

Submission to the NSW Audit Office

NSW police responses to sexual, domestic and family violence.

Rape & Domestic Violence Services Australia

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ABN 58 023 656 939

Counselling Services

24/7 NSW Rape Crisis:	1800 424 017
Domestic Violence Impact Line:	1800 943 539
Sexual Assault Counselling Australia:	1800 211 028
LGBTIQ+ Violence Service:	1800 497 212

rape-dvservices.org.au

1. Background to RDVSA

- 1.1. RDVSA is an accredited, nationally focused, not-for-profit organisation, which has been working in the field of sexual, domestic and family violence since 1971. We offer expert and confidential telephone, online and face-to-face counselling to people of all genders who have experienced sexual, domestic or family violence, and specialist help for their supporters and those experiencing vicarious trauma. We also provide best practice training and professional services to support frontline workers, government, the corporate and not-for-profit sector.
- 1.2. Our counselling services include the NSW Rape Crisis Line for those impacted by sexual violence (including friends, families and supporters), the Domestic Violence Impact Line, a counselling service and support for people experiencing domestic and family violence across Australia, the Sexual Assault Counselling Australia line for people accessing the Redress Scheme resulting from the Royal Commission into Institutional Responses to Child Sexual Abuse and the LGBTIQ+ violence counselling service. In the 2020/21 financial year, RDVSA provided 16,195 occasions of service to 3,984 clients nationally. 46.5% of caller came from NSW, 84% of callers identified as female and 90% identified as someone who had experienced sexual, domestic and/or family violence.
- 1.3. Our training and professional services draw on our decades working in the sector. Our training programs are evidenced based and co-designed with experts, including those with lived experience of sexual, domestic and family violence. In the 2020/2021 financial year, we trained and supported over 2000 people and linked with 150 organisations across Australia. Underpinned by adult learning principles and delivered by highly experienced and qualified trainers, some of our key programs include:
 - 1.3.1. Wattle Workplace Wellbeing: A tailor made training and support package for workplaces mitigating the risk of compassion fatigue, burnout and vicarious trauma
 - 1.3.2. Responding with Compassion: A practical skills development program to guide participants in responding to disclosures of domestic, family, sexual and workplace violence
 - 1.3.3. Ethical Bystander: Providing participants with an ethical and safe framework to allow them to intervene and prevent violence in their workplace and communities
 - 1.3.4. Leadership in Action: building the capacity of leaders to understand, prevent and better respond to violence and disclosures of violence in the workplace.
- 1.4. Finally, RDVSA advocates with governments, the media and the community to prevent and put a full stop to sexual, domestic and family violence.

2. Introduction

- 2.1. The NSW Audit Office is assessing the effectiveness of the NSW Police Force in responding to domestic and family violence; and in supporting victim-survivors.
- 2.2. Our expertise is such that we are not in a position to respond in detail to issues of capability planning. Though we do think our submission could potentially be relevant to this issue.
- 2.3. RDVSA acknowledges that the NSW Police Force has been taking active steps in the preceding years to ensure that sexual, domestic and family violence is resourced appropriately (for example, through initiatives such as Safer Pathway, the Child Wellbeing Unit and the taking of a pro-active approach to investigating domestic and family violence offences through the High Risk Offender Teams). Recently, we also know that the NSW Police have been actively seeking to improve their approach to supporting victim-survivors, for example with their trial of co-locating social workers from the Women's Domestic Violence Court Advocacy Service (WDVCAS) at police stations.¹
- 2.4. However, RDVSA's position is that there is still a lot of work to do to ensure that sexual, domestic and family violence work is resourced appropriately and that the support provided to victim-survivors is truly effective. We also have concerns that the NSW Police Force response to victim-survivors is inconsistent, and in our experience, this appears to be a reflection of the fact that not all staff receive similar training, specially trained staff (such as Domestic Violence Liaison Officers (DVLOs) are not universally available for all victim-survivors, and the system for complaints is not effective. Nor is there sufficient oversight and public reporting of performance in this regard.
- 2.5. RDVSA's position is that, in order to be truly effective, the NSW Police Force **must urgently** allocate substantially more resources (whether that is human resources, time or reallocated funding) to improving their response to victim-survivors so that it is *universal, consistent, trauma-informed and culturally appropriate*. Until this occurs, our position is that we will fail to see any meaningful improvement in police responses to sexual, domestic and family violence in NSW.
- 2.6. More specifically, we recommend that NSW Police:
 - 2.6.1. Develop and implement a trauma-informed approach to working with survivors of sexual, domestic and family violence. This will involve, as a first step, an in-depth review of all current policies, procedures and practices by experts in trauma-informed practice. This would include reviewing policies such as the Standard Operating Procedures, the Domestic Violence Code of Practice, and the Domestic and Family Violence Policy.

¹ SBS News, 'Specialist domestic violence workers to be on-site at NSW Police stations under new trial', *SBS News*, (Web Page, 18 April 2021) < <https://www.sbs.com.au/news/specialist-domestic-violence-workers-to-be-on-site-at-nsw-police-stations-under-new-trial/fe00a0ab-0d7b-4515-9e9b-9c89fdf398df>>.

- 2.6.2. Develop a specific action plan or policy (in collaboration with Indigenous communities) to address sexual, domestic and family violence in Indigenous communities.
- 2.6.3. Reorientate police recruitment processes to increase the uptake of officers with the appropriate skills, attitudes and attributes to effectively police sexual, domestic and family violence and respond to victims in a trauma-informed way.
- 2.6.4. Prioritise better and more regular training of all staff to work in a culturally safe way with Aboriginal communities.
- 2.6.5. Aboriginal Community Liaison Officers (ACLOs) should be universally available to all clients who need them.
- 2.6.6. Partner with local Aboriginal Community Controlled Organisations (ACCOs) to develop community-driven solutions to sexual, domestic and family violence.
- 2.6.7. Implement a silent number to make it easier for clients to report abuse without having to talk on the phone.
- 2.6.8. Consider exploring and piloting innovative ways for victim-survivors to record and evidence coercive controlling behaviours which may not be specifically "incident based".
- 2.6.9. Consider a collaborative model of service response whereby police officers are accompanied by sexual, domestic and family violence workers (e.g. WDVCSs) upon callouts and at each major police station for over the counter complaints.
- 2.6.10. Establish a state-wide automatic referral process for sexual assault and sexual harassment matters, including those which occur in non-domestic settings. These could be triaged through the state-wide sexual assault service to local sexual assault services.
- 2.6.11. Amend the DVSAT to better cover patterns of coercive and controlling behaviour.
- 2.6.12. Implement meaningful and regular training (developed by experts in the field) on understanding and identifying coercive and controlling behaviours and understanding the interaction between federal family law and state-based domestic violence laws.
- 2.6.13. Implement an action plan to improve police identification of the primary aggressor.
- 2.6.14. Develop comprehensive and regular training for all officers (devised in consultation with specially trained experts) on responding to sexual, domestic and family violence and in particular on the following topics:
 - Understanding and recognising coercive controlling behaviours
 - Understanding and recognising technology-facilitated abuse
 - Trauma-informed policing
 - Working with culturally diverse communities; and
 - Working with Aboriginal and Torres Strait Islander Communities
- 2.6.15. Develop a comprehensive and regular wellbeing and secondary or vicarious trauma support program for all officers which is delivered by experts. For

example, Rape & Domestic Violence Services Australia provides training covering:

- Understanding the construct of vicarious trauma;
- Differentiating vicarious trauma from burnout;
- Understanding what contributes to vicarious trauma;
- Recognising the symptoms of vicarious trauma experienced by self and others;
- Identifying key individual and organisational vicarious trauma management strategies; and
- Understanding the role of psychologically safe workplaces in the management of vicarious trauma.

