

THE POLICE ASSOCIATION VICTORIA > UPHOLDING THE RIGHTS OF POLICE SINCE 1917



Submission to
**ROYAL COMMISSION
INTO FAMILY VIOLENCE**

May 2015

Protect > Represent > Support



The Police Association of Victoria

The Police Association of Victoria is an organisation that exists to advance and represent the industrial, legal, professional and welfare interests of its members. The Police Association's membership of approximately 14,500 is drawn exclusively from sworn Police Officers at any rank, Protective Services Officers, Police Reservists and Police Recruits who serve in the Victoria Police. Membership of the Association is voluntary. By virtue of its constitution, the Association is not affiliated with any political party.

The submission

The Association is dedicated to presenting and advancing the perspectives of our members on key issues relevant to the work of policing. We aim to provide an accurate representation of the day-to-day experiences of our members, in addition to drawing on the extensive, collective expertise of our membership. This endeavour is not limited to identifying issues and challenges. Rather, we consistently advance solutions and remedies devised by our members from their unique perspective. Our mission is to ensure that our members continue to be consulted and given the opportunity to contribute to practice-based and systemic reforms that will impact upon their future work.

Acknowledgement

The Police Association of Victoria would like to thank our members for their time and effort in contributing to this submission. We thank members for providing their expertise in the day-to-day reality of policing family violence, and for their unique insight into how this practice can be further improved. The Association also thanks those delegates who assisted in organising our statewide consultations on this matter.

Correspondence regarding this submission should be addressed to:

Ron Iddles, OAM, APM
Secretary
The Police Association of Victoria
1 Clarendon Street
East Melbourne, Victoria 3002
Phone: 03 9468 2600
Fax: 03 9495 6933
E-Mail: general@tpav.org.au

Nicole Bluett-Boyd
Research Officer
The Police Association of Victoria
1 Clarendon Street
East Melbourne, Victoria
Phone: 03 9468 2600
Fax: 03 9495 6933
Email: research@tpav.org.au



Throughout this submission we utilise the views and anecdotes of our members to convey the day-to-day reality of policing and draw on the collective, first hand expertise of those responding to family violence at the coalface. It is acknowledged throughout that eradicating family violence is a momentous task, one that members will remain committed to. Our members recognise that addressing family violence involves a coordinated and collective effort. Within the remit of policing, there a numerous immediate and short term changes presently required to ensure that members are able to provide a consistent and complete response to those experiencing family violence.

EXECUTIVE SUMMARY

The state of Victoria is in many ways a national leader on the issue of family violence. Over the past decade, a suite of reforms across the family violence sector, and an increased integration of service provision, have dramatically enhanced the experiences of victims of this crime. Victoria Police has endeavored to pioneer a number of key advancements in policing family violence, contributing to a staggering 83% increase in calls to police since 2009-2010.¹ Recent years have seen members demonstrate a strong commitment to addressing family violence, and violence against women more broadly. The confidence of the community at large in the willingness and ability of police to respond to family violence has grown. In turn, the increase in calls to police continues unabated, requiring concomitant increases in initial police contact, follow up processes and facilitation of referrals. To cope with current demand and improve responses in the future, the current system requires an urgent increase in resourcing and a streamlining of approach.

This submission does not address critiques of small-scale operational matters, nor single station-specific issues, focusing instead on statewide issues. In order to formulate this submission we have consulted extensively with members - an activity which has identified of current gaps and deficiencies, but also clear solutions for consideration by the Royal Commission into Family Violence (**the Commission**) that draw on the expertise of those working to address family violence every day. Broadly, our findings identify what is needed with respect to future resourcing, organisational support, policy and procedure development and better integration with other responses in the family violence sector. In this submission, the Police Association endeavors to describe the current reality for members in responding to family violence. In doing so, we highlight a number of critical issues that require action if police are to provide an adequate and consistent response in the future.

An increase in police numbers is urgently need to meet current and future demand

It is an unfortunate reality that many of the well intentioned and positive organisational reforms to the policing of family violence are yet to be met with commensurate resourcing. Chronic understaffing necessitates a process whereby members are compelled to triage responses. The limited human resources create delays in responding to family violence incidents, leading to missed opportunities to issue Family Violence Safety Notices. Further, the allocation of human resources must be based on demand. A need-based resource allocation of police, with respect to police numbers and infrastructure, will ensure that victims are not subject to postcode justice. The Police Association of Victoria (**the Association**) submits that the determination of frontline numbers should be based on a per capita minimum benchmark, based on current figures and projected population growth. The figures provided in Part Three of this submission paint an alarming picture of the inadequacy of current staffing levels to deal with police issues, let alone meet family violence related demand.

The current procedure for police must be reviewed to eliminate unnecessary and convoluted requirements

Compounding issues of chronic understaffing is the increasingly involved and intensive role of police. In light of relatively recent policy reform, organisational prioritisation, and the growing rate of directives followed when responding to family violence, the average time taken to finalise each family violence incident has increased exponentially in recent years. Anecdotally, members estimate an average rate of 4 hours to finalise each incident. This is compounded by a removal of the discretionary decision-making powers afforded police in all other civil and criminal matters at an organisational level. Presently, an overzealous approach from management sees members applying for Family Violence Intervention Orders and preparing briefs of evidence for non-authorisation, against the wishes of the victim and often contra to the public interest. There is a need to work toward streamlining the complex and convoluted processes involved in addressing family violence. Of primary importance is continued specialised training and an

¹ Victoria Police, Crime Statistics Official Release 2013-14 (2014).

increase in the discretion afforded members. In particular, members should be encouraged to reflexively respond to victims, building rapport and enhancing the relationship between the community and police to encourage future engagement by victims. Police should further have at their disposal an ability to have regard for the specific circumstance of individual victims when determining an appropriate course of conduct.

Long term investment in infrastructure will ensure adequate and prompt responses to family violence

In the longer term, an investment in technology that allows for mobile completion of Family Violence Safety Notices, and permits members to complete necessary paperwork 'on the road', will ultimately increase police capabilities and response times. Further, the effect of recording notices and orders in real time has the potential to reduce revictimisation and undoubtedly increase victim safety.

Further integration with a better resourced family violence sector is crucial

The Association supports system-wide investment by Government and acknowledges the need to ensure that the justice system, health and human services, non-government organisations and peak bodies are adequately resourced to respond to the ever-increasing volume of victims seeking assistance. Our members rely heavily on currently under-resourced referral and assistance pathways. At present, many of the reforms to policing practice, prioritising victim safety, are rendered ineffectual by the scarcity or unavailability of women's services and men's programs. Our members witness this shortage daily, often stepping up to perform roles suited to external social services and community-based organisations, a practice which presents a number of ethical issues for members and compromises their response. As such, moving toward the goal of increased collaboration requires a clear and consistent demarcation of police work and a recognition that family violence is a complex social issue to which police can provide *part* of the response. There exist many opportunities for members to work with external bodies in a constructive manner that reflects best-practice policing.

There will be a significant return on initial investments in the longer term

Contextualising the integral work of police within the holistic response required to eradicate family violence and ensure the safety of victims, it is evident that an investment in adequate resourcing of Victoria Police becomes a matter of 'spend a penny, save a pound.' The evidence is clear that police intervention in family violence can be highly effective. In addition to providing a gateway to the civil and/or criminal justice processes for perpetrators, police intervention offers a primary referral pathway to assist both victims and perpetrators in addressing causal and contributing factors. Facilitating engagement with appropriate services and organisations is often essential in reducing revictimisation.

Further, immediate and short term investment in police resourcing will contribute to long term prevention of family violence. These recommendations, if adopted, would enable police to participate in both primary and secondary prevention by:

- Ensuring a consistent and strong response to all incidents of family violence;
- Demonstrating the seriousness with which family violence is and will be treated by justice systems; and
- Working collaboratively with external agencies and organisations to assist in addressing the multiple contributing factors to family violence.

The commitment of police to the monumental and complex task of eradicating family violence in Victoria is made evident throughout this submission. Indeed, it is clear that our membership has worked hard to accommodate the ever-changing legislation, policy and directives with respect to family violence over the past two decades. However, this accommodation has been performed in an environment of under-resourcing, and without a commensurate increase in police numbers. It is time that the numbers and resources matched the need.



Ron Iddles. OAM, APM

Secretary

The Police Association Victoria

May 29 2015

Table of Contents

The Police Association of Victoria	2
Acknowledgement	2
PART ONE: The context of policing family violence.....	7
1.1 A brief history of reform.....	7
1.2 Understanding current challenges: An overview	9
1.3 The nature of this submission	10
1.4 The structure of this submission	10
PART TWO: Limitations to current responses	13
The ambition of current policy	13
2.1 Resourcing issues.....	13
The Reality: Police numbers	13
Impacts and outcomes	13
The Reality: Time intensive nature of response.....	14
Impacts and outcomes	15
2.2 Organisational issues	15
The Reality: The removal of discretion	15
Impacts and outcomes	16
The Reality: Lack of support and resources for specialisation.....	16
Impacts and outcomes	17
The Reality: Inadequate technology and recording issues.....	17
Impacts and outcomes	17
2.3 Procedural issues.....	18
The Reality: Civil justice responses	18
The Reality: Working with the court system	19
Impacts and outcomes	19
2.4 Integration issues	20
Impacts and outcomes	20
PART THREE: Opportunities for the improvement of responses	22
3.1 Resourcing considerations	22
3.1.1 An increase in police numbers	22
3.1.2 Allocation of resources based on need	23
Table 1. Police Service Area Frontline Staffing Requirements 2014-2019	24
3.2 Organisational considerations	25
3.2.1 Increasing discretion: A flexibility in approach	25
3.2.2 Supporting specialisation.....	25
3.2.3 Adequate infrastructure for tasking units	26
3.2.4 Technology: Upgrading data systems	27
3.3 Improving Justice Responses.....	28
3.4 Toward better integration	29

PART FOUR: Issues of implementation.....	31
4.1 Establishing a baseline measurement	31
4.2 Performing consistent evaluation and revision of practice	31
Figure 1: Multifaceted approach to measuring police performance in family violence.	32
4.3 Ensuring the engagement of members	33
CONCLUSION: A summary of recommendations.....	34
Table 2. Recommendations by implementation timeframe.	34
Summary of Recommendations.....	35
A return on investment	35
Appendix A: Local Government Areas consulted and sampling decision	37
Table 3. Locations of consultations.....	37

PART ONE: THE CONTEXT OF POLICING FAMILY VIOLENCE

The prevalence of family violence² is a social justice issue of growing concern both globally and nationally. Rates of family violence in Australia are alarmingly high. The 2012 Australian Bureau of Statistics Personal Safety Survey³ reported that 17 per cent of all adult women in Australia and 5.3 per cent of all adult men had experienced intimate partner violence at some point since they were 15 and that Australian women are most likely to experience physical and sexual violence in their home, at the hands of a male partner or ex-partner. This report further found that of those who had experienced violence, 73 per cent had experienced more than one incident of violence, and 61 per cent had children in their care when the violence occurred, including 48 per cent who stated that children had seen and heard the violence. It is clear that a concerted, integrated effort is required to address this issue.

In Australia, the past four years has seen a growing energy by governments in addressing violence against women, generally. The introduction of a *National Plan to Reduce Violence Against Women and their Children 2010-2022*, and subsequent Action Plans, has been complimented on the state and territory level by the development of state-specific strategy, in addition to justice sectors and local communities engaging in more concerted action.⁴ This same timeframe has seen an increase in the acceptance of ‘whole of government/whole of community’ responses to the crime of family violence. In this context police leadership have been credited with helping to put family violence squarely on government agendas.⁵ Indeed, in a progression from historically inconsistent responses, the crime of family violence is now an Australasian policing priority.⁶

1.1 A brief history of reform

Victoria Police has in many ways been at the forefront of leadership in responding to family violence. The past decade in particular has seen a strong and determined effort to address common critiques relating to inconsistent responses, problematic attitudes and enhance service delivery to victims.⁷ It is important to have an understanding of the context and progress of these reforms in order to understand day-to-day responses to family violence by police.

Legislative and Policy Reforms

At the state level, the issue of family violence has received increased attention from the government and law reform bodies. As a result, police now operate within an improved legislative framework. The following provides a general history of relevant legislative and policy reforms:

- The Victorian Law Reform Commission released its report on family violence laws in 2006, outlining recommendations intended to improve the legal remedies for people affected by family violence.⁸
- 2008 saw the introduction of the *Family Violence Protection Act 2008 (Vic)*, giving police the power to issue Family Violence Safety Notices (FVSN).
- The Department of Human Services’ *Family and Domestic Violence Strategy* was developed in 2012, based on recommendations by the Australian Law Reform Commission report.⁹ This strategy provides a clear framework for improving risk identification, information sharing and training practices in and across government, including police.
- In 2014 the *Family Violence Protection Amendment Act 2014 (Vic)* extended the operation of FVSNs and established a new process for interim family violence intervention orders.

² The term ‘family violence’ as used throughout the report, follows the definition provided in s.5 of the Family Violence Protection Act 2008 (Vic).

³ Australian Bureau of Statistics, (2012), Personal Safety Survey, Cat No. 4906.0, Canberra: Australian Bureau of Statistics.

⁴ Centre for Innovative Justice (2015) Opportunities for Early Intervention: Bringing perpetrations of family violence into view, Melbourne: RMIT University, p. 9

⁵ E Whinnett, ‘Chief Commissioner says more men need to stand up against family violence’, Herald Sun, 22 July 2013.

⁶ <http://www.heraldsun.com.au/news/law-order/chief-commissioner-ken-lay-says-more-men-need-to-stand-up-against-domestic-violence/story-fni0fee2-1226682705782?nk=ec045710661580bfeaba75e146c91bec>.

⁷ Australian Police Leaders, *Australasian Policing Strategy on the Prevention and Reduction of Family Violence*, Commonwealth of Australian and New Zealand, Sydney, 2008

⁸ The gender-neutral term ‘victim’ is used throughout this report. This is not to deny the gendered nature of family violence, nor the fact that women are the overwhelming majority of victims and men the overwhelming majority of perpetrators. Further, the term ‘victim’ is used in place of ‘aggrieved family member’ to properly identify the criminal nature of family violence.

