is determined by role, function and need.
76. LEAP and Interpose are separate though complementary applications designed to meet police intelligence and case management requirements. At present, LEAP remains the primary crime case management application for general duties police. LEAP and Interpose are not designed to share information automatically. In mid-2013, Victoria Police introduced LEDR Mk 2 to allow direct police recording of family violence incidents and events, as well as field contacts, into LEAP. LEDR Mk 2 allows the population of common information into associated forms such as IVOs, Safety Notices, criminal reports and a brief pack.
77. Since mid-2013, the Statewide LEDR Mk2 application has enabled police to complete the Form L17 directly into LEAP once approved by a supervisor. LEDR Mk 2 also enables direct LEAP recording of IVO service information (VP Form L31), applications for an IVO (VP Form 422), Safety Notices and crime reports, and allows the population of common information into associated forms such as charge forms to compile a brief of evidence or for production at the court.
78. LEAP shares information with Courtlink, the database used by the Magistrates' Court of Victoria. Family violence records and justice events are updated where a person is charged or when a justice outcome is recorded. Data relating to applications for IVOs and issued IVOs, and the subsequent service details are passed electronically between LEAP and Courtlink.

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***Crime Reporting and Investigation***

79. Victoria Police's Crime Reporting and Investigation Policies and Protocols are primarily within the VPMP titled 'Crime Reporting and Investigation' (Attachment DM-15) and the VPMG of the same name (Attachment DM-16). These policies and protocols apply in relation to crimes arising from family violence incidents.

**RISK MANAGEMENT*****Form L17***

80. The Form L17 is the key tool used in family violence risk assessment and management by Victoria Police. The Form L17 is utilised organisation-wide and must be completed for every family violence incident reported to police (see paragraph 2.3 of the VPMP titled Family Violence).
81. A blank version of the current Form L17 is attached to this statement (Attachment DM-17).
82. Presently, the Form L17 is made available to members along with a short guide designed to assist members in completing the Form. This guide is intended to apply in addition to the VPMs and the Code of Practice. The current version of the guide is attached to this statement (Attachment DM-18).
83. As I have stated earlier, the Form L17 is based on, and is compatible with, conducting a CRAF preliminary assessment. It provides a structured guide to assist members through the complex and dynamic process of family violence risk assessment, assisting members to:
- 83.1 identify and record the most relevant evidence-based risk factors and indicators;
  - 83.2 ensure that decisions by police and others regarding the safety and welfare of victims are well informed;
  - 83.3 make a structured assessment on the likelihood of future family violence; and

  
*David*

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- 83.4 determine the most appropriate risk management strategy in the circumstances.
84. The Form L17 assists police in using their professional judgement to help assess the level of future risk posed to an AFM by requiring members to take into account and record the following elements:
- 84.1 the primary aggressor's history of violence;
  - 84.2 the presence or absence of evidence-based risk and vulnerability indicators in respect of the AFM and the perpetrator;
  - 84.3 the AFM's description of their level of fear and vulnerability; and
  - 84.4 the member's professional judgement of the level of risk based on the evidence available.
85. The different risk indicators recorded by the Form L17 help members evaluate the level of risk, which in turn assists members to determine the most appropriate risk management strategy to adopt. The Form L17 prompts the member as to the available risk management actions that may be taken to protect the AFM.
86. The risk indicators recorded by the Form L17 are also used in the management of recidivist offenders and repeat victims. I discuss this in further detail below, from paragraph 101 below.

#### ***The Options Model***

87. As I have stated in paragraph 23 above, Victoria Police's family violence risk management strategy is structured around the 'Options Model', which stipulates that after undertaking a risk assessment members are to take one or more of the following options:
- 87.1 criminal investigation;
  - 87.2 civil intervention; and/or
  - 87.3 formal or informal referral to a specialist agency.
88. The options are not mutually exclusive and police officers are encouraged to, and generally do, implement a number of the options at the same time. This decision

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about options is based on their assessment of the likelihood of future family violence and the evidence that is available to support civil or criminal actions.

89. Members are provided with guidance as to how to choose between and implement each of the above options in the Code of Practice (see Chapters 4, 5 and 6 respectively).

### ***Process***

90. Historically, police officers completed the Form L17 as a manual hardcopy form, generally at the scene of an incident or shortly after. The Form L17 was then reviewed and approved by the investigating member's supervising Sergeant. The member would then fax the completed Form L17 to the Central Data Entry Bureau, which would in turn enter that information directly into LEAP or into LEAP via LEDR Mk2.
91. Since the implementation of LEDR Mk2 in around July 2013, the process to complete Form L17 has changed. The Form L17 is now generally completed by the investigating member directly through LEDR Mk2 when they return to the police station following a family violence incident. The information entered on LEDR Mk2 is still reviewed and approved by the investigating member's supervising Sergeant. However, once approved, the information in the completed Form L17 in LEDR Mk2 is automatically populated in LEAP.