2.7. Moreover, NSW Police Force accountability mechanisms are seriously lacking. This includes a real absence of meaningful and regular collaboration with key stakeholders in the sexual, domestic and family violence sector, including people with lived experience.

2.8. In this regard, RDVSA recommends that the NSW Police Force do the following:

- 2.8.1. Review their complaints mechanisms to ensure people who have had a negative experience when contacting the police for help in the context of sexual, domestic and family violence are able to rely upon an independent, timely and trauma informed process for investigation and resolution of their complaint. This complaints mechanism must not be managed by police and must be overseen by a victims advocate with the skills and qualifications to oversee such complaint processes and prosecute cases on behalf of victims where necessary. This could be the LECC or another body.
- 2.8.2. Publicly report on performance, including the feedback from sexual, domestic and family violence victims, annually to track improvements in performance over time and identify areas for improvement.
- 2.8.3. Formally establish an advisory committee of sexual, domestic and family violence victims' services and lived experience advocates, including those representing diverse range of communities including (but not limited to) Aboriginal and Torres Strait Islander people, migrant and refugee communities, people with a disability, LGBTIQ+ people, and young people, to support ongoing quality improvement in police responses to sexual, domestic and family violence.
- 2.8.4. Formally establish regionally-based agency partnerships with sexual, domestic and family violence victims' services and lived experience advocates, including those representing diverse range of communities including (but not limited to) Aboriginal and Torres Strait Islander people, migrant and refugee communities, people with a disability, LGBTIQ+ people, and young people, to support integrated and collaborative approaches to preventing and responding to sexual, domestic and family violence.

- 2.9. Some of these changes cannot be implemented overnight, and they must not be implemented in an ad-hoc, piecemeal fashion. The feedback from our stakeholders is that a cultural change needs to occur from the top-down and bottom up. This will involve, as a first step, a detailed review of all of NSW Police policies and processes in consultation with stakeholders in the sector and the wider community. This would be in addition to other specific reforms outlined in this submission and by other stakeholders in their submissions. Transparency and accountability are key.
- 2.10. While we acknowledge that this would potentially involve a substantial reallocation of resources in the short-term, the long-term result of this investment would be a highly effective, specialised and sustainable workforce as a whole, improved responses to sexual, domestic and family violence, and a reduction in repeat offending and repeat victimisation.
- 2.11. To illustrate our point about the top-down, bottom-up cultural shift that is required, the NSW Police Force's Domestic and Family Violence Policy states they have six key roles in relation to domestic and family violence. These are to:
- 2.11.1. Investigate incidents of Domestic and Family Violence.
 - 2.11.2. Provide safety and support to victims, including children and young people.
 - 2.11.3. Place offenders before a court or apply the Young Offenders Act to young offenders where appropriate.
 - 2.11.4. Be proactive in preventing Domestic and Family Violence.
 - 2.11.5. Target repeat offenders and actively encourage compliance with Apprehended Domestic Violence Orders and bail conditions.
 - 2.11.6. Work with local service providers to reduce incidents of domestic and family violence.
- 2.12. These are all worthy and important roles to play. However, there is a notable absence of any reference to trauma-informed practice or providing culturally appropriate services to victim-survivors. As you will see in our submission, this is clearly lacking in the day-to-day police response, and the flow on effects for victim-survivors are a reduction in satisfactory reporting and justice outcomes.

3. RDVSA Consultation

- 3.1. In preparing this submission, RDVSA consulted with its clinical staff, who are highly qualified counsellors and social workers who specialise in trauma-informed practice.
- 3.2. RDVSA also consulted with victim-survivors and counsellors in the NSW Health network.
- 3.3. RDVSA's consultation consisted of informal discussions with clinical staff and stakeholders in the sexual, domestic and family violence sector and more formalised feedback obtained via two online surveys, both of which were open for comment from 5

October 2021 to 24 October 2021. One survey was specifically aimed at counsellors and frontline workers and the other survey was for victim-survivors.

3.4. RDVSA had 16 people respond to the frontline workers survey and 20 people respond to the victim-survivor survey.

3.5. Of the victim-survivor survey participants:

3.5.1. 40% (N=8/20) live in an inner metropolitan area, 35% (N=7/20) live in a regional area, 15% (N=3/20) live in a rural and remote area and 10% (N=2/10) live in an outer metropolitan area.

3.5.2. 100% (N=20) of the survey participants were women

3.5.3. 84% (N=16/19) were heterosexual, 11% (N=2/19) were lesbian and 5% (N=1/19) were bi-sexual.

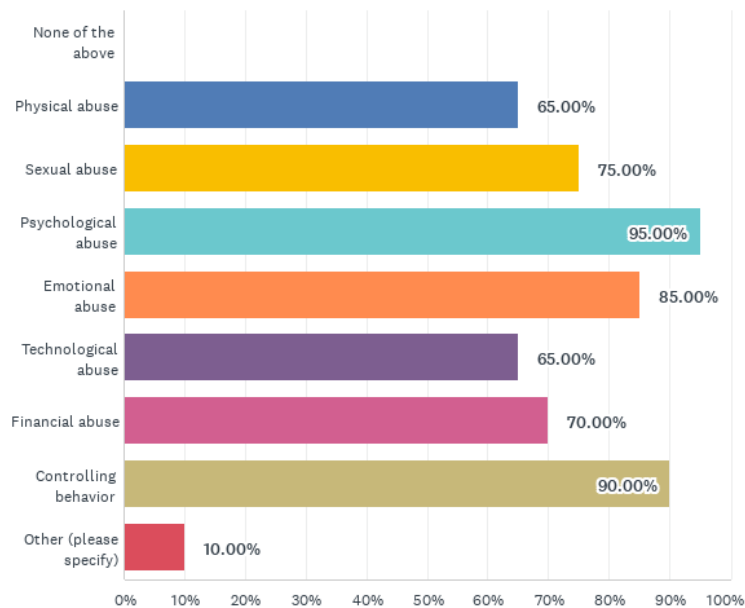
3.6. 15% (N=3/20) identified as Aboriginal or Torres Strait Islander.

3.7. 50% (N=10/20) identified as having a disability or chronic health condition.

3.8. Victim-survivors surveyed identified a range of abuse that they had experienced. However, as the below table demonstrates, the overwhelming majority of survivors experienced psychological abuse (95%) and other controlling behaviours (90%). Physical abuse was actually experienced the least of all types of abuse at 65% of survivors (though still by a majority). Notably, 75% of survivors said that they experienced sexual abuse. This is particularly concerning given the historically low levels of reporting and conviction rate for sexual assault offences in NSW.² It is noted that RDVSA has a high proportion of clients accessing our service for sexual violence. More generally, on our domestic violence services, sexual violence tends to be identified in around 50-55% of cases.