⁹ Victorian Law Reform Commission, *Review of Family Violence Laws*, Report No 185 (2006).

⁹ Australian Law Reform Commission, *Family Violence and Commonwealth Laws - Improving Legal Frameworks*, Report No 117 (2012).

The extensive legislative and policy reform over the past decade has had a significant impact on the policing of family violence. Police now have a larger range of tools to assist in victim safety than ever before, in addition to increased responsibilities.

Organisational Reform and Procedural Improvements

The past two decades have seen significant cultural change in Victoria Police with respect to responding to family violence.¹⁰ The day to day practice of police in relation to family violence is guided by a number of overarching guidelines including:

- The *Victoria Police Code of Practice for Investigation of Family Violence*. First created in 2004, members currently operate according to the 3rd Edition of this Code.¹¹
- The *Victoria Police Strategy to Reduce Violence Against Women and Children 2009-2014*¹² adopted in 2009.

Accompanying these guidelines is an increase in dedicated training on police responses to family violence for new recruits that includes a more research-based understanding of underlying causes.¹³ This is supported by training offered at a divisional level when required.

As an organisation, Victoria Police has also embarked on a number of key structural changes to specifically tackle family violence. The development of dedicated specialist advisers and tasking units has been highly praised and welcomed across the family violence sector.¹⁴ The number of Family Violence Tasking Units (FVTU) within Victoria Police has tripled since November 2011, with more than 30 now operating across the state.¹⁵ FVTUs are dedicated to performing follow up with high risk victims and recidivist offenders. More recently Victoria Police has introduced a command portfolio dedicated to family violence.

Improvements in police procedure and legislation have been a significant part of recent efforts to address family violence.¹⁶ The introduction of FVSNs has provided police with a quicker process to assist in victim safety. Recent years have seen a significant increase in police applications for Family Violence Intervention Orders (FVIO) and the adoption of pro arrest approaches to criminal matters. Further, as part of the integrated response, referrals to family violence services are provided by police for every incident they attend. Each of these processes has been assisted by the introduction of the LEDR Mk 2 computer program used to record family violence incidents.

Interrelated and External Reforms

The design and implementation of an integrated crisis service response model has required the collaborative effort of Victoria Police, the courts and the service sectors within a new legislative framework, in addition to a state-wide governance structure and major changes to operational practices within and between agencies.¹⁷ The establishment of a raft of referral protocols between Victoria Police and external departments and organisations, recent years have seen an increase in dedicated panels and committees to encourage inter-agency information sharing and management, including the following:

- In 2008, a multi-agency panel (Extreme Risk Client Strategy) involving Victoria Police, Women's Health West and other organisations was established to identify and case manage women at high risk of death or serious injury.
- After a pilot period in 2011, a state-wide roll out of Risk Assessment Management Panels (RAMPs) - involving multi-agency cooperation, including Victoria Police, in addressing high risk families - has commenced.
- The development of a common risk assessment tool utilised by police, women's and men's services and courts.

While an exhaustive description of changes to police practice is beyond the scope of this submission, it is clear that reforms have been extensive, and the impact on day-to-day policing, significant. Members are

¹⁰ C Waterman & F McCormack, *Reforming the Family Violence System in Victoria: A shared experience Victoria Police and Domestic Violence Victoria*, 2010.

¹¹ *Victoria Police Code of Practice for the Investigation of Family Violence*, Victoria Police, June 2014.

¹² *Living free from violence: upholding the right. Victoria Police Strategy to Reduce Violence Against Women and Children 2009-2014* 2010, Victoria Police, At <http://apo.org.au/node/20226>.

¹³ This is particularly significant given that close to a third of the current membership of Victoria Police have been in the profession for five years or less (The Police Association of Victoria, Membership Database).

¹⁴ A George & B Harris, *Landscapes of Violence: Women Surviving Family Violence in Regional and Rural Victoria*, Centre for Rural and Regional Law and Justice, Deakin University, 2014. http://www.deakin.edu.au/_data/assets/pdf_file/0003/287040/Landscapes-of-Violence-online-pdf-version.pdf.

¹⁵ *Victoria Police Blueprint, 2012-2015*.

¹⁶ C Waterman & F McCormack, *Reforming the Family Violence System in Victoria: A shared experience Victoria Police and Domestic Violence Victoria*, 2010. See Also; Centre for Innovative Justice (2015) *Opportunities for Early Intervention: Bringing perpetrations of family violence into view*, Melbourne: RMIT University

¹⁷ McCormack, F., (2013), *Family violence reforms: A collective effort*, *Parity Magazine*, 26(5), p. 38.

committed to the cause of eradicating family violence, and have identified a number of clear benefits and enhanced effectiveness afforded by reforms over the past decade. However, at present members continue to face a number of practical difficulties in responding to family violence.

1.2 Understanding current challenges: An overview

The systemic reforms outlined above have contributed to an increase in the number of family violence incidents reported to police. Victoria Police attended more than 68,000 family violence incidents in 2014.¹⁸ The 2013-2014 financial year saw 65,393 incidents - an increase of more than 83% per cent since 2009-2010 (35,681).¹⁹ Statistics for the same period suggest that over 45 per cent of assault offences, and over 34 per cent of rape offences recorded by Victoria Police were related to family violence.²⁰ This increased incidence²¹ of family violence victims utilising the justice system has not been met with a commensurate increase in police numbers. This has severely hampered the implementation of well-intentioned reforms, and created a form of postcode justice, whereby the ability to respond adequately to family violence is dependent on the degree of resource allocation within a given Police Service Area (PSA).

Further, the reforms noted above have expanded the role of police exponentially. Indeed, the current role of police with respect to family violence is multifaceted and extensive. Tasks include, but are not limited to: issuing FVSNs; applying for FVIOs on behalf of victims; undertaking common risk assessment processes at each incident, performing referrals to family violence services and crisis accommodation for victims in addition to referrals to treatment agencies; referral services and an early connection to behaviour change programs for respondents, performing criminal investigations and arresting/charging offenders.

During the above reform period, additional policy directives and requirements have increased the time spent on each incident of family violence. This increase is contributed to by the introduction of more extensive recording practices and an internal curtailment of the use of discretion with respect to family violence matters. Responding to family violence now dominates the day-to-day work of the majority of frontline police.²² Despite this, the implementation and evaluation of reforms is inconsistent. There exist many local pilots and practices. In addition to understaffing, many reforms, including the creation of FVTUs, have been made with no or limited additional resourcing, at the expense of other policing tasks.

It is at the level of day-to-day policing that the complexities of family violence intervention plays out.²³ As is made evident throughout this submission, improvements and reform without adequate resourcing has caused a multitude of practical issues for members. However, it is also clear that the inadequacy of police numbers and resources is also impacting the experience of victims, as articulated in a recent research report:

*'[Victim] experiences of police response vary greatly. Some women commented on the efficacy of police response. However, as the women explained, due to increasing demands on the police - with an increase in family violence reporting, under-resourcing and lack of capacity of frontline officers to respond to family violence as guided by the Code of Practice - many women reported negative experiences of their respective police responses.'*²⁴

Further, the increase in reporting and police response to family violence has seen a concomitant increase in demand for service provision from the Courts and other agencies.²⁵ The lack of forward planning to deal with the increased demand has ensured this result.²⁶ Without commensurate reforms to, and resourcing of, interrelated organisations and institutions, the impact of advancements in policing practice is limited. As

¹⁸ Victorian Government, Measuring the Toll: The Family Violence Index, May 2015. p. 4. At <https://4a5b508b5f92124e39ff-cd8d0b92a93a9c1ab1bc91ad6c9bfdb.ssl.cf4.rackcdn.com/2015/05/150518-Measuring-the-Toll-The-Family-Violence-Index.pdf>

¹⁹ Victorian Government, Measuring the Toll: The Family Violence Index, May 2015. p.3. At <https://4a5b508b5f92124e39ff-cd8d0b92a93a9c1ab1bc91ad6c9bfdb.ssl.cf4.rackcdn.com/2015/05/150518-Measuring-the-Toll-The-Family-Violence-Index.pdf>

²⁰ Victoria Police, Annual Report 2013-14 (2014).

²¹ The term incidence is used here as distinct from prevalence. The Association recognises that the increase in calls to police does not necessarily indicate an increase in the rate of family violence across Victoria. Indeed the increase in incidence, as reflected in Victoria Police statistics, is attributable to many factors, inclusive of but not limited to: the increasing public profile of the crime, an increase in community confidence in police, and the expanded definition of family violence introduced by the Family Violence Protection Act 2008 (Vic).

²² The term 'frontline police' is used here and throughout this submission to refer to first-response police who wear a uniform or drive a divisional van or a marked police car. It is used to distinguish these members from non frontline police - for instance those assigned to taskforces or who complete work such as investigate crime or analyse crime trends.

²³ MacDonald, A., (2012), Policing family violence, Parity Magazine, 25(2), p. 43.

²⁴ Neilson, C and B Renou (2015), Will somebody listen to me? Insight, actions and hope for women experiencing family violence in regional Victoria, Bendigo: Loddon Campaspe Community Legal Centre and Advocacy & Rights Centre. p. 65 At <http://lcclc.org.au/2015/05/family-violence-report/>

²⁵ Waterman, C & F McCormack, Reforming the Family Violence System in Victoria: A shared experience, Victoria Police and Domestic Violence Victoria, 2010.

²⁶ MacDonald, A., (2012), Policing family violence, Parity Magazine, 25(2), p. 43.

such, a cross-sectorial approach is required, particularly with respect to process, in order to ensure effectiveness and integration.

1.3 The nature of this submission

This submission seeks to respond to relevant Terms of Reference (TOR) and questions raised by the Commissions Issues Paper (Questions). Summarily, this submission has been drafted with respect to the framework, policy and program-based recommendations sought by the Commission and questions raised as to how strategic, collaborative and integrative responses are best achieved. The recommendations contained herein are tied to the short, medium and long term measures of success. This submission employs a mix of primary research methods, policy analysis and a review of the literature to express the Associations' recommendations in relation to the key issues of resourcing and a demarcation of police work.

To accurately capture the experience, expertise and suggestions of our members with respect to policing family violence we conducted targeted, in-person consultations with members across 17 Local Government Areas²⁷ and received written feedback from members across the state.²⁸ At these sites, we asked members to describe their **experiences of policing family violence incidents**, and provide their **views as to how this process can be improved**. Having regard to both the TORs and Questions, we sought our member's perspectives as to:

- The current reality of policing family violence, including estimates of call out rates, time taken and a description of the difficult aspects of the job;
- The increasing lack of demarcation of police work, including specific examples of how members accommodate the shortcomings of other services;
- Current gaps in the response, particularly as related to resourcing issues and the impact of current policy; and
- Suggestions regarding the resources and policies required to close these gaps and enhance the capacity for members to respond.

The consultations were audio-recorded and transcribed. These transcripts were analysed to determine state-wide issues in policing family violence. Throughout these consultations we identified common themes and experiences across our membership. The results of these consultations are reported on throughout this submission.²⁹ In addition, we provide relevant anecdotes from frontline police in order to convey this unique perspective to the Commission, and demonstrate the practical and tangible impact of resourcing and demarcation issues faced by members. Further, the submission identifies members perspectives about additional resources required to adequately meet current family violence related demand, and suggestions as to how best to integrate with other services to ensure a demarcation of police work. As such, our recommendations recognise the role of Victoria Police members within a holistic, system-wide response required to eradicate family violence.

1.4 The structure of this submission

The subsequent Parts of this submission map onto relevant TORs and Questions provided by the Commission. Summarily, this submission highlights current gaps and deficiencies in the response to family violence, describes opportunities for improvement, and provides matters for consideration in the future implementation of a holistic and collaborative response. For the purpose of cross-reference, we outline the relevant TORs and Questions address throughout this submission, below.

The first substantive Chapter focusses on identifying the current reality of providing police responses to family violence. Each issue raised is tied to tangible impact and outcomes for both our members and victims. *PART TWO: Limitations to Current Responses* provides an overview of the systemic issues facing members, tying these issues to the current deficit in police numbers and an under-resourcing of frontline members and FVTUs. In the first section we specifically address the following question provided by the Royal Commission into Family Violence Issues Paper:

Question Eight: Tell us about any gaps or deficiencies in current responses to family violence, including legal responses. Tell us about what improvements you would make to overcome these gaps and deficiencies, or otherwise improve current responses.

²⁷ Refer to **Appendix A** for a list of the Local Government Areas in which members were consulted.

²⁸ This supplementary research component was managed through the Delegates Coordinator, with the Research Officer and Secretary receiving additional written responses from members across the state.

²⁹ All recordings were anonymised during the transcription process. To maintain the confidentiality of our membership, quotations and anecdotes utilised throughout this submission refer to the role of the member and provide the Police Region only.

We address this question through a discussion about resourcing, organisational and procedural challenges currently facing members. We identify the key outcomes of the current deficit in police numbers, including the need to triage responses and an increase in response times. Further, we highlight the time consuming nature of current processes and requirements, identifying the impacts of this on the provision of service to victims. We also identify difficulties faced by members within both civil and criminal justice process, including common frustrations with the length of these processes, in addition to the inconsistency of application outcomes and sentencing practices.

In the second section we address the issue of interagency coordination, highlighting the need for state-wide consistency, a clear demarcation of role of policing and the need for internal organisational reforms to be echoed by external agencies. This section has been prepared with respect to the following question provided by the Royal Commission into Family Violence Issues Paper:

Question Nine: Does insufficient integration and co-ordination between the various bodies who come into contact with people affected by family violence hinder the assessment of risk, or the effectiveness of (early intervention, crisis and ongoing) support provided, to people affected by family violence? If so, please provide examples.