### ***Referrals to other agencies***

92. If a decision is taken as part of the Form L17 risk management process to make a referral to an external service provider, this occurs by the reporting member recording on LEDR Mk2 that a referral is required. The system then sends a copy of relevant parts of the Form L17 to the referral agency, which the agency receives by fax.
93. There are two types of referrals:
- 93.1 formal referrals – when police forward information concerning the parties involved directly to appropriate agencies. Children or young people are formally referred when police make a report to DHHS Child Protection, a child specific referral to Child FIRST or where children are referred with an AFM formal referral; and

  
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- 93.2 informal referrals – when police give the parties involved the contact details of appropriate agencies.
94. The information provided to specialist family violence services is subject to privacy legislation and protocols between Victoria Police and DHHS. Police may forward an investigating member's risk assessment, excluding the details of the other party, to the nominated referral agencies for both the AFM and perpetrator. The narrative on the Form L17 is de-identified so the names of parties are not identified.
95. Part 6.2.1 of the Code of Practice provides that formal referrals are made:
- 95.1 where police intend to lay criminal charges or are investigating an alleged crime relating to a family violence incident;
  - 95.2 where the safety, welfare or property of a family member appears to be endangered by another family member and police intend to apply or have sought a Safety Notice, application and warrant, application and summons or an IVO;
  - 95.3 where the risk of future violence is assessed as likely;
  - 95.4 to address recidivism;
  - 95.5 to enable co-case management; or
  - 95.6 in any other circumstances where police assess a formal referral is required.
96. The Code of Practice makes clear that police do not need a party's consent to make a formal referral, but are required to inform the party of the referral.
97. Part 6.3 of the Code of Practice provides that an informal referral *may* be made where:
- 97.1 there is no evidence available to apply for an IVO; or
  - 97.2 there are no immediate concerns for the AFM or children's safety and welfare or the wellbeing of children or young people.

  
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98. Part 6.3 also provides that an informal referral *must* be made if a formal referral is not made. Accordingly, if a member assesses that a formal referral is not required, the member is obliged to make an informal referral.
99. Part 6.4 of the Code of Practice specifies the circumstances for referrals where children are involved including, among other things, the role of police members as mandatory reporters under the *Children, Youth and Families Act 2005* (Vic.).
100. The police process for engaging with referral agencies is also outlined in the Family Violence Referral Protocol Between the Department of Health and Human Services and Victoria Police 2015, attached as (**Attachment DM-19**). This protocol provides further guidance on how Victoria Police and DHHS funded family violence services make referrals to each other.

#### ***Recidivist Offenders and Repeat Victims***

101. A 'Recidivist offender' is defined under the Code of Practice as any person who has committed three or more family violence incidents within a rolling 12 month period. 'Repeat victims' are defined in the same terms, as any person who has been victimised three or more times within a rolling twelve month period.
102. Victoria Police's policies and protocols for managing repeat victims and recidivist offenders in the context of family violence are located primarily in:
- 102.1 the VPMP titled Family Violence;
  - 102.2 the VPMG titled Family Violence;
  - 102.3 the Code of Practice; and
  - 102.4 the Victoria Police Intelligence Doctrine (VPID).

#### ***Frontline response***

103. Primary responsibility for the identification and immediate management of repeat victims and recidivist offenders lies, in the first instance, with the frontline members who respond to family violence incidents.
104. The nature of this responsibility is drawn chiefly from the VPMs and the Code of Practice, and includes a responsibility to ensure that:

  
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- 104.1 a Form L17 is completed in respect of the relevant family violence incident;
- 104.2 a response is formulated in consultation with their Supervisor under the Options Model that adequately considers the recurring victimisation and/or offending as well their risk assessment;
- 104.3 the response is appropriately implemented, and that adequate protections are put in place to ensure the protection of the AFM; and
- 104.4 the Family Violence Team is appropriately notified and involved where additional protections might be required to ensure the protection of the AFM.

**Specialist response**

- 105. Responsibility for the identification and management of repeat victims and recidivist offenders lies, in the second instance, with Family Violence Teams.
- 106. The nature of this responsibility is both specialist and supervisory and, again, is drawn primarily from the VPMs and the Code of Practice. It includes a responsibility to:
  - 106.1 assist frontline members when requested to ensure that adequate protections are installed to ensure the safety of the AFM;
  - 106.2 review and update the risk assessment undertaken by the frontline response;
  - 106.3 monitor frontline responses to ensure they comply with the VPMs and Code of Practice, particularly where additional risk factors have emerged, such as the involvement of a repeat victim and/or recidivist offender; and
  - 106.4 intervene and, if necessary, develop a management plan for further intervention where it appears that additional protections should be installed to ensure the safety of the AFM, or specialist family violence services may be of some assistance.
- 107. The specific process for monitoring family violence incidents differs between Family Violence Teams, but generally involves the Family Violence Team reviewing a list of all family violence incidents that have occurred in their police service area and

  
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determining what, if any, follow up action might assist in reducing any ongoing risks in respect of that incident.