²According to BOSCAR, 4,191 sexual assaults were reported in 2020 for adult victims. Of those, 862 people were charged and of those 862 people, 570 were found guilty.

Q9 What kind of abuse have you experienced? Please select all that apply.



3.9. This submission will begin by outlining the results of our consultation in relation to frontline worker and victim-survivor experiences of dealing with the NSW Police. We will then consider these results in the context of the following issues relevant to the Audit Office's inquiry:

- 3.9.1. the ability of police to respond in a trauma-informed and culturally appropriate way;
- 3.9.2. the effectiveness of police in responding to non-physical forms of violence;
- 3.9.3. training and development needs;
- 3.9.4. complaint mechanisms and accountability; and
- 3.9.5. collaborative working.

4. Frontline worker and victim-survivor experiences of the NSW Police force

Inconsistent NSW Police responses

4.1. A key theme emerging from our consultation is that frontline staff and victim-survivor experiences with NSW Police were inconsistent. Of the frontline staff surveyed, only 14% (N=2/14) expressed having had a positive experience with the NSW Police *every time*. 86% (N=12/14) said they had experienced variable responses, some good and some bad. Pleasingly however, no frontline workers expressed having had a negative experience with NSW Police every time. This indicates that NSW Police have taken some steps to improve their service quality.

4.2. Some frontline workers specifically commented on their inconsistent responses from police, while others mostly had bad experiences, saying:

“Mostly I have had bad experiences with police. This includes telling victims that they don’t have enough evidence to warrant police action, police implying that the victim is lying. Telling mothers that abusive men have “rights” to see their children “they are his children too” or making other statements that indicate that they identify with the perpetrator in some way”

“Client experienced going to one station and was believed and supported and got a great outcome with DV. She then went to another station to report her sons CSA [child sexual abuse] and they didn’t believe her and blamed her for making it up or not protecting him.”

“Some police are very understanding and empathic to victims whilst others could do with a lot more training.”

“Really needs to be a cultural shift, from the top down.”

4.3. To gauge the quality of NSW Police engagement with victim-survivors of sexual, domestic and family violence, we asked frontline staff and survivors to indicate their response to a number of statements describing their relationship with police.

4.4. For survivors, the results were mainly negative (the highest results each highlighted in yellow).

Statement	Strongly Agree		Agree		Neither Agree nor disagree (neutral)		Disagree		Strongly disagree		Total responses
	%	Count	%	Count	%	Count	%	Count	%	Count	
NSW Police responded to me in timely way	10 %	2	20%	4	15%	3	25%	5	30%	6	20
NSW Police responded to me in a respectful way	20%	4	10%	2	20%	4	25%	5	25%	5	20
NSW Police responded to me in a trauma informed way	10%	2	5%	1	15%	3	20%	4	50%	10	20
NSW Police responded to me in a culturally safe way	5%	1	5%	1	55%	11	25%	5	10%	2	20
NSW Police believed me when I told	15%	3	20%	4	20%	4	25%	5	20%	4	20

them what happened											
NSW Police respond appropriately to non-physical abuse, such as psychological, emotional and financial abuse	10%	2	10%	2	5%	1	15%	3	60%	12	20
NSW Police respond appropriately to breaches of ADVOs	11%	2	4%	1	53%	10	11%	2	21%	4	19
NSW Police prioritised my safety	10%	2	5%	1	15%	3	20%	4	55%	11	20
NSW Police prioritised the safety of my children	5%	1	10%	2	53%	10			32%	6	19

4.5. In particular, the majority of victim-survivors either disagreed or strongly disagreed with the following statements:

- 4.5.1. NSW Police responded to me in timely way
- 4.5.2. NSW Police responded to me in respectful way
- 4.5.3. NSW Police responded to me in a trauma informed way. We note that 50% of victim-survivors strongly disagreed with that statement.
- 4.5.4. NSW Police respond appropriately to non-physical abuse, such as psychological, emotional and financial abuse. We note that 60% of victim-survivors strongly disagreed with that statement.
- 4.5.5. NSW Police prioritised my safety. We note that 55% of victim-survivors strongly disagreed with that statement.

4.6. Victim-survivors feedback also indicated variable responses. One victim-survivor was very positive saying:

“I had two police officers attend my house after my ex breached the AVO and neighbours had heard my screams. He left when he heard sirens. I was terrified to talk to the police, but they very calmly spoke to me and slowly made me able to trust them to let them in, and then go back to the station with them. When I did, they sent officers back to the house where they found the perpetrator waiting in the dark for me to return. I am so thankful for how they made me feel ok to go with them. I believe they saved my life.”

4.7. Other victim-survivors said:

“Most times I've interacted with the police, I've had a negative experience, or they've been friendly enough, but nothing has come out of it.”

“Mostly good. They push for court attendance (while I understand it) was a bit much in my situation. I was heavily pregnant when it happened, and so had a brand new baby, freshly recovering from a c-section with zero support and no care for my 1 year old. It was impossible for me to attend, I explained this but the push continued.”

“It started positively but went downhill swiftly as the investigation progressed.”

“The officers and those we dealt with throughout court were fantastic. I was surprised to be honest. Very supportive. Listened to me and I felt comfortable just talking to them.”

“My experiences were positive but not all victims get so lucky.”

4.8. For frontline staff, the results were slightly more pleasing (the highest results are each highlighted in yellow).

Statement	Strongly Agree		Agree		Neutral		Disagree		Strongly Disagree		Total Responses
	%	Count	%	Count	%	Count	%	Count	%	Count	
Responded in timely way	13%	2	33%	5	27%	4	20%	3	7%	1	15
Responded in a respectful way			33%	5	47%	7	13%	2	7%	1	15
Responded in a trauma informed way					27%	4	46%	7	27%	4	15
Responded in a culturally safe way			13%	2	27%	4	33%	5	27%	4	15
Police believed my client when they told them what happened	7%	1	20%	3	27%	4	33%	5	13%	2	15
Respond appropriately to non-physical abuse, such as psychological, emotional and financial abuse					46%	7	27%	4	27%	4	15
NSW Police respond appropriately to breaches of ADVOs			27%	4	27%	4	27%	4	19%	3	15
NSW Police prioritised my client/s' safety			27%	4	27%	4	27%	4	19%	3	15
NSW Police prioritised the safety of my client/s' children			20%	3	40%	6	27%	4	13%	2	15

4.9. The majority of frontline staff either responded positively or neutrally to the following statements:

- 4.9.1. NSW Police responded to me in timely way
- 4.9.2. NSW Police responded in a respectful way
- 4.9.3. NSW Police respond appropriately to breaches of ADVOs
- 4.9.4. NSW Police prioritised my client/s' safety

4.10. However, the majority of frontline staff responded either neutrally or negatively to the following statements:

- 4.10.1. NSW Police responded in a trauma informed way
- 4.10.2. NSW Police responded in a culturally safe way
- 4.10.3. NSW Police believed my client when they told them what happened
- 4.10.4. NSW Police respond appropriately to non-physical abuse, such as psychological, emotional and financial abuse

4.11. What these results tend to indicate (as flagged above) is that experiences with NSW Police are inconsistent. In addition, it appears from the overall more positive responses from frontline staff, that victim-survivors who are assisted by frontline staff may have an overall better experience with police than those who deal with NSW Police on their own. In addition, both surveys show that NSW Police need to improve their ability to respond in a trauma-informed and culturally safe way; to believe victims, and to prioritise the safety of children. Further, the results of both surveys indicate that NSW police are not responding appropriately to non-physical violence. This is particularly concerning given how many of our victim-survivor survey participants had experience non-physical forms of abuse.