This section discusses the challenge of collaboration found in offering 24 hour a day, 7 day a week service provision, in a sector that largely operates during business hours. Here, it is acknowledged that police are currently reliant on an under resourced and under staffed service sector. We outline the ever-expanding list of tasks performed by members to assist external agencies. In the final section we discuss the current strength of referral pathways and note specific areas of coordination that require work.

The second substantive Chapter proposes a series of recommendations to address each issue raised in the preceding Chapter. *Part Three: Opportunities for the Improvement of Responses* provides a description of the common suggestions made by members as to how current processes could be rendered more effective and streamlined. In the first section, future effectiveness in responding to family violence is explicitly tied to an increase in resourcing and a reduction in unnecessarily time consuming processes. This discussion has been prepared with respect to the following TORs provided by the Commission:

Term of Reference 2. Investigate the means of having systemic responses to family violence, particularly in the legal system and by police, corrections, child protection, legal and family violence support services, including re-offending and changing violent and controlling behaviours, and; Term of Reference 7. The need to identify and focus on practical short, medium and long term systemic improvements to Victoria's current response to family violence and the need for this response to have a sustainable future;

To this end, we identify a series of resource and directive-based short and medium term improvements that would be of immediate benefit in ensuring a consistent, state-wide policing response to family violence, in addition to consideration of long term infrastructure changes to minimise gaps in service. We further describe suggestions made and recommendations proposed to streamline current approaches and reduce the unnecessary expenditure of resources and time. This includes a reimagining and refocusing of the work of FVTU and a simplification of the organisational requirements relating to criminal and civil processes. This endeavor necessarily requires a consideration of current data systems and information sharing. For the purpose of cross reference, this discussion has been prepared with respect to the following TOR:

Term of Reference 9. The systems and mechanisms to identify an appropriately prevent and respond to family violence, including information sharing and data systems.

In this section we discuss the long term goal of updating Victoria Police's information technology to allow for the case management coordination of family violence matters, and the need to move towards utilising mobile devices - ensuring that information concerning FVSNs and FVIOs is available to all members in 'real time'.

In the second section we report on members perspectives concerning the future integrated and collaborative response to family violence. For the purpose of cross reference, this discussion has been prepared with respect to the following TOR and Question from the Issues Paper:

Term of Reference 3. Investigate how government agencies and community organisations can better integrate their efforts; and Question Ten: What practical changes might improve integration and co-ordination? What barriers to integration and co-ordination exist?

In light of the issues highlighted in Part Two, this section discusses how police and external agencies can work to support each other. We focus on strengthening referral pathways and further enhancing police engagement with the civil and criminal court process. We also acknowledge the need to increase resourcing in the family violence sector to allow for a better demarcation and definition of police role, and ensure

that members are not performing duties suited to those who have been trained to provide social and welfare based services in the context of family violence.

The final substantive Chapter addresses issues of future implementation, and highlights the need to avoid typical issues of change management. *Part Four: Issues of Implementation* outlines the needs of our members with respect to future changes to infrastructure and policy. We take lessons from the short comings of previous approaches to implementation, identifying best practice approaches according to our membership. This includes an expansion of measurement tools with respect to ‘successes’ in addressing family violence. We further highlight the need for an organisational system of consistent evaluation and revision of practice that takes into account the expertise and day-to-day experiences of police. We suggest that evaluation and revision be built into every pilot program and policy change. For the purpose of cross reference, this discussion has been prepared with respect to the following TOR:

Term of Reference 4. Provide recommendations on how best to evaluate and measure success, strategies, frameworks, policies, programs and services put in place to stop family violence.

We close this Chapter by discussing the need to remain consultative with members throughout future changes and work to ensure continued engagement with the changing family violence landscape.

The final section of the submission provides a table of recommendations identifying those that are immediate, short, medium or long term in nature and tying each to the level of investment required. In *Conclusion: A Summary of Recommendations* we iterate that police are an integral component of the system-wide response to family violence and as such their work needs to be sustainable. We provide a discussion of the short and longer term benefits of investing in police resources, including an increased capacity to engage with prevention efforts.

PART TWO: LIMITATIONS TO CURRENT RESPONSES

This Chapter focusses on identifying the current reality of providing police responses to family violence. It provides a an overview of the systemic issues facing members, tying these issues to the current deficit in police numbers and under-resourcing of frontline members and family violence tasking units. Here, we highlight resourcing, organisational and procedural challenges currently facing members. We identify the key consequences of the current deficit in police numbers, including the need to triage responses and an increase in response time. Further, we describe the time consuming nature of current processes and requirements, identifying the impacts of this on the provision of service to victims. We also identify difficulties faced by members within both civil and criminal justice process, including common frustrations with the length of these processes and the inconsistency of FVIO application outcomes and sentences.

Following this, we address the issue of interagency coordination, highlighting the need for state-wide consistency, a clear demarcation of role and the need for internal organisational reforms to be matched by external agencies. This section discusses the challenge of collaboration found in offering 24 hour a day, 7 day a week service provision, in a sector that largely operates during business hours. Our discussion is contextualised within the knowledge that police are currently reliant on an under-resourced and under-staffed service sector. We outline the ever-expanding list of tasks performed by members to assist external agencies. In the final section we discuss the current strength of referral pathways and note specific areas of coordination that require work.

The ambition of current policy

As discussed in the preceding Chapter, recent years have seen a suite of reforms to the approach and practice of Victoria Police to the crime of family violence. In light of historical deficiencies in police response, including a noted ambivalence to family violence, these reforms have progressed along three key axes aimed at:

- Increasing police responsiveness to the crime of family violence;
- Instituting a pro arrest and pro charge response to perpetrators; and
- Enhanced collaboration with external departments and agencies.

This approach is admirable and indeed Victoria Police has in many ways been at the forefront of necessary change with respect to addressing violence against women for over a decade. However, such evolution inevitably places demand on police time. Coupled with the sharp increase in reports to police, and in the absence of commensurate increases in police numbers and organisational infrastructure, the continued introduction of reforms place a strain on frontline members and stretch resourcing to its limit. It is acknowledged here many of the practical impacts of recent and current policy were not foreseen during policy development. Nonetheless, it is imperative that these impacts are made known to the Commission, as they are of tangible, and often detrimental, consequence for the effectiveness of police responses to family violence.

2.1 Resourcing issues

As stated in the preceding Chapter, the significant increase in reports of family violence to police is yet to see a commensurate increase in police numbers, infrastructure or resources. In this section we identify the extent of these issues and provide a description of the impacts and outcomes for members and for victims.

The Reality: Police numbers

The most common theme among members when asked what was needed to properly respond to incidents in family violence was an increase in human resources. Current frontline staffing levels were identified as inadequate in every consultation undertaken.³⁰

Impacts and outcomes

Triage: Chronic understaffing necessitates a process whereby members are often having to triage responses to calls. Members consistently described practices of placing victims on hold and triaging calls given limited frontline numbers: *Calls get put on hold because we don't have enough members. [The caller] might get referred to the watch-house,³¹ so we try to establish which ones are a lower priority perhaps. And so, then*

³⁰ This assertion is confirmed by the statistical analysis offered in Part Three of this submission.

³¹ The term 'watch-house' refers to the reception area of a police station.

that person would go to the watch house, rather than getting a van out to them all the time.³² Members suggested that calls identified as priority one had a much higher rate of immediate attendance, however the process of assessing prioritisation over the phone is clearly fraught.

Extended response times: Where members are able to respond in the first instance, estimates relating to response time varied across the state.³³ However, members consistently noted a general increase in response time given the increase in calls to police and lack of concomitant increase in police to respond: *I'd say 60 per cent of all the calls get put on hold, or at least they're waiting over half an hour for police to get there.*³⁴ The limited human resources have a flow on effect with respect to delays in responding to family violence incidents, leading to missed opportunities to issue Family Violence Safety Notices, as the following member states: *Last night we had three vans for the area, a sedan, and us, and we were still getting smashed. There was a family violence incident, one we went to, with three AFMs³⁵. It took us an hour. From when it was called through to when we got there was an hour. And so, by the time we got there, the respondent's gone and we've now got to clean up all the mess. And, like I said, three complaint and warrants came out of it, as opposed to if we had've been there, we might have got him and it would have been a simple safety notice for - well, it still would have been three, but it would have been safety notices instead.*³⁶ As is evident from this example, the delay in response time caused by a deficiency in frontline members can have tangible impacts with respect to both victim safety and subsequent police workload.

Decreasing morale: Many senior members expressed concerns as to the impact on the increase of family violence calls out on the morale of first responders: *I think one of the other hidden costs too, in terms of policing, is the fact that there's this whole generation of police who think that policing is family violence. Because that's all they deal with. It's 80 per cent of the work, especially in those growth corridors, is purely family violence. And so I can't imagine coming into this organisation and getting absolutely smashed with family violence in four out of five jobs and thinking, "I want to do this for the next 20 years."*³⁷ It was suggested that a sustained increase in calls and the organisational prioritisation of family violence would ultimately have an impact on attrition from Victoria Police. This issue would be alleviated by an increase in staffing, allowing members to attend to the spectrum of crime.

The Reality: Time intensive nature of response

Given relatively recent policy reform, organisational prioritisation and the growing rate of directives followed when responding to family violence, the average time taken to finalise each incident has increased exponentially in recent years. The length of time taken per incident can vary greatly, as the following member stated: *My last one took me 10 hours. First job at the start of the shift, I did three hours overtime because of remand. They transport to [Location] cells and back. But then I can go to ones which take me 15, 20 minutes, a half hour there. And, reports, another half hour.*³⁸ While it is difficult for members to identify how much time is spent per attendance given the varied nature of family violence incidents, average estimates across the state of the time taken to respond to a 'standard' attendance is 3.5-4 hours, inclusive of paperwork. This estimate increases in rural areas where travel within the Police Service Area can be a matter of hours and single officer patrols are more prevalent. Further, the proportion of time accounted for by family violence during general policing duties was seen to have greatly increased in recent years: *Maybe 20, 30 years ago things were done differently. Today we're so strict about compliance and so strict about enforcement with family violence provisions that that's consuming 60, 70 per cent of our time in terms of doing general crime, basically.*³⁹ Many in management calculated the time cost of responding to family violence incidents with respect to the task of determining rosters. From this perspective, the crime category of family violence was seen to account for the majority of first responder's time as the following example highlights: *As a Police Service Area, we respond to about a hundred*

³² First Responder, Metropolitan Region.

³³ As noted by the Productivity Commission, Victoria is one of three states that do not provide response time data. Response times are not reported elsewhere in Victoria, and it does not form part of the suite of corporate performance indicators [Productivity Commission, Reports on Government Services 2015, Chapter 6, p.7 At <http://www.pc.gov.au/research/recurring/report-on-government-services/2015/justice/police-services>]. As such, this observation by our membership remains anecdotal. Response time data should form part of the suite of indicators that indicate whether Victoria Police's response to family violence incidents is adequate, and whether any program changes are successful in improving Victoria Police's responsiveness to those incidents. The Association would support the recording and public release of this data.

³⁴ First Responder, Metropolitan Region.

³⁵ The term 'AFM' or 'aggrieved family member' is used by members throughout to refer to the applicant in a civil process or victim in a criminal process.

³⁶ First Responder, Metropolitan Region.

³⁷ Sergeant, Metropolitan Region.

³⁸ First Responder, Metropolitan Region.

³⁹ Supervisor, Western Region.

*incidents a month, and they take two and a half hours on average. If you average it out it's two and a half hours. That takes in your long ones and your shorter ones. And so, as a PSA, that's 250 hours a month that we spend on family violence.*⁴⁰

Impacts and outcomes

Extensive paperwork further restricting members ability to respond to family violence and other crime: The overwhelming majority of time spent finalising family violence matters is in relation to the completion of paperwork: Members report that the completion of paperwork is cumbersome and currently requires much duplication. This significantly depletes active patrol work and restricts members ability to respond to crime. As has been acknowledged by Victoria Police:

*Around 50 per cent of a police officer's time on each shift is spent in the station, with a significant proportion attributed to administrative tasks associated with information capture and reporting. Increasingly police find that their paperwork burden requires them to commence shifts early and finish late in order to complete documentation. Delays in processing information and making it available for operational members present difficulties for police in responding to service delivery calls and increase safety risks to both police and the public.*⁴¹

Insufficient time to attend to other crime matters: The result *'is that with more family incidents than ever, Police at many stations are simply going to three family jobs a shift, and spending the rest of their time preparing family violence reports. This greatly hampers our ability to fulfil the reason for our existence: Emergency Response.'*⁴² Given chronic under resourcing, the removal of discretion has severely limited member's ability to appropriately direct their time and efforts: *It's affecting the service delivery across the division PSA. Because while we're doing family violence - particularly the busier nights - when you hear a crew get a family violence job - from the [Supervisors] point of view, you know you've lost your unit for at least three hours. And another unit gets one. And there's two units gone before you even start. So then that impacts on service delivery across the board as well. So your other people aren't getting the service they should be getting from us either.*⁴³ Members further relate that the requirement to prioritise family violence leave first responders unable to direct their efforts toward high risk offenders.

2.2 Organisational issues

The impacts of an increase in calls to police and the time taken to finalise family violence matters is further compounded by the increasing removal of discretion that members have faced through reviews of the Code of Practice.

The Reality: The removal of discretion

The prioritisation of family violence and violence against women more broadly, within Victoria Police is commendable, so too are efforts to address long standing criticisms of inconsistent police response. However, as members made clear to the Association, these efforts have had the effect of removing discretionary decision-making in relation to family violence. This is distinct from the majority of policing activities. Members have faced increasing directives as to the action to be taken and recording requirements in relation to family violence. This has caused unnecessary delays in finalising matters. Time is wasted on a number of practices that produce little result. It is beyond the scope of this submission to detail each of these practices. However, members consistently identified circumstances in which action was required against the express wishes of the victim as significantly contributing to extensive time costs. For example, a consistent time-wasting practice identified by members was the requirement to prepare a brief of evidence against the wishes of the victim and without the prospect of successful authorisation: *A lot of the briefs members are submitting are being non authorised. [This happens in circumstances where] we've got no victim providing statements, we've not no forensic evidence, no medical evidence and no independent witnesses to corroborate what's occurred. So all this work from a simple criminal damage incident, him being arrested, him being brought back, him being interviewed, him being released pending summons supposedly, no witness statements, no independents, no corroborative evidence, no forensic evidence. She's saying, [that the incident did not happen]. So we're doing hours and hours and hours of investigative work - for what? "Not authorised". Right from the start sometimes an AFM can say, "I don't want anything done." And they don't make a statement and you still have to arrest, bring them back.*

⁴⁰ Supervisor, Metropolitan Region.