**Divisional response**

108. Organisationally, additional supervision over the identification and management of repeat victims and recidivist offenders is provided at a Divisional level, to ensure that the most serious cases of repeat victimisation or recidivist offending are being adequately dealt with at a station level.
109. An explanation of the Divisional response to the identification and management of repeat victims and recidivist offenders is located in the VPID.
110. Chapter 1 of the VPID, 'Introduction', sets out the purposes, scope and application of the VPID (**Attachment DM-20**).
111. Chapter 2 of the VPID, 'Intelligence', sets out the processes for managing intelligence concerning recidivist offenders and high risk victims (**Attachment DM-21**).
112. The process for managing intelligence on recidivist offenders and high risk victims is as follows:
- 112.1 intelligence on potential repeat victims and/or recidivist offenders is collected by specialist intelligence units located within each Division (Divisional Intelligence Units, hereafter referred to as **DIUs**), either:
- (a) proactively, for example through regular checks using statistical analysis programs; or
  - (b) reactively, for example through referral from a frontline member or investigator, or intelligence practitioner stationed elsewhere,
- and a 'shortlist' of repeat victims and/or recidivist offenders is produced;
- 112.2 the shortlist of:
- (a) recidivist offenders is analysed by the DIU against a series of threat indicators (including the frequency and escalation of offending); and



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(b) repeat victims is analysed against a series of risk indicators (including the frequency and escalation of victimisation, and other risk indicators contained within the Form L17);

112.3 a further shortlist of recidivist offenders posing the highest threat, and repeat victims, is compiled and referred to a Divisional, Regional, Command or State Tasking and Coordination Group (T&C) for a decision about whether further action or ongoing management is required; and

112.4 the relevant T&C considers the threat or risk status assigned to each offender or victim, and allocates responsibility for further analysis or the development of a management plan to an appropriate Divisional, Regional or local unit.

## **FAMILY VIOLENCE TRAINING**

### ***Code of Practice Training***

113. When the Code of Practice was introduced in 2004, all operational members were required to attend a half-day training session about its principles and practices. Within 18 months of the Code's introduction, 6,500 police officers were trained. All recruits received training during their induction at the Victoria Police Academy (the Academy).

114. Since 2004, all operational police have also received training on legislative changes to the family violence legislative regime and corresponding updates to the Code of Practice. This has included training on:

114.1 the use of family violence holding powers following legislative changes in 2006; and

114.2 changes introduced by the Family Violence Protection Act, including the Act's implications for managing family violence and the issuing of Safety Notices.

### ***Foundation Training***

115. Foundation training is the training of police recruits (weeks 1 to 12 inclusive) and probationary constables (weeks 13 to 16 inclusive).

  
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116. The first 33 weeks of Foundation training involve a residential training cycle that includes theoretical and practical training at the Academy in conjunction with 'on-the-job' practice based training, during which probationary constables are sent out on placement to accredited police stations.
117. Foundation students receive dedicated family violence training in 17 sessions during weeks 16 and 17 of the 33-week residential course. Thirteen sessions specifically focus on family violence, one focuses on protecting children, one focuses on personal safety intervention orders and two are revision sessions.
118. Practical skills are assessed in week 18 of the course. There are three days of family violence practical applications, culminating in a complete practical assessment to demonstrate the student's knowledge of policing a family violence incident.
119. The modules within the family violence training program are:
- 119.1 Introduction to Family Violence, covering:
- (a) nature of family violence;
  - (b) myths of family violence;
  - (c) factors that inhibit reporting;
  - (d) cycle of violence theory;
  - (e) family violence and children; and
  - (f) family violence and homicide;
- 119.2 Family Violence Protection Act;
- 119.3 Code of Practice:
- (a) Options Model;
  - (b) police actions on reports of family violence;
  - (c) powers of entry;
  - (d) identifying family violence;

  
*Michelle*

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- (e) identifying primary aggressors;
- (f) responding to children and young people; and
- (g) police employees and family violence;

119.4 Criminal Options – Holding Perpetrators Accountable, covering:

- (a) investigation of family violence;
- (b) arrest policy;
- (c) reluctant victims;
- (d) case conference/reviews;
- (e) contravention of IVOs/Safety Notices; and
- (f) indictable contraventions;