Resourcing

5. Despite DVLO's being specially trained to respond to domestic and family violence, 86% (N=12/14) of frontline staff and 90% (N=18/20) of victim-survivors surveyed had only interacted with general duties police officers. Only 36% (N=5/14) of frontline staff and 20% (N=4/20) victim-survivors surveyed had interacted with a Domestic Violence Liaison Officer.

6. This victim-survivor said:

"Two men in an interview room. I was distraught, overwhelmed, nervous, frightened... but felt more uncomfortable. I was dismissed and not even told of a DVLO. No official report was taken to my knowledge. It was my first time to speak out."

Use of AVOs by NSW Police

7. Positively, our survey results indicated that AVO's were being well used by NSW Police for clients who were supported by frontline staff, with 100% (N=14/14) of frontline staff

surveyed stating that police had applied for an AVO to protect their client and 78.57% (N=11/14) stating that police had applied for an AVO to protect their client's children.

8. Unfortunately, the survivor results were much lower, with only 55% (N=11/20) of survivors stating that police had taken out an AVO to protect them. More concerningly, only 10% (N=2/20) of victim-survivors said that police had taken out an AVO to protect their children. One client commented that this was because she was "Told they [the children] were included, then told that they were not, as it was covered in the section 'anyone residing with'". The answers to these questions again, tend to indicate that clients who are supported by a frontline worker may be getting better results from NSW Police.
9. On the AVO process in general, victim-survivors didn't have positive feedback about the effectiveness of the system, saying:

"Absolute shambles of a process. Still in progress after over 13 months and I need to go to court to give evidence. I feel thoroughly the opposite of safe and supported."

"[The police took out an AVO] Multiple times, didn't prevent abuse from the offender though."

"I was told I could apply for one from my ex-partner because he kept harassing me, however, when I tried to implement it, I was told that I could not because the incident which I referred to was considered a 'mental health issue'."

Barriers to reporting

- 9.1. To explore potential barriers to reporting sexual, domestic and family violence, we asked frontline staff, "if your clients have ever experienced sexual, domestic or family violence, but decided not to report, what were their reasons behind their decision?"

9.1.1. 100% of those surveyed (N=14/14) said their clients had a lack of trust in the NSW Police.

9.1.2. 92.86% of those surveyed (N=13/14) listed:

- Previous negative experience with the police
- Fear of not being believed
- Fear of being blamed
- Fear of retaliation from the person who abused them

- 9.2. Concerningly, 50% (N=7/14) of those surveyed listed language barriers and 78.57% (N=11/14) listed "Unsure if their experiences can be reported as abuse or violence".

- 9.3. One survivor said that she did not report because of:

“previous experiences dealing with police. I had gone into a police station, with a bleeding head injury to report robbery and domestic violence and I was told there was no one to take my statement - this happened across two days, before eventually someone offered to send police out to where I was staying. If no one cares that I had physical injuries, why would they care about anything else. The perpetrator had stolen my car, damaged my property, physically hurt me and broken the AVO three times, and he was sent to jail, only to appeal the sentence and knock 13 months off. Why go through the pain and humiliation of having to prove sexual assault. It is not worth it.”

9.4. In our view, these results speak volumes to the need to improve police responses. If victim-survivors cannot trust police, then they will not report. Our position is that an *integral part of establishing trust is to ensure that you respond in a trauma-informed and culturally appropriate way.*

10. Effectiveness of police in responding in a trauma-informed and culturally appropriate way.

10.1. Sexual, domestic and family violence rarely occurs as an isolated incident. Furthermore, it is much more likely to occur in families with complex and often intersecting issues. As the Domestic Violence Death Review team (DVDRT) noted in its last report:

A number of cases in this review period highlighted the particular challenges facing families with multiple complex issues in addition to domestic violence, including vulnerabilities around child protection, involvement with the criminal justice system, health, housing and poverty³

10.2. Because of this, the DVDRT emphasised the importance of adopting a trauma-informed approach to working with survivors. The DVRT identified *Waminda*, an ACCO on the South Coast, as displaying a strong ACCO model of service delivery to survivors of trauma and displaying “comprehensive wraparound and targeted service delivery”.

10.3. The DVDRT concluded

“Both in the non-government and government sectors initiatives such as these highlight the importance of adopting trauma-informed, or trauma-based approaches to working with vulnerable families, and delivering quality, culturally-safe, and strengths focused programs or initiatives in the early intervention and prevention spaces, as well as tertiary support and assistance. These programs also highlight the importance of terms such as ‘trauma-informed’ or ‘trauma-based’ practice resulting in real action and real approaches, as these terms can – without such actions – be meaningless ‘buzzwords’”.⁴

³ DVDRT Report p 61

⁴ DVDRT Report p 63

10.4. RDVSA's position is that the police can, and should be adopting wrap-around, holistic and trauma-informed approaches to service delivery. These kinds of approaches cannot and should not be confined solely to non-government organisations. The police could implement a trauma-informed response in multiple ways, by:

10.4.1. Better training current staff on best practice approaches;

10.4.2. Recruiting more staff such as DVLO's, and cultural liaison officers with particular skills and qualifications; and

10.4.3. Partnering with other government agencies or NGO's.

10.5. This conclusion is supported by our consultation. Ninety-three percent (93% of N=14/15) of frontline staff and 85% (N=17/20) of victim-survivors said that that NSW Police officers should be accompanied by a social worker and 93% (N=14/15) of frontline staff and 85% of survivors (N=17/20) said that social workers should be based at all major police stations. The benefit of this approach is that NSW Police may not always need to deploy additional internal resources but could instead partner with other Government departments and Government-funded NGOs to utilise their skills and experience. An example of this kind of initiative working in other contexts is the rise of health justice partnerships in the legal sector. RDVSA strongly supports the expansion of pilots such as the WDVCS co-location trial.

10.6. In this regard, one frontline worker said:

"I have worked as a specialist high risk repeat victim caseworker based in metropolitan Police station in the UK as part of an SV/DV project. We found having access to high quality, trauma specialist support, separate from but alongside police intervention was crucial in empowering victims to break the cycle. It also provided excellent opportunity for closer referral pathways, professional development and joint referral to multi-agency response and co-ordination meetings. It is an excellent initiative, and I am excited that it is something being considered by NSW".