⁴¹ *Victoria Police Blue Paper: A Vision for Victoria Police in 2025*, Victoria Police, May 2014.p. 18 At http://www.police.vic.gov.au/content.asp?a=internetBridgingPage&Media_ID=102508

⁴² First Responder, Western Region.

⁴³ Patrol Supervisor, Metropolitan Region.

*Taped interview, fingerprint. Again this process was seen as having potential to discourage future reporting. I understand why the policy is that - but then I think if you're saying, "Well, we're not going to care about what you say, and we're just going to do it anyway," then do we drive further reports underground.*⁴⁴ Members further related that the restriction of discretion often does not allow them to account for the complexity of relationships, providing the following common example: *There was [an incident] just the other day where an AFM and respondent walked into the station saying they wanted the safety notice removed, and right then and there, they were breaching it, and they had to arrest them and interview the guy.*⁴⁵ Members are appreciative of the reasoning behind the removal of discretion, however the complete eradication of discretion often has them acting against the wishes of the victim and often contra to public interest.

Impacts and outcomes

Discouraging victims from future reporting: At a practical level, the experience of our members reflects recent research that pro-arrest and pro-charge policies may have the unintended consequence of decreasing reporting for those victims who simply seek respite from the present violence rather than punishment for their partners.⁴⁶ It is well recognised that initial positive police response is vital not only to victim safety, but also to whether victims report further victimisation, or seek engagement with the legal system more generally.⁴⁷ As such, the current limitations on responding reflexively to the needs and requests of victims are of great concern for members. This is particularly concerning with respect to the issuing of FVSN or applications for FVIO against the wishes of the victim. Indeed, throughout consultations many related that victims in these circumstances, have expressly informed members that they will not be contacted again in the future.

The Reality: Lack of support and resources for specialisation

The increase in calls to police regarding family violence matters and concomitant increase in family violence workload requires a development in expertise.

Lack of consistent training: With frontline members estimating that attending to family violence matters currently accounts for 60-70 percent of their time, there is a worrying lack of ongoing training and upskilling across the state. Generally, access to family violence specific training is determined by local command on an as needed basis. In addition, alterations to process or response requirements are generally distributed in the form of a brief directive, both internally and from external departments including courts. There is a distinct lack of integrated training in relation to reforms. Members therefore have limited opportunity to specialise their knowledge of family violence with respect to the broader social context or the increasingly complicated process for responding.

Family Violence Units: Family Violence Advisors (FVAs) are located across the Victorian police regions, typically performing an important role with respect to integration, including taking positions on region family violence committees. Anecdotal evidence indicates that how the role is translated into practice varies and often depends upon the personal commitment to addressing family violence of the individual.⁴⁸ The FVA roles are dedicated and often sought after positions. By comparison, Family Violence Liaison Officer (FVLO) positions within Family Violence Tasking Units (FVTU) are held by general duties officers. These positions see a high rate of turnover through normal rotation of portfolios. The constant rotation of members within FVTU has a number of clear implications for the development and retention of expertise. Those currently or formerly working within Family Violence Units related the following concerns:

- There is no 'best practice' model in relation to the scope and tasks of the FVTU. Members describe a process whereby nearby PSAs with existing FVTUs are asked for advice as to how to establish and maintain new units. This has led to inconsistency in practice across the state.
- There is currently insufficient opportunity for training and professional development within FVTUs. As such, success, particularly initially, is often contingent on the member's level of knowledge and understanding of, and experience with, family violence.

⁴⁴ First Responder, Metropolitan Region.

⁴⁵ First Responder, Metropolitan Region.

⁴⁶ L Tutty, K Wyllie, P Abbott, J Mackenzie, E Ursel J Koshan, *The Justice Response to Domestic Violence: A Literature Review*, November 2008.

⁴⁷ Australian Law Reform Commission and the New South Wales Law Reform Commission, (2010), *Family Violence - A National Legal Response Summary Report*, Canberra: Commonwealth of Australia. p.36. At <http://www.alrc.gov.au/publications/family-violence-national-legal-response-alrc-114-summary>

⁴⁸ *Joint Submission to the Australian Law Reform Commission, Family Violence: Improving Legal Frameworks*, June 2010. Submitted by Domestic Violence Victoria, Federation of Community Legal Centres Victoria, Domestic Violence Resource Centre Victoria, Victorian Women with Disabilities Network. p. 74 At http://www.fclc.org.au/public_resource_details.php?resource_id=1500

- Further, *‘the members are for the most part young and are often dealing with people who are older than them, whose relationships are older than they themselves are, and/or who often have greater life experience or at least a life experience that is totally alien to the members own experience. Yet these members are expected to intervene and provide support, advice and guidance.’*⁴⁹
- The FVLO role requires relationship building with the community and an establishment of trust. Constant rotations see new members starting at square one. FVTUs are not currently resourced adequately and often do not have access to computers or vehicles; and
- FVTUs often operate one-up due to leave and frequency staff rotations.

The overwhelming majority of members supported the introduction and continued work of Family Violence Tasking Units. However, these units were consistently identified as severely under-resourced and limited in their capacity. It is evident that there is a way to go before Family Violence Tasking Units are able to reach their full potential.

Impacts and outcomes

Burnout of frontline and FVLOs: The lack of internal support for specialisation noted above, contributes to increasing stress and burnout of members. During consultations members related that the frontline are increasingly overwhelmed by the disproportionality of family violence matters in their working lives. Further members noted high levels of staff turnover in under-resourced and understaffed FVTUs, further inhibiting the ability of members to gain the expertise required by the role.

The Reality: Inadequate technology and recording issues

The impact of insufficient police numbers and the time cost associated with the organisational requirements and a reduction in discretion are discussed above. In addition, members noted a number of key areas where inadequate technology infrastructure and subsequent recording issues are contributing to the time cost associated with responding to family violence.

In the complicated response to family violence, members use a range of recording platforms. The primary programs used in family violence incidents are the LEDR Mk 2 program for the application of FVIOs and the LEAP Program to record criminal matters. Throughout our consultations members identified significant delays with the current information technology programs utilised: *A major problem with Victoria Police is that we’re doing half the things on paper, half the things digital. The fact that you’ve got to do your L17, and then wait two days to have a sergeant put it on LEAP and then go, “Oh, don’t forget to file these criminal investigations.” But you couldn’t put those criminal investigation 25 forms on because you didn’t have a LEAP incident number.*⁵⁰ Further, the current process requires a double up on paperwork: *There is a button that says “add sub-incident”. It doesn’t work. You can’t use that. But there should be something that you can click and go, “I want to add to this that he also did this.” And then you save on having to re-enter the victim’s information and the address another 20 times for your threats to kill and your unlawful assault and your aggravated assault and all your breaches. Sometimes it’s like six pieces of paperwork with the same information on it.*⁵¹ Adding to this frustration is the current incompatibility of police and court databases, although it is acknowledged that the Magistrates Court has committed to work with Victoria Police to further develop the electronic interface between Courtlink and LEAP in the near future.⁵²

Impacts and outcomes

Time costs: Members suggest that the introduction of LEDR Mk 2 represented a significant improvement to recording practices with respect to family violence. However, this process is still incredibly time consuming given the limitations outlined above. Further, given that members must complete paperwork at the station, many members are having to undertake overtime to ensure that paperwork is completed. These time costs impact on the capacity of frontline members to respond victims, requiring additional hours to be spent at the station.

Lack of appropriate information available: Further, the requirement for members to attend the station to complete paperwork has the potential to leave victims vulnerable. Often, during busier periods, members are not able to attend the station until the end of the shift. As such, information is not recorded

⁴⁹ Inspector, Western Region.

⁵⁰ First Responder, Metropolitan Region.

⁵¹ First Responder, Metropolitan Region.

⁵² Magistrate’s Court of Victoria, Response to Family Violence 2015-2017. At: <http://www.magistratescourt.vic.gov.au/sites/default/files/141125%20FV%20Strategic%20Objectives%20Overview%202015-17%20%28final%29.pdf>.

on the system in real time. This poses potential safety concerns as the following member describes: *when a complaint and warrant is taken out by a member after hours it is not recorded on LEAP and as such if the male is checked by another unit they are not aware of the outstanding file, this is the same for complaint and summons.*⁵³

2.3 Procedural issues

As discussed in the preceding Chapter, recent changes in legislation have equipped police in Victoria with a range of civil and criminal justice responses to incidents of family violence. In the preceding decade, Victoria Police have instituted a number of key policy and procedural reforms to ensure such an approach, the cornerstone of which is the Code of Practice for the Investigation of Family Violence. In civil jurisdiction(s), Australia has seen an increase in the use of ‘family violence’ or ‘protection’ orders at a national level. A recent comparison revealed that, in 2012-2013, 33,879 had been issued in Victoria; 23,794 in Queensland; 22,363 orders in NSW; and 5,191 in Western Australia.⁵⁴ Victoria has also seen an increasing reliance on police-issued Family Violence Safety Notices (FVSN) and Family Violence Intervention Order applications (FVIO). Safety notices as an important and useful reform. A 2010 review of the use of safety notices noted that it takes significantly less time for police to issue an FVSN than an application and warrant.⁵⁵ Further, a report by the Centre for Innovative Justice in 2015 suggested that up to 70 per cent of FVIO applications are now made by police. This report suggests that police-initiated orders and applications have been ‘very useful mechanism - not only removing the burden from women of applying for intervention orders in the immediate aftermath of a crisis, but the blame of doing so as well.’⁵⁶ Despite this, recent research suggests that a number of current limitations to the effectiveness of safety notices and intervention order remains, with frequent breaches⁵⁷ and the onus of follow-up falling on victims

The increased criminalisation of family violence has led to policies that are encouraging of mandatory arrest, charge and prosecution. At a conceptual level, these policies aim to send a strong, punitive-based message to both the perpetrator and the community. In the context of family violence, pro arrest and pro prosecution policies are ‘intended to encourage once reluctant police not only to make arrests but to gather evidence, as well as to overcome the challenge of victims recanting complaints or refusing to testify’.⁵⁸ As stated, members have had to be highly adaptable to extensive reform with respect to family violence. In this section we identify some of the key limitations to these reforms, as described by our members.

The Reality: Civil justice responses

Members consistently stated that the intervention order process, while time consuming with respect to service, has vastly improved in recent years. However, a majority of members noted a current impracticality with FVSNs:

Authority to authorise FVSNs: Members identified the time consuming nature of the current civil justice process. With respect to issuing Safety Notices, many members noted that the provision to administer safety notices in the field is not practicable as the process requires authorisation by a sergeant:⁵⁹ *I think a lot of [the time consuming nature of family violence incidents] has got to do with the fact that we can't do safety notices in the field any more. Because they're not sensitised anymore; you have to bring the people back. Do it on the computer, print it out, fix your mistakes, print it again get it signed, and then run people to welfare homes or to safe locations. And that takes up a lot of time. So the idea of the safety notice was that the supervisor would come to the address. You'd have it written out. The supervisor would either agree or disagree, sign it, and one party would leave. And a majority of matters would be dealt with within 45 minutes. Whereas now it's pushed out to that hour and a half plus because you've got to bring people back.*⁶⁰ Despite the availability of hard copy Safety Notices, across the state, first responders are most often bring the respondent to the station to complete the application of a safety notice. This can

⁵³ First Responder, Western Region.

⁵⁴ <https://theconversation.com/infographic-a-snapshot-of-domestic-violence-in-australia-300>.

⁵⁵ Family Violence Safety Notice Evaluation Steering Committee, 2010 *Final Report to Victoria Police*. At <http://www.parliament.nsw.gov.au/VicPol%20violence%20evaluation>.

⁵⁶ Centre for Innovative Justice (2015) *Opportunities for Early Intervention: Bringing perpetrations of family violence into view*, Melbourne: RMIT University, p. 20

⁵⁷ Curtin University, Communicare and Department for Child Protection and Family Support, *Breaching Safety: Improving the effectiveness of violence restraining orders for victims of family and domestic violence*. At <http://ntv.org.au/wp-content/uploads/2014-Breaching-Safety-Final-Report.pdf>

⁵⁸ Centre for Innovative Justice (2015) *Opportunities for Early Intervention: Bringing perpetrations of family violence into view*, Melbourne: RMIT University, p. 23

⁵⁹ Family Violence Protection Act [2008] s24 (a)-(e).

⁶⁰ First Responder, Metropolitan Region.

be an incredibly time consuming process. Indeed, members expressed that this was often the most time consuming aspect of responding to family violence incidents, particularly in rural areas.

The Reality: Working with the court system

Members identified two key areas of concern with respect to current court processes and practices:

Length of process: Members are appreciative of the backlog facing Magistrates courts across the state, partly attributable to the increase in FVIO applications. However, the fact that current wait times for applications to be heard in court leave victims vulnerable to further violence with limited protection is of great concern to members. This issue is more prevalent in regional locations where sitting days may be less frequent and the backlog of matters more extensive.