119.5 Firearms: Powers of suspension, surrender, search and seizure;

119.6 Holding Powers;

119.7 Risk Assessment – Form L17;

119.8 Civil Options, covering:

- (a) making application for orders;
- (b) powers of court to make interim and final orders;
- (c) IVO conditions;
- (d) interim IVOs;
- (e) warrants to arrest – including Bail;
- (f) summons for IVOs;
- (g) Safety Notices;
- (h) service of IVOs and Safety Notices;

  
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- (i) varying and revoking IVOs;
- (j) preparation of briefs for IVO applications; and
- (k) removal of property;

119.9 Referral Options, covering:

- (a) formal referrals;
- (b) informal referrals;
- (c) criteria for referral for AFMs, respondents and children; and
- (d) secure accommodation;

119.10 Practical application of knowledge, covering:

- (a) case studies – seminar; and
- (b) practical presentation by instructing staff demonstrating:
  - (i) powers of entry;
  - (ii) managing an incident;
  - (iii) communication with parties;
  - (iv) exercise of holding powers.

120. Recruits are assessed by:

120.1 examination;

120.2 preparation of an application for an IVO / Safety Notice; and

120.3 practical demonstration of knowledge.

121. During their subsequent placement in operational duties, probationary constables are exposed to various types of operational activities, which usually include incidents of family violence and children at risk or in need of protection. This gives probationary constables the opportunity to apply the theoretical and practical training provided at the Academy and increase their awareness of family violence reporting,

  
*Samuel*

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whilst still under close supervision. The emphasis is on frontline exposure rather than specialist work during the probationary period. However, as responding to calls for assistance to family violence situations makes up such a key part of frontline policing, probationary constables will usually receive significant exposure to family violence situations during their placement.

122. During the placement, probationary constables are ultimately under the supervision of the station Sergeant, who is available to advise the probationary constables on the appropriate course of action relevant to the particular matter. A number of other resources that are available to all members are also available to the probationary constables whilst on placement. In respect of cases of family violence or children in need of protection, these resources include:

122.1 specialist police units and advisors (e.g. Family Violence Teams, Family Violence Advisors, Family Violence Liaison Officers and Family Violence Court Liaison Officers);

122.2 external resources (e.g. DHHS Child Protection); and

122.3 VPMs, the Code of Practice, VPID and interagency protocols.

***Additional family violence training***

123. Aside from the Foundation Training offered to recruits, the Victoria Police People Development Command also offers additional training through the Police Promotional Programs Unit. This includes the Sergeants' Qualifying Program (**Sergeants Program**) and the Senior Sergeants' Qualifying Program (**Senior Sergeants Program**).

124. As part of the Sergeants Program, a two-hour session dedicated to family violence is delivered with the following aims:

124.1 changing the thinking and language around family violence;

124.2 understanding the psychology of being a victim; and

124.3 developing strategies to promote a robust victim support culture.

125. As part of the Senior Sergeants Program, family violence is a topic in the planning and risk management session. Students are required to apply an 8-step change



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management process to a recidivist offender scenario with the intention of identifying a solution to the identified family violence risk.

126. Instruction on family violence is also delivered to the Constables' Qualifying Program, which is a transition program for members moving from the Protective Service Officer stream to the sworn police stream. Training is completed over 19 weeks. The program includes a mix of sessions and on the job observations. Sessions cover family violence legislation and the powers available to police to respond to family violence and police procedures in responding to family violence. On the job observations involve exposing the trainee to police responses to family violence.
127. Further professional development in relation to family violence is offered to staff from the Centre of Law and Operational Development and Centre for Applying Police Practice within Victoria Police. As a component of this training some staff visit the Eastern Domestic Violence Service and observe how the service:
- 127.1 handles intakes and undertakes risk assessments;
  - 127.2 responds to police referrals;
  - 127.3 deals with family violence victims and their children; and
  - 127.4 deals with court matters for their clients (this occurs by police staff attending court with the service's court worker).
128. Victoria Police's Centre for Ethics, Community Engagement and Communications also provides instruction to recruits in relation to, among other things, the *Charter of Human Rights and Responsibilities*, the Victims' Charter, Code of Conduct and duty of care. Course material includes dealing with the challenges of family violence in some diverse communities, specifically LGBTI and Indigenous communities. Examples and scenarios used during these sessions make reference to family violence and how to respond to family violence.
129. As a requirement of the Family Violence Advisors Standard Operating Procedures, Family Violence Advisors are required to train members in their divisions in relation to responding to, and investigation, incidents of family violence.