10.7. However, it is important to note that any adoption of a trauma-informed approach cannot just pay lip-service to the term, as highlighted by the DVDRT above. For the approach to be truly meaningful, as a first step, a broad ranging review needs to be conducted of NSW Police policy and procedures by experts in the field of trauma-informed best practice in responding to sexual, domestic and family violence, such as RDVSA. This would include an in-depth review of all policies relating to sexual, domestic and family violence such as the Standard Operating Procedures, the Domestic Violence Code of Practice, and the Domestic and Family Violence Policy.

Recommendation 1: NSW Police must develop and implement a trauma-informed approach to working with survivors of sexual, domestic and family violence. This will involve, as a first step, an in-depth review of all current policies, procedures and practices by experts in trauma-informed practice. This would include reviewing policies such as the Standard Operating Procedures, the Domestic Violence Code of Practice, and the Domestic and Family Violence Policy.

10.8. It is also *absolutely essential* that the NSW Police develop (in consultation and collaboration with the Aboriginal and Torres Strait Islander community) a specific action plan or policy that specifically addresses sexual, domestic and family violence in Aboriginal communities. While we acknowledge that the NSW Police Force does have an Aboriginal Strategic Direction Plan⁵, domestic and family violence is only referenced tangentially when dealing with other broader issues such as community safety. An integral part of any sexual, domestic and family violence plan should set out a blueprint for how the NSW Police can work with and support a holistic, community-based approach to addressing sexual, domestic and family violence. At the very least, this approach should consist of:

10.8.1. Better training of current staff to work in a culturally safe way with Aboriginal communities;

10.8.2. Increasing the number of ACLOs so they are universally available for all Aboriginal Communities; and

10.8.3. Partnering with existing ACCOs in each community to work together to create community-driven solutions. These partnerships could also provide ACCOs with much needed Government support to continue their valuable work.

10.9. The urgent need for direct action to specifically address sexual, domestic and family violence was also highlighted by the DVDRT, who said (our emphasis):

“In NSW...it remains that there is a lack of coordinated action specifically responding to Aboriginal and Torres Strait Islander peoples’ experiences of domestic and family violence – notwithstanding that the state of NSW has the highest population of Aboriginal Australians in the country. The Team recognises that issues around Aboriginal experiences of domestic and family violence arising in this, and other reports, highlights the need for improved frameworks and infrastructure, **including through mainstream service provision, to be urgently progressed.**⁶

10.10. As one of the key government agencies responsible for responding to sexual, domestic and family violence, it is imperative that NSW Police develop an Aboriginal specific framework to guide their work in this area.

Recommendation 2: NSW Police must develop a specific action plan or policy (in collaboration with Aboriginal communities) to address sexual, domestic and family violence in Aboriginal communities.

Recommendation 3: NSW Police need to prioritise better and more regular training of all staff to work in a culturally safe way with Aboriginal communities.

Recommendation 4: NSW Police should have Aboriginal Community Liaison Officers universally available to all clients who need them.

⁵ [ASD 2018-2023 Book Updated 4Web.pdf \(nsw.gov.au\)](#)

⁶ DVDRT Report p93

Recommendation 5: NSW Police should be partnering with local ACCOs to develop community-driven solutions to sexual, domestic and family violence.

10.11. In the same vein, the DVDRT's latest report looked specifically into the issue of the policing of culturally and linguistically diverse people and communities, and found that police responses were sometimes lacking, saying:

"Issues were specifically raised with the policing of culturally and linguistically diverse people including police: failing to use an interpreter; doubting or minimising victims' experiences of violence; and making culturally insensitive comments".⁷

10.12. The results of our consultation were that the majority of participants believed that the NSW Police and/or the Department of Communities and Justice need to reallocate additional resources boosting the availability of cultural liaison officers inside the NSW Police so they are universally available. 87% (N=13/15) of frontline staff and 80% of victim-survivors (N=16/20) said that cultural liaison officers (Multicultural, Youth, Disability/Aging, LGBTIQA+) should be based at all major police stations. 80% (N=12/15) of frontline staff and 85% (N=17/20) of victim-survivors said that that cultural liaison officers (Aboriginal, Multicultural, Youth, Disability/Aging, LGBTIQA+) should be available at every local court.

Recommendation 6: NSW Police should develop specific policies and procedures to guide frontline police officers (not just specialist police officers) in how to work in trauma informed and culturally appropriate ways with other specific vulnerable populations such as multicultural communities, LGBTIQ+ communities, people with disability, young people and the aged.

Recommendation 7: NSW Police/Department of Justice and Communities should make cultural liaison officers (Multicultural, Youth, Disability/Aging, LGBTIQA+), universally available at all major police stations and Local Courts.

Barriers to reporting sexual, domestic and family violence

10.13. New research recently released from ANROWS⁸ which examines the prevalence of domestic and family violence during the COVID pandemic, indicates that despite many improvements that have been made to policing sexual, domestic and family violence, there are still many barriers to reporting, and this has been particularly exacerbated during COVID. Some key statistics include:

10.13.1. 63% of women who would have usually sought help from the police chose not to seek help in the last 12 months; and

10.13.2. 25.8% of respondents who experienced any form of domestic and family violence in the last 12 months have said they had been unable to seek assistance due to safety concerns.

⁷ DVDRT report p 97

⁸ Australia's National Research Organisation for Women's Safety, *Intimate partner violence during the COVID-19 pandemic: A survey of women in Australia* (Research Report, Issue 3, October 2021) 42.

10.14. In our experience, one of the key issues that victim-survivors face in reporting (which has clearly been exacerbated during COVID) is that the presence of the perpetrator in the home means that the survivor has limited opportunities to report the abuse, as she is in earshot of the perpetrator. This fear is further enhanced if a survivor is being tracked and monitored by the perpetrator. Our position is that it is crucial to victim-survivors that they have an alternative means of alerting police to the fact they are in danger, that doesn't require talking on the phone.

10.15. This is reflected in our consultation. 87% (N=13/15) of frontline staff and 84% (N=16/19) of survivors said that it should be easier for clients to make a silent call to police (without having to talk on the phone and alerting the person using violence/abuse), e.g. by dialling "000" then "55".

10.16. More broadly, RDVSA's position is that the NSW Police Force need to be flexible and innovative in the way that it receives and records incidences of violence and abuse. This is also in recognition of the fact that abuse is rarely a one-off incident, and more often occurs as part of a broader pattern of coercive and controlling behaviour.

10.17. In terms of how the NSW police receive reports currently, the NSW Code of Practice for responding to domestic violence states:

"The report may be made by contacting Triple Zero (000) or a Police Area Command or local police station directly or Crime Stoppers (1800 3633 000).

Any report received this way will result in a local police response vehicle to attend the location and investigate the matter. Reports can also be made in person at any police station. If Police or Triple Zero (000) are contacted police must attend even if the caller phones back to cancel the police requirement to attend.⁹

In all cases, the domestic and family violence incident must be recorded by the investigating police officer on the Computerised Operational Policing System (WebCOPS)."¹⁰

10.18. While all of these methods are important to maintain, they could be considered more traditional and less innovative methods of reporting which do not necessarily take into account the complex dynamics inherent in relationships of coercive control and in particular, technological facilitated abuse. Furthermore, the recording of specific "incidents" risks alienating survivors who suffer long term psychological, financial and emotional abuse that happens as part of a small and regular campaign of abuse (rather than one or multiple instances of physical abuse).