The limitations of Pro-arrest and Pro-charge policies, when not reinforced by external agencies in the system: As stated above, there has been a critical need to give primacy to the crime of family violence. This is given further importance by the increase in reporting. Members often go above and beyond to ensure the safety of a victim. However, much of this effort is rendered relatively ineffectual at the point of court. Many members felt as though the pro-arrest and pro-charge policies of Victoria Police were not supported by the decision-making of the judiciary. Matters are often dealt with perfunctorily once they reach court, with circumstances not examined sufficiently to ensure what orders or terms are appropriate.⁶¹ As one member stated: *We do all this hard work. We do complaint warrants and safety notices, and all these things like that, and they go to court and either the AFM says they don't want it, or the judge looks at it and goes, "Oh, I don't know why they've done this for." Like, "Oh, no, you don't need an order," or, "We'll just give you one with limited 5 conditions that you can't commit family violence." It's like, "Oh, well, that's great." We've done all this stuff we're going to cop it down the track but the judge was the one who said we don't need it.*⁶² The issue of disjuncture between police assessments of the need for a FVIO and a Magistrates reading of the same situation is a key frustration for members: *There is such a big push for family violence and for us to do something, yet we're not given the ability to do it. We have to rely on a single magistrate in three weeks' time, looking at a piece of paper that we've written to say "Oh yeah, it looks like it might be bad," whereas we were there. We saw what happened. We saw how distressed the AFM was. We saw how disgustingly aggressive and ice-affected the respondent was. We know what happened. We know that it's deserved. Yet it's someone else's decision. And then [when the order is not granted] we get told, "Well, why didn't you do this? You didn't do enough."*⁶³

With respect to sentencing offenders on family violence related charges, many members suggested that Magistrates were all too often lenient. This is particularly the case with leniency shown to breaches of intervention orders. The over-reliance on fines and relatively brief custodial sentences imposed by Magistrates is a source of great frustration. The perception of a 'soft' approach to offenders extends to the decision-making of bail justices: *You go through all that effort to remand these people and they come out and go, "Oh yeah, he threatened to kill her and there's 152 breaches, but, you know what, he'll be fine." "You can report on Wednesday. There's no problem." "He'll be right." That's ridiculous.*⁶⁴ *It is clear that recent reforms encouraging members to apply for orders on a victims behalf and adherence to pro-arrest approach can only be as strong as the response these actions meet in the courts.*⁶⁵ It is the experience and perception of members that the courts do not currently reflect the seriousness with which family violence is treated by police.

Impacts and outcomes

Disengagement of victims: A concerning impact of delays in the current system is that victims is an increasing likelihood that victims become dissatisfied with police, further discouraging future reporting. Police have carriage of victims before matters are heard. As such frustrations concerning lengthy delays are often directed at members. Similarly, with respect to the inconsistent practices of Magistrates, members suggest that victims increasingly lose faith in the protective powers of the justice system, making it less likely that they will seek justice responses in the future.

⁶¹ Centre for Innovative Justice (2015) *Opportunities for Early Intervention: Bringing perpetrations of family violence into view*, Melbourne: RMIT University, p. 20

⁶² First Responder, Metropolitan Region.

⁶³ First Responder, Metropolitan Region.

⁶⁴ Sergeant, Metropolitan Region.

⁶⁵ Centre for Innovative Justice (2015) *Opportunities for Early Intervention: Bringing perpetrations of family violence into view*, Melbourne: RMIT University, p. 22

2.4 Integration issues

Determining integrative and collaborative solutions to family violence is a key aim of the Commission. It is acknowledged that historically service ‘silos’ have existed, with agencies developing ‘separate goals, procedures and understandings of the issues and problems to be addressed by them.’⁶⁶ In the context of the reforms identified in the preceding Chapter, Victoria Police has an extensive history of collaboration and integration with appropriate departments and services. Recent times have seen a steady increase in the implementation of collaborative agreements and inter-departmental protocols. Nonetheless, members identified two key concerns with respect to current integration pathways.

Inconsistency in Referral Pathways: Members reported local-level differences in integration with local and statewide services. Key issues seen to contribute to this difference include:

- Significant differences in the existence and level of availability of services dependent on geographical location.
- Differential levels of integration and connection with those services that are available.
- The strength of connection is often dependent on the establishment of one-on-one relationships. When members move out of a role - for example through standard rotation in an FVTU - that relationship is generally lost.

Further, members identified a number of deficiencies or absences with respect to current referral pathways. Primarily, members noted the lack of referral pathways available to respondents/offenders, consistently highlighting the lack of crisis accommodation services for men in addition to general referral options. This lack represents to many members an inability to tend to underlying and intersecting contributing factors to family violence with respect to perpetrator intervention. Recent research has described the need for an increase in active Mens’s Referral Services which ‘can provide case coordination, support speedier inter-agency collaboration and ongoing contact with perpetrators prior to a court appearance.’⁶⁷ Members further identified the lack of services for male victims and for female respondents/perpetrators.

Expansion of the Police Role: Victoria Police offers a 24 hour a day, 7 day a week response option for victims of family violence. The role of police in responding to family violence is ever-increasing and evolving: *We’ve come to a stage where we’re doing the work of external agencies and providing support. We’re going around doing follow-up visits which, to one degree, [with] your first-time incidents may prevent further incidents from occurring, however in the majority of cases should be done by a social worker.*⁶⁸ Members identified a range of tasks as being beyond the role of policing, including: performing ‘out of hours’ welfare checks (particularly over the weekend), assisting victims in collecting their belongings from empty house and accompanying social workers on welfare visits for which there are no safety concerns. The following is a typical example: Then they’ll ring on a Friday and say, “Can you get someone to do a welfare check on X tonight and maybe tomorrow and let us know if you think there’s any alcohol”. Well, hang on a minute, that’s not our role to be doing that sort of stuff.⁶⁹

Impacts and outcomes

Further drain on resources: The time consuming nature of many of these tasks has a detrimental impact across frontline policing and in many circumstances prevents proactive policing, as the following member states: *Entire shifts are being spent with a member accompanying social workers on visits to perform brief welfare checks. These are only performed when there is no risk to the worker. There’s absolutely no reason for it because that’s an entire shift where you can’t do anything to follow up on - you know, on someone who has threatened to - to kill their mother and is out, we are unaware of whereabouts, and has a complaint and warrant after them. Instead of being able to go and look for them, you’re escorting someone around to do these visits, which is just a waste.*⁷⁰ Despite these frustrations, members consistently acknowledged that many of the services and departments tasked with assisting victims of family violence suffer chronic underfunding and understaffing. Further, members are keenly aware the increase in family violence related calls to police is mirrored by a sharp increase in referrals and victim-generated contact with services.

⁶⁶ Wilcox, K., (2010), Connecting systems, protecting victims: towards vertical coordination of Australia’s response to domestic and family violence, *UNSW Law Journal*, 33(3), p. 1013.

⁶⁷ Centre for Innovative Justice (2015) *Opportunities for Early Intervention: Bringing perpetrations of family violence into view*, Melbourne: RMIT University, p.7

⁶⁸ First Responder, Metropolitan Region.

⁶⁹ First Responder, Western Region.

⁷⁰ Sergeant, Metropolitan Region.

Ethical issues: In addition to performing duties beyond their role and training, there are a number of practicalities of this action that pose issues for members. Involvement in men's referral and follow up in particular presents ethical concerns for our members. In performing this work, members can be seen as a support resource for respondents/offenders - a view that complicates any further action that police may have to take against these same individuals. In the event that arrest and/or charge is warranted during the follow up period, both follow up and police action become complicated. There is a clear need for a definition and demarcation of the police role.

PART THREE: OPPORTUNITIES FOR THE IMPROVEMENT OF RESPONSES

*'We still respond to more than 600 events a day in Victoria. Those numbers are still way too high.'*⁷¹

In this Chapter we propose a series of recommendations to address the current challenges raised in the preceding Chapter. Each recommendation related to projected benefit. Throughout we provide a description of the common suggestions made by members as to how current processes could be rendered more effective and streamlined. In the first section, future effectiveness in responding to family violence is explicitly tied to an increase in resourcing and a reduction in unnecessarily time consuming processes. To this end, we identify a series of resource and directive-based short and medium term improvements that would be of immediate benefit in ensuring a consistent, state-wide policing response to family violence. We also discuss long term infrastructure changes to minimise gaps in service and bolster the work of family violence units. This endeavor necessarily requires a consideration of current data systems and information sharing. As such, we discuss the long term goal of updating Victoria Polices' information technology to allow for the case management and coordination of family violence.

In the second section of this Chapter we report on members perspectives concerning the future integrated and collaborative response to family violence. In light of the issues highlighted in Part Two, this section discusses how police and external agencies can work to support each other. This discussion focusses on strengthening referral pathways and further enhancing police engagement with of civil and criminal court process. We also acknowledge the need to increase resourcing in the family violence sector to allow for a better demarcation and definition of police role, and to ensure that members are not performing duties better suited to those who have been trained to provide social and welfare based services in the context of family violence.

3.1 Resourcing considerations

Across the state, under-resourcing was identified by members as the cause of almost every challenge noted in the preceding Chapter. Historically, police numbers have been loosely matched to population size, rather than crime rates or the likely need for police services. Police numbers also generally do not seek to match the emergence of, or increase in, specific forms of crime. The result of this is a wide variation in understaffing ratios. Indeed, throughout consultations members assessment of number of additional frontline police needed in their respective Police Service Areas (PSA) reflected this variation.

3.1.1 An increase in police numbers

In order to provide an illustration of the current understaffing affecting police service delivery, we will draw on a recent analysis performed by the Association with respect to adequate numbers of frontline police. In order to contextualise this analysis it is important to note that despite an increase in police numbers since 2011, barely a third of these officers currently work on the front line. At present, Victoria's ratio of first response police to population is 102 per 100,000, the lowest it has been for years and among the lowest in the nation, according to the Productivity Commission.⁷²

Recommendation 1: In order to tend to the ever-growing community need with respect to family violence a significant increase in frontline numbers is required as a matter of urgency.

Toward the end of 2014, the Police Association commissioned demographic experts *.id consulting* to undertake a projection the rate of population growth in the state of Victoria for the years 2015-2019.⁷³ As

⁷¹ N Bucci, Victoria Chief Commissioner Graeme Ashton: in his own words, *The Age*, May 25 2015. At

<http://www.theage.com.au/victoria/victoria-police-chief-commissioner-graham-ashton-in-his-own-words-20150525-gh94un.html>.

⁷² Productivity Commission, Reports on Government Services 2015, <http://www.pc.gov.au/research/recurring/report-on-government-services/2015/justice/police-services>.

⁷³ Legal Notice: The Report is prepared only for use by the person/entity who commissioned the Report and may only be used for the purpose for which it was commissioned. ID accepts no liability in connection with the recipient's use or reliance on the Report.

ABS Data - The content of much of this Report is based on ABS Data. ABS Data and the copyright in the ABS Data remains the property of the Australian Bureau of Statistics. The source ABS Data may be accessed from www.abs.gov.au, and may be used under license on terms published on the ABS website.

In relation to ABS Data ID accepts no liability with respect to the correctness, accuracy, currency, completeness, relevance or otherwise of the ABS Data.

Forecast Data - remains the sole and complete property of ID is supplied in this Report on the following basis:

- ID provides Forecast Data in good faith but the accuracy, relevance, correctness, completeness and currency of such Forecast Data is subject to variation as a result of changes in ABS Data and other factors outside of the control of ID including but not limited to economic, environmental, political, legal and seasonal changes;

population growth largely drives crime rates and demand for policing services, this research has enabled us to calculate how many extra first response police are required just to maintain the current average ratio of 102 first-response police for every 100,000 people. This research found that, in light of an expected population growth of 8 percent in Victoria between now and 2019, the state of Victoria will require an additional 1880 extra first-response police officers across the state just to maintain the existing ratio of first-response police to population, which already stands among the lowest in the country. It should be noted that this figure does not take into account the impact of current anti-terrorism security measures that require frontline members to work in pairs. This policy has been projected to have a significant impact on patrol capacity.⁷⁴ Nor does this figure take into account any future increase in family violence reporting. Both of these issues will cause considerable further strain in regional areas. These areas are typically under-resourced on the frontline, with members often working alone, and are subject to higher rates of family violence.⁷⁵

3.1.2 Allocation of resources based on need

Throughout our consultations, members identified differing levels of need in relation to the estimated increase required to adequately respond to family violence in their PSA. Members suggested that an analysis be undertaken to assess population-based deficits at the PSA level:

*I think the organisation also has to look at where they're resourcing their units. We're in a growth corridor, and our PSA is aware of that, our divisional management is aware of that, and the State is certainly aware of that. But yet they are not finding the resources to pump up what's going on out here.*⁷⁶

The Association has undertaken an analysis of current and projected deficits for frontline members across all Victoria PSAs to demonstrate current and projected deficiencies in staffing levels based on the minimum benchmark figure of 102 frontline police per 100,000 people. The following table identifies the 25 PSAs with the highest projected shortage of first responders over the next four years. This table depicts the difference between first-response police officers as at June 2014, and first-response police officers required by the year 2019 to maintain the baseline state ratio.

-
- Actual results may vary from Forecast Data and any variation may produce materially positive or negative results, such results for which ID accepts no liability;
 - By providing Forecast Data, ID should not be considered as giving a recommendation in relation to the subject matter of such Forecast Data.

Copyright © 2014 I.D. (Informed Decisions) Pty Ltd ACN 136 538 951. All rights reserved.

⁷⁴ 3AW, Acting top cop says there will be consequences for anti-terrorism measures, May 20 2015. At <http://www.3aw.com.au/news/acting-top-cop-says-there-will-be-consequences-for-antiterror-measures-20150520-gh5mv6.htm>; ABC, Victoria Police Officers no longer allowed to work solo due to security threat, Updated 8 May 2015. At <http://www.abc.net.au/news/2015-05-08/victoria-police-officers-no-longer-allowed-to-work-solo-amid-he/6454192>.

⁷⁵ The Age. Willingham, R, Family violence rates higher in Victoria's country areas, Published March 3 2015. Viewable at: <http://www.theage.com.au/victoria/family-violence-rates-higher-in-victorias-country-areas-20150303-13th4x.html>

⁷⁶ Sergeant, Metropolitan Region.