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***Centre of Learning for Family Violence***

130. One of the priorities of the Family Violence Command will be to work with People Development Command to commence building a deeper understanding and awareness of family violence across the entire organisation.
131. One idea that we believe is worth exploring is the development of a dedicated Centre of Learning for Family Violence within People Development Command. This is referred to in the Victoria Police submission to the Royal Commission.
132. I believe that any reform to police education on family violence should be informed by the expertise and knowledge of the family violence sector. To that end, we convened a two day forum with the sector on 16 and 17 July 2015, where we heard directly from specialists — including peak family violence bodies from the non-government sector, representatives of family violence agencies including specialist Aboriginal support agencies, academics, the Magistrates' Court of Victoria, and DHHS — about how Victoria Police could develop a deeper understanding of family violence within the organisation through education and other initiatives.
133. I am currently awaiting a report from the consultancy firm that assisted us with the forum. This report and the feedback from the forum will inform future improvements to police education in family violence.

**INTEGRATION**

134. There are a number of different models of integrated practice between police and service providers across Victoria in responding to family violence that support victims. They range from local partnership agreements to more formalised processes such as Multi-Disciplinary Centres (**MDCs**). This part of my statement outlines some of these models. I note that some of the examples of service integration are for other types of policing responses, not necessarily family violence.

***The Victorian Government High Risk Client Risk Assessment and Management Panels Project***

135. Risk Assessment and Management Panels (**RAMPs**) are a formalised, multi-agency response to high risk victims and perpetrators of family violence that is due to be rolled out across Victoria. RAMPs bring together a range of agencies (including Victoria Police, Corrections Victoria, Child Protection services and support services)



for the purpose of identifying and managing women and children who are at serious and imminent risk of harm due to family violence. Each RAMP will meet at least monthly and provide an opportunity for each agency to share information held on high risk families and develop a comprehensive action plan. These action plans include specific action items to reduce the risk of further violence.

136. RAMPs have been piloted in the City of Greater Geelong and the City of Hume since 2011. The pilots were independently evaluated by Thomson Goodall and Associates in 2013. The evaluation showed that the RAMPs were achieving their aims of reducing the risk of harm for high risk families, finding that in 70 per cent of the cases considered by a RAMP, risk factors were significantly reduced by the time of case closure.
137. Victoria Police is a core member of the Geelong and Hume RAMPs and has committed to providing a co-chair for each of the new RAMPs to be introduced across the State.

#### ***Multi-Disciplinary Centres***

138. MDCs involve the co-location of specialist police Sexual Offence and Child Abuse Investigation Teams, DHHS Child Protection, Centres Against Sexual Assault counsellors and advocates and medical practitioners from the Victorian Institute of Forensic Medicine. MDCs provide a 'one-stop-shop' for victims of sexual assault so that their criminal matter can be dealt with in a comfortable and supportive environment, whilst at the same time linking victims with counselling and other specialist supports. MDCs are focussed on sexual offences and child abuse. MDCs are not family violence specific, however, they do address family violence offending insofar as the offending addressed by MDCs occurs in the context of a family relationship.
139. MDCs are currently located in Mildura, Geelong, Seaford and Dandenong with a further two due to be opened in 2015/16 in Morwell and Bendigo.
140. Victoria Police is responsible for the MDC infrastructure and location of specialist detectives within the MDC. DHHS and the Department of Justice and Regulation coordinate the provision of Child Protection, victim support and counselling services and forensic medical expertise.

  
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141. Together with our MDC partners, we are in the process of organising a further independent evaluation of the MDC model. We expect this to be completed by the end of 2015. A previous evaluation of the MDC model was undertaken by Deakin University in 2009.
142. I am aware that Senior Sergeant Bryce Pettett and Superintendent Paul Naylor have been asked to provide information to the Royal Commission for the purposes of Module 19 about MDCs currently in operation in Mildura and Dandenong. I refer the Royal Commission to their witness statements for more detailed information about MDCs.



***Victims Assistance & Counselling Program workers at nominated police stations***

143. At a number of police stations there is a co-location of victims assistance and counselling programs. The purpose of co-location is to provide victims with easy and timely access to support and to improve police understanding of the services available for victims in the community.
144. This co-location exists at a number of police stations, including in the following areas:
- 144.1 Mildura;
  - 144.2 Bendigo;
  - 144.3 Werribee;
  - 144.4 Melton;
  - 144.5 Mill Park;
  - 144.6 Ararat;
  - 144.7 Stawell;
  - 144.8 Swan Hill;
  - 144.9 Castlemaine/Echuca;
  - 144.10 Frankston;
  - 144.11 Shepparton/Benalla;