10.19. RDVSA's position is that the NSW Police need to consider shifting some of their focus away from a strictly incident-based reporting system to one that encompasses and

⁹ Ibid 37.

¹⁰ Ibid 38.

recognises ongoing patterns of behaviour. Reporting systems could also be a means of empowering victims in innovative ways to document their abuse themselves (thereby empowering them and taking some pressure off more traditional methods of reporting). In the same vein, not all reporting necessarily requires police to attend but survivors may wish, for example, for the abuse to be noted, as evidence of an ongoing pattern, which may then be used as evidence of charges at a later date.

10.20. We submit that it would be beneficial, for example, for the NSW Police to explore the creation of a technological system outside of WebCOPS (such as an app or other technologically based method of reporting) that empowers a survivor to monitor and track patterns of abuse over time and then, when they are ready, police could attend to take formal statements and arrest the perpetrator as appropriate.

Recommendation 8: NSW Police should implement and promote a silent number solution to make it easier for clients to report abuse without having to talk on the phone.

Recommendation 9: NSW Police should consider exploring and piloting innovative ways for victim-survivors to record and evidence coercive controlling behaviours which may not be specifically "incident based".

11. The effectiveness of police in responding to non-physical forms of violence

11.1. As flagged above, 95% of survivors said that they had experienced psychological abuse, 85% said that they had experienced emotional abuse, 70% said that they had experienced financial abuse and 90% of survivors surveyed said that they had experienced other controlling behaviours. One survey respondent, for example, said that the perpetrator "controlled what I ate". And that he used a "PI to track and monitor [me]."

11.2. The survey questions included a non-exhaustive list of other controlling behaviours such as gaslighting and isolating from family and friends. All of these types of abuse were more common than physical abuse which was experienced by 65% of our survey respondents.

11.3. Victim- survivors also said the following of police:

"They are dismissive, they victim blame, they have a poor understanding of coercive control, yet think their understanding is good enough. This is all with a predominate nice to your face attitude."

"Violence supportive attitudes and beliefs from 3 male staff."

"The police would not take domestic violence seriously and then would agree with the perpetrators that yes it was my pregnancy hormones that made my partner angry."

“Mostly very good but once they had been lied to by the perpetrator which was clearly confusing for them to know who to believe. ”

11.4. The NSW Joint Select Committee on Coercive Control (JSC) recently looked in detail at the issue of NSW police responses to coercive controlling behaviours and recommended that policing responses be improved to better tackle this issue. They recommended that:

11.4.1. The Secretary of the Department of Communities and Justice should work together with a range of public bodies including NSW Police, Health, Education, Justice, Housing and Indigenous agencies to prevent domestic abuse, with the aim of reducing the numbers of victims and perpetrators of abuse. This represents a critical opportunity *to implement an early intervention and public-health focused approach, rather than relying solely on traditional criminal justice levers*, which only come into play in the aftermath of an offence. (page xv)

11.4.2. That the NSW Government should co-locate domestic abuse services with police stations, and continue its pilot programs to better support police and better respond to victims of domestic abuse, including in rural and regional areas. (page xvi)

11.4.3. That the NSW Government should consult with stakeholders including domestic abuse service providers, the Aboriginal and Torres Strait Islander community, and NSW Police about how to better respond to the needs of domestic abuse victims survivors in rural and regional areas. (page xvi)

11.4.4. That the NSW Government should urgently update the Domestic Violence Safety Assessment tool to improve risk assessment of victims experiencing coercive control. (page xvi)

11.4.5. That the NSW Government implement tailored training on identifying, recording and responding to coercive control for police officers, judicial officers and prosecutors, and workers in the domestic abuse, health care, housing, education and child protection sectors. The training should be repeated regularly. (page xvii)

11.5. The recommendations referred to at paragraph 11.4.1 to 11.4.3 above, are in-line with the results of our consultation and our recommendations regarding trauma-informed approaches. They are also in-line with our discussion below about the importance of collaboration.

11.6. In addition to recommendations we have already made in this submission, we strongly agree with the recommendations outlined at paragraphs 11.4.4 and 11.4.5 above.

Recommendation 10: NSW Police should amend the DVSA to better to cover patterns of coercive and controlling behaviour.

Recommendation 11: NSW Police should implement meaningful and regular training (developed by experts in the field) on understanding and identifying coercive and controlling behaviours.

Identification of survivors as a primary aggressor

- 11.7. Another key issue relevant to broader issues of coercive control is a frightening phenomenon that has been around for some time but has more recently been identified in the media, that is, the misidentification of survivors as the primary aggressor in the relationship.¹¹
- 11.8. 80% (N=12/15) of frontline staff surveyed said that NSW Police have mis-identified a client as a perpetrator of violence and 13% (N=2/15) were unsure. Twenty percent (20% or N=4/20) of the clients surveyed by RDVSA said that they themselves had been personally mis-identified. Another 10% (N=2/20) said they were unsure if this had happened to them. Over three-quarters (77% or N=10/13) of frontline staff said police did this “sometimes”, 15% (N= 2/13) said police did this “usually” and the remaining 8% (N=1/13) said that police did this “rarely”.
- 11.9. One frontline staff member said that NSW Police do this “Frequently due to ignoring coercive controlling behaviours and long-term patterns of sexual and non-physical of abusive behaviours”. Another said that NSW Police did this when “the real perp has manipulated the situation and reported her when she has been defending [her]self.”
- 11.10. One victim-survivor who had been mis-identified said “I was even given an AVO for reacting to my ex-policeman husband who knew all the right things to say. I was made to look like the abuse[r] when I wasn’t.” Another client said that she was told that she instigated a violent chokehold because she: “splashed water on my husband in anger.”
- 11.11. Another victim-survivor who had been mis-identified described their experience as follows:
- “Police misidentification can range from a victim being charged, to being simply dismissed and nothing recorded. One police officer said I just wanted a leg up in family court, despite being told by a lawyer to ask NSW police for an ADVO, and my ex referring to what I was reporting to police in a text message. The police officer said I wanted an ADVO so I could get a leg up in family court, just like my ex had done (in another state). So despite seeing systems abuse that involved causing homelessness and child abduction, they couldn’t see that maybe I was telling the truth, even enough to investigate. When the officer told me this, it was to tell me that [they] hadn’t been investigating like they said they would. When I told him what happened, he said “your story does make more sense!” and still did not investigate. Instead he gave me advice about family court, saying things like I had to be smart and anticipate my ex’s malicious strategy.”