Table 1. Police Service Area Frontline Staffing Requirements 2014-2019

Police Service Area	First-response police officers 2014	Total Population 2019	Total Population 2014	% Pop Increase 2014-2019	First-response police officer per 100 000 residents 2014	Additional First response police officer required to reach benchmark of 102	Shortage of first-response police officers
1 Wyndham	88	241685	195292	24%	45	159	159
2 Casey	165	313933	276944	13%	60	155	155
3 Whittlesea	118	223972	186339	20%	63	110	110
4 Glen Eira*	49	149455	141800	5%	35	103	103
5 Moreland	87	170879	161536	6%	54	87	87
6 Monash	113	193388	184365	5%	61	84	84
7 Melton	76	153532	128485	19%	59	81	81
8 Melbourne**	355	142305	116450	22%	305	0	79
9 Whitehorse	94	168450	162183	4%	58	78	78
10 Manningham	53	126172	120352	5%	44	76	76
11 Boroondara	111	177968	170691	4%	65	71	71
12 Hume	151	208811	184535	13%	82	62	62
13 Geelong	196	244457	226800	8%	86	53	53
14 Bayside*	61	103515	98906	5%	62	45	45
15 Brimbank	159	197100	194111	2%	82	42	42
16 Knox	126	161729	156810	3%	80	39	39
17 Cardinia	71	105256	87487	20%	81	36	36
18 Darebin	129	158480	148825	6%	87	33	33
19 Maribyrnong	57	87075	79406	10%	72	32	32
20 Moonee Valley	94	119922	115919	3%	81	28	28
21 Banyule	110	128582	124726	3%	88	21	21
22 Stonnington	96	112973	105427	7%	91	19	19
23 Yarra Ranges	143	157015	151337	4%	94	17	17
24 Mitchell#	101	54917	48004	14%	210	0	15
25 Yarra#	125	94695	85665	11%	146	0	13

* Glen Eira PSA is separated into Glen Eira & Bayside LGAs.

** Melbourne based on residential population only and does not include large 'daily population'.

Denotes PSA where 2014 first-response police numbers are higher than the state ratio, it has been assumed that additional police will be required to meet population growth.

Data Notes

- First-Response Police officers as at June 2014 - sourced from The Police Association.
- Total population - forecasts sourced from .id Small Area Forecast Information (SAFi).
- In areas where 2014 first-response police numbers are higher than the state ratio, it has been assumed that additional police will be required to meet population growth.

The additional number of first-response officers required in each individual local government area varies according to the projected population growth in each area. It is clear from the above analysis that the population-based ratio of first responders is considerably lower in some of the state's fastest growth corridors, particularly in outer metropolitan Melbourne. Many of these areas are also subject to high incident rates of family violence. For instance, the growth corridors of Wyndham, Casey and Whittlesea require a substantial increase in numbers of frontline police over the next four years to meet the minimum ratio required. Within these PSAs two of the relevant Local Government Areas report the highest total

number of family violence incidents, with 3752 reported incidents in the City of Casey and 2359 reported incidents in the City of Whittlesea.⁷⁷ The strain on these areas will only increase in the future, further undermining service delivery. The Association submits that if police are to continue the practice of making family violence their top priority the allocation of human resources must be needs based with respect to population growth and relevant crime variables.

Recommendation 2: That future resource allocation is based on an evaluation of need with respect to both projected population growth and measurable variables including rates of family violence reporting.

3.2 Organisational considerations

*'Secondary victimisation occurs when the practices of the system or service provider themselves are disempowering...to victims of violence, or lead to decreased, rather than increased, levels of safety.'*⁷⁸

In this section we describe suggestions made and models proposed by our membership to streamline current approaches and reduce the unnecessary expenditure of resources and time. This will ultimately require members to have a greater degree of flexibility in their response to family violence. We include recommendations toward a continued upskilling and specialisation of all members and a reimagining and refocusing of the work of FVTU. Further, we discuss future infrastructure needs with respect to technology.

3.2.1 Increasing discretion: A flexibility in approach

The issue of discretion is a very difficult one to address. Discretionary powers in relation to responding to incidents of family violence do exist at the legislative level. However, repeated reviews of the Code of Practice and messaging coming from senior management continues to remove and restrict this with respect to family violence. Members consistently reported working under a culture of fear and with reference to a 'worst case scenario'. We provided a discussion in the preceding section outlining many of the practical, time consuming and redundant processes demanded by the removal of discretion. This has significant impact given the chronic under-resourcing experienced across the state. For this reason, our members have advocated for a consideration for management to support the use of discretion to some extent.

Recommendation 3: That current police response to family violence be reviewed with respect to time cost and that members be afforded greater discretion in family violence decision-making.

Throughout our consultations members suggested that at a minimum, police should have the discretion to take into account the wishes of the victim:

*There has to be a degree of discretion. [We don't want to change] the fact that we've got a pro-arrest, pro-charge policy. But let the individual members make the assessment. [We need to be able to] engage the AFMs, being guided by them as to what they want. There's no value or faith placed on members with family violence, whereas, everything else, if you've [made a decision] and acted in good faith and everything, then you're in the clear pretty much.*⁷⁹

It is clear that current practices are not able to appropriately attend to the complexity of human society. Further, current practices undermine the expertise of members and have the potential to negatively impact the relationship between police and victims. Studies suggest that maintaining discretion for authorities is viewed as the most effective approach to policing family violence.⁸⁰ While the Association is appreciative of the underpinning philosophy and reasoning in curtailing discretion, it is clear that these policies have gone too far - to the detriment of both police and members of the community.

3.2.2 Supporting specialisation

'When a young recruit signs up to join the academy it is not necessarily their expectation that intervening in family violence will be a core component of their role... Yet once in the job,

⁷⁷Statistics concerning the highest incident rates per 100,000 people and highest total number of incidents were ascertained from Victoria Police for the years 2013-2014.

⁷⁸ Wilcox, K., (2010), Connecting systems, protecting victims: towards vertical coordination of Australia's response to domestic and family violence, UNSW Law Journal, 33(3), p. 1018.

⁷⁹ First Responder, Metropolitan Region.

⁸⁰ L Tutty, K Wyllie, P Abbott, J Mackenzie, E Ursel J Koshan, The Justice Response to Domestic Violence: A Literature Review, November 2008.

they are required to undertake quite nuanced risk assessment and exercise their professional judgement in what can be fraught and complex situations'.⁸¹

A new recruit at the academy will spend approximately two weeks studying family violence. While one or two days are spent providing context to family violence as a social issue, the majority of this time is spent learning the increasingly complex and convoluted legislative and policy requirements⁸² necessitated by the interface of civil and criminal justice processes. Once on the job, members estimate that 60-70 percent of their time on the frontline is spent tending to family violence matters.⁸³ Despite this, additional training is organised and provided at the local level on an 'as needed' basis. This inconsistent approach to training is highly problematic for members.

In order to address this inconsistency in approach evident across the state, is a reasonable investment in ongoing and in-built training state-wide. As stated earlier, state-wide consistency in response practice should be a future goal for Victoria Police. To achieve this investment in consistent training and upskilling of frontline police is essential.

Recommendation 4: That comprehensive and regular training regarding the complex nature and dynamics of domestic violence be offered to members of Victoria Police. The Association further suggests that future training should have a solid research base and be flexible to localised issues.

In light of the unprecedented increase in family violence reports, and the domination of family violence in frontline member's time, it is imperative that members have appropriate debriefing mechanisms. As discussed in the preceding Chapter, many senior police are concerned with the impact of family violence on morale, particularly with respect to newer members. The Association is further concerned with the potential for delayed psychological impacts of dealing with family violence incidents to this extent day in, day out.

Recommendation 5: That Victoria Police provide programs for members to prevent vicarious trauma as a result of increasing attendance to family violence incidents and promote self-care practices among officers.

3.2.3 Adequate infrastructure for tasking units

In 2010 the Australian Law Reform Commission and New South Wales Law Reform Commission recommended that police should ensure, at a minimum:

- a) specialised family violence and sexual assault police units are fostered and structured to ensure appropriate career progression for officers and the retention of experienced personnel;
- b) all police—including specialised police units—receive regular education and training consistent with the Australasian Policing Strategy on the Prevention and Reduction of Family Violence;
- c) specially trained police have responsibility for supervising, monitoring or assuring the quality of police responses to family violence incidents, and providing advice and guidance in this regard; and
- d) victims have access to a primary contact person within the police, who specialises, and is trained, in family violence, including sexual assault issues.⁸⁴

Currently, there is little research available as to the merit of specialised family violence police units generally. There is cross-sectorial support for Victoria Police to undertake data collection, analysis and review of their 30 Family Violence Units to track success and ongoing challenges.⁸⁵ The Association supports this view.

Recommendation 6: That Victoria Police undertake an evaluation of Family Violence Tasking Units including assessing a consistency in approach and mapping resourcing levels with respect to numbers and equipment.

A further concern articulated by members is the transient and unpredictable nature of assignment to the FVTU. These positions see a high rate of turnover through normal rotation of portfolios. The constant rotation of members within FVTU has a number of clear implications for the development and retention of

⁸¹ MacDonald, A., (2012), Policing family violence, *Parity Magazine*, 25(2), p. 42.

⁸² First Responder, Eastern Region.

⁸³ Median figure provided throughout consultations.

⁸⁴ Australian Law Reform Commission and the New South Wales Law Reform Commission, (2010), Family Violence - A National Legal Response Summary Report, Canberra: Commonwealth of Australia. p. 37. At <http://www.alrc.gov.au/publications/family-violence-national-legal-response-alrc-114-summary>.

⁸⁵ Domestic Violence Resource Centre Victoria (2014), 2014 Victorian Election No More Deaths Campaign: Key Asks, Melbourne: No More Deaths Coalition p.2 at 13. At <http://www.dvrcv.org.au/knowledge-centre/our-blog/no-more-deaths-campaign-update>.

expertise. Throughout consultations members consistently advocated for positions within the FVTUs to become permanent, allowing for the development of expertise and community engagement.

Recommendation 7: That positions on the Family Violence Tasking Unit be re-created as permanent positions.

As discussed in the preceding Chapter, and in addition to the increased training and specialisation of frontline members suggested above, there is a clear need to provide specialist training to those seconded to FVTUs. It has been suggested that the skills required for this role include 'community development, consultation, strategic planning skills and a capacity to challenge one's own institution in order to achieve better outcomes.'⁸⁶ Further, throughout consultations, members consistently recommended that the role of the FVTU be expanded into a highly specialised response, follow-up and coordination role, with the following comment being typical:

Let's get the [FVTU] out there responding, and let's get them out there doing a 24-hour service. Get them out there responding to the [call outs] and then, if they were resourced correctly and resourced completely they can work on your recidivist offenders and really make the time to do the reports, do a proper investigation, which isn't happening at all because of resourcing and time.⁸⁷

It is clear that members are supportive of an expansion and further specialisation of the FVTU role. Many members also suggested that an expansion of this role had the potential to relieve newer frontline members of the negative impacts noted above at 3.2.2. Indeed, there was an additional concern expressed during consultations as to whether the least experienced members should be spending 60-70 percent of their time responding to some of the most volatile and complex situations.

Recommendation 8: That Family Violence Tasking Units be adequately trained as pro-active family violence specialists, and, if appropriate, their role expanded to include crisis response.

It is considered that specialised police at all levels provide contact points for inter-agency collaboration, and may form a key element of integrated responses. Monitoring and supervision by specialised police is likely to improve consistency in the application of laws in the context of family violence.⁸⁸ It is clear from the discussion in the preceding Chapter that Family Violence Tasking Units must be adequately resourced.

3.2.4 Technology: Upgrading data systems

Almost a decade and a half into the twenty first century, Victoria Police labours with twentieth century technology.⁸⁹

As discussed in the preceding Chapter, the technology relied on by members to record and process family violence incidents generally hinders, rather than assists, their work. The *Victoria Police Blue Paper* identifies many of the key challenges of this technology echoed by members, including that multiple applications and databases:

- do not share information;
- do not contain an adequate security or audit function;
- do not support organisation-wide, end-to-end business processes; and
- require duplication of information and manual data entry.⁹⁰

In the context of family violence, this increases the time-cost of service delivery and delays finalisation of interim FVIOs and criminal matters. Indeed, there is currently no adequate interface between LEDR Mk 2 and LEAP systems - causing excess work for members when a combination of civil and criminal justice processes are applied. In 2009, the Ombudsman described the LEAP database as 'unsuited to a twenty first century approach to policing.'⁹¹ The need for an update and integration of Victoria Police technology infrastructure is long overdue. In light of the aim of increasing future information sharing capacities within

⁸⁶ Joint Submission to the Australian Law Reform Commission, Family Violence: Improving Legal Frameworks, June 2010. Submitted by Domestic Violence Victoria, Federation of Community Legal Centres Victoria, Domestic Violence Resource Centre Victoria, Victorian Women with Disabilities Network. P. 74 At http://www.fclc.org.au/public_resource_details.php?resource_id=1500.

⁸⁷ Manager, Western Region.

⁸⁸ Australian Law Reform Commission and the New South Wales Law Reform Commission, (2010), Family Violence - A National Legal Response Summary Report, Canberra: Commonwealth of Australia. p. 36-37. At <http://www.alrc.gov.au/publications/family-violence-national-legal-response-alrc-114-summary>.

⁸⁹ Victoria Police Blue Paper: A Vision for Victoria Police in 2025, Victoria Police, May 2014. p. 20. At http://www.police.vic.gov.au/content.asp?a=internetBridgingPage&Media_ID=102508.

⁹⁰ Victoria Police Blue Paper: A Vision for Victoria Police in 2025, Victoria Police, May 2014. p. 20. At http://www.police.vic.gov.au/content.asp?a=internetBridgingPage&Media_ID=102508.

⁹¹ Ombudsman Victoria (2009) Crime statistics and police numbers, Victoria Government, p. 8

the cross-sectorial approach to family violence, establishing a user-friendly and efficient system should be prioritised.