  
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- 144.12 Sunbury;
  - 144.13 Colac;
  - 144.14 Bairnsdale;
  - 144.15 Knox; and
  - 144.16 Spencer Street (Melbourne).
145. The type of assistance for victims provided varies, but it can include:
- 145.1 counselling;
  - 145.2 practical support;
  - 145.3 assistance with making reports, preparing statements and advocacy;
  - 145.4 transport assistance;
  - 145.5 medical assistance;
  - 145.6 referral to specialist services;
  - 145.7 Court support; and
  - 145.8 legal and Victims of Crime Assistance Tribunal support.
146. This assistance seeks to achieve more efficient referral pathways between Victoria Police and victim services across Victoria. The arrangement follows models in place in the United Kingdom and New Zealand, and has the added advantage of bridging information, education and cultural gaps between police and victim support agencies. It does this by fostering an on-going working relationship between police and victim support staff via day-to-day interactions.
147. The implementation of a shared vision to support victims of crime in a coordinated and collaborative manner is a practical model which improves communication between criminal justice agencies and support providers in a number of justice and welfare contexts. The importance of developing a more streamlined relationship between victim services and Victoria Police is strengthened by our organisational commitment to this initiative.

**Police and Clinical Emergency Response units**

148. Police and Clinical Emergency Response (PACER) units involve a police member and a mental health clinician operating as a secondary response unit to provide multi-disciplinary assistance to divisional vans. In addition to providing onsite or phone response, PACER units:
- 148.1 link individuals with a broad range of public and community services that meet the individual's specific needs;
  - 148.2 identify and provide an escalated response to high-risk individuals; and
  - 148.3 plan coordinated service responses to individuals with complex needs.
  - 148.4 develop and deliver joint training to other police members;
149. First trialled in 2007, PACER units now operate in St Kilda, Narre Warren, Frankston, Rosebud, North Melbourne, Keilor Downs, Epping, Nunawading, Ringwood, Geelong and Bendigo.
150. A case study of the Narre Warren PACER unit in Southern Metro Region Division 3 showed that in its first 12 months of operation:
- 150.1 the PACER unit attended 1555 events with a 79% diversion rate. In effect, this returned more than 3000 hours to Emergency Departments at Casey and Dandenong Hospitals, and a similar number of patrol hours to Divisional units;
  - 150.2 there were 255 police members who worked PACER shifts and received on the job training, which developed their skills in dealing with persons in crisis; and
  - 150.3 PACER introduced a proactive approach to recidivist clients that focuses on integration between police and other agencies. This involved partnerships with government and non-government agencies and community groups to establish clearer pathways to appropriate services, rather than continually utilising emergency and hospital services.
151. A case study of the Frankston PACER unit in Southern Metro Region Division 4 identified similar benefits. It showed that since the Frankston unit commenced in

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April 2014, it returned more than 100 shifts to frontline services, reduced the number of presentations to the local Emergency Department and saved shifts for Ambulance Victoria. Further, the number of repeat crisis events in this division was reduced by around 30%. Based on this return, a second unit for this division was established in Rosebud in December 2014.

#### ***Taskforce Alexis***

152. Taskforce Alexis is an initiative within the Southern Region with the aim of providing a local and coordinated response to family violence, mental health, youth and crime prevention issues. A key component of the Taskforce Alexis model is an embedded family violence support worker who works directly with the local Family Violence Team to engage with victims and perpetrators at the time of contact with police.
153. I am aware that Senior Sergeant Fiona Alexander has been asked to provide information to the Royal Commission for Module 13 and will be describing Taskforce Alexis. I refer the Royal Commission to her witness statement for more detailed information about Taskforce Alexis.

#### ***Footscray Pilot Project***

154. Between January and July 2015, Victoria Police and the Victorian Institute of Forensic Mental Health (**Forensicare**) placed a full-time senior clinical and forensic psychologist at the Footscray Police Station to assist police members with risk assessment and management of family violence cases. This project is currently the subject of a formal evaluation. Forensicare has also approached Victoria Police with a proposal to source funding for the provision of on-going consultation and supervision to a number of Family Violence Teams. I refer the Royal Commission to the witness statement of Superintendent Stuart Bateson for more information about this project.

#### ***Opportunities for integration***

155. Responding to family violence is complex and requires coordinated responses from different services to be effective. Victoria Police believes that integrating police responses with the provision of services from support agencies is an effective way of ensuring that victims of family violence receive the support that they need to recover, and perpetrators are engaged in programs to assist them to change their behaviours.


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156. In our experience, one of the main challenges in achieving effective integrated service delivery is overcoming information sharing barriers.
157. In order to deal with the challenges around information sharing there is:
- 157.1 a need to establish clear and enabling frameworks to support multi-agency information sharing practices for family violence; and
  - 157.2 a need to create a multi-agency case management system that enables the flow of necessary information between agencies to facilitate the achievement of a coordinated response.
158. I am aware that Victoria Police has been asked to provide information to the Royal Commission for Module 20, which concerns information sharing. I refer the Royal Commission to Victoria Police's witness statement for this module for more detailed information about information sharing.