¹¹ See for example, [Rosie told police she was a victim of domestic violence. She was the one arrested - ABC News](#)

- 11.12. In terms of what action NSW Police should take, we note that our colleagues at Domestic Violence NSW and prior to that at Women’s Safety NSW have done extensive work on this issue and we agree and adopt their recommendations, namely:
- 11.13. Implement an action plan to improve police identification of the primary aggressor, including:
- 11.13.1. Amending the Domestic and Family Violence policy to clarify that the focus of identification of the primary perpetrator is not per incident, emphasising the examination of the history of domestic and family violence and the circumstances of the incident.
- 11.14. Ensure capacity for DVLOs to establish and maintain professional relationships with all domestic and family violence specialist services in their area to ensure errors in misidentification can be rectified.
- 11.15. Introduce legislative concepts for the primary person in need of protection and primary perpetrator for effective evaluation.
- 11.16. Fund the development of a new COPS system that makes domestic and family violence histories easily accessible to frontline police [this recommendation aligns with our recommendation with regards to the investigation of more innovative way of reporting and evidencing abuse that occurs over time].

Recommendation 12: NSW Police should implement an action plan to improve police identification of the primary aggressor.

12. Training and development needs

- 12.1. The overwhelming majority of those surveyed, 93% (N=14/15) of frontline staff and 100% (N=20/20) of survivors, said that NSW Police need more training on sexual, domestic and family violence. These results are consistent with recommendations made by the JSC and the DVDRT, as discussed above.
- 12.2. In terms of what training is required, a significant majority of 78% (N=11/14) of frontline staff members and 75% (N=15/20) of all victim-survivors said that NSW Police need more training in *all of the following*:
- 12.2.1. Understanding and recognising coercive controlling behaviours
 - 12.2.2. Understanding and recognising technology-facilitated abuse
 - 12.2.3. Trauma-informed policing
 - 12.2.4. Working with culturally diverse communities; and
 - 12.2.5. Working with Aboriginal and Torres Strait Islander communities
- 12.3. One frontline staff member said that NSW Police “need holistic training about gendered violence that is delivered face-to-face and on an on-going basis.”
- 12.4. In addition, 87% (N=13/15) of frontline staff and 90% (N=18/20) of victim-survivors surveyed said NSW Police Prosecutors should be specially trained.
- 12.5. Frontline staff members surveyed also made the following comments

“Police prosecutors should have the same continuity with the case and the clients/witnesses involved as the defence lawyers have with their perpetrating clients. Often the Police prosecutors change frequently, right before the trial, and even during trial.”

“Police prosecutors and victim support [police] officers need to be trauma informed, i.e. do what they say they’re going to do, provide regular updates, and explain everything in detail. This is often missing and clients feel like they don’t want to ask, can’t follow up. The dynamics can be very uneven.”

“They really really need more training around trauma informed practice. The feedback from clients is appalling.”

12.6. Victim-survivors surveyed made the following comments

“ALL POLICE need to be substantially trained in this area [sexual, domestic and family violence”

“Aside from more training, I think there should be more transparency & consistency. Lines of communication have often been confusing or mixed, I have never received the same answer for one question from multiple officers/constables. Transparency in the form of - advertising/showing WHO are your trained officers and in what areas (DV or sexual assault, etc.). I had NO clue who I was reporting my assault to, and the fact that they had little-no experience dealing with domestic/sexual assault. Finally, there should ALWAYS be a social worker present in any incident or case of sexual, domestic and family violence or abuse.”

12.7. In our experience, if police officers are properly trained, then victim-survivor experiences of the justice system can be greatly enhanced. For example, victim-survivors commented in our survey that:

“The officers and those we dealt with throughout court were fantastic. I was surprised to be honest. Very supportive. Listened to me and I felt comfortable just talking to them. ”

“Glebe police had three DVLOs and they were very experienced. ”

Recommendation 13: NSW Police must develop comprehensive and regular training for all staff (devised in consultation with specially trained experts) on responding to sexual, domestic and family violence and in particular on the following topics:

- Understanding and recognising coercive controlling behaviours
- Understanding and recognising technology-facilitated abuse
- Trauma-informed policing
- Working with culturally diverse communities; and
- Working with Aboriginal and Torres Strait Islander communities

- 12.8. The other critical issue is that frontline police officers who are responding to sexual, domestic and family violence and other traumatic incidents must be supported to manage stress, secondary or vicarious trauma, what is often described as “compassion-fatigue”, and burnout.
- 12.9. Anyone working in an environment where they are exposed to traumatic experiences will be impacted by secondary or vicarious trauma to some degree. This may be experienced as feelings of anxiety, isolation, agitation, dissociation, physical illness, and/or sleep disturbances. Moreover, people impacted by vicarious trauma may, if their trauma is left unmanaged, adapt their attitudes and behaviours such that they can be observed as no longer operating in a compassionate and empathetic way. This is sometimes colloquially referred to as “compassion fatigue”.
- 12.10. Frontline sexual, domestic, and family violence professionals systematically engage in vicarious trauma management practices to both prevent and address the effects of vicarious trauma, ensuring that they are able to work in a profession whereby they are subjected to highly traumatic content and experiences but can do so in a safe and sustainable manner, delivering compassionate, empathetic responses to their clients day-in-day-out throughout their careers. Police officers, if similarly supported, can also achieve the same, delivering consistently trauma-informed services to victim-survivors and perpetrators of violence and abuse, whilst maintaining their own health and wellbeing.

Recommendation 14: That the NSW Police Force develop a comprehensive and regular wellbeing and secondary or vicarious trauma support program for all officers. This program should be developed and delivered by experts. For example, Rape & Domestic Violence Services Australia provides training covering:

- Understanding the construct of vicarious trauma;
- Differentiating vicarious trauma from burnout;
- Understanding what contributes to vicarious trauma;
- Recognising the symptoms of vicarious trauma experienced by self and others;
- Identifying key individual and organisational vicarious trauma management strategies; and
- Understanding the role of psychologically safe workplaces in the management of vicarious trauma.

13. Complaint mechanisms and accountability

- 13.1. NSW Police say in the Domestic Violence Code of Practice that clients can make a complaint:
- 13.1.1. via the Shift Supervisor of the police station where the officer(s) is based, or
 - 13.1.2. With the NSWPF Professional Standards Command, or
 - 13.1.3. By lodging a formal complaint on the NSWPF website, or
 - 13.1.4. By lodging a complaint with the LECC.¹²

¹² NSW Police Force, *Code of Practice for the NSW Police Force Response to Domestic and Family Violence* pages 16 and 17.