Recommendation 9: That Victoria Police prioritise the long overdue implementation of adequate technology infrastructure in light of the move toward an increase in data sharing capacity.

The need to move toward mobile technology has long been on the radar for Victoria Police. With specific reference to family violence, members consistently identified benefits of being able to complete necessary paperwork remotely:

If you had a laptop you could do it all while you're sitting around the kitchen table. Get it knocked over and then move onto the next job. Because you're doing it all anyway in your notebook. You get verbal family violence incidents- you might go to two or three a shift. And, if you're busy, you can't go back to the station to do the first lot of reports. So you're at the back end of the shift and you've got three lots 10 of reports to do.⁹²

Consideration must be given to a mobile information technology solution to covering the gaps noted by members. In addition to reducing time spent at the station and a double up in recording practices, the effect of registering notices and orders in real time has the potential to increase victim safety. 'Real time' recording of FVSNs and FVIOs, as well as respondent information will ensure that all members have up to date information concerning respondents that may be encountered by members other than the informant in the period following the incident.

Recommendation 10: That future developments with respect to technology include the adoption of mobile devices to allow FVSNs and interim FVIOs to be processed 'on scene' or 'on the road'.

In consideration of the role out of improved technology, Victoria Police will have to account for future information sharing practices. As asserted in the Blue Paper:

An organisation-wide view of information, which includes data integrated from partner agencies, must overcome information silos, promote holistic solutions to challenging and complex societal problems, and better equip police to fight crime rather than the system.⁹³

Enhancing information sharing practices is necessary to ensure future integration. Current information sharing and collaboration is more prevalent with respect to perpetrators considered high risk. As a result, there is an attrition of monitoring activities between the large number of offenders coming into contact with police and the small number monitored on an ongoing basis by collaborations. This is, in part, a resource issue. Limited police numbers, even within FVTUs, necessitate the monitoring of those offenders considered high risk. In the context of family violence there is a need to develop better systems for sharing information, particularly in the context of privacy or professional confidentiality rules. Members are supportive of information sharing systems that involve shared access to databases in addition to continuous updating at regular cases management meetings.⁹⁴ However the Association submits that any future increase to data sharing, monitoring requirements and/or case management must be met with a commensurate increase in police numbers.

3.3 Improving justice responses

As highlighted in the preceding section, there are many aspects to the current justice processes that are unnecessarily time consuming in nature. In light of the drastic levels of under-staffing discussed above, every effort must be made to decrease unnecessary time wasting processes. To this end, members provided two clear recommendations that would save time in responding to family violence incidents, thus increasing response capabilities.

Family Violence Safety Notices

As discussed in the preceding Chapter, many members noted that the provision to administer FVSN in the field is not practicable as the process requires authorisation by a Sergeant,⁹⁵ as Sergeants are often not available to attend all scenes. As a result first responders are most often required to bring the respondent to the station to complete the application of a safety notice. This can be an incredibly time consuming process. This issue is particularly prevalent in regional areas.

⁹² First Responder, Metropolitan Region.

⁹³ Victoria Police Blue Paper: A Vision for Victoria Police in 2025, Victoria Police, May 2014. p. 48. At http://www.police.vic.gov.au/content.asp?a=internetBridgingPage&Media_ID=102508.

⁹⁴ Wilcox, K., (2010), Connecting systems, protecting victims: towards vertical coordination of Australia's response to domestic and family violence, UNSW Law Journal, 33(3), p. 1033.

⁹⁵ Family Violence Protection Act 2008 (Vic) s24 (a)-(e).

Recommendation 11: That the Commission consider expanding the authority to issue a Family Violence Safety Notice to include members of Senior Constable or higher rank in s.24-26 of the Family Violence Protection Act 2008 (Vic).

Recording No Further Police Action

A significant drain on police time and resources is the requirement to prepare a full brief of evidence, in spite of the obvious lack of evidence or against the wishes of the victim. This is a time consuming process designed to demonstrate that a full investigation was completed. The Association is appreciative of the need to provide accountability for the decision not to charge a respondent. However, we submit that a less time consuming process is reasonable.

Recommendation 12: That alternative recording practices be considered in those circumstances in which a victim does not wish to engage with the investigation process.

Penalties for family violence-related crime

Of strong concern to our members are the inconsistent and inadequate sentences imposed upon a convicted perpetrator of family violence, which are rarely seen to reflect the gravity of the crime committed nor the strong response given by police.⁹⁶ Inadequate sentencing options for breaches of FVIO and an over-reliance on fines and relatively brief custodial sentences imposed by Magistrates for family violence related offences is a source of great frustration. However, there exist opportunities to tend to members concerns regarding the inconsistency and leniency of Magistrates.

Recommendation 13: That current penalties for family violence related offences be reviewed.

3.4 Toward better integration

*'One of the frustrating things for police is some of the underlying causes to the problems that they interact with every day of the week. They do not have the answers or the solutions to them, but other agencies do.'*⁹⁷

The interchangeable use of the terms 'interagency', 'multi-agency', collaborative', 'integrated' or 'coordinated' does not adequately describe program response structures in a manner that is consistent with program governance realities.⁹⁸ There is a need for definition of governance responsibilities with respect to a definition of roles and future protocol development. Specifically, many cross sectorial policies currently described as 'integrated' are largely one directional in their application. Components of successful integration have been identified as:

- shared aims, shared definitions of family violence and shared knowledge about the assessment of risk;
- respect for professional expertise across disciplines and agencies;
- adequately trained and professional staff;
- willingness to sacrifice some professional autonomy for the goal of practice unity;
- focus on victim safety and perpetrator accountability;
- willingness to change organisational practice to meet the aims of the response and develop operating procedures to achieve this; and
- commitment to continual self-auditing, with data collection and monitoring processes to enable this.⁹⁹

An aspect of moving toward the goal of increased collaboration requires a clear and consistent demarcation of police work. As identified in the preceding section, the current response to family violence required by policing sees many members acting in roles outside of their profession and capacity. Throughout consultations, this expansion of the policing role was consistently attributed to the current strain placed on the family violence sector by the increase in reporting and concomitant referrals. Members recognise that addressing family violence involves a coordinated and collaborative effort, and further acknowledge the under-resourced nature of many victim-focused external departments and organisations. It is a key frustration of policing family violence that current funding levels restrict referral options and ensure limited hours of service provision. Members consistently identified the need for extended service hours:

⁹⁶ MacDonald, A., (2012), Policing family violence, *Parity Magazine*, 25(2), p. 43.

⁹⁷ Legal Affairs and Community Safety Committee, Inquiry on Strategies to prevent and reduce criminal activity in Queensland, Report No. 82, Queensland Parliament, November 2014, p 156, in Centre for Innovative Justice (2015) Opportunities for Early Intervention: Bringing perpetrations of family violence into view, Melbourne: RMIT University, p. 49 .

⁹⁸ Wilcox (2008) cited in Healy, L and C. Humphreys (2013), Governance and interagency responses: improving practice for regional governance - a continuum matrix, Topic paper No. 21, Sydney: Australian Domestic and Family Violence Clearinghouse, p. 1.

⁹⁹ Wilcox, K., (2010), Connecting systems, protecting victims: towards vertical coordination of Australia's response to domestic and family violence, *UNSW Law Journal*, 33(3), pp. 1033-1034.

Most family violence agencies only work business hours. We believe service provision by these agencies should be urgent and immediate post the family violence event and as such would require agencies to operate 24hrs a day 7 days a week.¹⁰⁰

Further, members are supportive of programs that have been shown to effect behaviour change. For this reason, members lamented their limited ability to provide referrals to perpetrator programs such as violence and drug and alcohol rehabilitation programs; attending courses or counseling; men's behavior change programs; psychiatric assessment and treatment; anger management programs and other therapeutic interventions. The lack of accommodation options for men subject to FVSNs and FVIOs is of particular concern. It follows that better integration and collaboration with these bodies is reliant of adequate resourcing of same.

Recommendation 14: That support is provided to encourage integrated responses to family violence by police and support services that include a set of common policies and objectives. Further that support services be supported to operate with extended hours.

¹⁰⁰ Inspector, Western Region.

PART FOUR: ISSUES OF IMPLEMENTATION

This Chapter addresses issues of future implementation, and highlights the need to avoid typical issues of change management. It outlines the requirements of our members with respect to future changes to infrastructure and policy. We take lessons from the short comings of previous approaches to implementation, identifying best practice approaches according to our membership. This includes an expansion of measurement tools with respect to ‘successes’ in addressing family violence. This Chapter also highlights the need for an organisational system of consistent evaluation and revision of practice that takes into account the expertise and day-to-day experiences of police. We suggest that evaluation and revision be built into every pilot program and policy change. We close this Chapter by discussing the need to remain consultative with members throughout future changes and work to ensure continued engagement with the changing family violence landscape.

4.1 Establishing a baseline measurement

At present the statistical landscape with respect to family violence is dominated by Victoria Police crime statistics, often leading to a crime-based discussion of future direction. Police data does not reveal the extent to which courts, prisons, hospitals, community services, schools and workplaces are affected by family violence.¹⁰¹ While some relevant data is collected by these agencies, these datasets are largely self-referential, and are not comparable or capable of external cross-collation. This is compounded by the fact that methods of measurement as well as the definitions of variables are inconsistent across the family violence sector, while incidents reported to police rarely correspond with broader measurements.¹⁰² In this context, the Association welcomes the future implementation of the Victorian Government Family Violence Index.¹⁰³ The expansion of indicators will more accurately contextualise family violence within the broader social framework.

4.2 Performing consistent evaluation and revision of practice

With respect to measuring both the extent of family violence and the success of legislative, organisational, procedural and systemic change, Victoria Police faces both internal and external challenges. Currently, Victoria Police crime statistics drive evaluation of family violence response. Typically, measures of success in policing are established with reference to crime rates, including arrest rates and order rates. Defining success rates by the level of FVSN, FVIO or charges made is in line with the current organisational removal of discretion. This practice is highly problematic with respect to the successful policing of family violence for a number of reasons. Currently, the increase in reporting is viewed as a positive statistic, as is a reduction in recidivism. This second figure however is inherently unreliable. A focus on this form of measurement does not take into account the nuanced process of determining the best outcome.

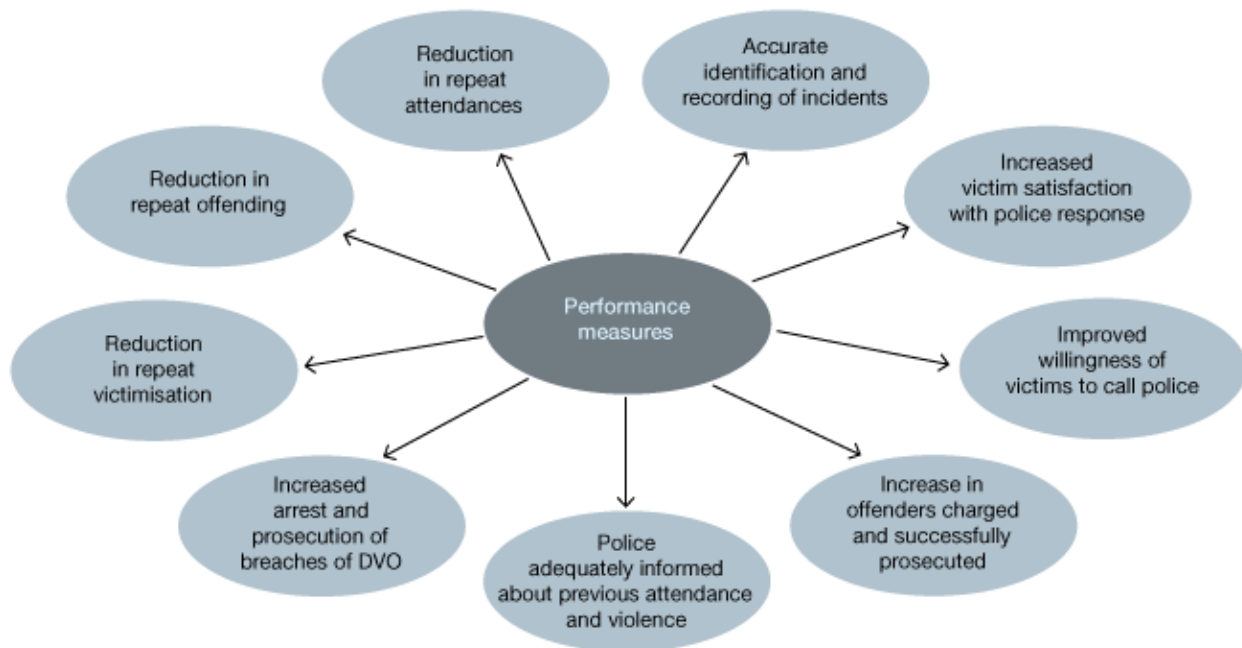
Further, a cursory analysis of crime statistics will not reveal the success or failure of any given policy or protocol. Such statistics do not reveal victim satisfaction with police - a key indicator of success. With respect to assessing the effectiveness of FVTUs, for example, a reduction in recidivism is but one indicator of the success and impact of members work. In the absence of structured and regular evaluations of practice, the current issue is that crime statistics and rates of FVSN and FVIO applications stand in for an assessment of police performance. With respect to measuring the future success of police responses to family violence, it is clear that determinants need to move beyond statistical indicators of incident outcome. In light of the discussion offered in the preceding Chapter, we suggest that assessments of success need to move toward a ‘victim satisfaction’ approach. With the ever-expanding role of police with respect to family violence and the continued focus on victim safety, it is imperative to have a baseline understanding of victim experiences. Further, family violence is an incredibly complex social issue. In order to accurately assess the policing of this crime, it must be recognised that police currently form *part* of the required response. As such, measurements of success must be multifaceted to capture the complexity of the issue. Rollins and Taylor offer the following model as a guide:

¹⁰¹ Victorian Government, Measuring the Toll: The Family Violence Index, May 2015. p. 4. At <https://4a5b508b5f92124e39ff-ccd8d0b92a93a9c1ab1bc91ad6c9bfdb.ssl.cf4.rackcdn.com/2015/05/150518-Measuring-the-Toll-The-Family-Violence-Index.pdf>

¹⁰² Centre for Innovative Justice (2015) Opportunities for Early Intervention: Bringing perpetrations of family violence into view, Melbourne: RMIT University, p.14; ABS, Recorded crimes - victims, Australia, No. 4510.0, ABS, Canberra, 2011. J Guy with L Feinstein & A Griffiths, Early Intervention in Domestic Violence and Abuse, Full Report, Early Intervention Foundation, UK, 13 March 2014, p 81. At <http://www.eif.org.uk/publications/early-intervention-in-domestic-violence-andabuse-full-report/>

¹⁰³ AAP, Victoria to introduce world-first domestic violence index, The Age, May 17 2015. At <http://www.theage.com.au/victoria/victoria-to-introduce-worldfirst-domestic-violence-index-20150517-gh3drk.html>

Figure 1: Multifaceted approach to measuring police performance in family violence.¹⁰⁴



Recommendation 15: That collection of data to measure police response to the issue of family violence expand to include qualitative information regarding victim and respondent/offender experiences and understandings of their contact with police.