#### **SERVICE AND ACCOMMODATION SHORTAGE FOR ADOLESCENT PERPETRATORS**

159. In our experience, there is a significant shortage of crisis accommodation, particularly for adolescent perpetrators of family violence. This represents a real challenge for police. There were about 4,000 incidents involving adolescent perpetrators (under 19) in Victoria in 2013/14 where a parent was the affected family member.
160. A lack of crisis accommodation or immediate interventions for adolescent perpetrators creates a challenge for police officers. It is not uncommon for police to attend an incident where a young person has harmed or presents a serious risk of harming a parent and there is little that police can do. Parents are often understandably reluctant for the police to lay charges against their child but equally they want the violence to stop. In the absence of immediate crisis interventions, police often need to leave the young person and parent in the home together. This is not effective in preventing any future violence. Some stations are doing 'voluntary time out' with children in police stations by consent as an option of last resort, but this is not ideal.
161. In terms of services, there is a DHHS program targeting Adolescent Violence in the Home being piloted in three regions at the moment. This program works with young people and their parents to address violent behaviours, in a similar way to men's


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behaviour change programs. As I understand it, these programs are currently being evaluated. This is all that currently exists for adolescent perpetrators.

#### **SAFETY CARD SYSTEM**

162. I understand that safety cards are worn on a lanyard around a person's neck, and can be used to activate a duress alarm received by a private security company, and/or to commence a video or audio recording. Once activated, the safety card system relies on the security company (a third party) to assess the risk to a victim and then contact '000' to make the police aware of the issue. The safety card system is a private arrangement between a victim and a security company.

163. I understand that safety cards have been trialled in Victoria, but their use is not widespread. I also understand that the State Government committed to funding a trial of safety cards in the 2015/16 budget. We look forward to seeing the results of the pilot and learning about the impact safety cards have on the safety of victims of family violence.

164. Whilst Victoria Police is supportive of any strategy that will improve safety outcomes for victims, we consider that best practice is for a victim to contact 000 if immediate assistance is required, where this is possible and safe to do so. As the safety card system relies on a security company being contacted when the safety card is activated, there could be a delay with the police being contacted, potentially increasing risk to the victim.

#### **RECENT FAMILY VIOLENCE INITIATIVES OF VICTORIA POLICE**

165. Like many parts of the Victorian system for responding to family violence, the Victoria Police response has been developed and reformed significantly over the last 10 years.

166. I note that Assistant Commissioner Steendam's witness statement comprehensively outlines this reform process and I refer the Royal Commission to her statement for more detail.

167. In terms of more recent initiatives, Victoria Police has committed to a number of projects and initiatives aimed at improving our ongoing response to family violence and mitigating the risks posed to victims of family violence. I provide an outline of each of the projects and initiatives undertaken by Victoria Police below.

**Family Violence Risk Assessment and Referral Process Audit**

168. To improve our approach to family violence further, Victoria Police commissioned an external consultancy, Oakton Services, to conduct an internal audit of our family violence reporting and referral processes.
169. The internal audit was initiated by Victoria Police to assist in identifying specific areas for continuing improvement in our family violence response.
170. The scope and results of the internal audit and its recommendations are outlined in the 'Victoria Police - Family Violence Risk Assessment and Referral Process Review Internal Audit Report' published in September 2014 (**the Audit Report**) (**Attachment DM-22**). The Audit Report made six recommendations (see pages 6 to 10).
171. These recommendations have been considered by the Family Violence Command to assist in our review of the corresponding processes, and will continue to inform our work. The recommendations also led to commencement of the review of Victoria Police's Form L17 Risk Assessment and Risk Management Processes that I discuss below.

**Review of the Form L17 Risk Assessment and Risk Management Process**

172. The Family Violence Command is currently reviewing Victoria Police's Form L17 Risk Assessment and Risk Management processes (**L17 Review**).
173. The L17 Review was initiated by the SFV Unit in 2014 and, since then, has been directed towards providing a more efficient and effective risk assessment and risk management process. Key issues being explored by those involved in the Review include:
- 173.1 how best to identify the CRAF risk and vulnerability indicators; and
- 173.2 how best to triage family violence incidents to ensure that sufficient resources are directed to the highest risk cases.
174. The L17 Review incorporates consideration of the development of a one page-screening tool to accompany the Form L17, which may assist us in earlier identification of cases that do not require an intensive police response. Having said that, we want to proceed carefully. A key consideration for the L17 Review is how to



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identify and manage incidents at the lower end of the risk scale without compromising the safety of victims or missing incidents that may escalate to more serious violence.

175. We are working closely with key stakeholders, including Professor Cathy Humphreys from the University of Melbourne and Professor Jim Ogloff from Swinburne University of Technology in exploring these issues. After the L17 Review is finalised, we intend to work with our sector partners regarding any proposed changes to the Form L17 and test any new form before it is ultimately released to all members for use.