- 13.2. In our view, one of the biggest problems with the current system, is that the large bulk of complaints are dealt with in-house. For domestic and family violence related complaints, this means that the officer dealing with them is unlikely to be specially trained in dealing with survivors. There is also the issue of collegiality and a lack of independence, given police are required to investigate complaints against their colleagues.
- 13.3. This is reflected in our consultation results as 55% (N=6/11) of frontline staff and 77% (N=18/20) of victim-survivors said that they did not feel supported to make a complaint if they received a poor response from NSW Police.
- 13.4. In addition, 50% (N=5/10) of frontline staff and 56% (N=5/9) of clients who answered this question said that they were not satisfied with the process and outcome of their complaint. The remainder said they were unsure. Concerningly, no frontline staff or victim-survivors who said they lodged a complaint (10 frontline staff and 9 victim-survivors) were actually satisfied with the process and outcome of their complaint.
- 13.5. One client stated that they were yelled at by a senior person when they tried to raise their complaint with someone more senior. Another client indicated that they had to engage a private lawyer to assist them with their complaint, even though the NSW Police told her not to.
- 13.6. 79% (N=11/14) of frontline staff and 70% (N=14/20) of victim-survivors surveyed said that they thought that complaints should be handled by a well-resourced independent complaints body overseen by a victim's advocate.
- 13.7. One frontline staff member said that they thought that the complaints mechanism would need to be a partnership between police and an independent body, to minimise police resistance and to ensure that police do not feel attacked. Three victim-survivors further emphasised in their comments that complaints should be handled independently.
- 13.8. Another issue that we find in our experience, is that there is no way of tracking systemic issues, as police do not publish data about complaints. We are anecdotally aware that colleagues in the sector will copy LECC into their police complaints so that LECC is kept abreast of what is happening on the frontline. In most cases, however, counsellors and victim-survivors advise that nothing comes of their involvement of the LECC and that police come back to them advising them that their matter has been investigated and the officers involved were found to have fulfilled their duties in accordance with current policies and procedures.
- 13.9. In our view, it is abundantly clear, not only from our consultation but also from the position taken by other stakeholders in the sector, that substantive changes need to be made to the complaints system. Despite previous attempts at reform, in practice, the system is not working. Survivors do not feel supported in making a complaint, and there

is a clear lack of transparency, meaning issues of concern cannot be tracked by stakeholders and used in their advocacy to improve police responses generally. A large part of this problem is that the bulk of day-to-day complaints are managed in-house. Managing complaints about sexual, domestic and family violence in-house is inherently problematic, as the police dealing with the complaints are not trained to act in a trauma-informed or culturally sensitive way and again, they are investigating their own personnel.

Recommendation 15: Review their complaints mechanisms to ensure people who have had a negative experience when contacting the police for help in the context of sexual, domestic and family violence are able to rely upon an independent, timely and trauma informed process for investigation and resolution of their complaint. This complaints mechanism must not be managed by police and must be overseen by a victims advocate with the skills and qualifications to oversee such complaint processes and prosecute cases on behalf of victims where necessary. This could be the LECC or another body.

Recommendation 16: Publicly report on performance, including the feedback from sexual, domestic and family violence victims, annually to track improvements in performance over time and identify areas for improvement.

14. Collaborative working

- 14.1. A common thread throughout all of the reviews referred to in this submission, is the idea that a whole of government approach is crucial to understanding and responding to sexual, domestic and family violence. Collaborative working is integral to a whole of government approach.
- 14.2. As far as we are aware, there are limited formal or informal mechanisms for stakeholders to consult with NSW Police one on one, apart from Safer Pathway and Automatic Referral Pathways. Stakeholders may have certain opportunities to consult with NSW Police in a group setting, if NSW Police are also on a government committee, for example. But otherwise, there are limited opportunities for stakeholders to raise systemic issues or discuss important cases directly with NSW Police. Oftentimes in practice, stakeholders' resort to making formal complaints to raise service quality issues with the NSW Police that might better be dealt with via formal or informal consultation processes. This also places undue pressure on the complaints system.
- 14.3. We suggest that if NSW Police work more collaboratively with non-government organisations at a community level, information and feedback from both stakeholders and victim-survivors, can be sent up the chain and improvements can be made at a more senior level (removing the need to formally complain). In the same vein, informal consultation which occurs at a grassroots level could act in tandem with more formalised conversations which occur at an executive level – for example, with the creation of a lived experience advisory body or a domestic and family violence advisory council.

Recommendation 17: NSW Police should develop better, regular and meaningful consultation mechanisms (formal and informal and at a State and local level) with key external stakeholders who specialise in sexual, domestic and family violence and peak

bodies representing a diverse range of communities including (but not limited to) Aboriginal and Torres Strait Islander people, LGBTIQ+ people, migrant and refugee communities and people with a disability

Recommendation 18: Formally establish regionally-based agency partnerships with sexual, domestic and family violence victims' services and lived experience advocates, including those representing diverse range of communities including (but not limited to) Aboriginal and Torres Strait Islander people, migrant and refugee communities, people with a disability, LGBTIQ+ people, and young people, to support integrated and collaborative approaches to preventing and responding to sexual, domestic and family violence.

15. Conclusion

15.1. RDVSA acknowledges that the NSW Police Force has come a long way in its approaches to sexual, domestic and family violence. We commend the NSW Police Force for its proactive approach of taking out and ensuring compliance with ADVOs and in pursuing high-risk domestic violence offenders. RDVSA also warmly welcomes the Safer Pathway reforms, the WDVCS co-location pilot, and other such innovations which improve service integration and collaboration between police and other government and non-government agencies responding to sexual, domestic and family violence.

15.2. However, if the NSW Police are really serious about improving their responses, then more drastic changes need to be made. A cultural shift needs to occur from the top-down as well as the bottom up. The focus needs to be less on traditional methods of reporting and investigation and more on contemporary and innovative approaches that are grassroots, holistic, trauma-informed and culturally sensitive. These aren't just buzz words. They are real solutions that are working right now on the frontline, such as the example of Waminda on the South Coast.

15.3. Historically, the job of the NSW Police was to investigate and solve crime. Arguably, in recent years, this role has expanded to include primary prevention. If we are to implement a whole of government approach to tackling domestic violence, then the NSW Police have a critical role to play in this regard also.

15.4. As the Australian Institute of Criminology has said (our emphasis)

*"[S]imply doing more of what works is unlikely to lead to significantly better outcomes. Efforts to improve the policing of domestic violence should focus on optimising the implementation and effectiveness of police responses—specifically, targeting responses at the incidents, victims and perpetrators where they are likely to have the greatest impact; **developing the workforce; embracing new technologies and innovative approaches; minimising bureaucratic or administrative barriers to effective police responses; and working closely with victims.** By drawing on this well-established and rapidly growing evidence base, much of which has been incorporated into*

contemporary policing, the effectiveness of police responses to domestic violence can be enhanced.”¹³

15.5. As this quote highlights and as our submission explains, the NSW Police need to work more innovatively, efficiently and effectively. Most importantly, the NSW Police need to focus their attention on:

15.5.1. Developing the workforce so that they are better trained to act in a trauma informed and culturally sensitive way and to manage vicarious trauma;

15.5.2. Embrace new technologies and innovative ways of working;

15.5.3. Work collaboratively with stakeholders on the frontline;

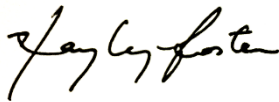
15.5.4. Commit to independence, transparency and victim-centring in the management of complaints; and

15.5.5. Take both a grassroots and system-wide approach to consultation to ensure openness to continual feedback and improvement.

RDVSA thanks the NSW Audit Office for this opportunity to provide feedback into this process.

If there are any questions in relation to the above or more information required, please do not hesitate to contact myself or Laura Henschke at your convenience.

Yours faithfully,



Hayley Foster
Chief Executive Officer
Rape & Domestic Violence Services Australia

¹³ [Policing domestic violence: A review of the evidence \(aic.gov.au\)](#) page xii