It is acknowledged that the outcomes of complex policy amendments are often difficult to distinguish and monitor. However, there is a need to identify what works and where systems fail throughout the family violence response sector through accurate, timely and thorough data collection and independent evaluation.¹⁰⁵ Evaluations play an important function of effective and sustainable policy delivery. As is the case with policy design, evaluations must be sensitive to the values and culture of the people concerned.¹⁰⁶

As established in Part One to this submission, there exists very little in the way of formal evaluation of the policy and protocols introduced over the past decade. With respect to policing family violence, evaluations should take account of the level of resourcing required in comparison to safety outcomes for victims. This evaluative measure relates to the determination of adequate resourcing appropriate to the *level* of coordination proposed. Failing this, 'token references to 'integration' in program development may mask a poorly conceived strategy, which is neither resourced nor developed to address any change away from the service autonomy end of the spectrum. Little by way of enhancement of victim safety or reduction of violence can be expected in these circumstances.'¹⁰⁷

The Association submits that future policy implementations and pilot programs involving members should have inbuilt and budgeted evaluation processes. Evaluations should to some extent assess service provision. This assessment would be inclusive of community experience. Where possible, these evaluations should assess the level of resourcing required to implement policies and programs effectively, and determine whether these needs are being met. There must be consistent and regular information sharing regarding these evaluations with members.

¹⁰⁴ Rollings K and N Taylor, Measuring police performance in domestic and family violence, Trends & Issues in crime and criminal justice, No. 367, December 2008. p.3.

¹⁰⁵ Domestic Violence Resource Centre Victoria (2014), 2014 Victorian Election No More Deaths Campaign: Key Asks, Melbourne: No More Deaths Coalition p.2 at 20. At <http://www.dvrcv.org.au/knowledge-centre/our-blog/no-more-deaths-campaign-update>

¹⁰⁶ Loxton, D, Hosking, S, Williams, S, Brookes, J, and J. Byles, (2008) Selected domestic and family violence prevention programs: An evidence check rapid review brokered by the Sax Institute for the Violence Prevention Coordination Unit, NSW Department of Premier and Cabinet.

¹⁰⁷ Wilcox, K., (2010), Connecting systems, protecting victims: towards vertical coordination of Australia's response to domestic and family violence, UNSW Law Journal, 33(3), p. 1036.

Recommendation 16: That future reform policies and pilot programs have an inbuilt and budgeted evaluation cycle that identifies levels of resourcing and time cost.

4.3 Ensuring the engagement of members

It has previously been stated that historically there has been ‘an over-reliance on passionate leadership and an under-reliance on embedding change and skill development within the force [which] runs the risk of undermining the good work that Victoria Police is doing in prioritising family violence.’¹⁰⁸ Throughout our consultations, members expressed a frustration with the lack of dialogue between frontline members and those drafting and implementing policy. The key outcome of the lack of consultative approach has been described throughout this submission; well-intentioned reforms are losing impact on the ground due to unforeseen strain on resources and time, as the following member articulates:

*[With] family violence coordination in its entirety, I think there’s a lack of direction, a lack of information, a lack of consultation from the Family Violence Coordination Unit. I think they could ask a lot more of what’s going on out in the suburbs. Constantly you just see strategies being implemented without any consultation to troops working the floor. [First Responders] are doing the work but - and [the Family Violence Coordination Unit] are very keen to bring out all these strategies without knowing what’s really going on out there, they’re just creating more work.*¹⁰⁹

The Association submits that members should be widely consulted on any significant proposed future reform. Frontline members in particular are best placed to evaluate any foreseeable consequences for resourcing and time management. Members should further be consulted as to what constitutes best practice in frontline policing. Without adequate consultation, the impact of future reforms is lessened.

Recommendation 17: That members be consulted on substantive changes to frontline practice as a matter of course.

¹⁰⁸ MacDonald, A., (2012), Policing family violence, Parity Magazine, 25(2), p. 42.

¹⁰⁹ First Responder, Metropolitan Region.

CONCLUSION: A SUMMARY OF RECOMMENDATIONS

The following table is populated by the Associations substantive recommendations with respect to both implementation timeframe. Given the range of recommendations submitted by the Association, it is important to represent both a realistic implementation plan.

Table 2. Recommendations by implementation timeframe.

Recommendation	
Short Term	<p>Recommendation 1: In order to tend to the ever-growing community need with respect to family violence a significant increase in frontline numbers is required as a matter of urgency.</p> <p>Recommendation 2: That future resource allocation is based on an evaluation of need with respect to both projected population growth and measurable variables including rates of family violence reporting.</p> <p>Recommendation 3: That current police response to family violence be reviewed with respect to time cost and that members be afforded greater discretion in family violence decision-making.</p> <p>Recommendation 4: That comprehensive and regular training regarding the complex nature and dynamics of domestic violence be offered to members of Victoria Police. The Association further suggests that future training should have a solid research base, and be flexible to localised issues.</p> <p>Recommendation 5: That Victoria Police provide programs for members to prevent vicarious trauma as a result of increasing attendance to family violence incidents and promote self-care practices among officers.</p> <p>Recommendation 6: That Victoria Police undertake an evaluation of Family Violence Tasking Units including assessing a consistency in approach and mapping resourcing levels with respect to numbers and equipment.</p> <p>Recommendation 11: That the Commission consider expanding the authority to issue a Family Violence Safety Notice to include members of Senior Constable or higher rank in s.24-26 of the Family Violence Protection Act 2008 (Vic).</p> <p>Recommendation 12: That alternative recording practices be considered in those circumstances in which a victim does not wish to engage with the investigation process.</p> <p>Recommendation 17: That members be consulted on substantive changes to frontline practice as a matter of course.</p>
Medium Term	<p>Recommendation 7: That positions on the Family Violence Tasking Unit be re-created as permanent positions.</p> <p>Recommendation 8: That Family Violence Tasking Units be adequately trained as pro-active family violence specialists, and, if appropriate, their role expanded to include crisis response.</p> <p>Recommendation 13: That current penalties for family violence related offences be reviewed.</p> <p>Recommendation 15: That collection of data to measure police response to the issue of family violence expand to include qualitative information regarding victim and respondent/offender experiences and understandings of their contact with police.</p> <p>Recommendation 16: That future reform policies and pilot programs have an inbuilt and budgeted evaluation cycle that identifies levels of resourcing and time cost.</p>
Long Term	<p>Recommendation 9: That Victoria Police prioritise the long overdue implementation of adequate technology infrastructure in light of the move toward an increase in data sharing capacity.</p> <p>Recommendation 10: That future developments with respect to technology include the adoption of mobile devices to allow FVSNs and interim FVIOs to be processed 'on scene' or 'on the road'.</p> <p>Recommendation 14: That support is provided to encourage integrated responses to family violence by police and support services that include a set of common policies and objectives. Further that support services be supported to operate with extended hours.</p>

Summary of recommendations

It is clear that the provision of adequate and consistent responses to family violence in Victoria requires an urgent increase in police numbers. The figures we have provided in this submission represent the bare minimum in numbers to adapt to population growth alone. These figures do not address recent security-related policy that have reduced available police resources, nor account for any future increase in family violence reporting rates. We further suggest that to effectively respond to family violence, the allocation of current and future members must be based on need. Given the extreme nature of under-resourcing currently it is important to find ways to minimise unnecessarily time consuming processes. This involves handing back a degree of discretion to those who are dealing with family violence 24 hours a day, 7 days a week. Further, future endeavors, including expansion of specialist units and the introduction of multi-disciplinary centers must have an adequate level of resourcing - a level determined by a solid research base.

Police play an integral part in the administration of justice and the facilitation of referral pathways. Members concerns with the inconsistent and often lenient approach experienced in the civil and criminal justice systems should be noted. Given the future trend toward further integration, every effort should be made to ensure that there are clear expectations between agencies. This requires a detailed determination of role. We recognise that service providers within the family violence sector are currently under-resourced. This issue must be addressed if necessary inter-agency protocols are to be established.

The Association supports the evaluation of relevant aspects of police family violence service provision. We submit that this process needs to move away from simplistic analyses of family violence rates and application/charge outcomes. We further support consistent and inbuilt evaluations of existing and future pilot programs and new policy and suggest that this should include an evaluation of adequate resourcing and staffing. Finally, the Association submits that members should be consulted as a matter of course in the process of both evaluation and future program and policy development.

A return on investment

Adding to the recent discussion of family violence as a matter of urgent national importance are recent estimations of the cost of addressing the issue. The costs of family violence include the demand on public services, including police, and the criminal justice process generally. This is in addition to the demand placed on the health and social services system and loss of workforce productivity.¹¹⁰ According to a recent analysis by the Centre for Innovative Justice, cost estimates are expected to increase in the near future. In light of this estimation, and the increasing public discourse of the true rate of violence against women, particularly within mainstream media, now is a time of change for responses at both the national and state level.

The commitment of members to the monumental and complex task of eradicating family violence in Victoria has been made evident throughout this submission. Indeed, it is clear that our membership has worked hard to accommodate the ever-changing legislative, policy and directive landscapes with respect to family violence over the past two decades. However, this accommodation has been performed with limited resourcing and no commensurate increase in police numbers. It is time that the numbers matched the need.

Police are an integral component of the system-wide response to family violence and their work needs to be sustainable. Police are the primary gateway for victims to access increased civil justice responses and the only gateway for offenders to face appropriate criminal justice sanctions.

Further, immediate investment in police numbers is an investment in 'whole of community' safety. Not only will the Victorian Police be adequately equipped to attend to the increasing demand of family violence, an increase in police numbers will ensure that police can adequately attend to other crimes, and participate in patrol-based prevention work.

Short term investment in police resourcing will contribute to long term prevention of family violence. Currently police lack the resources to participate meaningfully in prevention work. Adoption of the recommendations provided herein will enable police to participate in both primary and secondary prevention by:

¹¹⁰ Centre for Innovative Justice (2015) Opportunities for Early Intervention: Bringing perpetrations of family violence into view, Melbourne: RMIT University, p.15

- Ensuring a consistent and strong response to all incidents of family violence;
- Demonstrating the seriousness with which family violence is and will be treated by the justice systems; and
- Working collaboratively with external agencies and organisations to assist in addressing the multiple contributing factors to family violence.

In addition to this increased resourcing, there is a need to work toward streamlining the complex and convoluted processes involved in addressing family violence. Of primary importance is an increase in specialised training and concomitant increase in the discretion afforded to members. In particular, members should be encouraged to reflexively respond to victims, building rapport and enhancing the relationship between the community and police to encourage future engagement.

In the longer term, an investment in technology infrastructure that allows for mobile completion of Family Violence Safety Notices, and permits members to complete necessary paperwork on the road, will ultimately increase response capabilities and times. This will greatly enhance the safety of victims.

As stated, the Association is appreciative and supportive of the need for an increase in system-wide resourcing. There exists a reciprocal reliance on health and human services and other agencies in the family violence sector. These agencies must be adequately resourced and staffed to take up the increased referrals and follow up work arising from police activity. In the short term, the Association supports continued and systemic reviews of pilot programs and policies across the sector and within Victoria Police to assess effectiveness and establish best practice.

Appendix A: Local Government Areas consulted and sampling decision

The following Table identifies the Local Government Areas in which face-to-face consultations were conducted and nominates the reasoning behind the selection of each site. Given the timeline for written submissions required by the Commission, the Association conducted target and purposeful face-to-face consultations. These consultations were supplemented by written advice received from members within and outside of the Local Government Areas identified below.

Table 3. Locations of consultations

Local Government Area	Sampling Decision*
Campaspe Shire	Highest incident rate per 100,000 people/Highest rate in Regional Victoria**
Central Goldfields Shire	Highest incident rate per 100,000 people
City of Casey	Highest total number of incidents
City of Frankston	Highest total number of incidents/ Highest rate in Metropolitan Area**
City of Greater Geelong	Highest total number of incidents
City of Greater Shepparton	Known resourcing issues
City of Hume	Highest total number of incidents
City of Maribyrnong	Population growth area
City of Melbourne	Metropolitan perspective
City of Whittlesea	Highest total number of incidents
City of Wyndam	Population growth area
East Gippsland Shire	Reported distance and isolation issues
LaTrobe City	Highest incident rate per 100,000 people
Rural City of Horsham	Reported distance issues
Rural City of Mildura	Highest incident rate per 100,000 people
Rural City of Swan Hill	Highest incident rate per 100,000 people
Shire of Northern Grampians	Known resourcing issues

*Statistics concerning the highest incident rates per 100,000 people and highest total number of incidents were ascertained from Victoria Police for the years 2013-2014.

**This determination was reported in The Age. Willingham, R, Family violence rates higher in Victoria's country areas, Published March 3 2015. Viewable at: <http://www.theage.com.au/victoria/family-violence-rates-higher-in-victorias-country-areas-20150303-13th4x.html>