***Ready reckoner***

176. Victoria Police is also in the process of developing a 'ready reckoner' for members to use when they respond to family violence incidents. The idea is for members to carry the 'ready reckoner' with them when they are responding to an incident. The 'ready reckoner' will contain information about each of the risk factors on the Form L17 to assist and prompt members to draw out the relevant risk information to improve investigation members' initial risk assessment.
177. The 'ready reckoner' will be ready for release by October 2015.

***Family Violence Accelerated Justice Outcomes pilot***

178. The Family Violence Accelerated Justice Outcomes pilot involves police and the Dandenong Magistrates' Court working to stipulated timelines for hearing family violence criminal matters. The aim of the pilot is to reduce rates of recidivism in family violence offending by lessening the delays in the court process and holding perpetrators to account for their behaviour earlier. At this stage, the program has commenced in Dandenong Magistrates' Court as the first stage of the project and early results are promising. I am aware that Assistant Commissioner Luke Cornelius provides information about this pilot in his witness statement and I refer the Royal Commission to his witness statement for further information.

***Review of VPMP and VPMG – Family Violence regarding service of IVOs***

179. The Family Violence Command is also reviewing the VPMP and VPMG – Family Violence with a view to clarifying the timeframe within which an IVO, once received



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from a court, should be served or, if service is unable to be effected, returned to the Court and consideration of substituted service options (the IVO Service Review).

180. A further issue that is being explored by the IVO Service Review is whether the practice of IVOs being faxed by the Courts to non-24 hour police stations for service, results in avoidable delays in service of IVOs. If necessary, amendments to police practice will be considered.

***E-learning packages for supervisors***

181. The Family Violence Command is currently developing e-learning packages designed to increase supervisors' understanding of the dynamics of family violence and the requirements of the Code of Practice. These packages will be developed in consultation with a number of representatives of the family violence sector who attended the forum referred to in paragraph 132 above.

**THE FUTURE DIRECTION OF THE FAMILY VIOLENCE COMMAND**

182. In March 2015, Victoria Police created Australia's first crime command specifically tasked with addressing family violence.

183. The establishment of the Family Violence Command represents a monumental shift from where we, as an organisation, were 20 years ago. In governance terms, it places family violence on the same footing as organisational priorities such as crime, road policing and intelligence and covert support. In the immediate future, this resourcing will be dedicated towards:

- 183.1 improving risk assessment and risk management processes within Victoria Police;
- 183.2 strengthening education regarding the police response to incidents;
- 183.3 collaborating with support services in the sector;
- 183.4 continuing to contribute to the Royal Commission, including after the public hearings have concluded;
- 183.5 acting on the recommendations arising from the Royal Commission;
- 183.6 evaluating, identifying and rolling out good practice;



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- 183.7 developing a model for frontline service delivery for family violence;
  - 183.8 clarifying the functions and responsibilities of specialist family violence roles;
  - 183.9 enhancing training for family violence specialists and general duties police;
  - 183.10 identifying service delivery gaps for policing family violence; and
  - 183.11 increasing the intelligence and analytical capability for policing family violence.
184. We are aiming to address the following initiatives in the 2015-2016 financial year:
- 184.1 improving consistency in responses to family violence across the organisation;
  - 184.2 clarifying the roles and functions for Family Violence Teams and Family Violence Advisors;
  - 184.3 reviewing the Form L17 to enhance our risk assessment processes and better identify high risk perpetrators; and
  - 184.4 developing new Key Performance Indicators and performance measures that will assist in providing a meaningful commentary on what is occurring with family violence across the organisation.
185. Embedding consistent practice across Victoria Police will be a key focus of the Family Violence Command. In order to achieve this, the current plan is to develop consistent reporting processes and consistent protocols and procedures for specialist family violence roles and more generalist family violence response. We do not expect that this will be a fast process. Responses to family violence are complex and we will ensure that we capture all of the good and innovative work that has developed across the State.
186. We acknowledge that, despite the improvements we have made over the past decade, there is still much to be done to improve the way we evaluate, manage and respond to family violence incidents.
187. We welcome any recommendations that might arise as part of this Royal Commission that will assist us in this regard, and invite any comment that might

constructively assist us in our endeavour to provide the best possible service to victims of family violence.

Signed by

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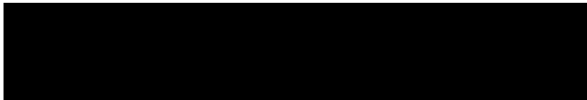
Dean Anthony McWhirter at Melbourne

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this 27<sup>th</sup> day of July 2015

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Before me



An Australian legal practitioner  
within the meaning of the  
Legal Profession Uniform Law (Victoria)